

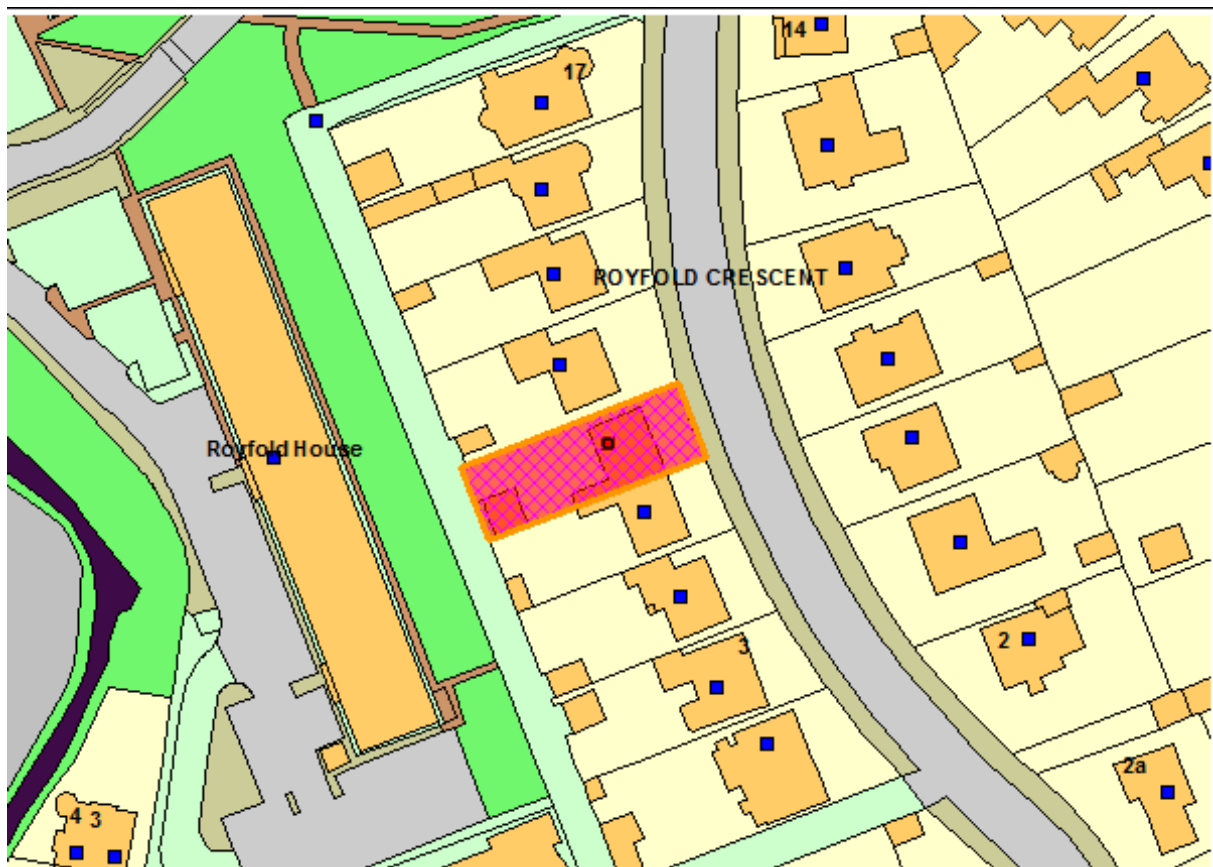


Planning Development Management Committee

Report by Development Management Manager

Committee Date:

Site Address:	9 Royfold Crescent, Aberdeen, AB15 6BH,
Application Description:	Erection of one and half storey extension to rear
Application Ref:	201627/DPP
Application Type	Detailed Planning Permission
Application Date:	23 December 2020
Applicant:	Mr Christopher Carry
Ward:	Hazlehead/Ashley/Queens Cross
Community Council:	Queen's Cross and Harlaw
Case Officer:	Jamie Leadbeater



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RECOMMENDATION

Approve Unconditionally

APPLICATION BACKGROUND

Site Description

The application site is the residential curtilage of a large 1½ storey semi-detached dwellinghouse with single storey rear annex and associated patio area on the western side of Royfold Crescent in the Queen's Cross and Harlaw area. Though nearby, the site lies c.60m to the north and west of the Albyn Place/ Rubislaw Conservation Area.

