

## Kincardine & Mearns Area Committee Report 24 September 2019

Reference No: APP/2019/1354

**Full Planning Permission For Erection of Shed and Summerhouse, Installation of Satellite TV Dish, Roof Windows and French Windows at 8 Stranathro Terrace, Muchalls, Newtonhill, Aberdeenshire, AB39 3XS**

**Applicant:** Mr Norman Fraser, 8 Stranathro Terrace, Muchalls, Stonehaven, AB39 3XS

**Agent:** Mark Morley, Morph Arch Ltd, Framor House, 19 Monduff Road, Muchalls, Stonehaven, AB39 3XR

Grid Ref: E:390367 N:792297  
Ward No. and Name: W17 - North Kincardine  
Application Type: Full Planning Permission  
Representations: 0  
Consultations: 1  
Relevant Proposals: Aberdeenshire Local Development Plan  
Map  
Designations: Within Settlement, Conservation Area  
Complies with: Yes  
Development Plans:  
Main Recommendation: Grant with Conditions



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## **1 Reason for Report**

- 1.1 The Committee is able to consider and make a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1g of Part 2C Planning Delegations of the Scheme of Governance as there is an unresolved objection from a consultee.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

## **2 Background and Proposal**

- 2.1 Planning permission is sought for the erection of a shed, a summerhouse, installation of a Satellite TV dish, roof windows and a French door at 8 Stranathro Terrace, Muchalls. The site is located along Stranathro terrace and within Muchalls Conservation area.
- 2.2 Turning to the application site, the site is bound by the adjoining house (Ivy Cottage) to the south, Corryden to the north, the road to the east and footpath to the west. The site comprises of a one and a half storey dwellinghouse with an extension attached to the rear. It also has a shed located at the rear of the property. There is also evidence of an earlier outbuilding located at the northeast corner of the property (foreground).
- 2.3 It appears the main house has been altered over the years with later additions, which include a large box dormer and the extension to the rear, which is currently being used as kitchen and utility area. It is also evident that many properties in the immediate vicinity have uPVC windows.
- 2.4 This proposal is seeking to install new rooflights over the existing extension to the rear of the original house (kitchen and the utility area). Additionally, at the rear of the house, the proposal seeks to replace an existing window with a new French door. The proposal also seeks to mount a satellite dish on the chimney. The existing shed at the rear of the property would be replaced with a slightly larger shed (3m by 1.8m) and a new summerhouse (2.4m by 1.8m) would be erected in the position of an earlier outbuilding within the foreground of the property.
- 2.5 The applicant has provided details of the satellite dish. The dish would be 44cm elliptical dish for SKY & Freesat.
- 2.6 During planning history search of the site, it was evident the council has previously approved a replacement of timber windows with uPVC windows (APP/2011/3008) on 10th October 2011.

### **3 Representations**

3.1 No valid letters of representation have been received.

### **4 Consultations**

4.1 The Newtonhill, Muchalls & Cammachmore Community Council objects to the location of the satellite dish, which they think will have a negative visual impact on the conservation area. However, they had no concern with the remainder of the proposal which includes summerhouse at the bottom of the plot, the proposed replacement shed and the new windows at the back of the house.

### **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.

From the 29 March 2019, the Strategic Development Plan 2014 went beyond its five-year review period. In light of this, for proposals which are regionally or strategically significant, or give rise to cross-boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

### 5.3 Aberdeenshire Local Development Plan 2017

Policy P1 Layout siting and design

Policy HE2: Protecting historic and cultural areas

Policy P3 Infill and householder developments within settlements

### 5.4 Historic Environment Scotland Policy Statement June 2016

Historic Environment Scotland Policy Statement June 2016 policy statement and other policies such as Historic Environment Circular 1 and Historic Environment Scotland's Managing Change in the Historic Environment guidance note series are the documents to which planning authorities are directed in their consideration of applications for planning applications affecting the historic environment and the setting of individual elements of the historic environment.

### 5.5 Managing Change in the Historic Environment: Roofs (October 2010)

The guidance Managing Change in the Historic Environment: Roofs (October 2010) requires that New roof fixtures, such as satellite technology, should be located where they will not detract from the appearance of the building. In general, where new fixtures are proposed to be located on a roof, they should be carefully sited to avoid being visible from ground level or breaking the profile of the roof or chimneys.

Under dormers and rooflights, the guidance requires that the addition of new features to principal or prominent roof slopes should generally be avoided. New dormers and rooflights should be appropriately designed and located with care.

### 5.6 Managing Change in the Historic Environment: New Design in Historic Settings 2016

The guidance requires that where new development is proposed, it is important to identify the historic assets that might be affected, define the setting of each historic asset, assess the impact of any new development on this.

## 5.7 Managing Change in the Historic Environment: Windows (January 2018)

The guidance Managing Change in the Historic Environment: Windows (January 2018) under the section converting windows to doors requires that subsidiary elevations are more suitable for work of this type. Wherever possible the existing width of the window should be maintained, and the opening expanded downwards to ground level. Depending on the circumstances, it may be appropriate to match any external window-surround detailing at the lower level.

