

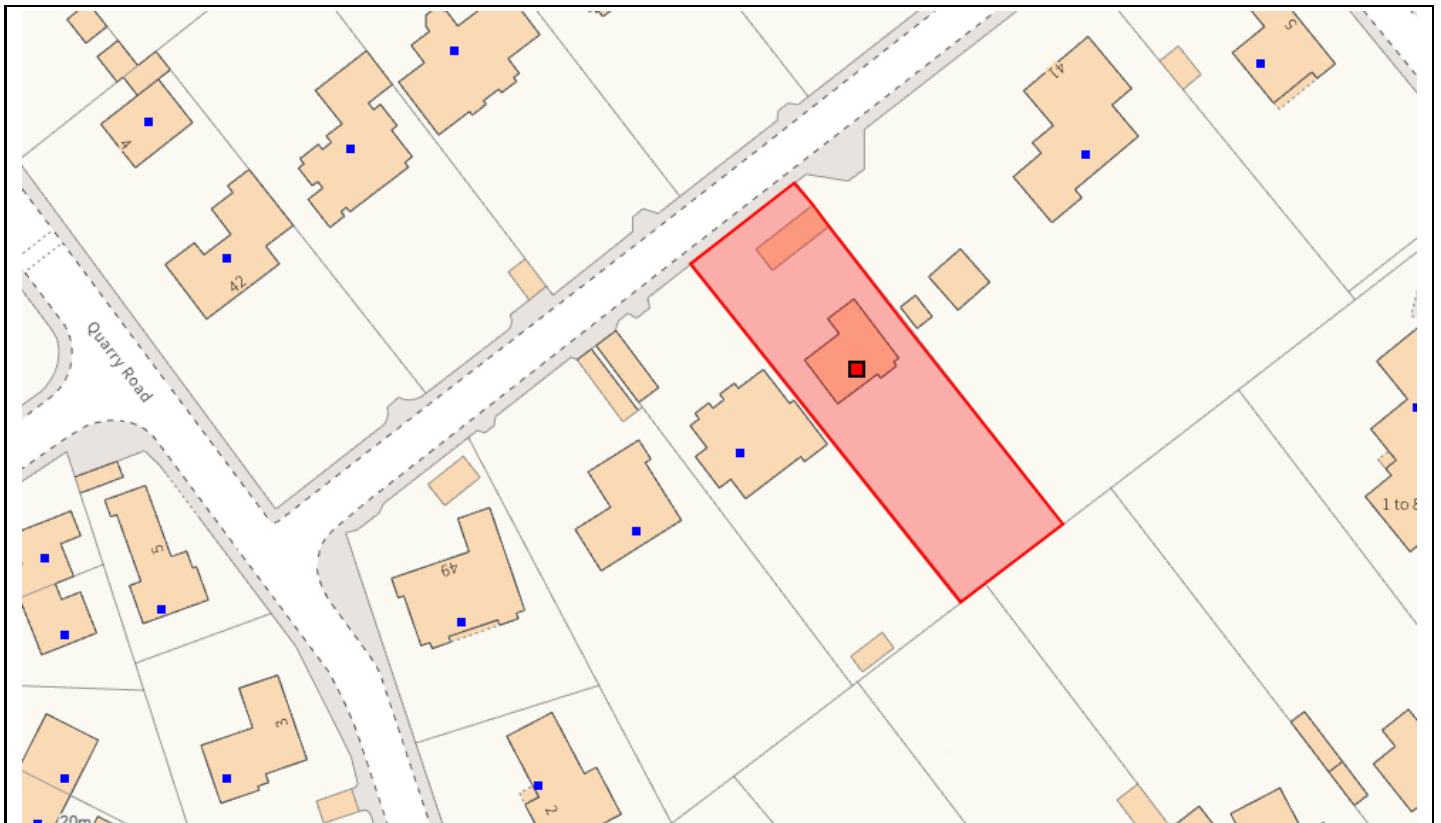


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 7 November 2024**

<b>Site Address:</b>	Janefield, 43 Hillview Road, Cults Aberdeen AB15 9HA
<b>Application Description:</b>	Erection of replacement 2 storey dwelling house with verandah and detached double garage with all associated works
<b>Application Ref:</b>	240368/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	25 March 2024
<b>Applicant:</b>	Mr & Mrs B Yule
<b>Ward:</b>	Lower Deeside
<b>Community Council:</b>	Cults, Bieldside and Milltimber



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The application site, which extends to c.1340m<sup>2</sup>, comprises the curtilage of 'Janefield', a 1½ storey detached granite dwelling house, with detached single garage, situated on the southern side of Hillview Road, in the residential suburb of Cults. The application site is positioned approximately 80m north-east of Hillview Road's junction with Quarry Road. The surrounding area is characterised as an established suburban street, whereby the front boundaries of each property features a high degree of soft landscaping. This soft landscaping extends in between the properties, and combined with the relatively large plot sizes, contributes significantly towards the 'sense of place' of the street. There is no over-riding material finishes or architecture and the context is one where each plot is different, and this mix adds to the place interest.

In terms of the layout of the site, this is organised by front court parking with a detached garage, the dwelling, terrace and garden ground to the rear (south). The overall site extends to 67m in length and there is approximately a 5.3m change in levels from the front (north) to the rear (south) plot boundaries, resulting in an average 1:12 gradient overall. Whilst this change in levels is mostly gradual, there is a sudden drop in levels of around 1m in the middle of the site where the external patio steps down to the remaining garden ground. The application site is bound on all sides by neighbouring detached residential properties, with 45 Hillview Road to the west, 41 Hillview Road to the east, and 422 and 424 North Deeside Road to the south. The mutual boundaries are lined with; mature hedging to the west (c. 1.2-2.0m height) and granite rubble walling of varying heights, predominantly c.1.8-2.4m along the eastern boundary, with the lowest section of wall to the rear (southern) boundary of c. 0.8-1m. The footprint of the existing dwelling is 106m<sup>2</sup>, the existing detached single garage is 45m<sup>2</sup>, with other areas of development (i.e. hardstanding, driveway and shed) extending to 316m<sup>2</sup>, with the remainder of the site comprising soft landscaped garden ground (876m<sup>2</sup>).

### **Relevant Planning History**

None.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Planning permission is sought for the erection of a two-storey, 5-bedroomed, detached dwelling house, with front entrance portico, external tiered patios to the rear and a detached double garage and driveway. The existing dwelling and detached garage would be demolished to facilitate the new development. Given the level of development proposed, including demolitions, there would be a requirement for some degree of excavations of the plot, and an existing garden pond is proposed to be removed as part of the development.

The proposed dwelling would measure 8m in height to the ridge at the highest point, 5.2m (front) and 5.7m (rear) to the eaves, 14.5m in width and 15.3m in length. In terms of length, an additional tiered patio area to the rear would project a further 5.7m. With respect to the mutual boundaries, the proposed dwelling would sit c 3.4m off the western boundary and 2.9m and 3.1m off the eastern boundary.

To the front, the proposal would see the formation of a new driveway (104m<sup>2</sup>), leading directly from Hillview Road through a 3.8m wide opening in a proposed new 1.2m high front boundary wall. A bin stance area would be located to the side (north) elevation of the proposed garage.