In terms of the site's context, a detached neighbouring dwellinghouse (No.11 Royfold Crescent) exists to the north, the adjoining semi-detached dwellinghouse (No.7 Royfold Crescent) sits to the south and a two storey office building (known as Royfold House) to the west of the site.

The application property sits several metres above the street level of Royfold Crescent which runs to the front (east). A rear lane serving the application property's detached pitched roof garage lies to the west of the site. The rear garden area of the application property is split-level, with land sloping uphill from the level of the dwellinghouse towards the garage and rear boundary with the lane. A hedge treats the shared rear garden (southern) boundary with the adjoining semi-detached dwellinghouse No.7 Royfold Crescent which rises up to approximately the same ridge height as the existing hipped roof rear annex, half of which is shared with the adjoining neighbouring property.

Relevant Planning History

Application Number	Proposal	Decision Date
110311	Existing single garage replaced with new double garage	12.04.2011 Approved unconditionally

APPLICATION DESCRIPTION

Description of Proposal

Detailed Planning Permission is sought for the erection of a 1½ storey extension to rear of dwellinghouse to form a utility room and family room at ground floor level with an en-suite master bedroom at first floor level.

The proposed extension would measure 5.1m wide and have an asymmetric gable form with the eaves level on the southern boundary set at 3.5m following the roofline of the existing single storey annex and the eaves on the northern elevation would be set at the same level as the main house (3m). The projection of the extension would be c. 6.8m and ridge height of the extension would be set at 6m.

The extension would be finished in a white harled render and slate tiles to match the existing dwelling. The proposed hipped dormer would be finished in a slated roof and haffits with white UPVC linings on its frontage on either side of a large casement window. The window in the gable serving the en-suite bathroom would contain obscured glazing. Two rooflights would be set in the north-facing roof slope, one over the en-suite and one set close to the roof junction with the main rear roof slope of the application property.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QLS8WSBZFKE00> .

- Design Statement

- Supplementary Planning and Design Statement

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the local community council has objected to the proposal and more than 5 letters of objection to the application were received.

CONSULTATIONS

ACC - Roads Development Management Team – No concerns. Two parking spaces which serve the dwellinghouse and the existing garage are to remain.

Queen's Cross & Harlaw Community Council – Object. The proposed extension would not comply with policies D1 and H1 in the Aberdeen Local Development Plan 2017 and would not comply with the relevant projection guidance set out in the Householder Development Guide SG. Specifically, the proposal result in overdevelopment of the site. Furthermore, the community council endorses the concerns expressed by the adjoining neighbour (No.7 Royfold Crescent). These concerns include suggesting the proposal would have an adverse impact on the residential amenity of adjoining neighbouring in respect of privacy, sunlight and daylight to the properties rear windows and garden, the proposal would set a negative precedent for further overdevelopment of properties on Royfold Crescent, the proposed gable end design would be out of keeping with the street, as well as citing the extension would present issues for maintenance of the neighbours roof and boiler flue.

