



Strategic Place Planning

Report of Handling

Site Address:	1 West Craigbank Crescent, Cults, Aberdeen, AB15 9AU
Application Description:	Extension to existing garage to form recreational room above
Application Ref:	220358/DPP
Application Type:	Detailed Planning Permission
Application Date:	23 March 2022
Applicant:	Mrs Fiona Herrell
Ward:	Lower Deeside
Community Council:	Cults, Bieldside & Milltimber
Case Officer:	Ross McMahon

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises a large, modern, two-storey detached dwelling and its front, side and rear curtilage. The dwelling sits within a large corner plot fronting onto West Craigbank Crescent. A detached double garage sits to the south of the dwelling and is accessed via West Craigbank Crescent.

Relevant Planning History

None.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought to alter the existing detached double garage to accommodate a deeper floor plan and provide upper floor accommodation including a store, hallway, staircase, shower room, kitchen and multi-functional room, including the existing garage space. The altered structure would have a rectangular floor plan measuring c. 8.9m by 6m and a gable roof measuring c.4.1m to the eaves and 7m to the proposed ridge, thus becoming a 1¾-2 storey structure. Finishing materials would match those of the existing garage, including concrete roof tiles, dry dash render, pre-cast stone blockwork and door surrounds, black PVCu rainwater goods and white PVCu windows, doors and fascia.

Amendments

None.

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=R97847BZLS300>

CONSULTATIONS

Cults, Bieldside & Milltimber Community Council – No comments received.

REPRESENTATIONS

None received.

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.

Development Plan

Strategic Development Plan

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.

Local Development Plan

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 5 years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this 5-year period. The Proposed Aberdeen Local Development Plan 2020 has been submitted to the Planning & Environmental Appeals Division at the Scottish Government in July 2021. The formal examination in public of the Proposed Local Development Plan 2020 has commenced with reporters appointed. Material consideration will be given to the Proposed Local Development Plan 2020, in the context of the progress of its examination, in the assessment of planning applications.

Given the extant local development plan is beyond its five-year review period consideration, where relevant, 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 LR1 (Land Release Policy)
- 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 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. 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 of the Proposed ALDP are of relevance in the assessment of this planning application:

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)

EVALUATION

Principle of Development

The ALDP 'proposals map' identifies the entirety of the site being located within Opportunity Site 41 – Friarsfield (OP41). Policy LR1 (Land Release Policy) applies to development within such areas and where relevant to the proposal states that development on an allocated site or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused. The proposed development consists of an alteration/extension to an ancillary building associated with and existing dwelling delivered under OP41, and on that basis approval of the application would not jeopardise the provision of the allocation as required by Policy LR1.

The ALDP 'proposals map' also identifies the entirety of the site being located within a 'Residential Area'. Policy H1 (Residential Areas) applies to development within such areas, and states that a proposal for householder development will be approved in principle if it:

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 areas of open space; and
4. complies with SG.

There would be no loss of open space given the nature and type of development proposed, in that the proposal consists of an extension to and alteration of an ancillary building associated with an existing private dwellinghouse set within its established curtilage. Therefore, in terms of establishing the acceptability of the principle of the proposal in the context of Policy H1, provisos 1, 2 and 4, as set out above, are applicable. Where appropriate, such matters are discussed in the context of the Council's Householder Development Guide SG (hereafter referred to as 'SG'), below.

The Council's SG stipulates that no more than 50% of the front or rear curtilage should be covered by development. The footprint of the extended ancillary building would see the retention of a sufficient side/rear garden ground area. As such, and with regard to proviso 1, the proposal would not amount to overdevelopment of the site with regards to garden ground coverage.

Design & Amenity

Policy D1 (Quality Placemaking by Design) states that all development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials. 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. Further to the above, the Council's Householder Development Guide SG sets a number of general rules in respect of outbuildings, including garages, sheds and greenhouses:

- *Outbuildings must always be subordinate in scale to the dwellinghouse and two storey outbuildings will generally not be permitted.*
- *Where a second storey is to be accommodated within a pitched roofspace, outbuildings should retain the impression of being single storey in height and dormers will not be permitted as a means of gaining additional headroom.*
- *Access to an upper floor should be situated internally.*
- *Outbuildings should not have a negative impact on the character of the surrounding area.*
- *Where highly visible and especially in conservation areas, detached garages should be of a scale and design that respects the prevalent context of the surrounding area.*
- *Proposals will be assessed on their impact on the amenity of the area (e.g. loss of daylight/privacy) in the same way as extensions (see 'Residential Amenity' section, below).*
- *Outbuildings will not usually be acceptable in front gardens because of the damaging impact development forward of a front building line can have on the visual character of an area.*

The proposed extended ancillary outbuilding fails to comply with the majority of the above requirements. The proposed structure, owing to its resultant size and scale in combination with its siting and exposure to adjacent roads and footpaths, would have a significant detrimental impact on the character and appearance of the area. The resultant outbuilding is not considered to be sufficiently subordinate in scale to the dwelling or appropriate to the wider streetscape and fails to respect the prevalent context of the surrounding area – the aforementioned SG notes that two storey outbuildings are generally not permitted. Second storeys, were permissible, should generally be accommodated within the roof space of a single storey structure.

Whilst there are no similarly sized structures within this parcel of dwellings, the Planning Service notes that similar structures have been constructed as part of a housing development to the east of the site, however, it should be noted that the context is wholly different from the application site in that the substantial ancillary structures have limited presence to the street, being set back behind and within the rear garden of substantial dwellings.

The Planning Service considers that a reduced version of the proposed scheme could be supported. A structure of a similar footprint with upper floor accommodation limited to the roof space only, may be supported by the Planning Service subject to detail and further review. This solution was offered to the applicant however the Planning Service received instruction to determine the application in its current form.

For the aforementioned reasons, the proposal fails to comply with key elements of the Council's Householder Development Guide SG, and additionally, fails to comply with Policy D1 (Quality Placemaking by Design) and Proviso 2 of Policy H1 (Residential Areas).

Residential Amenity

In respect of residential amenity, the Council's SG states that no extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected. In terms of daylight, respective calculations (i.e., the 45-degree method), as set out in Appendix 2 of the Council's SG, demonstrate that the size, scale and position of the proposed side extension relative to adjacent property are such that there would be no adverse impact to adjacent habitable room windows. With regards to sunlight, the position and orientation of the garage extension relative to the sun path shows that there would be no adverse impact upon the rear garden ground of adjacent property. Accordingly, it is considered that the proposal complies with the Council's SG in respect of ensuring that residential amenity is suitably maintained.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 substantively reiterate those in the adopted Local Development Plan, apart from Policy D2, which is a new policy aimed at protecting residential amenity. However, it is considered that this aspect has been sufficiently assessed by current policies. The proposal is unacceptable in terms of both Plans for the reasons previously given.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed garage extension/alterations by reason of its layout, composition, size and scale in combination with its location and exposure to the public road would cause harm to the visual amenity and character of the streetscape. The proposed extension is not considered to be suitably secondary to the host building owing to its size, scale and form. The proposal is therefore considered to have a detrimental impact on the character and appearance of the building and, owing to its exposed nature, the surrounding area. The proposed extension therefore conflicts with the relevant provisions of Policy H1 (Residential Areas) and Policy D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan 2017, including the Council's Supplementary Guidance: Householder Development Guide. On the basis of the above, it is considered that there are no material planning considerations of sufficient weight that would warrant approval of the application.