

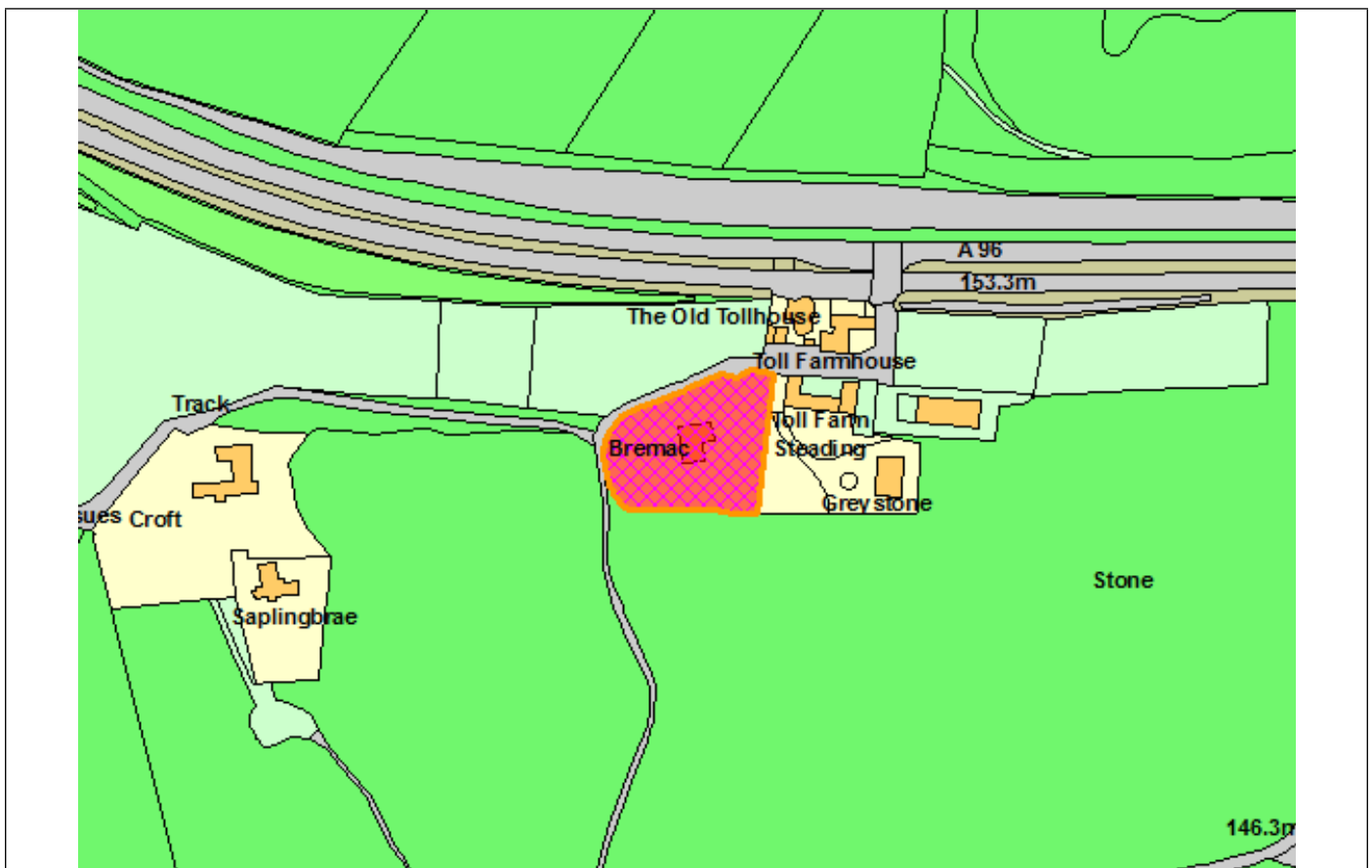


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 21 June 2018**

<b>Site Address:</b>	Bremac, Inverurie Road, Aberdeen, AB21 0TT
<b>Application Description:</b>	Erection of extensions to side and rear elevations and formation of raised terrace
<b>Application Ref:</b>	180660/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	2 May 2018
<b>Applicant:</b>	Mr & Mrs A Stephen
<b>Ward:</b>	Dyce/Bucksburn/Danestone
<b>Community Council</b>	Dyce And Stoneywood
<b>Case Officer:</b>	Sheila Robertson



