

Public Document Pack



To: Councillors Jennifer Stewart, the Depute Provost (Item 2.1 only) and Councillor Boulton (for items 3.1 and 4.1 only), Chairpersons; and Councillors Macdonald and Reynolds.

Town House,
ABERDEEN 14 August 2019

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in **Committee Room 2 - Town House** on **WEDNESDAY, 21 AUGUST 2019 at 9.30 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

1.1 Procedure Notice (Pages 5 - 6)

COPIES OF THE RELEVANT PLANS / DRAWINGS ARE AVAILABLE FOR INSPECTION IN ADVANCE OF THE MEETING AND WILL BE DISPLAYED AT THE MEETING

MEMBERS PLEASE NOTE THAT THE FOLLOWING LINK WILL TAKE YOU TO THE LOCAL DEVELOPMENT PLAN.

[Local Development Plan](#)

TO REVIEW THE DECISION OF THE APPOINTED OFFICER TO REFUSE THE FOLLOWING APPLICATIONS

PLANNING ADVISER - GAVIN EVANS

CHAIRPERSON - COUNCILLOR JENNIFER STEWART

2.1 108A North Deeside Road - Erection of 1.5 Storey Extension to Front - Planning Ref:190441

2.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 7 - 34)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

(Ref Number - 190441)

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

2.3 Planning Policies Referred to in Documents Submitted (Pages 35 - 36)

2.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 37 - 48)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number (190441)

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

2.5 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

2.6 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

CHAIRPERSON - COUNCILLOR MARIE BOULTON

3.1 9 Belvidere Crescent - Formation of Dormer to Rear - Planning Ref:190339

3.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 49 - 64)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

(Ref Number 190339)

<https://publicaccess.aberdeency.gov.uk/online-applications/search.do?action=simple&searchType=Application>

3.3 Planning Policies Referred to in Documents Submitted (Pages 65 - 66)

3.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 67 - 74)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number (190339)

<https://publicaccess.aberdeency.gov.uk/online-applications/search.do?action=simple&searchType=Application>

3.5 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

3.6 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

CHAIRPERSON - COUNCILLOR MARIE BOULTON

4.1 108 Crown Street - Formation of Dormer Window to Front - Planning Ref:181426

4.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 75 - 92)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

(Ref Number 181426)

<https://publicaccess.aberdeency.gov.uk/online-applications/search.do?action=simple&searchType=Application>

4.3 Planning Policies Referred to in Documents Submitted (Pages 93 - 94)

4.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 95 - 102)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number (181426)

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

4.5 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

4.6 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Mark Masson on mmasson@aberdeencity.gov.uk / tel 01224 522989

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

PROCEDURE NOTE

GENERAL

1. The Local Review Body of Aberdeen City Council (the LRB) must at all times comply with (one) the provisions of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 (the regulations), and (two) Aberdeen City Council's Standing Orders.
2. In dealing with a request for the review of a decision made by an appointed officer under the Scheme of Delegation adopted by the Council for the determination of "local" planning applications, the LRB acknowledge that the review process as set out in the regulations shall be carried out in stages.
3. As the first stage and having considered the applicant's stated preference (if any) for the procedure to be followed, the LRB must decide how the case under review is to be determined.
4. Once a notice of review has been submitted interested parties (defined as statutory consultees or other parties who have made, and have not withdrawn, representations in connection with the application) will be consulted on the Notice and will have the right to make further representations within 14 days.
Any representations:
 - made by any party other than the interested parties as defined above (including those objectors or Community Councils that did not make timeous representation on the application before its delegated determination by the appointed officer) or
 - made outwith the 14 day period representation period referred to abovecannot and will not be considered by the Local Review Body in determining the Review.
5. Where the LRB consider that the review documents (as defined within the regulations) provide sufficient information to enable them to determine the review, they may (as the next stage in the process) proceed to do so without further procedure.
6. Should the LRB, however, consider that they are not in a position to determine the review without further procedure, they must then decide which one of (or combination of) the further procedures available to them in terms of the regulations should be pursued. The further procedures available are:-
 - (a) written submissions;
 - (b) the holding of one or more hearing sessions;
 - (c) an inspection of the site.

7. If the LRB do decide to seek further information or representations prior to the determination of the review, they will require, in addition to deciding the manner in which that further information/representations should be provided, to be specific about the nature of the information/representations sought and by whom it should be provided.
8. In adjourning a meeting to such date and time as it may then or later decide, the LRB shall take into account the procedures outlined within Part 4 of the regulations, which will require to be fully observed.

DETERMINATION OF REVIEW

9. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.
10. The starting point for the determination of the review by the LRB will be Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that:-

“where, in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise.”
11. In coming to a decision on the review before them, the LRB will require:-
 - (a) to consider the Development Plan position relating to the application proposal and reach a view as to whether the proposal accords with the Development Plan;
 - (b) to identify all other material considerations arising (if any) which may be relevant to the proposal;
 - (c) to weigh the Development Plan position against the other material considerations arising before deciding whether the Development Plan should or should not prevail in the circumstances.
12. In determining the review, the LRB will:-
 - (a) uphold the appointed officers determination, with or without amendments or additions to the reason for refusal; or
 - (b) overturn the appointed officer’s decision and approve the application **with or without appropriate conditions.**
13. The LRB will give clear reasons for its decision in recognition that these will require to be intimated and publicised in full accordance with the regulations.



Strategic Place Planning

Report of Handling

Site Address:	108A North Deeside Road, Peterculter, Aberdeen, AB14 0QB
Application Description:	Erection of 1.5 storey extension to front
Application Ref:	190441/DPP
Application Type:	Detailed Planning Permission
Application Date:	21 March 2019
Applicant:	Mr Rod Nicholson
Ward:	Lower Deeside
Community Council:	Culter
Case Officer:	Roy Brown

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

A 1½ storey detached granite dwelling in a shared curtilage of two residential dwellings in Peterculter. The dwelling has an east facing principal elevation and two modern attached garages and a roof terrace on its south. The dwelling is in the northwest corner in the rear of the site, and is to the rear of number 108, therefore not fronting any public road. The application site is bounded by North Deeside Road to the south from which this site is accessed; Eastleigh Nursing Home to the west; Culter Mills Sports and Recreation Club to the north; and 106 North Deeside Road to the east.

Relevant Planning History

Planning permission was refused on the 25th January 2019 for the erection of a 1½ storey extension to the rear of this dwelling (Ref: 181783/DPP). The decision was upheld by the Local Review Body (LRB) on the 5th March 2019. The proposed extension in this application is the same as the extension refused and upheld by the Local Review Body in the planning application with reference: 181783/DPP.

That planning application was refused, and upheld by the LRB, on the basis that the extension would serve to dominate the original dwelling in terms of scale and massing which was demonstrated by its significant footprint, the width of its gable relative to that of the original dwelling and its significant projection from the principal elevation of the dwelling which would be greater than overall length of the dwelling. The proposal would be more than double the footprint of the original dwelling house, would be contrary to the pattern of development and the character of the surrounding area given that the extended dwelling would be approximately the same size as the primary 108 North Deeside Road and would have the appearance of being significant back land development whereas the existing character has the appearance of being an ancillary

building within the curtilage of number 108. It was thus considered to conflict with the Supplementary Guidance: 'The Householder Development Guide' and Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan.

The difference in the consideration of this application is that a supporting statement dated 13th March 2019 has been submitted; the proposed plans indicate that the existing attached garages to the south of the dwelling would be removed; and no bat survey has been submitted with this particular application.

APPLICATION DESCRIPTION

Description of Proposal

The erection of a 1½ storey gable roofed extension to the front of the dwelling, which projects approximately 8.3m from this elevation. The extension would have a built footprint of c. 59.6sqm; the roof would have an eaves height of c. 3.4m and a (maximum) ridge height of c. 6.4m. The extension would primarily be finished in stone facing, a slated roof and dark grey uPVC windows and doors.

The proposed plans show that the existing garages would be removed from the dwelling. The removal of the garages and the resulting altered south elevation would be considered Permitted Development under Class 2B of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, and thus would not require planning permission. As the removal of the garages and alterations to the south elevation do not require planning permission, these works are not included in this application.

Supporting Documents

All drawings and the supporting statement listed below can be viewed on the Council's website at: <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=POEH1CBZLZ900>

Supporting Statement (Prepared by Inspired Design & Development Ltd)

Seeks to justify the proposed extension; highlights the planning history of the site to address the issues raised by the planning authority and by the Local Review Body; seeks to justify the proposal in that it would accord policies and guidance, notably with respect to built footprint as the existing garages would be removed.

CONSULTATIONS

Culter Community Council – Objection – This application proposes exactly the same extension as was refused planning permission under Ref: 181783/DPP. Whilst removing the garages would change the arithmetic in terms of built footprint, the other reasons for the previous refusal have not been addressed. The neighbours' concerns regarding loss of privacy have not been allayed as the application has not been altered and the primary glazing for the main living area is floor-to-ceiling across the east façade. The proposal would be over-development of the site and an inappropriate precedent for the immediate area. Should the Planning Authority be minded to grant planning permission, they should request a condition forbidding security lighting spilling into the neighbouring property.

Roads Development Management – No objection - No roads concerns.

