



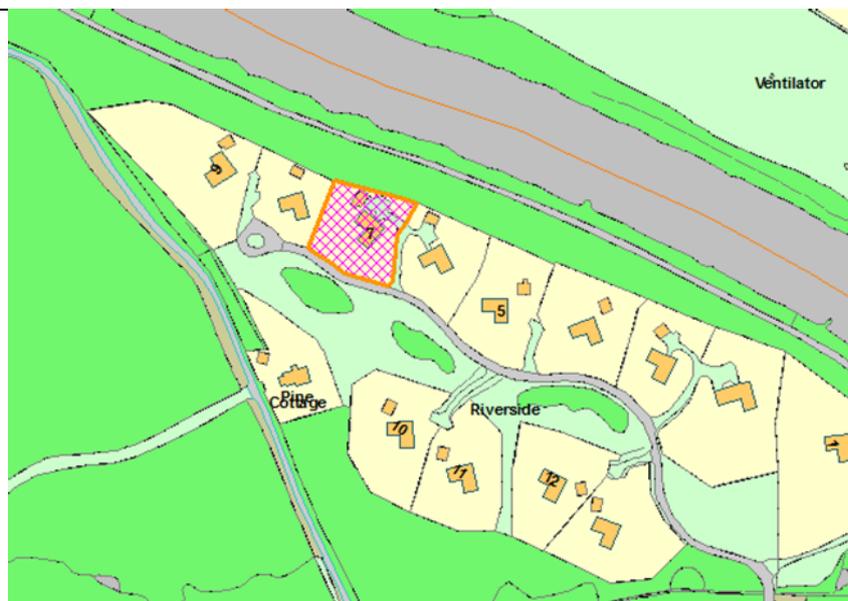
## Marr Area Committee Report 14 December 2021

Reference No: APP/2021/1899

**Full Planning Permission for Alterations and Extension to Dwellinghouse and Erection of Replacement Garage at 7 Riverside, Blackhall, Banchory, Aberdeenshire, AB31 6PS**

**Applicant:** Mr and Mrs S Carter, 7 Riverside, Blackhall, Banchory, Aberdeenshire, AB31 6PS  
**Agent:** Matthew W Merchant, Unit 12, Silverbank, North Deeside Road, Banchory, Aberdeenshire, AB31 5YR

Grid Ref: E:368596 N:795609  
Ward No. and Name: W16 - Banchory and Mid-Deeside  
Application Type: Full Planning Permission  
Representations: 6  
Consultations: 4  
Relevant Proposals Map: Aberdeenshire Local Development Plan 2017  
Designations: Rural Housing Market Areas  
Complies with:  
Development Plans: Yes  
Main Recommendation: Approve



**NOT TO SCALE**

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## **1. Reason for Report**

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1f of Part 2C Planning Delegations of the Scheme of Governance as there have been valid objections from six or more individuals or bodies with separate postal addresses or premises, and 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 Feughside Community Council.
- 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 Full planning permission is sought for the alteration and extension to a dwellinghouse, and the erection of a replacement garage, at 7 Riverside, Blackhall, Banchory.
- 2.2 The site is located to the south of the River Dee, accessed from the B974 road which leads towards Auchattie. The dwelling is part of a small estate of 13 dwellings, which are large, detached properties situated centrally within their sizable plots, with garden ground surrounding on all sides. The garden grounds are generally mature, bound by high hedges and mature trees. Number 7 Riverside is located towards the north of the development, and shares its access with number 6 Riverside. Woodland bounds the garden ground to the rear (north) where the ground level drops significantly down to the River Dee. This woodland is included in the Council's River Dee Local Nature Conservation Site designation. Running centrally along the development is an area of shared open space.
- 2.3 Permission is sought to erect a 1 ½ storey extension to the west of the existing dwelling, with the existing double garage being demolished to accommodate this. The extension would have a rectangular footprint, orientated north to south within the site, with the south section of the extension, which accommodates a living area, being single storey, this would increase to 1 ½ storeys towards the rear. Both the north and south elevations would have extensive glazing. There would be a single storey link section connecting the dwelling to the extension. The materials have been chosen to match the existing dwelling; brown concrete roof tiles, clay facing brick, timber windows and doors.
- 2.4 It is also proposed to erect a double garage in the north east corner of the plot. During the course of the application, the garage design has been amended, with the rear corner angled to reduce the potential impact on the trees to the rear of the site. Double doors would be orientated southwards, with a storage area to the rear and pedestrian access on the west elevation.

