

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 22 March 2018. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Marie Boulton , Chairperson; and Councillors Duncan and Sandy Stuart.

The agenda and reports associated with this minute can be found at:-
<HTTPS://COMMITTEES.ABERDEENCITY.GOV.UK/IELISTDOCUMENTS.ASPX?CID=284&MID=6313>

9 FOREST AVENUE, ABERDEEN - 171122

1. 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 erection of a single storey extension to the rear of 9 Forest Avenue, Aberdeen

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, Mr Mark Masson with regards to the procedure to be followed and also, thereafter, by Mr Kristian Smith 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 Mr Masson, 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 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 8 December 2017 (3) links to the plans showing the proposal and planning policies referred to in the delegated report; and (4) the application and Notice of Review submitted by the applicant along with an accompanying statement with further information relating to the application.

The LRB was then addressed by Mr Smith who advised that the submitted Notice of Review was found to be valid and submitted within the relevant timeframes. He also indicated that the appellant had indicated that the LRB could continue without any further procedure.

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

22 March 2018

The Chairperson and Councillors Duncan and Sandy Stuart all indicated that they each had enough information before them and therefore agreed that a site visit was not required and that the review under consideration should be determined without further procedure.

Mr Smith advised that the site subject to the review formed an end of terrace 2.5 storey granite built mansard roofed house on Forest Avenue. It was bounded by Forest Avenue Lane to the south and west, with a garage at the end of the garden fronting to the lane. It was within the Great Western Road Conservation Area.

Mr Smith explained that the application sought consent for the demolition of the rear wing containing a utility room and its replacement with a full width flat roofed single storey extension. The extension would be largely glazed on the rear elevation, with light wells within the flat roof. It would be finished in white render to the walls, with grey aluminium doors and windows.

Mr Smith advised that the appointed officer's decision to refuse related to the loss of the rear annexe combined with the inappropriate design of the proposed extension and its resultant poor relationship with both the house and the neighbouring attached property would be architecturally incompatible with the design and scale of the house and the surrounding conservation area. As a result, the proposals were considered to be contrary to Scottish Planning Policy, Historic Environment Scotland Policy Statement, Managing Change in the Historic Environment: Extensions and subsequently Policy D4 (Historic Environment), as well as policy D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan 2017.

Mr Smith made reference to the applicant's case as follows:-

There were examples of precedent in the surrounding area (Nos 77, 86 and 118 Forest Avenue and 79 Ashley Road, as listed in the Notice of Review Statement). The Structural Survey provided with the application demonstrated structural movement that would continue to deteriorate. There were financial implications, with the remedial works necessary exceeding those for this proposal. Comments received were not consistent with other decisions of the planning authority.

Mr Smith indicated that no objections were received from the public or statutory consultees.

Mr Smith made reference to the relevant policy considerations as follows:-

Scottish Planning Policy and Historic Environment Scotland Policy Statement

- both sought to preserve and enhance the character of conservation areas.

Aberdeen Local Development Plan 2017

- H1 – Residential Areas: sought to ensure that all development was suitable for the character and amenity of the surrounding area, as well as general compatibility with residential uses;

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

22 March 2018

- D1 – Quality Placemaking by Design: requires development to be of a high standard of design; and
- D4 – Historic Environment: requires all development that impacts on the historic environment to comply with Scottish Planning Policy and Historic Environment Scotland Policy Statement.

Householder Supplementary Guidance

- General principles required proposals to be generally architecturally compatible with the house and surrounding area. Development should not result in an adverse impact on the amenity of the surrounding area. (Extensions to terraced houses – no more than 3m projection, generally no more than 1 storey).

Mr Smith intimated that in determining the appeal, members should also take into consideration any material considerations they feel were relevant to the application that would point to either overturning the original decision or dismissing the review.

He explained that should members wish to overturn the decision of the appointed officer, consideration should be given to any conditions which would be appropriate in order to make the proposal acceptable. However all conditions must meet the six tests set out by Scottish Government policy and I can go through these if necessary.

Mr Smith advised that if members were minded to overturn the decision then he would not advise placing any conditions.

The Local Review Body then asked questions of Mr Smith, specifically regarding the possibility of demolition costs and whether there were any further processes in relation to the site being located within a Conservation Area.

Members agreed by majority to overturn the decision of the appointed officer and to approve the application subject to the following conditions:-

No development shall commence unless:-

- a scheme (including samples) of the finishes to the external walls, roof, window and door frames and rainwater goods have been submitted to and approved in writing by the Planning Authority; and**
- as part of the scheme required under part (a), details of the reuse of granite on publicly visible elevations shall also be submitted to the satisfaction of the Planning Authority.**

Reason: In order to ensure the external finishes of the proposed extension are suitable for its location within the Great Western Road Conservation Area.

In coming to their decision, the Convener and Councillor Duncan made reference to the unsightly existing extension and many examples of this similar type of extension in the surrounding area.

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

22 March 2018

Councillor Stuart supported the appointed officer's decision to refuse in relation to the loss of the rear annexe combined with the inappropriate design of the proposed extension and its resultant poor relationship with both the house and the neighbouring attached property would be architecturally incompatible with the design and scale of the house and the surrounding conservation area.

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.

More specifically, the reasons on which the Local Review Body based this decision were as follows:- subject to a condition requiring the reuse of granite from the existing house to be incorporated into publically visible elevations, the proposed extension would be of a suitable design and finish that would comply with the requirements of policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the Aberdeen Local Development Plan 2017 (ALDP). The extension would also preserve the character of the surrounding Great Western Road Conservation Area, satisfying the requirements of Scottish Planning Policy and Historic Environment Scotland Policy Statement, and subsequently policy D4 – Historic Environment of the ALDP.

- **COUNCILLOR MARIE BOULTON, Chairperson**

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL
22 March 2018