REPRESENTATIONS

A total of 6 representations have been received, all of which object to the application. Their reasons can be summarised as follows:

- Proposed extension would have an adverse impact on the residential amenity of adjoining property No.7 Royfold Crescent in terms of privacy, daylighting and sunlighting to rear windows and garden space;
- Extension would not be in-keeping with the character of the adjoining semi-detached house in terms of scale and roof formation;
- Extension would be at odds with the character and layout of other properties on Royfold Crescent;
- Extension would not be visually subservient to the main building and would overdevelop the site;
- Extension would set a precedent for similar developments on Royfold Crescent;
- There is no precedence for an extension to semi-detached properties on Royfold Crescent;
- The projection of the extension would exceed the planning guidelines limitations for semi-detached dwellinghouses;
- The proposed extension would cause maintenance issues for No.7 Royfold Crescent's boiler and guttering in their half of the single storey rear annex; and,
- The proposal is at odds with one of the Householder Development Guide's main aims which is to "restrict the incremental expansion of traditional buildings";
- The proposed extension would not be 1½ storey in scale as described on the application, but instead 2 storey and therefore is misleading.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where,

in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

Scottish Planning Policy was approved on 18 December 2020. In February 2021, a Judicial Review of the decision of the Scottish Ministers on 18 December 2020 to amend Scottish Planning Policy (2014) as set out in 'Scottish Planning Policy Finalised Documents' and to publish 'Planning Advice Note 1/2020' was lodged with the Court of Session. As it stands, SPP2020 remains in place and is a relevant consideration in the determination of all planning applications.

Aberdeen Local Development Plan (ALDP) 2017

- Policy H1 – Residential Areas
- Policy D1 – Quality Placemaking by Design

Supplementary Guidance (SG)

- Householder Development Guide

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case by case basis. The following policies in the Proposed Plan are considered relevant:

- Policy H1 – Residential Areas
- Policy D1 – Quality Placemaking
- Policy D2 – Amenity

EVALUATION

Principle of Development

The site falls within a "Residential Area" designation on the ALDP Proposals Map to which Policy H1 in the Aberdeen Local Development Plan (ALDP) applies. Policy H1 supports new residential development within such areas providing it satisfies the following criteria:

- 1) Does not constitute "overdevelopment";
- 2) Does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3) Does not result in the loss of valuable and valued open space; and,
- 4) Complies with supplementary guidance (the Householder Development Guide in this case).

Overdevelopment

Guidance over what constitutes “overdevelopment” is primarily considered against General Principles 4 and 5 under Section 3.1.4 in the Householder Development Guide SG, which states that the built footprint of a dwellinghouse as extended should not exceed twice that of the original dwelling and no more than 50% of the rear curtilage of a dwelling should be covered by development. The interpretation of ‘overdevelopment’ can also have a three-dimensional element arising from the scale and massing of an extension relative to its parent building, which could be interpreted from varying surrounding viewpoints to a development which relate to the requirements of General Principle 1 in the SG. In this regard overdevelopment can arise from and be related to a sense of ‘overbearing’ from a structure. This matter is covered in both the following subsections on “character impact” and “residential amenity impact” as they are intrinsically connected considerations.

Upon review of the proposal’s footprint relative to existing building and size of the rear garden area, the extension would neither more than double the application property’s original footprint nor would it take up more than 50% of the rear garden ground. As such, the proposal would not result in overdevelopment of the site in that the proposed development is proportionate in scale to the site area without significantly compromising the level of amenity space afforded to the applicants within their residential curtilage

Character Impact (including scale and design considerations)

Scale and Design

Section 3.1.4 of the SG states that extensions should be architecturally compatible in scale and design with the existing building, ensuring they do not overwhelm/dominate the existing building. Furthermore, Section 3.1.5 of the Householder Development Guide SG states that single storey extensions to semi-detached dwellinghouses should have a maximum projection of 4m along mutual boundaries and two storey extension should have a maximum projection of 3m in the same circumstance.

The proposed extension would exceed the proposed projection limits for both single storey and two storey extensions as suggested by the SG, as pointed out by objectors, but equally the extension would maintain the same projection (6.8m) as the existing single storey rear annex to the application property. As such, it would be reasonable to allow the applicant to maintain the same projection, subject to demonstrating that the additional height and massing of the extension is acceptable from a design and amenity perspective, the latter of which shall be covered under the “residential amenity impact” sub-heading below.

