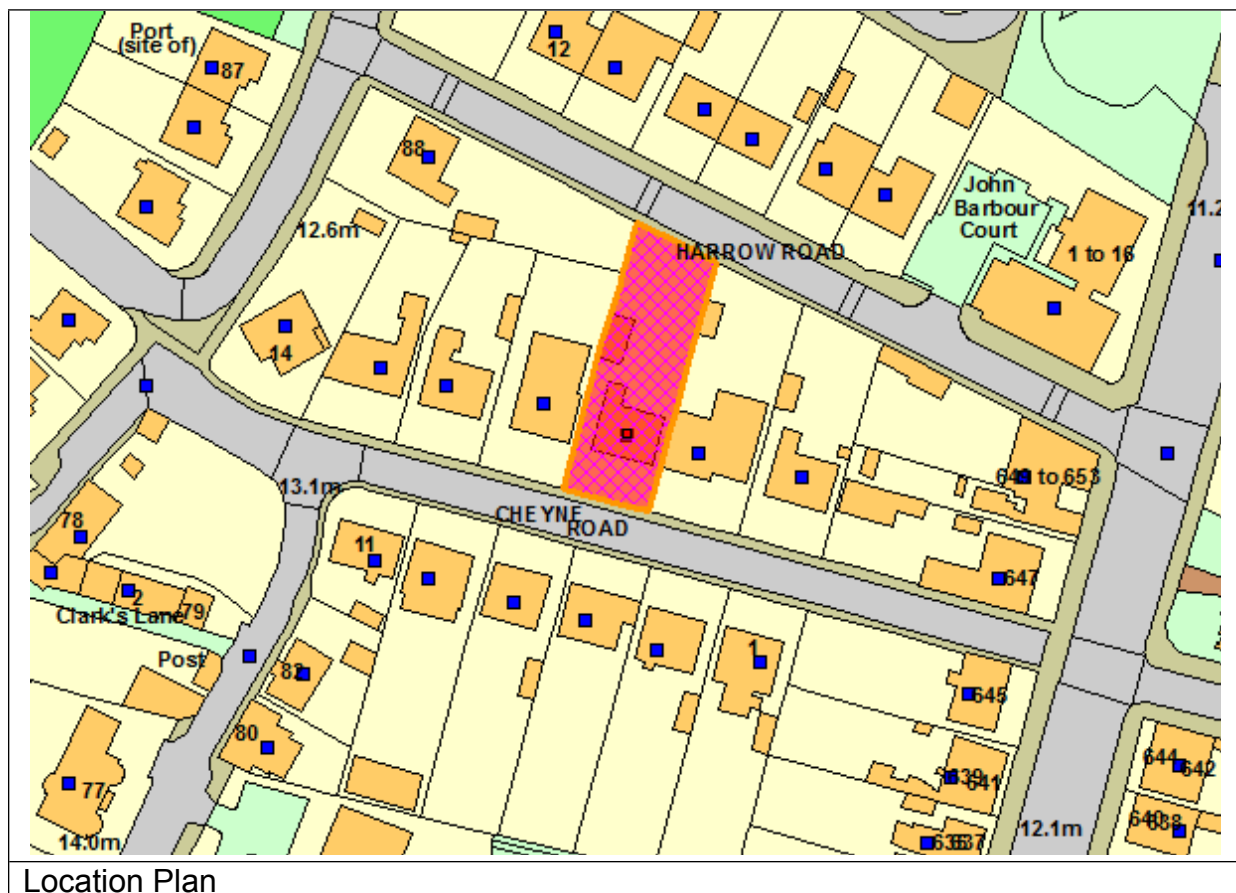


Planning Development Management Committee Detailed Planning Permission

161284/DPP: Kitchen extension and erection of ancillary garage at 6
Cheyne Road, Aberdeen, AB24 1UA,

For: Mr Mark Findlay

Application Date:	5 September 2016
Officer:	Lucy Greene
Ward:	Tillydrone/Seaton/Old Aberdeen
Community Council:	Old Aberdeen
Advertisement:	N/A
Advertised Date:	N/A
Committee Date:	20 April 2017



RECOMMENDATION: Refuse

SITE DESCRIPTION

The application site comprises a long feu, fronting onto Cheyne Road, to the south, with a vehicular access from Harrow Road to the rear/north. The rear access serves an existing single garage, with pitched roof. The existing single-storey detached

dwelling is granite built with a slated roof, and has a small rear projection (possibly original). To the front of the property is a narrow driveway / path and landscaped front garden, while to the rear there is an extensive garden laid mainly to lawn, with some landscaping arranged along the boundary.

