

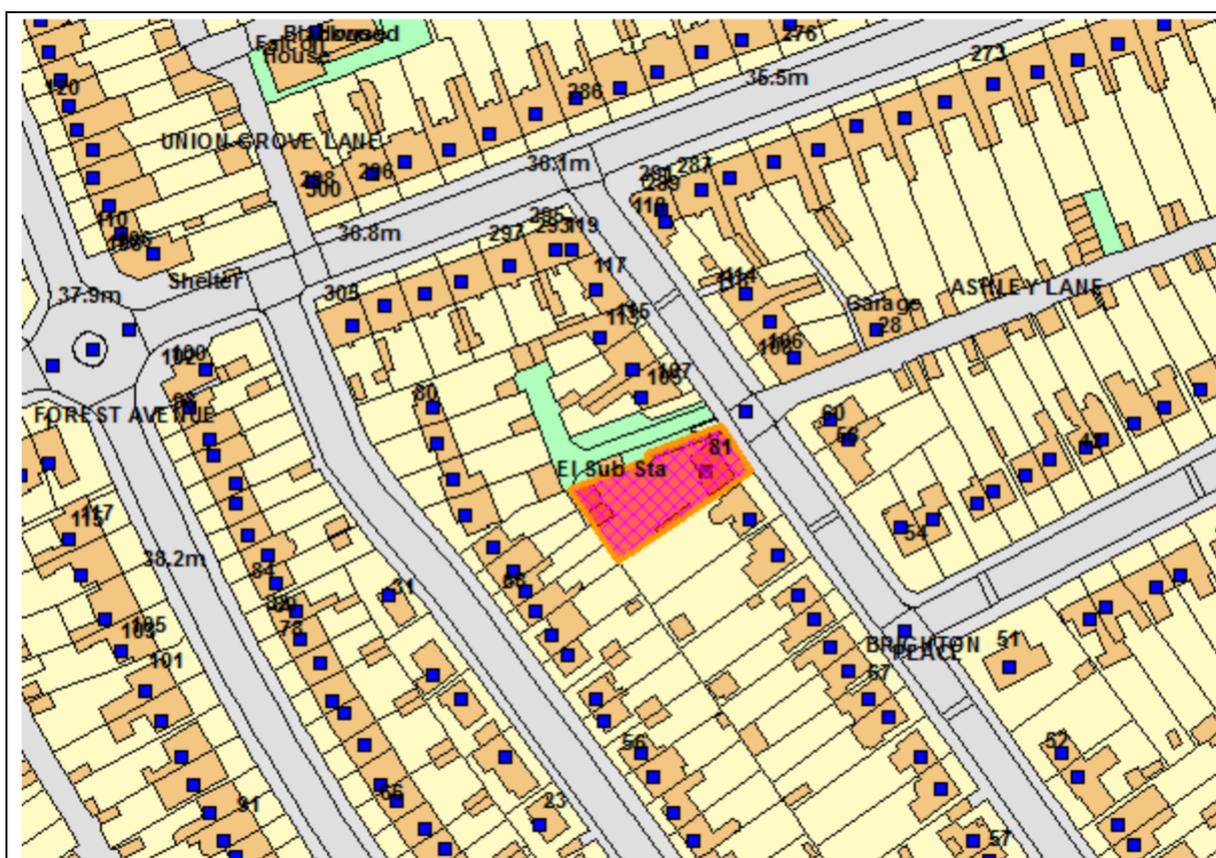


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 9 March 2023

Site Address:	81 Brighton Place, Ashley, Aberdeen, AB10 6RT
Application Description:	Erection of extensions to side and rear and formation of door opening to form 2 semi-detached dwelling houses
Application Ref:	221086/DPP
Application Type	Detailed Planning Permission
Application Date:	3 October 2022
Applicant:	Mr John Anderson
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Ashley and Broomhill
Case Officer:	Dineke Brasier



© Crown Copyright. Aberdeen City Council. Licence Number: 100023401 - 2018

RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site is an irregular shaped area measuring c.730m² and is currently occupied by a single 1½ storey traditional granite detached dwelling and its residential curtilage to the front and rear. The property has a north-east facing principal elevation fronting onto Brighton Place to the west. To the south is a similar detached dwelling at 79 Brighton Place; to the west are 2 storey terraced dwellings fronting onto Annfield Terrace and to the north is a rear service lane providing access to the rear gardens of the application site and properties onto Annfield Terrace and Brighton Place. Beyond this service lane are 2½ storey flatted buildings.

