

## Supplementary Guidance: Householder Development Guide

### 3.1.1 Introduction

This Supplementary Guidance (SG) forms part of the Development Plan and is a material consideration in the determination of planning applications.

The aim of this guidance is to:

- promote high quality design solutions;
- foster greater consistency in planning decision making;
- promote and encourage the use of traditional materials and building techniques; and
- restrict the incremental expansion of traditional buildings.

### 3.1.2 Development and Permitted Development

This document sets out guidelines as to what types of extension and alteration to a dwellinghouse may be permissible when planning permission is required. However, many minor works and small extensions to residential properties do not require planning permission.

In this regard, there are two main categories of works that can be carried out by a homeowner to their property without needing planning permission. These are:

- Works which do not constitute 'Development'; and
- Works which constitute 'Permitted Development'.

#### What Constitutes 'Development'?

Small scale alterations to your home which do not have any impact on the building's external appearance may not constitute 'Development' and therefore do not require planning permission. Such works can include, but are not limited to:

- The installation of door bells;
- The erection of TV aerials;
- The carrying out of any internal alterations;
- The installation of moveable structures in the property's garden such as garden furniture and trampolines etc.

### What constitutes 'Permitted Development'?

Where alterations to a dwelling would constitute development, Scottish Government legislation still allows for a variety of minor alterations and extensions to be carried out to properties without the need to apply for planning permission. These are known as Permitted Development rights and they are covered by The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (As amended).

Useful guidance on the interpretation of the Householder Permitted Development Rights can be found in Circular 1/2012 on the Scottish Government website.



### 3.1.3 Conservation Areas and Listed Buildings

Although the Householder Permitted Development Rights allow for a wide variety of minor works to be carried out, the legislation often does not allow for such works to take place without consent in conservation areas and, in some instances, on listed buildings.

#### Conservation Areas

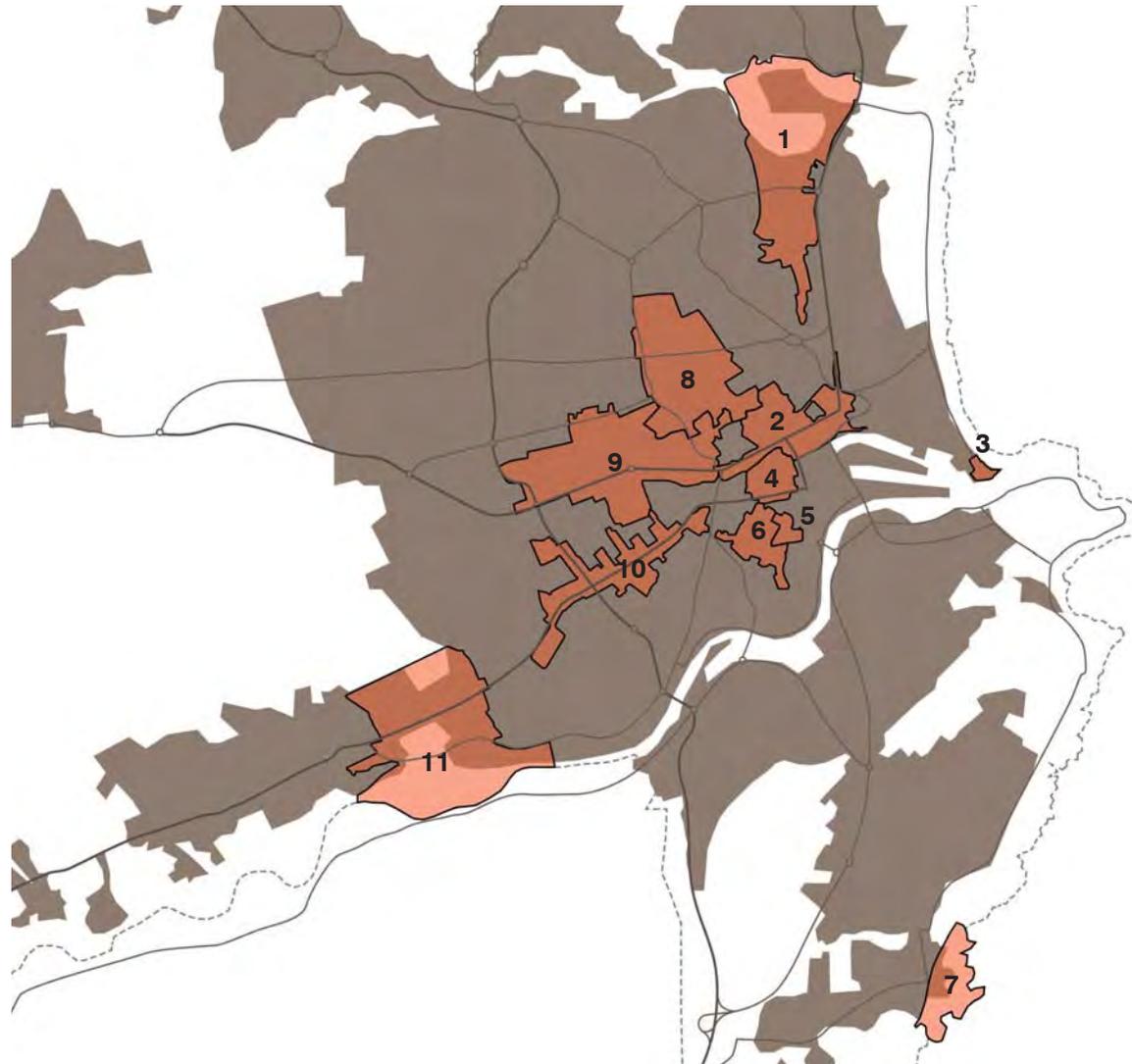
Works to a dwelling within a conservation area will almost always require planning permission and in the assessment of planning applications, special attention will be paid to the desirability of preserving or enhancing the character and appearance of the area.

Many properties in Aberdeen city centre lie within a conservation area, as well as some in outlying areas such as Footdee and Old Aberdeen. Homeowners can check via the Council's website whether their property is situated within a conservation area.

#### Listed Buildings

Whilst planning permission may not be required for certain works to a listed dwelling, Listed Building Consent will almost always be required. Listed Building Consent needs to be applied for in much the same way as planning permission, although there is no application fee payable for a Listed Building Consent application.

There are over 1200 listed buildings in Aberdeen, many of which are residential addresses. For advice on whether your property is listed or if works to a listed dwelling require consent and are likely to be acceptable, general enquiries should be made to the Council's Application Support Team on:  
Tel: 01224 523470 or E: [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk)



### Conservation Areas

- 1 Old Aberdeen
- 2 Union Street
- 3 Footdee
- 4 Bon Accord and Crown Street
- 5 Marine Terrace
- 6 Ferryhill
- 7 Cove Bay
- 8 Rosemount and Westburn
- 9 Albyn Place and Rubislaw
- 10 Great Western Road
- 11 Pitfodels



### 3.1.4 Householder Development: General Considerations

#### Aim of the Guidance

Good quality design, careful siting and due consideration of scale, context and design of the parent building are key to ensuring that development does not erode the character and appearance of our residential areas. Poorly designed extensions and alterations can have a significant impact on the character and appearance of a building which, when repeated over time, can have a cumulatively detrimental impact upon the wider area. We can seek to retain the characteristics of the built environment which contribute towards the character and identity of an area, while also protecting the amenity enjoyed by residents. This document aims to facilitate good design and provide a sound basis for restricting inappropriate development.

#### Scope of the Guidance

Although this guidance predominantly relates to alterations and extensions to domestic properties, in the case of dormer windows, rooflights and roof extensions, the guidelines will also apply to originally residential properties now in non-domestic use.

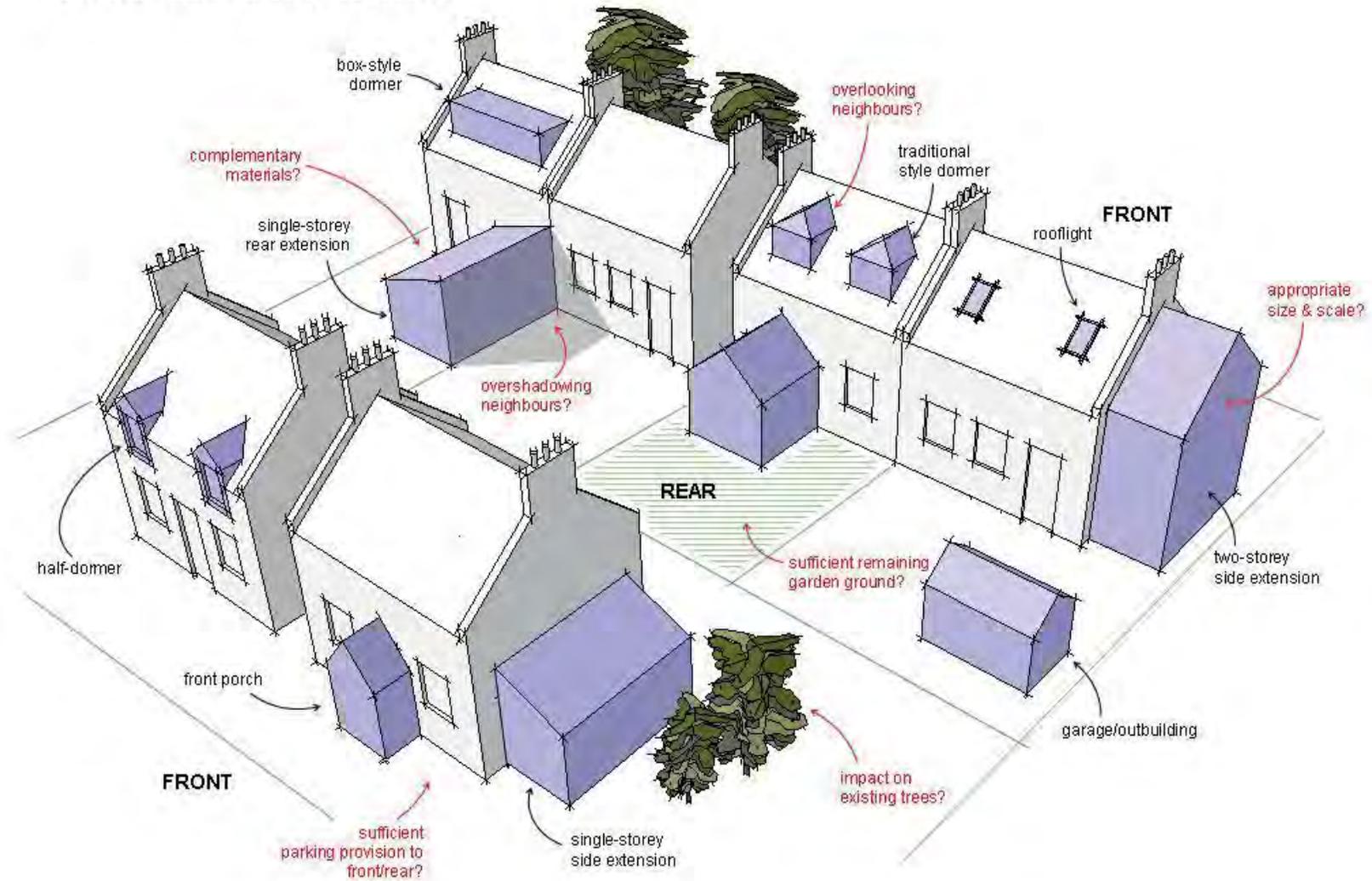
#### General Principles

Elsewhere in this document, guidelines are set out in relation to specific types of development. In addition to those specific criteria, the following principles will be applied to all applications for householder development:

