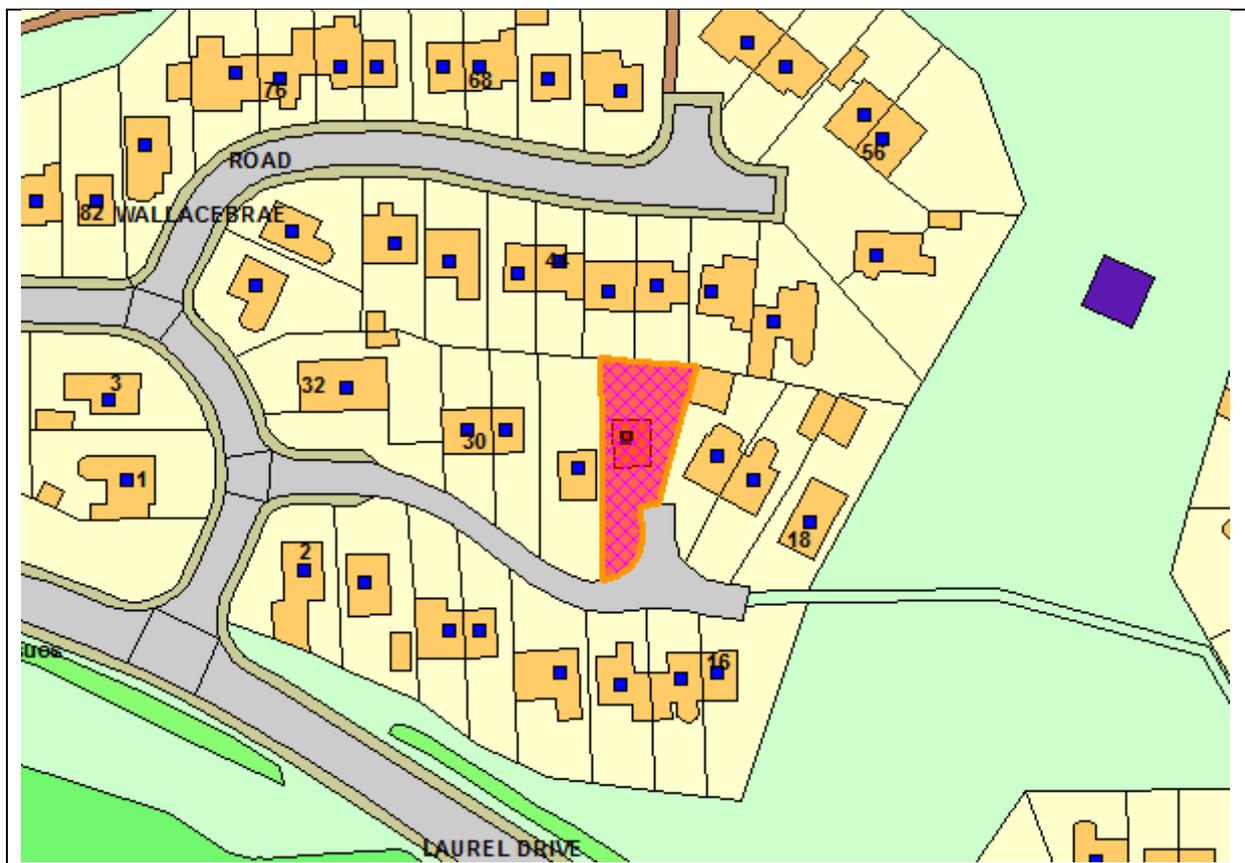


## Planning Development Management Committee Detailed Planning Permission

**161310/DPP:** Erection of 2 storey extension to side of dwelling house at 24 Wallacebrae Road, Aberdeen, AB22 8YQ,

For: Shelley Wilkinson

Application Date:	7 September 2016
Officer:	Roy Brown
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Bridge Of Don
Advertisement:	Not applicable
Advertised Date:	Not applicable



Location Plan

**RECOMMENDATION: Refuse**

## SITE DESCRIPTION

The application site is that of a modern, two-storey detached dwelling with associated front and rear gardens. The dwelling has a south facing principal elevation, and is at the end of a suburban cul-de-sac characterised by detached and semi-detached dwellings. It fronts onto Wallacebrae Road to the south, and is bound by 26 Wallacebrae Road to the west; numbers 46, 48 and 50 Wallacebrae Road to the north; and 22 Wallacebrae Road to the east.

