



Strategic Place Planning

Report of Handling

Site Address:	30 Cruickshank Crescent, Bucksburn, Aberdeen, AB21 9BT
Application Description:	Erection of single storey rear extension, porch to front and first floor side extension over garage
Application Ref:	220891/DPP
Application Type:	Detailed Planning Permission
Application Date:	14 July 2022
Applicant:	Mr Mariusz Crudzien
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Bucksburn and Newhills
Case Officer:	Sam Smith

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises a two-storey end-terrace dwelling in a residential area, sharing a boundary with 32 Cruickshank Crescent to the southwest. The dwelling has a south-east principal elevation that fronts onto Cruickshank Crescent and to the northwest sits the rear garden of the site that adjoins the rear gardens of other properties. There is an existing driveway to the northeast of the site that adjoins the driveway at 28 Cruickshank. The existing dwelling is finished in a mix of stone chip render and brick, fitted with a white PVC door and windows and a slate roof.

Relevant Planning History

No relevant planning history.

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought for proposed works, which consists of two extensions to the side and front of the dwelling.

To the front or south east, a porch extension has been proposed. This would measure 2.5m in width and 1.88m in length. The porch would have a door and glazed panel with a width of 1.59m on the front elevation with windows on the southwest and northeast elevations measuring 950mm in width and 1.3m in height.

To the side or northeast, a two-storey extension would form a first-floor extension sitting over a carport that would extend the existing width of the dwelling. The extension would measure 6.18m in length, 2.83m in width and 7.56m in height to the proposed ridge, which sits 215mm below the ridge of the existing dwelling. The front elevation of the extension would have a window that measures 1.36m in width and 1.24m in height and the rear elevation would have a window on the rear elevation measuring 770mm in width and 1.24m in height. The proposed carport would measure 2.71m in width and 6.18m in length, with an access width of 2.61m. The external wall of the carport, supporting the proposed first-floor extension would measure 170mm in width.

Both the proposed extensions would be finished in materials to match the existing dwelling.

A rear extension is also proposed that would form a kitchen to the rear of the dwelling. This extension is considered to be permitted development and thus does not form part of this application and will not be assessed.

Amendments

The proposed porch has been reduced in size at the request of the Planning Service.

Supporting Documents

All drawings can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=REYV47BZHVH00>

CONSULTATIONS

ACC - Roads Development Management Team – No objections to the proposal.

Bucksburn and Newhills Community Council – No comments received.

REPRESENTATIONS

None

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 (SPP)

Development Plan

Aberdeen City and Shire Strategic Development Plan 2020

The current Strategic Development Plan for Aberdeen City and Shire was approved by Scottish Ministers in September 2020 and forms the strategic component of the Development Plan. No issues of strategic or cross boundary significance have been identified.

Aberdeen Local Development Plan 2017

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within five years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this five-year period. Therefore, where relevant, weight should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: "Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration.

The following policies are relevant –

Policy H1: Residential Areas
Policy D1: Quality Placemaking by Design

Supplementary Guidance

Householder Development Guide (HDG)
Transport and Accessibility

Proposed Aberdeen Local Development Plan 2020

The Report of Examination on the Proposed Aberdeen Local Development Plan 2020 (PALDP) was received by the Council on 20 September 2022. The PALDP constitutes the Council's settled view as to the content of the final adopted ALDP and is now a material consideration in the determination of planning applications. The exact weight to be given to matters contained in the PALDP (including individual policies) in relation to specific applications will depend on whether –

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The following policies are relevant –

Policy H1: Residential Areas
Policy D1: Quality Placemaking
Policy D2: Amenity

EVALUATION

Principle of Development

The application site is located in a residential area, under Policy H1: Residential Areas of the ALDP, and the proposal relates to householder development. Householder development would accord with Policy H1 in principle if it does not constitute over development, adversely affect the character and amenity of the surrounding area, result in the loss of valued and valuable open space and it complies with the Supplementary Guidance, in this case the Householder

Development Guide (HDG). Additionally, the Transport and Accessibility Supplementary Guidance is also relevant to the assessment of this application in relation to the impact on amenity.

The main planning considerations for this proposal relate to the design of the extension in the context of the existing dwelling as well as the surrounding character and appearance of the residential area. There is also a consideration for the loss of amenity to the neighbouring dwelling in relation to privacy, daylight, sunlight and general amenity due to the proximity of the proposed extension to 28 Cruickshank Crescent and sitting on the boundary of a shared driveway area with no existing boundary treatment.

The site comprises an existing residential curtilage and the proposal would thus not result in the loss of any valuable or valued open space. All other matters, included over development, are discussed below.

