



# Strategic Place Planning

## Report of Handling

<b>Site Address:</b>	1 Argyll Crescent, Aberdeen, AB25 2HW,
<b>Application Description:</b>	Erection of single storey extension and garage to side and rear
<b>Application Ref:</b>	181557/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	10 September 2018
<b>Applicant:</b>	Mr And Mrs Alan Caldow
<b>Ward:</b>	Mid Stocket/Rosemount
<b>Community Council:</b>	Rosemount And Mile End
<b>Case Officer:</b>	Sheila Robertson

## **RECOMMENDATION**

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Refuse

## **APPLICATION BACKGROUND**

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### **Site Description**

The application property, which comprises a late 19<sup>th</sup> Century, 2 storeys, end terraced dwelling, designed by JB Pirie and A Clyne, and is built of pink and grey granite. The property forms part of a Category "B" listed convex terrace of 13 nearly symmetrical dwellings sharing a private drive and gardens to the front elevations, set back from and located at the junction of Westburn Drive and Westburn Road. The curve of the terrace creates rear gardens which are arranged in a radial plan, with segmental private gardens and a communal green to the apex. To the rear of the dwelling, there is a single storey annexe which wraps around part of the western gable, to provide an entrance door to the side, and kitchen to the rear. The annexe is single storey with a hipped pitched roof; advanced to the right of the ground floor; projects approximately 5.3m from the rear building line; and is 6.3m in width including a 1.6m projection to the gable. The site is bound to the east by a neighbouring terraced dwelling, to the south by Westburn Road, to the north by a shared private garden ground area and to the west by a private lane. An access has been formed in the western boundary wall to permit car parking within the rear garden. The site is located within the Rosemount and Westburn Conservation Area.

### **Relevant Planning History**

Two applications for planning permission and listed building consent (982034) and (990486) for replacement windows, internal alterations and a double garage were refused in 1999. An application for Listed Building Consent/Planning Permission (000418) was refused in 2000 for a single garage, extension to dwelling house, alteration to boundary wall, formation of driveway and erection of gates. An application for Listed Building Consent/Planning permission (001148) for a driveway, alterations to boundary wall and erection of gates was approved in 2000. An application for Listed Building Consent/Planning Permission (021614) to erect a garage was refused in 2002. Listed Building Consent (070434) was granted in 2007 for a replacement door. Planning

permission (140817) was granted in 2014 to remove an existing attached shed and replace with 2 free standing sheds to the east and west of the rear extension.

## **APPLICATION DESCRIPTION**

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### **Description of Proposal**

Erection of a single storey extension projecting 7m from the rear of the existing annexe, extending across its full width and 1.4m beyond its western gable, giving a total width of 7.5m. It would sit 1.4m off the western boundary wall which is 1.6m in height. The extension would result in a rear annexe with a total projection of 12.3m from the main body of the house. The roof ridge height, eaves and roof profile would replicate those of the existing annexe although the extra width of the extension would require the roof to sit at right angles to the original roof. The extension would incorporate a single garage, to the immediate rear of the existing annexe, utilising the existing access from the lane, thereafter a sun room and utility room linked to the kitchen by a corridor, running along the eastern side of the extension behind the proposed garage, the opening formed from an existing window to the rear of the annexe. The rear wall of the existing annexe would be retained to form the inner wall of the proposed garage. The proposed extension would be constructed of coursed granite and natural slate; to the western elevation is proposed a single timber garage door with timber clad panels above and an external door to the utility room; the proposed north elevation have extensive timber framed glazed doors; and the proposed eastern elevation would have a single window, high level windows with timber cladding below and full height glazing towards the extremity, wrapping around to meet the rear glazed doors.

The original submission proposed replacement of all windows to the main dwelling however this element has been removed from the proposal.

### **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=PEH7Z0BZ00D00>

## **CONSULTATIONS**

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**ACC - Roads Development Management Team** – Comments received - Object to the proposal on the grounds that the internal length of the garage (5550mm) would not meet the minimum acceptable length of 5700mm, as required by the guidance contained in the Transport and Accessibility Guide. Current off-street parking is provided within the rear garden with the potential to accommodate 2 parked cars. The existing dwelling has 3 bedrooms which require the provision of 2 off-street parking spaces. The development would result in the removal of the existing parking facilities and replacement by a garage of substandard length, which would not count towards the parking provision therefore resulting in the property providing no off-street parking spaces.

**Rosemount and Mile End Community Council** – No comments received.

## **REPRESENTATIONS**

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2 representations have been received (1 objection and 1 neutral). The matters raised can be summarised as follows –

- Seeks confirmation that the existing access from the lane will not be enlarged and that no new entry is to be made in the boundary wall.
- Objects on the basis that the application incorrectly states that there are no trees on or adjacent to the site and that the SG: Trees and Woodlands states that all trees within a development site and within 15m of the site must be shown on the plans.

