

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 9 August 2018. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Boulton, Chairperson; and Councillors Avril MacKenzie and Mason.

The agenda and reports associated with this meeting can be viewed [here](#)

83 BLENHEIM PLACE - ERECTION OF 1.5 STOREY GARAGE WITH STORAGE SPACE AT UPPER LEVEL - P171486

1. With reference to its meeting of 2 August 2018, the Local Review Body (LRB) of Aberdeen City Council reconvened at the Town House following a site visit 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 1.5 storey garage with storage space at upper level at 83 Blenheim Place, Aberdeen, Planning Reference 171486.

Councillor Boulton, as Chairperson, advised that the procedures previously outlined by the Clerk at the meeting of 2 August would apply and indicated that the LRB would be addressed by Mr Gavin Evans, who acted as Planning Adviser to the LRB in the case under consideration. The Chairperson reiterated 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 LRB only. She emphasised that the officer would not be asked to express any view on the proposed application.

In relation to the application, the LRB again had before it (1) a delegated report by Mr Gavin Clark, Senior Planner; (2) the decision notice dated 16 April 2018; (3) links to the plans showing the proposal and planning notices referred to in the delegated report; (4) a letter of representation; and (5) 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 Evans who provided a summary of the information he had previously given to Members at the earlier meeting on 2 August.

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

- D1 – Quality Placemaking by Design: Requires development to be of a high standard of design, which demonstrates an understanding of its context.
- H1 – Residential Areas: Householder Development: should particularly:
 - Not result in an unacceptable impact on the character and amenity of the surrounding area; and
 - Comply with Supplementary Guidance
- D4 – Historic Environment: Aberdeen City Council will protect, preserve and enhance the historic environment in line with SPP, SHEP and its own

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Supplementary Guidance and Conservation Area Character Appraisals and Management Plan;

- NE5 – Trees and Woodlands: States the presumption against development that would result in loss of trees that contribute to landscape character, local amenity etc.
- T2 – Managing the Transport Impact of Development: Development must demonstrate that sufficient measures have been taken to minimise traffic generated and maximise opportunities for sustainable travel; and
- Householder Supplementary Guidance Section 3.1.6: includes content relating specifically to outbuildings.

Mr Evans advised that in determining the appeal, Members should also take into consideration any material considerations that they felt were relevant to the application that would point to either overturning the original decision or dismissing the review.

He noted that it appeared that the relevant material considerations were primarily:-

- Policy H1 – particularly items 2 and 4, but that consideration should also be given to 1;
- Policy D1 – which required high standards of design and the creation of a strong sense of place relative to the context of the locality;
- Householder Supplementary Guidance – particularly item 1 of the general principles relating to householder developments, but giving due consideration to the others; and also the guidance on outbuildings;
- Policy D4 – which set out the Council’s position on seeking to protect, preserve and enhance the historic environment; and
- The Conservation Area Character Appraisal, noting that it would be for Members to form an opinion on whether the proposed garage would be considered large or unsympathetic in respect of its location in a Conservation Area.

Mr Evans noted that if Members wished to overturn the decision of the appointed officer, that consideration should also be given to any conditions which would be appropriate in order to make the proposal acceptable, but noted that all conditions must meet the six tests set out by Scottish Government policy.

Following discussion, Members agreed by a majority of two to one that the proposal was acceptable and therefore the Local Review Body’s decision was to overturn the decision of the appointed officer and approve the application, subject to the following condition:-

1. No development pursuant to this grant of planning permission shall be undertaken unless full details of the materials and finishes to be used on the roof and walls of the development hereby approved have been submitted to, and agreed in writing by the planning authority. Thereafter all works shall be carried out in accordance with the details so agreed.

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Reason: In the interests of ensuring that materials are of good quality and appropriate for use within a Conservation Area, and to ensure compliance with policies D1 (Quality Placemaking by Design) and D4 (Built Heritage) of the Aberdeen Local Development Plan.

In coming to their decision, the Chairperson and Councillor MacKenzie made reference to the many different styles of garage in the lane which they had viewed on the site visit, and that those which had the gable end facing onto the lane had more of an impact on the surrounding area than the garages which did not.

Councillor Mason supported the appointed officer's decision to refuse the application, as he considered that the size of the proposal was acceptable however the proposed orientation was not, and it would therefore have an unacceptable impact on the lane and would be detrimental to the character of the surrounding 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 consideration in so far as these were pertinent to the determination of the application.

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

The proposal would not have a detrimental impact on the character and visual amenity of the surrounding residential area, and would not conflict with the guidelines contained in Section 3.16 "Outbuildings" of the Supplementary Guidance: Householder Development Guide, nor with Policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan. The proposed materials to be used in the development would be an enhancement to the area in comparison to the existing garage, and the proposed colour scheme was sympathetic. The LRB noted the variety of styles of garage in neighbouring properties and considered that the proposal would blend in to the surrounding area, therefore would not have a negative impact on the character of the Albyn Place / Rubislaw Conservation Area. The proposed roof profile and orientation would not be incongruous within the streetscape and it was considered that the proposed garage would in fact be more intrusive and dominant if the gable end were to face onto the lane.

- **COUNCILLOR MARIE BOULTON, Chairperson**

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