

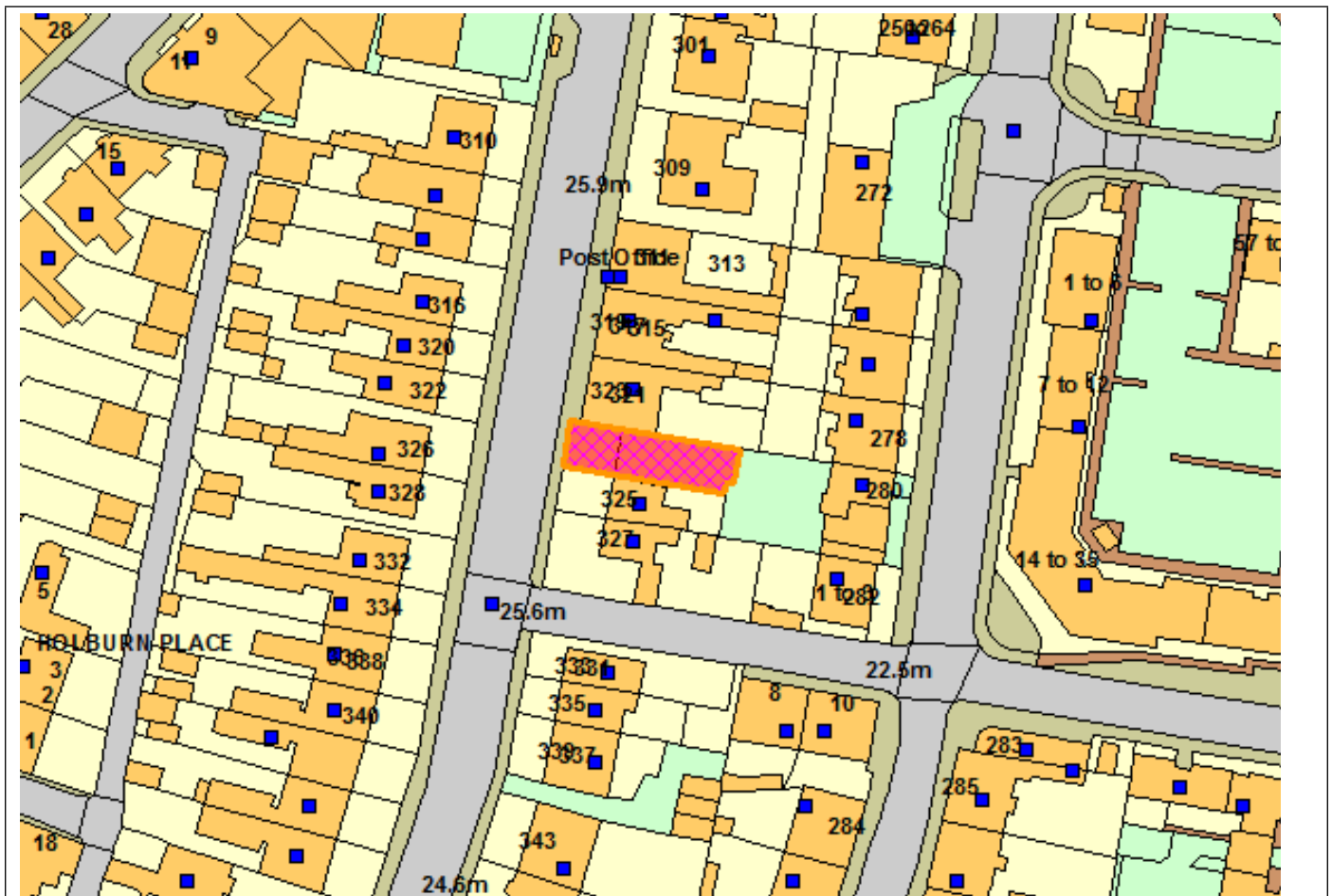


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 30 May 2019

Site Address:	325 Holburn Street, Aberdeen, AB10 7FP
Application Description:	Subdivision of existing feu and erection of 3 storey dwelling
Application Ref:	190623/DPP
Application Type	Detailed Planning Permission
Application Date:	12 April 2019
Applicant:	Mr H. Singh
Ward:	Torry/Ferryhill
Community Council:	Ferryhill And Ruthrieston
Case Officer:	Jane Forbes



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RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises part of the wider garden of the residential property at No 325 Holburn Street, and specifically an area of some 176 m² which lies between the gable ends of No 325 and that of the 4 storey tenement building at No 323, which lies immediately to the north of the site. The application site is located on the eastern side of Holburn Street, at a distance of some 20 metres north of its junction with Bloomfield Road, and at approximately 130 metres south of the Broomhill Road roundabout. To the rear of the application site, and at a distance of 13 metres from the eastern boundary, is a 3 storey flatted development. This property, which is accessed from, and fronts onto the Hardgate, was built within grounds which previously formed part of the wider garden ground of No 325 Holburn Street, with conditional consent having been granted for the residential development in 2013.

