

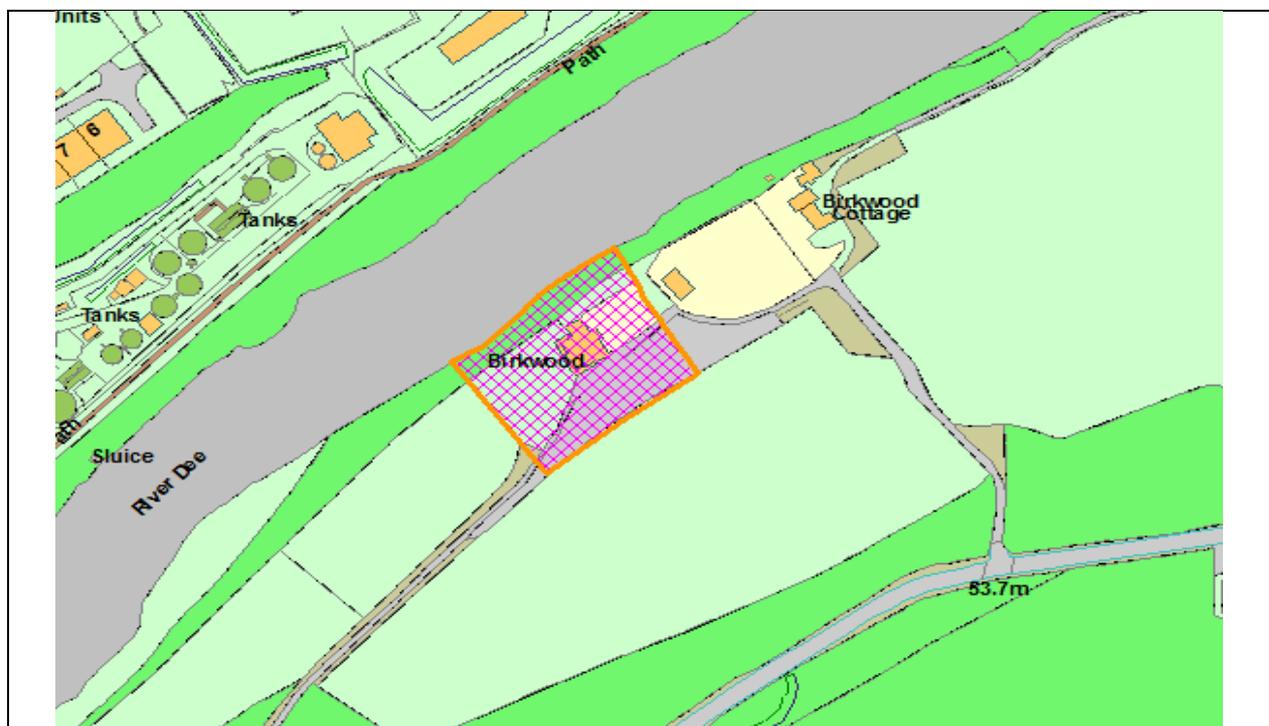
Marr Area Committee Report 14 June 2016

Reference No: APP/2016/0928 and APP/2016/0932

Full Planning Permission and Listed Building Consent for Alterations and Extension to Dwellinghouse at Birkwood, Banchory, Aberdeenshire, AB31 6HY

Applicant: Nick Atkins And Jill Webster, Birkwood, Inchmarlo, Banchory, Aberdeenshire, AB31 4AP
Agent: Gary Grant, Whitestone Farm, Finzean, AB31 6LX

Grid Ref: E:371284 N:795925
 Ward No. and Name: W16 - Banchory And Mid-Deeside
 Application Type: Full Planning Permission and Listed Building Consent
 Representations: 0
 Consultations: 4
 Relevant Proposals Map: Aberdeenshire Local Development Plan
 Designations: Aberdeenshire Housing Market Area
 Complies with: No
 Development Plans:
 Main Recommendation: Refuse



NOT TO SCALE

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright and database rights. Ordnance Survey Licence Number 0100020767.

1. Reason for Report

- 1.1 These applications are being referred to Area Committee because the applications have been submitted by an elected member of the Marr Area Committee.
- 1.2 This application was considered at the Marr Area Committee meeting of 24th May 2016 where Members deferred determination to allow for a site visit, to gain a better understanding of the principal elevation(s) of the dwelling and to familiarise themselves with the existing character of the dwelling. The site visit took place on 7th June 2016.