## MATERIAL CONSIDERATIONS

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### 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) and Historic Environment Scotland Policy Statement (HESPS)

### Aberdeen Local Development Plan (ALDP)

Policies D1 (Quality Placemaking by Design), D4 (Historic Environment) and H1 (Residential Areas)

### Other Material Considerations

Supplementary Guidance (SG) - Householder Development Guide and Transport and Accessibility and Historic Environment Scotland Policy Statement Managing Change – Extensions

## EVALUATION

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### Principle of Development

While the principle of extending an existing dwelling is normally acceptable within a residentially zoned area such as this, the proposal must also be assessed in terms of factors such as scale, materials, design, location, setting of the Listed Building and impact on the character and amenity of the area and effect on residential amenity. Development within a Conservation Area should have a neutral or positive effect on its character. These issues are assessed in the evaluation below.

### Design and Scale

General principles contained in the HDG expects all development to be architecturally compatible in design and scale with the original house and its surrounding area, and any extension should not serve to overwhelm or dominate the original form or appearance of the dwelling. No extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected. Certain elements of the proposed extension are considered to be acceptable in terms of the HDG as both the resultant increase on the overall footprint and level of site coverage would be within acceptable levels. However, the proposal fails to comply with several of the criteria which promote good design, and retention of the characteristics of the surrounding built environment which contribute towards the character and identity of an area, for the reasons discussed below.

The Statement of Special Interest in the list description asserts '*one of the most unusual features of Argyll Crescent is the planning. The smooth convex curve of the terrace, with private drive and gardens in front encloses the gardens which are arranged in a radial plan, with a segmental drying green at the apex, forming a unique and complete design*'. The rear elevations of the dwellings within the terrace are relatively unaltered since originally built and the majority retain their original rear wash-house annexes. At the rear of Nos 3, 9 and 11 Argyll Crescent modest contemporary extensions, replacing their original off shoots, have been permitted with the maximum projection of 4.5m from the main house. Their projections were specifically designed to minimise the impact on the character of their parent buildings and the wider crescent. Their design is generally of a contemporary style, with flat roofs and granite salvaged from the demolition of the annexes giving a sympathetic complementary addition which contrast clearly as a modern addition to the existing

building. This design approach accords with section 3.5 of the Managing Change in the Historic Environment: Extensions.

The proposed extension, sited at a prominent location at the edge of the conservation area adjoining Westburn Road, is not considered to be subordinate in scale to the footprint and volume of the existing listed building. It would result in a rear annexe that would dominate the rear elevation of the building and substantially impact on views along the rear of the crescent, which is a key feature defining the 'special character' of the listed building and its setting. The proposal would cumulatively result in a rear annexe with a total projection of 12.3m from the rear building line of the dwelling, compared to the 9.8m depth of the dwelling and substantially greater in projection to all other rear annexes within the crescent. The extension would add 55sq.m to the existing footprint, which would cumulatively increase the footprint of the annexe to 88sq.m. compared to the 95sq.m footprint of the main dwelling. The proposed extension therefore does not represent a subservient rear extension and would therefore be contrary to the guidance contained in both the HDG and Managing Change document, which require that any extension should play a subordinate role and should neither dominate the original building as a result of its scale, materials or location.

Whilst located to the side and rear elevations, the proposed extension would be highly visible from the side lane and its form and volume would impact on the special character of the sweep of the terrace visible from this viewpoint. One of the key elements of the crescent is the long segmental rear gardens, the scale of the proposal would fill a large part of the rear garden space, reducing the sense of openness and cut across views of the rear elevation of the terrace, thereby undermining and detracting from the overall unique form of the crescent to the rear. The scale and projection of the proposed extension would dominate the rear elevation of the listed building, and substantially impact on views along the rear of the crescent which would not preserve the pattern of the wider historic environment as required by HESPS (Sections 1.09 b 1.20 d) and Policy D4.

HESPS also requires that new developments are sensitive to historic character and attain high standards in design and construction, while recognising the portfolio of original building materials (Section 1.20 d). The proposal largely follows a traditional construction approach to the extension with limited architectural refinement to a category B listed building, however notwithstanding the consideration on the form and volume of the proposal, the materials specification does not clarify the type of granite to be used (e.g. reclaimed to match the rear elevation of the existing building); the ridge covering (e.g. lead or yellow clay ridge tiles); type of timber cladding and finish and materials for rainwater goods (e.g. cast iron especially on the lane facing elevation).