The materials proposed are as above on the extension and to match the existing dwelling. To the west of the garage, parking for 4 cars is proposed, with the access and driveway remaining as existing. Some garden shrubbery and small conifers would be removed to accommodate the garage.

- 2.5 A new surface water soakaway is proposed within the driveway to deal with the surface water from both the extension and new garage. Connection to the existing shared foul sewerage system is proposed.
- 2.6 In order to support the proposal a SUDs Recommendation Report has been submitted, carried out by S.A.McGregor dated 6<sup>th</sup> October 2021. The report concludes that the nature of the sub-soil is suitable for a new surface water soakaway. An infiltration trench system will be used for the disposal of surface waters from the development roof areas discharging to the ground.

### 3. Representations

- 3.1 A total of 6 valid representations (objecting) to the proposal have been received as defined in the Scheme of Governance. All issues raised have been considered. The letters raise the following material issues:
- Additional pressure on communal infrastructure – need to review capacity of the existing Riverside sewerage system and Riverside rainwater soakaway system;
  - Concerns regarding flooding;
  - Extension would create an unacceptable precedent;
  - Impact on amenity – loss of privacy and light;
  - Loss of tree and impact on habitat/wildlife;
  - Extension would impact on road safety;
  - Scale of development is overdevelopment of the plot;
  - Proposed extension is not in keeping with the wider Riverside development;
  - Purpose/use of the extension not clear, i.e. use as a granny flat

### 4. Consultations

#### Internal

- 4.1 **Environment and Infrastructure Services (Roads Development)** has confirmed that the parking provision is adequate for this proposal, as the site provides a total of 6 parking spaces (including garage) which is acceptable.
- 4.2 **Environment and Infrastructure Services (Flood Risk and Coast Protection)** initially objected to the proposal as they requested a surface water drainage statement, appropriate calculations, soakaway and attenuation system construction details and a statement on future maintenance. On receipt of the drainage report, FRCP confirmed that they are generally satisfied with the measures proposed to deal with surface water drainage and the level of flood risk associated with the application.

- 4.3 **Environment and Infrastructure Services (Environment – Natural Heritage)** commented that the site is adjacent to the River Dee Special Area of Conservation and the woodland immediately behind the property is included as a River Dee Local Nature Conservation Site designation. The proposed new garage is close to the property boundary, and there is potential impact on woodland, and some trees proposed to be felled. Subsequently, initially a tree survey was requested or site photos for further review. Following a site visit by the Planning Officer, and a revised site plan which provided further details on tree types and locations, it was confirmed that the trees to the north of the garden have been felled/copped in the past and have re-grown as multi-stem. There is existing hardstanding/development within the garden boundary and this will act as suitable tree protection. On this basis, the Natural Heritage Officer has no further comments.

#### External

- 4.4 **Feughside Community Council** note and concur with local residents' concerns regarding foul water capacity and increased flooding due to surface run-off. They also request confirmation that there will be adequate parking and vehicle turning capacity to ensure there is not an increased risk to children and pedestrians.

## 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 2020

The Strategic Development Plan (SDP) was approved on 12 August 2020.

The purpose of this Plan is to set a clear direction for the future development of the City Region. It sets the strategic framework for investment in jobs, homes and infrastructure over the next 20 years. 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.

The Aberdeenshire Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Aberdeen City & Shire SDP 2020 as approved forms part of the Development Plan.

