

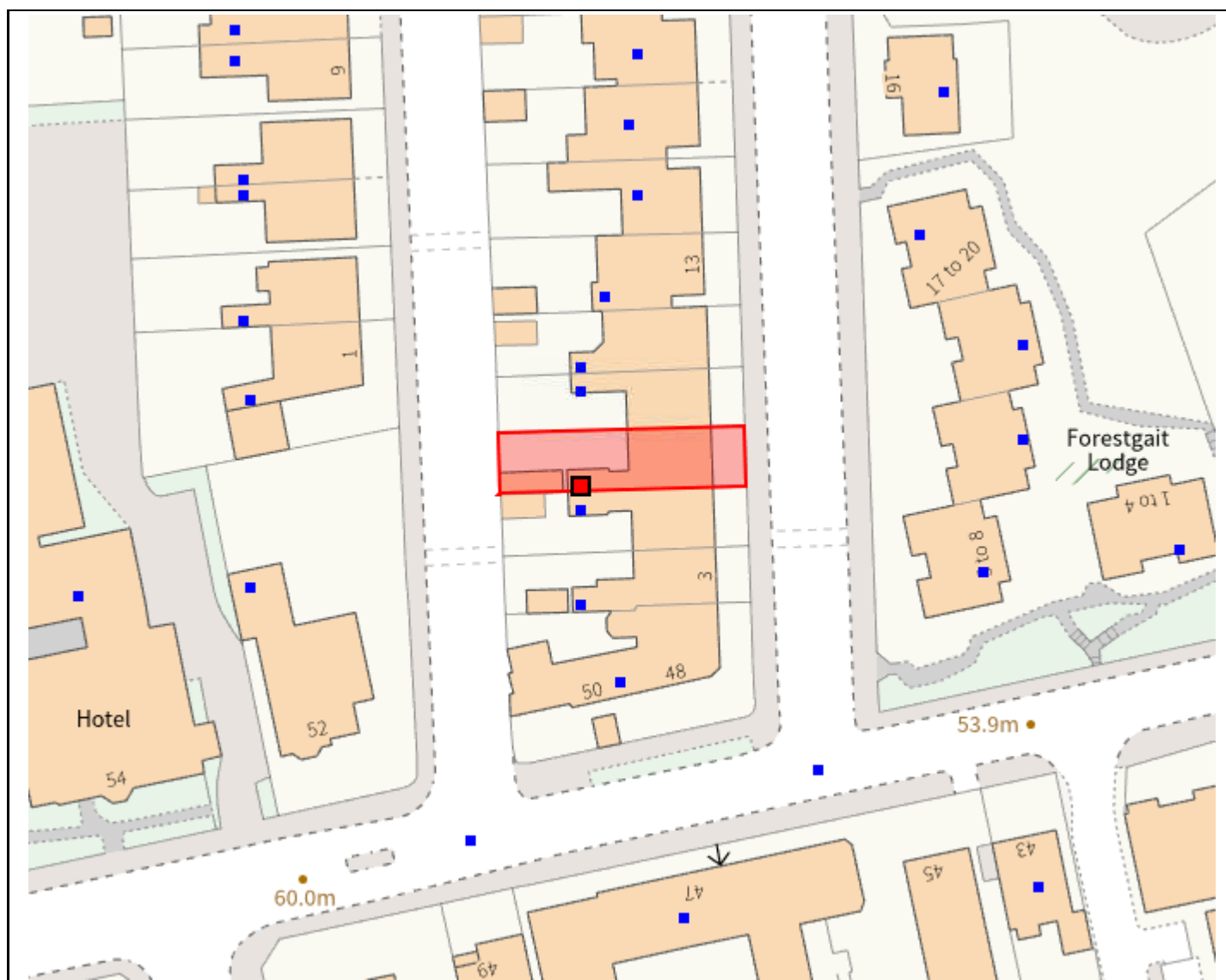


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 19th June 2025

Site Address:	7 Richmondhill Place, Aberdeen, AB15 5EN
Application Description:	Removal of carport and erection of garage and access gate to rear
Application Ref:	250173/DPP
Application Type	Detailed Planning Permission
Application Date:	24 February 2025
Applicant:	Mr Paul Ross
Ward:	Mid Stocket/Rosemount
Community Council:	Rosemount and Mile End



RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site is located to the north-west of the city centre within the established Midstocket residential neighbourhood. The site is also located in the northern part of the Albyn Place and Rubislaw Conservation Area. The site comprises the curtilage of a traditional, two-storey mid-terraced dwelling situated on the west side of Richmondhill Place, with the rear garden area backing onto Richmondhill Road to the west. The rear garden area steps upwards from the dwellinghouse (as extended) and contains an existing car port and driveway that is accessed from Richmondhill Road. The rear curtilage also contains a garden shed, patio and a raised flower border constructed behind the retaining wall for the driveway.