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## RECOMMENDATION

Approve Unconditionally

## **APPLICATION BACKGROUND**

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### **Site Description**

The application site extends to 0.28 hectares and sits to the south of the A96 and approximately 1km west of its junction with the B979. Access to the property is taken from the A96, which also serves 4 other properties – Toll Farm House, The Old Toll House, Toll Farm Steading (converted to residential use) and Greystone. The application property, which is the westernmost property within this cluster, is a detached bungalow sitting centrally within the plot, its principal elevation facing west. The property has been extended in the past by the addition of an extension to the eastern elevation, providing an entrance porch/hallway and garage, and by a conservatory to the west. The site slopes down in 2 directions, from north to south and east to west. The eastern boundary is planted with 6m plus high lleylandii; the southern and part western boundaries abut Clinterty Woods, with relatively open views towards the west; and the northern boundary is screened by 1.8m high fencing which abuts a track with grazing land beyond. The property is located within the Green Belt and Green Space Network, as identified in the Aberdeen Local Development Plan

### **Relevant Planning History**

None

## **APPLICATION DESCRIPTION**

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### **Description of Proposal**

The application proposes the erection of (a) a single storey extension to the southern elevation, providing a new bedroom/ ensuite, study, utility room, bathroom and new entrance facing north west, with a double garage attached to the eastern elevation; (b) single storey extension to the western elevation to extend the existing lounge, involving removal of the existing conservatory; and (c) an area of raised timber decking 1.6m above ground level, at its highest point, which would wrap around the lounge extension. The existing garage and porch would be removed.

### **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=P7U6CGBZL3800>

The following document has been submitted in support of the application –

*Bat Roost Potential Survey – Landcare NorthEast – 23 May 2018* – Explains the suitability of the building as a bat habitat, or otherwise; the presence of bats in the area which could affect the proposal; and identifies that no bats were found to be roosting in the building, and as a result no negative impact on bats or bat roosts is anticipated from the proposed development.

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because it has been the subject of six or more timeous letters of representation (following advertisement and/or notification) that express objection or concern about the proposal and thus falls out with the Council's Scheme of Delegation.

## **CONSULTATIONS**

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None required.

## **REPRESENTATIONS**

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6 letters of representation (objection) have been received. The objections can be summarised as follows: -

- Impact of building construction works, mainly in terms of noise, to local wildlife (such as red squirrels, deer) and domestic animals (horses grazing in adjoining fields).
- Issues relating to ownership of the communal access road and its use for construction traffic.
- The original building would no longer be visually dominant, and the siting of the extension does not relate well to the building.
- The proposed decking would be to the front of the dwelling house and overlook private land.
- The neighbour notification procedure has not been carried out correctly - the Forestry Commission as owner of adjoining wood land has not been notified, and the neighbour of Toll House is not in residence during renovation work.
- Assurances required from neighbour regarding impact of development on their soakaway.

## **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)**

- Policy D1 (Quality Placemaking by Design)
- Policy NE2 (Green Belt)
- Policy NE8 (Natural Heritage)

### **Supplementary Guidance and Technical Advice Notes (SG)**

- The Householder Development Guide
- Natural Heritage

## **EVALUATION**

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### **Principle of Development**

The application dwelling is located within an area of land designated as Green Belt in the Aberdeen Local Development Plan and the proposal relates to an existing dwelling house. To accord with Policy NE2, proposals for development associated with existing activities in the green belt will be permitted if the development is within the boundary of existing activity; the development is small-scale; the intensity of activity is not significantly increased; and any built construction is ancillary to what exists. It also requires development proposals in the Green Belt to be of the highest quality in terms of siting, scale, design and materials and to have regard to other policies of the Local Development Plan in respect of the natural environment and landscape. These issues are addressed in the below evaluation.