## 5.3 Aberdeenshire Local Development Plan 2017

Policy R1 Special Rural Areas

Policy R2 Housing and employment development elsewhere in the countryside

Policy P1 Layout, siting and design

Policy E1 Natural heritage

Policy PR1 Protecting important resources

Policy C4 Flooding

Policy RD1 Providing suitable services

## 5.4 Proposed Aberdeenshire Local Development Plan 2020

Aberdeenshire Council on 5 March 2020 resolved to agree the Proposed Aberdeenshire Local Development Plan (LDP) 2020 as the 'settled view of the Council' on what the final adopted content of the LDP 2021 should be. A period during which representations on the Proposed LDP 2020 could be made took place between 25 May and 31 July 2020.

The Proposed LDP 2020 is a material consideration in the determination of planning applications. The Planning Authority must therefore assess what weight it should have in the context of this particular application. The Proposed LDP has been subject to public scrutiny and has now been submitted for Examination by an independent Reporter. Nevertheless, it is considered that the level of weight that should be applied to the Proposed LDP 2020 remains as not significant at this time. The Aberdeenshire LDP 2017 remains the up-to-date LDP for the area and the primary document against which planning applications should be determined until such time as a new LDP for the area is adopted.

## 6. Discussion

- 6.1 What requires to be considered is whether the extension and garage, by virtue of their design and scale, respect the character of the property and surrounding area. In addition, consideration will be given to the potential impact on trees, and technical considerations such as drainage, access and flooding.

### Principle of development

- 6.2 Policy R2: housing and employment development elsewhere in the countryside, through acceptance of criteria within Policy R1, allows development which extends an existing building or is for a use that is ancillary to the main use. The proposed extension increases the size of the existing dwellinghouse through extending to the west. A detached double garage is proposed to the north east of the plot. Both are for residential purposes associated and ancillary to the existing dwelling on site, therefore the proposal is acceptable in principle.
- 6.3 Representations question the use of the extension and potential for a separate individual planning unit to be created by the design, which proposes a link section between the original section and dwelling. The applicant has confirmed that the extension will function as a granny annexe, however as the extension is linked, this could be altered without the need for planning permission back to additional bedrooms/living accommodation associated with the main dwelling. Ultimately, whether integrated/attached or standalone, both a separate "granny annexe" or internally linked extension are ancillary uses associated with 7 Riverside. Any subdivision of the feu would require planning permission in its own right. However to safeguard against any potential intensification beyond an ancillary use, a condition will be attached to the planning permission stating that the ancillary accommodation shall not be used a separate unit without planning permission. It is worth noting that anything within the deeds restricting the use of each plot to one family is not material to considerations of the planning application, however concerned parties should take comfort that a separate legal mechanism does exist to safeguard against their concerns.

### Layout, siting and design

- 6.4 Concern is raised through representations regarding the scale of the extension being out of character and proportion with the surrounding dwellings, which are all characterised by large dwellings with generous sized feus. They also consider the extension to set an undesirable precedent.
- 6.5 The site/plot is a substantial size, and the extension would cover the footprint of the existing double garage, plus additional ground to the south, therefore although the extension would be a significant size, the built development within the plot is not considered to be overdevelopment due to the low density of development and a large amount of curtilage remaining. The extension is not considered to alter the character of the plot, or wider estate as the design

principle and plot size remains comparable to others adjacent. The materials proposed match the existing dwelling, utilising a colour palate which ties in with the Riverside dwellings.