Relevant Planning History

- 090909 – Detailed planning permission was approved conditionally for a house extension and driveway in August 2009.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the erection of a new timber-framed single detached garage, which would be constructed on the existing driveway. The existing car port structure would be removed to allow for a single car driveway, accessed through the retained timber gates already in situ. A new pedestrian gate would be formed between this gated driveway and the proposed new garage.

The overall dimensions of the proposed garage would be c. 1.9m height to the eaves, 2.7m height to the ridge of a central pitched roof, 4.2m width, and extending to a length of 6m overall at the roof ridge, and 5.7m in length externally at ground level. The proposed garage features an up-and-over garage door onto Richmondhill Road, bitumen shingle roof, and would receive a dark blue paint finish.

Amendments

The following amendments were made to the application:

- The proposed garage was increased in size from 3.6m to 3.8m width, and from 5.3m to 5.7m in length at ground level. The revised proposal equates to 5.4m internal length.
- The garage door was amended from double doors which open outwards, to an up-and-over garage door design.

Supporting Documents

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

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SS180JBZGCM00>

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because:

- it is being recommended for approval and has been the subject of formal objection from the Council in its capacity as roads authority.

Determination of the application therefore falls outwith the scheme of delegation.

CONSULTATIONS

ACC - Roads Development Management Team – Object to the proposed development as it does not comply with the minimum garage dimensions contained in the Council's Transport and Accessibility Aberdeen Planning Guidance and therefore would introduce a parking shortfall where currently there isn't one. The Roads Development Management (Roads Team) comments are summarised as follows:

1. Highlight that the site is in the outer city boundary and in controlled parking zone (CPZ) Z where properties are entitled to apply for two parking permits. ACC residential parking guidelines for the outer city are two allocated spaces for properties up to three-bedrooms and three allocated spaces for properties with four or more bedrooms. Currently the proposal seems to accommodate off-street parking for two vehicles.
2. As per ACC approved standards the minimum acceptable external size of a new single garage is 6.0m x 3.0m, with a minimum internal size no less than 5.7m x 2.7m. The minimum effective entry width is 2.25m with a height of 1.98m. The proposal's internal dimensions are 5.41m x 3.51m, which is below the minimum dimensions so it cannot be classed as an acceptable parking space and would therefore introduce a shortfall in parking where previously there was not one.
3. There are no direct road safety concerns, however, if a vehicle were too long for the garage and were to hang out of it, the vehicle would overhang a live carriageway which is a safety concern, and there is no way to condition vehicle size.

Rosemount and Mile End 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 making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far

as material to the application, unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crisis)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 7 (Historic Assets and Places)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan 2023

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)
- Policy T3 (Parking)

Aberdeen Planning Guidance

- Householder Development (Design) Guide
- Materials
- Transport and Accessibility

Other National Policy and Guidance

- Historic Environment Policy for Scotland

Other Material Considerations

- Albyn Place and Rubislaw Conservation Area Character Appraisal

EVALUATION

Key Determining Factors

The key determining factors in the assessment of this application are whether the proposed development would:

- impact upon the character and appearance of the existing dwelling or the surrounding area;
- impact upon the amenity of the area, including the residential amenity of immediately neighbouring properties;
- preserve or enhance the character and appearance of the conservation area;

- adversely effects on-street parking supply or road safety

Principle of development

Policy 16 (Quality Homes), paragraph (g) of National Planning Framework 4 (NPF4) states that householder development proposals will be supported where they:

- do not have a detrimental impact on the character or environmental quality of the home and the surrounding area, in terms of size, design and materials; and*
- do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.*

The application site also lies within a Residential Area, as zoned in the Aberdeen Local Development Plan 2023 (ALDP) Proposals Map. Policy H1 (Residential Areas) of the ALDP states that within existing residential areas, proposals for new householder development will be approved in principle if it:

- does not constitute overdevelopment; and*
- does not have an adverse impact to residential amenity and the character and appearance of an area; and*
- does not result in the loss of open space.*

In this case, the proposed householder development is for the construction of a new single garage on the existing concrete driveway, and the removal the existing car port structure. The remaining hardstanding left following removal of the car port would create a single driveway space.