## Amendments

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

- A series of design revisions to the proposal were made, including;
  - Reduction in ridge height, lowering of dwelling into the plot to match ground floor level of existing house and remove any foundation platforming, and alteration to roof form to introduce hipped roof elements.
  - Removal of the side utility wing from the eastern elevation and centralised positioning of dwelling in the plot to increase separation from the plot boundaries.
  - Repositioning of the detached double garage further north in the plot, reorientation of roof, removal of upper floor window, reduced roof pitch and introduction of granite detailing.
  - Reduction in size, height, positioning and extent of external rear patios, to remove raised nature and pull away off the western boundary of the plot, inset 3m off the south-western corner of the rear elevation, centralised positioning of steps and provision of privacy screen.
  - Elevational detailing to dwelling to include simplified window surrounds, granite features, central mullions to window, feature window and terracotta ridge tiles.
  - Reduction in level of hardstanding across the site, including extent and positioning of driveway and ancillary paths.

## 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=SAWEHMBZLIE00>

- Planning Statement
- Drainage Statement (inc. layout and construction details)
- Tree Report (inc. protection and management plan)
- Arboricultural Impact Assessment
- Demolition Justification Statement (inc. surveyors report)

## Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because it has received more than five timeous objections to the proposal, including an objection from the local Community Council.

## CONSULTATIONS

**ACC - Environmental Health** – No objection. Reviewed the proposal and were satisfied that the proposed air source heat pump should not cause a noise nuisance to nearby noise receptors. It was also advised that hours of construction should be restricted in order to protect the amenity of neighbouring properties/occupants. As such, an advisory note has been attached for the applicant to be aware of in relation to appropriate hours for construction works, in the event the application is approved.

**ACC - Roads Development Management Team** – No objection. Advised that the proposed

single access, as existing, is acceptable to serve the development. The proposed development would be adequately served by the 3 parking spaces required, through means of a double garage and driveway, with sufficient space for parking and turning. The dimensions of the proposed double garage meets the minimum internal dimensions (5.7m x 5.7m) and is acceptable.

**Scottish Water** – No objection. Advised that the applicant should submit a Pre-Development Enquiry directly to them regarding water capacity to service the development. There is adequate provision for waste water connection. Advised that a 225mm combined sewer infrastructure is within the application boundary and the applicant must contact Scottish Water to discuss any potential conflicts and restrictions, i.e. proximity of construction. No surface water connections into the combined sewer system are accepted. Additional general advice about water connections and best practice was also provided.

**ACC - Structures, Flooding And Coastal Engineering** – No objection. Initially, raised concerns regarding the surface water connection to the existing water feature and further investigation was requested to assess the existing water feature, its source and outflow of water, and the presence/ route of any land drains on the site. Precise location to show where infiltration testing was taken for the proposed soakaway was also requested. Upon receipt of further information, the proposed soakaway and drainage systems was considered to be acceptable. Further investigations of the land drain would still be required and is recommended to be secured via a suitably worded planning condition.

**Cults, Bieldside and Milltimber Community Council** – Object to the proposal for the reasons summarised below:

1. Concern with scale and massing of the proposed house. Overbearing nature of the house which is substantially larger than the existing and closer to boundaries, including ridge 2m higher than neighbouring property.
2. A two-storey dwelling would be contrary to general built form of the south side of Hillview Road and does not reflect the established pattern of development and is contrary to the Sub-Division and Redevelopment of Residential Curtilages APG and Policy D1.
3. Overlooking and privacy concerns to neighbouring properties from upper level windows and from raised rear patio.
4. No site sections have been provided.
5. Sun-path analysis would be required.
6. Number of trees and shrubs have been already been removed by the applicant. Neighbouring tree root protection areas likely to be impacted by the development and further information on re-landscaping the site required.
7. Drainage has not been fully considered and it is understood there are existing field drains across the site to North Deeside Road and issues with waterlogging.

## **REPRESENTATIONS**

A total of 20 representations have been received as a result of two neighbour notification periods undertaken for the planning application (15 objections, 4 in support and 1 neutral). A second neighbour notification process was undertaken following submission of additional drainage and arboricultural information, and thus the proposal was available for additional comments as part of this, which took place prior to final design revisions being submitted. The matters raised in representations can be summarised as follows –

### **Concerns raised:**

1. Adverse and overbearing impact on amenity of the area and neighbouring properties.

Property is too close to neighbour and greater separation is required.

2. Overdevelopment of the plot and contrary to the 'Sub-division and Re-development of Residential Curtilages' Aberdeen Planning Guidance.
3. Replacement of bungalow with two-storey house does not reflect established pattern of development, ridge and eaves height exceeds that of surrounding buildings, resulting in a dominant and intrusive house which interferes with established vistas and does not contribute to the character of the street.
4. Concerns raised due to submission lacking a solar analysis, photomontage, cross-section, street elevation and inaccuracies in some drawings (i.e. representation of trees and landscaped features).
5. Adverse and unacceptable impact on neighbouring properties amenity, light receipt, privacy and overlooking. Particularly to rear garden grounds (including towards properties to the south) as a result of the raised external patio and windows on the proposed rear elevation.
6. Raised nature of the house and patio exacerbates privacy and overlooking concerns, raised patio being too high above ground at almost 3m, which is higher than the adjacent hedging which forms the boundary treatment to the west and would not be alleviated by the privacy screening.
7. Prior to application submission mature trees and bushes have been cleared from the front (west side of the existing front driveway) and rear section of the garden earlier this year. Will take years to regrow and so has affected privacy/screening.
8. Concerns raised about impact on local wildlife (e.g. bats), landscape features, existing and surrounding trees along the boundaries alongside their associated root protection zones.
9. Clarity is required for all proposed boundary treatments and replacement planting to ensure the development can be successfully integrated into the local landscape.
10. Object to oversized garage, which is bigger than a double garage and with ridge height equal to house it will dominate the street. It could be used for additional accommodation and object to a window on the street elevation as it affects neighbouring privacy.
11. Construction time condition should be stated to protect residential amenity.
12. Concerns regarding inadequate drainage, and assessment thereof, for the proposed development. There is an ongoing issue causing localised flooding to the gardens of 422, 424 and 426 North Deeside Road. This is likely connected to the field drain which runs through the site and diverting system to the existing water feature, but this is not mentioned and it's unclear where water will flow to. Any restriction of field drains can cause flooding up or downstream and a drainage survey and flood risk assessment should be provided to support the application and confirm that development does not exacerbate the situation and that Scottish Water infrastructure in the site is suitably accommodated to avoid damage.

Comments made in support of the application:

1. Support the replacement of the existing old house with a new modern, energy-efficient home.
2. Existing house is an anomaly being substantially smaller than its close contemporaries or others on the street. In context of the street a two-storey building fits into the existing mix, and there are a number of other two-storey houses on the street with a mix of roof heights. The proposed ridge height has also been reduced.
3. Whilst being larger, the proposed house is aesthetically pleasing and in keeping with character of the street. It does not result in overdevelopment as per 33% maximum guidance and is not positioned too close to its neighbours.
4. The trees removed from the site were overgrown and had no tree protections, with new plans showing how existing trees will be protected and new landscaping proposed.
5. Overlooking is not a concern and has been addressed by the applicant.
6. Flood risk assessment not required. Drainage is existing problem and not exacerbated by this development, but helps with a solution and the applicant has employed a consulting engineer to address this matter.

Comments made neither objecting nor in support:

- Object to the exaggerated and derogatory remarks about the neglected state of the existing house.

Matters raised which are non-material planning considerations:

- Additional third storey roof space could in future potentially be further accommodation.
- Adverse impact on view across to the Dee Valley and affects property values.
- Adverse impacts on views.
- The proposed composite fencing (rear of garden) is not in keeping with Feu Charter forming the burdens under the property title deeds.
- Additional building of a summerhouse at end of application site garden would impact on existing trees.

