



# Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 30 May 2019

<b>Site Address:</b>	12 Woodlands Walk, Aberdeen, AB15 9DW,
<b>Application Description:</b>	Erection of 2 storey gable extension
<b>Application Ref:</b>	190606/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	10 April 2019
<b>Applicant:</b>	WFM 1983 Ltd
<b>Ward:</b>	Lower Deeside
<b>Community Council:</b>	Cults, Bieldside And Milltimber
<b>Case Officer:</b>	Jane Forbes



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## RECOMMENDATION

Approve Conditionally

## APPLICATION BACKGROUND

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### Site Description

The application site comprises the western end dwelling of a terrace of mews type properties designed as a single entity. The site is bounded to the east by No. 11 Woodlands Walk; to the south and west by landscaped grounds associated with the Woodlands residential development; and to the north, beyond the driveway and access road, by No. 14 Woodlands Walk. The property operates as a House of Multiple Occupation (HMO).

The wider area is dominated by suburban styled residential development that adopts a homogenous character either in terms of detached dwellings or groups of mews styled terraced dwellings.

The site lies within an area zoned as H1 (Residential Areas) within the Aberdeen City Local Development Plan 2017 (ALDP) and forms part of the Pitfodels Conservation Area.

### Relevant Planning History

Application Number	Proposal	Decision Date
180960/DPP	Erection of 3 storey dwelling house to end of terrace	12.09.2018
		Status: Application Withdrawn
181819/DPP	Erection of 2 storey extension with roof terrace to side gable	12.12.2018
		Status: Refused under delegated powers

## APPLICATION DESCRIPTION

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### Description of Proposal

Detailed planning permission is sought for the erection of a two-storey extension to project a maximum of 4.5 metres from the gable end of the property, incorporating a pitched roof to reflect the roofslope of the terrace, but with a ridge level at some 2.5 metres below the existing, and with both the front and rear elevations of the extension set back 1.25 metres from the main elevations of the terraced property. The proposed extension would incorporate a stonework gable-end, closely replicating an existing design feature. The finish materials of the development would include a smooth render, facing stonework and window lintols, white framed windows and doors, all to match the existing.

The proposed extension, which would extend to a footprint of some 35m<sup>2</sup>, would deliver two storage rooms at ground floor level, both with external access; and a lounge at 1<sup>st</sup> floor level.

### 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=PPQRYXBZMPO00>.

- Tree Survey
- Supporting information from WCP Architects, with additional information submitted on 16/5/19.

### **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**

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**ACC - Roads Development Management Team** – Confirmed that there would be no objection if the proposal were to provide a maximum of 3 bedrooms, and thereby result in no change from the existing dwelling. Advised that if this were not possible, safety issues with regards to parking within the turning area would be of significant concern from a Roads perspective.

**Cults, Bieldside and Milltimber Community Council** – No comments

### **REPRESENTATIONS**

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

#### Application Detail

1. Inaccuracies and contradictory statements with regards the description of the existing property including the number and location of bedrooms, the size and proportion of accommodation, storage space available.
2. Proposed plans are lacking in detail.
3. Insufficient detail and resulting concerns about the intended use of the proposed development.
4. Red line boundary appears to include land outwith the ownership of the applicant.
5. Insufficient detail on drainage.

#### Impact on amenity and character of surrounding area

6. Development work does not take into account the character of the conservation area.
7. Design and scale of proposed development would not be appropriate for the site, and out of character with the terrace and other properties in the surrounding area.
8. Overdevelopment of the site.
9. Proposal would affect existing views.

#### Impact on Parking and Traffic

10. Inadequate car parking provision.
11. Road safety concerns due to increased parking pressure
12. Construction work would cause disruption including additional traffic, heavy vehicles, noise, pollution and dust and raise concerns regarding storage of building materials and equipment.

#### Other

13. Misleading description of current property market.
14. Concerns relating to the existing use of the property as an HMO and intended use of the property in the future.

### **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.

## **National Planning Policy and Guidance**

Scottish Planning Policy

Historic Environment Scotland Policy Statement (HEPS)

## **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) (ALDP)**

Policy H1 (Residential Areas)

Policy D1 (Quality Placemaking by Design)

Policy D4 (Historic Environment)

Policy NE5 (Trees and Woodlands)

Policy T2 (Managing the Transport Impact of Development)

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

- Transport and Accessibility
- Householder Development Guide

## **Other Material Considerations**

Aberdeen City Council's Conservation Area Character Appraisal and Management Plan: Pitfodells

## **EVALUATION**

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### **Principle of the Proposed Development**

The application site lies within an area zoned as residential within the Aberdeen City Local Development Plan 2017 (ALDP). The proposal must therefore be considered against Policy H1 (Residential Development), which states that within existing residential areas, proposals for new development and householder development will be approved in principle if it:

1. Does not constitute over development;
2. Does not have an unacceptable impact on the character and amenity of the surrounding area;
3. Does not result in the loss of valuable and valued areas of open space; and
4. Complies with Supplementary Guidance.