Impact on the character and appearance of the area, and the historic environment

In determining whether the proposed development would adversely affect the character and appearance of the existing dwelling, and the surrounding area, Policy 14 (Design, Quality and Place) of NPF4 is relevant. Policy 14 encourages and promotes well-designed development that makes successful places by taking a design-led approach. Policy D1 (Quality Placemaking) of the ALDP substantively reiterates the aims and requirements of Policy 14. The application site also lies within the Albyn Place and Rubislaw Conservation Area. Historic Environment Policy for Scotland (HEPS), Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP all seek to ensure that new development in conservation areas either preserves or enhances the character and appearance of the conservation area.

Design, scale, siting and materials

The Council's Householder Development Guide Aberdeen Planning Guidance (HDG) states: '*Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area*'. In addition, the guidance states that ancillary outbuildings, such as garages, should be subordinate in scale to the original building, are traditionally single storey in height with flat or pitched roofs, and where highly visible (especially in conservation areas), detached garages should be of a scale that respects the prevalent context of the surrounding area. Proposals will be assessed on their impact on the amenity of the area in the same way as extensions.

In terms of overall design, the proposed garage is architecturally compatible with, and subordinate in scale to, the original dwelling, and it would preserve the character and appearance of the conservation area. The garage features a pitched roof design and would be of a timber-kit build construction, using sustainable materials, and would be finished in a suitable dark blue colour. The

scale of the garage is single storey and designed to fit on the existing hardstanding driveway, all contained to the rear and in proportion to the overall rear curtilage and dwelling house. The overall proposal would continue the existing theme of timber access gates onto the rear lane, with a traditional pitched roof form garage, thus maintaining the character and appearance of the conservation area.

Overdevelopment

Guidance on what constitutes “overdevelopment” is set out within ‘General Principle 5’ at section 2.2 of the Householder Development Guide (HDG). This states that no more than 50% of the rear curtilage of a dwelling should be covered by development. In terms of the current proposal, the proposed garage would be placed on top of an existing area of solid concrete hardstanding, currently used as a driveway. As such, the area is already developed and there would be no change or increase in plot coverage from the proposed development. Whilst it is recognised that the rear garden of the dwelling does feature a high degree of hard landscaped surfaces, this represents the existing situation and the rear garden area would still maintain areas for soft landscaping, a patio area for sitting out, and rotary line for clothes drying, which includes functional amenity space for the enjoyment of the occupants. In addition, further landscaping with shrub planting and potted plants is available to the front garden of the property facing onto Richmondhill Place. No useable external amenity space would be lost as a result of the development, due to the garage to be placed on an existing driveway area, and the proposal would not result in any change or increase in built development compared to the existing situation. For completeness, calculations which take account of the footprint of the proposed new garage (22m²), new built area, confirm that the development would not result in overdevelopment. The existing rear curtilage extends to around 107m², and whilst the proposed new garage footprint would add 22m², the built area, including the existing house as extended, would result in 55% of the rear curtilage remaining unbuilt. This takes account of the shed (6m²) which is to remain, and that the existing area of concrete driveway (26m²) would be replaced by a new driveway of (20m²) following removal of the existing car port. Which determines that overall, the proposal would not constitute overdevelopment.

Open space

The proposed householder development would be wholly contained within the existing residential curtilage of the application property and no open space would be lost.

Summary

To summarise, the proposed development would be of an appropriate design, scale and siting for its context, would not constitute over development nor result in the loss of any open space, and would preserve the character and appearance of both the existing dwelling and the surrounding area, all in accordance with Policies 14 and 16 of NPF4 and Policies D1 and H1 of the ALDP, as well as the relevant guidance contained within the Householder Development Guide. The proposed development would also preserve the character and appearance of the conservation area, in accordance with HEPS, Policy 7 of NPF4 and Policy D6 of the ALDP.