Scale and Design

The footprint of the existing dwellinghouse is 41.72m². As the footprint of the proposed extensions equates to 22.3m², the erection of these extensions would not result in the doubling of the footprint of the dwellinghouse. The area of the rear curtilage around the existing dwelling is 208.34m². As the combined footprint of the existing shed and proposed side extension is 30.61m² the side extension would not result more than 50% of the rear curtilage area be covered in development. In addition, the footprint of the front curtilage is 59.22m² and as the proposed porch has a footprint of 4.69m², it would not result in more than 50% of the front curtilage area be covered in development. As such, the proposal is not considered to result in over development and therefore complies with the relevant parts of Policy H1.

To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1 of the ALDP. While this policy recognises that not all development will be of a scale that makes a significant placemaking impact but recognises that good design and detail adds to the attractiveness of the built environment. Supplementary Guidance expects extensions to be architecturally compatible in design and scale with the surrounding area and for the materials used to be complementary to the existing building. Furthermore, extensions are required to be subordinate in size to the original dwelling. Extensions of more than one storey to a terraced or end-terrace dwelling will normally be refused where it sits on a mutual boundary unless the site is subject to specific circumstances to justify it.

In this case, the siting of the proposed extension would be acceptable in the context of the site as it would sit to the side of the end-terrace dwelling, sharing a boundary with an adjacent set of dwellings rather than to the rear and it is accepted that there are other examples of two-storey side extensions in the surrounding area. As such, because of its location and overall height, which sits just below the ridge of the existing dwelling, the extension is considered subordinate and therefore with respect to this aspect of the proposal would be deemed acceptable. However, the Planning Service still need to establish if the overall scale would be appropriate, especially when considering the potential impact on both the visual amenity of the area and residential amenity of the neighbouring property.. These considerations have been assessed below.

The proposed side extension is of a form that is considered compatible to the existing elevation of the dwelling, with a pitched roof of the same shape as the existing. In terms of design, the extension would result in a completely solid wall on this north-east elevation, while there is only a ground-floor door on the existing elevation, there would be a minimal change in appearance to the solid wall. However, as the extension would sit on the shared boundary with 28 Cruickshank Crescent, the development would have a negative overbearing visual impact for the neighbouring residents due to the massing and the fact it would sit closer to the neighbouring property than the existing north east elevation. In relation to the front and rear elevation, the windows on the side

extension are not centrally aligned and are of a different size and vertical position to the windows on the existing dwelling. These windows are therefore considered to sit uncomfortable on the respective elevations and are not considered consistent with the existing dwelling.

It has been noted as part of the submission of this application that there are two extensions at 20 and 22 Marischal Gardens with the same design as the proposed. These two extensions are formed of a two-storey side extension with a first-floor window, aligning with the existing windows on the dwellings, and ground floor enclosed garage. This design is considered to be compatible with their respective existing dwellings as it shows a continuation of the existing building design as well as the existing street scene, extending the appearance of the terraced building line. These two extensions are also considered to have less of a visual impact than the proposed development and are therefore not considered to be of the same design as the proposed extension. The photograph submitted showing the unfinished garage at 22 Marischal Gardens shows the enclosed garage at 20 Marischal Gardens to be less prominent than an open car port, which is the current unfinished form at 22 Marischal Gardens. Therefore, a two storey extension has the potential of being acceptable if it was of a similar design, consistent with the existing dwelling and would not result in a negative impact on the amenity of the neighbouring dwelling.

In relation to the proposed porch, front extensions are required to be of a scale and design that is complementary and consistent with the existing dwelling. Further to this, porches should be modest, avoid incorporating additional rooms and be designed with a substantial proportion of glazing as to not detract from the original dwelling or character of the streetscape. Any proposed front extension should have due consideration for the appearance and character of the existing building line. The scale of the proposed porch is considered to be appropriate in the context of the existing dwelling as it is of a similar width to the existing entrance canopy on the dwelling and would be of a similar design to the existing door and window on the front elevation. The height is also considered subordinate as it is a single storey porch extension which sits comfortably below the first-floor windows on the dwelling. In addition, the porch is considered to have been designed with sufficient glazing to minimise the visual impact it would have on the street scene. The proposed porch does not contain an additional room and would therefore comply with relevant guidance.

There are no approved existing front porches along Cruickshank Crescent and the addition of a porch at 30 Cruickshank Crescent would impact the existing building line as it would be the only dwelling with an extension forward of this line. However, this would not have a detrimental impact on the appearance of the surrounding area due to the range of boundary treatments to the front of dwellings along Cruickshank Crescent, with hedges, retaining walls and boundary walls to the front of dwellings and sections of terraced and semi-detached dwellings breaking up building line. As the porch would be of an appropriate scale and design and would have a minimal impact on the appearance of the street scene, it would be considered acceptable.

While the proposed porch can be accepted given its suitable scale and design which would not pose a detrimental impact on the existing dwelling and surrounding area, the scale of the proposed side extension is considered an issue overall. Additionally, the design of the extension is considered to diverge from the design of the existing dwelling and is not considered to be in keeping with the appearance of the surrounding area. Therefore, based on the above assessment, the proposal overall would be in tension with Policies H1 and D1 of the ALDP. However, due consideration is required to be given to the remaining criteria of Policy H1, as discussed below.