### **Design, Scale and Layout**

The surrounding area contains a mix of modern, converted and traditional properties; the existing dwelling house is a modest 1980's 2 bedroomed bungalow, occupying a substantial plot, and which is not considered to be of any particular architectural or vernacular merit or of any historical value. The proposed development is compliant with Policy NE2 for the following reasons: the proposed development would be contained within the boundary of the existing site; although additional living accommodation would be created, in addition to an attached double garage, it is considered that this would not constitute any significant intensification of residential use on site; the development would be small scale relative to the plot, increasing the current built site coverage by 3% to 10%

thereby retaining a very low level of development; although the form of the original dwelling house would not remain visually dominant as a result of the proposals, the extensions would be of sympathetic design, replicating original by way of their single storey form, materials and detailing thereby resulting in the building reading as a single unit rather than piecemeal development; the extensions would enhance the appearance of the existing dwelling house by the removal of previous unsympathetic extensions; their siting would relate well to the existing dwelling house permitting only partial views of the extended sections from the A96; and the proposal would result in a dwelling house that would neither compete with, nor detract from, the established character of the surrounding landscape.

In terms of scale, Policy NE2 requires development to be small scale, while the Householder Development Guide recommends that that no more than 50% of the front or rear curtilage should be covered by development and the built footprint of a dwelling house, as extended, should not exceed twice that of the original dwelling. While the proposal would satisfy the first criteria contained in the SG, it would fail to meet the second. The existing dwelling house has already extended its original footprint of 112sq.m to 169sq.m. The current proposal would further increase the total footprint to 314sq.m. which is clearly contrary to the criteria contained in both the SG and Policy NE2. However, when considered against the overall size of the land holding, the rise in footprint and scale of the resultant dwelling house could be considered as acceptable as both a very low level of development and generous amount of private garden ground would be retained which would compare favourably with neighbouring properties, and be in keeping with the semi-rural character of the area; since the extensions would replicate the design and materials of the existing dwelling house, the scale of development would neither be readily apparent nor impact on the established pattern of development; and the site is such that the cumulative total increase in footprint can be easily accommodated without any impact to the visual character and residential amenity of the area. These factors are considered to be sufficient justification to accept such a level of development contrary to the SG and Policy NE2.

Guidance relating to the erection of raised decking contained in the SG, contains a presumption against the formation of decking to the front of a property or on any other prominent elevation where such works would adversely affect the visual amenity of the streetscape. The proposed decking would wrap around the proposed west facing extension with an area of 63 sq. resulting in a negligible increase in site coverage (2%) which would maintain the current very low density of development within the site. The scale of the decked area is considered to be appropriate in relation to both the scale of the dwelling house and size of plot. The dwelling house does not form part of a regular streetscape, and the decked area would not be readily visible from a public viewpoint. Its scale, location and materials are such that there would be minimal impact to the visual amenity of the wider area therefore this element is acceptable in terms of the SG.

Due consideration has therefore been paid to siting, scale, massing and finishing materials of the proposed extensions therefore the proposal is also compliant with the aims of Policy D1, having been designed with sufficient regard for the character of the existing building and its context within the surrounding area.

### **Impact on Residential Amenity**

The surrounding properties, Toll Farm Steading, Greystone and The Old Toll House sit 31m, 64m and 48m respectively to the east of the application dwelling house, more than sufficiently distant to ensure no impact in terms of loss to their internal day light levels or any over shadowing within their curtilage. The mutual boundaries are sufficiently well screened to ensure no loss of privacy to neighbours private garden space from any new windows to the extension and garage to the east, and all neighbouring windows are well out with the 18m window-to-window distance required to ensure privacy. The extension and decked area to the west would offer views towards Clinterty Woods, open pasture land and Kirkhill Forest. No neighbouring private residential space would be

overlooked. Residential amenity would therefore be retained in compliance with Policy H1 (Residential Areas).

### **Impact on Natural Environment**

The site lies within an area which provides a good habitat for bats, and since they are a European Protected Species, it has been necessary for the applicant to provide a bat survey to establish the likely impact of the development proposal on this protected species. The submitted survey found that while bats foraged around the house, there was no evidence of bats using the building as a roost, and no negative impact on bats or bat roosts is anticipated from the proposed development, in compliance with Policy NE8 – Natural Heritage of the ALDP.