It is accepted that the extension would result in a notable increase in the height, width and massing of the existing single storey annex, however given the application property’s unusually large roof proportions the extension could be absorbed into the rear roof plane and yet appear visually subservient. In being more specific, the ridge of the extension would sit significantly below the principal ridgeline of the existing roof and the width (5.1m) of the extension would extend across half the width of the application property – as opposed to the current rear extension/annex being 2.5m wide. In addition, the eaves height of the extension on the western elevation would also tie in with the main eaves height of the existing building and the eastern eaves height would tie-in with the ridge of the adjoining properties rear annex, and would therefore read as an extension to this existing roof. As such, collectively, this design would render the proposal as being subservient in scale to the application property. The applicant’s submitted 3D model best conveys this. Not only would the scale of the extension appear subservient to the application property, but the proposed external finishes to the extension would be complementary to existing finishes to the building. Furthermore, the form and finishes of the proposed dormer window would

be in-keeping with the character and appearance of the existing dormer on the rear of the application property.

The proposed straightened gable end roof formation would alter the form of the roof to the rear of the application property, as pointed out by objectors, but there is no specific policy restricting this. The merits of this change need to be evaluated within the site's context and relationship to the street. As set out above, the extension would not be visible from the street and therefore the change in roof formation would not fundamentally alter the character of the application property or its adjoining semi when viewed from Royfold Crescent. It should also be noted that gable end features are already present on the streetscene within the envelope of properties at Nos. 3 and 6 Royfold Crescent. Taking the aforementioned considerations into account, the use of a straightened gable roof formation is considered acceptable in this context. The Planning Authority would, however, need to assess the amenity implications of such a roof formation on the amenity of adjoining neighbours which is covered in the "residential amenity impact" sub-heading to follow.

The owner in the adjoining semi-detached dwellinghouse has objected to the proposal on the basis that increased scale and massing of the extension would result in 'overdevelopment' of the site. As set out in the "overdevelopment" subsection above, the proposed extension would not 'overdevelop' the site when considered in the context of General Principals 4 and 5 of the SG. The adjoining neighbour raises concerns regarding the increased height and mass of the application property along the shared boundary, giving rise to a feeling of the applicant's garden becoming overdeveloped, and thus reducing their outlook from their garden. These concerns really relate to a perceived 'overbearing' impact which is addressed under the "residential amenity impact" subheading below. For the avoidance of doubt, given it has been concluded that the scale of the extension would be proportionate the site area, without unduly compromising the level of amenity space afforded to the application property and the scale of the extension is subservient and would not overwhelm the application property, then proposed development would not result in 'overdevelopment'.

The owner of the adjoining semi-detached property has also suggested that the description of the application is misleading insofar that the proposed extension should be described as 'two storey extension' rather than a 'one and half storey' extension. Although the extension would provide two floor levels of accommodation inside the extension, the proposed first floor bedroom and en-suite bathroom would be contained within the roofspace and served by both a single dormer window and rooflights, both of which are appropriate design features which both sit comfortably within the northern roof plane and respect the character and appearance of the existing dwellinghouse. Although the location of the proposed dormer would be in an off-set position, there is considered reasonable justification for this as set out in the "residential amenity impact" section to follow.

Wider streetscape and townscape impact

As indicated above, given the subservient height of the extension relative to the application property's main ridge height, the proposed extension would not be visible from Royfold Crescent and therefore would have no overt visual impact on the character of the Royfold Crescent streetscene. Furthermore, although a lane serving properties 1 – 9 Royfold Crescent exists to the rear (west), the extension would be set 15m back from the lane with the applicant's garage set in front of it and it is already enclosed by tall vegetation of the eastern side and an office block on the west side. As such, the proposed extension would have no undue prominence from the lane.