REPRESENTATIONS

2 representations have been received (2 objections). The matters raised can be summarised as follows –

- Overlooking from the ground floor windows in the east elevation of the extension into 106 North Deeside Road, its rear garden and the private garden of 104 North Deeside Road.
- Given recent development at 102 North Deeside Road which is considered to affect the privacy of number 104 from the east, the proposal would result in further loss of privacy to 104 from the west.
- The proposal would result in over-development and an inappropriate precedent in the immediate area.
- Issues with respect to existing CCTV cameras and security lighting on 108 North Deeside Road; and that this could be included on east elevation of the proposed extension of 108A North Deeside Road.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

Aberdeen City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

Aberdeen Local Development Plan (ALDP) (2017)

Policy H1 - Residential Areas
Policy D1 - Quality Placemaking by Design
Policy NE8 – Natural Heritage

Supplementary Guidance (SG)

The Householder Development Guide (HDG)

EVALUATION

Aberdeen City and Shire Strategic Development Plan (SDP)

In terms of assessment against the Strategic Development Plan, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

Principle of Development

The application site is located in a residential area, under Policy H1 and the proposal relates to householder development. Householder development would accord with this policy in principle if it does not constitute over development, adversely affect the character and amenity of the surrounding area, and it complies with the Supplementary Guidance. These issues are assessed in the below evaluation.

Design and Scale

To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1. This policy recognises that not all development will be of a scale that makes a significant placemaking impact but recognises that good design and detail adds to the attractiveness of the built environment.

Whilst this extension is a 'front' extension, and thus would be significantly contrary to the Householder Development Guide relating to front extensions, given the nature and orientation of the dwelling and the characteristics of the site whereby the existing building does not have a street facing principal elevation, is located at the northwest corner of the site and therefore could not be extended to its west and north, and currently has the appearance of an ancillary building to 108 North Deeside Road, it is legitimate to not require or enforce strict compliance with the SG relating to front extensions. These factors mean that this particular dwelling could accommodate a front extension greater than the limitations specified in the SG, but for the reasons set out in this report, not to the extent proposed.

The proposed finishing materials, particularly its slate roof would be complementary to those of the original dwelling and a gable roof would relate to the original dwelling.

However, the proposed extension would be contrary to the SG: 'Householder Development Guide' in that it would not be subservient in terms of mass and scale to the original dwelling. The HDG states that *'any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.'* Whilst its ridge and eaves heights would be less than those of the original dwelling, the significant 8.3m projection of the extension from the principal elevation would be disproportionate to the original dwelling and its main gable, which is approximately 9m in width. The gable end would be wider than those of the original dwelling. Together these features would result in the extension being of a significant massing which would not be subservient to the original dwelling and would have a dominating impact, altering the character of the building on the site.

The HDG states that *'the built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.'* Although the proposed extension in this application is the same as the extension to the property in the recently refused application (Ref: 181783/DPP), a key justification in the submitted supporting statement in light of the previous refusal is that by removing the existing garages, the proposal would comply with the SG with respect to built footprint. This is because if the existing garages were removed as shown in the proposed plans (Drawing No: P02 Rev J), the dwelling and the extension would be 1.95 times the footprint of the original dwellinghouse. However, the removal of the garages does not require planning permission and thus is not included in this application, irrespective of what is shown on the proposed plans indicate. The total footprint of the dwelling as extended with the proposed extension and the

existing garage extensions would be 2.5 times that of the original dwellinghouse, in conflict with the Supplementary Guidance: 'The Householder Development Guide'.

Although this proposal would not necessarily constitute over development in terms of the amount of ground developed on the site, the extension would result in the dwelling itself being over-developed. The existing character of the area is of this dwelling appearing as an ancillary building within the curtilage of the primary granite dwelling in the centre of the site. This proposal would result in 108A having almost the same footprint as 108 North Deeside Road, which would negatively affect the relationship between the two buildings, would appear as significant back land development in the rear curtilage and therefore would be contrary to the pattern of development and the character of the surrounding area.

It must be highlighted that even if the garages were removed, which is a key justification by the applicant for this proposal, the proposed extension, which is the same as that previously refused and upheld by the LRB (181873/DPP), would not be of a scale and massing which is architecturally compatible with the original dwelling and the surrounding area. The design and scale of the proposal would thus conflict with the Householder Development Guide, and policies D1 and H1 of the ALDP.

Amenity

The proposed extension is almost entirely glazed at ground floor level on the east elevation, this glazing serves a habitable room and faces towards the rear curtilage of 106 North Deeside Road. The existing level of boundary treatment by way of the c.1.7m high granite boundary wall and the tree would be sufficient in ensuring that the proposed extension would not have a significant adverse impact on the level of privacy and general amenity afforded to this neighbouring property. This boundary treatment and the significant 20m distance from the extension to the closest boundary to 104 North Deeside Road means that the proposed extension would not adversely affect the level of privacy afforded to 104 North Deeside Road (or any other properties to the east).

Overlooking from the rear elevation into the easternmost rear window of 108 North Deeside Road would be prevented by its rear annexe. Otherwise, the level of privacy afforded to 108 North Deeside Road and Eastleigh Nursing Home to the west would be unchanged from the level of privacy which currently exists given the presence of the existing roof terrace on the south elevation of the application property. The proposed extension would have negligible adverse impact to neighbouring amenity in terms of sunlight and background daylight. The proposed extension would therefore not have a significant adverse impact on the level of amenity afforded to the neighbouring properties, in accordance with Policies H1 and D1 of the ALDP, and the SG.

Natural Heritage

Given the preliminary roost assessment for the previous application was undertaken within the last 12 months (in October 2018) and found no evidence of bats, no further bat survey is required for the assessment of this application. The proposal would not have a significant impact on bats or bats habitats, in compliance with Policy NE8 and the Natural Heritage Supplementary Guidance.

Matters Raised in the Letters of Objection

The matters raised in the letters of objection with respect to privacy and over-development have been addressed in the above evaluation.

With respect to precedent, every planning application is assessed on its own merits and the application site is unique in that there is an ancillary dwelling within the feu of a larger, primary property. It is unlikely that such a proposal would be replicated elsewhere nearby. Nevertheless, it is recognised that the grant of planning permission could set a precedent for substantial back land development of a similar nature in the surrounding area.

No security lighting or CCTV cameras are included in this application. Concerns with existing CCTV and security lighting on 108 North Deeside Road would not be relevant in the assessment of this application. Lighting nuisance is addressed by Environmental Health legislation.

Matters Raised by Culter Community Council

The matters raised by Culter Community Council in relation to the loss of privacy and overdevelopment have been addressed in the above evaluation and it is considered by the Planning Authority that the existing boundary treatment between the application property and numbers 106 and 108 would ensure there would be no loss of privacy. With respect to precedent, every planning application is assessed on its own merits and the application site is unique in that there is an ancillary dwelling within the feu of a larger, primary property. It is unlikely that such a proposal would be replicated elsewhere nearby. Nevertheless, it is recognised that the grant of planning permission could set a precedent for substantial back land development of a similar nature in the surrounding area.

Had the Planning Authority been minded to grant planning permission, it would not have included a condition limiting security lighting on the extension. This is because such a condition would not be necessary as nuisance from lighting would be controlled separately under Environmental Health legislation.

Conclusion

The proposed extension in this application is not materially different to the application refused and upheld by the Local Review Body in application with reference: 181783/DPP. There has been no change in the relevant planning policies and guidance since the previous application, and no different material considerations that warrant a different recommendation in this application. There are thus no material considerations that warrant any decision other than to refuse planning permission.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed extension would serve to dominate the original dwelling in terms of scale and massing, in conflict with the Supplementary Guidance: 'The Householder Development Guide' and Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the Aberdeen Local Development Plan, which can be demonstrated by the width of its gable relative to that of the original dwelling and its significant projection from the principal elevation of the dwelling which would be greater than overall length of the dwelling, and its significant footprint. Given the presence of the existing garages, the dwelling as extended would be more than double that of the original dwelling, in conflict with the Supplementary Guidance: 'the Householder Development Guide'.

The proposed extension would be contrary to the pattern of development and the character of the surrounding area, in conflict with Policies D1 – Quality Placemaking by Design and H1 – Residential Areas of the Aberdeen Local Development Plan given that the extended dwelling would be almost the same size as the primary 108 North Deeside Road and would have the appearance of being significant back land development whereas the existing character has the appearance of being an ancillary building within the curtilage of number 108.

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



Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100157493-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Extension of existing dwelling over 1.5 storeys, and demolition of garages attached to existing dwelling

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Inspired Design & Development Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Gary	Building Name:	
Last Name: *	Black	Building Number:	27
Telephone Number: *	01569 764183	Address 1 (Street): *	Evan Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Stonehaven
Fax Number:		Country: *	Scotland
		Postcode: *	AB39 2EQ
Email Address: *	iddapplications@gmail.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	c/o Agent
First Name: *	Rod	Building Number:	27
Last Name: *	Nicholson	Address 1 (Street): *	Evan Street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Stonehaven
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	AB39 2EQ
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

108A NORTH DEESIDE ROAD

Address 2:

PETERCULTER

Address 3:

ABERDEEN

Address 4:

Address 5:

Town/City/Settlement:

PETERCULTER

Post Code:

AB14 0QB

Please identify/describe the location of the site or sites

Northing

800673

Easting

384206

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Gary Black

On behalf of: Mr Rod Nicholson

Date: 15/03/2019

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Gary Black

Declaration Date: 15/03/2019

Payment Details

Online payment: ABSP00003791
Payment date: 15/03/2019 08:02:00

Created: 15/03/2019 08:02

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Gary Black
Inspired Design & Development Ltd
27 Evan Street
Stonehaven
AB39 2EQ

on behalf of **Mr Rod Nicholson**

With reference to your application validly received on 21 March 2019 for the following development:-

**Erection of 1.5 storey extension to front
at 108A North Deeside Road, Peterculter**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

<u>Drawing Number</u>	<u>Drawing Type</u>
P01 Rev C	Location Plan
P02 Rev J	Elevations and Floor Plans (Proposed)

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

The proposed extension would serve to dominate the original dwelling in terms of scale and massing, in conflict with the Supplementary Guidance: 'The Householder Development Guide' and Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan, which can be demonstrated by the width of its gable relative to that of the original dwelling and its significant projection from the principal elevation of the dwelling which would be

greater than overall length of the dwelling, and its significant footprint. Given the presence of the existing garages, the dwelling as extended would be more than double that of the original dwelling, in conflict with the Supplementary Guidance: 'the Householder Development Guide'.