#### General Principles

1. 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.
2. 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.
3. No existing extensions, dormers or other alterations which were approved prior to the introduction of this supplementary guidance will be considered by the planning authority to provide justification for a development proposal which would otherwise fail to comply with the guidance set out in this document.
4. The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.
5. No more than 50% of the front or rear curtilage shall be covered by development.

## General Terms & Considerations



### 3.1.5 House Extensions

Where planning permission is required, the following general rules will apply:

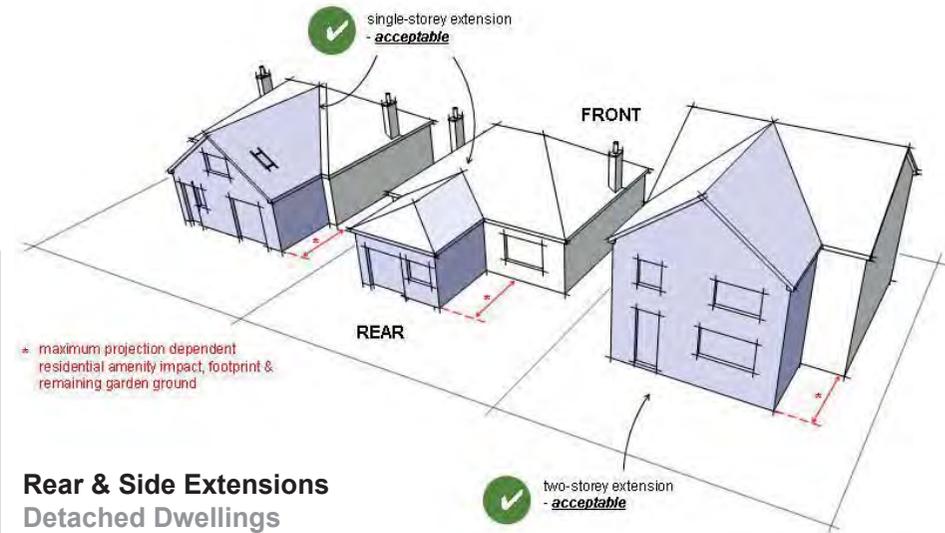
#### REAR AND SIDE EXTENSIONS

##### Detached Dwellings

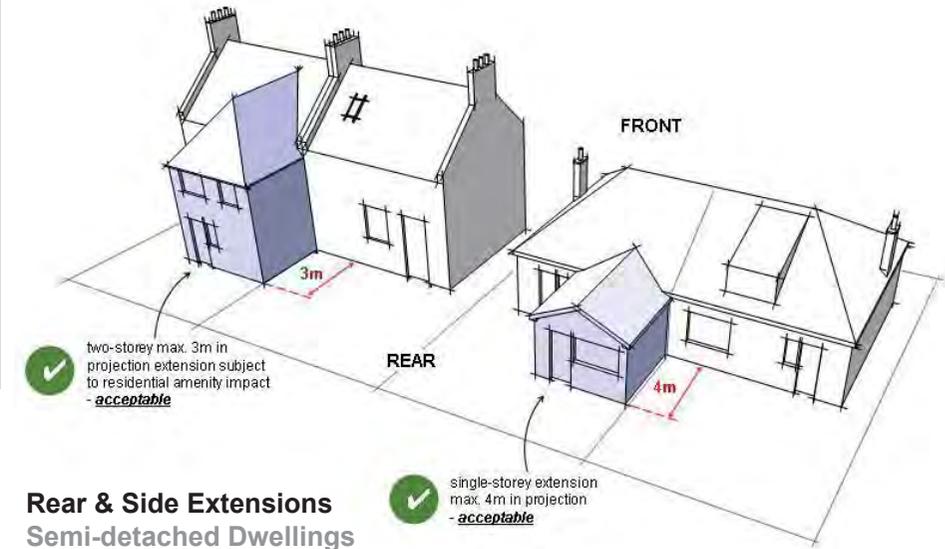
- The maximum dimensions of any single-storey extension will be determined on a site-specific basis.
- On properties of 2 or more storeys, two storey extensions will generally be possible, subject to the considerations set out in the 'General Principles' section above.

##### Semi-Detached Dwellings

- Single storey extensions will be restricted to 4m in projection along the boundary shared with the other half of the semi-detached property. In all other cases, the maximum size of single storey extensions will be determined on a site-specific basis.
- On properties of 2 or more storeys, two storey extensions may be possible, subject to the design considerations set out in the 'General Principles' section above. The projection of such extensions will generally be restricted to 3m along the boundary shared with the other half of the semi-detached property.



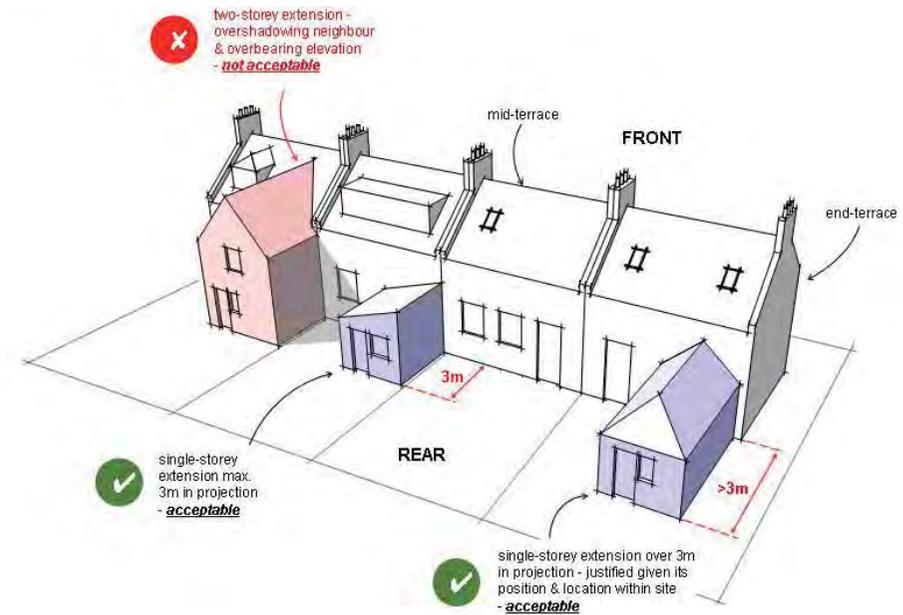
##### Rear & Side Extensions Detached Dwellings



##### Rear & Side Extensions Semi-detached Dwellings

## Terraced Dwellings

- a) Single storey extensions to terraced dwellings will be restricted to 3m in projection along a mutual boundary.
- b) Extensions of more than one storey will normally be refused where the proposal runs along a mutual boundary unless it can be demonstrated that the specific circumstances of the site and the proposal would ensure that there would be no detrimental impact on either the character or amenity of the area.
- c) Proposals for extensions to end-terrace properties will be subject to these standards unless it can be demonstrated that the specific circumstances of the site and the proposal justify a departure from the above.
- d) In general, on non-traditional and group-terraced dwellings:
  - Extensions should not project forward of any established building line.
  - Single-storey extensions will be restricted to 3m in projection from the rear wall of the original dwelling.
  - Two-storey extensions to grouped terrace properties will not normally be acceptable.



## Rear & Side Extensions Terraced Dwellings

## FRONT EXTENSIONS

Front extensions will only be considered acceptable in situations where they would not impact negatively on the character or amenity of the original dwelling and the surrounding area. In all cases the established building line of the street should be respected.

### In assessing applications of this nature, the following will apply:

- Front extensions of any type should be of a scale and design which is complementary to, and consistent with, the original dwelling. Modest porches will generally be acceptable, but these should not incorporate additional rooms (e.g. toilet, shower room), and should not detract from the design of the original building or the character of the street.
- In all cases, careful consideration will be given to (i) impact on adjacent property; (ii) visual impact; and (iii) the extent of any building line and the position of the adjacent buildings generally.
- Within a Conservation Area, it will not be permitted to add a front extension to any property which forms part of an established building line.
- Given the wide variety of house types across the city and the existence of 'dual-frontage' dwellings, it will be for the planning authority to determine which elevation forms the principal elevation of a dwelling for the purposes of this guidance.
- Any front porch extension should incorporate a substantial proportion of glazing, in order to minimise its massing and effect on the streetscape.



Outwith conservation areas, front porch extensions will generally be acceptable, provided they incorporate a substantial proportion of glazing

- It may be permissible to incorporate bay windows on front elevations. The design and scale of such extensions should reflect that of the original dwelling, and such extensions should not be utilised as a means to secure significant internal floorspace.

### 3.1.6 Outbuildings

Outbuildings are detached buildings within a dwelling's curtilage that are used in association with the enjoyment of the residential use of the property. For example: garages, sheds and greenhouses.

Outbuildings are traditionally single storey in height, with either a flat or pitched roof. It may be possible to accommodate an additional storey within the roofspace of a pitched-roof outbuilding, although in such cases the use of dormers will not be supported, as they increase the visual dominance of an outbuilding and give the impression of a two storey appearance.



Detached garage on a traditional rear lane – such garages should be of a scale and design that respects the context of the surrounding area.

