



**20 COLTHILL ROAD
ABERDEEN
AB13 0EF**

**NOTICE OF REVIEW UNDER
S.43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

in respect of

DECISION TO REFUSE PLANNING APPLICATION REFERENCE 181370/DPP

PAPER APART



1 Introduction

- 1.1 Planning application reference 181370/DPP was submitted to Aberdeen City Council on 1 August 2018, seeking:

“Erection of 2 storey gable end extension and single storey extension to rear at 20 Colthill Road, Aberdeen.”

- 1.2 Notwithstanding the description of the application, the proposed gable end extension would be better described as 1 ½ storey, this being the height of the existing dwelling, with no part of the proposed extension being any higher than this.

- 1.3 The application was refused on 9 November 2018, with the reason for refusal being given as:

“The proposal would not be architecturally compatible with the original dwelling in terms of its design and scale. The two-storey flat-roofed form and roof steeper pitch of the proposed side extension would overwhelm the 1½ storey gable roofed form of the dwelling and thus it would not appear subservient in terms of height, mass and scale. As the side extension would be readily publicly visible on the streetscape, it would have an adverse impact on the visual character of Colthill Road. The proposal would therefore adversely affect the character and visual amenity of the surrounding area. The proposal would therefore conflict with Policies H1 - Residential Areas and D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. There are no material considerations that warrant the grant of planning permission in this instance.”

- 1.4 It should however be noted that the reasons for refusal relate only to the impact that the side extension might have on the visual character and amenity of the area, with the Delegated Report [Document 16] in respect of the application expressing no other concerns with regards to the development proposed. Specifically, the Delegated Report states the planning officer’s view that:

- the proposed extension would not constitute over development, given that the proposal would in fact result in a reduction of the overall built footprint and complies with policy requirements in terms of plot ratio (with less than 50% of the rear curtilage being developed);



- there would be no adverse impact on the level of neighbouring residential amenity by way of sunlight, daylight and privacy; and
- the proposed single storey extension to the rear of the dwelling would be of an acceptable design and scale to the original dwelling and the surrounding area in terms of its ridge and eaves heights, its external finish which would resemble the principal elevation of the original dwelling and its roof pitch which would align with and match that of the main dwelling.

1.5 In light of the above, this Notice of Review focuses on the decision reached by officers in respect of the proposed side extension. A review of that decision to refuse the application is sought on the grounds that the proposed development:

- Is in accordance with the relevant Development Plan Policies, specifically Policy H1 – Residential Areas and Policy D1- Quality Placemaking by Design, in particular insofar as the proposed extension would be consistent with the prevalent character of the area and has been designed to reflect the six qualities of successful placemaking; and
- complies with the requirements of Supplementary Guidance: Householder Development Guide, in particular in terms of its height, mass and scale when considered against the original dwelling house.

1.6 In addition, it should be noted that:

- the proposed side extension would be permitted under permitted development rights [[Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992 \(as amended\), Schedule 1, Class 1B \[Document 20\]](#) (the GPDO)] if it were not within 10 metres of the boundary of the curtilage of the dwelling house, in that the proposed extension meets all the qualifying criteria for Class 1B development in all other respects. As such, a key question in the determination of the application should be whether the proximity to the boundary wall raises any material planning issues that would justify the application being refused. As outlined above, no such issues are raised, therefore the application should be granted for the reasons given in this paper apart.
- there are no provisions in either the Development Plan or associated Supplementary Guidance that would suggest that any of the elements of the proposed extension are unacceptable as a point of principle. That being the case and there being no features of the proposed extension that are not already



visible in the surrounding area, the assessment comes down entirely to a question of how the proposed extension relates to the existing dwelling house in terms of height and scale. As set out in detail below, the proposed extension provides additional internal space without exceeding the existing roof height, on a smaller footprint than the existing garage, hence it would seem difficult to conclude that it is not appropriate.

- there are no outstanding objections to the proposed development from either statutory consultees or neighbours.

