

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 28 October 2016. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Milne, Chairperson; and Councillors Boulton and Donnelly.

The agenda and reports associated with this minute can be found at:-

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=284&MI d=4500&Ver=4>

THE MILL, CLINTERTY - PROPOSED DEMOLITION OF FORMER MILL BUILDING AND ERECTION OF REPLACEMENT DWELLING HOUSE - 160426

1. With reference to the minute of the meeting of the Local Review Body of 28 September 2016, 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 (P160426) for planning permission for the proposed demolition of the former mill building and erection of a replacement dwelling house at The Mill, Little Mill of Clinterty, Kingswells, Aberdeen.

The Members visited the site, whereat they were invited to ask the Planning Adviser (Mr Forbes) 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.

Members specifically asked questions regarding the footprint and design of the proposed building; the proposal for parking and access and the impact on visibility from reversing onto the road; the impact on flooding and drainage from the proposed development, as well as the impact on existing trees.

The Members then returned to the Town House to determine the application.

Councillor Milne as Chairperson gave a brief outline of the business to be undertaken. He indicated that the Local Review Body would be addressed by the Assistant Clerk, Mrs Allison Swanson as regards the procedure to be followed and also, thereafter, by Mr Robert Forbes, Planning Adviser to the Body for this case. The Chairperson again 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 also re-emphasised that the officer would not be asked to express any view on the proposed application.

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The Local Review Body was then addressed by Mrs Swanson, Assistant Clerk in regards to the procedure to be followed, at which time reference was made to the procedure note circulated with the papers calling the meeting and to certain more general aspects relating to the procedure.

In relation to the application, the Local Review Body had before it (1) a delegated report by Ms Dineke Brasier, Planner, dated 7 April 2016; (2) the decision notice dated 11 August 2016; (3) copies of the plans showing the proposal; (4) links to the planning policies referred to in the delegated report; (5) a letter of representation; (6) consultee responses; and (6) the Notice of Review submitted by the applicant's agent along with an accompanying statement and documents.

The Local Review Body was then addressed by Mr Forbes and it was noted that the Notice of Review pertains to the decision of Aberdeen City Council under Delegated Powers of the 11 August 2016 to refuse planning permission to take down the existing mill building and to reconstruct it with an element of extension, resulting in a new four bedroom detached dwelling.

Thereafter, Mr Forbes referred to the delegated report wherein a description of the site was provided, along with detail of the proposal, relevant planning policies, previous planning history of the site and reason for refusal; and also the statement and submissions by the applicant's agent and the consultee comments and letter of representation received. Mr Forbes explained that the Local Review Body was required to consider whether it had sufficient information before them to determine the review today.

Mr Forbes explained that the Local Review Body if determining the Review today, required firstly to determine whether the proposal complied with policy NE2, and if it did not, did it meet the exception 1 criteria. If the Local Review Body concluded that the principal of development be approved, he highlighted that other planning matters had been raised regarding the operation and design of the proposed development and would require to be considered by the Local Review Body.

Members asked questions of Mr Forbes regarding the proposed development, namely: tree removal; impact on flooding and drainage should the proposal be approved and the consultee comments in this regard; road safety resulting from the lack of vehicle turning provision and again the consultee comments in this regard.

At this point, the Local Review Body considered whether they had sufficient information before them to proceed to determine the review.

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At this point, the Chairperson advised that he required the following written submissions prior to determining the review:

- Confirmation from Aberdeen City Council's Flooding Team on its position regarding the risk of flooding from/of the proposed development and required drainage;
- Submission by SEPA of its position regarding the risk of flooding from/of the proposed development and required drainage;
- Confirmation from Aberdeen City Council's Roads Team on its view regarding (a) the proposed parking provision, in particular, the potential requirement to reverse out onto a public road and whether there would be any impact on visibility; and (b) the possibility of creating a turning facility within the development; and
- Submission from Aberdeen City Council's Environment Policy Team of its position regarding the possible impact on trees from the proposed development.

Councillors Boulton and Donnelly concurred with the Chairperson's view.

The Local Review Body thereupon unanimously agreed that the review under consideration should not be determined today as further written information as detailed above was required.

The Local Review Body resolved:-

- (i) to defer consideration of the application and to request the following written submissions prior to determining the review:
 - Confirmation from Aberdeen City Council's Flooding Team on its position regarding the risk of flooding from/of the proposed development and required drainage;
 - Submission by SEPA of its position regarding the risk of flooding from/of the proposed development and required drainage;
 - Confirmation from Aberdeen City Council's Roads Team on its view regarding (a) the proposed parking provision, in particular, the potential requirement to reverse out onto a public road and whether there would be any impact on visibility; and (b) the possibility of creating a turning facility within the development; and
 - Submission from Aberdeen City Council's Environment Policy Team of its position regarding the possible impact on trees from the proposed development; and
- (ii) that the Local Review Body reconvene on a date suitable for all members and all interested parties, as per the legislation and guidelines governing meetings of Local Review Bodies.

- Ramsay Milne, Chairperson

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