

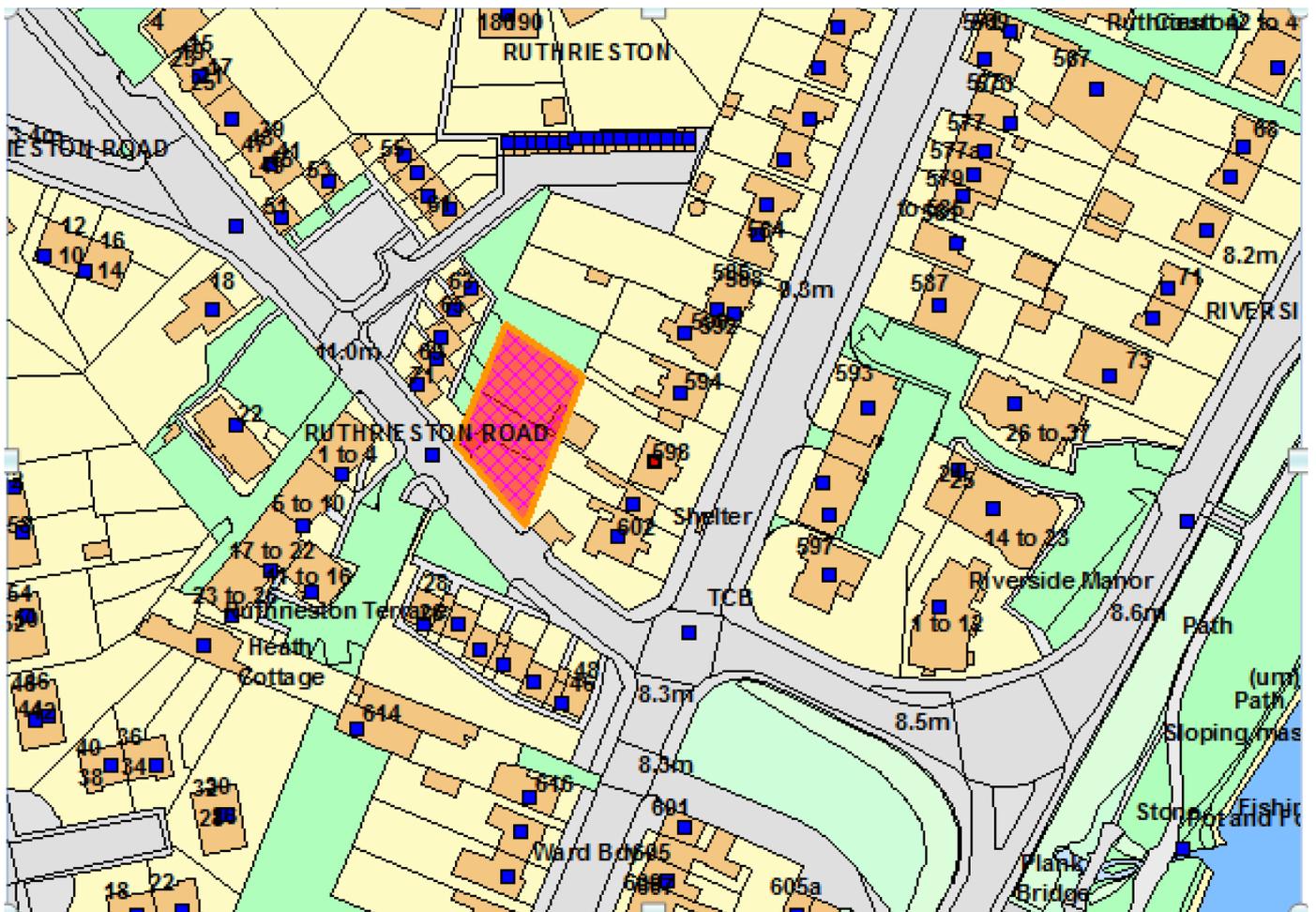


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 25 August 2022

Site Address:	Rear of 602, 600 And 598 Holburn Street, Aberdeen, AB10 7LJ,
Application Description:	Erection of 2 dwelling houses with associated access and landscaping works
Application Ref:	220648/PPP
Application Type	Planning Permission in Principle
Application Date:	20 May 2022
Applicant:	Mr Kenneth Dunn
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Ferryhill and Ruthrieston
Case Officer:	Robert Forbes