2. Background and Proposal

- 2.1 Full Planning Permission (APP/2016/0928) and Listed Building Consent (APP/2016/0932) are sought for an extension to the Category B-listed building Birkwood located off the South Deeside Road, Banchory. The one and $\frac{3}{4}$ storey early Victorian Villa consists of an attic conversion and ornate gothic veranda wrapped around the south east and south west elevations. The external finishing materials at present are a yellow coloured wet dash render and a slate roof, with margin detailing around the eaves, and sash and case windows. The property is situated in a large plot with the main access taken from the south west via a long private driveway. There is a second access from the east which leads to the rear of the site. The dwellinghouse sits on lower ground than the passing South Deeside Road and is adjacent to the River Dee, which lies to the north. There is an extensive area of garden ground to the front south side with landscape features including mature trees. The property is screened from South Deeside Road to the south by trees and there are post and wire fences as boundary treatments. Contained within the plot are associated outbuildings and garages further to the rear.
- 2.2 The dwellinghouse has undergone two extensions including a single storey garden room extension to the south west/north west side. This continues the ornate canopy detail and comprises full height glazing which overlooks the garden ground to the south, and a flat roof. Relevant planning applications associated with this application include: APP/2005/1305; APP/2005/1307 and APP/2006/4837 and APP/2006/4838 which increased the size of this extension by 1m. More recently a kitchen extension to the north east has been built, finished in matching materials and a flat roof. The relevant reference numbers are: APP/2008/0295 and APP/2008/0297.
- 2.3 The proposal seeks to extend above the existing flat roof garden room to create additional accommodation space in the form of a master bedroom with en-suite. It would project approximately 7m from the north west elevation and approximately 10.5m from the south west elevation on the upper storey and would measure approximately 4m in height, giving an approximate total height of 8.5m from ground level on the south west elevation. The width of the proposed feature gable on the south west elevation would be approximately 7.5m and the balcony area would further project 1m towards the south west facing onto garden ground. The extension would be finished in materials to

match the existing building including render and a slate roof with zinc ridge. It would feature full height glazing on the south west elevation to match the later garden room below with a glazed balustrade. On the side and rear the roofs would be pitched with both conservation style rooflights and timber sash and case windows with granite margins to match existing. A window would be provided for the proposed en-suite however this would not be seen beyond the north east elevation. At ground level on the south west elevation the existing facings are to be replaced and new steel stanchions are to be inserted. Internally new partition walls would be installed and an en-suite fitted. Wardrobes and other storage units are proposed.

- 2.4 In support of the applications, an aerial 3D visualisation of the proposed extension and a design statement produced by Gary Grant Architect have been submitted. The design statement provides an overview of the site and history and relevant policies. The Planning Service raised concerns with the siting of the extension on a principal elevation and therefore this statement refers to Scottish Government Circular 1/2012 'Guidance on Householder Permitted Development Rights' to address this, affirming that the south west elevation is a side elevation. The agent has expressed that the design rationale behind the extension has been developed to respect the character and integrity of the listed building whilst maximising solar gain. The main design principles for this extension outlined in this document include matching and using high quality material finishes; replicating the full height glazing of existing garden room; continuing the lead canopy; there is minimal impact on the integrity of the dwellinghouse; and it is not located on the principal elevation. The design statement outlines why other options would not be suitable. No pre-application advice was sought relating to this proposal.
- 2.5 A Bat Survey was requested by the Planning Service. This has not been received at the time of writing, however the agent has indicated that this will be conducted at the end of May.

3. Representations

- 3.1 No valid letters of representation have been received.

4. Consultations

- 4.1 **Infrastructure Services (Archaeology)** request a condition for a photographic survey of the property be attached to any permission granted to ensure a historic record of the building as the proposal affects a category B-listed Victorian villa.
- 4.2.1 **Infrastructure Services (Environment)** consider that the proposal does not meet policy requirements in terms of built heritage and therefore deem the proposal unacceptable. The Environment Planner states the following reasons for this response:

- The current design is neither a replication nor assertive contrast and so makes this element of the building difficult to read in terms of age, architectural style and development.
- The extension is located on a primary elevation and furthermore alters the character from being an asymmetrical to a symmetrical form.
- There is no strong justification for the requirement of the additional space that would overcome the fact it is contrary to policy.
- The application lacks detail and any supporting Design Statement/ Heritage Significance Statement.

