

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 20 March 2019. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Boulton, Chairperson; and Councillors Allan and Donnelly.

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

122 ASHGROVE ROAD WEST - EXTENSION OF DORMER TO FRONT - 181676/DPP

1. The Local Review Body (LRB) of Aberdeen City Council met at the Town House 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 extension of a dormer to the front of 122 Ashgrove Road West, Aberdeen, Planning Reference 181676/DPP.

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 Gavin Evans who would be acting as the Planning Adviser to the Body in the case under consideration.

The Chairperson highlighted 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.

The Local Review Body was then addressed by Mrs McBain, Assistant Clerk regarding 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 19 December 2018; (3) links to the plans showing the proposal and planning notices referred to in the delegated report; and (4) the application and Notice of Review submitted by the applicant.

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

Mr Evans explained that the application site was a 1½ storey semi-detached dwelling, with associated front and rear garden. It was located in a predominantly residential area, zoned as H1 in the Aberdeen Local Development Plan. The property is located on the northern side of Ashgrove Road West, immediately opposite 'Forest Grove House', which formed part of the NHS estate at Forresterhill.

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Mr Evans advised that the appointed officer's report indicated that few of the dormers on neighbouring properties on Ashgrove Road have been enlarged or altered with one example at number 144 being identified, but it was noted that this was approved in 2009, prior to the adoption of current guidance.

In relation to the Appointed Officer's reasons for refusal, Mr Evans intimated that it made reference to the following factors:-

- Conflict with 'Householder Development Guide' Supplementary Guidance;
- Would unbalance the roof slope;
- Would be less than the required 600mm from roof edge;
- Design would not be compatible with neighbour or surroundings;
- Noted few examples of dormer extensions locally (1 predates current ALDP/SG);
and
- Potential for unwelcome precedent.

In relation to the appellant's case, Mr Evans made reference to the submitted Notice of Review which referred to the following points:-

- Highlighted that the planning authority refused the application on the basis of unbalancing the roof of the property, but subsequently offered to consider a smaller extension to the dormer. This seemed contradictory, as it would also result in an unbalanced appearance to the front elevation.

Mr Evans advised that there was no consultation response from the local community council or other representations submitted.

Mr Evans indicated that the applicant had expressed the view that one or more hearings would be appropriate.

The Chairperson and Councillors Allan and Donnelly all indicated in turn that they each had enough information before them and therefore agreed that a site visit nor additional hearings were required and that the review under consideration should be determined without further procedure.

Mr Evans outlined the relevant policy considerations, making reference to the following in the Aberdeen Local Development Plan 2017:-

- H1 – Residential Areas: Householder Development should:-
 - Not constitute overdevelopment;
 - Not result in an unacceptable impact on the character and amenity of the surrounding area;
 - Not result in the loss of valuable and valued areas of open space (not applicable); and
 - Comply with Supplementary Guidance (Householder); and

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- D1 – Quality Placemaking by Design: Required development to be of a high standard of design, with a strong and distinctive sense of place.

Mr Evans then outlined the General Principles of the Supplementary Guidance for Householders and those relating to Dormers including specific guidance for Dormers on 'Modern' properties.

Mr Evans advised that in determining the appeal, members should also 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. In addition to the relevant policies from the development plan, he indicated that Scottish Planning Policy would be material considerations.

He intimated 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.

The Local Review Body then asked questions of Mr Evans, specifically regarding the unbalance of the roof and the 600mm minimum measurement from the roofslope. The proposed dormer would only be 300mm from the roofslope.

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 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 this decision were as follows:-

The proposed dormer would conflict with the Supplementary Guidance: 'The Householder Development Guide' in that it would significantly unbalance the roof slope of the dwelling and would be less than 600mm from the roof slope and therefore would not be of a design which is compatible with the original dwelling, the pair of semi-detached properties and the properties within the immediate surrounding area. With the exception of 144 Ashgrove Road West, which was granted prior to the introduction of current policies and guidance, there are very few examples of dormer extensions on the properties on Ashgrove Road West and therefore the grant of planning permission for a dormer which unbalances the roof slope could result in a precedent for similar development would have a significant adverse impact on the character of the surrounding area. The proposal would therefore conflict with the principles of Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan, and the associated Supplementary Guidance: 'The Householder Development Guide'.

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There are no material planning considerations that warrant the grant of planning permission in this instance.

- **COUNCILLOR MARIE BOULTON, Chairperson.**

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