In many cases ancillary buildings may be classed as permitted development. Where planning permission is required, the following rules will apply:

- 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;
- 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.

### 3.1.7 Dormers

Where permission is required, the following general rules will apply:

#### General Principles

- New dormers or roof extensions should respect the scale of the building and they should not dominate, overwhelm or unbalance the original roof;
- On traditional properties, original dormers must be retained and repaired, and their removal and/or replacement with larger or modern dormers will not be permitted;
- The removal of inappropriate earlier dormers and roof extensions, and their replacement with architecturally and historically accurate dormers will be actively encouraged;
- In terraces or blocks of properties of uniform design where there are no existing dormers, the construction of new dormers will not be supported on the front or other prominent elevations (e.g. fronting onto a road);
- On individual properties or in terraces where there are existing well-designed dormers and where there is adequate roof space, the construction of new dormers which match those existing may be acceptable. Additional dormers will not be permitted however, if this results in the roof appearing overcrowded. These dormers should be closely modelled in their detail and position on the roof, on the existing good examples. They will normally be aligned with windows below;
- Box dormers will not be permitted anywhere on listed buildings, nor will the practice of linking existing dormers with vertical or inclined panels; and

- In the case of non-listed buildings in conservation areas, consideration may be given to the provision of linked panels between windows on the private side of the building, where the extension is not seen from any public area. Non-traditional style dormers may be accepted on the rear of non-listed buildings in conservation areas, but generally not on the rear or any other elevations of listed buildings.



Example of a poorly designed roof extension – The modern box dormer is too large, thus it dominates the roof slope on an otherwise traditional terrace.

## OLDER PROPERTIES OF A TRADITIONAL CHARACTER

### Front Elevations

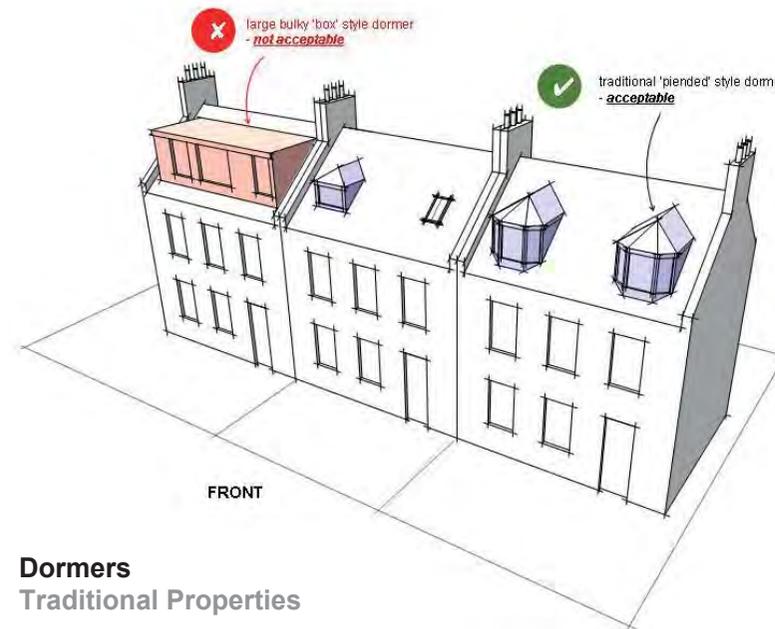
On the public elevations of older properties the Council will seek a traditional, historically accurate style of dormer. In addition, all new dormers will have to be of an appropriate scale, i.e. a substantial area of the original roof must remain untouched and clearly visible around and between dormers.

#### The main principles to be followed are:

- Existing original dormers should be retained or replaced on a “like for like” basis. Box dormer extensions will not normally be acceptable on the front elevations;
- The aggregate area of all dormers and/or dormer extensions should not dominate the original roof slope. New dormers should align with existing dormers and lower windows and doors;
- The front face of dormers will normally be fully glazed and aprons below the window will not be permitted unless below a traditional three faceted piended dormer;
- Dormers should not normally rise directly off the wallhead. In the case of stone buildings, dormers which rise off the inner edge of the wallhead will generally be acceptable. The position of the dormer on the roof is very important. Dormers which are positioned too high on the roof give the roof an unbalanced appearance;
- The outer cheek of an end dormer should be positioned at least 700mm in from the face of the gable wall or 1000mm from the verge. Where there is tabling on top of the gable, the cheek should

be at least 400mm in from the inside face of the tabling. It is never acceptable for a dormer haffit to be built off the gable or party wall; and

- The ridge of any new dormer should be at least 300mm below the ridge of the roof of the original building. If it is considered acceptable for the dormer ridge to be higher than this, it should not nevertheless, breach the ridge or disturb the ridge tile or flashing.



**Dormers**  
Traditional Properties

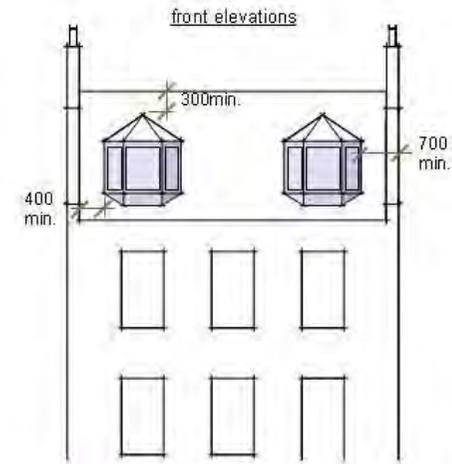


## Rear Elevations and Exceptions

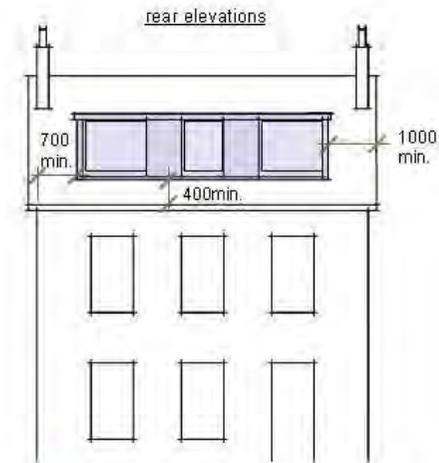
The guidelines for older properties may be relaxed where a property is situated between two properties which have existing box dormer extensions, or in a street where many such extensions have already been constructed. They may also be relaxed on the non-public (rear) side of a property.

**In such cases, and notwithstanding the design and finish of neighbouring development, the following minimum requirements will apply:**

- The aggregate area of all dormers should not dominate the original roof slope;
- Dormer hafts should be a minimum of 400mm in from the inside face of the gable tabling;
- The front face of dormer extensions should be a minimum of 400mm back from the front edge of the roof, but not so far back that the dormer appears to be pushed unnaturally up the roof slope;
- Flat roofs on box dormers should be a reasonable distance below the ridge;
- Windows should be located at both ends of box dormers;
- A small apron may be permitted below a rear window; and
- Solid panels between windows in box dormers may be permitted but should not dominate the dormer elevation.



gabled dormers on a typical Aberdeen tenement  
- **acceptable**



flat roofed box dormer on rear elevations  
- **acceptable**

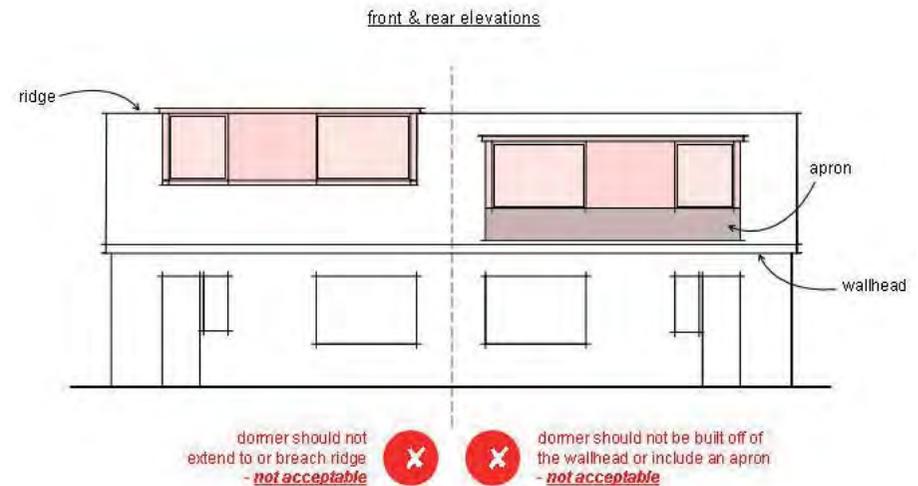
## MODERN PROPERTIES

Dormers and box dormer extensions have become common features in many modern housing areas, and the wide variety of designs of modern dwellings necessitates a greater flexibility in terms of design guidance. The amenity of other properties and the residential neighbourhood must however, still be protected, with the integrity of the building being retained after alteration.

