

# Supplementary Guidance: The Sub-Division and Redevelopment of Residential Curtilages

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## 1. Status of Supplementary Guidance

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

The SG expands upon the following Aberdeen Local Development Plan policies:

- Policy D1 – Quality Placemaking and Design
- Policy H1 - Residential Areas
- Policy D4 - Historic Environment
- Policy NE5 - Trees and Woodlands

## 2. Introduction to Topic

Guidance is given to ensure curtilage splits and re-development proposals, when appropriate, will have a positive impact on the streetscene and surrounding area. This Supplementary Guidance covers two related themes:

- Curtilage Splitting - the construction of houses and flats (hereafter referred to as dwellings) within the garden ground of existing residential property, and
- Redevelopment - the complete demolition and replacement of existing dwelling(s) by new dwelling(s) on the same curtilage or curtilages.

## 3. General Guidelines

The following guidelines are not intended to cover all scenarios but are targeted at providing more specific guidance on the most commonly encountered situations.

### 3.1 Built Form and Townscape

The location and size of any new dwellings must be in keeping with the established spatial character and built form of the surrounding area. The following principles should be considered in developing proposals:

- New dwellings must respect the established pattern of development formed by the relationship between buildings and their surrounding spaces (gardens etc.);
- The scale and massing of the any new dwellings should complement the scale of surrounding properties;
- The density of the surrounding area should be reflected in the development proposals for the new and existing property. As a general guide, no more than a third (33 per cent) of the total site area for each individual curtilage should be built upon;

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- New dwellings should generally not project forward of any established building line;
  - The distance between proposed dwellings, and between proposed and existing dwellings, (i.e. between gable ends) should be similar to that predominating on the street; and,
  - The ridges or wallheads of any new dwellings should be no higher than the ridges or wallheads on adjoining dwellings.

Notwithstanding the above, the following may be possible:

- The conversion of existing, substantial sized, traditional granite built outbuildings at the rear of existing properties to form dwellings where the majority of the accommodation of any new dwelling is contained within the envelope of the original structure;
- Provision of a new dwelling in the rear garden of an existing dwelling on a corner site so that existing and proposed dwellings have a road frontage. In such instances, both the existing and proposed dwellings will require private garden ground and will require to have adequate privacy and amenity.

The amalgamation or joining together of the gardens of existing dwellings to accommodate a new dwelling or dwellings and associated garden ground will not be permitted;

- In the case of the redevelopment of an exceptionally large site (if the form of development is not alien to the general pattern, density and character of dwellings in the area), it may be possible for detached houses to be built which gain access from a new private driveway or a new road constructed to adoptable standard.

### 3.2 Design and Materials

High quality design and materials which enhance the appearance of the surrounding area, or that provides an attractive contrast to surrounding buildings, will be encouraged.

Particular care will however be necessary to ensure that any new dwelling incorporates design elements and materials that do not have a detrimental impact on the character of the area. Facing materials should be of equal or higher standard than that of existing dwellings.

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In areas where granite architecture predominates, all elevations of new development that would be prominently visible from the street (including gables) should be finished with natural granite and the main roof should be of

complementary natural roofing materials (almost always natural slate). An exception may be made in circumstances where a particularly high quality modern design is proposed.

### 3.3 Amenity

New residential development should not borrow amenity from, or prejudice the development of, adjacent land or adversely affect existing development in terms of privacy, overlooking, daylighting or sunlighting. Likewise, the new

development should be afforded a reasonable amount of amenity in line with the prevailing characteristics of the surrounding area.

### 3.4 Privacy

To ensure privacy there should be a minimum separation of 18 metres between the windows of existing and proposed habitable rooms (i.e. the shortest line joining one window opening to any part of the other).

There will be circumstances in which greater distances are appropriate – for instance where there are differences in ground levels or where higher buildings are proposed. This distance can be reduced if the angle between the windows of the existing and proposed residential properties is offset, if effective screening exists, or if screening is proposed that would not obstruct light, adversely affect residential amenity or be unacceptable for other planning reasons - appendices 1 and 3 of the Householder Development Guide provide further guidance.

In exceptional circumstances high level windows may be acceptable as long as they are not to habitable rooms or are secondary windows to habitable rooms (i.e. smaller windows provided in addition and usually in a different wall, to a room's main window). Any windows to habitable rooms should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings.

### 3.5 Garden Ground

Rear gardens of houses up to two storeys in height should have an average length of at least 9 metres and dwellings of more than 2 storeys should have garden lengths of at least 11 metres. Garden ground should be conveniently located immediately adjoining residential properties, be in a single block of a size and layout to be usable for sitting out and have an acceptable level of privacy and amenity.

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It will not be acceptable for private garden ground to be situated at the street frontage of a property where it is close to / overlooked from a road. Private garden ground should also not be located under the canopy of trees or in a location that is excessively shaded by vegetation or buildings. It must also not be directly overlooked by windows of habitable rooms of adjoining residential property.

Rear garden grounds should be enclosed by solid fences or walls of at least 1.8 metres in height in order to ensure security and privacy, details of which will be secured through the evaluation of the application or via condition.

### 3.6 Daylight

Development proposals should satisfy the 25 degree approach illustrated in Appendix 2 of the Householder Development Guide. The 25 degree approach defines the point at which good interior daylighting can be achieved.

### 3.7 Sunlight

New dwellings should be designed and orientated to make the most of the opportunities offered by the site for views and sunlight in order to provide a pleasant living environment and maximise passive solar gain.

### 3.8 Trees and Garden Ground

Trees make a valuable contribution to the landscape setting of urban areas. Care should be taken to position new buildings to minimise potential disturbance to the root system of the tree canopy. The loss of mature or attractive garden ground or trees where it is considered to make a significant contribution to the visual amenity of the neighbourhood will not be acceptable.

If trees are to be lost, replacement planting will be required to mitigate the loss. Policy NE5: Trees and Woodlands, and the Trees and Woodlands Supplementary Guidance provide more information.

### 3.9 Pedestrian/Vehicular Safety and Car Parking

With the exception of private driveways, it will not normally be acceptable for pedestrian access to be shared with vehicles e.g. where pedestrians have to walk on the carriageway of rear lanes or public roads to gain access to the development.

Car parking provision should be in line with the Council standards. Policy T2: Managing the Transport Impact of Development and Transport and Accessibility Supplementary Guidance can provide more information on this topic.

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#### 4. Submission Requirements

In addition to the site/location, elevation and floorplans, the following information is required in order to fully assess a planning application to redevelop a residential curtilage:

- where new dwellings are proposed that either adjoin or sit between existing properties, a street elevation to a recognised scale so as to illustrate the relationship between the proposals and existing properties;
- where there are trees on or adjacent to the application site (and/or trees will be lost), an Arboricultural Impact Assessment will be required to be submitted by a suitably qualified person;
- daylight and sunlight calculations and illustrations based on the BRE Information Papers on *Site Layout Planning for Daylight* and *Site Layout for Sunlight and Solar Gain*.