

## **Report of Handling Detailed Planning Permission**

**170755/DPP:** Erection of 1.5 storey extension to side, front porch, and dormers to front and rear at Pomona, 38 Cameron Street, Aberdeen, AB23 8QB

For: Mr Kamil Sujka

Application Date:	28 June 2017
Officer:	Roy Brown
Ward:	Bridge Of Don
Community Council:	Bridge Of Don
Advertisement:	N/A
Advertised Date:	N/A

### **RECOMMENDATION: Refuse**

#### **SITE DESCRIPTION**

The application site relates to a modern, single storey, semi-detached dwelling, and its front and rear curtilage. The dwelling has a northwest facing principal elevation and a gable roof. There is a single garage in the rear curtilage. The application site is situated in a residential area of similarly designed semi-detached dwellings, and is bounded by Cameron Street to the northwest, which the dwelling fronts; 40 Cameron Street to the northeast, which the dwelling adjoins; 11 Gordon Place to the southeast; and 36 Cameron Street to the southwest.

#### **DESCRIPTION OF PROPOSAL**

Detailed Planning Permission is sought for the erection of a 1½ storey extension to the side of the dwelling, a front porch, and box dormers to the front and rear of the dwelling.

The 1½ storey extension would extend the gable to the southwest by approximately 2.6m. It would have an overall height of approximately 5.8m and an eaves height of approximately 2.7m. Its exterior would be finished with roughcast and concrete roofing tiles.

The front porch would have a gable roof, and would project from the (northwest) principal elevation by approximately 1.8m. It would have an overall height of approximately 3.3m, and an eaves height of approximately 2.7m. The front door to the property would be on its southwest elevation. It would be finished with roughcast and concrete roof tiles.

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The dormers would be approximately 7.1m in width, and would extend across the extended principal and rear elevations. They would be located 400mm below the ridge of the main dwelling and 400mm above the wallhead. They would be finished with roughcast and uPVC.

The application has been amended since submission. The amendments include alterations to the proportions and glazing of the proposed porch, and alterations to the design of the proposed dormers.

### RELEVANT HISTORY

No relevant planning history.

### SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at: <https://publicaccess.aberdeencity.gov.uk/>

### CONSULTATIONS

Consultee	Date of Comments	Summary of Comments
Aberdeen City Council Roads Development Management Team	4 <sup>th</sup> July 2017	No objection – There are no concerns with the principle of this application as there is no shortfall in parking. The width of the garage would be less than those required in the Supplementary Guidance. They query whether a wider garage would be achievable on the site.
Aberdeen City Council Flooding And Coastal Protection	30 <sup>th</sup> June 2017	No objection - Rain water attenuation storage (i.e. water butts) should be incorporated in the design. In order to not increase surface water runoff, the adoption of permeable block paving is strongly recommended on the site. These comments are advisory.

### REPRESENTATIONS

2 letters of objection have been received. The matters raised can be summarised as follows:-

- The loss of daylight into a bedroom, bathroom and hall of 36 Cameron Street due to the height of the extension;
- The absence of similar development in the area;
- The extension would close in 36 Gordon Place which would jeopardise the security of this property.

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- The rear dormer, and its bedroom windows, would directly overlook the front and rear curtilage of 11 Gordon Place, and most significantly an area of patio ground which is presently not overlooked, to the detriment of their privacy.
- The rear dormer would overlook two bedroom windows of 11 Gordon Place, to the detriment of their privacy.

## **PLANNING POLICY**

### Aberdeen Local Development Plan 2017

- Policy D1 – Quality Placemaking by Design
- Policy H1 – Residential Areas

### Supplementary Guidance (SG)

- 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.

### Principle of Development

The site is located within a residential area, under Policy H1 – Residential Areas of the ALDP, and the proposal relates to extensions to an existing dwelling. The principle of such a proposal would therefore be acceptable, subject to an acceptable design and appearance, and it causing no adverse impact on residential amenity.

### Design and Scale

The built footprint of the dwelling as extended, totalling an area of approximately 79sqm would not be more than double that of the original dwelling. Including the built footprint of the existing garage in the rear curtilage, only approximately 35% of the rear curtilage would be covered by development. Solely in terms of the consideration of the amount of garden ground to be built upon, the proposal would comply with the Supplementary Guidance: 'The Householder Development Guide', and the proposal would not necessarily constitute the over development of the site.