The site is located in an existing residential area and falls just outside the Albyn Place/Rubislaw Conservation Area, the boundary of which runs along the north of the service lane, with the north boundary of the Great Western Road Conservation Area running c.125m further south.

Relevant Planning History

- 111877 – Erection of car port to rear – Approved on 14th February 2012;
- 180922/DPP – Replacement of existing dwelling house with 4no. residential flats including car parking and landscaping – Refused on 4th September 2018;
- 190778/DPP – Change of use from amenity land to domestic garden ground to facilitate new access, driveway and erection of boundary wall to rear – Approved on 15th August 2019; and
- 191880/DPP – Erection of new dwellinghouse to rear – Refused on 24th February 2020 and subsequently dismissed on appeal by the Scottish Government Planning and Environmental Appeals Division.

APPLICATION DESCRIPTION

Description of Proposal

Erection of single storey side and rear extensions with accommodation in the roof space, and formation of new door opening to facilitate the subdivision of the existing single detached dwelling into two semi-detached properties. The proposed rear extension would project c.6.85m from the rear elevation of the dwelling; would have a width of c.8m; an eaves height of c.2.7m and ridge height of c.6m matching that of the original dwelling. Fenestration would include two sets of full height double windows on the ground floor and one full height window on the first floor – all in the rear (west) elevation. The side (south) elevation would contain a high-level window and another small window, whereas the other side (north) elevation would contain a single door and window. Two rooflights would be located in the north roofslope and one in the south. The rear extension would be finished in off-white render with elements of dark grey painted timber cladding and slates for the roof.

The proposed side extension would be located to the north, and would measure c.2.1m by c.6.5m. It would have an eaves height of c.2.6m and a ridge height of c.5.5m. The extension would contain a single door to the front, small window to the rear and single rooflight in the rear roofslope. Proposed finishing materials include dark grey painted timber cladding and slates for the roof.

The proposal further includes the subdivision of the resultant property into 1no. 2-bed dwelling and 1no. 3-bed dwelling. The 2-bed dwelling would occupy the northern half of the building, would have access to a driveway and parking area immediately to the rear accessed from the service lane, and an enclosed private rear garden. The 3-bed dwelling would occupy the southern half of the building, and would have an L-shaped plot including a parking area using the existing car port accessed from the service lane.

Amendments

In agreement with the applicant, the following amendments were made to the application:

Design of the extension has been revised.

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=RHJ85QBZJAV00>

- Planning Statement by Aurora Planning providing a justification for the proposed development.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because more than 6 letters of objection were received.

CONSULTATIONS

ACC - Roads Development Management Team – No roads concerns with the principle of the development. Dimensions of the existing car park are requested to ensure there is sufficient space to park 2 cars in line with ACC standards. Passive EV charging should be provided.

ACC - Environmental Health – No concerns or observations

ACC - Waste and Recycling – No objection. General comments provided in relation to waste collection.

Archaeology Service – No objection, but recommends the inclusion of a condition setting out that a photographic survey of the existing building is undertaken and submitted to the Planning Authority prior to any works (including demolition works) to the building.

Ashley And Broomhill Community Council – None received

REPRESENTATIONS

A total of eighteen timeous letters of objection were received during the initial neighbour notification period, raising the following matters:

1. Adverse impact on character of the area in terms of overdevelopment; curtilage split; density; shape and width of the plots would undermine the established character of development;
2. Inappropriate design; inappropriate materials;
3. Inadequate level of accommodation provided; insufficient garden ground; no rear access to one of the plots;
4. Adverse impact on residential amenity of 79 and 105 Brighton Place;
5. Impact on pedestrian safety in the lane and on the pavement running across the entrance to the lane from Brighton Place due to an increase in traffic;
6. Vehicular access to plot 1 immediately adjacent to pedestrian access/narrow lane leading up to 68-72 Annfield Terrace, impacting on their safety;
7. Insufficient parking proposed that is only accessible through the lane; would result in

- additional pressure for on-street parking on Brighton Place;
8. Bin stores would be remote from Brighton Place;
 9. Existing flooding issues would be aggravated;
 10. Loss of a traditional family dwelling;
 11. Previous proposals to gain additional dwelling(s) on the site; and
 12. Proposal would set a precedent for similar development in the area;

Following revisions to the design of the extension, renotification took place, resulting in a further 11 timeous letters of objection, including two individuals who had not submitted comments previously, raising the following additional matters:

13. Large area of timber cladding and render retained in revised proposals. Inappropriate material in this context;
14. Following revisions all first floor accommodation serving plot 1 would be limited as it would all have sloping ceilings, reduced room volume and limited daylight;
15. Disabled access to both plots would be problematic;
16. Large extension is contrary to NPF spatial principle 2 and would contribute towards climate change;
17. No information in relation to reduction of carbon emissions;

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan. The relevant provisions of NPF4 that require consideration in terms of this application are –

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 7 (Historic Assets and Places)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan (2017)

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 five years after the date on which the current plan was approved. The ALDP is beyond this five-year period.