The neighbouring properties on Cheyne Road are of similar style and size to the application property. Apart from No.4, next door, no other property has direct vehicular access onto Harrow Road. The properties on Cheyne Road are also detached whereas the properties in which the principle elevation faces Harrow Road are semi-detached.

RELEVANT HISTORY

Application Number	Proposal	Decision Date
140936	Extension to rear elevation and proposed annex to rear garden	Refused by LRB 18/12/2014
091335	Garage and driveway (accessed from Harrow Road)	Approved 07/10/2009

DESCRIPTION OF PROPOSAL

Planning permission is sought for:

- a) The construction of a 1½ storey pitched-roof extension at the rear to replace an existing kitchen extension. The proposed extension to the rear of the main dwelling would measure 3.52m(L) x 4.50m (W) x 5.32m (H). The extension will comprise granite walls and a slate roof, with upvc-framed windows and doors to match those of the existing dwelling.
- b) Construction of a single-storey domestic garage in the rear garden, with north-south orientation. Materials include a natural slate roof, render finish to external wall, white upvc doors and windows.

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=OD15J2BZ00D00>.

CONSULTATIONS

Consultee	Date	Comments Made
ACC - Roads Development Management Team	3.10.16	No comments.
Old Aberdeen Community Council	10.10.16	Object for the following reasons: 1. The large second garage would be alien to

		<p>the character, pattern and density of development in the surrounding area.</p> <p>2. The applicant's previous (rejected) planning application, 140936, included an 'annexe' in the garden which appeared to be an attempt to provide separate accommodation. This new application also has several attributes what would appear to raise doubt as to its purpose.</p> <p>3. Insufficient information. The applicant has not provided any Design Statement or Supporting Statement to explain the apparent need for a second oversized 'garage'.</p> <p>4. The applicant's site plan indicated the building would be close to the garden's east boundary. This is believed to involve the removal of a number of small trees. Any requirement to remove trees within a conservation area should be included within the planning application.</p>
--	--	--

REPRESENTATIONS

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

1. *The ancillary garage is classed as over development and would be alien to the character within the Old Aberdeen Conservation Area.*
2. *The garage would have an unacceptable impact on the character of the surrounding area, presenting a blank face to the road. The building would not be subordinate in scale to the main house.*
3. *Impact on adjacent garden (at 88 Don Street) that is within the Conservation Area.*
4. *The garage would result in a loss of garden area*
5. *There is already an existing garage.*
6. *There is doubt about the purpose of the ancillary garage since the previous application (140936) sought permission for a separate dwelling, which was refused.*
7. *Approving this application could make it difficult to resist future application for change of use of the garage to a dwellinghouse.*
8. *The proposal would set precedent in terms of allowing two garages and the cumulative impact of this on the streetscene would be to reduce greenery, to the detriment of the area.*
9. *Concern about the garage having a negative impact on mature trees and would result in the loss of a mature tree.*
10. *There are concerns about accessibility to the garage from Harrow Road.*

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because there are seven letters of representation and the application therefore falls outwith the Council's Scheme of Delegation to Officers.

PLANNING POLICY

Aberdeen Local Development Plan 2017

D1: Quality Placemaking by Design

H1: Residential Areas

D4: Historic Environment

OTHER RELEVANT MATERIAL CONSIDERATIONS

Interim Planning Advice (IPA):
Householder Development Guide
Trees and Woodlands
Transport and Accessibility

Historic Environment Scotland Policy Statement 2016 (HESPS)
Scottish Planning Policy (SPP)

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.

Aberdeen Local Development Plan 2017 – Legal Challenge

Combined Corp BVI Ltd has lodged an appeal against the adoption of the Aberdeen Local Development Plan 2017. The appellant seeks to quash that part of the Plan which incorporates the recommendations made by the Reporter in relation to Issue 11 – Allocated Sites and General Area Strategy; Deeside and Issue 12 – Alternative Sites; Deeside.

The remainder of the proposals and policies in the Local Development Plan 2017 are not subject to legal challenge and therefore, with the exception of the sites affected by Issue 11 and 12, planning applications can continue to be determined in accordance with the adopted Local Development Plan 2017.

Principle of Development

While the principle of extending or altering an existing dwelling, or providing a freestanding building within a residential curtilage for purposes incidental to occupation of the dwelling, is normally acceptable within a residentially-zoned area

such as this, proposals must also be assessed in terms of factors such as design, appearance and location, its impact on the character and amenity of the area and effect on residential character and amenity.

Design

Policy D1 promotes high standards of design resulting from an analysis of context.

The proposed kitchen extension is acceptable under policy D1 and H1 of the Aberdeen Local Development Plan. The materials used for the proposed extension will match those of the existing dwelling, utilising granite and slate. The extent of enlarging of the building would be relatively modest and there would be no impact on the residential amenity of the neighbouring properties. This element of the proposal is not considered to be over development and will have no impact on the character or visual amenity of the surrounding area.