In terms of wider perspective, the proposed extension would not be visible from the Hill of Rubislaw to the north-northwest or neither from Queen's Avenue nor Queen's Road to the south. There would also no clear views from Anderson Drive to the east. As such, it is considered the proposed extension would have no townscape impact at all.

Subsequently, it is considered the proposed extension would be of a scale and design that ensures it has an acceptable impact on the character of the surrounding area. It is hoped this may allay the community council's and objector's relevant concerns.

Residential Amenity Impact

The three main considerations for assessing the impact of the proposed development on neighbours' residential amenity in line with the guidance set out in appendices 2 and 3 in the Householder Development Guide SG are: privacy, daylighting and sunlighting (overshadowing). In addition, the Planning Authority may wish to consider any potential 'overbearing' impacts arising from a development should extensions increase the height and massing of a property close to neighbouring properties.

Impact on 7 Royfold Crescent

In terms of privacy, the proposed extension would have no adverse impact on this property given no new windows within the extension would be directly orientated towards the neighbours garden ground or look directly into windows serving the neighbour's habitable rooms. The concerns from the adjoining neighbour are noted in relation to the window in the gable serving the en-suite bathroom, but the applicant has proposed obscure glazing. Notwithstanding, even if obscure glazing were not installed it is not felt the proposed en-suite window would have an undue impact on the neighbour's privacy in their rear garden given the window is set c. 2.3m off the mutual boundary and is orientated down the applicant's garden. Furthermore, even if views into No. 7's rear garden ground could be obtained they would be very limited and would likely impact a small area inside the shared boundary which is covered by vegetation. The risk of overlooking is further reduced by the fact bathrooms are regarded as 'non-habitable' rooms in the Householder Development Guide SG and are used very intermittently.

With regards to daylighting, upon applying the 45-degree assessment method set out in Appendix 2 of the Householder Development Guide, given the proposed extension would maintain the same roof pitch angle as the single storey annex on the neighbour's property, the proposed extension would have an acceptable daylighting impact on windows serving habitable rooms on the rear elevation of the neighbour's property. Furthermore, given the proposed extension's eaves height on the southern side would mirror the ridge height of the existing extension and would align its southern roof plane with the angle of the neighbour's single storey annex roof couple with the proposed extension's roof ridge being set 2.5m off the shared boundary, it is not considered the proposed extension would have an unacceptable overbearing impact on the adjoining neighbouring property window the neighbour's garden ground.

With regards to sunlighting (overshadowing), given the extension would lie to the north of the neighbours garden ground and the sun sets in the west, then the proposed extension would not give rise to any significant additional overshadowing to the neighbours garden area at any time of the day. Shadow study diagrams on pages 12 and 13 of the applicant's submitted Design Statement show that even at 5pm and 9pm in the height of summer – when the neighbours rear garden is likely to be in greatest use – there would not be any significant changes to shadows cast over the neighbouring property other than part of the roof which does not contain windows.

Taking into account the above considerations, the proposed extension would have an acceptable amenity impact on this property.

Impact on 11 Royfold Crescent

In terms of privacy, whilst the proposed dormer window serving a habitable bedroom would be orientated to face this property, it would directly face the roofspace of the property as opposed

to be directly overlooking the neighbours rear garden area. Other mitigating factors in suppressing concern that the proposed dormer would adversely harm this neighbouring property's private amenity include existing mature vegetation along the shared boundary and also the fact that an existing dormer window exists in the application property which lies much closer to the shared boundary and may also afford some degree of overlooking into No. 11 Royfold Crescent's rear garden ground. As such, the proposed dormer is not considered to raise any significant material change in the privacy relationship between the application property and neighbouring property No. 11.