The area within which the application site lies is zoned as residential (Policy H1) within the Aberdeen City Local Development Plan, and is largely characterised by 1½ storey traditional granite buildings which are set back from Holburn Street, with garden ground to the front and rear.

Relevant Planning History

Application Number	Proposal	Decision Date
160557	Proposed 4 storey development of residential flats and retail unit.	17.03.2017 Status: Refused at Planning Development Management Committee
130765	Sub-division of existing curtilage and erection of four flats with associated car parking	01.11.2013 Status: Approved Conditionally under delegated powers.
151265	Proposed formation of driveway	11.11.2015 Status: Refused under delegated powers

APPLICATION DESCRIPTION

Description of Proposal

The application seeks full planning permission for the erection of a 3 storey, flat roofed, 4 bed dwelling. The proposed development would incorporate a staggered front and rear building line. To the rear this would see the delivery of a section of flat roof above part of the ground floor accommodation, with this area forming the immediate outlook for the 1st floor living room. The proposal would include glazing on both the front (west) and rear (east) elevations, at each of the 3 levels of the property.

The proposed development would extend across the full width of the application site (6.6 metres), thereby adjoining the neighbouring tenement at No 323 Holburn Street, whilst retaining a separation distance of 1.1 metres from the gable end of the dwelling at No 325 Holburn Street. The front (west) elevation of the proposed development would face onto Holburn Street, and would be set back some 1.5 metres from the front elevation of the adjoining tenement, whilst sitting some 4.5 metres forward of the neighbouring dwelling at No 325, thereby creating a staggered building line. To the rear, and

at ground floor level, the development projects 4.5 metres beyond the rear building line of the tenement at No 323, whilst lining up with the rear building line of the neighbouring property at No 325. Above this, and at 1st and 2nd floor level, the development is set back some 3 metres, with a resulting projection of 1.5 metres beyond the rear building line of the adjoining tenement. Two new openings are proposed in the existing 2 metre high granite rubble wall which forms the western boundary of the site with Holburn Street, one providing access to the front entrance to the property, with a second gated opening located adjacent to the bin storage area. The proposal identifies a path, which currently provides access to the rear garden area for the property at No 325 Holburn Street, being shared by those occupying the proposed dwelling, albeit the path lies outwith the red line boundary of the application site. External finishes to the property would include a smooth render, fibre cement slates and aluminium framed 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=PPUPM8BZMSH00>.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because more than 6 letters of objection have been received. The application therefore falls outside the Council's Scheme of Delegation.

CONSULTATIONS

ACC - Roads Development Management Team – Object to the proposal on the grounds of insufficient parking (0 spaces) for a site which lies outwith any controlled parking zone and where the parking requirements for a 4 bedroom dwelling would be 3 spaces, as outlined in ACC's Supplementary Guidance on Transport and Accessibility. Given that Holburn Street is a district distributor road which requires vehicles to enter and leave a site in forward gear, on-site parking cannot be delivered.

ACC - Environmental Health – No comments or observations.

Ferryhill And Ruthrieston Community Council – No comments.

REPRESENTATIONS

9 letters of objection have been received raising the following matters:

Impact on amenity

1. The proposal would result in the further sub-division of the garden ground at 325 Holburn Street, with 80% of the original garden having been lost to development, resulting in overdevelopment of the site.
2. Adverse impact on amenity, with the scale, height and massing of the proposed development affecting sunlight/daylight of existing properties and/or garden areas at No's 280 Hardgate & 323 Holburn Street.
3. Impact on privacy of neighbouring properties at No's 280 Hardgate & 323 Holburn Street, with increased overlooking.
4. Proposal would block views from 323 Holburn Street.
5. One of two front gates proposed would give access to the site directly in front of the main door of No 323 Holburn Street.