The following policies are relevant –

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking by Design)
- Policy D4 (Historic Environment)
- Policy R6 (Waste Management Requirements for New Development)
- Policy R7 (Low and Zero Carbon Building and Water Efficiency)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)

Supplementary Guidance and Technical Advice Notes

- Householder Development Guide
- Subdivision and Redevelopment of Residential Curtilages
- Transport and Accessibility

Proposed Aberdeen Local Development Plan (2020)

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. All the recommendations within the Report have been accepted and the modifications made to the PALDP were agreed by Full Council on 14 December 2022. The PALDP constitutes the Council's settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on the relevance of these matters to the application under consideration.

The following policies are relevant –

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)
- Policy D2 (Amenity)
- Policy R5 (Waste Management Requirements in New Developments)
- Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

Other Material Considerations

- Appeal decision PPA-100-2110 in relation to previous application 191880/DPP for the erection of one dwellinghouse to the rear of the existing property.

EVALUATION

Principle of Development

The site is located in an existing residential area. Policy 16 (Quality Homes) of NPF4 applies, which aims to provide more high quality, affordable and sustainable homes in the right locations ensuring that the diverse housing needs of people and communities across Scotland are met. This policy sets out in (f) that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where the proposal is supported by an agreed timescale for build-out; and the proposal is otherwise consistent with the plan spatial

strategy and other relevant policies including local living and 20-minute neighbourhoods and the proposal is for smaller scale opportunities within an existing settlement boundary.

In this case, the site is located in an existing residential area, and is in close proximity to a wide range of shops and services, including the St Swithin Street Neighbourhood Centre, and is within walking distance (c.800m) from the city centre boundary. In policy 15 (Local Living and 20 Minute Neighbourhoods) of NPF4, the development of 20-minute neighbourhoods is encouraged, where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options. In this case, given that the site is located within a well-established residential area served by a good range of shops and services, it is considered that this policy would be met. In addition, the site is set within an existing network of walking and cycling routes, and there are bus routes running along both Union Grove to the north and Great Western Road to the south, which would provide ready access to various public transport options to and from the city centre, the western suburbs and Deeside beyond.

In addition, policy 12 (Zero Waste) of NPF4 sets out that development proposals that reuse existing buildings will be supported. In this case, the proposal is to extend and convert the existing single detached dwelling into a pair of semi-detached dwellings, and would thus aim to reuse an existing building, in compliance with this policy.

Taking consideration of the above, it is considered that the principle of the development would be compliant with policies 12, 15 and 16 as set out in NPF4, subject to compliance with all other relevant Development Plan policies.

Policy H1 of the 2017 Aberdeen Local Development Plan (ALDP) applies. This policy sets out that residential development is acceptable in principle, provided it:

- Does not constitute overdevelopment;
- Does not have an adverse impact on the character and amenity of the surrounding area; and
- Does not result in the loss of open space; and
- Complies with relevant Supplementary Guidance – in this case both the Householder Design Guide and SG on Subdivision and Redevelopment of Residential Curtilages.

The existing site is residential curtilage and as such would not result in the loss of open space, meeting this criterion. The impact of the proposed development on the first two matters will be discussed in detail below.

Impact on the character of the surrounding area

Policy 14 (Design Quality and Place) of NPF4 aims to encourage, promote and facilitate well designed development that makes successful places. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places will not be supported. Policy D1 (Quality Placemaking by Design) of the ALDP sets out that all development must follow a thorough process of site context appraisal to arrive at an appropriate proposal. Not all development will be of a scale to make a significant placemaking impact. However, all good design and detail adds to the attractiveness of the built and natural environment, and careful consideration is key. Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic and environmental attractiveness of the city. All proposals will be considered against the six essential qualities: distinctive; welcoming; safe and pleasant; easy to move around; adaptable; and resource efficient.

