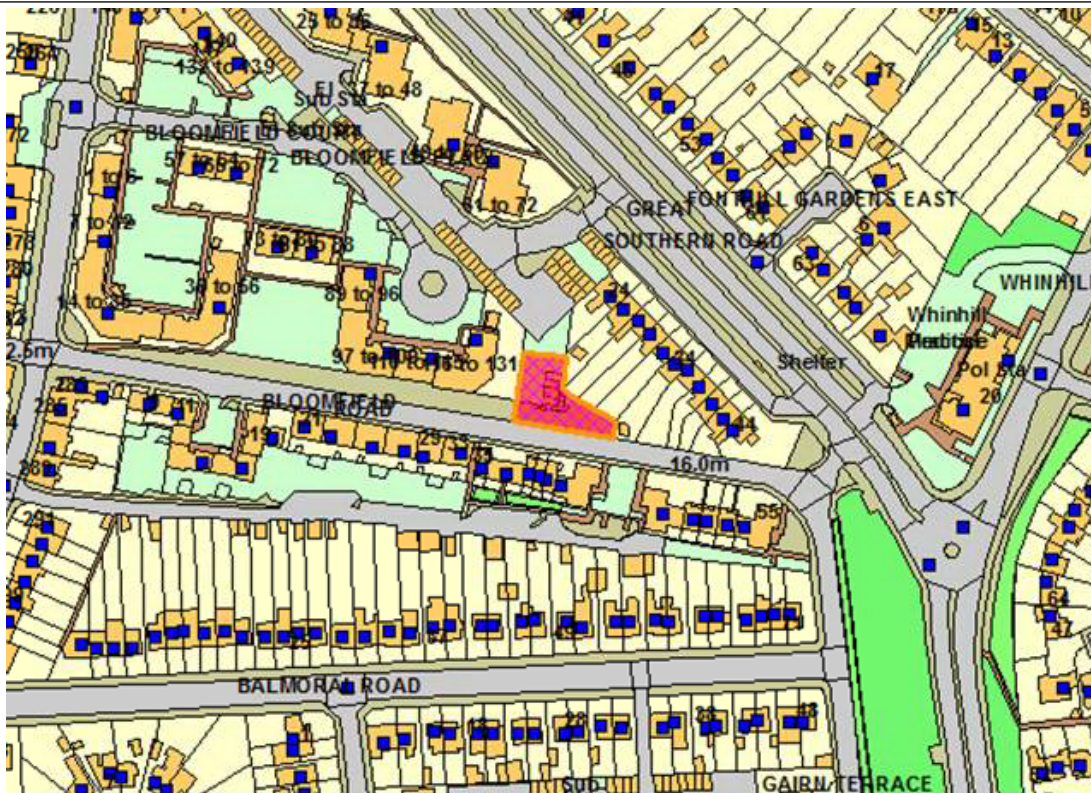


<b>Site Address:</b>	Land Opposite To 39 Bloomfield Road, Aberdeen, AB10 6AG,
<b>Application Description:</b>	Erection of a 1.5 storey dwelling with double garage, partial excavation and releveling, including construction of retaining walls and associated landscaping.
<b>Application Reference:</b>	180060/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	18 January 2018
<b>Applicant:</b>	A C Morrison And Richards
<b>Ward:</b>	Torry/Ferryhill
<b>Community Council</b>	Ferryhill And Ruthrieston
<b>Case Officer:</b>	Dineke Brasier



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

## Site Description

The site is L-shaped, measures c600m<sup>2</sup>, is currently in use as an enclosed garden serving the Bloomfield Court flats, and contains a building with three garages. The northern section has a width of c.15.5m, which widens out to c.35.5m at the southern boundary. It has a maximum depth of c.24m from north to south. There is a distinct drop in levels from the relatively flat garden to Bloomfield Road. A steep bank on the southern end of the site drops down by c.4m over a length of 6.5m. As a result, there is a retaining wall on the east boundary with properties on Great Southern Road.

The site is located in an existing residential area. Bloomfield Court, a four storey flatted block is located immediately to the west; to the south are three storey flatted blocks along Bloomfield Road; to the east are two storey terraced traditional granite properties on Great Southern Road; and to the north is a garage court serving properties on Bloomfield Place. Bloomfield Road itself is a narrow road with limited traffic and limited on-street parking.

## Relevant Planning History

Planning permission 131189 was approved on 21 November 2013 for the erection of a reception/office building on land immediately to the north of the application site. This permission was not implemented and has now lapsed.