The proposed extension would be contrary to the pattern of development and the character of the surrounding area, in conflict with Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan given that the extended dwelling would be almost the same size as the primary 108 North Deeside Road and would have the appearance of being significant back land development whereas the existing character has the appearance of being an ancillary building within the curtilage of number 108.

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

Date of Signing 4 June 2019



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Strategic Place Planning (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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From: [Andy Roberts](#)
To: [PJ](#)
Cc: [Roy Brown](#); [M.Tauqeer Malik](#); [Marie Boulton](#); [Philip Bell](#); [David Wakefield](#); [Lavina Massie](#); [Ann Wakefield](#); [Val Muir](#); [Doug MacGregor](#); [Christopher Watson](#); [Julia Crighton](#); [Judith Dack](#); [Nicola Window](#); [Stuart McMain](#)
Subject: 190441 108a North Deeside Road – representation from Culter Community Council
Date: 13 April 2019 18:50:56

Culter Community Council, following representations from the community, objects to the proposal submitted.

The applicant has apparently drawn confidence from comments made at the Local Review Body which heard the appeal against the refusal of planning permission for their previous application 181783. The fact remains that the LRB upheld the original determination decision – to refuse permission – because:

The proposed extension would serve to dominate the original dwelling in terms of scale and massing, in conflict with the Supplementary Guidance: 'The Householder Development Guide' and Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan, which can be demonstrated by its significant footprint, the width of its gable relative to that of the original dwelling and its significant projection from the principal elevation of the dwelling which would be greater than overall length of the dwelling. The proposal would be more than double the footprint of the original dwelling house, in conflict with the Supplementary Guidance: 'the Householder Development Guide'.

The proposed extension would be contrary to the pattern of development and the character of the surrounding area, in conflict with Policies D1 - Quality Placemaking by Design and H1 - Residential Areas of the Aberdeen Local Development Plan given that the extended dwelling would be approximately the same size as the primary 108 North Deeside Road and would have the appearance of being significant back land development whereas the existing character has the appearance of being an ancillary building within the curtilage of number 108.

The current application proposes exactly the same extension as was refused permission under 181783, and whilst the applicant's choosing to remove the existing garages will change the arithmetic underlying the final sentence of the first paragraph above, all of the other reasons above apply specifically to the proposed new extension, which has not been changed in any way.

The neighbours' concerns about loss of privacy have not been allayed in any way, as the extension remains unaltered from the previously-refused application. The primary glazing for the principal living area is floor-to-ceiling across the east facade. The occupants' gaze will be across the rear gardens to the east, causing loss of privacy – especially with today's fashion for no curtains.

We understand the applicant's wish to improve 108a, but in our view this proposal is over-development of the site and an inappropriate precedent for the immediate area.

Should the Planning Authority be minded to grant permission, we request that a condition be imposed forbidding security lighting or other lighting (i) spilling over into neighbours' property and (ii) causing nuisance by intermittent operation.

For and on behalf of Culter Community Council,

--

Andy Roberts *Planning Liaison Officer*

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Consultee Comments for Planning Application 190441/DPP

Application Summary

Application Number: 190441/DPP

Address: 108A North Deeside Road Peterculter Aberdeen AB14 0QB

Proposal: Erection of 1.5 storey extension to front

Case Officer: Roy Brown

Consultee Details

Name: Mr scott lynch

Address: Marischal College, Gallowgate, Aberdeen AB10 1YS

Email: slynch@aberdeencity.gov.uk

On Behalf Of: ACC - Roads Development Management Team

Comments

I note that this application is for the erection of a 1.5 storey extension to the front at 108A North Deeside Road, Peterculter. The site is located in the outer city, outwith any controlled parking zone.

The proposal will see the property increase from 2 to 3 bedrooms, which does not increase the parking requirement, however, the applicant is proposing to demolish both garages, reducing the parking provision by 2.

However, as the property still has a sizeable driveway, capable of fitting at least 2 cars, there are no roads concerns with this application.

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Comments for Planning Application 190441/DPP

Application Summary

Application Number: 190441/DPP

Address: 108A North Deeside Road Peterculter Aberdeen AB14 0QB

Proposal: Erection of 1.5 storey extension to front

Case Officer: Roy Brown

Customer Details

Name: Mr Jonathan strachan

Address: 104 North Deeside Road Peterculter ABERdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There is little difference in this submission from the previous. The proposal for floor-to-ceiling glazing remains on much of the eastern side of the building for their main living areas and have not changed sufficiently from the previous application. Their view will be directly on to our private garden area at 104.

We therefore object to the application in its current form on the basis of loss of privacy.

We have already had recent development of the property to the other (east) side of us (No 102) causing some loss of privacy and therefore do not wish for this to occur to the west also. We feel this is over development of the site and an inappropriate precedent for the immediate area.

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Comments for Planning Application 190441/DPP

Application Summary

Application Number: 190441/DPP

Address: 108A North Deeside Road Peterculter Aberdeen AB14 0QB

Proposal: Erection of 1.5 storey extension to front

Case Officer: Roy Brown

Customer Details

Name: Mrs Evelyn Pendlebury

Address: 106 North Deeside Road Peterculter Aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sirs

Further to my objection to the earlier planning application no 181783, I would like to reiterate my previous objection to the new planning application at 108a North Deeside Road, Peterculter.

Again, I must stress that I fully understand Mr Nicolson wanting to improve the coach house at the rear of 108 North Deeside Road but there is no change to how I shall be affected by this new proposal. The size and structure of the actual house appears to be the same size as the previous application and will be at an elevated level from my property and I will be overlooked wherever I am in my home or garden. The windows to the east elevation are still taking up the whole length of the ground floor and with today's fashion for no curtains, and these windows being in the main living area, I anticipate having no privacy whatsoever.

I would also like to bring another matter to your attention. Back in January 2018, I was having problems with the security lighting at 108 North Deeside Road. I discussed this with Mr Nicolson's brother and they immediately agreed to look into this, and the lights were switched off. However, more recently the lights are back on again. The house at 108 North Deeside Road has been fitted with very high level, extremely bright, security lights, one at the north, west and east elevations. I can put up with the back light, although when on it does illuminate the rear of my back garden, but the east elevation light is causing a major problem. This light, when on, illuminates my driveway, front of my house and garden, back patio and garden and I end up with interrupted sleep with the lights going on and off. It also reaches into my neighbour's garden at 104. Last night, due to the weather, the light was on and off every 5 minutes from when it went dark until 6.30 this morning. I have had four hours sleep! I'm also unable to use my living room in the evening, it has a bay window and the light shines brightly into my house. It concerns me that anyone passing can see

my floodlit driveway and it just draws attention to my property when I choose to live privately. I have lived here since 1991 and have always felt safe and secure but that is no longer the case. In addition to this, there are CCTV cameras fitted in the same place as the lights and, although Mr Nicolson has given me his assurance that they do not look into any part of my property, I have no way of checking this. I have taken photographs to show the areas affected by the lights and will send them separately by email.

My concern re the above is that they will install the same security lighting and cameras on the new house and, along with the row of windows on the east elevation of the proposed extension, the situation will become even more intolerable. I again respectfully ask that you take my concerns into account when making a decision.

Yours faithfully
Evelyn Pendlebury







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National Planning Policy

Scottish Planning Policy (SPP)

<https://www.gov.scot/Resource/0045/00453827.pdf>

Aberdeen City and Shire Strategic Development Plan (SDP)

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.aspx?IID=1111&SID=90>

Aberdeen Local Development Plan (ALDP)

D1: Quality Placemaking by Design

H1: Residential Areas

Policy NE8: Natural Heritage

<https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan>

Supplementary Guidance

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

Natural Heritage

<https://www.aberdeencity.gov.uk/sites/default/files/6.1.PolicySG.NaturalHeritage.pdf>

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100126304-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Rod"/>	Building Number:	<input type="text" value="108A"/>
Last Name: *	<input type="text" value="Nicholson"/>	Address 1 (Street): *	<input type="text" value="North Deeside Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Peterculter"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB14 0QB"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="108A NORTH DEESIDE ROAD"/>
Address 2:	<input type="text" value="PETERCULTER"/>
Address 3:	<input type="text" value="ABERDEEN"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PETERCULTER"/>
Post Code:	<input type="text" value="AB14 0QB"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="800673"/>	Easting	<input type="text" value="384206"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

108A North Deeside Road, Peterculter Erection of 1.5 storey extension to front. In order to assess the proposal sand fully understand their negligible impact, our client strongly requests a site visit.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

In order to assess the proposal sand fully understand their negligible impact, our client strongly requests a site visit. Supporting Appeal Statement, dated 12th June 2019, has been provided. This outlines why our client seeks a review of the planning authority's decision and sets out all matters which our client requires to be taken into account.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Appeal Statement, Planning Supporting Statement, Drawing 064/2018 P01C, Drawing 064/2018 P02J,

Application Details

Please provide details of the application and decision.