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## RECOMMENDATION

Refuse

## **APPLICATION BACKGROUND**

### **Site Description**

The site lies within the built-up area and comprises parts of the rear gardens of 3 houses, part of a large garage located at the rear of 598 Holburn Street, associated boundary walls and a domestic garage accessed via Ruthrieston Road. It extends to 716sqm and has a frontage onto Ruthrieston Road which is bounded by a blockwork wall. The houses at 598, 600 & 602 Holburn Street are 1½ storey properties. There are a range of ages, forms and style of dwellings in the vicinity, including 2 storey terraced houses to the west and 2-3 storey flats to the south-west and south. A large mature copper beech tree lies to the south of the site overhanging Ruthrieston Road. There are other less mature trees within the site.

### **Relevant Planning History**

Detailed planning permission granted for domestic garage at rear of 598 Holburn Street in 1992 (ref. 912394).

Planning permission refused at Committee for erection of a house at rear of 598 Holburn Street (ref. 931639 / 93/1648) - 13.03.94 – subsequent appeal dismissed.

Subsequent enforcement history regarding commercial use of the garage located at the rear of 598 Holburn Street in 2016. (137110 - 136473). An enforcement notice requiring the cessation of such use was served in September 2006 and complied with.

Pre-application enquiry for the erection of 3 no. dwelling houses and 4 garages (retaining the 2 existing dwellings at 602 and 600 Holburn Street), ref. 211768/PREAPP

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Planning permission in principle is sought for the erection of 2 no. detached 3 bedroomed houses. The indicative drawings submitted with the application indicate each house would be 2 storeys high and would have pitched roofs. The bedrooms would be located on the upper floor. Each house would have a gable frontage and access onto Ruthrieston Road. The proposed site plan, which is not marked as 'indicative', shows the house frontages would be set at an oblique angle to Ruthrieston Road. The houses would be set back from that street by 7-9m. Off-street car parking would occupy the entirety of the front gardens. No garaging or ancillary storage for the proposed houses is proposed. The plot for each house would be created by amalgamating the rear parts of 3 separate existing residential curtilages. The rear gardens of each house would be around 150 square metres in extent (around 13 – 15m deep).

### **Amendments**

None.

### **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=RC6EGHBZFZ700>

- Planning Statement

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

The application has been referred to the Planning Development Management Committee because in excess of 6 objections have been received.

## **CONSULTATIONS**

**ACC - Roads Development Management Team** – No objection. Request that appropriate conditions are attached regarding surface water drainage, parking and electric vehicle charging.

**ACC - Waste and Recycling** – No objection. Request that a condition is imposed regarding provision of refuse / recycling bins.

**Scottish Water** – No objection, but unable to confirm if there is sufficient waste-water treatment capacity (at Nigg) or water supply capacity (at Invercannie).

**Ferryhill and Ruthrieston Community Council** – Not currently established.

## **REPRESENTATIONS**

A total of 8 objections have been received raising the following matters:

- Overdevelopment of the site;
- Conflict with the established character of the area;
- Loss of historic granite walling;
- Car parking impact / reduction of on street parking capacity;
- Impact on pedestrian safety;
- Adverse impact on visual amenity;
- Adverse impact on residential amenity due to loss of greenspace, daylight and wildlife;
- Adverse biodiversity impact;
- Impacts during construction;
- Conflict with ACC guidance regarding the Subdivision & Redevelopment of Residential Curtilages due to amalgamation of garden ground;
- Conflict with related ACC guidance / policy (H1, H2, H3, D1, D5, T3, NE4);
- Planning history of refusals related to the site;
- Creation of an adverse precedent for similar proposals.