None of the trees within the site and surrounding area are protected however all development would take place well within the boundaries of the site, and out with the root protection area and canopy spread of any trees other than one immature tree which would require removal to facilitate development however its contribution to the wider amenity of the area is negligible and its loss is acceptable given the context/character of the remainder of the site and the level of tree cover surrounding the property. There will be no requirement to request replacement planting.

### **Equalities Impact Assessment**

An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.

### **Matters Raised in Representation**

#### Disruption during construction

Any issues relating to general disturbance to neighbouring properties and surrounding areas, including impact to both domestic livestock and wildlife, as a result of the construction of the development, is not considered to be a material planning consideration. The area does not lie within an area identified as either a Candidate Noise Management Area (CNMA) or Candidate Quiet Area (CQA) where protection measures exist for preventing increases in noise exposure resulting from new development, and there would be no significant exposure to noise as a result of this development, the noise levels associated with such domestic development generally being of a temporary nature and within acceptable levels, therefore a Noise Impact Assessment was not considered necessary. The development would nevertheless be subject to statutory noise control measures controlled by the Council's Environmental Health Team.

#### Access Issues

The access road is in private ownership therefore any issues relating to right of access/obstruction by vehicles is a civil matter that must be sorted out by the parties concerned. Such matters relating to access are not material planning considerations and for which the planning authority has no powers of intervention. They are therefore not included in this assessment. For similar reasons, matters relating to a soakaway will not form part of the assessment.

#### Scale of Development

Matters raised regarding the scale of development have been assessed in the evaluation above. Whilst it is recognised that there would be a substantial increase in floor space over original, contrary to the guidance contained in the Householder Development Guide and Policy NE2, the resultant property would sit well within a substantial plot, with no impact to residential or visual amenity, therefore such mitigating factors can permit approval of the application contrary to the guidance.

#### Loss of privacy

It has been demonstrated in the assessment above that the proposed development would have no impact on neighbours' current levels of privacy.

### Impact to wildlife

The submitted bat survey demonstrates no adverse impact to the local bat population. All development will take place well within the confines of the site boundaries and is not considered to disturb wild life habitats or compromise the natural heritage value of the wider area.

### Neighbour Notification

A notice has been sent to all properties within 20m of the boundary of the application site in accordance with the Town and Country (Development Management Procedure) (Scotland) Regulations Act 2013. In the case of a 'Householder' application such as this, if no premises are associated with an area of notifiable land (such as the woodland abutting the western boundary of the application property) then the owner need not be notified. The neighbour notification process has been carried out in accordance with the above procedure.

## **RECOMMENDATION**

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Approve Unconditionally

## **REASON FOR RECOMMENDATION**

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The proposal is considered acceptable in the context of the both the plot size and existing dwelling, having been designed with due consideration for the architectural form of the existing dwelling house and the context of the surrounding area. The proposal is considered satisfactory in terms of design, scale, materials; the site would not be over-developed; and the extensions would have no adverse impact on the residential amenity of neighbouring properties in terms of overshadowing, or on loss of daylight or privacy and would have an acceptable impact on the visual and landscape character of the Green Belt. It is recognised that the proposed extension would not fully comply with the associated Supplementary Guidance: Householder Development Guide, in terms of increase in the footprint of the original dwelling house however material considerations, including the resultant site coverage, which would be acceptable in terms of the SG, and lack of impact on visual amenity, have allowed for a departure from this element of the policy. The proposal is otherwise considered to be compliant with Policies D1 (Quality Placemaking by Design) and Policy NE8 (Natural Heritage) of the Aberdeen Local Development Plan and with all other elements contained in the associated Supplementary Guidance: Householder Development Guide. There are no material planning considerations, including those issues raised in the letters of objection, that would warrant refusal of the application.

## **ADVISORY NOTES FOR APPLICANT**

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### **Bats may be present**

Please note there is a possibility that bats may be present in the site. All bats and their breeding or resting places (i.e. roosts) are protected by law. It is an offence to disturb, injure or kill any bat or to damage, destroy or obstruct access to a bat roost. Damage does not have to be deliberate to be considered an offence. Work that may impact on bats and their roosts can only be carried out under licence. If evidence of bats is discovered works must cease immediately and the advice of Scottish Natural Heritage must be sought.