

Planning Development Management Committee

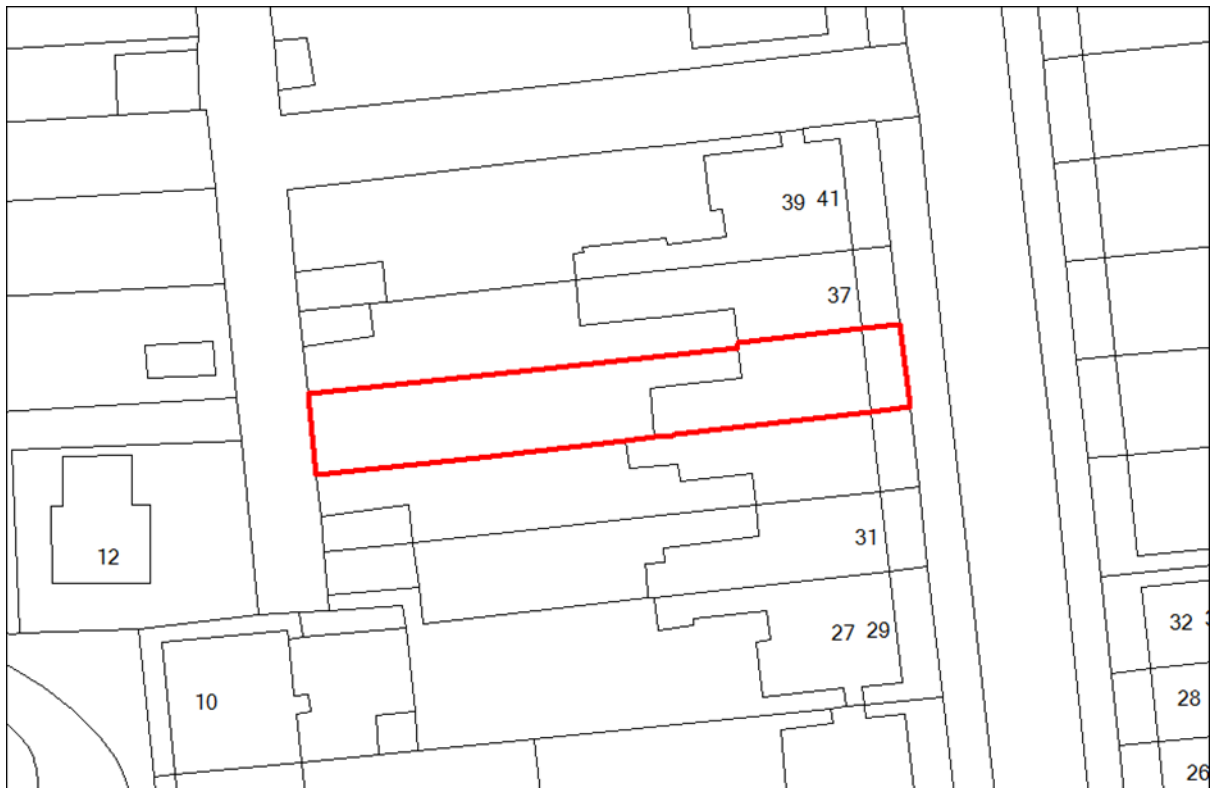
35 MILE-END AVENUE, ABERDEEN

SINGLE STOREY EXTENSION TO REAR OF
EXISTING DWELLING HOUSE

For: Mr & Mrs Woodward-Nutt

Application Type : Detailed Planning Permission
Application Ref. : P150530
Application Date: 09/04/2015
Officer: Sepideh Hajisoltani
Ward : Midsocket/Rosemount (B Cormie/J
Laing/F Forsyth)

Advert :
Advertised on:
Committee Date: 29/10/2009
Community Council : Comments



RECOMMENDATION:

Approve Unconditionally

DESCRIPTION

The application site, located to the west of Mile-End Avenue extends to 342 sq.m and is occupied by a two storey mid-terrace dwellinghouse. The footprint of the existing property results in a site coverage of approximately 16%. The site remains relatively level throughout, however it is located approximately 300mm higher than the neighbouring property to the north (No. 37 Mile-End Avenue). The property is of a traditional design and is finished in granite and natural slates.

The area is characterised by terraced properties of similar design with low boundary walls to the rear.

The site is located within a Residential Area in Aberdeen Local Development Plan (2012).