Further guidance is provided in the Householder Development Guide (HDG) and Supplementary

Guidance on Subdivision and Redevelopment of Residential Curtilages (SG). The first is relevant as the proposal would include an extension of an existing building rather than demolition and reconstruction, whereas the second provides guidance as to when subdivision of a residential curtilage would be considered acceptable. In addition, Technical Advice Note: Materials is relevant in relation to the appropriateness of external materials.

Scale, massing and design

The HDG sets out in its 'General Principles' that an extension to a property should be architecturally compatible in design and scale with the original house and its surrounding area. Any extension should not overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient. It further specifies that the built footprint of the original dwelling cannot be doubled, and that no more than 50% of the rear or front curtilage shall be covered by development.

In this case, the proposed rear extension to the dwelling would project a maximum of c.6.9m from the rear elevation and be a width of c.7.9m, resulting in a footprint of c.51m². The proposed side extension would project c.2.1m from the side elevation and be a width of c.6.5m, resulting in a footprint of c.13.7m². The overall increase in footprint of the property would thus be 64.7m². The original dwelling has a footprint of c.89m², and the proposal would thus not result in a doubling of the footprint of the dwelling. In addition, due to the large size of the rear curtilage, the proposed extension in addition to the existing outbuildings to the rear of the curtilage would not cover more than 50% of this area. These criteria are thus met.

The proposed rear extension would be single storey with additional accommodation in the roof space and would have a pitched roof design. Both the eaves and ridge height would match that of the existing dwelling. The extension would be set in from the side and would not cover the full width of the dwelling. Even though large, it is considered that the extension would not overwhelm the existing dwelling, and its scale, massing and design is acceptable in the context of the original property. Proposed finishes include timber linings, off-white render and a slated roof. Even though the existing dwelling is constructed of granite, it is considered that this mix of finishes is generally acceptable for extensions to dwellings of a form and design such as the application property. It is further considered that, as the extension is located to the rear of the property and though visible from the service lane to the north, it would not have a detrimental impact on the visual amenity, character and setting of the Albyn Place/Rubislaw Conservation Area, which is located immediately to the north in line with relevant policies.

The proposed side extension would also be single storey with additional accommodation in the roof space. It would be set back from both the front and rear elevation by c.0.4m – sufficient to provide a clear separation between the original dwelling and the side extension. This would also result in a lower ridge height. These elements would ensure that the proposed side extension would read as a later, modest addition to the original dwelling and ensures it is visually subservient. Proposed finishes would include timber cladding for the walls and a slated pitched roof. Again, these materials are considered complementary to the original granite and generally acceptable for extensions to these properties outside the conservation area.

Taken together, it is considered that the design, scale and massing of the proposed extensions would meet the relevant criteria from policies 7, 14 and 16 of NPF4; policies H1, D1 and D4 of the 2017 ALDP; policies H1, D1 and D6 of the 2020 PLDP and relevant sections of the HDG and Technical Advice Note 'Materials'.

Site context

Policy D1 (Quality Placemaking by Design) of the 2017 ALDP sets out that all development must be based on a thorough process of context appraisal, and that the context will differ from site to

site. Supplementary Guidance on 'Subdivision and Redevelopment of Residential Curtilages' (SG) provides guidance in relation to curtilage splits and redevelopment proposals. It is acknowledged that this current application would consist of the extension of an existing building rather than demolition and rebuild and as such would not necessarily be considered redevelopment. However, the general principles in relation to curtilage splits remains relevant. This sets out that:

1. New dwellings must respect the established pattern of development formed by the relationship between buildings and their surrounding spaces (gardens etc.);
2. The scale and massing of any new dwellings should complement the scale of surrounding properties; and
3. The density of the surrounding area should be reflected in the proposals for the new and existing property.

In this case, the proposed building would be extended to the side and rear and then split into two semi-detached dwellings. Other alterations to the existing site layout would be to split the rear curtilage in two separate gardens. Plot 1 would be served by an L-shaped garden generally with a general width of c.7.5m with a c.5.5m wide section running between the rear boundary of properties on Annfield Terrace and the rear boundary of the garden serving Plot 2 to allow for in-curtilage parking for Plot 1. The resultant plot would measure c.374m² and an existing outbuilding measuring c.35m² would be retained. This existing outbuilding would be used as a car port. Including this existing outbuilding, a total of 31% of the plot would be developed, whilst the dwelling itself with a footprint of c.78m², so excluding the car port, would take up a total of 21% of the plot.

Plot 2 would be served by a rear garden that widens out. The total plot would measure c.352m². Vehicular access to two in-curtilage parking spaces would be provided through an existing driveway to the side of the plot that was approved and implemented following planning permission P190778/DPP. The dwelling would have a footprint of c.70.5m², resulting in a total developed area of c.20%.