A total of 3 supporting representations from the joint owners of the site have been received raising the following matters:

- The existing garden ground is overgrown.
- The granite houses on Holburn Street require investment.
- The rear garden of 594 Holburn street has previously been subdivided (acquired by the Council).
- Vehicle access to the site already exists.
- Ruthrieston Road is quiet and suitable as an access point.
- Loss of on street parking would be minimal.
- ACC Roads have no objection.
- Trees on the site have no protection.
- Private garden ground would be provided.
- Nearby open space would provide amenity for occupants.
- The houses would not have windows overlooking neighbours.
- Existing boundary walls would be retained, other than a new granite wall to the frontage.
- There is no existing distinct character due to the varied urban context.

## **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.

## **National Planning Policy and Guidance**

Scottish Planning Policy 2014 (SPP) expresses a presumption in favour of development that contributes to sustainable development.

## **Development Plan**

### Aberdeen City and Shire Strategic Development Plan 2020 (SDP)

The current SDP was approved by Scottish Ministers in September 2020 and forms the strategic component of the Development Plan. No issues of strategic or cross boundary significance have been identified.

### Aberdeen Local Development Plan 2017 (ALDP)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within 5 years after the date on which the current plan was approved. The ALDP is now beyond this 5-year period. The Proposed Aberdeen Local Development Plan 2020 (PALDP) was submitted to the Planning & Environmental Appeals Division at the Scottish Government in July 2021. Formal examination in public of it has commenced with reporters appointed. Material consideration will be given to the PALDP, in the context of the progress of its examination, in the assessment of planning applications.

Given the extant local development plan is beyond its five-year review period consideration, where relevant, should be given to paragraph 33 of SPP which states:

“Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration.”

The following ALDP policies are relevant –

- H1: Residential Areas
- H3: Density
- D1: Quality Placemaking by Design
- D2: Landscape
- D5: Our Granite Heritage
- NE4: Open Space Provision in New Development
- NE5: Trees and Woodland
- NE6: Flooding, Drainage & Water Quality
- NE8: Natural Heritage
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel

## **ALDP Supplementary Guidance (SG)**

- Sub-division & Redevelopment of Residential Curtilages SG
- Trees and Woodlands SG
- Flooding, Drainage and Water Quality SG
- Green Space Network and Open Space SG
- Transport and Accessibility SG

## **Proposed Aberdeen Local Development Plan 2020 (PALDP)**

The PALDP was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and it has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The PALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The ALDP will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the PALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis. In relation to this particular application, the policies in the PALDP substantively reiterate those in the ALDP. The following PALDP policies are relevant: H1- Residential Areas; H3- Density; H4- Housing Mix and Need; H5- Affordable Housing; D1- Quality Placemaking; D2- Amenity; D5- Landscape design; R5 - Waste Management Requirements for New Development; R8- Heat Networks; I1 - Infrastructure Delivery and Planning Obligations; T2 -Sustainable Transport; T3- Parking; CI1- Digital Infrastructure.

## **Other Material Considerations**

Aberdeen Open Space Audit 2010

## **EVALUATION**

### **Principle of Development**

Given the non-strategic scale of the proposal and that it does not raise matters of a cross boundary nature, the SDP is of limited relevance in this case. The urban location of the site is such that residents would benefit from access to existing established facilities / amenities. Whilst the delivery of housing within the built-up area of the city within a residential area and in an accessible location accords in principle with the SPP presumption in favour of development that contributes to sustainable development and ALDP policy T3, the acceptability of the specific proposal requires to be assessed relative to detailed policy and guidance.

### **Appraisal relative to Curtilage Splitting Guidance**

ALDP Sub-division & Redevelopment of Residential Curtilages SG states that:

“New dwellings must respect the established pattern of development formed by the relationship between buildings and their surrounding spaces... The density of the surrounding area should be reflected in the development proposals for the new and existing property... The amalgamation or joining together of the gardens of existing dwellings to accommodate a new dwelling or dwellings and associated garden ground will not be permitted.”

It is appreciated that there is range of forms, scales, ages and density of development in this section of Holburn Street such that the pattern of development in the context is of a varied character including traditional Victorian villas with large gardens and more high-density modern flats and terraced houses. Notwithstanding such varied character, the existing large mature gardens and associated greenspace on the site are positive features of the existing character which would be eroded by the development due to loss of existing gardens. It is therefore considered that, whilst there is no uniformity of the existing built form, the character of the area would be eroded by the development in conflict with the objective of the above SG.