The proposal would result in poor and inappropriate relationship between the resultant rear extension and the rear elevation of the dwelling due to the extensions' excessive projection and width which would result in a rear annexe that would be out of proportion relative to the dwellings original form and layout and would therefore not protect the character and appearance of the building. The design of the extension, in terms of volume and detail, therefore does not make a positive contribution to the special character of the place and the existing building's rear elevation, fails to take clear design cues from the original architectural design or act as an assertively contrasting addition to the original building. As a result, the proposed extension would negatively impact on the original character and setting of the listed building and the wider conservation area. Policies D1 and D4 of the Aberdeen Local Development Plan require high quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings, conservation areas and historic gardens and designed landscapes and it is therefore considered that the proposals do not accord with the Council's policy

## **Impact on residential character and amenity**

Although the proposed extension would not result in any detrimental impact to the nearest neighbouring property, to the immediate east, in terms of loss of day light or overshadowing, nor impact on their current privacy levels, the proposal would result in an elongated structure extending 12.9m beyond that property's rear building line. This neighbouring property sits on a slightly lower elevation, and the boundary line is splayed. The existing annexe is positioned 3.1m from the mutual boundary however at its furthest extremity; the new extension would sit only 1.7m from the mutual boundary. Given that the neighbour has a projecting annexe running along their eastern boundary, the proposed extension would result in a situation whereby the neighbouring property would become 'hemmed in' as a result of the extension's excessive projection in close proximity to the mutual boundary and which would not protect that neighbours outlook and amenity. Its scale, massing and projection would also introduce an intrusive element into the streetscape leading to an adverse impact and erosion to the character and visual amenity of the surrounding area, thereby negatively affecting residential amenity, contrary to Policy H1.

### **Parking provision**

Although the proposed garage would fail to meet the standards contained in the SG: Transport and Accessibility in terms of internal length, the garage as proposed could still accommodate an average length car, and given the availability of on street parking space within the private lane, it is considered that this is sufficient justification to accept the level of parking to be provided, contrary to the above guidance and despite the comments received from officers in Roads Development Management. This matter itself would not constitute a reason for refusal, given the minimal nature of the shortfall does not raise any specific road safety issues.

### **Impact on the Conservation Area**

Policy D4 of the ALDP states that proposals affecting conservation areas will only be permitted if they comply with SPP which states proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area. For the reasons explained above, the proposed extension has not been designed with due consideration to its context, and would negatively affect the character of the conservation area contrary to the aims of SPP, HESPS and therefore with Policy D4 of the ALDP.

### **Matter raised in Representation**

It is the responsibility of the applicant, or the appointed agent, to ensure that accurate information is provided on the application form. In the case of a Householder application, if an applicant states that there are no trees on or adjacent to the application site and it is subsequently established that there are trees on or close to the site, it is then for the planning authority to consider whether it is necessary to request the applicant to provide further information on the trees. Whilst it is acknowledged that the Trees and Woodland SG states that "*all trees on a development site, and within 15 metres of a site must be shown on the plans...*", in this instance, this information was not requested as it is not considered likely that the construction of the extension would be significantly within the root protection area of any trees within the rear garden or that of neighbouring properties and there would be no material impact on their viability, which the SG seeks to protect.

It is acknowledged that the boundary wall is included in the listing of the property however the plans do not indicate any alterations to the existing western boundary wall. Any such alterations would always require submission of an application for Listed Building Consent and Planning Permission.

### **Conclusion**

The unsympathetic and inappropriate design, projection and width of the proposed extension and its poor relationship to the rear elevation of the existing dwelling and terrace would prevent the proposal from being compatible in terms of design, detail and scale with the original dwelling, contrary to the guidance contained in the HDG. The extension has not been designed with due consideration for its context and would introduce an intrusive element to current visual amenity,

contrary to Policy H1. The proposal therefore fails to preserve and enhance the character, appearance and setting of the listed building within this conservation area and therefore does not accord with the objectives of Scottish Planning Policy (SPP) with regard to preservation of the wider historic environment. No overriding public interest to justify approval of the development, contrary to the objectives of SPP, has been demonstrated or is evident. The proposal is not considered to accord with any of the relevant policies and guidance and the proposal is therefore recommended for refusal on the basis that the extension has not been designed with due consideration to its context, and would negatively affect the historic character of this Listed Building, and the wider Conservation Area, contrary to the aims of SPP, HESPS and therefore with Policies D1 and D4 of the ALDP.

## **RECOMMENDATION**

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Refuse

## **REASON FOR RECOMMENDATION**

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The proposal fails to comply with the relevant policies of the Aberdeen Local Development Plan, namely Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) in that by reason of its volume, detail, scale and projection, the extension has not been designed with due consideration for the context of its setting. The proposal would have a negative impact on the external appearance of this listed building, by introducing an extension of what is considered to be excessive projection, which would alter the form plan in a negative manner, thereby detracting from the character and integrity of the listed building and the setting of the terrace. Additionally, the proposal would disrupt the rhythm and pattern of development to the rear of this 'B' Listed terrace leading to erosion of the historic character and a negative impact on the wider character of the conservation area. The proposal would fail to protect neighbouring residential amenity contrary to Policy H1 (Residential Areas). The proposal is also contrary to the provisions of Scottish Planning Policy, Historic Environment Scotland Policy Statement, Managing Change in the Historic Environment: Extensions and thereby with Policy D4 (Historic Environment) of the Aberdeen Local Development Plan. On the basis of the above and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations – including the matters raised in representation - that would warrant approval of planning permission in this instance.