

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 7 October 2014. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Milne, Chairperson; and Councillors Cameron and Donnelly.

REVIEW

SITE AT ARGYLE HOUSE, SCHOOL ROAD, CULTS - 140369

1. With reference to the Minute of Meeting of the Local Review Body of 25 September, 2014, wherein the Members agreed to defer consideration of the above application and agreed to hold a site visit, the Local Review Body of Aberdeen City Council met this day to review the decision taken by an appointed officer under the Council's Scheme of Delegation to refuse the application (P140369) for planning permission for the demolition of the existing outbuilding and the erection of a replacement building to create a residential annex at Argyle House, School Road, Cults, Aberdeen.

The Members visited the site, whereat they were invited to ask the Planning Adviser (Mr Hart) any questions relating to the site. The Chairperson stated that although the Planning Adviser was employed by the planning authority he had not been involved in any way with the consideration or determination of the application under review and was present to provide factual information and guidance to the Body only. He emphasised that the officer would not be asked to express any view on the proposed application.

The Members of the Local Review Body were shown the plans on site as well as viewing the site from the road, from within the applicant's grounds and from within the outhouse which was proposed to be replaced; during which the Planning Adviser was asked questions regarding the following topics: visibility splays standards; road safety matters; the retention of granite within the application; the design and finish of the proposed application; and the impact the development might have on the character of the surrounding area.

The Members of the Local Review Body agreed to determine the case on site.

The Chairperson led the discussion by asking if the Members were in agreement to the principle of the application proceeding. Both Councillors Cameron and Donnelly agreed that they were. The Chairperson also expressed his view that he agreed to the principle of the proposal.

The Chairperson then asked the Members for suitable conditions that they wished to see attached to the planning permission. The Planning Adviser advised on broad areas of conditions that could be considered.

Members therefore agreed that the decision of the appointed officer to refuse the application be reversed and agreed a willingness to approve the application subject to

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the following conditions and the signing of a legal section 75 agreement to deal with the proposal being ancillary accommodation to the main dwellinghouse.

(1) That notwithstanding the provisions of Article 3 and Schedule 1, Parts 1, 2 and 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 no extensions, alterations or improvements which materially affect the external appearance of the dwellinghouse, nor any means of enclosure shall be erected or carried out either on, or in the curtilage, of the dwelling houses hereby approved without a further grant of planning permission from the planning authority. (2) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with the drawings of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval. (3) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme

Informative:

(1) That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place: (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery].

In coming to their decision, the Local Review Body had regard to the provisions of the development plan as required by Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (as amended) and other material considerations in so far as these were pertinent to the determination of the application. The Members of the Local Review Body were of the opinion that the proposed development was acceptable in terms of its design and was not contrary to Policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan and that the proposed section 75 agreement covered the aspects of Policies H1 (Residential Areas) and T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan.

- RAMSAY MILNE, Convener.