The proposal would have no impact on existing open space as it would be contained within the garden ground pertaining to the application site. The existing dwelling equates to a plot ratio of development on site of some 22%, and taking into account the proposed extension, this would rise

to 33%. On the basis of a number of the terraced properties along Woodland Walk having a plot ratio of some 40%, it is considered that the resulting increase in development footprint at No 12 could not be considered as over development of the site.

The proposal relates to the extension of an existing dwelling, and within a site zoned under Policy H1 (Residential Areas), the principle of development which is associated to the residential use of the property would appear acceptable. However, the impact of such development on the character and amenity of the area must be fully considered, and the proposal evaluated against all remaining relevant policy, with any impact resulting from the development suitably addressed.

### **Scale/Design/Amenity of Proposed Development**

The proposed development would see the introduction of a 2 storey gable extension to the existing end-terraced property. The Council's Supplementary Guidance on Householder Development outlines a number of general principles which should be addressed when considering development proposals, including in relation to extensions. The SG outlines that extensions should be architecturally compatible in design and scale with the original house and its surrounding area, should incorporate materials which will complement the original building, and should not overwhelm or dominate the original form or appearance of the building. The proposed extension should not adversely affect the amenity of any neighbouring property, with any significant adverse impact on privacy, daylight and general amenity counting against a development proposal. Finally, the SG outlines that the built footprint of a dwelling house as extended should not exceed twice that of the original dwelling and no more than 50% of the front or rear curtilage covered by development.

It is apparent that the increase in development footprint on site, from an existing 72m<sup>2</sup> to 107m<sup>2</sup>, would neither result in the proposed extension exceeding twice that of the original dwelling, nor would it result in more than 50% of the rear curtilage being covered. The proposed extension would remain subservient in terms of both its height and length across the gable end of the property, with no resulting impact on daylighting, and whilst incorporating windows on all three elevations, would introduce no additional overlooking.

The design of the proposed extension has taken into account the style and finish of the existing property, with an appropriate roof pitch, window arrangement and gable end feature all suitably incorporated. This would result in the proposed extension appearing suitably proportioned in the context of the site, and with a choice of finish materials ensuring the extension appears visually coherent with the terrace.

In addition to the above general principles outlined in the Council's SG on Householder Development, there are certain criteria relating to extensions to terraced properties which are also relevant. In this respect the SG states that extensions of more than one storey will normally be refused where the proposal runs along a mutual boundary unless it can be demonstrated that the specific circumstances of the site and the proposal would ensure that there would be no detrimental impact on either the character or amenity of the area. In this instance the proposed extension would be located on the western gable end of the terrace, with an area of open landscaping lying immediately to the west of the site, and as such the proposal would have no impact on any mutual boundary.

Taking the above into account it is considered that the proposal would be suitably compliant with the requirements of the Council's SG on Householder Development and with Policy D1 (Quality Placemaking by Design) of the ALDP. The position, scale, design and finish of the proposed extension are deemed appropriate both in the context of the site and the surrounding area, with minimal visual impact and no adverse effect on existing amenity. In addition, it is considered that the proposed development would secure a suitable level of amenity for future residents.

### **Impact upon Character and Appearance of the Conservation Area**

Scottish Planning Policy (SPP) states that 'Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.'

The application site forms part of the wider Woodlands of Pitfoldels housing development which was completed circa 2007 and lies within the Pitfoldels Conservation Area. Policy D4 (Historic Environment) of the ALDP states that 'high quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its ..... conservation areas ... will be supported.' The Pitfoldels Conservation Area Appraisal and Management Plan notes that a characteristic of part of the conservation area covering the application site is of a rhythm of building form that frames, maintains and strengthens the views of the surrounding landscape.

It has been previously established that the proposed extension has been suitably sited, and is of an appropriate scale, design and finish in the context of the site and the surrounding area. Given the relatively small-scale nature of development being sought, and taking into account that the extension has been set back from both the front and rear elevations of the terraced property, thus limiting its visual impact, it is considered that the proposed extension would not compromise the rhythm of building form. On this basis the proposed development would not be deemed to be adversely affecting the special character or appearance of the conservation area within which the property lies, and would therefore be suitably preserving its character and appearance.

It is considered that the proposed development would accord with the requirements of Historic Environment Policy for Scotland and Scottish Planning Policy, whilst also complying with Policy D4 (Historic Environment) of the ALDP.