## APPLICATION DESCRIPTION

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### Description of Proposal

Planning permission is sought for the construction of a 1½ dwelling with double garage, partial excavation, releveling and construction of retaining walls. The proposed dwelling would have a near square footprint and measure c.10m by c.10m. It would have a small front projection extending by c.1.3m. Accommodation would include lounge, kitchen/family room, utility room, bedroom and bathroom on the ground floor; three bedrooms and bathroom on the first floor; and a double garage underneath. The garage would not be linked internally to the house. Access to the house would be via steps to both the east and west of the building. The building would have a small rear garden with a depth of c.5m, with a larger side garden that slopes down to Bloomfield Road. To the front would be an area of hardstanding for bin storage and additional parking.

Proposed materials include white render for the walls and grey concrete tiles for the roof.

### 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=P2P7RKBZ01U00> .

1. Planning Statement by Raymond Simpson Architects dated 11 January 2018

### Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee as it received seven letters of objection, and therefore falls outwith the Council's Scheme of Delegation.

## CONSULTATIONS

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**ACC - Roads Development Management Team** – No objection provided cars can enter and leave the site in a forward gear.

**ACC - Environmental Health** – No observations

**ACC - Flooding And Coastal Protection** – Strongly recommends the use of permeable materials as well as the use of rain water harvesting to prevent an increase in surface water flooding.

**ACC - Contaminated Land Team** – No objection. However, as the site is associated with land with an industrial history, it is recommended conditions are attached requesting a site investigation scheme

**ACC - Waste Strategy Team** – No objection. Bins should be presented on kerbside of Bloomfield Road

## **REPRESENTATIONS**

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Seven letters of objection have been received, raising the following matters:

1. Adverse impact on privacy and outlook of properties on Great Southern Road;
2. Height of proposed building is excessive and would constitute an overdevelopment of the site;
3. Impact on security as existing high wired perimeter fence along boundary with Bloomfield Road will be reduced, improving access to the rear of properties along Great Southern Road;
4. No need for a four bedroom house in city;
5. Bloomfield Road can't accommodate any further cars. Development would pose risk for cyclists and pedestrians;
6. Proposal could result in waterlogging of the embankment behind the rear of 24-44 Great Southern Road;
7. Ground might be too soft to allow for excavation of site, which could result in a landslide;
8. Confirmation sought if proposal includes alterations to existing mutual wall;
9. Existing garages on the site could contain asbestos;
10. A taxi company might purchase building, which could result in activity during the day and night with associated resultant noise;
11. High hedge between application site and gardens of properties on Great Southern Road should be removed and replaced with something that is easier to maintain;
12. Loss of access to rear of properties on Great Southern Road for workmen etc.;
13. Natural screening between Bloomfield Court and application site should be retained; and
14. Design would be improved through use of a traditional pitch over projection rather than mono-pitch roof (*Nb. This has been changed in amended plans*).

## **MATERIAL CONSIDERATIONS**

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### **Legislative Requirements**

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)**

- H1: Residential Areas
- D1: Quality Placemaking by Design
- T2: Managing the Transport Impact of Development
- NE6: Flooding, Drainage and Water Quality
- R2: Degraded and Contaminated Land
- R6: Waste Management Requirements for New Development

R7: Low and Zero Carbon Building and Water Efficiency  
CI1: Digital Infrastructure

## **Supplementary Guidance and Technical Advice Notes**

### Supplementary Guidance:

- Subdivision and Redevelopment of Residential Curtilages;
- Transport and Accessibility

## **EVALUATION**

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### **Principle of Development**

The site is located within an existing residential area, and policy H1 applies. This policy sets out that residential development would be acceptable in principle, provided it:

- Does not constitute overdevelopment;
- Does not have an unacceptable impact on the character and amenity of the surrounding area;
- Does not result in the loss of valuable and valued areas of open space;
- Complies with Supplementary Guidance.

Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages (SG) sets out that in general, no more than 33% of the site can be built upon. In this case, the total footprint of the building would be c.128m<sup>2</sup>, with the overall site measuring c.590m<sup>2</sup>. This would result in a site coverage of 21.7%, significantly below the 33% as set out in the SG.

Another factor to be taken into account is the overall density of the surrounding area. In this case, to the west and south are residential flats, and to the east a row of terraced properties. These are all of a higher density than that proposed on the application site. The proposed development would not be considered an overdevelopment on the site.

The site is currently in use as an enclosed garden for the residents of Bloomfield Place, and is not open to the general public. The minimum distance between the three flatted blocks on Bloomfield Place and the application site is c.45m, and residents would need to cross a parking court to reach the space. The three flatted blocks are set in landscaped gardens, which naturally act as the external amenity area of these units. As such, due to the distance between these flats, and the remaining areas of garden ground, the loss of this piece of enclosed garden is considered acceptable.

The impact of the proposal on the character and appearance of the surrounding area and residential amenity of neighbouring properties will be assessed in detail below.