What is the application reference number? *

190441/DPP

What date was the application submitted to the planning authority? *

15/03/2019

What date was the decision issued by the planning authority? *

04/06/2019

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Unaccompanied site visits are possible and encouraged by the applicant. Entry to the domestic garden ground is restricted by gated entrances but can be given at any reasonable time. Reasonable notice will allow unrestricted access. By carrying out a site inspection the setting and its context will become more apparent. The site inspection will demonstrate the building is largely out of sight from the main road and that the extension has not detrimental impact on setting, context or amenity.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Unaccompanied site inspections are encouraged and access can be arranged through the driveway gates at any reasonable time. Please feel free to get in touch to arrange a period for the gates to be opened.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Gary Black

Declaration Date: 12/06/2019

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Date: 12th June 2019

Subject: 064/2018: 108A North Deeside Road: 190441/DPP Local Review Body Appeal Statement

Introduction

This statement is written by Inspired Design and Development Ltd (herein referred to as “IDD”), on behalf of the applicant, Mr Rod Nicholson of 108A North Deeside Road, Peterculter (herein referred to as “the Client”). We write this statement to address the Planning Authorities reasoning for the refusal of application 190441/DPP, for the extension of 108A North Deeside Road, Peterculter.



Figure 1 - 108A North Deeside Road

The Client hopes to extend this property in order to achieve the living space required by their family. The extension of the property is proposed on 1 ½ storeys and offers additional living, bedroom and sanitary accommodation, including internal alteration to the existing dwelling.

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**Construction Consultancy - Project Management - Architectural Design Services
Verification of Exempt Works - CDM Co-ordination – Chartered Surveyors**

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We request that the Local Review Body consider the decision and it's appropriateness in this case.

Application History

Application 181783/DPP was previously submitted and refused as the extension would “serve to dominate the original dwelling in terms of scaling and mass, which can be demonstrated by its significant footprint, the width of its gable relative to that of the original dwelling and its significant projection from the principle elevation”

The footprint of the building as extended, including garages which were present at the time of purchase, was deemed to exceeds to exceeds the 200% of the original dwelling allowance.

At no time during this previous application was the width of the building raised as a material concern. On the 26th November 2018, the case officer confirmed changes which would be required to allow the application to be approved, these included:

- The projection from the east elevation of the original dwelling is reduced to 5.4m.
- The glazing at upper level on the east elevation is removed. Consideration could be made to further high level rooflights and/or rooflights on the north elevation.
- The ridge height is reduced to below the ridge of the main dwelling by 300mm.

No change to the width was necessary for the extension to be supported, and therefore no change to width was made in this application.

In email correspondence on the 5th December 2018, the case officer also confirmed that the Planning Authority would not impose a 5.4m restriction, therefore the length was not reduced. Amendments were made to the plans, including changes to the ridge height, to make the extension appear more subservient.

Overlooking issues were raised during this application, these were overcome by altering the window arrangements and the case officer raised no overlooking concern with the revised proposals. The decision notice appears to confirm that overlooking is not a material concern.

At local review the decision was upheld, primarily for reasons pertaining to the size of the extension of the original dwelling, being more than double the original footprint.

Appeal Statement

In this case, given that the new application has addressed the issue raised in the original decision notice and the local review body notice. The relevant drawing showing this are:

- P01(C) Existing Dwelling and Location Information 13/03/2019
- P02(J) Proposed Extension to Dwelling 21/03/2019

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The new application sought to overcome the issue upheld at local review. The extended footprint was reduced to less than double the original footprint, see drawing P02 Rev J. This overcomes any issues with the scale of the development. This was achieved by removing the garages, which were narrow and not suitable for parking modern vehicles.

The width was not a material concern during the previous application, given that the case officer confirmed no change to the width was required to obtain support. The case officer also confirmed no restriction would be imposed on the length of the extension; therefore no change was made.

Despite meeting the requirements of the planning service and the local review body, the new application 190441/DPP, was refused.

The proposed extension would “serve to dominate the original dwelling in terms of scale and massing, in conflict with the Supplementary Guidance: 'The Householder Development Guide’ The decision uses “the width of its gable... and its significant projection” to demonstrate this.

In this case, the householder development guide allows an extension to a dwelling to up to double the original footprint. The height of the building was reduced previously to be more subservient to the original dwelling. Therefore, given it is within the parameters allowed by the householder development guide, we do not believe that the extension to be in conflict with the supplementary guidance.

As is discussed previously, the width was not raised as a material concern and there was agreed to be no restriction imposed on the length of the extension, therefore this decision appears to conflict the advice given by the case officer during November and December 2018.

The decision notice continues, “Given the presence of the existing garages, the dwelling as extended would be more than double that of the original dwelling...”

In this case it appears that the case officer and the planning authority have not fully assessed the details of the proposal. Drawing P02J clearly shows that the garages are being removed, therefore the extended footprint is less than the double of the original which is required by the supplementary guidance.

The original dwelling, less the garages were, 61.9m² with the dwelling as extended being 121.93m². We, and the Client, have serious concerns that the application has not been assessed upon its own merits.

In order to assess the application on its full merits we ask that a site visit is carried out. The following images show the site, however in order to fully understand the circumstances of the site we would strongly advise a site visit. This will allow the local review body to appreciate that the building is not visibly from North Deeside Road.

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Figure 2 - 108 North Deeside Road with 10m wide gable.



Figure 3 – Garden Ground

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Figure 4 - Visibility of 108A from public vantage points

We believe that the Householder Development Guide has been met, by the appropriate design and scaling of the extended dwelling. Policy D1 lists six essential qualities of design which have been achieved in this case. This is demonstrated by the good quality architecture creating an attractiveness within the setting of the site using a mixture of modern and traditional styles and materials, the use of secure by design windows and doors creating safe, private living. Furthermore, large glazing areas allow for solar gain, creating a bright warm living space. Although garages are removed, the site offers readily accessible parking provision and the large open plan spaces make flexible living an option for aged and less mobile occupants. Therefore, we do not believe that in this case the assessment, that the proposals fail to meet the requirements of Policy D1, is correct. This may be a result of the failure to assess the application on its full merits.

It should be noted that many of the points contained within this statement were raised in a complaint to the Planning Authority. The complaint included that the handling of the application by the case officer was inappropriate in that the case officer did not respond to requests or raise material concerns with the application in a timely manner.

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An email sent on the 13th November was only responded to on the 26th November, 13 days later and after repeated request. An email on the fourth of April 2019 was only answered on the 9th May, some 35 days later.

The inquiry found that this was appropriate as the case officer had responded on working day number 9, within the 10 working days target, with a holding response suggesting that they will “respond in due course”. We do not believe that this is appropriate, nor does our client, given that the response failed to answer any queries which were legitimately raised by a customer of the service.

To allow the inquiry to be completed, the Planning Authority asked for an extension of time until the 3rd June 2019. With a view to the application ultimately being approved, the Client agreed to the extension. Despite the extra time, the Planning Authority were unable to determine the application within the deadline and, with little notice, at 16:37 on Monday 3rd June 2019, the case officer requested another extension of time to allow time to determine the application.

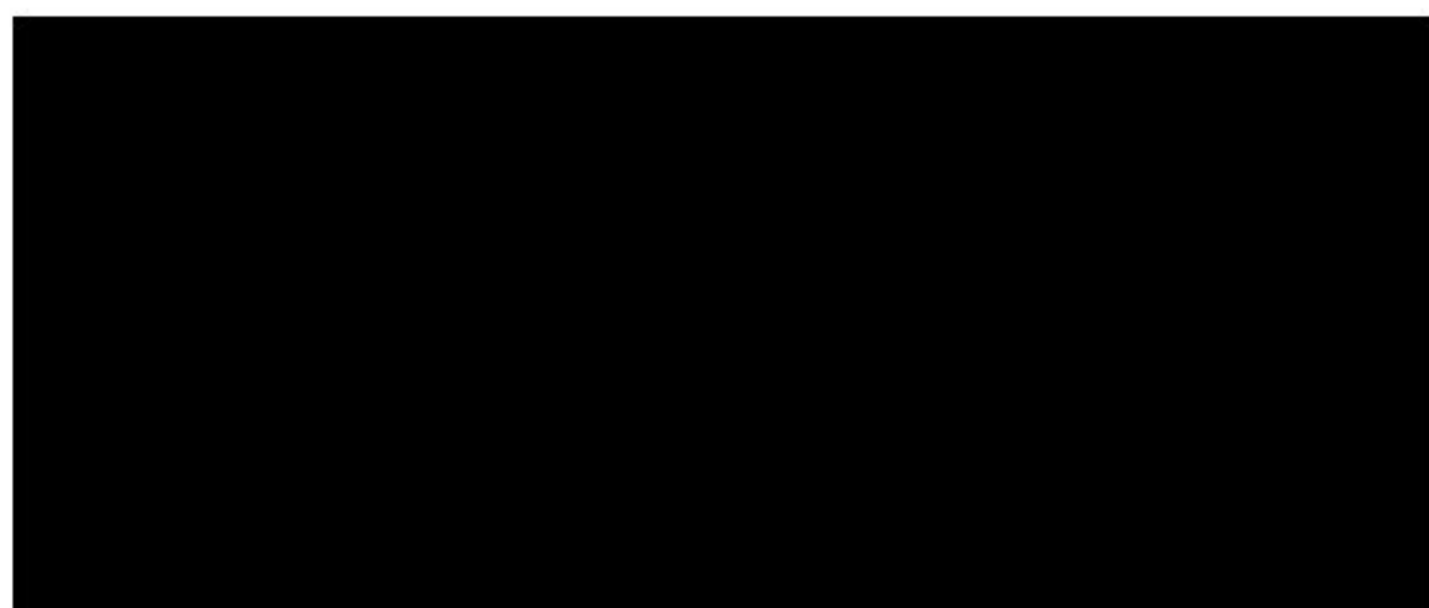
Conclusion

In conclusion, we can demonstrate that the development is an appropriate additional to the existing dwelling with no detrimental effect on the amenity of neighbours nor the buildings setting. We believe that had the application been assessed fully, taking into account the overall reduction in footprint by the removal of the garages, it by default complied with the previously raised requirements of the planning service.