Amenity

No extension should result in the amenity of any neighbouring property being adversely affected. Due to the proximity of the proposed extension to the semi-detached boundary, the level of blocked daylight and sunlight has been assessed in line with the methods set out in Appendix 2 of

the HDG. For the sunlight assessment, the 45° line has been placed at a height of 2m for extensions that are southwest of a potentially impacted area. This assessment has identified up to 2.5m of additional adverse overshadowing beyond the existing overshadowing caused by the existing dwelling to 28 Cruickshank Crescent. As the extension would sit on the mutual boundary adjacent to the driveway at the neighbouring property, any overshadowing would be confined to southwest elevation of the neighbouring property. It is noted and accepted that the proposed porch would not have an impact on overshadowing or loss of daylight as it sits 3.15m and 3.88m from the northeast and southwest boundaries, respectively.

Due to aforementioned overshadowing, there is a concern for loss of daylight to the neighbouring dwelling. The window on the first floor at 28 Cruickshank Crescent has been identified as a former bedroom that is currently being used as a storage room. As there is a potential for this room to be used as a bedroom at a later date and there are no other windows to this room, the 25° method has been tested to determine the impact on amenity to this window. An extension should fall under the 25° line drawn from the centre of a potentially impacted window to be considered to have a minimal impact on daylight received by the window. This assessment has found that the proposed extension sits at a height of 1.54m above the height of this line, having a significant impact on the light received by this room. There is also a side door on the southwest elevation of the neighbouring dwelling. The 25° method has shown that the proposed extension would worsen, but not have a detrimental impact on, the loss of daylight to this door caused by the existing dwelling as it is a secondary access to the dwelling.

Once again the existing two-storey extensions at 20 and 22 Marischal Gardens have been used to justify this proposal, however, as these two extensions share a mutual boundary and neither have a window on the end elevation, they are not considered to have an adverse impact on the amenity to each other. In addition, the layout of each of these dwellings includes a first-floor window to the front and rear of the dwelling, allowing sufficient daylight receipt, in direct contrast to this application and site context. In light of this, the aforementioned extensions are not considered comparable and will not be discussed further in this evaluation.

As the extension would sit on the mutual boundary shared with 28 Cruickshank Crescent and measure 7.56m in height to the ridge, it would have an overbearing impact on the neighbouring property. While this space is used as a driveway, such an impact could be accepted, if it wasn't for the other issues related to this proposal. Additionally, as the existing neighbouring driveway is 2.72m in width, it falls below the standard 3m width for driveways as required in the Transport and Accessibility Supplementary Guidance. As the mutual boundary is currently not treated with anything, this driveway is able to be used to manoeuvre out of a car. However, should the proposed extension be approved and ultimately erected, it would have a direct impact on general amenity of this space.

In terms of privacy, the proposed extension would have windows to the front and rear of the extension. Due to the location of the proposed rear window being near the mutual boundary of the site, there is a potential for overlooking into the garden at 28 Cruickshank Crescent. However, as this is a semi-detached dwelling and there are existing first-floor windows at 26 Cruickshank Crescent, the extension would not have a detrimental impact on the privacy at the neighbouring site as there is existing overlooking into the rear garden. The proposed porch has windows on the northeast and southwest elevations. As this would be to the front of the building line, significantly visible from the public road, and would sit 3.15m and 3.88m from the adjacent boundaries, these windows are not considered to have a negative impact on the privacy of the neighbouring dwellings.

Overall, while an extension could be accepted, the proposed extension is considered to have a negative impact on the neighbouring dwelling in terms of lost daylight to the first-floor window on the south-west elevation which has no other windows to the space. Furthermore, there are

concerns regarding the fact the proposal would have an over bearing impact, as well as impacting on the general amenity of 28 Cruickshank Crescent. Therefore, the proposal would not comply with remaining criteria of Policy H1 of the ALDP.

Proposed Aberdeen Local Development Plan

The Report of Examination does not affect policies in a manner that is relevant to this application. The relevant PALDP policies substantively reiterate those in the adopted ALDP and therefore the proposal is acceptable in terms of both plans for the reasons previously given.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed extension is in tension with the relevant policies, as well as the standards set out in the Householder Development Guide as it would result in a negative impact on amenity for an adjacent property as daylight would be lost to the neighbouring gable window. Furthermore, the design of the proposed extension is not considered to be consistent and complementary to the existing dwelling and would be out of character with the surrounding area. The overall proposal is therefore not considered appropriate in the context of the site. As such, the proposal is not considered to comply with Policy H1: Residential Areas and Policy D1: Quality Placemaking by Design of the Aberdeen Local Development Plan, the Householder Development Guide Supplementary Guidance and the relevant policies of the Proposed Aberdeen Local Development Plan 2020.