However, the proposed porch would be substantial in terms of width relative to the principal elevation of the original elevation as it would cover approximately half of the original principal elevation at ground level, which would serve to dominate the original appearance of the dwelling. Its design would be contrary to the Supplementary Guidance in that it would not incorporate a substantial proportion of glazing. Only 29% of principal elevation would be glazed. The minor amount of glazing and the substantial proportion of one solid finishing material, roughcast, would result in the front porch appearing substantial in terms of massing. With the

exception of the front porch on 38 Gordon Place, there are no examples of front porches to the semi-detached dwellings in the wider area. This porch would interrupt the building line of Cameron Street, and would not reflect the local style or the established pattern of development in the area. The grant of planning permission for such a development would set an unwelcome precedent for similar development which would be to the detriment of its character. The proposed porch would therefore not be compatible in terms of design and scale with the original building and the surrounding area.

In terms of their design, the proposed dormers would partially comply with the Supplementary Guidance relating to dormers to modern properties as they would be horizontal in proportion; they would not be built off the wall-heads or have aprons below the windows; they would be located more than the advised minimum of 600mm from the gable; and they would be built the advised minimum of 750mm from the mutual boundary of the adjoining property. However, the dormers would be substantial in terms of size and would cover a large proportion of the roof-slopes. The proposed dormers would each be located only 400mm below the existing ridge, which would conflict with the Supplementary Guidance, which advises a minimum of 600mm. They would also not include glazing at the extremities, which would be contrary to the Supplementary Guidance. The proposed design of these dormers would disrupt the architectural integrity of the dwelling, and the front dormer, in particular, would appear substantial in terms of size and massing on the public streetscape.

Discounting the front porch and dormers, the design of the proposed 1½ storey side extension would have a pitched roof with overall and eaves heights which would match those of the original dwelling. The proposed extension would be finished with materials which would match and thus complement those of the existing dwelling. Whilst it would project to the southwest site boundary, its design would be consistent with the scale and form of the original dwelling and would not significantly unbalance the appearance pair of semi-detached properties.

Nevertheless, the proposed porch and dormers would be overly large and incongruous to the design and scale of the original building and the surrounding area, and therefore the proposal would therefore fail to comply with the aims of Policies H1 – Residential Areas and D1 – Quality Placemaking by Design of the Aberdeen Local Development Plan; and the Supplementary Guidance: ‘The Householder Development Guide’.

### Privacy

The Supplementary Guidance: ‘The Householder Development Guide’ states that new development should not result in the significant adverse impact upon the privacy afforded to neighbouring residents, both within dwellings and in any private garden ground / amenity space. In this instance, the proposed dormer on the rear elevation would have three windows. Two of these windows would be to habitable rooms (bedrooms) and one would be to a non-habitable room (bathroom). No obscure glazing has been proposed in the revised plan for any of these windows.

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The Supplementary Guidance: 'The Householder Development Guide' states that any windows to habitable rooms (habitable rooms constitute all rooms designed for living, eating or sleeping e.g. lounges, bedrooms and dining rooms/areas) should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings. In these circumstances the windows of non-habitable rooms should be fitted with obscure glass.

All of these windows would directly overlook the rear curtilage of 11 Gordon Place. It would also overlook the rear curtilage of 40 Cameron Street at an oblique angle, although this would be a reciprocal situation as the dormer on 40 Cameron Street presently overlooks the rear curtilage of the application property.

While part of the rear curtilage of 11 Gordon Place already experiences a degree of overlooking from the southwest facing rear dormer on 9 Gordon Place, the orientation is such that it is the southwestern end of the garden which experiences overlooking and at an oblique angle. This proposal would introduce direct overlooking from the northwest down into an area of private amenity garden ground (patio) from two large windows of habitable rooms, which would be to the detriment of privacy, and thus the residential amenity afforded to this property, which would be contrary to the Supplementary Guidance: 'The Householder Development Guide'. While the incorporation of a substantial proportion of glazing on dormer extensions can improve their overall design, in this case the combination of 8.3sqm of glazing, which would be the majority of the face of the dormer, the elevated position, and its distance of only 10m from the affected property would result in the development being overbearing and heighten the sense of overlooking into this property.

As the rear curtilage of 40 Cameron Street is already directly overlooked from 11 Gordon Place (as is the application premises), the overlooking from the proposed dormer would not significantly adversely affect the level of privacy afforded to this property to a degree which would warrant the refusal of planning permission. One of the proposed bedroom windows would look into the upper storey bedroom window on the northwest elevation of 11 Gordon Place at a distance of 13m. In this case, the level of overlooking into this window would not be significantly adversely affect the level of privacy afforded to this property because the bedroom window on the existing rear dormer at 40 Cameron Street already looks into the affected window, and at a more direct angle. The level of overlooking into this bedroom window would not in itself significantly adversely affect the level of amenity afforded to the property to a degree which would warrant the refusal of planning permission.