Whilst the proposed houses have a street frontage, the proposed plots for the houses are created by the amalgamation of existing garden ground, such that the proposal directly conflicts with ALDP SG regarding Sub-division & Redevelopment of Residential Curtilages. Other detailed considerations raised in the SG are addressed below.

### **Density / Density Considerations**

The density of development proposed would not be reflective of the immediate historic built context, whereby houses on Holburn Street predominantly have generous garden grounds, such that there would be conflict with ALDP SG regarding Sub-division & Redevelopment of Residential Curtilages, and ALDP policy H3. As the site does not exceed 1 hectare, there is no requirement to address the criteria set out in policy H3. The scale and positioning of the proposed houses relative to the street and adjacent houses, and absence of greenspace within the front gardens is considered to be indicative of overdevelopment of the site. It is therefore considered that the proposal also conflicts with the wider design quality objectives of ALDP policies D1 and D2 and SPP.

Although the proposal is for permission in principle, the layout plan is not indicative and requires to be assessed. The proposed offset positioning of the house frontages to the road frontage does not relate to either the street or the building line of the houses to the southeast. Alternative layouts / design solutions are not explored within the planning statement and no design statement has been provided. Although the Planning Service advised in its written response to the pre-application enquiry submitted previously by the applicant that various supporting drawings and documents would be required as part of a subsequent planning application (for example, elevations of the proposed houses, cross sections, street elevations, landscaping plans, building materials, sunlight/daylight assessments and tree report), the applicant did not provide these. Cross sections and street elevations are required to properly assess the relationship with the street/ existing houses. A revised solution of reduced density (e.g. a single detached house fronting Ruthrieston Road and associated parking) with increased private garden grounds may better address / respond to some of the concerns raised in objection. However, a revised proposal would still require to be assessed against the requirements of the Sub-division & Redevelopment of Residential Curtilages SG.

Details of landscaping proposals and soft planting are required to properly address the expectations of ALDP policy D2. Amalgamation and alteration of the existing plot boundaries would result in removal of existing granite boundary walls and would therefore conflict with the objective of ALDP policy D5. However, the site plan indicates that the existing blockwork wall at the pavement edge would be replaced with a low-level granite wall. A condition could be used to ensure re-use of granite from existing garden walls in accordance with the objective of ALDP policy D5.

### **Impact on Existing Amenity**

There would be potential overshadowing of the existing houses to the west of the site which would conflict with the objective of ALDP policy H1. Cross sections, street elevations and daylight / sunlight analysis are required to assess this and the relationship with the street/ existing houses. As no such information has been provided it is not possible to adequately assess the impact on existing houses and thus it has not been demonstrated by the applicant that the proposal would not cause harm to the amenity of adjacent or nearby residents.

As regards potential overlooking of adjacent houses (e.g. the terraced houses to the west), the rear window of 69 Ruthrieston would be around 10m from the west elevation of the closest house, such that there would be significant potential for adverse impact. The proximity of the proposed westernmost house to the west boundary is considered to result in an unsatisfactory relationship. It is noted that no room windows are shown on the indicative floor plans of the houses. The proposed window on the stair landing would overlook adjacent property at close proximity but could be replaced by a rooflight window. Although the floor plans are indicative a suspensive condition could be imposed precluding the introduction of windows / clear glazing on the west elevations to prevent

overlooking at close quarters and protect existing privacy.

The proposal has an adverse impact on existing amenity by reason of the removal of garden ground and its replacement with built development of inappropriate form as evidenced by the absence of greenspace or garden ground at the public frontages of the buildings.

It is therefore considered that the proposal conflicts overall with the amenity objectives of ALDP policy H1.

### **Open Space / Greenspace Impact**

The application does not affect existing designated public open space as defined in the Open Space Audit as the development is of private garden ground, but it does affect the historic relationship of built and garden spaces.