Impact on the amenity of the area

In relation to assessing impacts on residential amenity, Policy H1 (Residential Areas) of the ALDP seeks to ensure that existing levels of residential amenity would not be adversely affected to any significant degree by new development, noting in particular the importance of protecting the daylight and sunlight receipt, privacy and outlook. The Householder Development Guide states: *‘No extension or alteration should result in a situation where the amenity of any neighbouring*

properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity will count against a development proposal.'

The garage would be sited at the rear (western) end of the rear curtilage, a reasonable distance away from the nearest windows and immediately useable areas of garden ground serving neighbouring properties. Due to the distance away from the neighbouring property to the south, there are no impacts to daylight or sunlight receipt, nor would the proposed garage affect privacy or outlook to this property. Regarding the other neighbour to the north, due to the positioning of the proposed garage to the south of this neighbours' rear garden ground, the height of the garage along the mutual boundary, and undertaking the relevant calculation (45 degree method), indicates that there would be no impact on daylight or sunlight receipt, or overshadowing of any garden ground to this neighbour. Furthermore, no windows would be positioned on either the north or east elevations of the proposed garage which would affect privacy to this neighbour.

To summarise, the proposed development would preserve the amenity of the surrounding area, including the residential amenity of the neighbouring properties, in accordance with Policy 16 of NPF4 and Policy H1 of the ALDP, as well as the relevant guidance contained within the Householder Development Guide.

Parking, accessibility and road safety

The application site is located in the outer city boundary and within controlled parking zone (CPZ) Z. Within this zone residents are entitled to apply for two parking permits per household, as noted by *issue 1* of Roads Team response. Parking guidelines for properties in the outer city boundary are for the provision of two spaces for up to three-bedroom homes and three spaces for four-bedrooms or more. The Roads Team highlight that the existing dwelling accommodates off-street parking for two vehicles; one on the existing concrete driveway and another within the car port. However, it should be recognised that this existing dedicated off-street parking provision is in addition to the two parking permits the property would be entitled to apply for, which would allow for a total of four parking spaces. The proposal seeks to retain two off-street parking spaces, through the installation of the proposed garage and formation of a driveway on the space leftover following removal of the existing car port structure. The remaining single driveway would be suitably sized - 5.9m length by 3m width - to accommodate a single driveway.

Regarding the proposed single garage, the Council's Transport and Accessibility Aberdeen Planning Guidance (APG) states that the minimum acceptable external size of a new single garage is 6.0m length by 3.0m width, with a minimum internal size no less than 5.7m length by 2.7m width, and minimum effective door entry of 2.25m width by 1.98m height. The proposed garage's internal dimensions are 5.4m x 3.5m, which the Roads Team highlight in *issue 2* of their response is below the minimum dimensions, therefore they do not consider it to be an acceptable parking space and note that it would thus introduce a shortfall in parking where currently there is not one.

However, in assessing all relevant material planning considerations, whilst acknowledging the tension with the standards set out in APG, it is considered that the proposed garage is acceptable based on the site-specific context and circumstances, and that it would not be reasonable to refuse the application in this instance. Following amendments made to the proposals by the applicant, the proposed garage was increased in size from 3.6m to 3.8m width, and from 5.3m to 5.7m in length at ground floor level, which equates to 5.4m internal length. The proposed increase in length was in order to bring the proposal closer to the minimum standards and would be facilitated by the removal of an existing line of fall-protection railings at the back of the raised driveway. The proposed garage has increased in size as far as the existing and specific site characteristics and levels would reasonably allow. Due to the presence of a tiered retaining wall,

which also forms an integrated soft landscaped border, any further increase to achieve the 30cm shortfall in garage length, would result in considerable reconstruction of the retaining walls and arrangement in the rear garden – which it is considered would not be reasonable in this instance given there are no overriding direct road safety concerns (discussed below).