### The following basic principles may be used to guide the design and scale of any new dormer extension:

- The dormer extension should not appear to dominate the original roofspace;
- The dormer extension should not be built directly off the front of the wallhead as the roof will then have the appearance of a full storey. On public elevations there should be no apron below the window, although a small apron may be acceptable on the rear or non-public elevations. Such an apron would be no more than three slates high or 300mm, whichever is the lesser;
- The roof of the proposed extension should not extend to, or beyond the ridge of the existing roof, nor should it breach any hip. Dormer extensions cannot easily be formed in hipped roofs. Flat roofed extensions should generally be a minimum of 600mm below the existing ridge;

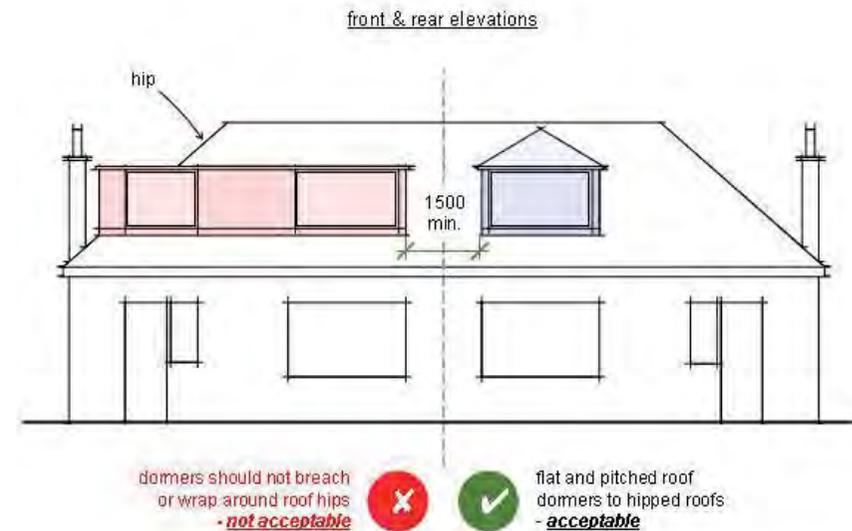
- The dormer extension should be a minimum of 600mm in from the gable. The dormer haffit should never be built off the gable or party walls, except perhaps in the situation of a small semi-detached house where the dormer extension may sometimes be built off the common boundary. In terrace situations, or where a detached or semi-detached bungalow is very long, dormer extensions should be kept about 1500mm apart (i.e. dormer haffits should be 750mm back from the mutual boundary) so as not to make the dormer appear continuous or near continuous;



## Dormers Modern Properties

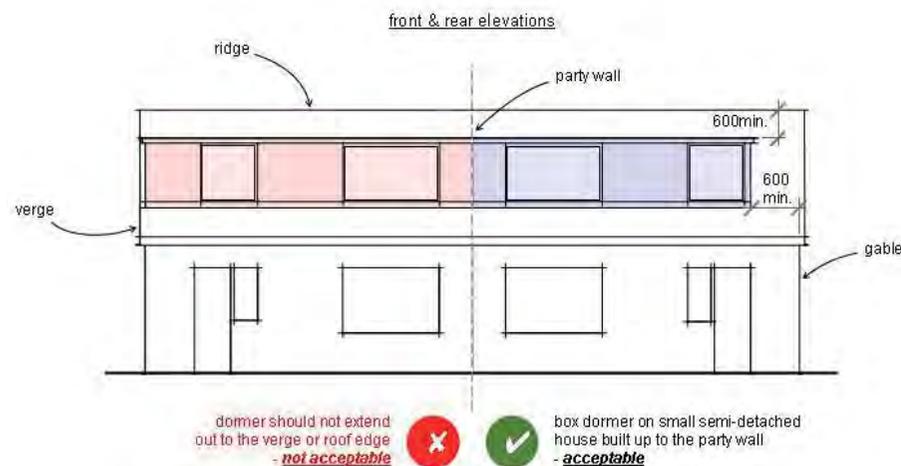


- The outermost windows in dormer extensions should be positioned at the extremities of the dormer. Slated or other forms of solid panel will not normally be acceptable in these locations. In the exception to this situation, a dormer on a semi-detached house may have a solid panel adjacent to the common boundary when there is the possibility that the other half of the house may eventually be similarly extended in the foreseeable future. In this case the first part of the extension should be so designed as to ensure that the completed extension will eventually read as a single entity;



## Dormers Modern Properties

- There should be more glazing than solid on the face of any dormer extension;
- Box dormer extensions should generally have a horizontal proportion. This need not apply however, to flat roofed individual dormers which are fully glazed on the front;
- Finishes should match those of the original building and wherever possible the window proportion and arrangement should echo those on the floor below; and
- The design of any new dormer extension should take account of the design and scale of the existing dormer.



## Dormers Modern Properties



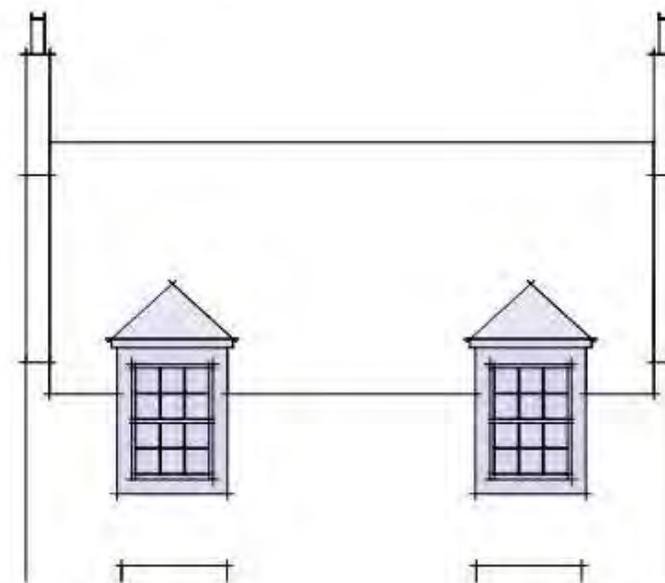
## OTHER FORMS OF DORMER WINDOW

### Half dormer windows

Half dormer windows have the lower part of the window within the masonry wall, with the part in the roof space surrounded by masonry or timberwork. This type of window is usually quite narrow, vertical in proportion, and appropriate when the floor is below the wall-head level.



### Half Dormer Windows



Half dormer windows will only be acceptable where the context of the dwellinghouse allows – where permissible, they should be well designed with traditional vertical proportions.

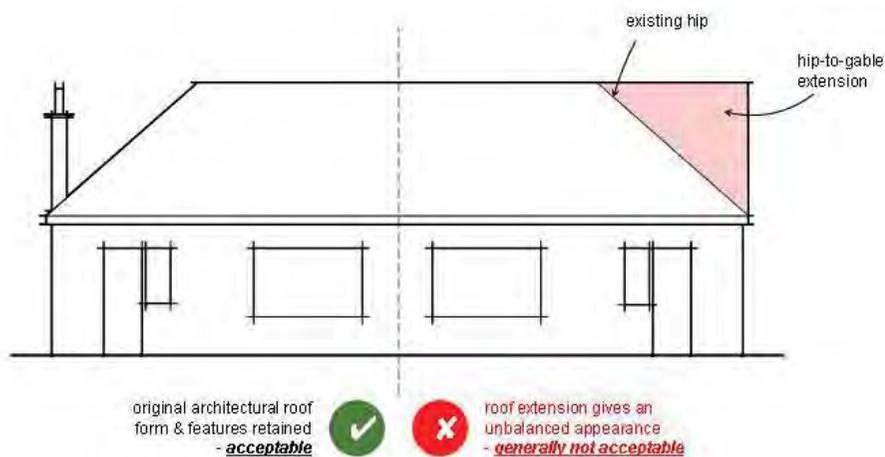
### 3.1.8 Roof Extensions

#### Hipped roof extensions

Modifying only one half of a hipped roof is likely to result in the roof having an unbalanced appearance.

**The practice of extending a hipped roof on one half of a pair of semi-detached houses to terminate at a raised gable will not generally be accepted unless:**

- The other half of the building has already been altered in this way; **or**
- Such a proposal would not, as a result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area.



#### Hipped Roof Extensions

#### Wall-head gables

A wall-head gable commonly has a centre window, with flues passing each side within the masonry to a common central chimney. It would be essential for any such feature to be constructed in the same material as the wall below. Wall-head gables have a strong visual impact which could substantially alter the character of a building. They are therefore unlikely to be acceptable on listed buildings, but might be accepted in conservation areas or on other older buildings of a traditional character.

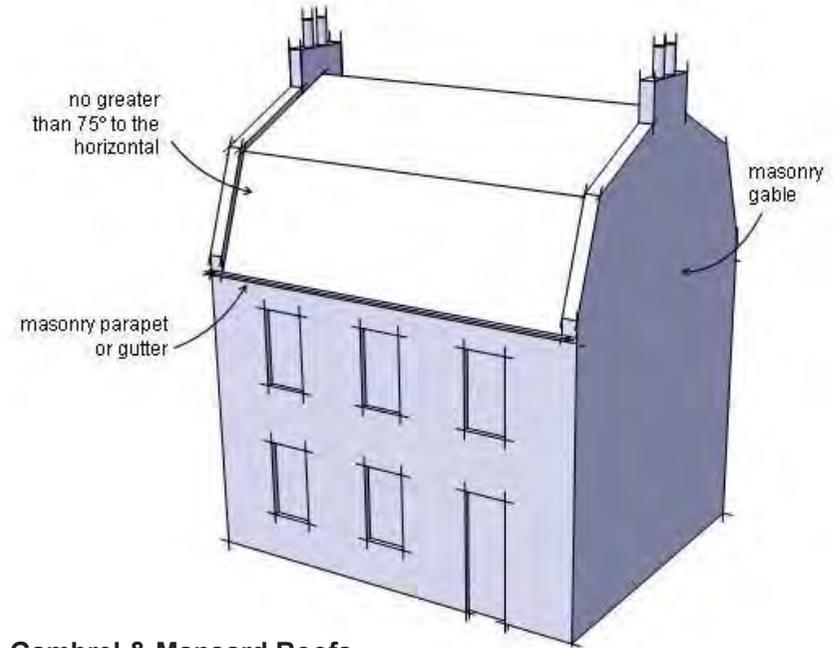


## Mansard Roofs

Mansard roofs are a common, even a somewhat overused method of obtaining additional attic floorspace having standard headroom overall. Mansard roofs tend to have a top heavy appearance on buildings which have only a single storey of masonry, and should be restricted to buildings of two or more masonry storeys. They will not normally be acceptable in semi-detached or terraced situations unless all the other properties in the group are to be similarly altered at the same time. In effect, few situations will arise where an existing roof can readily be converted to a mansard roof.

**On the occasions when a mansard roof solution is acceptable, considerable attention to detail is required to ensure that the altered roof is visually authentic. The following points should be observed:**

- There should be no fascia at the eaves, nor should the mansard project forward of the masonry line;
- The mansard should be taken down to either a concealed lead gutter behind a masonry parapet, or to an “ogee” or half round cast iron gutter in line with the face of the masonry;
- The gables of the building should be extended up in the same material as the original gables, and should terminate at a masonry skew in the same profile as the mansard roof. It will not normally be acceptable to return the mansard roof across the gable with hipped corners; and
- The lower slope of the roof should be inclined at no greater than 75° to the horizontal.