- 6.6 The extension proposes velux windows on the south west elevation, these will be within the pitched roof, with a cill height of 1.3 metres. These velux roof lights were originally larger and sitting lower within the roof pitch. Substantial glazing is also proposed on both gable ends. Concern is raised by neighbours that the full height glazing on the north elevation will overlook the communal space on the riverbank, and that these velux windows will overlooking the garden ground and habitable rooms of Number 8 Riverside. In addition, the window on the east elevation of the garage will overlook the neighbour.
- 6.7 Firstly, in regard to the overlooking of the shared space along the riverbank to the north, each dwelling has ample private amenity space, shared communal ground does not have the same protection of amenity as private gardens. The ground to the rear is out with the domestic curtilage of the dwellings. Any windows on the extension oriented eastwards, are considered to overlook the applicant's parking/turning area, with sufficient separation distance to number 6 Riverside. No windows are proposed on the east elevation of the proposed garage.
- 6.8 The garden ground is very secluded, with high boundary treatments ranging from 2-4 metres in height, in addition the ground raises westwards towards the boundary. Therefore, there will be no potential overlooking from ground floor windows. Although there are high boundary treatments on a raised ground level, at certain times of the year it may be possible for there to be a view from the velux rooflights westwards towards number 8 Riverside. However, this view will be at an angle orientated northwards mainly towards the woodland to the rear of the plot, with minor glimpses across the rear corner of the neighbouring garden with a separation distance of approximately 14 metres. The boundary treatments, ground level, orientation and separation distance are considered sufficient and not likely to cause a detrimental impact on neighbouring amenity, the potentially minor view of a small portion of the neighbouring amenity ground is not worthy of refusal of the planning application.
- 6.9 Concern is raised that the extension will cause a loss of light to number 8 Riverside (west). The extension has a pitched roof, with the roof sloping away from the neighbouring property which will reduce the massing. Existing foliage reaches a significant height, which will in itself cast a shadow, therefore, these factors and the position within the site is considered to ensure there is not a detrimental impact in terms of overshadowing or overbearing.
- 6.10 Overall, the proposed layout, sting and design is considered comparable with the plot size, which can accommodate an extension of a significant scale. The design will tie in with the materials and colour scheme of the existing dwelling without causing an impact on the wider estate. The windows positions and separation distances also ensure the proposal will not cause a detrimental

impact on amenity. Subsequently, the proposal is considered compliant with Policy P1 Layout, siting and design.

#### Technical considerations

- 6.11 Turning to Policy RD1 Providing suitable services, the extension proposes an additional bedroom, as per Aberdeenshire Council Car Parking Standards 3 off-street parking spaces are required for a 4 or more bedroom property. The proposed layout would accommodate a total of 6 off-street parking spaces. Concern is raised by neighbours that the extension would impact on road safety, with cars required to reverse out and unable to turn within the site. To aid vehicle manoeuvrability the Council's stand is for any turning space required to be 7.6 metres by 7.6 metres, which is comfortably accommodated within the site in this instance, with an additional area of turning/parking to the south east of the plot. Therefore the provision provided within the site is sufficient, an over provision of parking spaces exist, and sufficient turning space is also provided fully within the site. The proposed extension and garage is not considered to impact on the safety of residents, on this basis Roads Development have no further comment on the proposal, in accordance with Policy RD1 Providing suitable services.
- 6.12 Representations raise concerns regarding additional pressure on communal infrastructure and relating to surface water drainage and flood risk. There is a shared sewage system which is maintained by the residents, and is discussed further below. The Council's Flood Risk and Coastal Protection Team were consulted and requested additional information on the means of surface water disposal, including ground conditions, calculations, maintenance. The surface water drainage report confirmed that ground conditions are suitable for a new soakaway which will be positioned within the driveway and an infiltration trench system will be used for the disposal of surface waters from the development roof areas discharging to the ground. This was considered acceptable by FRCP who commented that the final roof drainage design for the proposal will be approved through Building Warrant and request a condition regarding surface water drainage being carried out in accordance with the drainage arrangement proposed. This in turn ensures the proposal manages its own surface water within the site, compliant with Policy C4 Flooding.
- 6.13 The agent has confirmed that it is proposed to connect into the shared sewage system. There are concerns raised regarding the capacity in this shared system and the need for the residents to give permission for additional infrastructure, and concerns about added pressure on maintenance. Although the scale of the proposal, and nature as a householder application, would not normally require foul water consideration, due to the concerns from residents the agent was requested to provide additional calculations on the capacity in the shared system. The agent obtained specifications of the treatment plant from the contractor for the development, and technical details from Brig Environmental who were involved in the design and installation of the facility. The capacity of the treatment plant is 85 persons, based on 13 houses within the development - assuming a scenario of 6 bedrooms in each dwelling and 1

person per bedroom plus 2 people, the total population served is 104. The design load is 80% of the population which equals 83.2 persons. Therefore, based on these calculations there is sufficient capacity for the extension even with 6-7 people residing in each dwelling within the group of houses. This design criteria was extracted from the British Water Code of Practice and has been reviewed by Building Standards who have confirmed the method of calculation to be accurate as per the standards.