1.7 A list of all documents submitted with the Notice of Review is included in Appendix One.

2 Background

2.1 The existing property is a modern gable roofed 1½ storey detached dwelling house with four bedrooms and an attached garage on the west side, located within an established residential area. In terms of materials, the building features include a mix of harling and wood cladding, with a pitched slate roof.

2.2 Along Colthill Road and within the surrounding streets, there is a mix of house styles and types, many of which have been extended or altered over the years. This includes properties of 1, 1 ½, and 2 storeys in height, both detached and semi-detached. While pitched roofs are a dominant feature, a range of different constructions are introduced by both traditional and box dormer windows, other roof extensions and external garages, including prominent flat roof elements. Essentially, the character of the area is not defined by a single architectural style, but by organic residential growth and development that has evolved over the years to accommodate residents' needs.

2.3 The current application seeks planning permission for a 1½ storey gable end extension and single storey extension to the rear to create improved internal living space for the applicants. In particular, the proposed works have been designed to:

- provide additional headspace in upstairs bedrooms and the main bathroom, where ceiling heights currently cause issues with use;
- create additional storage space, which the property currently lacks; and
- remove the fire risk currently posed by the stairwell in the kitchen required to access the bedrooms.



- 2.4 As emphasised above, no part of the proposed extension would exceed the existing 1½ storey roof height and, notwithstanding the planner’s description of the application, this should be characterized as a 1½ storey extension rather than a 2 storey one.
- 2.5 In terms of design, the proposed gable end extension effectively expands the internal living space over the existing flat roofed garage, incorporating this into the dwelling house, such that the whole forms a single coherent structure, rather being comprised of two separate elements that do not complement each other in either design or function. At the same time, the proposed gable extension pulls development in from the property boundary and has a smaller built footprint than the existing garage.

3 Policy context

- 3.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.2 In this case the application requires to be assessed against the Aberdeen City and Shire Strategic Development Plan (SDP) (2014) and the Aberdeen Local Development Plan (ALDP) (2017). Policies of particular relevance to this application are set out below.

Aberdeen City and Shire Strategic Development Plan (SDP) (2014) [Document 17]

- 3.3 The SDP’s vision for Aberdeen City and Shire is for it to be:

“...an even more attractive, prosperous and sustainable European city region and an excellent place to live, visit and do business.”

- 3.4 The proposed extension to 20 Colthill Road is intended to make the property a more attractive place to live in accordance with this vision.

Aberdeen Local Development Plan (ALDP) (2017) [Document 18].

- 3.5 The aim of the ALDP is for “...Aberdeen in 2035 to be a sustainable city at the heart of a vibrant and inclusive city region.”
- 3.6 The key ALDP policies and associated supplementary guidance relevant to this application are:



- Policy H1 – Residential Areas
- Policy D1 – Quality Placemaking by Design
- Supplementary Guidance: Householder Development Guide

3.7 Each of these is looked at in turn below, in doing which it should be noted that the ALDP stresses that:

“It is important to remember that development proposals will be assessed against a number of policies within the Local Development Plan so it must be carefully considered as a whole.”

3.8 The ALDP’s vision for Aberdeen as a place which offers a high quality of life requires the creation of sustainable communities in which amenity is maintained to a high level, with a wide choice of housing styles and types to be made available to everyone. Hence **Policy H1 – Residential Areas** states that, within existing residential areas and within new residential developments, proposals for new development and householder development will be approved if it:

- does not constitute over development;
- does not have an unacceptable impact on the character and amenity of the surrounding area; and
- complies with Supplementary Guidance.

3.9 As identified above, the Delegated Report for the application confirms that there are no issues with either the scale of development or potential impact on neighbouring residential amenity. As such, the only questions which arise are the extent to which the proposed gable end extension:

- relates to the character of the surrounding area; and
- complies with Supplementary Guidance.

