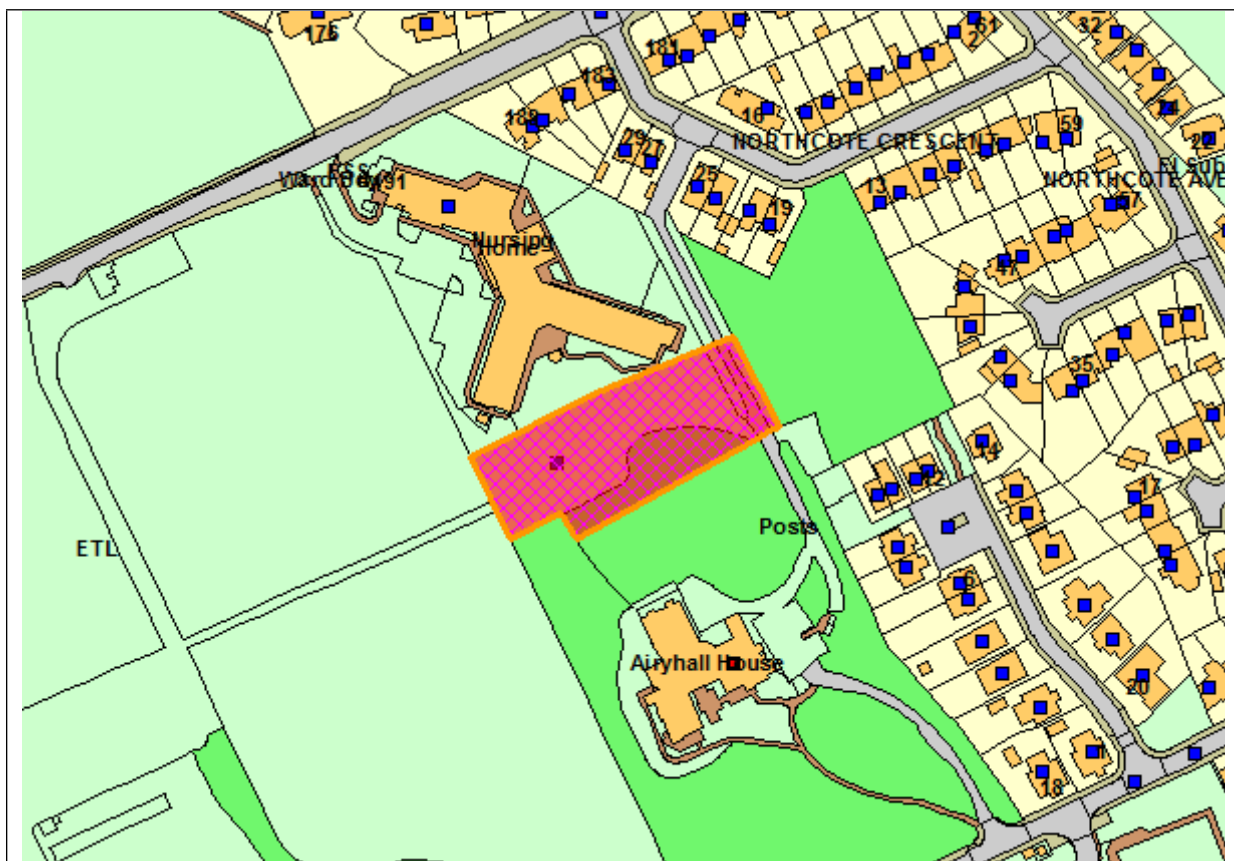


Planning Development Management Committee Detailed Planning Permission

161760/DPP: Erection of a 2 storey dwellinghouse at Land Between Airyhall House And Northcote Care Home, Airyhall Road, Aberdeen, AB15 7TF

For: Bancon Homes

Application Date:	14 December 2016
Officer:	Lucy Greene
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Braeside And Mannofield
Advertisement:	Section 60/65 Affecting Character of Conservation Area
Advertised Date:	04.01.2017 & 06.01.2017
Committee Date:	16 March 2017



Location Plan

RECOMMENDATION: Refuse

SITE DESCRIPTION

The site is located between Airyhall Road and Craigton Road, sitting between Airyhall House, which is divided into flats for over 55s, and Northcote Lodge Care Home and forms part of the original policies of Airyhall House. The site, which is rectangular in shape and extends to 0.35 hectares, is substantially wooded, containing a significant number of large mature trees. The site is reasonably level, except for that part of the site next to the south boundary which rises up by 1.5-2.0 metres. An existing access lane to Airyhall House runs through the eastern part of the site. That lane is closed to through traffic south of the application site and is a core path. The application site was formerly part of the policies of Airyhall House and historic maps show small scale buildings associated with the main house and its walled garden.