## **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 (NPF)

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.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaption)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 5 (Soils)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings)
- 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) of NPF4
- Policy 20 (Blue and Green Infrastructure)
- Policy 22 (Flood Risk and Water Management)

#### Aberdeen Local Development Plan 2023 (ALDP)

- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)

- Policy D5 (Landscape Design)
- Policy D7 (Our Granite Heritage)
- Policy H1 (Residential Areas)
- Policy NE2 (Green and Blue Infrastructure)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy R5 (Waste Management Requirements from New Developments)
- Policy R6 (Low and Zero Carbon Buildings and Water Efficiency)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)

### **Aberdeen Planning Guidance (APG)**

- The Sub-division and Redevelopment of Residential Curtilages
- Amenity & Space Standards
- Materials: External Building Materials and their Use in Aberdeen
- Landscape
- Transport and Accessibility
- Flooding, Drainage and Water Quality
- Natural Heritage
- Trees and Woodland
- Waste Management Requirements for New Developments
- Resources for New Development
- Air Quality

### **EVALUATION**

#### **Principle of Development**

##### New Residential Development

The application site is located within an established residential area, as such Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP) is relevant. Whilst Policy H1 is the principal policy with respect to land zonings, as represented on the ALDP 'Proposals Map', other relevant policies in the ALDP and National Planning Framework 4 (NPF4) will be used to assess the overall principle of development, as outlined in subsequent paragraphs below. Policy 16 of NPF4 encourages the delivery of high quality homes to suit diverse housing needs and in existing established areas new homes would be supported if they are otherwise consistent with relevant spatial planning, local living, 20 minute neighbourhood and climate change adaptability policies. Proposals should also not have a detrimental impact on the character or environmental quality of the area or the amenity of neighbouring properties. Policy H1 of the ALDP states that within existing residential areas, proposals for new residential development will be supported if it does not constitute over development, does not have an adverse impact on residential amenity and the character and appearance of an area; and does not result in the loss of open space. In respect to the final point, the proposal is within a private curtilage and therefore would not result in the loss of open space. Matters relating to overdevelopment, design, character and impact on amenity are considered in further in the evaluation below.

##### Demolition of Existing Dwelling

With respect to NPF4, Policy 1 (Tackling the Climate and Nature Crises) requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals, with Policy 2 (Climate Mitigation and Adaptation) requiring development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. Therefore, the demolition of the existing dwelling and construction of a new replacement dwelling would have an impact on climate change. Furthermore, with respect to the demolition of the existing dwelling to allow for the proposed replacement house, section (d) of Policy 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) of NPF4 advises that as there is a need to conserve embodied energy through support for the reuse of existing buildings, with demolition being regarded as the least preferred option. In the first instance, it is therefore important to set out whether the principle of replacing the existing dwelling can be supported. In addition, section (b) of NPF4 Policy 12 (Zero Waste) supports development proposals which reuse existing buildings, minimise demolition and salvage materials for reuse in construction.

Supporting information has been provided by the applicant to justify the demolition, namely a Demolition Justification Statement, including surveyors report and Energy Performance Certificate (EPC). This information notes that the existing property is a 1½ storey early 1930s house with hipped slate roof, and cat-slide dormer to rear, providing living space and two bedrooms on the ground floor and a further two bedrooms on the upper floor. The upper level bedrooms are noted as being restricted due to heavily sloped ceilings. It is argued that the house has inadequate levels of roof insulation and no wall insulation is present, resulting in a low EPC rating of 'E'. The window units have failed, there is evidence of water ingress to the roof, broken rainwater goods, evidence of damp, there are no damp proof courses and the building is in a general state of disrepair. The justification statement includes a fairly extensive list of repairs which would be required to bring the house up to modern living standards and claims that the existing house fails under every standard. The statement concludes that it is only feasible to demolish the existing building and construct a new dwelling for buildability, financial and practical reasons. However, no evidence to demonstrate financial unviability has been provided.

Firstly, it should be highlighted that an existing house is deemed to satisfy the building regulations of its time, and the Building Standards Team would not dictate or insist on renovations up to modern standards as part of repair renovations to an existing dwelling. This concludes that much of the works required to bring the house up to modern living standards could be considered along the lines of repairs and improvements. Secondly, it is recognised that through letters of representation submitted whether neutral, in support and objection to the proposal, there are different viewpoints on the state of repair and comfort of the existing dwelling. The type of construction method for the house, being solid granite stonework with cavity, then lath and plaster, is not an uncommon traditional construction method. It could be argued that the types of repairs required, as indicated in the single survey, are to be expected for a property of this nature and age (95 years). The level of repair work and alterations desired could also be argued is subjective, depending on the needs of the homeowner. The EPC also shows reasonable modifications could be made to improve the energy performance of the existing structure. This does determine that the existing house is capable of repair and could be retained, and as such there is some conflict with NPF4 Policies 9 and 12 in this regard.

Taking into account the nature of the repairs and renovations which could potentially be required to modernise the existing house, it could be reasonably expected that such works would likely be at considerable cost and the construction of a replacement dwelling would offer an alternative option. Such a house could also be designed to suit the needs of the homeowner and meet current standards, which would be a practical option, despite being more expensive. Such practicalities are embedded in that the proposal would utilise and adapt an existing plot of land for the creation of a new home which would be energy efficient. In addition, efforts to reuse existing



salvaged granite building stone from the doughtings are proposed, for reuse in granite detailing, within the proposed garage and garden landscaping – which is consistent with the aims of NPF4 Policy 12 (Zero Waste) and Policy D7 (Our Granite Heritage) of the ALDP. Whilst at this stage the exact amount of reusable granite cannot be accurately determined, a suitable granite reuse condition could be attached should the application be approved. It is also worth noting that the dwelling is neither listed, nor situated within a conservation area, and that due to the wide range of dwelling types and styles in the surrounding area, the loss of the existing dwelling and its replacement with a dwelling of a more contemporary design, would not adversely affect the character of the area (further assessment in this regard is set out below). Taking account of all the above, while it is acknowledged that the existing house is capable of repair, its demolition would not harm the character of the area, the proposed replacement dwelling would be built to modern building standards, with resultant enhancements in terms of post-construction carbon emissions. Therefore, on balance, the tension with Policies 9 and 12 of NPF4 in terms of the demolition and rebuild approach is not considered sufficient to warrant refusal of the application.

### **Design and Impact on Character of the Area**

The interrelationship between overdevelopment, design and impact on character mean that such matters are considered together alongside other relevant policies and guidance which directly support Policy H1. The Council's Sub-division and Redevelopment of Residential Curtilages Aberdeen Planning Guidance (APG) must be considered, as well as Policy D1 (Quality Placemaking) of the ALDP and Policy 14 (Design, Quality and Place) of NPF4. Both Policy D1 and Policy 14 require high standards of design and development which contributes to successful places, consistent with the six qualities. To support assessment against these policies, the agent has submitted street elevational drawings and plan references (for example adjacent building ridge heights) have been checked for accuracy. Whilst a specific photomontage has not been provided, the submitted information, alongside site visit photographs, is considered acceptable to assess the design impact on the character of the area.

With respect to the APG on Sub-division and Redevelopment of Residential Curtilages, this guidance is applicable for the redevelopment of residential curtilages, where complete demolition of an existing house and its replacement with a new house is proposed. It is recognised that the guidance cannot account for all scenarios, but it does provide specific guidance on the most commonly encountered situations. The guidance outlines that the location, scale, massing, density and layout of any new development must be appropriate for the site and in-keeping with the established spatial character, pattern and built form of the surrounding area. The specific points of this guidance are addressed below, in turn.