4.2.2 The last point has been addressed following submission of the supporting design statement. The Environment Team provided further comment in response to this document stating that, the significance of the historic approach and architectural merit and intent of each elevation are all factors when determining the principal elevation and confirms that Birkwood is typical of many late Georgian, early Victorian Villas in that there are two elevations which would be architecturally worthy of consideration as principal elevations. Particularly, the garden elevation is deemed a principal elevation due to its decorative bays and garden outlook. The Environment Team has highlighted the role of the westerly approach and how the east access would not be considered the original approach to the building as it leads to the rear of the property. Further comments are provided outlining how the existing garden room extension is a submissive and sympathetic addition. Reference is made to *Managing Change Guidance; Extensions*. This Service is concerned that no clear design approach, as outlined in this guidance, has been demonstrated and as a result it is felt that the proposal would not allow the history and development of the building to be easily understood. The response is summarised by stating *"It is not that an addition in this location is not achievable, only that it is not acceptable in its current form"*.

4.3 **Historic Environment Scotland (HES)** were consulted upon the listed building application. Although no formal objection has been raised, detailed comments expressing strong concerns with the design and scale of the extension have been provided. HES stress concerns relating to the position of the proposed extension on the principal elevation; the design of glazing and balustrade which would contrast with the traditional character of the house; and the scale and dominance of the extension resulting in a negative visual impact. HES recommend that the Council resist the proposal and explore other options. It is noted in their response that they consider proposals at a national level and as such decisions not to object should not be taken as support for the proposal by HES, and therefore the application should be assessed as normal by the Council against relevant policies and Historic Environment guidance.

5. **Relevant Planning Policies**

5.1 Scottish Planning Policy

The aim of the Scottish Planning Policies is to ensure that development and changes in land use occur in suitable locations and are sustainable. The

planning system must also provide protection from inappropriate development. Its primary objectives are:

- to set the land use framework for promoting sustainable economic development;
- to encourage and support regeneration; and
- to maintain and enhance the quality of the natural heritage and built environment.

Development and conservation are not mutually exclusive objectives; the aim is to resolve conflicts between the objectives set out above and to manage change. Planning policies and decisions should not prevent or inhibit development unless there are sound reasons for doing so. The planning system guides the future development and use of land in cities, towns and rural areas in the long term public interest. The goal is a prosperous and socially just Scotland with a strong economy, homes, jobs and a good living environment for everyone.

5.2 Aberdeen City and Shire Strategic Development Plan 2014

The purpose of this Plan is to set a clear direction for the future development of the North East. It promotes a spatial strategy. All parts of the Strategic Development Plan area will fall within either a strategic growth area or a local growth and diversification area. Some areas are also identified as regeneration priority areas. There are also general objectives identified. In summary, these cover promoting economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapt to the effects of climate change and limit the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

5.3 Aberdeenshire Local Development Plan 2012

Policy 8: Layout, siting and design of new development
 SG LSD2: Layout, siting and design of new development
 SG LSD3: House Extensions

Policy 11 Natural heritage
 SG Natural Environment2: Protection of the wider biodiversity and geodiversity

Policy 13 Protecting, improving and conserving the historic environment
 SG Historic Environment1: Listed buildings

5.4 Other Material Considerations

Scottish Planning Policy

Paragraph 141 of Scottish Planning Policy states that "change to a listed building should be managed to protect its special interest while enabling it to

remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layouts, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed Buildings should be protected from demolition or other work that would adversely affect it or its setting.”

Scottish Historic Environment Policy (SHEP)

The planning authority must refer to national policy when considering applications for listed building consent. Special regard for the historical and architectural merit of listed buildings and their overall significance must be considered in planning determinations. Alterations to listed buildings will often be required to ensure their continued use, therefore careful management and planning to uphold the character of these buildings is required. This is to ensure there is no adverse impact to the important historic interest of listed buildings, and the character is protected.

Historic Scotland Managing Change in the Historic Environment Guidance Notes- Extensions

Extensions to historic buildings must protect the character of the building and should not contribute to the loss of the building’s special interest. The extended area should not dominate the original building due to its scale, mass and design. Extensions should be located on a secondary elevation and utilise high quality suitable materials. This guidance details the design requirements for alterations to historic buildings which are listed as either: restoration; replication; complimentary addition; deferential contrast; or assertive contrast. The general principles contained in this guidance outline key design approaches for extensions to listed buildings.