## Gambrel & Mansard Roofs

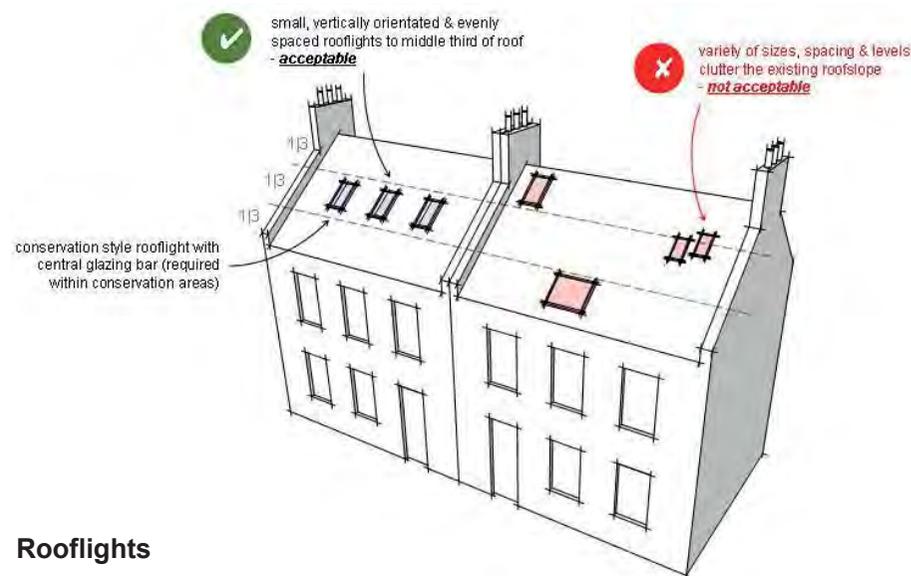
Mansards will only usually be considered appropriate where the site context allows it and considerable attention has been paid to the detailing so that the altered roof is visually authentic.

### 3.1.9 Rooflights

Where planning permission is required, the following general rules will apply:

- Rooflights should have a conspicuously vertical proportion. Seen from ground level, the foreshortening effect will tend to reduce the apparent height of the window, giving it a more squat appearance;
- On older buildings, and particularly on listed buildings and buildings in conservation areas, a 'conservation' type of rooflight will be expected. This is of particular importance on public elevations. Even the addition of a central glazing bar to a rooflight can provide a more authentic appearance in such instances;
- Large timber or cast iron rooflights divided into several sections were frequently provided above stairwells. It is not ideal to replace these with a single-pane modern rooflight. If the original rooflight cannot be repaired, aluminium or steel patent glazing is a more satisfactory option; and
- For rooflights fitted into slated roofs, manufacturers can provide a special flashing with their rooflights to keep the projection of the rooflight above the plane of the slates to a minimum. In listed buildings and buildings in conservation areas, it will be expected that rooflights be recessed into the roofslope.

Sympathetic 'conservation' style rooflights will nearly always be required in listed buildings and on the public elevations of buildings in conservation areas.



Rooflights





### 3.1.10 Other Domestic Alterations

#### Replacement Windows and Doors

Where permission is required, householders are referred to the Council's Supplementary Guidance entitled 'Windows and Doors'.

#### Satellite Dishes

Where permission is required for satellite dishes, as far as is practicable, they should be sited so as to minimise their impact on the external appearance of a building.



The cumulative impact of inappropriately sited satellite dishes – Where permission is required, satellite dishes will only be permitted where they can be sited discreetly, so as to minimise their visual impact.

#### Decking

- Proposals should not result in an adverse impact upon the amenity of adjacent dwellings, including both internal accommodation and external private amenity space.
- There will be a presumption against the formation of decking to the front of any property, or on any other prominent elevation where such works would adversely affect the visual amenity of the street scene.

#### Fences, Walls and Other Boundary Enclosures

- In all instances, the scale and form of boundary enclosures should be appropriate to their context and should not detract from the street scene as a result of inappropriate visual impact.
- Proposals for boundary enclosures will not be permitted where they would result in an unacceptable impact upon the amenity of neighbouring dwellings.

#### Micro-renewables

Careful consideration is required in relation to their positioning in order to avoid undue prominence within the street scene, particularly within conservation areas and where proposals may affect the setting of a listed building.

#### Driveways

Guidance on the formation of driveways can be found within the Council's Supplementary Guidance: Transport and Accessibility.

### 3.1.11 Change of Use from Amenity Space to Garden Ground

Planning permission will always be required for the change of use of amenity space to private garden ground.

**Each planning application for change of use is dealt with on its own individual merits. However, in considering whether an application is acceptable the Council will assess the proposal against the following criteria:**

- The proposal should not adversely affect amenity space which makes a worthwhile contribution to the character and amenity of the area. In most circumstances the amenity ground will make a contribution, however sometimes small incidental areas of ground make little contribution to the appearance of the neighbourhood. For instance it may be acceptable to include within garden ground secluded areas that are not visible from footpaths or roads and that do not make a contribution to the wider visual amenity of the area. Similarly it may be acceptable to include small corners of space that can be logically incorporated into garden ground by continuing existing fence lines;
- The proposal should not fragment or, if replicated, be likely to incrementally erode larger areas of public open space or landscaping;
- The proposal should not worsen or create a deficiency in recreational public open space in the area. The less amenity space there is in an area the more value is likely to be placed on the existing amenity space. The Open Space Audit identifies areas of the city where there is a deficiency and should this be the case there will be a presumption against the granting of planning permission;

- The proposal should not result in any loss of visual amenity including incorporating established landscaping features such as mature trees or trees that make a significant contribution to the area. It is unlikely the Council would support the incorporation and likely loss of such features, however in circumstances where it is acceptable replacement planting to compensate will normally be required;



In rare circumstances where the loss of amenity land containing mature trees is considered acceptable, replacement planting will be required.

- The proposal should not result in an irregular boundary layout that would be out of keeping with the otherwise uniform character of the area;
- The proposal should not result in the narrowing of footpath corridors or lead to a loss of important views along such footpaths, making them less inviting or safe to use;
- The proposal should not prejudice road or pedestrian safety. Areas of amenity space often function as visibility splays for roads and junctions;
- The proposal should not give rise to the setting of a precedent that would make it difficult to resist similar proposals in the future. Over time the cumulative impact of the loss of separate areas of ground can lead to the gradual erosion of amenity space, which is not in the public interest and can affect the overall amenity and appearance of the area;
- Amenity space and landscaping are valued assets within residential areas. They are common features in most housing developments and are provided for a number of reasons including –
  - to improve the appearance of the area;
  - to provide wildlife habitats, enhance ecology and often form part of sustainable urban drainage systems;
  - to act as pedestrian routes through developments;
  - to provide informal recreation areas;
  - to provide good safety standards for drivers, cyclists and pedestrians in terms of road verges or visibility splays.

Prior to submitting a planning application it is advisable for the applicant to contact the landowner to see if they would be willing to sell the particular piece of land.



Proposals for change of use from amenity land to private garden ground will be considered acceptable where they comply with the above criteria. In the above image, the proposal does not have a detrimental impact on the visual character or amenity of the area.

### 3.1.12 Houses in Multiple Occupation (HMOs)

Presently the term House in Multiple Occupation (HMO) is not one commonly associated with the planning system in Scotland. The term is not defined in planning legislation, though Scottish Government Circular 2/2012 does provide advice on HMOs, suggesting that there may be a role for the planning system in managing HMOs where a material change in the use of a house or flat has taken place. Multiple occupancy can intensify pressure on amenity, particularly with regards to shared/mutual areas and car parking. It is therefore appropriate to ensure that appropriate provision is made prior to granting planning permission for an HMO.

A useful starting point is to clearly identify what constitutes an HMO for the purposes of this Supplementary Guidance. The planning system defines 'dwellinghouse' and 'flat' as detailed below;

**Flat** "means a separate and self-contained set of premises whether or not on the same floor and forming part of a building from some other part which it is divided horizontally." Part 1 (2) Town and Country Planning (General Permitted Development) (Scotland) Order 1992

A **house** is defined within class 9 (houses) under the Town and Country Planning (Use Classes) (Scotland) Order 1997. This allows for use as;

- a) A house, other than a flat, whether or not as a sole or main residence, by—
  - (i) A single person or by people living together as a family; or
  - (ii) Not more than 5 residents living together including a household where care is provided for residents

- b) as a bed and breakfast establishment or guesthouse, where at any one time not more than 2 bedrooms are, or in the case of premises having less than 4 bedrooms, 1 bedroom is, used for that purpose.

This means that, where more than 5 persons are living together, other than as a family, the premises would not fall within the definition of a 'dwellinghouse' for planning purposes. It is reasonable to use this same threshold as the point at which a material change in the use of premises has occurred, and an application for change of use to form an HMO would be necessary.

Where flats are concerned, planning legislation does not specify any number of residents above which premises will no longer be considered a 'flat' for planning purposes. Given the potential for increased pressure on amenity, particularly in shared/mutual areas and car parking, it is necessary for this guidance to set a threshold above which use will no longer be considered as a 'flat'. HMOs account for a significant proportion of the available rental accommodation in Aberdeen, and are particularly important in supporting the City's sizeable student population. In setting a threshold above which planning permission will be necessary, it is noted that any number of people may live together in a single property, provided they are part of the same family unit. Taking this into account, it is considered that 6 or more unrelated people living together in a flat would be materially different from family use. This will be the threshold used for the purposes of this guidance.

**Planning permission will be required for change of use to a House in Multiple Occupation in the following instances;**

1. The occupation of a house by 6 or more unrelated persons
2. The occupation of a flat by 6 or more unrelated persons

It is important to note that separate licensing requirements exist for the establishment of an HMO, irrespective of the planning-specific guidance set out in this document. The granting of planning permission does not remove any requirement to obtain the appropriate licence and vice versa. Furthermore, success in obtaining planning permission for use of premises as an HMO does not guarantee a successful license application. It should be noted that, while the term 'HMO' is common to both systems, it has a different meaning depending on the context in which it is used. For licensing purposes, an HMO is defined as any house or flat which is the principal residence of three or more people who are members of three or more families.

This guidance is intended to set the thresholds at which a house or flat will no longer be considered to be in domestic use and will be treated as a House in Multiple Occupation for planning purposes. The following factors which will be considered in assessing any such application:-

Proposals involving formation of an HMO as defined in this guidance will be assessed with regard to matters including, but not limited to, the following:

1. Any adverse impact upon pedestrian or road traffic safety as a result of increased pressure on car parking;
2. Significantly adverse impact upon residential amenity for any reason. This may include, but not be limited to, adequate provision of refuse storage space, appropriate provision of garden ground/amenity space, and an appropriate level of car parking.
3. An excessive concentration of HMOs in a given locality, cumulatively resulting in a material change in the character of that area. This will be assessed in consultation with the Council's HMO Unit within the Housing & Environment service, who hold relevant information on the location of existing licensed HMO properties.