Firstly, it is recognised that due to the nature and layout of the surrounding properties on the street, there is no obvious or defined building line. In terms of pattern of built form however, it is established that the houses along Hillview Road generally comprise large houses set within generous plots. Frontages are generally set back around 16-30m from the road (more consistently 30m to the north side of the street, and lesser set-back on the south side). As such, the proposed new house being set-back 20m is considered acceptable in its context, would similarly reflect the set-back of the existing dwelling, the neighbouring dwelling to the west, and would not adversely affect, or project forward of, any generally established building line. Furthermore, the established pattern of development for the dwellings along Hillview Road is predominantly tiered, comprising driveway access from the road, leading to front driveway and court parking, dwelling house, then rear garden ground, which is often tiered to account for topography and changes in site levels. The proposed dwelling reflects this established arrangement and is arranged on a similar basis to the existing, with both the dwelling, driveway, garage and gardens to follow the same site ordering.

Upon receipt of revised plans, which notably removed an initially proposed utility room side

extension, the proposed house is considered to be suitably positioned centrally within the plot in terms of width and allows for an appropriate separation distance between it and the adjacent properties. This has considered the spacing both to the physically closest neighbour to the west, and suitable spacing away from the traditional granite boundary wall to the east, which forms the mutual boundary with the neighbour. This spacing is consistent with other properties on the street and would allow space for soft landscaping between the plots, including the retention of existing trees and hedging to the west.

In terms of the overall scale, massing and height of the proposed dwelling, it is recognised that the overall ridge height would be higher than adjacent dwellings, and due to the nature of the proposed dwelling being two storey, the wallheads would also be higher. This matter is primarily with regard to the neighbouring property to the west, as the other neighbour at 41 Hillview Road is positioned a considerable distance away and beyond a high level traditional granite wall. On this point, the proposal has been amended to alter the roof form and pitch, and to lower the ground floor level to match the level of the existing house, so that overall the house has been reduced in scale and height compared to the original proposals (c. 1.7m as measured from the front elevation). However, the ridge height would still be slightly higher than the adjacent dwelling, which presents some tension with guidance. In assessing the magnitude of this tension, it is recognised that there is no overall or consistent building height (or architectural style), and the street is made up of a variety of ridge and wallhead heights. Some properties also appear lower from the street elevation and higher as viewed from the rear garden elevation, due to site levels. The proposed ridge height difference would be relatively small, around 0.6m higher than the highest ridge height of closest neighbour, and as such there would not be an easily discernible difference between the properties when viewed from the street or surrounding area. The revised hipped roof design would also ensure that the volume and mass of the roof is pulled back away from the sides of the plot, thus reducing the overall sense of scale and massing to an acceptable level. Furthermore, it is recognised that the properties on the south side of the street in the immediate surroundings exhibit a tendency for their principal elevations to face south, however the architectural expression of this is somewhat unclear in some instances due to extensions and additions over time. Most properties to the south appear to have some form of entrance and parking access facing north, and due to the plot arrangement the southerly-aspect predominantly serves as the rear garden-facing elevation. Whilst it is recognised that the proposed principal elevation faces north, due to the specific nature of the plot and its site levels in the specific context, the north elevation would be well set back into the plot, so that no defined street frontage or character is adversely affected by the proposed dwelling's principal elevation facing north onto the street. Furthermore, in terms of the wider street context, properties further along the street to the east beyond the junction with Netherby Road, do have their principal elevations to the street (north-facing) and therefore the proposed dwelling's orientation would not be unusual on this street. Finally, the proposed development would also replicate the consistent overall plot arrangement, with parking and access to the north and generous garden ground to the south.

It is also important to note that there is significant soft landscaping, including mature trees, along many of the front boundaries on the street. Combined with the relatively large set-backs of the properties from the street, views of multiple houses in any one viewpoint are not common, and as such, the proposed increase in ridge height and its relationship with neighbouring properties would not be readily apparent from many public viewpoints. Taking account of this and that suitable spacing is afforded to either side of the proposed dwelling, the higher wallhead and ridge height would not adversely impact on the character of the surrounding area and is of a scale with is consistent with the varied architecture evident on the street. Furthermore, revised plans have sought to alter the roof form and pitch to bring this height down as far as practical. Whilst it could be argued that the specific plot lends itself to a split dual-level house design, nevertheless it is the duty of the Planning Authority to assess each application on its own merits and the proposed height in this context is considered to be acceptable.

With respect to the proposed detached garage, its orientation and positioning within the plot, material detailing and ridge height have been amended so that it is considered to be acceptable. The gable of the proposed garage would face into the plot and replicates the existing courtyard parking arrangement. The revised design does not feature any upper level windows and has introduced terracotta ridge tile detailing and the use of salvaged granite stone. Whilst the ridge height would be 1.5m higher than the existing garage and, due to the higher pitch, there would be more roof than wall ratio visible from the street, nevertheless the proposed garage form and design is considered acceptable and it would present a similar relationship to the street as existing, suitably maintaining the character of the street scene. The garage would also be screened to an extent by existing and proposed soft landscaping, including shrubs and trees.

With regard to density, the guidance outlines that as a general guide, no more than a third (33 per cent) of the total site area for each individual curtilage should be built upon. It is important to note that this part of the guidance relates to all development not just the footprint of the proposed dwelling. In terms of site coverage, the proposed dwelling extends to 205m<sup>2</sup> and the proposed double garage is 55m<sup>2</sup> (together totalling 259m<sup>2</sup>). The other areas of development proposed, which includes the external areas of hardstanding (i.e. tiered patios, paths and driveway) extends to 240m<sup>2</sup>, with the whole developed area extending to 499m<sup>2</sup> of the 1343m<sup>2</sup> site. Taking all built development into account, including the proposed dwelling, garage and areas of hardstanding, determines that the total development would slightly exceed one third of the site. One third of the site (1343m<sup>2</sup>) equates to 448m<sup>2</sup>, and the total built development would equate to 499m<sup>2</sup>, which results in a plot coverage of 37%. In assessing the magnitude of this tension, it is recognised that 37% only results in a rise of 2% above that of the existing site, which is 35%. Revised proposals have also sought to reduce both the scale of the dwelling in terms of footprint by removing the side utility wing and reducing all areas of hardstanding and exterior spaces, such as driveway, paths, patio etc. It is also recognised that there are some other properties in the immediate surrounding area which exceed one third (33%) of their respective plots which are developed, as identified and highlighted in supporting information submitted by the agent. It is thus concluded that the proposed density of the development, whilst being slightly higher than one third, would not increase the density of the site to a degree which is considered to be detrimental to the plot or the character of the surrounding area.

Regarding the architectural design of the proposed dwelling, this would be characterised as a typical modern house, with rendered walls and grey tiled roof. Due to the range of architectural styles and material finishes on the street, the proposed design is considered acceptable in this established residential context. As discussed above, the development follows the established character of a large detached house set back from the road, with front courtyard parking and large gardens to the rear. During assessment of the application the design was simplified in terms of its architectural detailing. In particular, the window lintels were simplified, window mullions increased in size to give a more robust appearance, helping to add definition to the façades. In addition, as has been discussed, the roof ridge height and pitch angle were lowered in order to reduce the overall volume of the roof form to better integrate with the character of the street. The proposed use of rendered walls and small pane astragalled window design is also consistent with other dwellings on the street, therefore the proposed new dwelling would provide sufficient visual integration in its context. Architectural detailing would be further expressed through introduction of natural granite detailing to the public elevation (e.g. window surrounds, front low boundary wall and garage), terracotta ridge tiles, well-proportioned portico feature to main entrance and feature window above this at first floor level.