RELEVANT HISTORY

None

PROPOSAL

Detailed planning permission is sought to erect a single storey extension to the rear elevation of the property. It should be noted that the initial proposal comprised of a large scale, full width, flat roofed extension which was later amended into a smaller scale proposal and revised drawings were received accordingly.

The proposed extension would accommodate a new kitchen/lounge and WC, measuring 4.8m wide and projecting 11.2m from the rear elevation of the existing dwelling. The extension would also project beyond the existing two storey annex by approximately 800mm to the north. Its roof would be a combination of a mono-pitched roof and a flat roof measuring 2.5m to eaves and 3.3m to its highest point. The extension would incorporate a substantial proportion of glazing on the west elevation, along with a window to the north elevation and 2 no. roof lights on the pitched roof.

The extension would be finished in treated timber or Larch boarding, granite wall, grey ashlar and aluminium doors and windows.

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=150530>

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 the proposal has attracted 9 letters of objection through the neighbourhood notification and an objection from Rosemount and Mile-End Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No observations.

Environmental Health – No observations.

Communities, Housing and Infrastructure (Flooding) - No observations.

Community Council – Rosemount & Mile-End Community Council have formally objected to the proposal on the grounds of detrimental impact on residential amenity to neighbouring properties and overall character of the Rosemount and Mile-End area.

REPRESENTATIONS

Nine letters of objection have been received. The objections raised relate to the following matters-

1. The proposed design and materials are out keeping with the character of the area;
2. Approval of this application would set precedent for full width rear extensions in the surrounding area which could be detrimental for the character of the area in long term;
3. The overall scale of the proposal and its impact on the residential character of the area;
4. Detrimental impact on the residential amenity of the surrounding properties including overshadowing and daylight impact on the neighbouring property to the north (particularly No. 37 Mile End Avenue) and overlooking and loss of privacy;
5. The overall projection along the mutual boundary does not comply with the planning policy and associated Supplementary Guidance;
6. The increased use of the rear garden would lead to an increase in the number of parked cars in the rear lane. This would make the access of the emergency vehicles and maintenance of the rear lane particularly difficult;
7. Loss of property value for the neighbouring properties (No. 37 Mile End Avenue);
8. Problems arising from the construction period including the use of the lane by construction vehicles and damages to the boundary walls and the rear lane;
9. Highest quality of sound proofing should be proposed as part of the application;
10. Inconsistency in the submitted drawings.

PLANNING POLICY

Aberdeen Local Development Plan

Policy D1- Architecture and Placemaking

To ensure high standard 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 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 it:

- 1- Does not constitute overdevelopment;
- 2- Does not have an unacceptable impact on the character or amenity of the surrounding area; and
- 3- Complies with Supplementary Guidance contained in the Householder Development Guide

Proposed Aberdeen Local Development Plan

The following policies substantively reiterate policies in the Adopted Local Development Plan as summarised above:

D1- Quality Placemaking by Design (D1- Architecture and Placemaking in ALDP)
H1- Residential Areas (Residential Areas in ALDP)

Supplementary Guidance

Householder Development Guide: Rear & Side Extensions;

Proposals for any extensions should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling.

Any extension or alteration should not result in a situation where amenity is 'borrowed' from an adjacent property. Significant adverse impact on privacy, daylight and general residential amenity will count against a development proposal.

Single storey extensions to terraced dwellings will be restricted to 3m in projection along a mutual boundary.

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 application site is located within an area zoned for residential use in the Adopted Aberdeen Local Development Plan (2012), and relates to an existing dwellinghouse. The principle of an extension is therefore acceptable subject to an appropriate form and appearance. In determining what constitute an acceptable form of extension, the aforementioned national and local planning policies and associated Supplementary Guidance will be of relevance.

Design, Scale & Massing

The proposed development would be located to the rear of the application property, facing onto the rear lane, which gives access to the rear of properties and garages on Mile-End Avenue and Cairnfield Place. The proposed extension would be fully visible from the rear lane.

The initial larger scale, full width proposal has been amended and a smaller scale extension has been proposed with a width approximately 1600mm inboard of the northern boundary with No. 37 Mile-End Avenue. The proposal is proposed to be sunken into the ground by 400mm lower than the existing floor level of No. 35 and this has allowed for a reduction of the overall height of the eaves which is welcomed from a visual point of view.

The proposed extension would have a contemporary design with modern materials, incorporating a substantial level of glazing to the rear elevation and a frameless window wrapping around the north west corner. The fully glazed corner allows for a reduction in the mass and bulk of the proposal and minimises the visual impact of the new development on the character of the area.