Declaration

On behalf of our Client, IDD ask that in this case the decision notice of application 190441/DPP be reviewed by the Local Review Body. We trust that this supporting statement presents our clients position, should you have any questions, please do not hesitate to contact us on 01569 764183.

Yours sincerely



Mr Ally Steel BSc (Hons) MRICS AaPS

Chartered Building Surveyor
For and on behalf of Inspired Design & Development Ltd

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Verification of Exempt Works - CDM Co-ordination – Chartered Surveyors**

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Strategic Place Planning

Report of Handling

Site Address:	9 Belvidere Crescent, Aberdeen, AB25 2NH,
Application Description:	Formation of dormer to rear
Application Ref:	190339/DPP
Application Type:	Detailed Planning Permission
Application Date:	4 March 2019
Applicant:	Mr Harry Goodson
Ward:	Mid Stocket/Rosemount
Community Council:	Rosemount And Mile End
Case Officer:	Sheila Robertson

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site comprises an upper flat within a 2-storey traditional detached granite dwelling house, located on the western side of Belvidere Crescent and within the Rosemount & Westburn Conservation Area. The application site is bound to the north, south and west by the rear gardens of neighbouring residential properties and to the east by Belvidere Crescent. The building has an original 2 storey rear annexe positioned towards its southern gable, with a hipped and pitched roof sitting at right angles to the main roof and 350mm below its ridge.

Relevant Planning History

141717: Planning permission was granted for the erection of a rear dormer in January 2015. Planning permission was never implemented, and the permission has since expired.

APPLICATION DESCRIPTION

Description of Proposal

It is proposed to erect a box dormer to the rear elevation, 7.7m in length, spanning almost the entire roof and bridging the roof of the existing rear annexe, to sit within 210mm of the tabling to both the north and south gables. The front face of the dormer would be set 500mm up the roof slope from the eaves of the main building and annexe, and its flat roof would be set 200mm down from the roof ridge. Windows would be positioned to either end of the dormer, which would be finished with slates to match the existing roof. The dormer would provide additional headroom within existing bedrooms.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PNMULXBZLHR00>

CONSULTATIONS

Rosemount and Mile End Community Council –No comments received.

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

Scottish Planning Policy(SPP) and Historic Environmental Policy for Scotland (HEPS)

Aberdeen City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

Aberdeen Local Development Plan (2017) (ALDP)

Policies D1- Quality Placemaking by Design, D4 – Historic Environment and H1 - Residential Areas

Supplementary Guidance

Householder Development Guidance

Other Material Considerations

Historic Environment Scotland's 'Managing Change in the Historic Environment: Roofs

EVALUATION

Principle of Development

The application site is located in a residential area, under Policy H1 – Residential Areas of the ALDP and the proposal relates to householder development. Such proposals will comply with this policy in principle provided it does not constitute overdevelopment, adversely affect the character and amenity of the surrounding area, and complies with the associated Supplementary Guidance, the Householder Development Guide. This proposal would not enlarge the built footprint of the dwelling and would not significantly increase the intensity of use on the site. It would thus not constitute overdevelopment. The other issues are assessed in the below evaluation.

Design and Scale

To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1 of the ALDP. This policy recognises that not all development will be of a scale that makes a significant placemaking impact but recognises that good design and detail adds to the attractiveness of the built environment.

In addition, the dwelling falls within the Rosemount and Westburn Conservation Area and therefore Policy D4 is also relevant. This policy sets out that the Council will protect, preserve and enhance the historic environment, and that high quality design should respect the character, appearance and setting of the historic environment and should protect the special architectural or historic interest of its listed buildings and conservation areas.

HES's 'Managing Change in the Historic Environment' guidance on Roofs states that '*The interest of a historic roof is derived from a number of factors including its shape or form, structure, covering materials, and associated features. The roof can play an important part in the architectural design of a historic building*'. The guidance further identifies the importance of dormer features, and states that '*The addition of new features to principal or prominent roof slopes should generally be avoided. New dormers and rooflights should be appropriately designed and located with care.*' The Householder Development Guide also sets out acceptable criteria specifically related to the design and scale of dormer windows and which requires that dormers should be architecturally compatible in design and scale with the original house and its surrounding area.

In this instance the rear elevation of the building is partly visible from the nearby Craigie Loanings to the west. The rear annexe is a historical feature common to the rear elevation of all properties to the west side of Belvidere Crescent, and, with the exception of one property, which has added a single box dormer (which sits separate from the annexe and does not encroach on any part of its roof), all rear roof elevations are unaltered since original. The proposed dormer would extend across virtually the entire rear roof elevation, dominating and overwhelming that elevation and envelope and wrap around the roof of the existing rear annexe thereby masking and compromising this architectural feature as a result of its scale and non-traditional form, clearly diminishing both the architectural historic merit of the building and current symmetry between neighbouring properties. This would be in direct conflict with one of the general principles of the Householder Development Guide, which requires dormers to be architecturally compatible in design and scale with the original house and its surrounding area. Furthermore, the proposed dormer would fail to meet the technical specifications set by the SG as it would result in a dormer that would dominate the original roof slope by virtue of its scale; the dormer eaves would be set too close to the inside face of the tabling; there would be insufficient glazing so that solid infill material would dominate the dormer elevation; and its roof would sit too close to the roof ridge. The proposed dormer would thus, overall, be unacceptable in terms of its design and scale with the original dwelling and the surrounding area, and would therefore fail to comply with the SG.

As a result of its scale and non-traditional architectural form, and its interference with the rear annexe, the dormer, as proposed, would not reflect the established pattern of development and urban form within the surrounding area; it would detract from the relatively simple form of the existing roof and cut across original historical detailing that defines the character of the building, and the surrounding properties, in conflict with Policy D1 of the ALDP. It is considered that this

proposal would not take sufficient cognisance of the character and appearance of the surrounding area, and thus fail to preserve and enhance the historic character and appearance, and adversely affect both the parent building and wider Conservation Area, contrary to the aims of Policy D4.

It is recognised that planning permission was previously granted for a rear dormer of identical scale and design. However, that permission was never implemented and, in the interim, the Supplementary Guidance, as relating to the formation of dormer windows, has been updated. The previously approved dormer would now fail to meet the current guidance contained in The Householder Development Guide, which furthermore states definitively that no dormers which were approved prior to the introduction of this current guidance will be considered to provide justification for a development proposal which would otherwise fail to comply with the guidance set out in this document. Therefore, the previous approval cannot justify the grant of planning permission for this similar proposal. The applicant has been advised that, while the principle of a dormer to the rear of the property may be acceptable, subject to scale and design, it would have to respect the scale of the roof and not detract from its original historic design. Although advised that a single, stand-alone dormer of a traditional form may be acceptable, with a roof light to the opposite side of the annexe's roof, the applicant has requested that the application be determined as submitted.

Taking the above into account, it is considered that the proposal would be contrary to the objectives of SPP and would therefore conflict with Policy D4 (Historic Environment) of the Aberdeen City Local Development Plan. The proposed dormer is not deemed compliant with HES's 'Managing Change in the Historic Environment: Guidance on Roofs' and does not comply with the principles of Historic Environmental Policy for Scotland (HEPS) on the basis that the proposal would adversely affect the property's special historic interest and therefore be detrimental to the character of the surrounding Conservation Area. It would not conform with the qualities of successful placemaking, in conflict with Policy D1 of the ALDP in that it would not reinforce the established pattern of development and reflect local styles and form. It would conflict with the principles contained in the Supplementary Guidance: 'The Householder Development Guide in that it would neither meet the technical specifications detailed on the HDG, resulting in a structure that would not be architecturally compatible in design and scale either with the original dwelling or in the context of the surrounding area, contrary to the aims of Policy D1 (Quality Placemaking by Design).

Residential Amenity

The proposed dormer would not adversely impact residential amenity in terms of privacy, sunlight and background daylight, in accordance with Policies H1 and D1 of the ALDP, and with the SG.