Development in the surrounding area is characterised by a mix of detached, semi-detached and terraced properties with long, rectangular gardens. The site subject of this application is the northern most one of a row of three detached dwellings that are relatively unique in the surrounding area. Both other properties have been extended in the past. All three dwellings have, in comparison to the wider surrounding area, relatively large plots. However, the application property, due to its position immediately adjacent to the service lane, is the only one that widens out to the rear, with the rear garden being some 7m wider at its widest point compared to its narrowest immediately to the rear of the proposed extension. In addition, the owner of the site has previously bought an additional piece of land to the side to increase the size of the garden further. As such, even when taking account of the existing outbuildings on the site, which include the previously mentioned car port, a further extension to this building and a collection of small sheds on the boundary with 79 Brighton Place, the overall plot ratio is relatively low at 21%. When excluding the outbuildings, to facilitate comparison of plot ratios with properties in the surrounding area, the plot ratio is lower at 12%. This compares to approximate development ratios of around 15% for the other two detached dwellings, rising to approximately 25-30% further south along Brighton Place and for the two semi-detached dwellings immediately opposite at 58 and 60 Brighton Place. As such, the proposed plot ratios of c.21% and c.20% respectively would be appropriate in this context and the resultant development would not be considered overdevelopment of the site.

The general pattern of development is characterised by properties with either a north-east or south-west facing principal elevation fronting onto residential streets with linear gardens. Properties facing onto Brighton Place tend to have a longer, larger gardens than dwellings facing onto Annfield Terrace to the west. It is acknowledged that, following the proposed development,

the shape of the gardens would be different than that prevalent in the surrounding area. Vehicular access to the service lane and two in-curtilage parking spaces would be provided for Plot 1, resulting in an L-shaped garden serving this dwelling. This in turn would ensure that the rear garden of Plot 2 would not extend the full length of the application site to the rear boundary with properties on Annfield Terrace. The resultant garden for Plot 1 would have an average width of c.7.5m whereas the rear garden for Plot 2, due to the increase in width further to the rear, would vary between c.9m and c.13.2m. The gardens serving the two detached dwellings at 77 and 79 Brighton Place both measure c.13.5m in width, and the resultant gardens would thus be narrower than these. However, when moving further south, the width of the proposed gardens would be more in line to that of other semi-detached dwellings along Brighton Place, including 73-75 Brighton Place. As such, even though narrow when compared to the two other detached dwellings in the row, the width of the gardens would resemble that of other semi-detached dwellings in the immediate vicinity.

It is acknowledged that the L-shape of the garden serving Plot 1 would be unusual in the surrounding context. However, the benefit of providing on-site parking spaces and vehicular access to this dwelling, in combination with the minimum visual impact this division would have on the surrounding area is accepted in this instance.

In conclusion, it is considered that the design, scale and massing of the extension would be an appropriate addition to the original dwelling; and that the proposal to subdivide the house and rear garden would not have an adverse impact on the character of the surrounding area and that due consideration has been taken of the surrounding site context, in line with policy 14 of NPF4, policies H1 and D1 of the 2017 ALDP; policies H1 and D1 of the 2020 PLDP and relevant sections of the Supplementary Guidance on 'Subdivision and Redevelopment of Residential Curtilages'

Residential amenity

Application property

Plot 1 would provide a hallway; open plan lounge/kitchen/dining area; utility room; bedroom and bathroom on the ground floor, with a further two bedrooms and shower room provided on the first floor. The internal floor area would measure c.130m², although it is acknowledged that all first floor accommodation would have sloping ceilings. Plot 2 would provide a hallway; open plan lounge/kitchen/dining area; bathroom and bedroom on the ground floor with a further bedroom on the first floor. The internal floor area would measure c.81m², although again the upstairs bedroom would have a sloping ceiling. All of these floor areas would be considered to provide an acceptable amount of living accommodation.

SG sets out that a two storey dwelling should have a rear garden of at least 9m in length. Garden ground should be conveniently located immediately adjoining residential properties, be in a single block of a size and layout usable for sitting out and have an acceptable level of privacy and amenity. Plot 1 would have a garden with a length of c.22m, and Plot 2 a private rear garden with a length of c.16m, located immediately to the rear of the dwelling. Gardens would have a south-west facing aspect, and would not be unduly overshadowed. As such, they are considered to provide a good quality external amenity space, in line with the requirements as set out in SG.