6. Proposal would result in additional waste, with existing bins in area already full.

Impact on character of surrounding area

7. Design, scale, height and massing of proposed development would be out of place in this location, and out of character with the adjoining buildings and properties in the surrounding area.
8. Approval of such development would set an undesirable precedent for similar curtilage splits.
9. The proposed development appears overbearing and dominant. It looks both unsightly and visually jarring and doesn't respect the streetscape.

Impact on Parking and Traffic

10. The proposal does not propose parking for the residential use.
11. The surrounding area has existing parking issues, with insufficient on-street parking for residents and pressure from commuters parking in the area. Further residential development would add to this pressure.
12. Holburn Street is particularly busy with traffic, including buses, and at this location buses struggle to pass with cars parked on both sides of the road.
13. Road safety issues raised concerning the speed and number of vehicles passing this location.
14. Construction work would cause additional traffic congestion/parking issues within the area.

Other

15. Proposal would result in devaluation of neighbouring properties.
16. No detail on proposed hours of construction work or likely duration of works.
17. Proposed floor plan suggests likely HMO property, which is not in-keeping with the area.

MATERIAL CONSIDERATIONS

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 City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

Aberdeen Local Development Plan (2017)

Policy H1: Residential Areas

Policy D1: Quality Placemaking by Design

Policy T2: Managing the Transport Impact of Development

Supplementary Guidance and Technical Advice Notes

- Sub-division & Redevelopment of Residential Curtilages
- Transport and Accessibility

EVALUATION

The main considerations which are of relevance relate to the principle of the proposed development; its design, scale and siting and how this fits within the context of the area; its likely impact on the character and amenity of the area, including whether it affects existing privacy/amenity of neighbouring properties; whether appropriate access and parking forms part of the proposal; and finally, whether the proposed development can deliver a suitable level of amenity for future residents.

Principle of Development

The application site lies within an area zoned as H1 (Residential Areas) within the Aberdeen City Local Development Plan (ALDP), and as such the principle of new development for residential use is acceptable, provided it does not constitute over-development; does not have an unacceptable impact on the character and amenity of the surrounding area; doesn't result in the loss of valuable and valued areas of open space; and complies with Supplementary Guidance. In this instance the relevant Supplementary Guidance would be as identified above, namely 'Sub-division & Redevelopment of Residential Curtilages' and 'Transport and Accessibility'.

The proposed 3 storey, 4 bedroom dwelling would be sited within part of the garden ground of No 325 Holburn Street, a 1½ storey dwellinghouse with basement. The garden ground at No 325 has previously been subdivided, following the granting of planning permission in 2013 and the subsequent construction of a 3 storey flatted development, built to the rear of the current application site, fronting onto and accessed from Hardgate. The proposed 3 storey townhouse development would adjoin an existing 4 storey tenement building to the north, and extend up to the boundary of the 1½ storey dwelling to the south. With the exception of the 3 tenement buildings to the north of the site, the context of surrounding development along this stretch of Holburn Street is very much that of an established building pattern of mostly 1½ storey detached/semi-detached granite dwellings.

The introduction of a 3 storey dwelling as proposed would be in conflict with the aforementioned pattern. The scale of development which is being proposed is deemed out of character with that of the surrounding area, including that of the neighbouring dwellinghouse at No 325. It would appear that the proposal is seeking to capitalise on the 4 storey tenement at No 323, however, this property is a later addition to the street and does not accurately reflect the immediate context within which the application site lies, in terms of the height, density and building lines of surrounding properties. Furthermore, whilst acknowledging that the gable end of the granite tenement building to the north of the site has a particularly strong visual impact when travelling north along Holburn Street on approaching the site, it is nevertheless a long established streetscene and given the overall scale, form and massing of the proposed development, such a proposal would be particularly intrusive when viewed on approaching the site from the south, having a significant visual impact on the streetscene.

Taking into account the height and siting of the proposed development, with a separation distance of just 1.1 metres from the neighbouring 1½ storey dwelling with basement at No 325 Holburn Street, it is apparent that this proposal would introduce a particularly imposing elevation when viewed from Holburn Street. Although as proposed, the front building line would sit some 1.5 metres back from the front elevation of the adjoining tenement, it would nevertheless project some 4.5 metres forward of the front building line of the neighbouring 1½ storey dwelling at No 325. Furthermore, whilst

acknowledging that a staggered front and gable end of the building has been incorporated into the design, along with a mix of material finishes, with a view to minimising the visual impact and massing of the 3 storey development along these public elevations, it is quite evident that the building would remain extremely dominant in the context of the existing streetscape, and particularly overbearing on the property at No 325.