With respect to Policy D7 (Our Granite Heritage) of the ALDP, the applicants have advised that reclaimed granite would be used in the construction of the proposed new double garage, as well as within the site preparation and garden landscaping works. Overall, this is acceptable in terms of

the requirements of Policy D7 and taking into account the demolition aspects of the proposal as discussed above. All other proposed materials have been reviewed and there are no conflicts with Policy D1 (Quality Placemaking) or the Materials APG. Overall, and taking into account that there is no consistent architectural building material palette in the surrounding area, all the proposed materials, including front portico, are considered appropriate for use in the construction of modern dwellings, are considered to be of equal standard to that of other dwellings on the street and would suitably maintain the character of the street, in accordance with the Sub-division and Redevelopment of Residential Curtilages APG. There is some concern with the extensive use of smooth white renders, as expressed in the Materials APG, due to their longevity (weathering/discolouration) and sometimes stark appearance, however it is considered that a suitable off-white render colour is acceptable in this context and that the exact colour and texture finish of the proposed render for the proposed dwelling house can be secured by a suitably worded condition.

### Summary

A number of matters raised in representations relate to the overall building scale, footprint and impact on character of the surrounding area. The assessment of the proposal, as outlined in the above evaluation, has been based on an objective evidence-based analysis and appraisal of the scale, design and siting of the proposal, the site's characteristics and context, its relationship with the neighbouring properties, and the architectural form of the street. This assessment has demonstrated that the proposed development would not result in the overdevelopment of the site and would be of a density, scale and layout that would not adversely affect the character and appearance of this street or surrounding area. The proposals are thus compliant with the requirements Policies 14 and 16 of NPF4, Policies H1 and D1 of the ALDP, and its associated APG on the Subdivision and Redevelopment of Residential Curtilages, and Materials.

### **Residential Amenity**

Both Policy D2 (Amenity) of the ALDP and the Amenity & Space Standards APG advise that *"Amenity has an influence on the quality of life of individuals and communities. Poor amenity can have detrimental impacts on health and wellbeing"*. Consideration must be given to the quality of amenity for the future occupants of the proposed dwelling, and also whether there would be any adverse impacts on the amenity of the existing neighbouring dwellings, taking into consideration aspects such as daylight and sunlight receipt, outlook and privacy. In addition, criterion 2 of Policy H1 (Residential Areas), Policy D2 (Amenity) of the ALDP, Amenity & Space Standards APG, and section 2.3 of the Sub-division and Redevelopment of Residential Curtilages APG all advise that new residential development should not borrow amenity from, or prejudice the development of adjacent land, or adversely affect existing development in terms of impact on privacy, daylight, general amenity, and immediate outlook. In addition, the new development should be afforded a reasonable amount of amenity in line with the prevailing characteristics of the surrounding area, and that an appropriate quantity and quality of internal floorspace and private external amenity space should be ensured. In this instance the relevant calculations and advice contained in the above mentioned APGs is considered sufficient to assess amenity without the requirement for a sun-path/solar analysis, discussed further below.

With respect to sunlight and daylight receipt, the proposed dwelling would be in receipt of sufficient daylight, with the majority of the solar gain being accounted for the rooms facing south on the ground and first floor. The majority of the main living spaces would be located with aspects benefitting from south facing windows. The north facing aspect would primarily serve bedrooms, formal lounge and entrance hallway. Other rooms with either west or east facing windows would primarily be bathrooms. Policy D2 requires new development to make the most of any opportunities offered by the site to optimise sunlight receipt through appropriate siting, layout and

orientation. Due to the orientation of the proposed dwelling, with its entire rear elevation facing south, the proposed dwelling would maximise opportunities for sunlight and passive solar gain.

Turning to impacts on sunlight and daylight receipt for the neighbouring properties, specifically 41 Hillview Road to the east and 45 Hillview Road to the west, concerns regarding amenity have also been raised within submitted representations. The neighbouring property to the east is considered to be a sufficient distance away such that there would be no impacts on sunlight or daylight receipt in that direction. Due to the siting of the proposed dwelling in its plot relative to the neighbouring property to the west, the rear building line of the proposed dwelling would be in line and as such there would be no adverse impact with regard to daylight receipt to habitable rooms or sunlight receipt (overshadowing) of any garden ground. Whilst the relevant calculations (45° Method) indicates that the eastern gable of the neighbouring property at 45 Hillview Road may receive less early morning daylight, any such impact would be minimal, would not affect the closest rooflight windows on the south-east roofslope of the neighbouring dwelling, would not affect any habitable living spaces, and is considered to be within tolerable limits. Again, using the relevant calculations (45° Method) determines there is no impact on any neighbouring properties from the proposed projecting privacy screen to the rear patios, with any overshadowing from this only affecting the applicants own garden ground or rear-facing windows to the family room. Furthermore, the neighbouring property would continue to enjoy its existing south-facing aspect to its garden-facing elevation (south), which would be unaffected by the proposed development.

With respect to impacts on privacy and outlook, the main considerations are the presence of a new two-storey house, the resulting impact on privacy from windows on the rear elevation wall, and from the proposed external patios. Privacy and outlook concerns have also been raised through submitted representations. Firstly, the neighbouring properties to the east and south are all considered to be a sufficient distance away such that there are no significant adverse concerns in relation to the privacy or overlooking to those neighbours. Whilst the proposed development would place windows at upper level, which would afford more visibility out over the surrounding garden areas, the window-to-window distance to the nearest rear elevation to the south (422 North Deeside Road) is some 82m distance which alleviates any adverse impacts and thus raised no privacy concerns. In terms of outlook, whilst it is recognised that the proposed replacement house would alter the view looking northwards from neighbouring properties located to the south, due to the significant separation distances and generous rear garden plots present for properties in the immediate surrounding area, this changed impact on outlook would not be considered to be adverse or overbearing. It is recognised that the recent loss of some trees from the southern end of the application plot has exacerbated this feeling of change, however there would be sufficient boundary treatments in place to ensure there would be no direct overlooking from the respective areas of garden ground to that of any neighbouring properties. Boundary treatments would comprise a mix of retained high stone walling to east and west, 1.8m height fencing to the south and 1.4-1.8m high hedging to the west. The proposed 1.8m high fencing to the rear would constitute permitted development under Class 3E of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended. Further soft landscaping is proposed which, in time, would help to soften the visual impact of proposed development, but would not be required for privacy screening purposes alone. With regard to the neighbouring property to the west, again it is recognised that there would be a changed impact in the outlook from the rear garden of this property when looking northwards, however due to the separation between properties, the generous size of the plots, and following a reduction in the overall height of the proposed dwelling (including roof and pitch), the proposed two-storey house would not be overbearing or otherwise cause any undue harm to the amenity of this neighbour, whose main aspects and outlooks are north, towards the street, and south, over their own private rear garden.

With respect to proposed windows on the rear elevation, it is recognised that the presence of a two-storey house would place some windows at a higher level than currently exists and this would

represent a changed impact in terms of outlook, which in general would afford more visibility over the immediate surrounding gardens (as outlined above). However, due to the alignment between the proposed dwellings' and its closest neighbour's (45 Hillview Road) south-facing building lines, all of the proposed rear facing windows would be in line and would face directly out onto the applicant's own garden ground, such that at this angle, there would be no direct overlooking of any neighbouring private patio areas and that any visibility over the immediate surrounding gardens would not be considered to significantly affect amenity in terms of overlooking concern. The proposed windows on the east and west elevations cause no privacy or overlooking concerns.