Overall, it is considered that the level of residential amenity provided for future residents of the units would be acceptable and in line with that expected under policies H1 and D1 of the 2017 ALDP; policies H1, D1 and D2 of the 2020 PLDP and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.

Neighbouring dwellings

79 Brighton Place

No development should result in a situation where the amenity of any neighbouring properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity

will count against a development proposal. The nearest residential property to the application site is 79 Brighton Place to the south. This is a similar detached dwelling as the application property, with a conservatory to the rear. Annex 2 of HDG sets out methods to ensure development does not impinge on daylight or sunlight of neighbouring properties. It sets out that where existing windows would directly face the proposed development, the 25° method should be applied. This consists of a line drawn at a 25° angle from the mid-point window of the lowest windows in the existing building towards the proposed development. If this line does not cross the proposed development, it is unlikely to have a substantial effect on daylight to this existing dwelling. In this case, given that the neighbouring conservatory is predominantly glazed, this 25° method has been applied, and demonstrates that the line drawn from the mid-point of the conservatory window clears the proposed extension. As such, the proposal would not have a significant adverse impact on daylight to this property.

Due to the distance between the proposed extension, which is set in c.4m from the boundary between the two properties, and its relatively low single storey height, the proposed extension would not result in excessive overshadowing of the neighbouring property.

In relation to a loss of privacy, the proposed extension introduces two ground floor windows in the side elevation facing 79 Brighton Place. These windows, one of a high-level design and one serving a bathroom, would, due to their design and the intended use of the rooms behind, in combination with boundary treatment between the two properties, would not result in excessive overlooking or significant loss of privacy to this dwelling. A suitably worded condition requiring the use of opaque glazing in the ground floor bathroom window would further ensure no overlooking would take place between the two properties. Similarly, on the upper floor, is a single rooflight serving a bathroom. This again, due to the use of the room behind and its position on the roof, is not considered to have a significant adverse impact on privacy or excessively increase overlooking of this neighbouring dwelling.

Other neighbouring dwellings

105 Brighton Place is located to the north of the application property, and the plots are separated by the private access lane. The distance between the side facing ground floor window of the proposed development and the side elevation of this dwelling is c.18m. It is generally considered that a distance of 18m is sufficient to ensure retention of a good level of privacy between two properties, and this is therefore acceptable.

Similarly, there would be a distance of c.22m from the rear elevation of the development to the rear boundary of the plot, and the proposal would not have an adverse impact on overlooking or loss of privacy of the private rear gardens of any of the properties on Annfield Terrace to the rear.

It is acknowledged that two parking spaces would be located to the rear of the plot, immediately adjacent to the rear boundary of 70 and 72 Annfield Terrace and that this could result in an increase in noise coming from cars entering and exiting the plot. However, it should be considered that there is an existing vehicular access into the plot from the rear, and that the car port is existing. As such, it is not considered that this would result in a materially different situation and this potential impact is accepted.

Taking together, it is considered that the proposal would provide a good level of living accommodation for future occupiers, and would not have a significant detrimental impact on residential amenity of any neighbouring properties. The proposal thus complies with relevant parts of policy 14 of NPF4, policies H1 and D1 of the 2017 ALDP, policies H1, D1 and D2 of the 2020 PLDP and Supplementary Guidance on 'Subdivision and Redevelopment of Residential Curtilages' and the 'Householder Development Guide'.

Parking and access

Maximum parking standards are set out in Supplementary Guidance on Transport and Accessibility, and sets out that for both two and three bedroom dwellings, two parking spaces per unit should be provided. Each plot will have two in-curtilage parking spaces, accessed through existing vehicular accesses into the plot. EV charging points would be provided for both plots. This is considered acceptable and in line with criteria as set out in the relevant Supplementary Guidance

The proposal would result in an increase in use of the lane. Comments have been received, setting out that this could have an adverse impact on both pedestrians using the lane itself, and pedestrians, especially children going to and from nearby Ashley Road School, crossing the entrance to the lane on Brighton Place. However, it is considered that this slight increase of two cars would not have a significant impact on road safety or would increase its intensity of use to unacceptable levels.

The site is located in a sustainable location in close proximity to a range of shops and services. In addition, it is within walking distance to the city centre, and various bus routes along Union Grove to the north and Great Western Road to the south – providing good quality access to public transport to the city centre and the areas to the west.

This aspect of the proposal is thus considered to be in compliance with the relevant sections of policy 13 (Sustainable Transport) of NPF4, policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the 2017 ALDP, policies T2 (Sustainable Transport) and T3 (Parking) of the 2020 PLDP.

