

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 28 September 2017. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Boulton, Chairperson; and Councillors Councillor Donnelly, the Depute Provost, Cameron, Cooke and Nicoll.

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

<HTTPS://COMMITTEES.ABERDEENCITY.GOV.UK/IELISTDOCUMENTS.ASPX?CID=284&MID=5917&VER=4>

REVIEW

1 NORTHCOTE CRESCENT - FORMATION OF STRAIGHT GABLE AND DORMER WINDOWS TO FRONT AND REAR - 170635

11. The Local Review Body (LRB) of Aberdeen City Council met on this day to review the decision taken by an appointed officer under the Council's Scheme of Delegation to refuse the request for planning permission for the proposed formation of straight gable and dormer windows to front and rear of 1 Northcote Crescent Aberdeen, 170635.

Councillor Boulton as Chairperson gave a brief outline of the business to be undertaken. She indicated that the LRB would be addressed by the Assistant Clerk, Mrs Lynsey McBain as regards the procedure to be followed and also, thereafter, by Mr Andrew Miller who would be acting as the Planning Adviser to the Body in the case under consideration this day.

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. She emphasised that the officer would not be asked to express any view on the proposed application.

The Local Review Body was then addressed by Mrs McBain, 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 LRB had before it (1) a delegated report by Ms Sheila Robertson, Planning Technician; (2) the decision notice dated 4 August 2017; (3) copies of the plans showing the proposal; (4) links to the planning policies referred to in the delegated report; and (5) the Notice of Review submitted by the applicant's agent along with an accompanying statement.

The LRB was then addressed by Mr Miller who advised that the submitted Notice of Review was found to be valid and submitted within the relevant timeframes.

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Mr Miller explained that the site that was subject to the review formed a semi-detached 1 and a half storey hipped roof house at the junction of Northcote Crescent with Northcote Avenue. The surrounding area was characterised by similar dwellings though to the east of Northcote Avenue were modern two storey houses.

Mr Miller advised that the application sought consent for the straightening of the hipped roof to form a gable wall, along with dormer windows to the front and rear of the house. The rear extension shown on the plans did not require planning permission as this was permitted development.

Mr Miller outlined that the request sought the review of the decision of the appointed officer to refuse the application under delegated powers and the stated reason for refusal was as follows:-

The proposal is contrary to policy H1 of the ALDP as it fails to demonstrate due regard for the design and context of the streetscape, and would result in an unbalanced pair of semi-detached houses. Along with the dormers the proposals would also result in a top heavy, bulky overdominating roof elevation. This would be out of context for the prominent end site.

In regards to consultees and objections, Mr Miller advised that one letter of support had been received and no responses received from statutory consultees.

In relation to the Notice of Review, the applicant highlighted that (a) the case officer's evaluation of the sites context was subjective and only took into consideration selected aspects of the immediate streetscape rather than the wider area; (b) there were numerous examples of precedents in the surrounding area which were shown in the supporting statement and (c) an example of precedent provided for 19 Northcote Crescent however Mr Miller advised this was determined under the previous Local Development Plan and Supplementary Guidance.

The Local Review Body then asked a number of questions of Mr Miller.

The Local Review Body thereupon agreed that the review under consideration should be determined without further procedure. The members of the Local Review Body therefore agreed that a site visit, a hearing session nor further written representations were required, as members felt they had enough information before them.

Mr Miller highlighted that when determining the appeal, members should take into consideration any material considerations they feel would be relevant to the application that would point to either overturning the original decision or dismissing the review.

Members agreed unanimously to overturn the decision of the appointed officer to refuse the application and therefore approve the application conditionally.

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(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) which required that where, in making any

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determination under the planning acts, regard was to be had to the provisions of the development plan and that determination should be made in accordance with the plan, so far as material to the application, unless material considerations indicated otherwise.

More specifically, the reasons in which the Local Review Body based this decision were as follows:-

That the proposed works 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. Accordingly, the proposals are considered to comply with the requirements of policies H1 – Residential Areas and D1 – Quality Placemaking by Design of the Aberdeen Local Development Plan 2017, as well as the Householder Development Guide Supplementary Guidance.

The Local Review Body approved the application subject to the following condition:-

No development shall commence unless samples of the external finishes to the roof, walls and window frames have been submitted to and approved in writing by the planning authority. Thereafter, the development shall be implemented in accordance with those details agreed, unless otherwise agreed in writing with the planning authority.

Reason: To ensure the alterations are suitable for the character of the surrounding area.

- **Councillor Marie Boulton, Chairperson**

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