Northcote Care Home, to the north of the site, is a 2 storey building of irregular shape. Airyhall House, to the south, is 3 storeys high. To the east is an area of public open space containing a large number of medium sized trees. Immediately to the west is green belt land. To the south lies the walled garden and grounds associated with Airyhall House. The walled garden immediately abuts the southern boundary of the site.

An informal footpath crosses the site east – west and this is located towards the southern edge of the site.

The site lies within the eastern portion of the Pitfodels Conservation Area.

RELEVANT HISTORY

Application Number	Proposal	Decision Date
090141	Erection of 54 Bed Nursing Home	Approved Conditionally

The application site for the nursing home included this current application site, with some of the replacement tree planting taking place within the current application site. This looks to have included 7 replacement trees for those lost for the building of the nursing home, and which were planted to enhance

131354	Construction of 5 No. terraced houses and associated site works	Refused
PPA-100-2060		Appeal dismissed

The appeal decision can be read here:

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?ID=115601>

The upholding of original decision in the appeal was based on the following (main issues):

The Supplementary Guidance on plot splits was relevant and applied, as were policies relating to design, layout and amenity for existing and incoming residents. In relation to these:

- The pattern of development would not replicate the existing buildings to either side.
- Scale and massing of the proposed houses would introduce another different and discordant built form into the surroundings.

- The proposal would not improve the surroundings.
- In order to ensure privacy, the design would result in blank and harsh rear elevation to the north (care home), with no passive surveillance of the communal back garden, which in turn would be overlooked by the care home.
- Although there would be no effect on light reaching the buildings to either side, the tree canopies and orientation meant that the communal garden would be dark and overshadowed for most of the year.
- The proposed materials and their use on the buildings were not natural or traditional and would not suit nor complement the surroundings.
- the character of the area would change substantially to become far more urban and this would erode the character, quality and value of the area's landscape. The change would not help to conserve, restore and enhance the local landscape.
- Tree loss and risk to mature trees due to building within root zones. Construction traffic accessing the site would also find it difficult to do so without damage to trees.
- The widening of the entrance for visibility splays for service vehicles would entail clearance of vegetation which would further erode the character of the green space.
- the site forms part of the extensive wooded grounds associated with Airyhall House, which is now on the edge of the last remaining gap in the urban area at this north end of the conservation area. Landscape setting is part of the setting of the conservation area. The impact of the change that would result from the appeal proposal on important qualities, such as seclusion, tranquillity, low density development, mature trees, and traditional styled and finished buildings would be harmful, especially cumulatively with development nearby. The conservation area could not absorb that additional change without further erosion of its key characteristics and I have no evidence to show that this impact could be mitigated. It was therefore considered that the proposal would detract from and would specifically not preserve or enhance the character or appearance of the conservation area.

DESCRIPTION OF PROPOSAL

The application proposal is for a detached two storey five bedroom dwellinghouse, with integral double garage. The footprint of the house (including garage) would be 201m². The proposed house would be located toward the rear of the site, however, still allowing for a large rear garden of 560m² to the west (rear) .

The main house would consist of a traditional type rectangular plan building, with two storey granite gabled entrance feature, wallhead dormers faced with timber linings to either side and the remainder of the frontage in white coloured roughcast with granite features. To the rear is a projecting one and a half storey annex. The garage sits to the side of the main house and has bedroom accommodation within its upper level. The roofs would be slated.

It would be proposed to contain the rear garden within a 1.8m high timber fence, whilst providing a public footpath to the south side of the fence, linking the core path / access lane, with footpaths within the green space to the west.

The house would be approximately 16.5m to the south of Northcote Lodge Care Home at the nearest point. This is a windowless gable. However the nearest window to window distance would be approximately 20.5m – between windows on the south west end elevation of the care home and on the rear ground floor level family room. Windows from the care home would overlook the gardens to varying extents, with windows being at a horizontal distance of approximately 11m at closest and at an oblique angle.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OI4V9SBZI2900>.