Guidance on Householder Permitted Development Rights Circular 1/2012

This document outlines and explains permitted development rights for dwellinghouses. It identifies key elements of a house for the purposes of assessing whether planning permission is required or not. Reference is made to the ‘principal elevation’ which is defined here as “a term used to identify the “front” of the dwellinghouse”.

6. Discussion

- 6.1 Full planning permission and listed building consent is sought for an upper storey extension to the category B-listed dwelling known as Birkwood, located off the South Deeside Road, Banchory. The main issues to be addressed in the determination of this application are the acceptability in principle of the extension at this location in terms of visual appearance and the impact it has on the character and merit of the listed building. Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP) and the Aberdeenshire Local Development Plan 2012 (ALDP) are the main considerations in the determination of these applications, together with an assessment of any other material considerations.

- 6.2 The main policy consideration in this case is ALDP Policy 13 and its associated supplementary guidance SG Historic Environment1: Listed Buildings. This aims to preserve and enhance listed buildings and their amenity and maintain the best viable use of listed buildings. Any new development affecting or within the curtilage of the listed building must be in-keeping with the setting of the surrounding area and the design must be of the highest quality. The scale and materials used must be respectful. Any development must not have an adverse impact on the character or the architectural and historic quality of the building and its setting. As outlined above, SPP, SHEP and Managing Change Guidance all state that the character of a listed building should be protected. Furthermore, ALDP Policy 8 and the relevant supplementary guidance SG LSD3 are also applicable in this instance. This policy criteria aims to safeguard and enhance the character and amenity of existing houses and the surrounding area from the development of poorly sited and designed house extensions. All extensions must correspond to the design and scale of the existing house and be in keeping with the character of the surrounding area. Additionally, extensions should not impact on the amenity of neighbouring properties.
- 6.3 In line with both Scottish Planning Policy (SPP) and Policy 8 and SG LSD3, it is appropriate to consider the siting, scale and design of the proposal and what affect this would have on the character of the listed building in terms of ALDP Policy 13 and SG Historic Environment1. In context, no pre-application advice was sought in relation to this proposal, and upon initial review of the plans following a site visit and responses from the relevant consultees, the agent was approached to revise the proposal to alleviate the concerns held. No amendments have been made, but a further supporting design statement was provided to attempt to address concerns, as highlighted in 2.4 above.

Siting and Location

- 6.4 Addressing the siting first, the proposal seeks to extend above an existing extension which is considered to be subordinate and a contrast to the main original dwellinghouse. The single storey scale and design of the existing extension clearly appears as a later addition to the property. It is the opinion of the Planning Service in consultation with the Council's Environment Team and Historic Environment Scotland that by extending above this, the submissive nature of this extension would be reduced to the detriment of the character of the listed building. Furthermore, it is considered that by positioning the extension projecting towards the north west it would impact upon the existing asymmetrical layout and design of the property which is afforded to the two principal elevations south west and south east. The siting and design of the extension would result in a symmetrical appearance on the south west elevation. This is considered to be unsympathetic as it would considerably alter the visual appearance of the property, particularly as it would impact upon the main elevation approached from the drive. This issue is raised as a concern by Infrastructure Services (Environment) who deem the current form of the extension at this location unacceptable due to this.

- 6.5 The matter of what is determined as the 'principal elevation' has been extensively addressed in the responses from both the Environment Team and HES, and in the supporting design statement by the agent. Circular 1/2012 provides guidance on permitted development rights for householder applications. Although not being utilised for this purpose here, it outlines and provides examples of principal elevations. This states that the principal elevation is a term used to identify the front of a building. While this circular goes on to provide a list of features to help identify this elevation, it is for the Planning Service to determine this and assess. As such, based on the existing layout, architectural features including ornate bay windows and the westerly approach from the main drive, it is considered that the south west elevation is a principal elevation of this property. While this elevation does not form the main entrance to the property, it has been clearly addressed by Infrastructure Services (Environment) that it is common for dwellinghouses of this period to feature two principal elevations such as this, particularly as this fronts a large south westerly facing garden with a positive outlook. Therefore it is considered in line with comments from HES that the proposal would affect a principal elevation.
- 6.6 As a result, the siting of the proposed extension is considered inappropriate due to its location on a principal elevation. Managing Change guidance states that extensions should be located on a secondary elevation and subsequently this proposal does not meet this criteria. Furthermore, as the aforementioned policies seeks to protect the integrity of the building, it is considered that the siting of the extension would negatively affect this main elevation and thus its character would not be upheld. It is appreciated that the existing built extension affects the same principal elevation, however it can be contended that it is smaller in scale and contrasts accordingly to show the difference between old and new elements of the property, and therefore the character and integrity of the original building is unaffected. However, the proposed extension would detract from this main elevation as it is over-dominant, as highlighted by HES. Part 2.2 of the Managing Change guidance states *that "historic buildings vary in the extent to which they can accommodate change without loss to special interest."* It is the opinion of the Planning Service that the existing extensions are unobtrusive additions, however by granting the proposed extension at this location it would contribute to the erosion of the special interest of this listed property as it goes beyond a suitable level of appropriate and sensitive extensions, as expressed as a concern by HES.