Where it is not practicable for dedicated car parking to be provided alongside the development, a proposal must not exacerbate existing parking problems in the local area.



### Glossary

#### Amenity

The attributes which create and influence the quality of life of individuals or communities.

#### Amenity Space

Areas of open space such as gardens, balconies and roof terraces.

#### Article 4 Direction

Some types of development do not need planning permission by virtue of permitted development rights. An Article 4 Direction is an order made by Scottish Ministers which suspends (for specified types of development) the general permission granted under the Town and Country (General Permitted Development) (Scotland) Order 1992 (as amended), thereby removing permitted development rights.

#### Base Course

The lowest course or first course of a wall.

#### Bay Window

a window or series of windows forming a bay in a room and projecting outward from the wall externally

#### Boundary Enclosure

Boundary treatment such as a fence, wall, hedge, ditch or other physical feature which demonstrates the edges of a site or otherwise encloses parts of that site

#### Building Line

The line formed by the frontages of buildings along a street. For the purposes of this guidance, this shall not generally include elements such as the front of any porches, canopies, garages or bay windows.

#### Common Boundary

A boundary which is shared by residential properties on either side

#### Conditions

Planning conditions are applied to the grant of planning permission and limit and control the way in which a planning consent may be implemented. Such conditions can require works to be carried out in a certain way (e.g. restriction on opening hours or adherence to an approved tree management plan) or can require submission of further information in order to demonstrate the suitability of technical details (e.g. drainage or landscaping schemes for a new development)

#### Conservation Area

Conservation Areas are areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance. Such areas are designated by the local planning authority. Details of the Conservation Areas in Aberdeen can be found on the Council's website, [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk).



### **Conservation Area Consent**

Conservation Area Consent is required for proposals which involve the whole or substantial demolition of any unlisted building or structure in a Conservation Area. Conservation Area Consent is not required for the demolition of a building which has a volume of less than 115 cubic metres, or for the partial demolition of a building, or for minor alterations to gates, walls and fences within a Conservation Area. Demolition works may, however, require planning permission, and so confirmation should be sought from the planning authority.

### **Curtilage**

The land around, and belonging to, a house.

### **Curtilage Splitting**

The construction of houses and flats (together henceforth referred to as dwellings) within the garden ground of existing residential property

### **Daylight**

Diffuse level of background light, distinct from direct sunlight

### **Development Plan**

The “Development Plan” is a term used to incorporate both the current Local Plan/Local Development Plan and the current Structure Plan/Strategic Development Plan.

### **Dormer Window**

Dormer windows are a means of creating useable space in the roof of a building by providing additional headroom.

### **Dwellinghouse**

For the purposes of this guidance, the term “dwellinghouse” does not include a building containing one or more flats, or a flat contained within such a building

### **Embodied Energy**

The energy used during the entire life cycle of a product including the energy used for manufacturing, transporting, and disposing of the product.

### **Fenestration**

The arrangement of the windows in a building.

### **Gable**

The part of a wall that encloses the end of a pitched roof.

### **Habitable Rooms**

Includes bedrooms and living rooms, but does not include bathrooms, utility rooms, WCs or kitchens when not accompanied by dining facilities.

### **Haffit**

The sides or ‘cheeks’ of a dormer window.

### **Harled**

A form of roughcast in which a mixture of an aggregate (usually small even-sized pebbles) and a binding material (traditionally sand and lime).

### **Hipped Roof**

A four-sided roof having sloping ends as well as sloping sides

### **Listed Building**

Working on behalf of Scottish Ministers, Historic Environment Scotland inspectors identify buildings which are worthy of statutory protection. These are ‘Listed Buildings’. The criteria by which the Scottish Ministers define the necessary quality and character under the relevant legislation are broadly; Age and Rarity; Architectural Interest; and Close Historical Association



### **Listed Building Consent**

Listed Building Consent is obtained through an application process which is separate from, but runs parallel to, that by which planning permission is obtained. This separate regulatory mechanism allows planning authorities to ensure that changes to listed buildings are appropriate and sympathetic to the character of the building. Listed Building Consent must be obtained from the planning authority if you wish to demolish, alter or extend, either internally or externally, a listed building.

### **Mansard Roof**

A four-sided roof having a double slope on all sides, with the lower slope much steeper than the upper.

### **Material Consideration**

Any issue which relates to the use and development of land and is relevant to the planning process.

### **Permitted Development**

An aspect of the planning system which allows people to undertake specified forms of minor development under a deemed grant of planning permission, therefore removing the need to submit a planning application.

### **Piended**

Scots term for hipped (pronounced peended)

### **Planning Authority**

This is the term given to the Council in its role exercising statutory functions under Planning legislation. Authorities have three main planning duties: Development Management (assessing and determining planning applications); Development Planning (preparing, updating and monitoring the authority's Local Plan/Local Development Plan); and Enforcement (seeking to investigate and resolve breaches of planning control)

### **Porch**

A covered shelter projecting in front of the entrance of a building.

### **Redevelopment**

The complete demolition and replacement of existing dwellings by new dwellings at higher density on the same curtilage or curtilages

### **Ridge**

The highest part or apex of a roof where two slopes meet.

### **Roads Authority**

This is the term given to the Council in its role exercising statutory functions under Roads legislation. Where trunk roads are concerned, Transport Scotland is the relevant roads authority.

### **Roughcast**

Plaster, mortar or stucco containing pebbles or coarse gravel to give a rough, knobbly texture to walls. Also called pebble-dash.

### **Stone Quoins**

The stones, usually dressed, at the corners of a building.

### **Stringcourses**

A continuous horizontal band set in the surface of an exterior wall or projecting from it and usually moulded.

### **Sunlight**

The sun's direct rays, as opposed to the background level of daylight



### **Supplementary Guidance**

Supplementary Guidance is prepared by the planning authority in support of its Local Plan/Local Development Plan. These documents are generally intended to provide greater detail or more specific and focused guidance than might be practicable within the Plan itself.

### **Tabling**

A raised horizontal surface or continuous band on an exterior wall; a stringcourse

### **Tree Preservation Order**

The planning authority has the powers to make Tree Preservation Orders if it appears to them to be a) expedient in the interest of amenity and/or b) that the trees, groups of trees or woodlands are of a cultural or historical significance. The authority has duties to a) make such TPOs as appear to the authority to be necessary with any grant of planning permission; and b) from time to time to review any TPO and consider whether it is requisite to vary or revoke the TPO.

### **Vernacular Buildings**

Indicates a traditional type of building utilized by ordinary wage earners.

### **Wallhead**

The uppermost section of an external wall.

## Further Reading

### **Bats in Buildings**

<http://www.snh.org.uk/pdfs/species/BatsBuildings.pdf>

### **Historic Scotland's Guide to Practitioners 6 – Conversion of Traditional Buildings – part 1**

<http://conservation.historic-scotland.gov.uk/publication-detail.htm?pubid=8566>

### **Historic Scotland's Guide to Practitioners 6 – Conversion of Traditional Buildings – part 2**

<http://conservation.historic-scotland.gov.uk/publication-detail.htm?pubid=8567>

### **Planning Advice Note: PAN 39: Farm and Forestry Buildings**

<http://www.scotland.gov.uk/Resource/Doc/221098/0059472.pdf>

### **Planning Advice Note: PAN 44: Fitting new housing development into the landscape**

<http://www.scotland.gov.uk/Publications/2005/04/01145231/52326>

### **Planning Advice Note: PAN 60: Planning for Natural Heritage**

<http://www.scotland.gov.uk/Publications/2000/08/pan60-root/pan60>

### **Planning Advice Note: PAN 67: Housing Quality**

<http://www.scotland.gov.uk/Resource/Doc/47032/0026427.pdf>

### **Planning Advice Note: PAN 72: Housing in the Countryside**

<http://www.scotland.gov.uk/Publications/2005/02/20637/51636>

### **Planning Advice Note: PAN 73: Rural Diversification**

<http://www.scotland.gov.uk/Publications/2005/02/20638/51727>

### **Scottish Natural Heritage (SNH)**

[www.snh.org.uk](http://www.snh.org.uk)



**Scottish Planning Policy (2014)**

<http://www.scotland.gov.uk/Resource/0045/00453827.pdf>

**The Barn Owl Trust**

[www.barnowltrust.org.uk](http://www.barnowltrust.org.uk)

**The Bat Conservation Trust**

[www.bats.org.uk](http://www.bats.org.uk)

