

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 4 July 2018. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Boulton, Chairperson; and Councillors Councillor Donnelly, the Depute Provost and Mason.

The agenda and reports associated with this minute can be found at:-
<HTTPS://COMMITTEES.ABERDEENCITY.GOV.UK/IELISTDOCUMENTS.ASPX?CID=284&MID=6464&VER=4>

FORMATION OF DORMER TO THE REAR - 16 MONTGOMERY ROAD ABERDEEN - 180220

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 formation of a dormer to the rear at 16 Montgomery Road Aberdeen, planning reference 180220.

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 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 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 Mr Roy Brown, Planning Technician; (2) the decision notice dated 17 April 2018; (3) copies of the plans showing the proposal; (4) links to the planning policies referred to in the delegated report; (5) and the Notice of Review submitted by the applicant.

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.

Mr Smith explained that the site subject to the review formed a 2 bedroomed two storey end of terrace house dating from the 1970s, with no dormers within the roof face of the terrace to which the proposal relates. The surrounding area is formed of similar housing

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and flats. The rooflight to the front elevation does not require planning permission, neither does the use of the roof space as accommodation.

It is proposed to provide a box dormer in the rear elevation, in order to provide a further two bedrooms within the roof space.

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

The proposed dormer would be in direct conflict with the Supplementary Guidance: 'The Householder Development Guide' in that it would be located on a prominent public elevation on a terrace, which is of a house type that is characteristic of the wider area of Hayton, where there are no examples of dormers. The dormer would be in conflict with the character and uniform pattern of development in the surrounding area and therefore would not be architecturally compatible in design with the original building and the surrounding area. It would thus also be contrary to the overarching Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan. There are no material planning considerations that would warrant the grant of planning permission in this instance.

In regards to consultees and objections, Mr Smith advised that no letters of objection were received.

Mr Smith also made reference to the relevant planning considerations, as follows:-

- D1 – Quality Placemaking by Design: Requires development to be of a high standard of design.
- H1 – Residential areas – points 1, 2 and 4 of the policy are relevant.
- Supplementary Guidance – general principles within the guidance which relates to alterations including dormers.

In relation to the Notice of Review, the applicant highlighted that (a) they needed the dormer to provide additional space for the family to stay in the location, (b) the proposal was an easy and cost effective solution to provide additional accommodation, (c) the policy allows for dormers on rear elevations and (d) they did not agree that the positioning was prominent. Mr Smith highlighted that points (a) and (b) were not material planning considerations.

The Local Review Body then asked questions of Mr Smith in regards to the application.

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.

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Members agreed unanimously to uphold the decision of the appointed officer to refuse the application.

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 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:-

The proposed dormer would be in direct conflict with the Supplementary Guidance: 'The Householder Development Guide' in that it would be located on a prominent public elevation on a terrace, which is of a house type that is characteristic of the wider area of Hayton, where there are no examples of dormers. The dormer would be in conflict with the character and uniform pattern of development in the surrounding area and therefore would not be architecturally compatible in design with the original building and the surrounding area. It would thus also be contrary to the overarching Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan. There are no material planning considerations that would warrant the grant of planning permission in this instance.

Councillor Marie Boulton, Chairperson

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