- 6.14 The requirement to receive agreement to connect to the system, and subsequent ongoing maintenance, is a civil matter which will be dealt with separately to the planning application. It is considered that it has been demonstrated that the proposed infrastructure is sufficient to deal with surface water from the development and that sufficient justification regarding the foul capacity, which will require further investigation through the Building Warrant, demonstrates there will be no issues and the site can be suitably drained and manage its water discharge, in accordance with Policy RD1 Providing suitable services.

#### Potential Impact on Trees and Habitat

- 6.15 To the rear of the site (north) are mature trees, the Council's Environment Team initially requested additional information on trees and potential tree loss. Drawing number 1663-SIT-001 C was submitted which identifies the trees to the north of the site, and a revision to the garage design at the corner, to reduce potential impact on trees, has been made. The Environment Team confirmed that the trees have been felled/coppiced in the past and have re-grown as multi-stem trees. There is existing development/hardstanding within the garden boundary which will act as suitable tree protection for the roots, therefore there is no concern with any additional tree loss.
- 6.16 Although the shrubbery in the north east corner of the site will be removed to accommodate the new a garage, and concern was raised through representations regarding the impact on habitat, wildlife and trees, the dense foliage boundaries and trees to north are to be retained as existing. Therefore it was not considered necessary to request a walkover survey to assess potential habitat/wildlife due to the low level of impact, in accordance with Policy E1 Natural Heritage and Policy PR1 Protecting important resources.

#### Conclusion

- 6.17 Overall, the extension to the side of the property is considered appropriate in terms of design, in keeping with the existing dwelling and wider estate. It is accepted that the extension will slightly alter the outlook for neighbours, all new development creates a change in the immediate locale, but this is not considered to be to any detrimental level due to the large area of garden ground, separation distance, and amenity space that is available to the neighbouring properties. The proposed garage is also of appropriate design and function, appropriate to the dwelling and posing no impact on amenity. The overall proposal is compliant with Policy R1 Special rural areas, Policy R2

Housing and employment development elsewhere in the countryside and Policy P1 Layout, siting and design and is recommended for approval.

## **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 integrated impact assessment is not required because the granting or refusing of the application will not have a differential impact on the protected characteristics of the applicant or any third parties.
- 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.
- 8.4 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.

## **9. Departures, Notifications and Referrals**

### **9.1 Strategic Development Plan Departures**

None

### **9.2 Local Development Plan Departures**

None

- 9.3 The application is not a Departure from the Local Development Plan or Strategic Development Plan and no departure procedures apply.
- 9.4 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.
- 9.5 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.

## **10. Recommendation**

### **10.1 GRANT Full Planning Permission subject to the following conditions:-**

01. The residential annex/extension hereby approved shall be used only for purposes incidental to the enjoyment of 7 Riverside. No separate curtilage shall be formed and the residential annex shall at no time be used as an independent dwellinghouse without the express grant of planning permission from the planning authority.

Reason: The relationship between the residential annex and the main dwellinghouse within the site is such that the residential amenities of the occupants of both would be adversely affected by the creation of an independent residential unit in addition to the main dwellinghouse.

02. The extension hereby approved shall not be brought into use unless the proposed surface water drainage system has been provided in accordance with the approved plans and SuDs Recommendation Report carried out by S.A.McGregor dated 6th October 2021. The surface water drainage system 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 the amenity of the area.

### **10.2 Reason for Decision**

01. The planning authority considers that the application is for a development that is in accordance with the Aberdeenshire Local Development Plan 2017. The proposal is considered acceptable in terms of layout, siting and design without creating a detrimental impact on amenity, compliant with Policy R1 Special rural areas and Policy R2 Housing and employment development elsewhere in the countryside and Policy P1 Layout, siting and design.