On the basis that the scale of development being proposed would clearly result in overdevelopment of the site, and would neither respect nor complement the character of development in the immediate area, it is considered that the proposal would be contrary to both Policy D1 (Quality Placemaking by Design) and Policy H1 (Residential Areas) of the ALDP, and would fail to address the requirements of Aberdeen City Council's Guidance on 'The subdivision and redevelopment of residential curtilages'.

Design & Materials

The proposed design of the 3 storey building shows a relatively contemporary style, with a flat-roof and a feature, angled front/gable elevation. The proposed development would incorporate an off-white smooth render and fibre cemented slate finish, and an irregular pattern of grey framed window openings on the front and rear elevations. The contemporary style of development being proposed would contrast with the more traditional appearance and materials of the properties surrounding the application site, and whilst this approach in itself would not raise particular concerns, when considered alongside the concerns being raised in relation to the scale and positioning of development within the site as highlighted above, it is considered that the design of the building does not complement, respect or reflect the site's context and the local vernacular of the adjacent buildings, as required under Policy D1 (Quality Placemaking by Design) of the ALDP.

Impact on Residential Amenity

The proposed development would extend the full width of the application site, adjoining the existing 4 storey tenement building to the north (No 323 Holburn Street) and lying at 1.1 metres off the gable end of the 1½ storey dwelling with basement at No 325 Holburn Street to the south. The front elevation of the development would have a staggered building line, lying 1.5 metres back from the front building line of the tenement at No 323, and 4.5 metres forward of the front building line of No 325. To the rear (east) of the site, and at ground floor level, the proposed development would extend 3 metres beyond the building line of the tenement building at No 323, whilst falling in line with that of the neighbouring property at No 325. As a result of the proposed siting, the southern gable end of the development, at 3 storeys in height, would have a particularly overbearing impact on the 1½ storey dwelling at No 325 Holburn Street, to the detriment of existing residential amenity.

To the east and beyond the rear boundary line of the application site is the aforementioned 3 storey flatted development built in the former rear garden of No 325 Holburn Street, which fronts onto Hardgate (No 280). There is a drop in the ground level of some 2 metres between the application site and the property at No 280. The rear building line of the flatted development at No 280 incorporates balcony areas which were incorporated into the design of the building in order to provide the potential for residents to sit outside, and with a degree of privacy, given there is no direct overlooking. The proposed development would lie directly to the rear of the aforementioned flatted property, with a separation distance of 23 metres between the rear building line of the proposed 3 storey development at ground floor level and the rear of No 280 Hardgate, and a separation distance of some 26 metres between the properties at 1st and 2nd floor levels. The proposed development, which would include windows up to 2nd floor level, would rise to a maximum height of 9.2 metres, but with the added impact of an additional 2 metres in height, when compared to the property at No 280, given the change in ground level between these neighbouring sites. Taking this into account, it is considered that the proposed development would appear particularly overbearing to the occupants of the flatted properties at No 280 Hardgate, introducing a very real sense of being overlooked, to the detriment of the residential amenity of these residential properties.

The distance between the front elevation of the proposed building, which incorporates a high level of glazing, and the properties which lie directly opposite, and across Holburn Street, at No's 322 and 326, would be some 24.5 metres. The Council's Supplementary Guidance on the 'Subdivision and Redevelopment of Residential Curtilages' states that a minimum distance of 18m should be achieved between facing windows. Taking into account that the separation distance between these aforementioned properties which lie across Holburn Street and to the west of the application site, and the building line of the proposed development, would be more than the recommended 18 metres, and that there is a rise in ground level of approximately 2 metres between the development site and the two properties, then it is considered unlikely that the proposal would have any significant impact on existing privacy for those properties lying directly opposite the site.

Based on the above, the proposal would be deemed contrary to the requirements of Policy D1 (Quality Placemaking by Design) and Policy H1 (Residential Areas) of the ALDP. The proposed development would introduce a significant degree of massing and a resulting impression of overbearing on the dwelling at No 325 Holburn Street, and would also adversely affect the existing residential amenity and privacy of residents at No 280 Hardgate.