With regards to the daylighting and sunlighting (overshadowing), although the proposed extension would sit to the south of No. 11, there would be a circa 8m separation between the proposed extension and the shared northern site boundary. This separation distance would be sufficient to mitigate any undue loss of daylight to the neighbour's rear (west facing) windows or creation of additional overshadowing within the neighbour's rear garden area. It should also be noted that the neighbour's rear garden is already well populated with trees and other vegetation which causes overshadowing within the neighbour's own garden ground, particularly during later times in the day.

Taking into account the above considerations, the proposed extension would have an acceptable amenity impact on this property.

Loss of open space

The application site lies within a defined residential curtilage and therefore the proposal would not give rise to the loss of valued or valuable public open space.

Compliance with Householder Development Guide Supplementary Guidance

It is accepted that the projection of the proposed 1½ storey extension would not accord with the desired limits set out in section 3.1.5 the SG, but the extension builds upon an existing footprint. Furthermore, it is considered the scale and design of the extension would ensure the proposal complies with General Principles 1, 4 and 5 in Section 3.1.4 of the SG for house extensions. In addition, it is considered the proposal would not have an unacceptable residential amenity impact on immediate neighbouring properties and therefore the proposal would comply with the requirements of General Principle 2 in the same section of the SG. As such, taking all these considerations into account, it is considered reasonable to conclude that the proposal would comply with the SG.

Subsequently, given this is considered to be the case and mindful that the proposal is considered to satisfy all other requirements of Policy H1, the proposal is considered compliant with Policy H1 in the ALDP. Furthermore, given the requirements of Policy H1 align with the relevant expectations placed upon the proposal under Policy D1, the proposal is also considered compliant with this policy in the ALDP.

Roads safety impact

The Council's Roads Development Team has been consulted on the proposals to determine if they would create any road safety concerns. Upon receiving confirmation from the applicant that the existing car parking provision is to remain, they have no concerns arising from the proposal.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (ALDP) substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both Plans for the reasons previously given.

Matters raised in representations not yet addressed

- *The proposed extension would cause maintenance issues for No. 7 Royfold Crescent's boiler and guttering in their half of the single storey rear annex* – These are civil matters and not material planning considerations. Therefore, they cannot be taken into account in determining the merits of the proposal;
- *Extension would set a precedent for similar developments on Royfold Crescent* – Each application is determined on its own merits;
- *There is no precedence for an extension to semi-detached properties on Royfold Crescent* – The application property and adjoining property No. 7 Royfold Crescent are the only semi-detached dwellinghouses on the street. Just because neither of these properties have been extended, should not mean that no extensions are permissible to these properties both now and in the future;
- *The proposal is at odds with one of the Householder Development Guide's main aims which is to "restrict the incremental expansion of traditional buildings"* – Whilst the application property is regarded as 'traditional' in design, it has not been extended to date and the proposed development would represent the first significant expansion to the building. As such, the proposal is not at odds with this aim. The aim seeks to restrict extension upon extension to a traditional building.

Conclusion

Overall, whilst the concerns of Community Council and objectors are acknowledged, it is considered, the scale and design of the proposed extension would have an acceptable impact on the character of the surrounding area and the residential amenity of neighbouring properties. As such, the proposal is considered compliant with policies H1 and D1 in the Aberdeen Local Development Plan 2017. In the absence of any other overriding material considerations, the application is recommended for approval.

RECOMMENDATION

Approve Unconditionally

REASON FOR RECOMMENDATION

The proposed extension - by virtue of its siting, scale and design – is considered to be compatible with the scale and architectural style of the application property, without unduly affecting the existing level of residential amenity afforded to neighbouring residents. As such, the proposal is considered compliant with Policy D1 (Quality Placemaking by Design) and Policy H1 (Residential Areas) in the Aberdeen Local Development Plan 2017, policies D1 (Quality Placemaking), D2 (Amenity) and H1 (Residential Areas) of the Proposed Local Development Plan and Supplementary Guidance: The Householder Development Guide. No other material considerations dictate otherwise and therefore the proposal is considered acceptable.