3.10 Character is considered in paragraphs 3.11 to 3.14 below, and the Supplementary Guidance is considered in paragraphs 3.15 to 3.19.

3.11 In terms of character, the main concerns expressed by the planning officer in the Delegated Report were that the proposed gable extension would not be architecturally compatible with the original building and the surrounding area due to:



- the incorporation of a flat section of roof near the maximum height of the dwelling instead of terminating at a conventional gable end with a ridge, with this being publicly visible from Colthill Road;
- the pitch of the roof being approximately 45 degrees compared with 38 degrees on the main dwelling; and
- the use of harling as an external finishing material on the west elevation of the side extension, which would serve to accentuate the overall massing and two storey appearance of the extension.

3.12 While the proposed extension would incorporate a flat section of roof and a steeper roof pitch than currently exists on the main dwelling, neither of these features are out of keeping with the character of the surrounding area, which, as set out above, contains a variety of architectural styles and features, including both flat roof elements and roofs of various pitches. All of these are publicly visible from Colthill Road. Likewise, while the extension proposed in this instance does not exceed the existing 1½ storey height of the house, 2 storey buildings are in any event also part of the existing streetscape and character. Finally, in terms of finishing materials, the proposed elevations submitted with the application [Document 8] show a smooth white render, which would tie in to the existing render, and which is in keeping with finishing materials used elsewhere along the street. As such there is no justification for concluding that the proposed development is out of keeping with the surrounding area.

3.13 At the same time, consideration also needs to be given to **Policy D1 – Quality Placemaking by Design**, which requires all development to ensure high standards of design and to have a strong and distinctive sense of place, this being founded in context appraisal, detailed planning, quality architecture, craftsmanship and materials. In this regard, the proposed extension has been designed to bring together existing developed elements of the site to create a visually coherent building that sits well within the site.

3.14 In designing the proposed extension, account has been taken of those aspects of the six qualities of successful placemaking which are relevant to the proposal, as required by Policy D1 and set out below:

Distinctive – in responding to the site context and existing development on this as set out above;



Welcoming – in that details, materials and colour have been considered and chosen to be consistent with those featured on both the existing dwelling house and on neighbouring properties;

Safe and pleasant – in having no impact on adjoining residential amenity;

Adaptable – in that the proposed extension allows for effective use of the property both now and in the future;

Resource efficient – in allowing a family to continue to live in an existing building rather than moving to a greenfield site less accessible to services, facilities, employment and public transport.

3.15 The Council's **Supplementary Guidance: Householder Development Guide [Document 19]** provides more general rules that should be applied when planning permission is required for an extension. Again, only those provisions relating to the proposed side extension are considered in detail below, given the planning officer's view as outlined above that the proposed rear extension does comply with the Guidance.

3.16 For detached houses, the supplementary guidance generally supports two storey side extensions on detached properties of two storeys or more. It would therefore seem logical that one and half storey extensions should be supported on properties of one and a half storeys or more. This is also in line with the provisions of the GPDO outlined above, which generally permits extensions of more than one storey up to the height of the existing dwelling house. In line with these provisions, no part of the proposed extension would exceed the existing house height.

3.17 In terms then of general principles with which all proposed extensions must apply, the key one in respect of which the planning officer has expressed concerns is that:

"Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale."

3.18 With regards to these principles, it is submitted that:



- as outlined above, Colthill Road includes houses of a variety of designs and scales, with the proposed extension being consistent with the existing mix;
- likewise, the proposed render has been chosen to reflect the materials used both on the original building and elsewhere in the local area, although the specific materials to be used could be conditioned if those proposed were considered inappropriate; and
- the proposed gable end extension would not increase the overall house height and has a smaller footprint than the existing garage, as also highlighted above.