### **Impact of Proposed Development on Trees**

A tree survey report and arboricultural assessment have been submitted in support of the application. These documents confirm there are no trees within the application site and whilst a small section of the root protection area of a nearby sycamore extends within the site boundary, the proposed footprint of development does not encroach on that root protection area, and any disturbance as a result of construction work would not impact on the health of the tree. The tree survey report states that the existing boundary fence which extends along the western boundary of the site will remain in place during construction and a condition has been attached to this effect.

Taking the above into account, it is considered that the proposed development will suitably address the requirements of Policy NE5 (Trees and Woodlands) of the ALDP.

### **Impact on Parking and Vehicular Access**

The Roads Development Management team assessed the proposed development based on the original layout plan submitted which identified 3 bedrooms within the property, and raised concerns in terms of parking capacity for the site if the proposal were to result in any increase in bedroom accommodation. As a result of concerns and doubts raised by a number of objectors to the proposed development with regards the existing layout of the property and its operation as an HMO, further investigation has taken place. It has now been established and confirmed by the applicant that the existing dwelling operates as a 5 bed HMO for which it has an HMO licence, but for which, under planning legislation, planning permission for a change of use to HMO is not required (note – under the provisions of The Town and Country Planning (Use Classes) (Scotland) Order 1997, Class 9 – Houses, a house includes up to 5 unrelated people living together). Updated drawings have been provided by the applicant to reflect the current situation and address this inconsistency.

Taking this current situation into account, and on the basis that it is now apparent that the proposed development would see the delivery of 3 bedrooms within a revised layout, therefore fewer bedrooms than currently exists, there would be a reduction in parking demand for this property as a result of the proposed extension, and as a result no additional parking provision would be sought by ACC Roads Development Management team. As such, notwithstanding the offer provided by the applicant, it is considered that parking restrictions would be both inappropriate and unnecessary, as would be any requirement for the HMO licence to be relinquished. It is worth noting that whilst the property currently has a licence as a 5 bedroom HMO, both a new HMO licence application and a planning application for a change of use to HMO would be required for any increase to the existing bedroom accommodation to be considered.

It is deemed that the proposal is not contrary to the expectations of the Council's SG on 'Transport and Accessibility' and is suitably compliant with Policy T2 (Managing the Transport Impact of Development) of the ALDP which emphasises the need for new development to minimise traffic generation.

### **Implications on Strategic Development Plan**

In terms of assessment against the Strategic Development Plan, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

### **Matters Raised in the Letters of Representation**

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

2. *The proposed plans are lacking detail.* The proposed plans include sufficient detail to allow for the application to be evaluated.

4. *Red line boundary appears to include land outwith the ownership of the applicant.* A signed Land Ownership Certificate accompanied the application, certifying full ownership of the land to which the application relates.

5. *Insufficient detail on drainage.* Drainage detail will be required as part of the Building Warrant application, but not to determine the planning application. The proposed development will need to connect in to the existing drainage system to the satisfaction of Building Standards.

12. *Construction work would cause disruption including additional traffic, heavy vehicles, noise, pollution and dust and raise concerns regarding storage of building materials and equipment.* A certain level of disruption is likely during development work, and for a house extension of this nature, such disruption is unlikely to be significant. Environmental Health officers have statutory powers to get involved in the event of excessive noise, dust, etc. Such concerns would not warrant refusal of an application.

13. *Misleading description of current property market.* This is not a material consideration

### **RECOMMENDATION**

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Approve Conditionally

### **REASON FOR RECOMMENDATION**

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The proposal is deemed to be suitably compliant with Planning Policies D1 (Quality Placemaking by Design), H1 (Residential Areas), D4 (Historic Environment), NE5 (Trees and Woodlands) and T2 (Managing the Transport Impact of Development) of the Aberdeen City Local Development Plan, whilst also addressing the requirements of the Council's Supplementary Guidance on 'Householder Development' and 'Transport and Accessibility', and those of Scottish Planning Policy and Historic Environment Scotland Policy Statement (HEPS). It is considered that the proposed development would have no detrimental impact on existing amenity, and that the position, scale, design and finish of the extension is acceptable in the context of the application site, with no adverse effect on the character of the conservation area within which it lies.

## **CONDITIONS**

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- (1) That all external finishing materials to the roof and walls of the development hereby approved, including stonework and roof tiles, shall match those of the existing property - in the interests of visual amenity.
- (2) That the existing 1.8 metre high timber fence shown in Drawing No WWA-1805-AA (Dated 30/5/18) shall remain in place along the length of the western boundary of the site until the completion of development, unless the planning authority gives written consent for a variation. Reason: in order to ensure adequate protection, during the construction of the development, for the trees identified in Drawing No WWA-1805-AA which are in proximity to the application site.