**Alan Wood**  
**Director of Environment and Infrastructure Services**  
Author of Report: Louise Smith  
Report Date: 23 November 2021

# Comments for Planning Application APP/2021/1899

## Application Summary

Application Number: APP/2021/1899

Address: 7 Riverside Blackhall Banchory Aberdeenshire AB31 6PS

Proposal: Alterations and Extension to Dwellinghouse and Erection of Replacement Garage

Case Officer: Louise Smith

## Customer Details

Name: Mr Iain Adams

Address: Aulnacaille, Deebank BANCHORY AB31 6PQ

## Comment Details

Commenter Type: Community Council

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Feughside Community Council note and concur with local resident concern over foul water capacity and increased flooding risk due to surface run off.

Also we would like to confirm that there will be adequate parking and vehicle turnaround capacity to ensure that there is not an increased risk to pedestrians and children due to resident and delivery vehicles maneuvering and reversing in the access area.

# Comments for Planning Application APP/2021/1899

## Application Summary

Application Number: APP/2021/1899

Address: 7 Riverside Blackhall Banchory Aberdeenshire AB31 6PS

Proposal: Alterations and Extension to Dwellinghouse and Erection of Replacement Garage

Case Officer: Louise Smith

## Customer Details

Name: Nigel and Audrey Bowker

Address: 4 Riverside Banchory AB31 6PS

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We returned from holidays to hear of this proposal and it is with great regret that we find the need to object to it on the following basis -

1. The area south of the river has for many years been protected from new developments. Whilst this building is to be linked with No 7, clearly this link can readily be removed to form two dwellings. The nature of this estate would significantly alter should this building provide a precedent for additional dwellings. Also, the potential to offer the new building for rent is contrary to the deeds.
2. The proposal is oversized for a "granny flat".
3. Riverside already has significant problems with flooding, to the extent that on occasions vehicle access has been impossible. This new building will remove a large soakaway area of the garden. The ground to the north and east are predominantly hard standing.
4. The new two storey building is very close to the neighbour's boundary and will negatively impact their lighting and privacy.

# Comments for Planning Application APP/2021/1899

## Application Summary

Application Number: APP/2021/1899

Address: 7 Riverside Blackhall Banchory Aberdeenshire AB31 6PS

Proposal: Alterations and Extension to Dwellinghouse and Erection of Replacement Garage

Case Officer: Louise Smith

## Customer Details

Name: Mr Peter Drury

Address: 12 Riverside Blackhall Banchory AB31 6PS

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My wife and I have four concerns:

1 It is not clear what the intended use of the extension is, and the size of it (almost doubling the existing footprint) seems excessive given the size of the existing property (5/6 bedrooms). and the restriction in our deeds to use by one family only.

2 The estate comprises 13 houses of similar size and character, and this homogeneity was considered important in connection with a previous planning application.

3 The extension would impose additional pressure on communal infrastructure, especially around sewage - the effluent into the river Dee is carefully monitored by SEPA and there have been issues in the past - and road safety which is already a concern due to increasing commercial traffic.

4 The extension would create a precedent which if replicated would exacerbate the above.

In addition, the impact of the extension on the immediate neighbours must be a concern for them in terms of loss of privacy, loss of light (especially important in winter), loss of trees, and loss of habitat for wildlife which has been prospering, including red squirrels, pine martens, bats, amphibians.

# Comments for Planning Application APP/2021/1899

## Application Summary

Application Number: APP/2021/1899

Address: 7 Riverside Blackhall Banchory Aberdeenshire AB31 6PS

Proposal: Alterations and Extension to Dwellinghouse and Erection of Replacement Garage

Case Officer: Louise Smith

## Customer Details

Name: Mr John and Lindsey Eccles

Address: 8 Riverside Blackhall Banchory AB31 6PS

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My wife and I have the following objections;

1. No 8 will be overlooked by windows on the upstairs floor that will look into at least one of the bedrooms and a bathroom. We have no concerns with windows on the ground floor. No 6 will also be overlooked by the proposed extension. The proposed extension is not in keeping with the original Riverside development that purposely positioned houses generally in the center of quite large plots and in such a manner to avoid properties overlooking one another.