Nevertheless, the proposed rear dormer would significantly affect the existing level privacy afforded to 11 Gordon Place, which would be to the detriment of their residential amenity. The proposal would therefore be contrary to the Supplementary Guidance: 'The Householder Development Guide'; and Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the ALDP; and the Supplementary Guidance: 'The Householder Development Guide'.

It must be noted that there are no planning conditions which would be able to mitigate the adverse impact on residential amenity. A condition requiring the bedroom windows on the rear dormer to be obscurely glazed would fail the six tests for conditions set by the Scottish Government in 'Planning Circular 4/1998: The Use

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of Conditions in Planning Permissions' on the grounds that given the permanent nature of this development the long-term ability to enforce such a condition would not be possible, and that such a condition would be unreasonable as it would limit the outlook of this bedroom. As there are no planning conditions which would be able to mitigate the adverse impact on residential amenity, the Planning Authority must refuse the planning application.

### Sunlight

Calculations, using the 45 degree in the Supplementary Guidance: 'The Householder Development Guide', show that the proposed 1½ storey extension would have a degree of overshadowing to an area of approximately 10 sqm of the curtilage of 36 Cameron Street and 1sqm of the front curtilage of 40 Cameron Street, which would be contrary to the Supplementary Guidance: 'The Householder Development Guide'. Because the affected areas would be minor relative to the total area of the affected gardens, these areas are overshadowed by the existing dwellings, and the spaces are driveways rather than used as private amenity garden ground, the impact on the level of sunlight afforded to these properties would not significantly adversely affect their level of amenity to a degree which would warrant the refusal of planning permission.

### Daylight

Calculations, using the 25 degree rule in the Supplementary Guidance, show that the proposed 1½ storey extension would not adversely affect the level of background daylight into the habitable rooms of any neighbouring property.

### Matters Raised in the Letters of Representation

The matters raised in the letters of representation have been addressed in the above evaluation.

The proposed extension would not significantly affect the natural surveillance of the curtilage of 36 Cameron Street as the front and side of this property would still be readily publically visible from Cameron Street.

As advised in the Supplementary Guidance: 'The Householder Development Guide', the impact on the level of daylight afforded to non-habitable rooms (rooms which are not used for living, eating or sleeping) are not taken into account in daylight calculations as any impact on these would not have a significant impact on amenity of these properties.

### Other Considerations

Roads Development Management have questioned if a wider garage would be achievable on the site. Whilst clarification was not sought by the Planning Authority as there would be sufficient parking provision on the site, it would appear from the plans that the development would extend to the site boundary and therefore this would not necessarily be achievable.

## Summary

The proposal would be incongruous in terms of design and scale to the original dwelling and the surrounding area. The proposed porch would be substantial in terms of massing on the streetscape and, in contravention to the Supplementary Guidance: 'The Householder Development Guide', would not incorporate a substantial proportion of glazing. There are very few examples of front porches in the surrounding area and this proposal would be large and would set an unwelcome precedent for similar development in the area. The proposed dormers would fail to comply with this Supplementary Guidance as they would not have glazing to the extremities and would be less than the advised minimum of 600mm from the ridge of the dwelling. Due to the incompatible design and substantial size and massing of the porch and front dormer on the publically visible principal elevation, the proposal would not be architecturally compatible in terms of design and scale in the context of the original building and the surrounding area. The proposed dormer on the rear elevation would have two windows to habitable rooms which would directly overlook the rear garden ground of 11 Gordon Place, to the detriment of the privacy and therefore the level of amenity afforded to this property. The proposal would therefore adversely affect the character and amenity of the surrounding area. It would therefore fail to comply with the principles of Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. There are no material planning considerations which would indicate other than the refusal of planning permission in this instance.

## **RECOMMENDATION: Refuse**

### **REASONS FOR RECOMMENDATION**

The proposal would be incongruous in terms of design and scale to the original dwelling and the surrounding area. The proposed porch would be substantial in terms of massing and, in contravention to the Supplementary Guidance: 'The Householder Development Guide', would not incorporate a substantial proportion of glazing. There are negligible examples of front porches in the surrounding area and this proposal would set an unwelcome precedent for similar development in the area. The proposed dormers would fail to comply with this Supplementary Guidance as they would not have glazing to the extremities and would be less than the advised minimum of 600mm from the ridge of the dwelling. Due to the incompatible design of the porch and, in particular, the front dormer, the proposal would not be architecturally compatible in terms of design and scale in the context of the original building and the surrounding area. The proposed dormer on the rear elevation would have two windows to habitable rooms which would directly overlook the rear garden ground of 11 Gordon Place, which would significantly adversely affect the level of privacy, and therefore the level of amenity afforded to this property. The proposal would therefore adversely affect the character and amenity of the surrounding area. The proposal would therefore fail to comply with the principles of Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the

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