CONSULTATIONS

Consultee	Date of Comments	Comments Made
ACC - Environmental Health	25 January 2017	No observations
ACC - Roads Development Management Team	27 January 2017	No objection It is noted that the existing access road will be upgraded and extended into the house site such that it is suitable for access for service vehicles
ACC - Flooding And Coastal Protection	1 February 2017	No objection
ACC - Waste Strategy Team	30 January 2017	No objection
Braeside and Mannofield Community Council	19 January 2017	Objects for the reasons set out below

- The 2012 LDP identified the area as a development opportunity for 20 houses and these have been built already. The existing house would be contrary to the LDP.
- Many of the reasons for the refusal of the previous application still apply.
- Impact on landscape, amenity and character of the site and adjacent area.

REPRESENTATIONS

Fourteen letters of representation have been received. These raise the following issues:

- There was a problem with neighbour notification whereby Airyhall House was missed out. (This was rectified and correct notification carried out.)
- That the site has been the subject of refusal and an appeal dismissed
- The house would be badly sited, in an isolated and inappropriate location, with regards to potential for noise and trespass, between a nursing home and Airyhall House which is restricted to residents aged over 55.

- There is a wide network of paths and rights of way in the area, the new development would need to respect these.
- Concerns regarding the need to delineate the boundary between the site and Airyhall House, and the type of boundary treatment. Letters refer to the current situation whereby walkers on the path stray onto the Airyhall House grounds.
- There has been no maintenance by the applicant, of the area between the site and Airyhall House.
- Interaction of boundary treatment and mature trees needs to be carefully considered.
- Access to the proposed property. The lane from Craigton Road is a single dirt track which has no lighting but is regularly used. It is also the path to the bus stop.
- Continued occasional use of the land by pedestrians and occasional use by vehicles.
- It is stated that the road should be lit, cleared of undergrowth and surfaced for safety reasons and must remain available to walkers
- That the nearby woodlands are home to wildlife and part of the scheme to bring back red squirrels. The site is part of network of green spaces used by wildlife.
- The site would include an area that provides access to the walled garden associated with Airyhall House. Although this is not the only access, it is easier for those with walking problems and for taking in gardening equipment. An access gate, of a width suitable for access (4 feet stated in representation) is needed.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because there are fourteen letters of representation and an objection from the Community Council.

PLANNING POLICY

Aberdeen Local Development Plan 2017

Policy H1 – Residential Areas
Policy D1 – Quality Placemaking by Design
Policy D2 – Landscape
Policy D4 – Historic Environment
Policy NE3 - Urban Green Space
Policy NE5 – Trees and Woodland
Policy NE9 – Access and Informal Recreation

OTHER RELEVANT MATERIAL CONSIDERATIONS

Historic Scotland's "Managing Change in the Historic Environment
Pitfodels Conservation Area Character Appraisal 2015
Interim Guidance: The Sub-Division and Redevelopment of Residential Curtilages

The previous appeal decision is also a material consideration in so far as it is relevant.

Interim Guidance: Green Space Network & Open Space

Interim Guidance: Trees and Woodlands

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.

As the site is situated in the Pitfodels Conservation Area, it is also a requirement in accordance with section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

The main issues for consideration are:

- Impact on the residential environment for existing and incoming residents;
- Impact on trees, woodland and wider landscape character, including on the core path and footpath network; and,
- Impact on character of the conservation area, in terms of proposed building and the landscape setting of the conservation area.

Residential Use and Amenity

The proposal lies within an area zoned under Policy H1: Residential Areas. This policy presumes in favour of residential development, subject to several provisos:

- is not overdevelopment;
- should not harm local character and amenity or remove valued open space; and
- should comply with SG “The sub-division and redevelopment of residential curtilages”, which applies to development in the garden ground of existing properties, in other words, to curtilage splitting.

The house would be set within relatively large grounds and would be considered not to be over development in the context of its own site, however, this matter will be considered further below in the context of the character of this particular area.

The nature of the site is that it has a rural feel, being crossed by both the core path – the lane from Craigton Road – and the footpath leading east/west between the core path and the green space to the west. It is unmaintained, which provides the feel of a wild space and this enhances the environment for those using the footpaths. The proposal for the house, and also the 1.8m timber fence around the rear garden, which would run alongside the footpath, would therefore harm local character and amenity.

The application site was part of the curtilage of Airyhall House and the supplementary guidance therefore applies. This identifies the relevant issues as privacy, design, external finishes, sunlight and daylight, scale, massing and pattern.

In terms of separation distances and orientation, there would be no impact in terms of daylighting or sunlighting, on the occupiers of the existing neighbouring buildings. The tree coverage on the site would mean that large areas of the grounds would be overshadowed at many times of year, although slightly less so at the rear. This would potentially impair the enjoyment of the site by occupiers in terms of sunlight and would be likely to result in there being pressure for further trees to be removed in the future. Trees will be discussed further later in the report.