Aberdeen City and Shire Strategic Development Plan (2014)

In terms of assessment against the Strategic Development Plan, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposal would result in the introduction of a dormer which would conflict with the Supplementary Guidance: 'The Householder Guide' as it would not be architecturally compatible in design and scale with the original house and its surrounding area, and neither preserve nor enhance the character and appearance of the building or the wider Conservation Area. The

proposed dormer would introduce a new feature to another wise unaltered roof slope, masking and overwhelming the original design concept which would result in an unacceptable impact on the historic and visual character of the dwelling house and in the context of adjacent properties, contrary to Policy D1 (Quality Placemaking by Design). The proposed dormer would be contrary to the objectives of Scottish Planning Policy, Historic Environmental Policy for Scotland and the relevant 'Managing Change in the Historic Environment: Guidance on Roofs' thereby conflicting with Policy D4 (Historic Environment) of the Aberdeen City Local Development Plan. There are no material planning considerations that would warrant the grant of planning permission in this instance.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100154725-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

To construct a dormer on the north facing slope of the roof and to form 2 bedrooms plus a bathroom within the dormer/attic space.

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Morris Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	
Last Name: *	Morris	Building Number:	7
Telephone Number: *	01224 637588	Address 1 (Street): *	Albert Terrace
Extension Number:		Address 2:	
Mobile Number:	07815 486521	Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB10 1XY
Email Address: *	morrisassociatesuk@gmail.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Harry	Building Number:	9
Last Name: *	Goodson	Address 1 (Street): *	Belvidere Crescent
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB25 2NH
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

9 BELVIDERE CRESCENT

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB25 2NH

Please identify/describe the location of the site or sites

Northing

806482

Easting

392738

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: David Morris

On behalf of: Mr Harry Goodson

Date: 21/02/2019

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Lynn Cargill

Declaration Date: 28/02/2019

Payment Details

Online payment: ABSP00003720
Payment date: 28/02/2019 10:46:00

Created: 28/02/2019 10:47

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

David Morris
Morris Associates
7 Albert Terrace
Aberdeen
Scotland
AB10 1XY

on behalf of **Mr Harry Goodson**

With reference to your application validly received on 4 March 2019 for the following development:-

**Formation of dormer to rear
at 9 Belvidere Crescent, Aberdeen**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
704.03 REV A	Location Plan
704.04 REV A	Multiple Floor Plans (Proposed)
	Multiple Elevations (Proposed)

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

The proposal would result in the introduction of a dormer which would conflict with the Supplementary Guidance: 'The Householder Guide' as it would not be architecturally compatible in design and scale with the original house and its surrounding area, and neither preserve nor enhance the character and appearance

of the building or the wider Conservation Area. The proposed dormer would introduce a new feature to another wise unaltered roof slope, masking and overwhelming the original design concept which would result in an unacceptable impact on the historic and visual character of the dwelling house and in the context of adjacent properties, contrary to Policy D1 (Quality Placemaking by Design). The proposed dormer would be contrary to the objectives of Scottish Planning Policy, Historic Environmental Policy for Scotland and the relevant 'Managing Change in the Historic Environment: Guidance on Roofs' thereby conflicting with Policy D4 (Historic Environment) of the Aberdeen City Local Development Plan. There are no material planning considerations that would warrant the grant of planning permission in this instance.

Date of Signing 2 May 2019



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Strategic Place Planning (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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National Planning Policy

Scottish Planning Policy (SPP)

<https://www.gov.scot/Resource/0045/00453827.pdf>

Historic Environment Policy for Scotland (HEPS)

<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=1bcfa7b1-28fb-4d4b-b1e6-aa2500f942e7>

Managing Change in the Historic Environment - 'Roofs'

<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=577dd6d3-94cc-4a14-b187-a60b009af4bd>

Aberdeen City and Shire Strategic Development Plan (SDP)

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.aspx?IID=1111&SID=90>

Aberdeen Local Development Plan (ALDP)

D1: Quality Placemaking by Design

D4: Historic Environment

H1: Residential Areas

<https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan>

Supplementary Guidance

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

Rosemount and Westburn Conservation Area Character Appraisal and Management Plan

https://www.aberdeencity.gov.uk/sites/default/files/2017-11/Rosemount%20and%20Westburn%20Conservation%20Area%20Appraisal_0.pdf

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NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect
of Decisions on Local Developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)
Regulations 2013
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	Harry	Forename	David
Surname	Goodson	Surname	Morris
Company Name		Company Name	Morris Associates
Building No./Name	9	Building No./Name	7
Address Line 1	Belvidere Crescent	Address Line 1	Albert Terrace
Address Line 2		Address Line 2	
Town/City	Aberdeen	Town/City	Aberdeen
Postcode	AB25 2NH	Postcode	AB10 1XY
Telephone		Telephone	01224 637588
Mobile		Mobile	[REDACTED]
Fax		Fax	
Email		Email	morrisassociatesuk@gmail.com
3. Application Details			
Planning authority	Aberdeen City Council		
Planning authority's application reference number	190339/DPP		
Site address	<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> <p>9 Belvidere Crescent, Aberdeen. AB25 2NH</p> <div style="text-align: right; border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p style="margin: 0;">RECEIVED</p> <p style="margin: 0;">29 JUL 2019</p> </div> </div>		
Description of proposed development	<div style="border: 1px solid black; padding: 5px; min-height: 50px;"> <p>To form a dormer on the rear, north facing slope of the roof to facilitate access to, and improve the residential use of the attic floor.</p> </div>		

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

5. Reasons for seeking review

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Access to the rear of the property is only achieved by going through the property.
Access can be arranged via myself or my client on an agreed date and time.

8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see attached separate sheets

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

Not aplicable.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Location Plan at 1:1250 scale.
704.02 rev A Existing Floor Plans
704.03 rev A Proposed Floor Plans
704.04 rev A Proposed Elevations
704.05 Existing Elevations

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature



Name: D. S. Morris

Date: 26th July 2019

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

MORRIS ASSOCIATES

The Garden Cottage,
7 Albert Terrace,
Aberdeen. AB10 1XY

Tel [REDACTED]
Mob [REDACTED]

Notice of Review
9 Belvidere Crescent, Aberdeen. AB25 2NH
Planning Reference: 190339/DPP
Refuse Planning Permission.

EXECUTIVE SUMMARY

My client intends to create additional family accommodation within their current home.

The Property is situated in an established residential area.

To achieve this, a box dormer was to be constructed on the rear and private slope of the roof.

Unconditional Planning Permission ref:- P141717 was received dated 30th January 2015 as the design complied with Policies D1, H1 and D5 of the Aberdeen Local Development Plan.

The then owner subsequently sold the property and the new owner intended to carry out the works. The Period of Validity of the Building Warrant ref:- B15 1442 has been extended.

Planning Permission ref:- P141717 had lapsed and a new application for Planning Permission was lodged based on the previously approved design. This application ref:- 190339/DPP was refused on 2nd May 2019.

This appeal to the Local Review Board is to have consideration to overturning the decision to refuse Planning Permission.

The Property.

9 Belvidere Crescent is a 2-bedroom first floor flat situated within a granite fronted building having a slated roof. Within the roof space is an attic currently used as a storage space. The existing access stair connecting the First Floor to the Attic Floor has insufficient headroom to meet the requirements of the Scottish Building Standards Agency in that, owing to the intersection of the roof valley rafters over the rear extension with the main roof, headroom is reduced to around 1600mm above the pitch of the stair. The Standards require headroom to be 2000mm. In the previously approved scheme, Reference No P141717, the box dormer resolved the headroom over the access stair by meeting the 2000mm required height.

Planning Approval.

The reasons given on the Planning Permission document for that approval were quoted as follows: -

‘the proposed dormer extension would not have a detrimental impact on the visual character of the area, nor any impact on residential amenity in accordance with Policies D1 (Architecture and Placemaking and H1 ‘ Residential Areas’ of the Aberdeen Local Development Plan and the relevant guidance as contained within the Council’s Householder Development Guide. The proposed works would also not have a detrimental impact on the character of the Conservation Area, in accordance with Scottish Planning Policy, SHEP and Policy D5 ‘Built Heritage’ of the ALDP. The proposed works would also comply with the corresponding Policies D1, H1 and D4 of the Proposed Aberdeen Local Development Plan.’

Refusal of Application for Planning Permission.

In the case of the recent refused Application Referenced 190339/DPP the following reasoning is given for the decision to refuse Planning Permission for what is the same dormer proposal that was previously approved: -

‘The proposal would result in the introduction of a dormer which would conflict with the Supplementary Guidance: The Householder Guide as it would not be architecturally compatible in design and scale with the original house and its surrounding area, and neither preserve nor enhance the character and appearance of the building or the wider Conservation Area. The proposed dormer would introduce a new building feature to another wise unaltered roof slope, masking and overwhelming the original design concept which would result in an unacceptable impact on the historic and visual character of the dwelling house and in the context of adjacent properties, contrary to Policy D1 ‘Quality Placemaking by Design’. The proposed dormer would be contrary to the objectives of Scottish Planning Policy, Historic Environmental Policy for Scotland and the relevant ‘Managing Change in the Historic Environment Guidance on Roofs’ thereby conflicting with Policy D4 ‘Historic Environment’ of the Aberdeen Local Development Plan. There are no material planning considerations that would warrant the grant of planning permission in this instance’.

I would be pleased if the Board members would note the conflict between these 2 statements especially in the case where the application was approved making reference to the proposed works as being in compliance with Policies D1, H1 and D4 of the 'Proposed Aberdeen Local Development Plan', and on the refused application it is stated that the proposed dormer would be contrary to Policies D1 and D4.

Aberdeen City Council – Supplementary Guidance.