Finally, the proposed external patios to the rear have been amended since the application was submitted, altering the overall scale and form, including reducing their height, stepping them in from the boundaries, stepping in off the south-west corner of the rear elevation and centralising the steps. Such amendments were requested due to the adverse impact the originally proposed raised patio would have had on the neighbouring property to the west. The patio would now be formed of two terraces (total footprint of 60m<sup>2</sup>), stepping down three times by 670mm in height each time between terraces, before reaching the lower garden level. No part of the proposed patio would be raised at the ground floor level of the proposed house, and a series of steps would now be required leading immediately down from the rear sliding doors. The proposed patio would be inset off the south-west corner of the proposed dwelling by 3m, 6.3m overall off the mutual boundary, to allow sufficient separation space. The proposed patio would also include a privacy screen fitted to the south-west corner of the upper level patio and the centralised steps remove any circulation space from being positioned on the western side of the plot. As a result of the amendments to the proposed patio, in particular the reduction in height and tiered relationship to the sloped rear garden, there would be no significant adverse privacy or overlooking concerns to the neighbouring property to the west.

In summary, due to the generous size of the existing plot, the window to window distances and amendments to the design of the external rear patios, the amenity and space standards can be met without any significant adverse impact to any neighbouring properties, – in accordance with Policy 16 (Quality Homes) of NPF4, Policies D2 (Amenity) and H1 (Residential Areas) of the ALDP, and with the associated Amenity and Space Standards, and Householder Development Guide APGs.

### **Trees, Landscaping and Biodiversity**

NPF4 Policy 6 (Forestry, Woodland and Trees) and Policy NE5 (Trees and Woodland) of the ALDP seek to protect and expand forests, woodland and trees, and state that development should not result in the loss of, or damage to these assets. As such, a tree survey and arboricultural impact assessment was requested and subsequently undertaken on the plot in light of the potential impact on trees resulting from the proposed development (Tree Protection and Management Plan Ref: HRC-2405-TR Rev A; October 2024). It is acknowledged that some tree removal was undertaken on the development site prior to the application being submitted, as identified through representations and evidenced on the site visit. These trees have also not been included in the submitted Tree Report. These trees included a couple removed from the rear (southern) edge of the garden, with stumps evidenced, and a mature copper beech tree was also removed from immediately behind the existing timber gate at the driveway entrance to the site, including stump removal. Whilst in the context of associated planning policies the loss of these trees is unfortunate, the trees which were removed were not covered by a Tree Preservation Order thus it was within the homeowner's rights to remove these trees from their garden without consent.

Notwithstanding this, due to the generous size of the plot and the level of mature planting which is proposed to be retained on site, there would be an adequate level of landscaping and tree species

to conclude that the proposal complies with the overall aim of Policy 3 of NPF4 (Biodiversity). However, as part of the proposed development a suitable condition is recommended as part of any consent so that details of landscaping improvements are provided to ensure biodiversity net gain for the overall site is deliverable, such as replacement tree planting – which supports the aims of Policy 3 (Biodiversity) and Policy 6 (Forestry, Woodland and Trees) of NPF4 and Policy NE3 (Our Natural Heritage), Policy NE5 (Trees and Woodland) and Policy D5 (Landscape Design) of the ALDP. Furthermore, in accordance with Policy NE3 (Our Natural Heritage), a preliminary investigation was carried out to consider the potential for the existing trees to support bat roosting habitats, which determined there are no constraints in this regard, and the development would have no adverse impact on any protected species or habitats.

With respect to impacts on existing trees, the Tree Report identifies that one apple tree is to be felled for management due to poor condition, one cherry tree and a few shrubs are to be removed for the proposed house and patio, and an existing magnolia would be transplanted elsewhere within the garden – all of which is considered to be acceptable. The Tree Report also highlights that removal of the existing single garage will remove strength from the mutual boundary wall, which is already under pressure from Tree 16 (copper beech) and showing evidence of cracking. Appropriate repairs and rebuilding of the wall would be required when the wall is able to be inspected following the proposed removal of the garage, and this is considered acceptable on a like-for-like repair basis, which would suitably maintain the character of the existing wall. The proposed new surface water soakaway as part of the drainage strategy, discussed further below, would be appropriately positioned outside of any root protection areas and a suitable distance from plot boundaries.

The main elements of potential impact relating to trees therefore, are to those located within neighbouring properties and in particular, any potential impacts on trees in the neighbouring plot to the west at 41 Hillview Road, where all trees within this plot are covered by a Tree Preservation Order (No. 208). Trees to the east, and their root protection areas, could also be affected by the proposed development despite the presence of the high mutual stone boundary wall (identified as trees 9-16 in the Tree Report) which will have inhibited growth to some extent. During assessment of the application, it was highlighted that further soil investigation would be required in relation to potentially affected trees along the eastern boundary. It was subsequently advised that the intention would be for hand dug trenches as part of the excavations at this part of the site, opposite the three largest trees, to ascertain the below ground structure of the wall, depth of foundations and the presence of any potentially affected roots. This approach is considered to be acceptable, alongside any necessary rebuilding of the boundary wall, and a full methodology can be secured via a suitable planning condition.

In addition, trees to the west along the mutual boundary could also be partially affected as their root protection areas extend into the proposed development site. Whilst it is recognised that these trees (trees 3 and 4 in the Tree Report) are already partially impacted from the existing driveway, the relatively light trafficking of this area is unlikely to have inhibited root growth and there was concern infill and the use of a cellular confinement system in this area could affect the long term successful growth of this shallow rooted tree species (cyprus). As such, the proposed driveway extents, infill and any laying of paths to the west of the site have all been reduced and pulled back from the root protection areas of trees 3 and 4 in order to alleviate any adverse impacts on these trees. Remaining areas of upfill in the site to accommodate the development should be tolerable given the specific on site constraints and tree species. Revised proposals have been reviewed by the Council's Natural Environment Policy Team and are found to be acceptable, thus the proposed works comply with NPF4 Policy 6 (Forestry, Woodland and Trees), Policy NE5 (Trees and Woodland) of the ALDP, and the associated Trees and Woodlands APG.

## **Drainage**

Policy 22 (Flood Risk and Water Management) of NPF4 and Policy NE4 (Our Water Environment) of the ALDP outline that development will not be supported if it increases the current and/or future risk of flooding, in particular through the discharge of additional surface water. All new developments and redevelopments are required to incorporate sustainable urban drainage systems to manage surface water, however this is with the exception of single dwellings.

Using the SEPA Flood Risk Maps, the site is not identified as being at risk of flooding, however it is understood that there is a land/field drain which runs through the development site. These land drains are recognised to impact upon the drainage and flows of water through the site, and it has been implied through representations this negatively affects the site. Due to the nature and content of submitted representations, further investigations with respect to site drainage was requested, which was subsequently reviewed by Council's Flooding Team. The applicant commissioned Cameron & Ross Civil and Structural Engineers to prepare a Drainage Statement and Drainage Strategy which assessed the foul and surface water drainage and run-off considerations for the site, both existing, proposed and during construction phases of the development. This included intrusive site investigations to determine the existing ground conditions, location and presence of land drains, and infiltration testing was carried out. This concluded that the site had a good infiltration rate and the proposed drainage method for surface water was runoff discharge into groundwater, through use of a soakaway in the rear garden, with suitable treatment. The drainage strategy was based on the provision of a suitably porous gravel surface to the driveway. This type of soakaway SuDS system is considered to be commensurate to the scale and nature of the proposed development and the submitted calculations confirm the soakaway will appropriately manage the surface water from the development. It should be noted that at present the surface water from the existing dwelling drains into the existing land drain, which would now be proposed to drain into the soakaway. The proposed soakaway would also be designed to a 1 in 200-year storm event specification, including a 37% climate change factor. The proposal would therefore provide adequate drainage systems to manage all surface water runoff from the development. In the context of Policy NE4 single dwellings are generally excluded from SuDS requirements, however retrofitting SuDS solutions are to be encouraged through redevelopment proposals. As such, the proposed drainage solutions are considered to be acceptable and more than sufficient considering the scale of development.