Scale and Massing

- 6.7 Turning to the scale of the proposed development, although not extending above the existing ridge line, the upper storey nature of this development gives the appearance of a large two storey extension when combined with the existing extension. This massing would not be subservient and would therefore make it difficult to distinguish between the proposed extension and original dwellinghouse, whilst also eroding the overall character and aesthetic of the original dwelling which is contrary to SG LSD3 and SG Historic Environment1. The scale would be dominant and disproportionate as an addition and thus conflict with planning policy which states that any extension

should be subordinate. HES strongly outline that the scale of the extension at this position would have an adverse visual impact due to the overall height of the earlier extension being substantially enlarged and its projection beyond the south west building line. HES emphasise that the proposal would over dominate the main perspectives of the property, this stance is further supported by the Council's Environment Team. The Planning Service agree that the scale is overly prominent and therefore cannot be looked upon favourably due to the negative impact this would have on historic character and merit currently afforded to the property, and as such the proposal is deemed contrary to Policy 13 and SG Historic Environment1.

Design

- 6.8 In terms of design, while most material finishes are of a high quality and reflective of the remainder of the dwellinghouse, the extensive glazing and balcony with glass balustrade is inconsistent with the traditional appearance of the dwellinghouse and as such detracts from the architectural quality of the building. This element of the design is at odds with the character of the listed building according to HES. The agent claims that this detail replicates the full height glazing which appears on the single storey extension. It is not considered appropriate in terms of historic environment policy that replication of modern additions should be incorporated into the design. It is considered that a more sensitive opening in-keeping with the traditional sash and case style windows would be more appropriate in this location. Furthermore, the proposed gabled roof design would aim to mimic the existing single gable on the south west elevation however this would be approximately 0.5m larger in width and while the ornate details are respected it would not be a complete replication and would appear somewhat visually awkward. Furthermore, this aspect would also be considered incompatible with Historic Scotland Managing Change guidance. The design of the balcony would project further than the front facade and therefore would appear immodest which is contrary to the above policies. The overall aesthetic arising from this development would impact the overall integrity and quality of the listed building and therefore would not be in accordance with Policy 8 and SG LSD3 and Policy 13 and SG Historic Environment1.
- 6.9 Therefore, it is evident that the proposal is not considered to satisfy Policy 8 and SG LSD3 of the ALDP 2012 as it has an overbearing and adverse visual impact as a result of the dominant scale and uncharacteristic contemporary glazing proposed on a principal elevation.

Supporting Information

- 6.10 Overall, it is the opinion of the Planning Service that the sum of these factors contribute to an inappropriate extension which would negatively erode the character, appearance and historic integrity of the listed building. The agent was approached to withdraw and amend the proposal in response to concerns raised by this service and consultees and engage in pre-application discussion to reach an appropriate design solution in advance of resubmission. However, the agent confirmed that the applicant would like to

progress with the proposal in its current form and submitted a supporting design statement to justify the proposal. This document attempts to establish the design principles behind this development. Overall the agent asserts that the glazed element is a replication of the existing extension and provides a differential contrast while the overall extension respects the character as it would be a complimentary addition. However, it is the opinion of the Planning Service that the design statement does not fully demonstrate a strong justification for the development. HES acknowledge the lack of this, and despite the submission of a design statement the Council's Environment Team do not consider that the justification is robust enough to justify the proposal. Part 7.2 of Managing Change in the Historic Environment states that a design statement should make reference to a statement of significance or conservation plan which has not been addressed in this instance. Consequently, it is considered that there is insufficient evidence which shows that the proposed extension would fit successfully with the original dwellinghouse and have minimal impact on its special interest. Furthermore, the Environment Team has confirmed that one design rationale should be adopted rather than multiple principles which results in a confusing aesthetic.