There would be insignificant impact on the privacy of the occupiers of the existing buildings and for the incoming residents, separation distances would compare favourably with those typically found in residential areas.

The proposed house would introduce a different scale and massing to this particular area, as it would not correspond to either Airyhall House or Northcote Care Home, both of which are buildings of larger footprint set within green surroundings. The area has a different character to that of the suburban area to the east, which lies outside the conservation area, and is an area of transition between the more urban area, and the green belt to the west. The proposal does not fit with the pattern of development in the immediate area.

The proposal would harm the local character and amenity and particularly in relation to users of the paths, and would not therefore comply with Policy H1.

Policy NE3- Urban Green Space presumes against granting permission to redevelop woods and other areas of urban green space. Green Space is defined in the Interim Guidance relating to open space as vegetated areas of open space within urban areas. There are some exceptions within the policy, these include: where there is no significant loss to the landscape character and amenity of the site and the adjoining area; where public access is maintained or enhanced; the site of no significant wildlife or heritage value; there is no loss of established or mature trees; or, there would be equivalent replacement green space. In this particular case, the site is well used by walkers, as well as the outlook contributing to the amenity of those living in the care home, the proposal would result in loss of enjoyment of the site, whilst a footpath link would be provided, it would be of a different character. The site is of value to wildlife, although does not have special significance, its value to wildlife would be impaired by change in nature of the site to garden ground. Mature trees would be lost and highly likely to be damaged and require work in the future. The policy exception relating to replacement open space is not relevant in this case.

In terms of Policy NE9, whilst the character of the footpaths would be affected, the informal route through the site would remain, albeit rerouted slightly. The policy also refers to access during construction, and there is no reason why this could not be managed to allow the access to remain open. The proposal does not contravene Policy NE9.

Landscape, trees and woodland

The proposal would result in the removal of two mature trees in order to provide access. In addition, the root protection areas of trees along the northern boundary would be very close to the foundations of the house and may sustain damage in the

long term. Construction access would also be restricted and further damage may occur.

As mentioned previously there is significant tree coverage on the site, any works to trees requires permission due to the conservation area designation, however, experience has shown that building houses with this sort of relationship to trees, often results in pressure for the trees to be removed in the medium term.

Policy NE5 presumes against development that will result in the loss of, or damage to, trees and woodlands that contribute to landscape character and local amenity.

The wooded setting is a key part of the character of the conservation area in this location, as well as the trees contributing to the recreational value of the area as noted above. The proposal would not therefore comply with Policy NE5 and the interim guidance: Trees and Woodland

Conservation Area

The character of the Pitfodels Conservation Area is one of large country houses within large plots and of a landscape setting of extensive mature tree planting. The proposal, due to the introduction of a house and its associated boundary treatments, would erode the quality of the area's character. The proposal would not preserve or enhance the character of the conservation area in this particular location.

Setting aside the principle, the massing and elevational design of the house, whilst generally derived from traditional design and having some of the associated features, would not be in keeping with semi rural character of the surroundings. This is due to its scale, introducing an alien feature as noted above, and factors such as integral garages and the prominent gable feature.

In conclusion, the proposal would harm the local character and amenity due to the change in the nature of wooded site, with its public footpaths and core paths. It would result in loss and damage to trees and would not preserve and enhance the character of the conservation area, due to both the principle and detailed design of the proposal.

Should the Committee resolve to approve the application, it is recommended that this be conditional upon matters including: landscaping and tree planting, materials for the house and boundary enclosure, withdrawing permitted development rights, ensuring provision of the footpath and access to the walled garden,

RECOMMENDATION: Refuse

REASONS FOR RECOMMENDATION

The application proposal would have a negative impact on the natural, wooded site and its surroundings including public footpath and core path, leading between residential areas and the green space to the west. The proposal would result in loss, potential damage and future loss of trees. It is thereby contrary to Policy H1, D2, NE3 and NE5 in the Local Development Plan 2017, and to the interim guidance on The Sub-division and redevelopment of Residential Curtilages and interim guidance on Trees and Woodlands.

Due to the impact of the introduction of a house of the scale and design proposed on trees and the landscape character of the site and immediate area, it would not preserve or enhance the character of the Pitfodels Conservation Area as described within the Character Appraisal and would be contrary to Policy D4, D1, Scottish Planning Policy and Historic Scotland's Managing Change Guidance: Setting.