The Drainage Statement also acknowledges there are potential overland flow issues (as highlighted in representations). A historical connection has been formed from an overflow pipe which served to intercept water from a surface water sewer located to the north-east of the property and used this diverted overflow connection to feed an existing pond feature in the garden, which then feeds into the existing land drain at the south of the garden. Further investigations into the positioning of land drains and surface water connections was requested during assessment of the application and the drainage strategy suitably updated with the findings of this. The Drainage Statement indicates the route of the land drain which runs through the site, and it is recommended that this would be uncovered along its full length to ensure that it is suitably repaired and protected throughout construction of the new property. Only works to repair and renew the land drain within the applicants own boundary can be controlled should this application be granted. The existing pond would be removed, and the existing overflow feed would be diverted to connect back up with the existing land drain. However, it is recognised that further investigation of the exact extent of the land drain at its whole length is required, alongside full assessment of potential defects and reinstatement (if required) to ensure it is clear. It is satisfied that there are technical solutions to resolve such matters and that the additional information can be secured via a suitably worded planning condition, which has been confirmed by the Council's Flooding Team.

Finally, Scottish Water were consulted on the proposal and had no objection. Scottish Water advised of the presence of combined sewer infrastructure which runs to the south of the site and



provided general advice for consulting Scottish Water as the development proposal progresses to discuss any potential conflicts and restrictions, i.e. proximity of construction. Additional general advice about water capacity, connections and best practice was also provided.

## **Access and Parking**

With regard to access and parking, the proposal would be acceptable on these matters. The site is served by an existing single access onto Hillview Road to the north of the plot, which would remain to serve the proposed new development. The access would be formed within a proposed new low boundary wall to the front, with an effective entry of 3.8m, which retains a single access point and on a similar scale as existing. The Roads Development Management Team has advised that it has no objection to the proposal.

The application site is located in the 'outer city' and is not within an area which has any controlled parking measures. With respect to parking, a double garage and driveway would be proposed to provide adequate parking on site. The proposed dwelling would have five bedrooms and thus the associated off-street parking provision for three vehicles, which is to be provided by a double garage and driveway, with sufficient space for parking and turning. The dimensions of the proposed double garage meets the minimum internal dimensions (5.7m x 5.7m) and is acceptable. The driveway surface is proposed to be a 'cellular confinement' gravel surface, however the first 2m of the driveway off the access from the road would be formed of hardstanding so that no loose gravel material would risk being carried onto the public road.

In terms of wider and sustainable accessibility, the site is in close proximity (around 300m) to bus services along North Deeside Road, which provide access into the city centre and locations beyond out towards Deeside. In addition, there are local amenities, shops and services located within a reasonable walking distance from the site, most notably the Cults and Bieldside district centres located along North Deeside Road, with Cults schools and open spaces located to the north. The proposed development would accord with Policy 13 (Sustainable Transport) and Policy 15 (Local Living and 20 Minute Neighbourhoods) of NPF4, with Policy T2 (Sustainable Transport) and Policy T3 (Parking) of the ALDP, and with the Transport and Accessibility APG.

## **Climate Change and Energy Efficiency**

As outlined above, NPF4 Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals, with Policy 2 requiring development proposals, including to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible. With respect to the energy saving features, Policy R6 (Low and Zero Carbon Buildings and Water Efficiency) – all new buildings are required to demonstrate that a proportion of the carbon emissions reductions standards will be met through the installation and operation of low and zero carbon generating technology. The proposed development meets this requirement primarily through installation of an air source heat pump, which would be located to the rear of the new double garage. Environmental Health has reviewed the proposal, carried out a noise screening assessment in relation to the proposed air source heat pump, and are satisfied that it should not create a noise nuisance to existing nearby receptors (residents/occupants). Additional energy efficiency and adaptable features includes passive solar gain from south facing aspect, low energy light fittings throughout, high level of insulation to new building fabric and sustainable urban drainage for surface water. This concludes that the proposal would include energy efficiency measures in accordance with the aims of NPF4 Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation), and with Policy R6 (Low and Zero Carbon Buildings and Water Efficiency) of the ALDP and the Resources for New Development APG.

## **Waste Management**

The proposed development provides sufficient and dedicated storage space waste and recycling and in accordance with the aims of Policy 12 (Zero Waste) of NPF4 and R5 (Waste Management Requirements for New Development) of the ALDP, and with the Waste Management Requirements for New Developments APG.

## **Soils**

Policy 5 (Soils) of NPF4 states that development proposals will only be supported if they are designed and constructed to minimise disturbance to soil, including damage from compaction and erosion, and soil sealing. Whilst the development would result in a relatively large area of excavation, the areas affected are developed land, mainly covered by the existing dwelling. The proposal would not result in the loss of, or disturbance to soils which are of any value or which are carbon rich.

## **Health and Wellbeing**

Consideration has been given to the impact on local air quality from dust during demolition and excavation. As the development falls below the threshold in the Table 1 of the Air Quality Aberdeen Planning Guidance, there is no requirement for the Air Quality Assessment to be submitted in this instance. The design of the proposal would not have any material impact on suicide risk. The development would therefore accord with the principles of Policy 23 (Health and Safety) of NPF4 and WB1 (Healthy Developments) of the ALDP.

## **Matters Raised in Representations**

Material considerations raised within the submitted representations have been identified and addressed in the above evaluation. Some matters have been raised that are not material planning considerations. These are highlighted under the 'Representations' section above, and are not addressed.

## **DECISION**

Approve Conditionally

## **REASON FOR DECISION**

The proposed development is acceptable when considered against the relevant policies of National Planning Framework 4 (NPF4), the Aberdeen Local Development Plan 2023 (ALDP), and the associated Aberdeen Planning Guidance (APG). The proposed dwelling house and garage would be of design, scale, siting and materials that would be consistent with the existing site and the character and visual amenity of the surrounding area. The development does not constitute overdevelopment and does not result in the loss of open space. The dwellinghouse would be afforded an acceptable level of residential amenity and it would not adversely affect the amenity of any neighbouring residential property to a significant degree which would warrant refusal of the application. The proposed development would therefore accord with Policy 14 (Design, Quality and Place) of NPF4, Policy H1 (Residential Areas), Policy D1 (Quality Placemaking) and Policy D2 (Amenity), Policy D5 (Landscape Design) of the Aberdeen Local Development Plan 2023, and the Sub-division and Redevelopment of Residential Curtilages, Materials, and Amenity and Space Standards Aberdeen Planning Guidance.

The dwellinghouse and hard surfaces would be sited to not adversely affect trees or biodiversity

by any significant degree and suitable landscape design would be ensured through an appropriately worded condition. The excavation would not result in significant disturbance to valuable or carbon-rich soils, in accordance with Policy 5 (Soils) of NPF4, and the proposal, including demolitions, would not adversely affect any protected species. The conditions relating to tree protection would ensure that the development would not adversely affect the existing mature and protected trees either on or immediately adjacent to the site. As such, subject to a landscape / tree planting and biodiversity enhancement scheme that would be addressed through an appropriately worded planning condition, the proposal would comply with the aims of Policies 3 (Biodiversity) and 6 (Forestry, Woodland and Trees) of NPF4; NE2 (Green and Blue Infrastructure), NE3 (Our Natural Heritage), NE5 (Trees and Woodland) of the ALDP; and the Natural Heritage, Trees and Woodlands, and Landscape Aberdeen Planning Guidance.