Provision of Residential Amenity

If viewed in isolation, and without any consideration of the potential impact on existing residential amenity, then it is likely that the proposed dwelling could secure a reasonable level of amenity for future residents, with space for an area of private garden ground available to the rear of the site and the orientation of the proposed development allowing for a suitable level of interior daylighting and sunlight to the flatted properties. It is however apparent that any view from the proposed flats to the rear of the site would introduce overlooking issues towards the outdoor balconies of the neighbouring flatted development at No 280 Hardgate, as previously outlined, and that the scale of proposed development would cause varying degrees of overshadowing and general overbearing on neighbouring properties to the site. On the basis that the Supplementary Guidance on 'The Subdivision and Redevelopment of Residential Curtilages' states that "New residential development should not borrow amenity from, or prejudice the development of, adjacent land or adversely affect existing development in terms of privacy, overlooking, daylighting or sunlighting", then it is clear that the amenity which would be achievable for the proposed development would be to the detriment of the amenity currently enjoyed by existing residents of neighbouring properties, and on that basis such a proposal would not be acceptable.

Impact on Roads & Traffic

Aberdeen City Council's Supplementary Guidance on 'Transport and Accessibility' states that for this site, which is deemed to lie outwith the city centre, 3 parking spaces should be delivered within the curtilage of the site. In this instance, therefore, with no parking proposed within the layout, there would be a shortfall of 3 spaces for the development.

The Roads Development Management team has objected to the proposal on the grounds of insufficient vehicle parking for a 4-bedroom dwelling. Their comments are based on the aforementioned shortfall of on-site parking, and no potential for such parking to be delivered for the site, given that vehicles would be unable to both enter and leave Holburn Street, a district distributor road, in a forward gear. A previous planning application for the formation of a driveway at this site was refused in November 2015, as a result of road safety concerns.

Taking the above into account, the proposal would be contrary to the requirements of the Council's Supplementary Guidance on 'Transport and Accessibility', and would not be deemed suitably compliant with the requirements of Policy T2 (Managing the Transport Impact of Development) of the ALDP.

Matters Raised in the Letters of Representation

The above evaluation has addressed all issues raised in the letters of representation, with the exception of the following matters:

6. *The proposal would result in additional waste, with existing bins in area already full.* The proposed layout includes an area for bin storage to the front of the property, thus not impacting on existing provision.

14. *Construction work would cause additional traffic congestion/parking issues within the area.* This is not a material planning consideration. It would be up to any developer to ensure that access to all properties would be maintained.

15. *Proposal would result in devaluation of existing properties.* This is not a material planning consideration

16. *No detail on proposed hours of construction work or likely duration of works.* Environmental Health officers advise hours of construction work during development phase and this would be included as an informative, were consent to be granted for the proposed development. No indication on the likely duration of development work is required as part of the planning process, once development commences on site.

17. *Proposed floor plan suggests likely HMO property, which is not in-keeping with the area.* This is not a material planning consideration. The proposal which is under consideration is for a 4 bed dwelling.

The application is recommended for refusal, however, should committee be minded to grant consent, then conditions to include the submission of details on materials, landscaping, drainage, bin and bike storage would be recommended.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

1. The proposed development would result in the subdivision of an existing residential plot, and would not be in-keeping with the established pattern of development which prevails in the area. Whilst the principle of introducing new residential development within an area which is zoned as Policy H1 (Residential) in the Aberdeen City Local Development Plan is acceptable, the impact of the proposed development in this instance would be considered inappropriate for its context, given that it raises fundamental issues in terms of the design, scale and positioning of the development within the site, and the adverse impact which this would have on the character of the area. On this basis the proposal fails to comply with the requirements of both Policy H1 (Residential Areas) and Policy D1 (Quality Placemaking by Design) of the ALDP.
2. Aberdeen City Council's Roads Development Management team has objected to the proposal on the basis that the proposed development would fail to deliver a suitable level of off-street parking, and without such provision, the congestion already experienced in the streets surrounding the site from existing on-street parking would only increase to the detriment of residential amenity and road safety. The proposal would neither address the requirements of Aberdeen City Council's Supplementary Guidance on 'Transport and Accessibility', nor suitably comply with the Policy T2 (Managing the Transport Impact of Development) of the Aberdeen City Local Development Plan.

3. The proposed building, due to its height, scale and massing would have an overbearing impact on the neighbouring dwellings at both 325 Holburn Street and 280 Hardgate, and given the drop in ground level from west to east, would introduce a real sense of overlooking to the rear of the property at No 280 Hardgate, and in particular to the private balcony areas associated to this flatted development. The proposal is therefore considered to have a significant detrimental impact on existing residential amenity, and would be contrary to Policy D1 (Quality Placemaking by Design) and Policy H1 (Residential Areas) of the Aberdeen City Local Development Plan and to the Council's Supplementary Guidance on the 'Sub-division and Redevelopment of Residential Curtilages'.