2. No 7 sewers feed into a common sewer system that serves 13 properties on Riverside. The sewer system is designed for these 13 properties and does not have an infinite capacity. The 13 properties on Riverside maintain this system collectively with payments being made via an appointed factor. In order for additional load to be introduced to this system (which will happen through the proposed extension and proposed occupation) a capacity check of the sewage system and agreement with all the 13 Residents would be required. Its highly unlikely that this would be acceptable to other Riverside residents as;

i) It introduces an anomaly and sets a precedent that may be unworkable i.e. at some point it may not be possible to accept any more load due to capacity constraints.

ii) It changes the current very simple basis where each resident pays 1/13th the cost to maintain the system.

iii) It increases the likelihood of overloading the sewer system resulting in foul water being discharged to the River Dee and potential fines.

iv) The Riverside sewer system has operated stably for an extended period after some early issues. No appetite to mess with a system that is working fine.

v) Previous request to add additional load to the system rejected by the residents.

3. Purpose of the extension needs to be made clear in the planning application. This is important because the use should be inline with the burdens within the title deeds (ref. a & b under additional data at the end). My understanding from discussion with No 7 is that the extension is for a 'Granny Flat'. Obvious concern is that the way the extension has been designed would allow it to be used as a stand alone property and could be used for extended family or rented out including Airbnb.

4. Another concern is the increase in traffic, parking and safety associated with additional occupancy. Parking and traffic already becoming an issue with cars from No 7 regularly parked on Riverside amenity ground. With respect to safety there is an increased number of vehicles having to reverse onto the main Riverside road where the vision is obscured by hedges (Overdevelopment of the plot).

5. Scale of the extension. The extension has a footprint close to the existing 5 or 6 bedroom house, it has two levels and is uncomfortably close to the boundary fence with No 8 (estimated at less than 5 meters away). It is not in character with the rest of the Riverside development (overdevelopment of the plot).

6. Due to the height and close proximity of the proposed extension there will be a loss of light to our property during winter, late autumn and early spring. A single storey development would minimize this.

7. Rain water from all properties is managed via soakaways. It does not feed into the sewer system as this could lead to overloading of the sewer system and result in foul water discharge into the River Dee. The soakaway area required for the proposed extension and garage rebuild will almost double the existing requirement of the property. This will require a properly designed soakaway of significant size that does not impact adjacent properties. Consideration will also need to be given to where the soakaway will drain and the significant potential that tree roots will be damaged during the implementation (link with Development Manager/Environmental Services comments with respect to damaging trees) (overdevelopment of the plot).

#### 8. Environmental

- Impact on trees external to the property not identified in the plans. Some trees overhang the property and currently occupy space earmarked for the extension. In addition trees/branches will/may need to be cut to allow construction (overdevelopment of the plot).
- High potential for external tree root damage for construction of the garage and soakaways (overdevelopment of the plot).
- Destruction of garage and rebuild of new garage in alternative location. Have other options been investigated to prevent what appears to be a perfectly functioning garage being destructed and effectively relocated. Waste of materials/resources with associated unnecessary impact on the environment.
- Construction work to be planned to minimize impact on wildlife, mainly bats. Its common to find

these in the house, garage and other out buildings.

9. No opportunity to discuss the detail of the extension and garage rebuild with No 7.

#### Additional Data

No 7 Riverside is one of 13 properties on Riverside. These properties are served by a private road, have their own sewage system that discharges into the River Dee, their own street lighting and amenity area. All the residents are responsible for these areas paying a joint share for maintenance (including grass cutting, snow clearing, soakaways and any other maintenance costs) with payments made through an appointed factor.

When we moved into our property (No 8) our solicitor had a number of the key burdens that I believe are common to all Riverside properties written in plain English. A number of these burdens we believe are particularly relevant to No 7's planning application and its use, namely;

- a) 'Your property is to be used as a private residential dwelling house for one family and for no other purpose. Therefore you are not permitted to subdivide your property or to erect any other building on your property without prior written consent.'
- b) 'You are forbidden to carry on upon your property any trade, business or profession. Therefore, you are not permitted to sell any alcohol from your property or to make or manufacture any goods for sale. You are also prohibited from placing any board, card, plate or advertising notice upon your property, except for the purpose of lease or sale. In general you are required to refrain from any activity which may cause a nuisance or disturbance to your neighbors.'