The absence of a public pedestrian footway and presence of an existing driveway access means that the proposed garage would not cause any road safety concerns, including consideration that the proposed garage design (as amended) would include an up-and-over opening garage door as opposed to an outward-opening barn door, so that it should not adversely affect road safety. Nevertheless, it is recommended that details of the garage door would be secured by a suitable planning application. As per *issue 3* of the Roads Team response, whilst it is recognised that there would be no direct road safety concern, they highlight that if a vehicle were too long and were to hang out of the garage, it would overhang a live carriageway which is a safety concern, and there is no way to condition vehicle size. However, it is considered reasonable and logical to assume that any occupant would not utilise the garage in a manner that would result in a vehicle overhanging the public road, with a resultant inability to close and secure the garage door. Whilst it is recognised there is no way to condition the type of vehicle parked in the proposed garage, the applicant has advised that their car is of a size which would fit within the proposed garage. Submitted plans indicate that drainage for the proposed garage and driveway would be routed and drained internally to the site, using the drainage system in place for the existing car port, which would be diverted to serve the proposed new garage and ensure that no water would discharge onto the public road.

With further regard to *issue 1* of Roads Team response about parking shortfall, the proposal would allow the application property to continue to benefit from two off-street car parking spaces and they would still be able to apply for two on-street parking permits as per the existing controlled parking zone procedures in place, should the applicant so wish, which would retain a total of four parking spaces (both on and off-street) as per the existing situation. Should the proposed garage be discounted from the parking space calculations due to not meeting the minimum dimensions set out in the APG, the proposed single driveway would still allow for one off-street parking space in addition to the two on-street parking permit the property is entitled to apply for, which would also not result in any shortfall or net detriment to on-street parking supply. It is also worth noting that the parking standards for residential properties are maximum, rather than minimum standards, and NPF4, the ALDP and the Transport & accessibility APG are all supportive of low and zero-car developments where situated in sustainably accessible locations. The site lies in an accessible location, well connected to the surrounding adopted footpath network and within walking distance of public transport and local amenities. Therefore even if the garage is not considered to provide a parking space, the site can be accessed sustainably and the level of parking to be provided would be acceptable in accordance with wider policy aims to reduce car usage and travel sustainably.

In summary, whilst the proposal conflicts with the minimum garage dimensions as outlined in the Transport and Accessibility APG, this tension does not raise any road safety or car parking issues and does not warrant refusal of the application in this instance.

Tackling the climate and nature crises, climate mitigation and adaptation

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise life-cycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change.

The proposed householder development would be sufficiently small-scale such that it would not

make any material difference to the global climate and nature crises, nor to climate mitigation and adaptation. The proposals are thus acceptable and do not conflict with the aims and requirements of Policies 1 and 2 of NPF4.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposal would result in a garage of acceptable scale, form, design and materials that would be compatible with and subservient to the existing dwelling, plot and the context of the surrounding conservation area. Despite some conflict with the Council's Transport and Accessibility Aberdeen Planning Guidance (APG) and based on site-specific context, there would not be an adverse implication for road safety or any significant detriment to on-street parking availability in the area that would warrant refusal of the application. Therefore, on balance, the proposals are acceptable in accordance with Policy T3 (Parking).

The proposed development would preserve the character, appearance and amenity of the existing dwelling and the surrounding area, would not constitute overdevelopment and would not result in the loss of any open space, all in accordance with Policy 16 (Quality Homes) of National Planning Framework 4 (NPF4) and H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP). The proposed works are also compliant with the relevant guidance set out in the Householder Development Guide Aberdeen Planning Guidance.

The proposed works would be of an appropriate design, scale, siting and materials for the context of the application site, in accordance with Policies 14 (Design Quality and Place) of NPF4 and D1 (Quality Placemaking) of the ALDP. The works would also preserve the character and appearance of the conservation area, in accordance with Historic Environment Policy for Scotland, Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP.

The proposed householder development would be small-scale and would not have any material impact on the climate and nature crises, nor on climate mitigation and adaptation, therefore the proposals do not conflict with the aims and requirements of Policies 1 (Tackling the Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) of NPF4.

CONDITIONS

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) GARAGE DOOR DETAIL

That no development shall take place unless the specification and details, including opening mechanism, extent and projection, of the proposed garage door to be used in the approved

development, has been submitted to and approved in writing by the Planning Authority. Thereafter the approved garage door must be applied in accordance with the approved details.

Reason - In the interests of the appearance of the development, visual amenity of the area, and road safety.