### **Impact on character and appearance of the surrounding area**

The proposal is for a 1½ storey detached dwelling. The surrounding area is characterised by 3 and 4 storey blocks of flats and a terrace of 2 storey granite properties. Further to the south are semi-detached dwellings along Balmoral Road. The single dwelling proposed would be located on the north of Bloomfield Road, with the existing flats located to the south of this road. It would be the only property with vehicular access onto Bloomfield Road from the north.

The building would be split level, with a garage underneath the main body of the dwelling. This garage would project c.1.7m from the front elevation of the dwelling, and would be set at a distance of c.6.5m from the edge of Bloomfield Road. The existing wire fencing and dense shrubs would be removed, and this front boundary would be opened up. Boundary treatment would consist of a 0.8m high stone wall, rising up to c.1.9m nearer the properties on Great Southern Road to tie in with the existing retaining wall between the application site and these dwellings.

Due to the distance from the road, the building would be viewed in context with the higher buildings at Bloomfield Court, and its height would be considered appropriate.

The design of the property includes full height glazing to the eastern half of the projection and a 1100mm glass balustrade along the front of the property. The garage has been lined up with the main dwelling and from Bloomfield Road would read as a single building. Planting would be used to soften the appearance of the building in the streetscape. The proposed boundary wall would gradually increase in height towards the dwellings on Great Southern Road to allow for a more smooth transition between the proposed and existing boundary treatments. Proposed materials are detailed as render for the walls and white render for the walls. To ensure that the garage and the dwelling read as one building when viewed from Bloomfield Road, it is considered necessary to add a condition to any consent requesting further details of materials.

It is considered that the scale and design of the proposal would be acceptable, and would not have an adverse impact on the character and appearance of the surrounding area.

### **Impact on residential amenity**

The dwelling would leave a distance of c.22m to the rear elevation of the nearest neighbouring property on Great Southern Road. SG sets out that a minimum distance of 18m should be retained between facing windows to ensure an acceptable level of privacy. This is therefore considered acceptable. The east elevation contains a single full height window on the ground floor with a further two small windows on the first floor. The first floor windows would serve a bedroom and bathroom. No details have been provided of proposed boundary treatment between the dwelling and the properties on Great Southern Road. This can be conditioned to ensure sufficient screening of the private rear gardens of these properties from views from the dining room window. The bedroom window would result in some direct views over the private rear gardens of these dwellings. However, based on the length of these gardens, exceeding 18m, this is not considered to have a significant adverse impact on privacy of these existing dwellings.

The west elevation contains three small windows on ground floor level serving a utility room, ensuite bathroom and toilet. None of these would be considered habitable rooms, and would not result in a loss of privacy for flats in Bloomfield Court.

The distance between the proposed dwelling and both Bloomfield Court to the west and the properties on Great Southern Road to the east is too great to result in any loss of light to these existing dwellings.

The proposed dwelling would provide a good quality living environment for future residents. The rear garden is relatively small with a depth of c.5m. However, due to the width of the plot (c.15m) and the large side garden, it is considered that sufficient outdoor amenity space would be provided for this single dwelling.

### **Impact on local highway conditions, especially parking and access**

Bloomfield Road is a narrow two way street, with on-street parking and communal bins serving the flats on one side, and double yellow lines on the other. Supplementary Guidance on Transport and Accessibility sets out that a four bedroom dwelling in this location should have a maximum of 3 parking spaces per dwelling. These spaces are provided on site in the double garage and the area to the front. Furthermore, there is sufficient space to enable cars to turn within the site, thereby enabling them to enter and leave the site in a forward gear.

### **Contaminated land and flooding**

The site is associated with land with an industrial history, and as such there could be traces of contamination. The Contaminated Land Unit has been consulted on the scheme, and raised no

objections. However, it recommended a condition be added requesting submission of a scheme to address any significant risks from potential contamination on the site, and implementation of this scheme if required.

The most southern edge of the site has a 1:200 chance of surface water flooding. This is the hard surfaced parking area, with the residential dwelling set at a significant higher level. Sufficient drainage measures have been included in the design of this parking area to prevent any further risk of flooding of this area. As such, the Council's Flooding Team does not raise any objections to the proposal.

Comments have been raised with regards to the impact of the development on drainage in the rear gardens of houses on Great Southern Road. No changes are proposed to this boundary, with levels starting to be altered at a minimum distance of c.4m with alterations to the main bank at a distance of at least 6m to this boundary. The existing hedge along this boundary would be retained. As such, it is considered unlikely that the proposal would have an unacceptable impact on drainage in these back gardens.

### **Low and Zero Carbon Building, Water Efficiency and Digital Infrastructure**

No information has been submitted setting out how the proposed dwelling will comply with policies in relation to low and zero carbon building, water efficiency and digital infrastructure. Policies in the 2017 Aberdeen Local Development Plan set out that all new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology. These details, plus additional information on water saving technologies and techniques to be installed in the building can be submitted through condition.