The proposed development would be sufficiently accessed by vehicular and sustainable means, the appropriate level of parking would be proposed and the development would be within an acceptable distance from local amenities, in compliance Policy 13 (Sustainable Transport) and Policy 15 (Local Living and 20 Minute Neighbourhoods) of NPF4, with Policy T2 (Sustainable Transport) and Policy T3 (Parking) of the ALDP, and with the Transport and Accessibility APG. The development would not result in any health and wellbeing risks, in accordance with Policy 23 (Health and Safety) of NPF4 and WB1 (Healthy Developments) of the ALDP. The development would also provide adequate waste management in compliance with Policy 12 (Zero Waste) of NPF4, Policy R5 (Waste Management Requirements for New Developments) of the Aberdeen Local Development Plan and the Waste Management Requirements for New Developments Aberdeen Planning Guidance.

The development would be supported by an acceptable drainage strategy, which includes provision of sustainable urban drainage system (SuDS). Whilst some detailed technical drainage matter would be addressed through an appropriately worded planning condition, the proposal would comply with the aims of in accordance with Policies 22 (Flood Risk and Water Management) of NPF4, NE4 (Our Water Environment) of the ALDP, and Flooding, Drainage and Water Quality Aberdeen Planning Guidance.

Whilst the proposal would conflict with Policy 9 (Brownfield, Vacant and Derelict Land and Buildings) of NPF4, which states that given the need to conserve embodied energy, demolition will be regarded as the least preferred option, the proposed development would otherwise be acceptable on all other matters, would suitably reuse all existing granite stonework on site in accordance with Policy D7 (Our Granite Heritage) of the ALDP, and would incorporate low and zero carbon generating technologies, so that the principle of demolishing the dwellinghouse would be acceptable in this instance. Commensurate with its scale and nature, the development would place significant weight on the climate and nature crises and the proposal would be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible, in accordance with Policies 1 (Tackling the Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) of NPF4. The proposal would incorporate low and zero carbon generating technologies in accordance with Policy 1 (Tackling the Climate and Nature Crises), Policy 2 (Climate Mitigation and Adaption) of NPF4, Policy R6 (Low and Zero Carbon Buildings) of the ALDP and the Resources for New Development Aberdeen Planning Guidance.

## **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) MATERIALS

That no development shall take place unless the specification, details and colour of the proposed render material to be used in the external finish of the approved development, has been submitted to and approved in writing by the Planning Authority. Thereafter the approved external finishes must be applied in accordance with the approved details.

Reason - In the interests of the appearance of the development and the visual amenity of the area.

#### (03) GRANITE REUSE

That no development shall take place unless details of, and a methodology statement for the reuse of the granite (resulting from the dountaking of the existing dwelling and detached garage) in the construction and finishing of the hereby approved proposed new dwelling and detached garage, and in landscaping of the new development, have been submitted to and approved in writing by the Planning Authority. Thereafter prior to the development hereby approved being brought into use, the details as approved shall be implemented in full.

Reason: In the interests of retaining existing granite stone on the site and ensuring compliance with Policy D5 (Our Granite Heritage) of the Aberdeen Local Development Plan 2023.

#### (04) TREE PROTECTION AND SOIL INVESTIGATION

No development shall take place unless a scheme for the protection of all trees to be retained on the site during construction works, including details of tree protection fencing that complies with British Standard 5837: 2012 'Trees in Relation to Design, Demolition and Construction' has been submitted to, and approved in writing by, the Planning Authority. Once approved, the scheme shall be implemented in full and retained for the duration of the works hereby approved.

No development of the hereby approved proposed double garage shall take place until a soil investigation methodology has been submitted to and agreed in writing by the Planning Authority, detailing how the soil investigations would be undertaken and in what locations, to detail what extent the existing eastern boundary wall has impacted upon root growth into the proposed development site.

No materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks.

Reason: in order to ensure adequate protection for the trees on and immediately adjacent to the site (covered by Tree Preservation Order) during the construction of the development.

#### (05) BIODIVERSITY ENHANCEMENT, TREE PLANTING AND LANDSCAPING

That no demolition or construction works pursuant to this development shall take place unless a scheme of soft landscaping, tree planting and biodiversity enhancement measures has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- i. Existing landscape features / vegetated areas to be retained.
- ii. The location of new trees, shrubs, hedges, grassed / wildflower areas and water features / sustainable urban drainage systems.
- iii. A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- iv. The location, design and specification of biodiversity enhancement measures.
- v. A programme for the implementation and subsequent maintenance of the proposed landscaping.

All soft landscaping, tree planting and biodiversity enhancement proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development, or such other date as may be agreed in writing with the Planning Authority. The development shall not be occupied unless evidence of implementation of the scheme has been submitted to and approved by the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason - To ensure the implementation of a satisfactory scheme of landscaping and biodiversity enhancement, and in the interests of visual amenity, ecology and climate change mitigation.

#### (06) DRAINAGE DETAILS

That no development shall take place unless a full investigation and details of the condition, specification, repair/reinstatement (if required) and route of the land drain system at its whole length through the site have been submitted to, and approved in writing, by the Planning Authority. The land drain system shall be permanently retained thereafter, in accordance with the approved details.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of amenity of the area.

#### (07) APPROVED DRAINAGE SYSTEM CARRIED OUT

The dwelling house hereby approved shall not be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans (Drawing Ref: 231054-000-CAM-DR-C-400 REV C and 231054-000-CAM-RP-C-001 REV 3). The foul and surface water drainage systems shall be permanently retained thereafter, in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of amenity of the area.

#### (08) PATIO PRIVACY SCREENING

The dwelling house hereby approved shall not be occupied unless all associated privacy screening relating to the proposed external patio has been fully implemented in accordance with approved plans (Drawing Ref: PL02 Rev J, PL03 Rev H, and PL05 Rev H), and thereafter retained in perpetuity unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the residential amenity enjoyed by adjacent property is suitably maintained.

#### (09) STREET FRONTAGE BOUNDARY WALL AND ACCESS

The dwelling house hereby approved shall not be occupied unless the proposed front boundary wall, including gate piers and access, has been constructed in accordance with the hereby approved plans (Drawing Ref: PL02 Rev J, PL07 Rev I, and PL06 Rev G), or unless otherwise agreed in writing by the Planning Authority.

Reason - In the interests of the appearance of the development and the visual amenity of the area.

#### **ADVISORY NOTES FOR APPLICANT**

##### (01) BATS

During construction work the applicant and/or the developer should remain vigilant for signs of bats, if they come across any bats or any signs of bats, all work in that area must cease immediately and Scottish Natural Heritage must be contacted for further advice. It should be noted that as bats are a European Protected Species, as listed in the Conservation (Natural Habitats &c.) Regulations 1994 it is illegal to:

- Deliberately kill, injure, disturb or capture/take European Protected Species of animal;
- Damage or destroy the breeding sites or resting places of such animals.

##### (02) HOURS OF CONSTRUCTION

No development works, including site/ground preparation, demolition and/or construction, causing noise beyond the site boundary should occur outside the following hours:

- Monday to Friday 07:00 hours to 19:00 hours
- Saturday 08:00 hours to 13:00 hours

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.