## RELEVANT HISTORY

Application Number	Proposal	Decision Date
ENF160046	The unauthorised erection of a fence and formation of a hard surface in the front curtilage of the dwelling.	Pending

## DESCRIPTION OF PROPOSAL

Detailed Planning Permission is sought for the erection of a two storey side extension, with an attached single storey garage and roof terrace to the rear of the dwelling.

## SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at [www.publicaccess.aberdeencity.gov.uk](http://www.publicaccess.aberdeencity.gov.uk).

## CONSULTATIONS

Consultee	Date of Comments	Comments Made
ACC - Roads Development Management Team	20.09. 2016	No comments.
ACC - Flooding And Coastal Protection	12.09. 2016	Water attenuation storage such as water butts should be incorporated in the design.

## REPRESENTATIONS

Eight letters of objection have been raised with regards to this application. The matters raised relate to:

- The unacceptable loss of residential amenity from:
  - the loss of privacy;
  - the loss of sunlight;
  - the loss of daylight;
  - the proximity of the roof terrace; and
  - Noise generation associated with the proposed garage.

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- The absence of clarity over the height of the screening around the roof terrace.
- Concerns relating to the recently constructed fence and hard surface in the front curtilage.
- The intended use of the garage for business purposes.
- The effect of the proposal on house prices and house insurance costs.
- Concerns with regards to the construction of the development.

## PLANNING POLICY

### Adopted Aberdeen Local Development Plan

Policy D1 – Architecture and Placemaking

Policy H1 – Residential Areas

### Proposed Aberdeen Local Development Plan

Policy D1 – Quality Placemaking by Design

Policy H1 – Residential Areas

### Supplementary Guidance

‘The Householder Development Guide’

## EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 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 site is located within an area zoned for residential use in the adopted Aberdeen Local Development Plan and relates to an existing dwellinghouse. To accord with Policy H1, the principle of an extension and a roof terrace to an existing dwelling would be acceptable if the following criteria can be satisfied:

1. the proposal does not constitute over development;
2. the proposal does not have an unacceptable impact on the character of the amenity of the surrounding area;
3. it does not result in the loss of valuable and valued open space; and
4. complies with the relevant supplementary guidance (SG) – ‘The Householder Development Guide’.

The extension would be sited on existing private garden ground, and thus would not result in the loss of any public open space.

The following general principles of the SG can be used to assess what constitutes overdevelopment, in conjunction with a wider assessment of a development’s density in the context of its surroundings:

- The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling;

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- No more than 50% of the front or rear curtilage shall be covered by development.

In this case, the built footprint of the extended dwellinghouse would be approximately 2.5 times that of the original building. As a result, 45% of the rear curtilage would be covered by development. While the overall site coverage would remain at an acceptable level, the significant built footprint of the dwelling as extended, nearly three times the built footprint of the original building, would constitute overdevelopment. It would set an unwelcome example for similar householder development in the surrounding area, which cumulatively would adversely affect its character.

The following general principle of the SG can be followed in order to assess if the proposal would result in an unacceptable impact on the character of the amenity of the surrounding area:

- 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.

Calculations, using the 45 degree method set out in the SG, show that the proposal would result in the loss of sunlight to garden ground at numbers 48 and 50 Wallacebrae Road to the north and the driveway of 22 Wallacebrae Road to the east; along with the loss of daylight to a window of a habitable room of 22 Wallacebrae Road. Given the extensive amount of windows to the affected habitable room of 22 Wallacebrae Road, the room would continue to experience a significant amount of daylight, and therefore the degree of daylight lost would not adversely affect the amenity afforded to residents. As the affected area of 22 Wallacebrae Road is a driveway, and the affected amenity garden ground of 50 Wallacebrae Road is partially covered by a shed, the loss of sunlight to these areas would not result in a material loss of residential amenity. However, the affected area of 48 Wallacebrae Road is used as private garden ground which, due to its southerly aspect, experiences a high level of sunlight. The resultant loss of sunlight is considered likely to adversely affect residential amenity.