Policy C11 sets out that all new residential development are expected to have access to modern, up-to-date high-speed communications infrastructure. These details can be submitted through condition.

### **Extension to determination date**

The application has been the subject of negotiations and an extension to the determination date to 7<sup>th</sup> May has been agreed to allow for Committee processes.

### **Matters raised in letters of objection**

1. Adverse impact on privacy and outlook of properties on Great Southern Road – *This is discussed above;*
2. Height of proposed building is excessive and would constitute an overdevelopment of the site – *This is discussed above;*
3. Impact on security as existing high wired perimeter fence along boundary with Bloomfield Road will be reduced, improving access to the rear of properties along Great Southern Road;
4. No need for a four bedroom house in city – *The front site boundary would be sufficiently overlooked from the proposed property with no alterations proposed to the boundary with Great Southern Road;*
5. Bloomfield Road can't accommodate any further cars. Development would pose risk for cyclists and pedestrians – *Roads Development Management have assessed the application, and do not raise any objections to the scheme;*
6. Proposal could result in waterlogging of the embankment behind the rear of 24-44 Great Southern Road – *This is discussed above;*
7. Ground might be too soft to allow for excavation of site, which could result in a landslide – *Excavations start at a distance of c.4m to 6m from the boundary with properties on Great Southern Road. Due to the level of excavations and the height of the retaining walls required, these issues will be checked as part of any building warrant application;*

8. Confirmation sought if proposal includes alterations to existing mutual wall – *Proposal does not include alterations to the existing retaining wall;*
9. Existing garages on the site could contain asbestos – *This would be dealt with under different legislation;*
10. A taxi company might purchase building, which could result in activity during the day and night with associated resultant noise – *Ownership is not a material planning consideration. If the property would be used as a taxi company than a change of use application would be required, which would then be assessed on its own merits;*
11. High hedge between application site and gardens of properties on Great Southern Road should be removed and replaced with something that is easier to maintain – *This hedge is existing and is not a material planning consideration;*
12. Loss of access to rear of properties on Great Southern Road for workmen etc. – *This is not a material planning consideration;*
13. Natural screening between Bloomfield Court and application site should be retained – *No alterations are proposed to the existing boundary treatment between Bloomfield Court and the application site*
14. Design would be improved through use of a traditional pitch over projection rather than mono-pitch roof - *This has been changed in amended plans, and the design now includes a pitched roof over the projection.*

## **RECOMMENDATION**

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Approve Conditionally

## **REASON FOR RECOMMENDATION**

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The proposal is considered not to have an adverse impact on the character and appearance of the surrounding area, nor would it be an overdevelopment of the site, nor would it have an adverse impact on the residential amenity of surrounding properties or local highway conditions, especially in relation to parking and access. Subject to conditions, it would comply with Aberdeen Local Development Plan policies H1 (Residential Areas); D1 (Quality Placemaking by Design); T2 (Managing the Transport Impact of Development); NE6 (Flooding, Drainage and Water Quality); R2 (Degraded and Contaminated Land); R6 (Waste Management Requirements for New Development); and R7 (Low and Zero Carbon Building and Water Efficiency) and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages; and Transport and Accessibility.

## **CONDITIONS**

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1. No development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed

Reason: In the interests of visual amenity.

2. No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been approved in writing by the planning authority.

The scheme shall follow the procedures outlined in “Planning Advice Note 33 Development of Contaminated Land” and shall be conducted by a suitably qualified person in accordance with best practice as detailed in “BS10175 Investigation of Potentially Contaminated Sites - Code of Practice” and other best practice guidance and shall include:

1. an investigation to determine the nature and extent of contamination and any ground gases
2. a site-specific risk assessment
3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed
4. verification protocols to demonstrate compliance with the remediation plan

Reason: To ensure that the site is suitable for use and fit for human occupation

3. No building(s) on the development site shall be occupied unless
  1. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken  
and
  2. a report **specifically relating to the building(s)** has been submitted and approved in writing by the planning authority that verifies that remedial works to **fully address contamination and ground gas issues related to the building(s) have been carried out,**

unless the planning authority has given written consent for a variation.

Reason: To ensure that the site is suitable for use and fit for human occupation

4. The building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Resources for New Development' Supplementary Guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full

Reason: To ensure that this development complies with requirements for reductions in carbon emissions specified in Policy R7 of the 2017 Aberdeen Local Development Plan.

5. No development shall take place until a statement detailing how the development shall have/ provide access to modern, up to date high speed communications infrastructure has been submitted to and approved in writing by the planning authority. The approved measures shall thereafter be implemented in accordance with the approved details.

Reason: To ensure compliance with Policy CI1 of the 2017 Aberdeen Local Development Plan.