## **6 Discussion**

- 6.1 The main issues to be considered in determining this application is whether the shed, summerhouse, Satellite TV dish, the roof windows and French window would have an adverse impact on the character of the house and the architectural and historic interest of the Muchalls Conservation Area.
- 6.2 Policy P1: Layout siting and design and Policy HE2: Protecting historic and cultural areas seeks the highest quality design to conserve and enhance the character and appearance of the designated area. In keeping with the relevant policies above, the proposals should reflect the requirements in that they should demonstrate the highest quality design plus conserve and enhance the character and appearance of the building and the character of the conservation area. Policy P3 Infill and householder developments within settlements seek to ensure the development respects the scale, density and character of its surroundings and will not erode the character or amenity of the surrounding area.
- 6.3 Having reviewed the details of the proposed shed, the position, is acceptable as it will replace an existing shed. The scale will be subservient to the dwellinghouse in terms of height and size, and the position to the rear of the property will not detract from the character of the house. The design of the shed is satisfactory since it will have a hipped roof and constructed out of timber. Regarding the summerhouse, notwithstanding the position of the summerhouse within the foreground of the house, the design, scale and appearance would be acceptable. It is worth noting that it would be erected within the footprint of an earlier outbuilding and the separation distance from the house is such that it would not detract from the character of the house.
- 6.4 Regarding the Satellite TV dish, Aberdeenshire Local Development Plan 2017 policies and the guidance from Historic Environment Scotland, require that satellite dishes are located carefully and sensitively, without detracting from the character and appearance of the house and should not diminish the character of conservation areas. Having reviewed the position and the scale against the relevant local development plan policies and the guidance of Historic Environment Scotland, it is judged that the proposed location of the satellite dish would not detract from the appearance of the building, as it would be carefully sited to avoid breaking the profile of the chimneys. On the whole, it complies with planning policy and the guidance Managing Change in

the Historic Environment: Roofs (October 2010), in terms of advice on New roof fixtures, such as satellite technology.

- 6.5 Rooflights are significant elements in the external design of buildings, often providing top light. In this case, the rooflights would be located over the rear extension (kitchen and the utility area) and would be significantly obscured from public view. In terms of scale and design, having reviewed the details of the rooflights, it is judged acceptable and is not expected to have a significant adverse impact on the character of the house and the Muchalls conservation area. The elevation of the rooflights from the roof is not excessive and the number of rooflights proposed does not create visual clutter on the roof and therefore does not harm the character of the Muchalls conservation area.
- 6.6 Turning to the proposed French door, the applicant has proposed to remove the existing window, enlarge the opening and install new French door to the west elevation (rear) of the house. The French door would be double glazed with dark wood (woodgrain) uPVC framed to match existing windows and doors. Having reviewed the position of the French door, converting the window to doors at the rear of the property would not raise any significant concern as it is a subsidiary elevation and judged appropriate. In terms of the door frame, generally, the council does not encourage uPVC. However, in this case, woodgrain uPVC would be acceptable as it would match the existing windows, which was approved (APP/2011/3008) by the Council on 10th October 2011.
- 6.7 Infrastructure Services (Built Heritage) have no adverse comments to make on the application. The service requested details of the rooflight illustrating how it sits in the roofline. This has been provided and judged acceptable. On the rear French door, the service has indicated that the proposed uPVC French doors may be conceded as they would improve on the existing. The service has indicated that to ensure the visual integrity of the house, scaled details of the glazing element must be submitted prior to approval being granted. A request for the details of the French door would be applied to the decision notice as a condition.
- 6.8 Turning to the representation from the Newtonhill, Muchalls & Cammachmore Community Council, the concerns raised with regard to the position of the satellite dish attached to the chimney, have been addressed in the report and it is judged that any unanticipated negative visual impact on the conservation area would not be significant enough to warrant refusal.
- 6.9 The applicant has submitted a justification letter in response to the comments from the Newtonhill, Muchalls & Cammachmore Community Council. The statement contains photographs of several satellite dishes in the Muchalls conservation area. The statement establishes that when travelling along Stranathro Terrace the satellite dish is concealed from view by the existing box dormer on 8 Stranathro Terrace from the Southside and the existing chimney stack between 8 and 9 Stranathro Terrace on the north side. Furthermore, the satellite dish is only visible within 5-metres of the road from its location on the road. While each application is assessed on its merits, the

Planning Service accepts that there are several satellite dishes within the Muchalls Conservation area, which are more visually prominent when compared to this proposal.

- 6.10 Overall, the proposed shed, summerhouse, Satellite TV dish, roof windows and French door will be appropriate to the character of the dwellinghouse and will not have a significant adverse visual impact on the character of the wider Muchalls conservation area.
- 6.11 In conclusion, the Planning Service is satisfied with the proposals. This application is therefore considered to comply with Policy P1 Layout siting and design, Policy HE2: Protecting historic and cultural areas and Policy P3 Infill and householder developments within settlements of the Aberdeenshire Local Development Plan (2017).

## **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 Implications and Risk**

- 8.1 An Equality Impact Assessment is not required because the proposed development would not have a differential impact on any of the protected characteristics.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

## **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 integrated 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**

None

- 10.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.
- 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 the Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

## **11 Recommendation**

### **11.1 GRANT Full Planning Permission subject to the following condition: -**

- 01 No works in connection with the development hereby approved shall commence unless details of the French doors to be used in the external finish for the approved development have been submitted to and approved in writing by the planning authority. The development shall not be brought into use unless the external finish has been applied in accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

### **11.2 Reason for Decision**

The proposed shed, summerhouse, Satellite TV dish, roof windows and French door are considered to be acceptable in terms of position, design and material, and there would be no adverse impact on the dwellinghouse or Muchalls Conservation Area as a result of this development. The proposal complies with Policy P1 Layout siting and design, Policy HE2: Protecting historic and cultural areas and Policy P3 Infill and householder developments within settlements of the Aberdeenshire Local Development Plan (2017).

**Stephen Archer**  
**Director of Infrastructure Services**  
Author of Report: Emmanuel Hiamey  
Report Date: 11 September 2019