**The Conversion of Redundant Farm Steadings to other uses**

<http://www.scotland.gov.uk/Resource/Doc/156688/0042110.pdf>

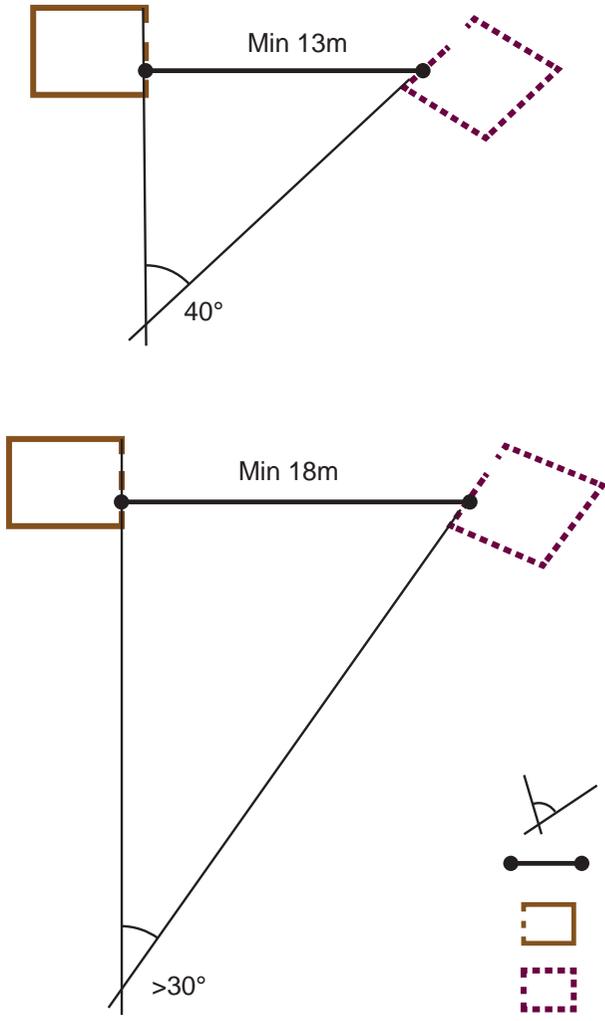
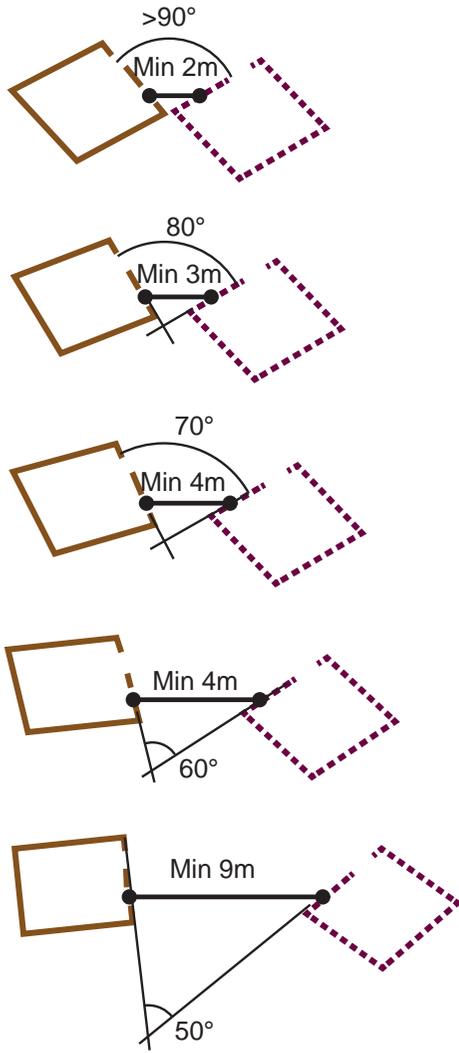
**The Royal Incorporation of Architects in Scotland (RIAS) Directory of Architects Practices**

[www.rias.org.uk/directory](http://www.rias.org.uk/directory)

**Aberdeen City Council Natural Heritage Supplementary Guidance**

## Appendix 1

### Method for checking privacy distances between window openings



-  Extension of planes of facades
-  Shortest line between windows
-  Existing house
-  House to be erected



## Appendix 2

### Daylight and Sunlight

#### Daylight

It is appropriate to expect that new development will not adversely affect the daylighting of existing development. Residents should reasonably be able to expect good levels of daylighting within existing and proposed residential property.

A useful tool in assessing the potential impact of proposed development upon existing dwellings is the BRE Information Paper on 'Site Layout Planning for Daylight'. This document sets out techniques which can be applied as a means of assessing the impact of new development upon daylighting. These techniques should only be applied to "habitable rooms", which for the purposes of this guidance shall mean all rooms designed for living, eating or sleeping eg. lounges, bedrooms and dining rooms/areas. Kitchens without dining areas are not considered as habitable rooms.

For domestic extensions which adjoin the front or rear of a house, the 45° method will be applied in situations where the nearest side of the extension is perpendicular (at right-angles to) the window to be assessed. The 45° method is not valid for windows which directly face the proposed extension, or for buildings or extensions proposed opposite the window to be assessed. In such instances, the 25° method, also detailed below, may be appropriate.

It should be noted that these guidelines can only reasonably be applied to those buildings which themselves are good neighbours, standing a reasonable distance from the boundary and taking only their fair share of light. Existing windows which do not meet these criteria cannot normally expect the full level of protection. It is important to note that these tools will be used as and when the planning authority deems it appropriate due

to a potential impact on daylight to an existing dwelling. The results of the relevant daylighting assessment will be a material consideration in the determination of an application, and should not be viewed in isolation as the sole determining factor.

#### The 45° Method

This method involves drawing 45° lines from the corner of a proposed building or extension in both plan and section views. If the shape formed by **both** of these lines would enclose the centre point of a window on an adjacent property, the daylighting to that window will be adversely affected.

The line drawn at 45° would pass through the mid-point of the window on elevation drawing, but not on the plan. This extension would therefore satisfy the 45° method for daylighting assessment. Were the proposal to fail on both diagrams, it is likely there would be an adverse affect on daylight to the adjacent window of the neighbouring property.

#### The 25° Method

The 25° method should be applied in situations where existing windows would directly face the proposed building or extension. Firstly, a section should be drawn, taken from a view at right angles to the direction faced by the windows in question. On this section, a line should be drawn from the mid-point of the lowest window, 25° to the horizontal, towards the obstructing building or extension. If the proposed building or extension is entirely below this line, it is unlikely to have a substantial effect on the diffuse daylighting of the existing building. Where the 25 degree approach is not satisfied, it will be for the planning authority to make a judgement on the degree of impact upon an adjacent dwelling.

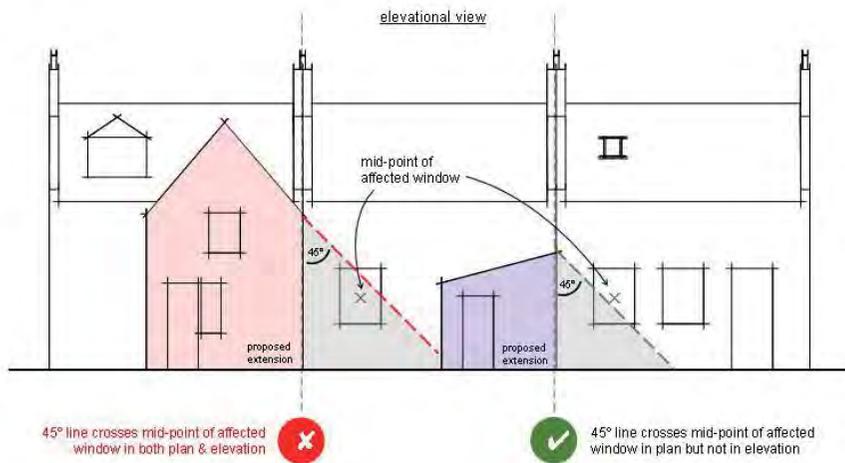


Fig A: The 45 Method Elevation view

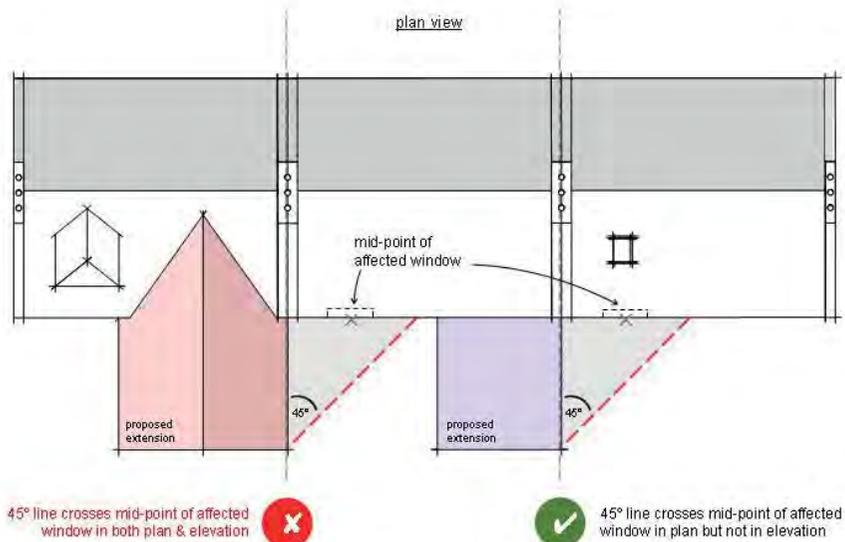


Fig B: 45° Method Plan view

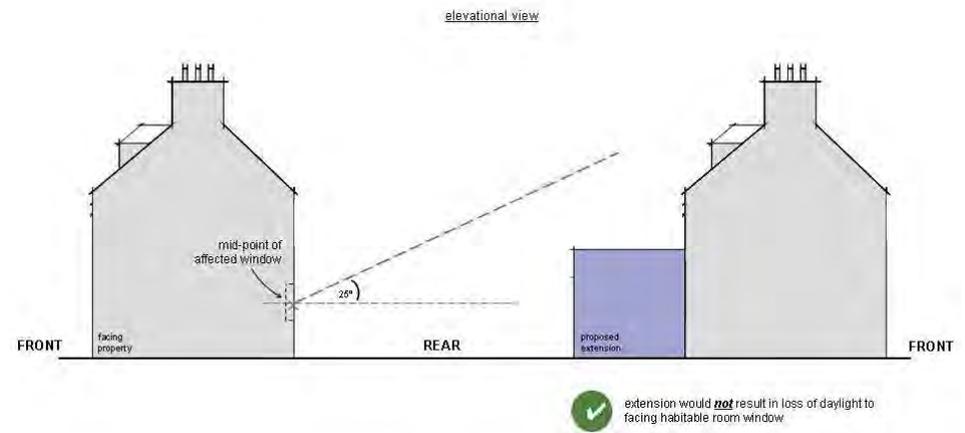


Fig C: The 25° Method Elevation view

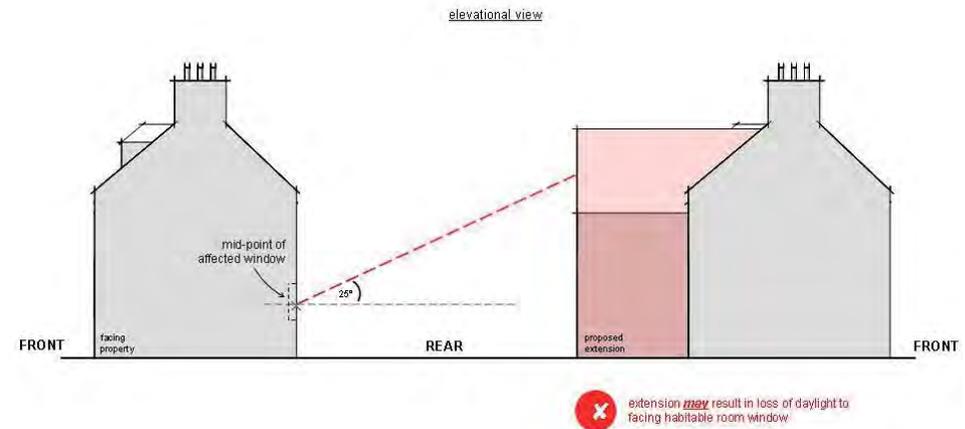


Fig D: The 25° Method, Proposed extension may result in loss of daylight to adjacent window of a habitable room

## Sunlight

In many instances, extensions to residential property will have at least some effect on the level of direct sunlight which falls on adjacent land or buildings. Where such overshadowing is excessive, substantial areas of land or buildings may be in shade for large parts of the day, resulting in a significant impact on the level of amenity enjoyed by residents. It is therefore helpful to have some means by which an assessment of any potential overshadowing can be made.

