

## LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 5 December 2018. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Boulton, Chairperson; and Councillors Donnelly and Macdonald.

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

### REPLACEMENT OF ROLLER SHUTTER ACCESS GATE (RETROSPECTIVE) - 85 BLENHEIM PLACE ABERDEEN - 181008

11. The Local Review Body considered the request for a review for the replacement of a roller shutter and access gate retrospectively at 85 Blenheim Place Aberdeen, 181008/DPP.

The Chairperson advised that the LRB would be addressed by Mr Gavin Evans and reminded Members that although Mr Evans 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.

In relation to the application, the LRB had before it (1) a delegated report by Linda Speers, Planning Trainee; (2) the application dated 19 June 2018; (3) the decision notice dated 8 August 2018 (4) links to the plans showing the proposal and planning policies referred to in the delegated report; and (5) the Notice of Review submitted by the agent along with an accompanying statement with further information relating to the application.

The LRB was then addressed by Mr Evans who advised that the review had been submitted with all necessary information within the time limit of three months following the decision of the appointed officer.

Mr Evans then described the site advising that the application site comprised an end-terrace 2-storey traditional granite property on the western side of Blenheim Place, just south of Desswood Place. The building incorporated both numbers 85 and 87 Blenheim Place, with a circa 30m long garden to the rear. The rear garden was enclosed by a boundary wall, however the boundary with the rear lane was defined by an existing double garage, the roller shutter that is subject of this application and a timber pass gate. Mr Evans also advised that the site lies within the Albyn Place/Rubislaw Conservation Area.

Mr Evans explained that planning permission was sought retrospectively for the installation of a roller shutter gate opening onto the rear lane. The gate was finished in black coated steel with its housing finished in a black painted timber. The shutter and its

**LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL**

5 December 2018

housing box protrude above the level of the adjoining boundary wall, with the housing box visible in views on approach along the lane from either direction.

In terms of the appointed officer's reasons for refusal, Mr Evans made reference to the following factors in the decision notice:-

- The size, design and materials fail to enhance or preserve the character of the Conservation Area;
- The proposal would not accord with HESPS, SPP, or policy D4 (Historic Environment) of the Aberdeen Local Development Plan;
- The proposal (by virtue of its size, design and materials) would have an unacceptable impact on both character and amenity of the surrounding area
- It would not accord with policy D1 (Quality Placemaking by Design) and H1 (Residential Areas) of the ALDP.
- Lastly, that approval would create an undesirable precedent for similar proposals, cumulatively resulting in erosion of the traditional character of the CA.

In relation to the appellant's case, Mr Evans highlighted the following from the Review statement:-

- The previous roller gate was replaced with a shutter-type because the earlier gate was causing structural damage to the garage and boundary wall;
- Self-supporting roller-shutter was seen as better option from safety perspective;
- Automatically operated, so minimises obstruction on public road and the shutter itself would not protrude out into the lane;
- Applicant was unaware when carrying out works that these would require planning permission;
- Argue that the proposal is 'wholly in context' with the character of this lane;
- Would not create precedent as there are already gates of similar design on the lane.

In terms of consultee responses, Mr Evans advised that there were no responses from consultees or neighbouring properties.

Mr Evans indicated that the applicant had expressed the view that a site visit was required before determination.

At this point, the LRB considered whether they had sufficient information before them to proceed to determine the review. Councillor Macdonald stated that she wished a site visit be held prior to determining the review. The Local Review Body then agreed that the review under consideration should be adjourned in order for a site visit to be conducted in due course.

- **Councillor Marie Boulton – Chairperson**

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