- 6.11 HES highlighted in their response that other more subordinate and complementary options should be explored. Following further discussions with HES and Infrastructure Services (Environment) possible solutions were considered. It was discussed with the agent that the extension be reduced in scale and height and set back from the front of the south west facing elevation in order to be reconsidered favourably. In the design statement, the agent has shown how this amendment would not achieve the required headroom and would result in a loss of an adjoining bedroom if access was to be taken through it. The agent argues that this would have a significant impact on the integrity of the building. As this current form is inappropriate in terms of its location on a principal elevation it was suggested that internal rearrangements be carried out to create a larger bedroom with en-suite from the existing layout. This would have minimal impact and would have no effect on the external appearance. However the agent clarified in the design statement that this is not practical nor would it achieve the desired space and it would *"destroy the integrity of the existing building"*. Consequently, an appropriate solution could not be agreed and therefore the proposal continues to remain unacceptable as no amendments have been received. The consideration of alternatives is not material to the determination of this application, the proposals within the submitted FPP and LBC applications must be considered on their own merits. Discussion taken to date was in an attempt to resolve concerns and work towards an acceptable solution. It is regrettable that no alternative proposal has been identified, and as such the proposals must be determined as submitted, which is not in a form that the Planning Service can support.

Impact to Listed Building

- 6.12 It is appropriate to discuss the impact this proposal would have with specific relation to the character of the B-listed building in line with SPP, SHEP, Managing Change and Policy 13 and SG Historic Environment1.

- 6.13 Managing Change Guidance outlines 5 policy approaches relating to extensions. These include: restoration, replication, complementary addition, deferential contrast and assertive contrast. While some effort has been made to seek part replication of the original dwelling in the form of the gable feature and use of matching materials, it also aims to contrast by incorporating contemporary glazing and a balcony. As a result this creates a confusing appearance which would not be considered a compatible addition. The proposal is therefore imprecise and detracts from the character of the listed building as it prevents the clear distinction between old and new elements to be easily read. While a record of this could be obtained, it is considered more appropriate to uphold the property in its current form than to allow for a significant and over-dominant extension that would adversely affect a principal elevation of the property.
- 6.14 In terms of the above, there is not considered to be sufficient regard to the special interest of the property and therefore the proposal cannot be supported. The preservation of the important original building would be lost as a result of this development and its architectural quality which is currently achieved by the asymmetrical layout and design would be diminished. Similarly, in terms of ALDP and Policy 13 and SG Historic Environment¹, the integrity and setting of the listed building would be negatively impacted. Overall, contrary to the requirements of these policies, the visual interest and integrity would not be upheld and the proposal does not offer adequate merit to the garden frontage of the building and is therefore detrimental to the value and character of the listed building. The proposal is therefore deemed contrary to LDP Policy 13, and the other material considerations of SHEP, Managing Change and SPP.

Technical Matters

- 6.15 Infrastructure Services (Archaeology) request a photographic survey condition be attached to any permission granted to ensure a historic record of the listed building.
- 6.16 Due to the traditional style of the property with a slate roof and its location adjacent to the River Dee and mature trees, a bat survey was requested. This has not been submitted at the time of writing, however the agent has confirmed that this will be conducted at the end of May. Should Members be minded to approve the application this should be subject to an appropriate survey being submitted and any subsequent requirements of this, such as consultation with Scottish Natural Heritage regarding a European Protected Species License, being resolved as a delegated matter. At this time the proposals have not demonstrated that there will be no impact on bats, and the proposed development is therefore not in compliance with Policy 11 and SG Natural Environment² of the LDP, and this forms an additional reason for refusal.