No public open space would be provided within the development and no off-site enhancement of open space is proposed, such that there would be a degree of conflict with the objectives of ALDP policy NE4. The extent of garden ground for the existing houses and greenspace within the site would be substantially reduced. Whilst the proposed extent of private garden ground would be generous by modern standards, there would be a significant loss of green space (garden ground) associated with the existing houses. The proposed private gardens would be located to the north of the houses and would be partly shaded by the proposed buildings and adjacent houses such that their usability would be constrained to an extent. Whilst private garden ground would be provided for occupants, the public frontage of the houses would be devoid of greenspace or tree planting, in contrast with the existing situation and therefore would result in a poor level of amenity. Overall, it is considered that the degree of tension with ALDP policy does not warrant refusal in itself but is indicative of overdevelopment of the site.

### **Tree Impact**

No tree survey / arboricultural report has been provided in order to assess the impact on existing tree stock. The proposed houses would lie close to and be partly shaded by the mature beech tree to the south. Detailed analysis of the impact of the development and potential risks to this tree (e.g. both during construction and due to proximity / shading and potential complaint by prospective occupants) is required but has not been provided. The submitted site plan states that the proposals would result in removal of two existing smaller, less prominent trees within the site. However, it appears that other trees and shrubs would also be lost. Limited replacement planting is proposed within the proposed rear gardens, but these would not be visible from the street. Whilst the submitted plan indicates that other existing trees would be retained it is unclear if this is feasible due to proximity to proposed soakaways and associated construction works. The potential for replacement tree planting would be constrained by proximity to proposed buildings and existing structures / services.

Whilst there would be potential for limited replacement tree planting on site, inadequate information has been submitted in order to assess the overall impact of the development on existing trees and greenspace and thus it has not been demonstrated by the applicant that the proposal would be in accordance with the objectives of ALDP policy NE5 and related SG.

### **Drainage**

The proposed development is below the threshold whereby a drainage impact assessment is required. The proposed development would result in loss of undeveloped garden ground and an increase in hard surfacing, thereby resulting in increased rates of surface water discharge to Ruthrieston Road. Although the site itself is not at risk of flooding, such that there is no requirement for a flood risk assessment, the nearby roadway at the junction of Holburn Street and Ruthrieston Road has a medium risk of surface water flooding. The additional surface water drainage discharge from the proposed driveways would exacerbate such risk. Although SUDS features are proposed

in the rear gardens and could be conditioned, as no drainage strategy is provided it is unclear if these are deliverable or have been suitably designed. Due to the change in levels across the site, the proposed SUDS would not address surface water flow from the driveways. Reduction of the scale (footprint) and density of development would better accord with the sustainability objectives of ALDP policy NE6 and related guidance by enabling exploration of novel SUDS solutions and provision of soft planting within the proposed front garden area to soften the visual impact of the development.

### **Biodiversity Impact**

The proposal would result in the loss of existing trees, vegetation and soils and therefore would have an inevitable degree of adverse impact on biodiversity. However, the proposal does not impact on any designated wildlife site. There are no records of protected species being present on the site and the scale of the development is below the threshold whereby a formal ecology assessment is required. Although bats are likely to be present nearby due to the proximity of the river and mature trees, the proposal does not result in the direct loss of mature trees or buildings with roosting potential and thus a survey is not required.

Overall, there would be no conflict with policy NE8 and the degree of impact on biodiversity is in itself not considered to warrant refusal.

### **Parking / Traffic Impact**

Provision of off-street car parking and cycle storage for prospective occupants would be required to address the expectations of ALDP policy T2 and could be addressed by condition. The submitted site plan shows 2 external parking spaces for each plot, with associated manoeuvring space.

The proposed introduction of new vehicle accesses onto Ruthrieston Road would result in removal of existing on-street car parking and potential conflict with pedestrian movement due to manoeuvring of vehicles over the footway. Although ACC Roads Service do not object to the proposed arrangement on safety grounds it is accepted that removal of existing parking is a legitimate concern related to residential amenity as this would reduce available parking for existing residents. Minimisation of proposed vehicle access points is therefore desired. The proposed eastern driveway access would result in an overall reduction of the footway and thus conflict with the objective of ALDP policy T3. The proposal would result in the loss of the garage / parking for 600 King Street.

Servicing of the houses would be via Ruthrieston Road and would not be problematic due to its minor nature and low traffic flow / speeds.