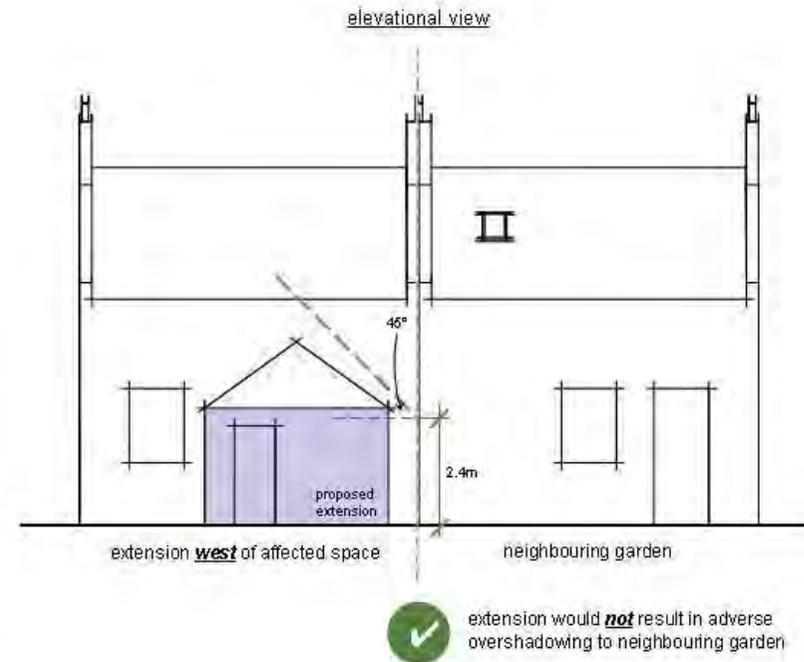
The method used involves drawing a line at 45 degrees to the horizontal. This line will begin at a point above ground level on the relevant boundary. The height above ground level will be determined by the orientation of the proposed building or structure relative to the affected space, as shown in the table below;

Orientation of extension relative to affected space	Height from which 45 degree line should be taken
N	4m
NE	3.5m
E	2.8m
SE	2.3m
S	2m
SW	2m
W	2.4m
NW	3.3m

This method is intended as a tool to assist case officers in their assessment of potential overshadowing, and it is important that this be applied sensibly and with due regard for the context of a particular site. Where a proposal is not able to satisfy the requirements of the relevant test, it will then be appropriate for officers to consider other factors relevant

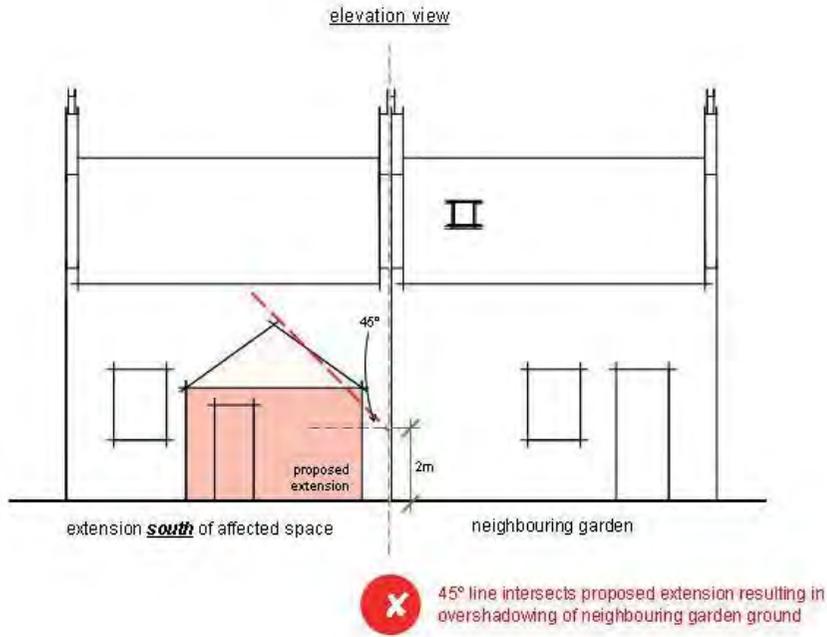
to the likely impact on amenity. These will include, but will not be limited to: the proportion of amenity space/garden affected; the position of the overshadowed area relative to windows (of habitable rooms) of an adjacent property; and the nature of the space affected (e.g. overshadowed driveway).

**Example 1:** In this example, the proposed extension would be located to the **west** of the neighbouring garden ground. A point 2.4m above ground level, on the site boundary, is found. From this point, a line is drawn at 45 degrees to the horizontal.

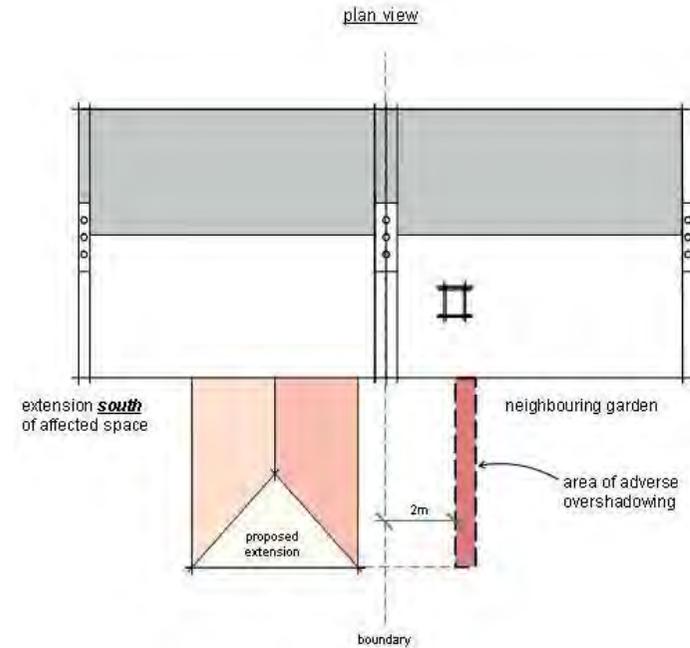


The diagram in Example 1 shows that the line drawn would not strike any part of the proposed extension, and therefore for the purposes of this test there would be no adverse affect on sunlight to the neighbouring garden.

**Example 2:** In this second example, the proposed extension would be constructed to the **South** of the adjacent garden ground. The same process is followed, but in this instance the line is drawn from a point 2m above ground level.



As the first diagram shows, the proposed extension would intersect the 45 degree line drawn. This suggests that there would be an area of adverse overshadowing in the neighbouring garden as a result of this proposal.



The second diagram demonstrates the area of adjacent garden ground which would be affected in plan view. This allows the case officer to make an assessment of the proportion of garden affected relative to the total useable garden area. As mentioned previously, the nature of the affected area will also be of relevance in determining whether there is justification in allowing a proposal which does not satisfy the 45 degree test for sunlight. There will be instances where proposals will be approved on this basis



## Appendix 3

### Privacy

New development should not result in significant adverse impact upon the privacy afforded to neighbouring residents, both within dwellings and in any private garden ground/amenity space. What constitutes an acceptable level of privacy will depend on a number of factors. The purpose of this appendix is not to create a rigid standard which must be applied in all instances, but rather to set out the criteria which will be taken into account in determining the impact of a particular development.

It is common practice for new-build residential development to ensure a separation distance of 18m between windows where dwellings would be directly opposite one another. Given the application of this distance in designing the layout of new residential development, it would appear unreasonable to then apply this to residential extensions to those same properties.

Assessment of privacy within adjacent dwellings will therefore focus upon the context of a particular development site, taking into account the following factors:

- existing window-to-window distances and those characteristic of the surrounding area;
- any existing screening between the respective windows;
- appropriate additional screening proposed
- respective site levels
- the nature of the respective rooms (i.e. are windows to habitable rooms); and
- orientation of the respective buildings and windows.

Any windows at a distance of 18m or more will not be considered to be adversely affected through loss of privacy. At lesser distances, the factors stated above will be considered in order to determine the likely degree of impact on privacy.

Any windows to habitable rooms (habitable rooms constitute all rooms designed for living, eating or sleeping e.g. lounges, bedrooms and dining rooms/areas) should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings. In these circumstances the windows of non-habitable rooms should be fitted with obscure glass.

The addition of balconies to existing residential dwellings will require careful consideration of their potential impact upon privacy. Any proposed balcony which would result in direct overlooking of the private garden/amenity space of a neighbouring dwelling, to the detriment of neighbours' privacy, will not be supported by the planning authority.

## Appendix 4

### Application Checklist Guide



<b>Have you discussed the proposed works with your neighbours?</b>	
<b>Is planning permission required?</b> Remember, some works can be carried out as 'Permitted Development'	
<b>Is any other form of consent required for the works?</b>	
<b>Have you considered the appointment of an architect, planning consultant or other agent to act on your behalf?</b> Though not mandatory, this can be worthwhile as agents will be familiar with the planning system and should be able to provide the drawings and supporting information to the necessary standards.	
<b>Will any supporting information be necessary to enable the planning authority to make a full assessment of issues relevant to the proposal?</b> For example, are there trees or protected species within the site?	
<b>Is the building a Listed Building or within a Conservation Area?</b> If so, it is recommended that advice is sought from the planning authority prior to submission in order to gauge the potential impact on these designations.	
<b>Have you considered your proposal in relation to the guidance contained within the Householder Development Guide?</b> Any proposal for householder development will be assessed against this Supplementary Guidance	
<b>Is the proposed design consistent with the character of the property and the surrounding area?</b>	
<b>Would the development proposed result in any significant adverse impact on your neighbours in terms of loss of light, overshadowing and/or privacy?</b>	
<b>Would the proposed development result in an insufficient provision of amenity space/private garden?</b>	
<b>Have any changes to access and/or parking requirements been discussed with the Council in its role as Roads Authority?</b>	