Conclusion

- 6.17 In summary, while the principle of an extension is acceptable, the combination of design issues arising from this development render it unacceptable. It is the opinion of the Planning Service, in consultation with the Environment Team and Historic Environment Scotland that the proposal is unsuitable in its current form. The ground floor extension currently reads as a subservient extension to the original element of the property and does not detract from the historic design and character of the main property. Extending above this is considered to interfere with the original layout, scale and appearance of the property by substantially increasing the massing on a principal elevation. It is therefore considered that the proposal detracts from the south west garden elevation and would be detrimental to the character and integrity of the listed building. The extended building line and full height extension resulting from this development would be over dominant and would reduce the visual interest currently afforded to this main elevation when approached from the drive. The scale would also be overbearing from other perspectives and therefore would not be subordinate as per the requirements of the relevant policy criteria previously outlined. By extending above the existing extension it would reduce the quality of this previous extension and thus appear as one large addition which is considered to be inappropriate. Furthermore, the justification submitted is not robust and therefore does not adequately justify the proposal as presented. It is not considered that a refusal in this instance would negatively impact upon the continued use of the building. It is considered that the proposal is unacceptable and cannot be supported.
- 6.18 The proposals therefore do not comply with Policy 8 and SG LSD3; and Policy 13 and SG Historic Environment¹ of the Aberdeenshire Local Development Plan 2012. The development proposal also conflicts with SPP, SHEP and Managing Change Guidance as it fails to respect the character and value of the listed building and would be considered works that would be to the detriment of the interest and visual appeal this property offers. Overall, the visual appearance and historic integrity and character of the building would be compromised as a result of this development and therefore the proposal is recommended for refusal. There is an additional reason for refusal on the basis of the potential impact on bats not yet being resolved. Both the FPP and LBC applications are therefore recommended for refusal.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Equalities and Financial Implications

- 8.1 An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.

8.2 There are no financial implications arising from this report.

9. Sustainability Implications

9.1 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

10. Departures, Notifications and Referrals

10.1 Strategic Development Plan Departures

None

10.2 Local Development Plan Departures

Policy 8: Layout, siting and design of new development
SG LSD3: House Extensions

Policy 13: Improving, Protecting and Conserving the Historic Environment
SG Historic Environment1: Listed Buildings

Policy 13 Protecting, improving and conserving the historic environment
SG Historic Environment1: Listed buildings

10.3 The application is a Departure from the valid Local Plan (and/or) Strategic Development Plan and has been advertised as such. Any representations received have been circulated as part of the agenda and taken into account in recommending a decision. The period for receiving representations has expired.

10.4 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.

10.5 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

11. Recommendation

11.1 Refuse APP/2016/0928 Full Planning Permission for the following reasons:

01. The proposal is contrary to Scottish Historic Environment Policy as it fails to respect the integrity and value of the listed building and would be to the detriment of the interest and visual appeal this property offers. The proposal is inappropriate in terms of its visual impact, massing and effect on the property's special interest due to its location on a principal elevation and therefore conflicts with Policy 13: Improving, Protecting and Conserving the Historic Environment and associated supplementary guidance SG Historic Environment1: Listed Buildings of the Aberdeenshire Local Development Plan 2012.
02. The siting, design and scale of the proposed extension does not fit successfully with the existing dwellinghouse and has a negative visual impact. The proposal is therefore contrary to Policy 8: Layout, siting and design of new development and associated supplementary guidance SG LSD3: House Extensions of the Aberdeenshire Local Development Plan 2012.
03. The applicant has not yet demonstrated that development can take place without having an impact on bats (European Protected Species), and as such the proposal is not considered to comply with Policy 11 Natural heritage and SG Natural Environment2: Protection of the wider biodiversity and geodiversity of the Aberdeenshire Local Development Plan (2012).

11.2 Refuse APP/2016/0932 Listed Building Consent for the following reasons:

01. The proposal is contrary to Scottish Historic Environment Policy as it fails to respect the integrity and value of the listed building and would be to the detriment of the interest and visual appeal this property offers. The proposal is inappropriate in terms of its visual impact, massing and effect on the property's special interest due to its location on a principal elevation and therefore conflicts with Policy 13: Improving, Protecting and Conserving the Historic Environment and associated supplementary guidance SG Historic Environment1: Listed Buildings of the Aberdeenshire Local Development Plan 2012.
02. The applicant has not yet demonstrated that development can take place without having an impact on bats (European Protected Species), and as such the proposal is not considered to comply with Policy 11 Natural heritage and SG Natural Environment2: Protection of the wider biodiversity and geodiversity of the Aberdeenshire Local Development Plan (2012).

Stephen Archer
Director of Infrastructure Services

Author of Report: Jane Weir
Report Date: 30 May 2016