### **Infrastructure Impact**

The site lies within the urban area such that physical infrastructure and service connections and supporting facilities are readily available. However, the scale of the development is below the threshold where developer obligation contributions would be sought to address potential infrastructure deficiencies (e.g. education capacity).

It is proposed to connect to the existing public wastewater and water supply infrastructure which accords with the expectations of ALDP policy NE6. As Scottish Water are unable to confirm that there is adequate water supply or treatment capacity to service the development and it is unknown if adequate public infrastructure exists, there is a degree of conflict with ALDP policy I1. However, the minor scale of the development is such that the development would not place significant burdens on existing water infrastructure. In response to other recent development proposals Scottish Water have advised that capacity exists at Nigg. Therefore, the degree of potential conflict with policy I1 does not warrant submission of further supporting technical analysis or refusal in this instance.

It is presumed that there is adequate telecoms services (e.g. phone, internet) at the site given its location within an urban area and thus no conflict with ALDP policy C11. It is noted that neither the

applicant nor the Council has any responsibility for provision of telecommunications infrastructure, which is delivered by private companies. It is noted that the roll out of full fibre broadband within the city is continuing (in part funded by the Scottish Government) and such services are available in the area. Thus, it would not be reasonable to impose a condition requiring any service upgrade. No evidence exists that that the development would adversely impact on existing TV reception or other telecommunications signals.

Whilst no connection to the district heating network is proposed, this is not a requirement of current planning policy / guidance. Proposed policy R8 within the PALDP states that heat networks are encouraged and supported. Such heating systems are desired in terms of sustainable design and the objectives of SPP. However, as guidance referred to in policy R8 (i.e. Aberdeen Planning Guidance regarding Heat Networks and Energy Mapping) has yet to be published, the weight which can be afforded to that policy is limited. It would not therefore be reasonable to refuse the development on the basis that no connection to a heat network is proposed.

Whilst the development would place burdens on existing facilities and infrastructure, the scale of such impact does not warrant refusal.

### **Refuse Storage**

Whilst the proposed use would generate waste, waste uplift would be by wheelie bins. There would be adequate space for provision of suitably screened waste and recycling bins within the external areas at the frontage / side of the houses and no physical measures (e.g. bin store) or condition is needed in this instance to ensure accordance with ALDP policy R6 and related SG.

### **Energy and Water Efficiency**

Whilst no detailed technical information has been submitted in relation to provision of energy and water saving technology on site, in order to demonstrate compliance with Policy R7 and related SG, such information could be made subject of a suspensive condition. Thus, there would be no basis for refusal of the application because of conflict with policy R7. Rainwater captured on site could be stored in water butts and used for watering plants. Non-potable water could also in theory be stored in tanks and used for purposes such as flushing toilets.

### **Matters Raised in Representation**

The opinion that the granite houses within the site may require investment is not supported by evidence and does not warrant approval of development of the site. Maintenance of existing property is an unrelated duty of the owner.

Whilst it is alleged that gardens at the site are overgrown, that is a matter of opinion and does not justify approval of planning permission for its development. An alternative opinion would be that the mature vegetation and trees within the rear parts of the gardens are of value. The existing rear garden ground provides an attractive variety of vegetation of greenspace and amenity value, including screening of adjacent facing windows to the west.

Whilst the rear part of the garden of 584 Holburn Street has previously been incorporated into adjacent public open space, such that the original plot boundary of that property has been altered, it has not been built on. The fact that it is used as grassed open space does not justify approval of development of adjacent land.

It is accepted that vehicle access to the site already exists from Ruthrieston Road and that is a suitable and safe access point. However, the proposed additional vehicle access point would result in removal of existing on street parking for existing residents and would not be mitigated.

Whilst the trees on the site have no statutory protection, they exist and have amenity value. The planning authority has a statutory duty when determining planning applications to ensure adequate

provision is made to their protection, or where planning permissions granted, for their preservation or for the planting of trees.

Whilst private rear garden ground would be provided for occupants, the public frontage of the houses would be devoid of greenspace or tree planting, in contrast with the existing situation and therefore would result in a poor level of amenity.