The overall proposed projection of 11.2m to the rear does not fully accord with the Supplementary Guidance on Householder Development Guide for terraced properties that restricts the projection along a mutual boundary to 3m. However it should be noted that a good number of neighbouring properties on Mile-End Avenue have existing rear extensions with projections beyond the 3m projection suggested by the Supplementary Guidance (the existing projection of the rear extensions is 10.05m in No. 33 & 9.6m in No. 37 Mile-End Avenue) and as a result the proposed projection would not be at odds in the context of the surrounding area.

The amended proposal would result in an increase in site coverage to 22% which is in line with the Council's aforementioned Supplementary Guidance on Householder Development, in that the proposal would not double the existing footprint of the original dwelling, and at least half of the rear garden ground would remain undeveloped.

The proposed extension is considered to be acceptable by way of its size, scale and overall height in relation to the existing dwelling.

Residential Amenity Impact

Additionally, no development should result in a situation where amenity is 'borrowed' from an adjacent property. Since daylight is ambient, the calculation is applied to the nearest windows serving a habitable room. Using the "45 degree rule" as set out in the British Research Establishment's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice', calculations indicate that there would be no significant detrimental impact in terms of loss of daylight to windows of habitable rooms within adjacent properties.

Turning to potential impact on adjacent properties in terms of overshadowing, the orientation of the proposed extension and its distance are important factors. Calculations indicate that due to the size, form and orientation of the amended proposal and the overall height of the existing northern boundary wall there would not be any significant additional impact relating to overshadowing of private rear garden ground and habitable rooms within surrounding properties.

The proposed windows would not adversely impact on overlooking or on the privacy of neighbouring properties.

Matters Raised in Representations

Objection points 1-5 relating to design, size, scale, materials, impact on the character of the area and residential amenity have been addressed in the evaluation section of this report. All elements of the proposal with the exception of the overall projection along the mutual boundary have been found to comply with the relevant policies set out in the Aberdeen Local Development Plan. Whilst the projection does not fully accord with the Supplementary Guidance on House Holder Development, there are material planning considerations that justify the proposed projection. It should also be noted that all objections are based on the initial drawings that were later amended into a smaller scale proposal.

Objection point 6 relates to the access and traffic management. It is considered that the rear extension accommodating the new kitchen/lounge and WC will not have an impact on parking arrangements in the rear lane. The roads officer has also considered the application and has no objection to the proposal on road safety grounds.

Objection point 7 relating to the loss of property value for neighbouring properties is not material planning consideration and accordingly is not relevant to this application.

Objection 8 relates to problems arising from construction period which could be a material planning consideration where there is significant impact on residential amenity within the surrounding area, however it is considered that the temporary impact of the construction of the proposed rear extension would not be severe.

Objection point 9 relates to sound proofing which is a building standard matter and would be considered in a Building Warrant application and is not relevant to this application.

Objection point 10 refers to an inconsistency in the initial submitted drawings that have been rectified in the revised drawings.

Full regards has been given to all concerns raised in representations, but neither do they outweigh the policy position as detailed above, nor they justify refusal of 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

The foregoing can only be assessed on a case by case basis. In relation to this particular application, the policies in the Proposed ALDP substantively reiterate those in the Adopted Local Development Plan and the proposal is acceptable in terms of both plans for the reasons previously given.

Conclusion

The proposed development complies with the development plan. The location, scale, design and finishing materials are acceptable. The proposal would not be detrimental to the character of the area and residential amenity of the neighbouring properties. Accordingly, it is recommended that the application be approved.

RECOMMENDATION

Approve Conditionally

REASONS FOR RECOMMENDATION

The proposal is considered to comply with the relevant policies of the Aberdeen Local Development Plan (2012), namely policies D1 (Architecture and Placemaking) and H1 (Residential Areas). Whilst the proposed projection along the mutual boundary with No. 33 Mile End Avenue does not fully comply with the Supplementary Guidance on Householder Development Guide, it is considered that there are material planning considerations that justify the proposal. It is considered that the amended proposal has been designed to respect the scale and form of the existing dwelling and in addition there would be no significant

detrimental impact on the existing visual or residential amenities of the area. On the basis of the above, and following on, from the evaluation under policy and guidance, it is considered that there are no material planning considerations – including the Proposed Local Development Plan- that would warrant refusal of the application. Accordingly, it is recommended that the application be approved.