There are specific guidelines relating to the erection of domestic garages contained in Section 3.1.6 'Outbuildings' in the 'Householder Guide' IPA. This applies various rules, with those relevant being:

- Outbuildings must always be subordinate in scale to the dwellinghouse and two storey outbuildings will generally not be permitted;

Although the proposed garage would be smaller than the existing house in both footprint and height, it would be significantly larger than would usually be expected for an ancillary garage building. The length of the house elevation being 11.277m and the overall height 5.737m; the garage would be 8.979m in length and 5.396m. The garage would be single storey, with the height of the roof, not being sufficient to accommodate an upper level. Despite its slightly smaller size, the garage could not be said to be subordinate to the house, especially taking into account that it is on street frontage and relatively close to the pavement.

- Outbuildings should not have a negative impact on the character of the surrounding area;

The proposed garage would present an almost 9m long blank elevation to the street, on Harrow Road. It would be at a distance of between approximately 1m and 3.6m from the heel of the pavement. Although there would be some potential for planting to be retained and / or planted, the relationship of the proposed building to the street would be one that is not typical within the area, and this added to the lack of visual interest in the elevation, would result in a detrimental impact.

- Where highly visible and especially in conservation areas, detached garages should be of a scale and design that respects the prevalent context of the surrounding area;

Although the garage would lie outside the Conservation Area, the boundary of the CA includes the adjacent garden to 88 Don Street. The garage would therefore be visible from within the Conservation Area and for the reasons stated above, would not preserve or enhance its character.

- Proposals will be assessed on their impact on the amenity of the area (e.g. loss of daylight/privacy) in the same way as extensions;

The proposal would not have an unduly significant impact on the daylighting or sunlight reaching neighbouring properties.

General principles within the Householder Guide require that no more than 50% of the rear garden should be covered by development, that all development is expected to be architecturally compatible in design and scale with the original house and its surrounding area; and that, materials should be complementary to the original building. Site coverage would not be unduly high although the proposal would result in there being two ancillary buildings within the rear garden, which would itself not be characteristic of a residential plot within this context. The design of the garage would not, be out of keeping with the house in all respects: it would be of similar massing / shape and roof style. However, this would result in the garage presenting a challenge to the dominance of the house, in terms of its street front location and only slightly smaller scale.

It is acknowledged that the plot size is sufficiently generous to support a structure of such a footprint without impacting detrimentally on the plot ratio, however, it is considered that the garage, as an ancillary building, is out of character with the scale and appearance of the area, to the detriment of the visual character and amenity of the surrounding residential area. Accordingly the proposal is considered to be contrary to Policies D1.

Policy H1 refers to both amenity and character of the surrounding area, and compliance with the Householder Guide, both these matters being dealt with above. The proposal is therefore contrary to Policy H1.

Conservation Area

Although not within the Old Aberdeen Conservation Area, as noted above the garage is close to its boundary and would be within close proximity and clearly visible from within. The proposal would not enhance or preserve the setting of the Conservation Area, due to its size, and relationship to the street, and is therefore contrary to Policy D4 and similar guidance in HESPS and SPP.

Other issues raised by Objectors

Many of the issues raised by objectors are dealt with above. With reference to the outstanding points, the following should be noted:

A further grant of planning permission would be required for a garage to be changed to a separate dwelling. Consideration of any such application would be on merit, where a number of other policy considerations would be relevant and taken into account (points 6 and 7).

Tree that was removed from the rear garden was not protected and its removal would not have required permission (point 9)

There is no objection from the Roads Development Management Team on the basis of road safety (point 10). It is acknowledged that manoeuvring a vehicle into the garage would be awkward, however, this is not considered a reason for refusal.

RECOMMENDATION: Refuse

REASONS FOR RECOMMENDATION

The proposed extension to the kitchen would be acceptable in terms of its size and design, being in keeping with the character of the house and having no detrimental impact on visual or residential amenity.

Notwithstanding, the proposed garage, due to its size, scale, orientation and relationship to the street on Harrow Road would have a detrimental impact on visual amenity, it would challenge the dominance of the house, also taking into account the cumulative impact of the proposal together with the existing garage on site. The proposal would therefore not accord with Policy H1 'Residential Areas', D1'Quality Placemaking by Design', nor the interim planning advice in the 'Householder Development Guide'. The proposed garage would have a detrimental impact on the setting of the adjacent Old Aberdeen Conservation Area, being thereby contrary to Policy D4 of the adopted Aberdeen Local Development Plan 2017, Historic Environment Scotland Policy Statement (HESPS) and Scottish Planning Policy (SPP)