The reliance on existing public open space is indicative of borrowed amenity / overdevelopment. The proposal would result in no enhancement of adjacent public open space and would result in a significant loss of existing greenspace.

It is accepted that the context of the site is of a varied urban character and that there is scope for varied architectural treatments in such a context. However, the loss of garden ground and form of development proposed is unacceptable for the reasons set out above.

The proposed houses are shown to have a west facing stair window facing neighbouring houses. It is considered that privacy and boundary treatment concerns could be designed out and potential overlooking could be addressed by condition.

It is noted that the planning history of refusal at the site is of considerable age and was determined on the basis of previous development plan policy. Unfortunately, online planning appeal records held by the Scottish Government Planning & Environmental Appeals Division do not extend back to 1994 and thus no record of the planning appeal decision for erection of the house at 594 Holburn Street is available.

As the site does not lie within an H2 policy area, ALDP policy H2 is not relevant in this instance.

Although there would be inevitable impact and disturbance during construction, such impacts would be of a transient nature and do not therefore warrant refusal.

As each application requires to be considered on its merits and there is no equivalent situation in the immediate area, it is considered that the proposal does not raise precedent concerns for the immediate context. However, there are many parallel situations throughout the city whereby potential house plots could be created by amalgamation of parts of rear gardens and that is a valid precedent concern.

### **Proposed Aberdeen Local Development Plan**

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (PALDP) substantively reiterate those in the adopted Local Development Plan and the proposal is not acceptable in terms of both Plans for the reasons previously given.

### **Other Considerations**

The proposal results in no wider public or amenity benefits (e.g. economic, social or environmental) that would warrant setting aside the above policy concerns and justify approval. Notwithstanding the presumption in favour of development that contributes to sustainable development as expressed in SPP, there are no other identified material considerations which weigh in favour of approval.

Should Committee resolve to approve the application it is recommended that in addition to the standard conditions relating to permission in principle that conditions are imposed in relation to the following specific matters:

- Building design / materials;
- Plot / boundary treatments / granite re-use;

- Tree protection / planting;
- SUDS;
- Foul drainage / service connections;
- Landscaping / garden ground provision;
- Off-street car parking provision / EV charging infrastructure;
- Provision of secure cycle storage;
- Provision of micro-renewables and water efficiency measures;
- Privacy measures / prevention of overlooking.

## **RECOMMENDATION**

Refuse

## **REASON FOR RECOMMENDATION**

### 1. Lack of information

Insufficient information has been provided in order to enable full analysis of the potential adverse impact of the development in relation to loss of / impact on trees, drainage, daylight and sunlight impact on adjacent houses and garden ground to the west and thus it has not been demonstrated that the proposal complies with policies NE5: Trees and Woodland, NE6: Flooding, Drainage & Water Quality and D1: Quality Placemaking by Design and related guidance within the Aberdeen Local Development Plan 2017 (ALDP). Cross sections and street elevations are required to assess amenity impacts and the relationship with the street/ existing houses. As these have not been provided, it has not been demonstrated that the proposal complies with the requirements of policies H1: Residential Areas and D1: Quality Placemaking by Design.

### 2. Supplementary Guidance Conflict

The proposal directly conflicts with ALDP Sub-division & Redevelopment of Residential Curtilages supplementary guidance as formation of the proposed house plots would require combining parts of three separate gardens.

### 3. Amenity / Overdevelopment

The scale and positioning of the proposed houses relative to the street and adjacent houses, and absence of greenspace within the front gardens is considered to be indicative of overdevelopment of the site. The proposal has an adverse impact on existing amenity by reason of the removal of garden ground and its replacement with built development of inappropriate form as evidenced by the offset positioning of the house frontages relative to the street and the building line to either the northwest or southeast and the absence of greenspace or garden ground at the public frontages of the buildings. It is therefore considered that the proposal conflicts with the design quality objectives of ALDP policies D1: Quality Placemaking by Design, D2: Landscape, H3: Density and Scottish Planning Policy.

### 4. Precedent

Approval of the application would result in the creation of an adverse precedent for similar proposals on corner sites throughout the city whereby house plots could be formed by the amalgamation of parts of existing rear gardens.