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Address: 7 Riverside Blackhall Banchory Aberdeenshire AB31 6PS

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Case Officer: Louise Smith

## Customer Details

Name: Peter & Susan Greaves

Address: 10 Riverside Blackhall Banchory AB31 6PS

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We have the following concerns reference planning application APP/2021/1899;

Over development of the site;

- Will impact and change the current carefully thought out 13 house Riverside Development both through this planned substantial extension and by the precedence it sets.
- The 13 houses that form the Riverside development are substantial 5/ 6 bedroomed dwellings carefully positioned within their own grounds. This extension due to its size will change that dynamic that has largely existed since the properties were originally constructed around 30 years ago.

Impact on direct neighbours at No 6 and No 8 Riverside;

- The impact of this application, if approved, will be substantial on house No's 6 and 8 as described in their logged planning application comments which we endorse.

Suitability of the existing infrastructure;

- Exacerbate existing flooding issue at Riverside in times of heavy rainfall due to loss of soak-away area
- Potentially overload drainage system
- Potentially overload sewage system
- Additional traffic at Riverside (road user safety concerns) and potential increased use of common amenity ground as a car park overspill for No 7.

Environment Impact;

- Loss of trees and green space natural habitat for our red squirrel, bat, pine martin, bird and insect community.

# Comments for Planning Application APP/2021/1899

## Application Summary

Application Number: APP/2021/1899

Address: 7 Riverside Blackhall Banchory Aberdeenshire AB31 6PS

Proposal: Alterations and Extension to Dwellinghouse and Erection of Replacement Garage

Case Officer: Louise Smith

## Customer Details

Name: Clare and Martin Pritchett

Address: 6 Riverside Blackhall Banchory AB31 6PS

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object to this planning application. We consider that the proposal for a two storey semi-detached residential development plus an additional 'garage' building is over-development of the existing plot in relation to the existing five bedroomed house and in relation to the potential for up to four additional persons with associated vehicles to occupy this property.

We consider that this over-development has implications for safe vehicle access & egress; impacts on the safety of pedestrians & cyclists; visual amenity and overlooking; the existing foul drainage system; surface water drainage and existing trees.

We request that the following amendments are considered:

- reconfiguration and extension of the proposed driveway and parking arrangements to allow a vehicle to turn on the driveway and enter/leave in forward;
- a reduction in height of the hedges in the plot at the corner of the shared driveway/private road to allow for clear visibility splays for vehicles reversing down the shared driveway (all larger vehicles will be required to do this and not enter the private forecourt of the neighbouring property);
- removal of any windows from the proposed development where overlooking is contrary to policy - for example the north facing bedroom window immediately overlooking the shared space on the riverbank and the east facing window in the 'garage' building close to the boundary with neighbouring property;
- details of private foul drainage proposals on site to demonstrate that there is a solution should agreement not be reached or be possible to connect into the existing private shared foul drainage

system (with those currently responsible for the private system and in accordance with the SEPA CAR licence);

- amended layout to allow appropriate protection of the existing oak trees on the river bank;

- details of the soakaway proposals for surface water disposal on site appropriately sized and located within the layout with reference to existing trees to be retained and site boundaries.

# Comments for Planning Application APP/2021/1899

## Application Summary

Application Number: APP/2021/1899

Address: 7 Riverside Blackhall Banchory Aberdeenshire AB31 6PS

Proposal: Alterations and Extension to Dwellinghouse and Erection of Replacement Garage

Case Officer: Louise Smith

## Customer Details

Name: Mr graham searle

Address: 11 riverside Blackhall banchory ab31 6ps

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Given the size of the proposed extension, the plans should include a check that the capacity of the existing Riverside sewerage system (septic tank based with outfall to the River Dee catchment area) will not be exceeded.

In a similar way, the plans should include a check that the impact on the Riverside rainwater soakaway system will not result in an increased probability of roadway flooding as this is already an issue at times of high rainfall.