The SG states that any proposed balcony which would result in direct overlooking of the private garden/amenity space of a neighbouring dwelling, to the detriment of neighbours' privacy, will not be supported by the planning authority. Without any form of screening shown on the plans, the roof terrace located on the roof of proposed garage would significantly adversely affect the privacy of six neighbouring properties. While it is recognised that the suburban layout of the area means that the affected rear gardens presently experience a degree of overlooking from first floor windows, the siting of this roof terrace adjacent the north and east boundaries would result in a much more overt overlooking from an elevated position into the gardens and dwellings of numbers 22, 46, 48 and 50 Wallacebrae Road. Such a situation would be unacceptable as it would be significantly overbearing, which would adversely affect their residential amenity. The proposed extension and roof terrace would thus result fail to comply with this element of the approved guidance and would result in an unacceptable impact on the character and amenity of the surrounding area.

To accord with Policy H1, the proposal must accord with the other relevant criteria of the SG. A general principle for householder development is that proposals should be architecturally compatible in design and scale with the original house and its surrounding area. The issues of design is also addressed via Policy D1, which states that new development must be designed with due consideration for its context and make a positive contribution to its setting. In terms of its architectural style, the principal elevation would be compatible with the original building on the streetscape. It would not project forward of the principal elevation; the rear extension would be lesser in height than the original building; and the materials, proportions of the upper floor window and garage door, eaves and ridge heights would correlate with the original dwelling. Nevertheless, given the significant built footprint of the extension, and massing from its projection for the length of the east boundary, the proposal would overwhelm the form of the original building and would thus not be architecturally compatible in terms of design and scale. The SG states that on detached properties of 2 or more storeys, two storey extensions will generally be possible, subject to the considerations set out in the 'General Principles' section of the SG. For the above reasons, the proposed two-storey extension fails to fully comply with the general principles of the SG.

The proposal fails to comply with the criteria in Policy H1, and thus would not be acceptable. While the materials and architectural style of the proposal would relate to the original building, its significant size, scale and massing would overwhelm its original architectural form. The proposal has thus not been designed with due consideration to its context, and it therefore fails to comply with Policy D1.

#### Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015 and the Reporter has now reported back. The proposed plan 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 comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The Reporters response does not affect policies in a manner that is relevant to this application. In relation to this particular application proposal policies in the Proposed LDP are not materially different from those in the adopted LDP.

Approval to adopt the LDP will be sought at the Full Council meeting of 14 December 2016. The actual adoption date is likely to be around the third week in January 2017.

#### Matters Raised in the Letters of Objection

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Representations relating to planning issues such as privacy, loss of daylight and sunlight etc have been sufficiently addressed in the above evaluation. The proposed garage is presented as being for domestic purposes and will be assessed as such. Therefore, any noise generated by its use is anticipated to be consistent with that domestic use and would not represent a threat to residential amenity. It is noted also that statutory noise controls via Environmental Health legislation will remain applicable in the event that noise disturbance were to be experienced. The recently constructed fence and hard surface do not form part of this application and thus cannot be assessed in this evaluation. Their unauthorised erection has been referred to planning enforcement. Any impact from the construction of the development would be of a temporary nature and commensurate with the domestic scale of the proposed development. The other concerns - the effect on house prices and house insurance policies - are not material planning considerations and therefore cannot be included in this evaluation.

### **RECOMMENDATION: Refuse**

#### **REASONS FOR RECOMMENDATION**

The proposed extension, garage and roof terrace would be unacceptable in terms of its size, scale and massing, and would constitute overdevelopment. Together, they would significantly adversely affect residential amenity via the loss of sunlight and privacy. They would thus fail to accord with Policy D1 – Architecture and Placemaking; and Policy H1 – Residential Areas of the adopted Aberdeen Local Development Plan; the associated Supplementary Guidance: ‘The Householder Development Guide’; and the related policies of the proposed Aberdeen Local Development Plan: Policy D1 – Quality Placemaking by Design and Policy H1 – Residential Areas.