From the current 'Supplementary Guidance: The Householder Guide Section 3.1.7 Dormers', it states categorically that 'In the case of non-listed buildings in Conservation Areas consideration may be given to the provision of linked panels between windows on the private side of the building where the extension is not seen from any public area. Non-traditional style dormers may be accepted on the rear of non-listed buildings in conservation areas.'

The rear of this property is private and not over-looked by any public space.


Both in the current refused application and in the previously approved scheme, the verticality of the dormer windows paid respect to the proportions of the existing windows on the rear elevation.

Should the Local Review Body after due consideration, decide to over-turn the Council's decision to Refuse Planning Permission, and Grant Planning Permission then the works can proceed which will result in the property being converted to a family proportioned 4 bedroom maisonette having the advantage of 2 bathrooms within a prominently mixed residential area.

David Morris.
Chartered Architect.

David S. Morris. B.Arch (Hons) Edin., RIBA, ARIAS.
e-mail : morrisassociatesuk@gmail.com

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 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <p style="margin: 10px 0 0 0;">Report of Handling</p>
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Site Address:	108 Crown Street, Aberdeen, AB11 6HJ
Application Description:	Formation of dormer window to front
Application Ref:	181426/DPP
Application Type:	Detailed Planning Permission
Application Date:	10 August 2018
Applicant:	Cater Corporation Ltd
Ward:	Torry/Ferryhill
Community Council:	Ferryhill And Ruthrieston
Case Officer:	Jane Forbes

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site, which lies within the Bon-Accord Crescent/Crown Street Conservation Area, is located on the west side of Crown Street, between its junction with Dee Place to the south and Academy Street to the north. The site comprises a category B listed, 2½ storey with basement, terraced granite property with garden to the rear. The site lies within an area zoned as residential within the Aberdeen City Local Development Plan, but where a mix of uses including hotels, guest houses, offices, shops and dwellings co-exist.

Relevant Planning History

Application Number	Proposal	Decision Date
181374/DPP	Change of use, alterations and rear extension to existing HMO property to form 4 private residential flats	Awaiting Determination
181375/LBC	Internal and external alterations and rear extension to existing HMO to form 4 private residential flats	Approved Conditionally (25/4/19)
181427/LBC	Formation of dormer window to front	Refused (05/04/19)

APPLICATION DESCRIPTION

Description of Proposal

The formation of a dormer extension to the front (east) elevation of the property.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PD78BUBZGF000>

- Design Statement

CONSULTATIONS

Ferryhill And Ruthrieston Community Council – No comments

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

Scottish Planning Policy (SPP)

Historic Environment Policy for Scotland (HEPS)

Managing Change in the Historic Environment - Guidance note on 'Roofs'

Aberdeen City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

Aberdeen Local Development Plan (2017)

Policy H1 (Residential Areas)

Policy D4 (Historic Environment)

Supplementary Guidance and Technical Advice Notes

Householder Development Guide

Bon Accord and Crown Street Conservation Area Character Appraisal and Management Plan

EVALUATION

Principle of Development

The application site lies within an area zoned as residential within the Aberdeen City Local Development Plan (2017). The proposal must therefore be considered against Policy H1 (Residential Development), which states that within existing residential areas, proposals for new development and householder development will be approved in principle if it:

1. Does not constitute over development;
2. Does not have an unacceptable impact on the character and amenity of the surrounding area;
3. Does not result in the loss of valuable and valued areas of open space; and
4. Complies with Supplementary Guidance.

The proposed development which comprises the introduction of a dormer window extension to the front (east) elevation of the property in support of an associated application for a change of use of the property to residential would not adversely affect the existing residential character and amenity of the area, nor have any impact on existing open space. The proposed dormer extension would not affect the building's footprint and as such would not be considered as over development.

In terms of Policy H1 the proposal must also comply with all appropriate Supplementary Guidance. Whilst the SG on Householder Development includes guidelines on dormer extensions, the relevance of such guidance is somewhat limited when assessing such development proposals for listed properties.

Design, Scale and Impact of Development

The proposal relates to a category B listed property located within the Bon-Accord Crescent/Crown Street Conservation Area. The proposed dormer extension would be located on the front, public elevation of the listed building, within a roof slope which extends between the properties at No's 108 and 110 Crown Street and which accommodates a total of three dormers and a single rooflight, with a single dormer and rooflight pertaining specifically to No 108. This pattern is then mirrored by the dormer and rooflight layout of the adjoining properties to the south, namely between No's 112 and 114 Crown Street.

The Bon Accord and Crown Street Conservation Area Character Appraisal and Management Plan identifies Crown Street as 'the principal public transport route through the Conservation Area and as a key access route to Union Street'. The character appraisal also highlights that the conservation area has strong street frontages featuring a high proportion of terraced buildings. The appraisal points out certain negative factors which detract from the amenity and visual appeal of the area, and states that these include inappropriate dormer roof extensions, linked and/or square dormers which are seen to be detrimental to the architectural character of buildings and terraces. It also identifies certain weaknesses of the area and refers to the 'Numerous inappropriate dormer window designs and/or showing signs of disrepair'.

It is worth noting that whilst the proposed dormer extension may not appear to raise concerns in terms of compliance with the requirements of the aforementioned SG on Householder Development, in this instance, where the proposal clearly relates to development affecting a listed building, greater weight must be given in the assessment of such a proposal to the impact on that specific listed building and to national policy expectations, and thus the relevance of the SG becomes somewhat limited. In addition to this, and in terms of local policy, whilst the scale and design of the proposed dormer may closely match the three existing dormers on the roofslope of No's 108 and 110 and

those on the properties at No's 112 and 114, the proposal fails to fully address the requirements of Policy D1 (Quality Placemaking by Design) of the Aberdeen City Local Development Plan on the basis that the proposed development has not demonstrated sufficient recognition of the site context and the character of the area within which the site lies, and as a result it does not suitably complement the existing built environment.

Notwithstanding that the scale and design of the proposed dormer extension would match the three existing dormers on the roofslope of No's 108 and 110 and those on the properties at No's 112 and 114, it is considered that the introduction of a new dormer on this prominent roof slope would affect the existing roof symmetry, causing a degree of imbalance and resulting in a roofslope which would appear overly crowded. The effect of such an intervention would be very apparent when viewed on approaching the application site from the direction of St Mary's Place. As already highlighted above, there is existing evidence of the negative visual impact which inappropriate dormer extensions have had on the character of the Bon Accord/Crown Street conservation area.

It is of particular relevance in considering this proposal that Historic Environment Scotland's Managing Change in the Historic Environment guidance note on 'Roofs' states that 'the addition of new dormers or rooflights to principal or prominent roof slopes should generally be avoided. In addition to this, Historic Environment Policy Statement (HEPS) advises that changes to a building and the area within which it is located should be managed in a way that protects the historic environment and outlines the importance of avoiding negative impact where possible and of the need to minimise any impact that cannot be avoided. In this instance, where listed building consent has already been granted for internal alterations to secure the formation of 4 residential units within the property at No 108 Crown Street, and this has included the formation of a flatted unit at 2nd floor level without the need for a dormer extension, it is evident that the negative impact which would result from the proposed development is avoidable, given that the level of intervention being sought, which is clearly contrary to HES's Managing Change in the Historic Environment guidance note on 'Roofs' guidance, is not required for the viable delivery of a 2nd floor flat.

Taking the above into account it is considered that whilst the traditional scale, design and finish of the proposed dormer extension may be considered acceptable in isolation, but when considered in the context of the listed building and the conservation area within which the site lies, the proposal fails to address the requirements of Historic Environment Policy for Scotland's Statement. Furthermore, on the basis that the proposal would neither preserve nor enhance the character and appearance of the conservation area, then it is deemed contrary to Scottish Planning Policy, and thereby non-compliant with Policy D4 (Historic Environment) of the Aberdeen City Local Development Plan.

Implications on Strategic Development Plan

In terms of assessment against the Strategic Development Plan, due to the small scale of this proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

Notwithstanding that the proposal may largely accord with the provisions of Policy H1 (Residential Areas) of the Aberdeen City Local Development Plan, it would nevertheless result in a negative

visual impact on the basis that it would see the introduction of a new dormer extension on a prominent roof slope which would affect the roof symmetry and cause a degree of imbalance, and result in the roof appearing overly crowded. The proposal fails to comply with Historic Environment Scotland's Managing Change in the Historic Environment Guidance on 'Roofs' and does not address the expectations of Historic Environment Policy for Scotland (HEPS) when considered in the context of the listed building and the conservation area within which the site lies. It is considered that the proposed development would be deemed contrary to the requirements of Policy D1 (Quality Placemaking by Design) and Policy D4 (Historic Environment) of the Aberdeen City Local Development Plan and would thereby fail to comply with Scottish Planning Policy.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100060849-005

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Formation of new dormer to frontage of property

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Neil Rothnie Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	ian	Building Name:	
Last Name: *	Hislop	Building Number:	73
Telephone Number: *	01224624724	Address 1 (Street): *	Huntly Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB10 1TE
Email Address: *	ian@neilrothnie.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	55
Last Name: *		Address 1 (Street): *	Springbank Terrace
Company/Organisation	Cater Corporation Ltd	Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB11 6JZ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

108 CROWN STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB11 6HJ

Please identify/describe the location of the site or sites

Northing

805762

Easting

393925

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Originally this was included in a pre-application enquiry as part of a scheme of other works and at that stage the planner indicated that this along with all the other interventions was not likely to gain a positive recommendation. At this stage the client is therefore pursuing this as an individual application and our supporting justification has now been further expanded.