Other matters

Flooding

Comments have been received in relation to flooding of the lane, resulting in a pooling of water at the entrance of the lane into Brighton Place, which, in turn, can result in icy conditions in that location during the winter. It is considered that this is an existing situation, and that the proposed development would not have any additional impact on this. SEPA flood maps have been consulted, and these do not show any results. It is likely that these flooding problems stem from poor drainage across the lane, potentially in combination with the existing substation structure, and that this is a civil matter between the owner of the lane and the adjoining properties.

Waste

Each property would have sufficient space for bin storage in the rear curtilage. Easy access from plot 2 to the kerb on Brighton Place is available through the existing vehicular access serving that plot. Plot 1 would either need to take their bins up and down the steps to the front of the property or cross the front garden of Plot 2 to present their bins on Brighton Place. This solution is accepted by Waste Management and in line with policy R6 of the 2017 ALDP and R5 of the 2020 PLDP.

Low and zero carbon building

Policy R7 (Low and Zero Carbon Building) sets out that all new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology. However, the policy specifies that this does not apply to either extensions, or change of use or conversion of buildings. In this case, the proposal would not result in a new building, but would constitute an extension resulting in a conversion of the existing dwelling to two properties. As such, this policy is not directly relevant to this current application.

Archaeology

Although not located in a conservation area, nor listed, the property represents an early 20th

century traditional granite property that will see significant alteration if the proposal is approved. Archaeology Service has assessed the application, and seeks inclusion of a suitably worded condition requesting a photographic survey of the building prior to any development taking place.

Proposed Aberdeen Local Development Plan

The Report of Examination does not affect policies in a manner that is relevant to this application. The relevant PALDP policies substantively reiterate those in the adopted ALDP and therefore the proposal is acceptable in terms of both plans for the reasons previously given.

Policy D2 (Amenity) is a new policy aimed at ensuring an acceptable level of residential amenity is provided for new development and retained for existing buildings. This has been discussed in detail above, and it is considered that the proposal meets the criteria as set out in this policy.

Matters raised in letters of objection

1. Adverse impact on character of the area in terms of overdevelopment; curtilage split; density; shape and width of the plots would not undermine the established character of development – *These matters have been addressed in the evaluation above;*
2. Inappropriate design; inappropriate materials – *These matters have been addressed in the evaluation above;*
3. Inadequate level of accommodation provided; insufficient garden ground; no rear access to one of the plots – *These matters have been addressed in the evaluation above;*
4. Adverse impact on residential amenity of 79 and 105 Brighton Place – *These matters have been addressed in the evaluation above;*
5. Impact on pedestrian safety in the lane and on the pavement running across the entrance to the lane from Brighton Place due to an increase in traffic – *These matters have been addressed in the evaluation above;*
6. Vehicular access to plot 1 immediately adjacent to pedestrian access/narrow lane leading up to 68-72 Annfield Terrace, impacting on their safety – *As the proposal would not introduce a new vehicular access in this location, and due to the low intensity of the traffic associated to the proposed use, this would be acceptable;*
7. Insufficient parking proposed that is only accessible through the lane; would result in additional pressure for on-street parking on Brighton Place – *These matters have been addressed in the evaluation above;*
8. Bin stores would be remote from Brighton Place – *These matters have been addressed in the evaluation above;*
9. Existing flooding issues would be aggravated – *These matters have been addressed in the evaluation above;*
10. Loss of a traditional family dwelling – *This is not a material planning consideration;*
11. Previous proposals to gain additional dwelling(s) on the site – *Previous decisions, including the appeal decision PPA-100-2110 in relation to previous application 191880/DPP have been considered. However, it is considered that the proposal is sufficiently different from these previous proposals to be considered on its own merits; and*
12. Proposal would set a precedent for similar development in the area – *It is considered that, due to the shape and size of the application property and its specific context and position in the street, the potential for similar development in the immediate surrounding area is severely limited and in each case, all development is assessed on a site-by-site basis;*
13. Large area of timber cladding and render retained in revised proposals. Inappropriate material in this context – *These matters have been addressed in the evaluation above;*

14. Following revisions all first floor accommodation serving plot 1 would be limited as it would all have sloping ceilings, reduced room volume and limited daylight – *These matters have been addressed in the evaluation above;*
15. Disabled access to both plots would be problematic – *This would be similar as the current detached dwelling. Level access would be available through the garden area to each dwelling;* and
16. Large extension would contribute towards climate change; no information in relation to reduction of carbon emissions – *The proposal would extend an existing dwelling and subdivide this into two separate units which would represent an efficient use of land. As the proposal is for extension and conversion, there is no requirement to provide information on low and zero carbon measures;*