3.19 On the basis of the above, the proposed extension should be supported in terms of the Supplementary Guidance.

4 Precedent decisions

4.1 In terms of any reference to precedent decision, it must be stressed that every planning application requires to be considered on its own merits. This notwithstanding, the Delegated Report appears to draw heavily on the decision in respect of a proposed extension at 24 Colthill Road, which was refused in 2017 (Ref: 170234/DPP). However, while the Delegated Report indicates that this application was refused for similar reasons to the current proposal, it overlooks the fact that there were a number of other issues that also led to that decision being reached, including a proposed dormer window which was not considered to comply with the Supplementary Guidance in terms of its size, and concerns about overlooking from a proposed balcony. These issues do not arise in respect of the current application, a decision on which effectively turns on its height, scale and massing vis a vis that of the original dwelling house alone. And, for the reasons given above, there is no justification for refusing the proposed extension on these grounds.

4.2 Likewise, the requirement for each application to be considered on its own merits means that there is no justification for refusing the proposed extension on the basis of concerns about setting a future precedent. This is particularly so when all the proposed features already exist in the surrounding area, such that there would be no change to the area's character or the context against which any future proposals would be assessed.



5 Reasons for refusal

5.1 In light of the policy context outlined above – and the clear support for the proposed development identified within this – it is submitted that none of the reasons given for the application's refusal are justified as follows:

- **The proposal would not be architecturally compatible with the original dwelling in terms of its design and scale** – the proposed gable end extension has a smaller footprint than the existing garage and is no higher than the existing building, such that there is no justification for saying that it is not a compatible scale. It has also been designed to use materials that reflect those on the original dwelling house.
- **The two-storey flat-roofed form and roof steeper pitch of the proposed side extension would overwhelm the 1½ storey gable roofed form of the dwelling and thus it would not appear subservient in terms of height, mass and scale** – a variety of angles of roof pitch and flat roof elements exist in the surrounding area, with the proposed design both reflecting these and ensuring that the proposed extension does not exceed the existing roof height, while at the same time reducing the built footprint compared with that of the existing garage, such that there is again no justification for saying that it would not be of an appropriate height, massing or scale.
- **As the side extension would be readily publicly visible on the streetscape, it would have an adverse impact on the visual character of Colthill Road. The proposal would therefore adversely affect the character and visual amenity of the surrounding area** – as stated previously, all the features of the proposed extension already exist in the surrounding area and are publicly visible from the street, such as these would not have any adverse impact on its character or visual amenity.
- **The proposal would therefore conflict with Policies H1 - Residential Areas and D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'** – how the proposed extension complies with Policies H1 and D1 and the Supplementary Guidance: The Householder Development Guide is set out in paragraphs 3.9 to 3.19 above.
- **There are no material considerations that warrant the grant of planning permission in this instance** – as the proposed extension complies with the Development Plan and in the absence of any material considerations that indicate otherwise, the application should be granted.



6 Conclusion

- 6.1 For the reasons given above, it is submitted that the proposed development is in accordance with Development Policies Policy H1 – Residential Areas, Policy D1 – Quality Placemaking by Design and associated Supplementary Guidance: Householder Development Guide and, in the absence of any material considerations that indicate otherwise, the application should be approved.



Appendix One : List of documents submitted with Notice of Review

Planning application documents

1. Application Form
2. Site Location Plan
3. Existing Site Plan
4. Existing Elevations
5. Existing Ground Floor Plan
6. Existing 1st Floor Plan
7. Proposed Site Plan
8. Proposed Elevations
9. Proposed Ground Floor Plan
10. Proposed 1st Floor Plan
11. Neighbour Notification List
12. Roads Development Management Consultation Response 1
13. Roads Development Management Consultation Response 2
14. Roads Development Management Consultation Response 3
15. Decision Notice
16. Delegated Report

Policy Documents

17. Aberdeen City and Shire Strategic Development Plan (2014)
18. Aberdeen Local Development Plan (2017)
19. Supplementary Guidance (SG) Householder Development Guide

Other documents

20. Town and Country Planning (General Permitted Development) (Scotland) Order 1992
(as amended), Schedule 1, Class 1B