Title:

Mrs

Other title:

First Name:

Jane

Last Name:

Forbes

Correspondence Reference
Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

215.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

H.M.O. House in Multiple Occupation

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Not Applicable to this application

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Ian Hislop

On behalf of: Cater Corporation Ltd

Date: 09/08/2018

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Ian Hislop

Declaration Date: 09/08/2018

Payment Details

Cheque: Cater Corporation Ltd, 000168

Created: 09/08/2018 15:30

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997 **Detailed Planning Permission**

Neil Rothnie Architects
73 Huntly Street
Aberdeen
AB10 1TE

on behalf of **Cater Corporation Ltd**

With reference to your application validly received on 10 August 2018 for the following development:-

**Formation of dormer window to front
at 108 Crown Street, Aberdeen**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

<u>Drawing Number</u>	<u>Drawing Type</u>
07	Location Plan
06	Proposed Plans, Sections & Elevations
3319/08	Dormer Window Details

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

Notwithstanding that the proposal may largely accord with the provisions of Policy H1 (Residential Areas) of the Aberdeen City Local Development Plan, it would nevertheless result in a negative visual impact on the basis that it would see the introduction of a new dormer extension on a prominent roof slope which would affect the roof symmetry and cause a degree of imbalance, and result in the roof appearing overly crowded. The proposal fails to comply with Historic Environment Scotland's

Managing Change in the Historic Environment Guidance on 'Roofs' and does not address the expectations of Historic Environment Policy for Scotland (HEPS) when considered in the context of the listed building and the conservation area within which the site lies. It is considered that the proposed development would be deemed contrary to the requirements of Policy D1 (Quality Placemaking by Design) and Policy D4 (Historic Environment) of the Aberdeen City Local Development Plan and would thereby fail to comply with Scottish Planning Policy.

Date of Signing 2 May 2019

A handwritten signature in black ink that reads "Daniel Lewis". The signature is written in a cursive style with a clear, legible font.

Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Strategic Place Planning (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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National Planning Policy

Scottish Planning Policy (SPP)

<https://www.gov.scot/Resource/0045/00453827.pdf>

Historic Environment Policy for Scotland (HEPS)

<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=1bcfa7b1-28fb-4d4b-b1e6-aa2500f942e7>

Managing Change in the Historic Environment - 'Roofs'

<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=577dd6d3-94cc-4a14-b187-a60b009af4bd>

Aberdeen City and Shire Strategic Development Plan (SDP)

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.aspx?IID=1111&SID=90>

Aberdeen Local Development Plan (ALDP)

D1: Quality Placemaking by Design

H1: Residential Areas

D4: Historic Environment

<https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan>

Supplementary Guidance

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

Bon Accord and Crown Street Conservation Area Character Appraisal and Management Plan

<https://www.aberdeencity.gov.uk/services/planning-and-building/building-conservation-and-heritage/conservation-areas/bon-accordcrown-street>

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100060849-010

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation: Neil Rothnie Architecture

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Ian Building Name:

Last Name: * Hislop Building Number: 73

Telephone Number: * 01224624724 Address 1 (Street): * Huntly Street

Extension Number: Address 2:

Mobile Number: Town/City: * Aberdeen

Fax Number: Country: * Scotland

Postcode: * AB10 1TE

Email Address: * ian@neilrothnie.co.uk

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="55"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Springbank Terrace"/>
Company/Organisation	<input type="text" value="Cater Corporation Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB11 6JZ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="108 CROWN STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB11 6HJ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="805762"/>	Easting	<input type="text" value="393925"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Formation of New Dormer to Frontage of Property

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to enclosed Supporting Statement for reasons for seeking a review.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Drawings and documentation forming part of original application, Supporting Statement outlining grounds for review, DPEA Appeal Decision Notice, Aberdeen City Council Decision Notice, Aberdeen City Council Report of Handling and Covering Letter.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

181426/DPP

What date was the application submitted to the planning authority? *

10/08/2018

What date was the decision issued by the planning authority? *

02/05/2019

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Ian Hislop

Declaration Date: 30/07/2019

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Our Ref: 3319

FORMATION OF NEW DORMER WINDOW TO FRONTAGE OF 108 CROWN STREET, ABERDEEN FOR CATER CORPORATION LTD.

SUPPORTING STATEMENT TO APPEAL AGAINST REFUSAL OF DETAILED PLANNING PERMISSION

Context

This review application is in connection with an application for Detailed Planning Permission (181426/DPP) to add a dormer to the front of the above property and which was refused planning permission by Aberdeen City Council.

The property in question is a Category B Listed Building located within a Conservation Area and as such an application for Listed Building Consent (181427/LBC) was submitted in tandem with the above and was also refused planning permission by Aberdeen City Council.

This Listed Building Consent refusal was subsequently appealed to the Planning and Environmental Appeals Division of the Scottish Government (LBA-100-2014) and the government appointed reporter upheld the appeal and granted Listed Building Consent on 29th July 2019. A copy of the reporters decision report is included as part of this review application.

Statement of Appeal

We would respond to the reasons for refusal as follows;

Report of Handling – Design, Scale & Impact of Development

Paragraph 3

'The proposed development has not demonstrated sufficient recognition of the site context and the character of the area within which the site lies, and as a result it does not suitably complement the existing built environment.'

Careful consideration has been given to the setting and features of the existing property and how the proposed intervention would show regard for the existing design. The proposed dormer is of a design to match the existing, it proposes traditional detailing and materials all to match the character of the existing and is therefore appropriate to the character and appearance of the building and setting.

Item 6 on the LBC appeal report agree with our assessment stating *'Given the existing mix of dormers on both sides of the street I do not consider the setting or special interest of the building would be adversely affected by the proposal'*.

Paragraph 4

'It would result in a negative visual impact on the basis that it would see the introduction of a new dormer extension on a prominent roof slope which would affect the roof symmetry and cause a degree of imbalance and result in the roof appearing overly crowded.'

The application property sits within a long terraced block where no consistent rhythm or pattern of roof design exists and includes a mix of single dormer, double dormer and full length box dormer and also of varying designs. Even if the property is considered only in the context of the properties at 108, 110, 112 and 114 Crown Street, the double dormer at no 114 has been altered to link the two dormers together so any perceived 'symmetry' has already been disrupted. It has been clearly demonstrated on our existing and proposed street elevations that the addition of this dormer would not result in any detriment to the four terrace block or to the wider context and if viewed as a two property block would actually balance the elevation to provide a double dormer to both properties.

Items 3, 4 & 5 on the LBC appeal report agree with this stating that *'Taking the street as a whole there is no dominant pattern of roof form'* and that following construction of the proposed second dormer *'The two dormers would then provide a symmetrical appearance to the roof'*

Paragraph 5

'Historic Environment Policy Statement (HEPS) advises that changes to a building and the area within which it is located should be managed in a way that protects the historic environment and outlines the importance of avoiding negative impact where possible and of the need to minimise any impact that can be avoided. In this instance where Listed Building Consent has already been granted for internal alterations to secure the formation of four residential units within the property at 108 Crown Street, and this has included the formation of a flatted unit at 2nd floor level without the need for a dormer extension, it is evident that the negative impact which would result from the proposed development is avoidable, given that the level of intervention being sought, which is clearly contrary to HES's Managing Change in the Environment guidance note on 'Roofs' guidance, is not required for the viable delivery of a 2nd floor flat'.

Firstly it has been demonstrated that the proposed dormer would not result in a negative impact and this has been reinforced by the views of the appeals reporter.

Secondly the purpose of this additional dormer is to improve the amenity of the attic flat in terms of both daylight and useable floor area. The proposed dormer is the 'minimum necessary' intervention which will provide the reasonable amenity improvement and is the most appropriate way to achieve this enhancement given the listed nature of the building.

Paragraph 6

'on the basis that the dormer would neither preserve nor enhance the character and appearance of the conservation area, then it is deemed contrary to Scottish Planning Policy, and thereby non-compliant with Policy D4 (Historic Environment) of the Aberdeen City Local Development Plan'.

We would refer to Item 8 of the LBC appeal report which states *'Given the mixed appearance of the terraces' roofscape as discussed above I consider the proposed dormer, if not specifically enhancing the character or appearance, would certainly maintain it. Taking all these conclusions together I consider the listed building and conservation area test are both met by the proposal'.*

In this paragraph the council also made reference to Local Development Plan Policy D4. This refers, among other things, to high quality design respecting the character, appearance and setting of the historic environment and protecting the special architectural interest of Listed Buildings. We would consider this requirement to be met with what is proposed. The LBC appeal reporter agreed with this assessment in item 10 of the report.

Conclusion

We would summarise below the reasons why this notice of review should be supported;

- The setting and character of the existing building and wider Conservation Area has been given careful consideration and this is demonstrated in the design of the proposed dormer.
- The form and materials of the proposal dormer will match the existing traditional dormer form.
- There is no dominant pattern of roof form within the street.
- The proposed dormer would provide symmetry to the roof of the property.
- The dormer would provide a greater amenity to the top floor flat in terms of daylight and usable floor space.
- This increased amenity would serve to secure the ongoing use of the property going forward.
- The LBC appeal was upheld by the Scottish Government appointed reporter and the Listed Building Consent granted.

Giving consideration to all the above we would request that the board grant the review and grant Detailed Planning Permission in alignment with the Listed Building Consent which has now been secured.