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The site is located in an existing residential area, in a sustainable location close to a variety of shops, services and public transport routes; well-connected into an existing walking and cycling network; and would result in the reuse of an existing building. The principle of the proposal would therefore comply with criteria as set out in policies 12 (Zero Waste); 15 (Local Living and 20 Minute Neighbourhoods) and 16 (Quality Homes) of NPF4; policy H1 (Residential Areas) and T3 (Sustainable and Active Travel) of the 2017 Aberdeen Local Development Plan (ALDP) and policy H1 (Residential Areas) and T2 (Sustainable Transport) of the 2020 Proposed Local Development Plan.

The design, scale and massing of the proposed extensions are considered not to be overbearing on the existing dwelling, with its single storey design appropriate and in keeping with the scale and massing of the existing building. Proposed materials are in keeping with development in the general area, the proposal would not result in a doubling of the footprint of the original building, or more than 50% of the rear curtilage development; and is not considered to have an adverse impact on the character and setting of the Albyn Place/ Rubislaw Conservation Area. This is all in compliance with the relevant criteria from policies 7 (Historic Assets); 14 (Design, Quality and Place) and 16 (Quality Homes) of NPF4; policies H1 (Residential Areas), D1 (Quality Placemaking by Design) and D4 (Historic Environment) of the 2017 ALDP; policies H1 (Residential Areas), D1 (Quality Placemaking) and D6 (Historic Environment) of the 2020 PLDP and relevant sections of the Householder Design Guide and Technical Advice Note on 'Materials'.

The proposed subdivision of the resultant building would result in a level of development that is not considered out of context in the surrounding area; orientation of garden ground would generally match that in the surrounding area. It is thus not considered to have an adverse impact on the character of the surrounding area, and due consideration of the surrounding site context has been taken in the development of the proposal. This is in line with policy 14 (Design, Quality and Place) of NPF4; policy H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 ALDP; policies H1 (Residential Areas) and D1 (Quality Placemaking) of the 2020 PLDP; and relevant sections of the Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.

The proposal would not have an adverse impact on the residential amenity of neighbouring properties in relation to unacceptable levels of overlooking or loss of light, and would result in two

properties with an acceptable level of floorspace, served by good quality external amenity space as expected under policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 ALDP; policies H1 (Residential Areas), D1 (Quality Placemaking) and D2 (Amenity) of the 2020 PLDP and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages and the Householder Development Guide.

Finally, the proposal would provide sufficient in-curtilage parking spaces and bin storage; nor have an adverse impact on flooding in compliance with policy 13 (Sustainable Transport); T2 (Managing the Transport Impact of Development); R6 (Waste Management Requirements for New Development); NE6 (Flooding, Drainage and Water Quality) of the 2017 ALDP; policies T3 (Parking); R5 (Waste Management Requirements for New Development); and NE4 (Our Water Environment) of the 2020 PLDP.

CONDITIONS

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) BOUNDARIES

That the development hereby approved shall not take place unless there a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission has been submitted to and approved in writing by the Planning Authority. None of the residential units hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety.

Reason: In order to ensure an acceptable level of residential amenity.

(03) PARKING

That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. 610-31/RevE of the plans hereby approved. For the avoidance of doubt, this includes the installation of the EV charging points. Such areas shall not thereafter be used for any other purpose than the parking of cars ancillary to the development hereby granted approval.

Reason: In the interests of public safety and the free flow of traffic.

(04) PHOTOGRAPHIC SURVEY

No demolition or any other works in connection with the development hereby granted planning permission shall commence unless a photographic survey of the existing building on the application site has been submitted to and approved in writing by the Planning Authority. All external elevations of the building together with the setting of the building and any unusual features of the existing building shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Monuments Record for Scotland and in the local Historic Environment Record.

(05) OBSCURE GLAZING

That the development hereby approved shall not be brought into use unless the bathroom window on the south facing elevation of the building as shown on drawing 610-32/RevD has been fitted with obscure glazing. Once installed, the obscure glazing shall be permanently retained thereafter and the window shall not be altered in any way without the prior express planning permission of the planning authority

Reason: In the interests of the residential amenity of the adjacent property.

ADVISORY NOTES FOR APPLICANT

None