

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

ABERDEEN, 19 June 2019. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor Boulton, Chairperson; and Councillors Donnelly and Avril MacKenzie.

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

PROPOSED HOUSE ALTERATIONS & EXTENSION TO FORM ANNEX ACCOMMODATION - INVERCRAIG, SKENE ROAD ABERDEEN - 180980

1. With reference to its meeting of 29 May 2019, the Local Review Body (LRB) of Aberdeen City Council reconvened at the Town House following a site visit to review the decision taken by an appointed officer under the Council's Scheme of Delegation to refuse the request for the proposed house alterations and extension to form an annex accommodation at Invercraig, Skene Road Aberdeen, 180980.

Councillor Boulton, as Chairperson, advised that the procedures previously outlined by the Clerk at the meeting of 29 May 2019 would apply and indicated that the LRB would be addressed by Mr Gavin Evans, who acted as Planning Adviser to the LRB in the case under consideration. The Chairperson reiterated that although the Planning Adviser was employed by the planning authority, he had not been involved in any way with the consideration or determination of the application under review and was present to provide factual information and guidance to the LRB only. She emphasised that the officer would not be asked to express any view on the proposed application.

Mr Evans then described the site advising that the application site was located on the southern side of Skene Road, approximately 150m east of the A944/Land Stracht roundabout junction, and was one of 6 properties served by a short curve of service road. The generous plot extends to approximately 2100sqm, and featured mature trees along its southern and eastern boundaries.

Mr Evans advised that Invercraig, which was the easternmost of those 6 south-facing plots, was a detached granite dwelling of a traditional style, incorporating bay windows, dormer windows and a slated roof with clay ridge tiles. It was noted that this property was not representative of the others in this group, which were mid-20th century bungalow style dwellings. Invercraig presented a 1.5 storey face to the service road, but due to the ground level dropping away to the north, also included a basement level. The western gable features a lean-to style extension which wraps around the North West corner of the building and onto the rear elevation at basement level. A pitched roof double garage was constructed off the eastern gable, constructed in granite and slate. The property had an open southern aspect, looking out across the neighbouring farmland.

Mr Evans explained that the proposal was for detailed planning permission for the erection of two separate 2-storey extensions (one to side, one to rear) and the enlargement of an existing rear dormer windows. The extension off the western gable

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would form annex accommodation. Mr Evans highlighted this would involve excavation to reduce the existing ground level to allow for a full 2-storeys, one of which would be equivalent to the basement level of the existing house.

In regards to the appointed officer's reason for refusal, Mr Evans advised that the reasons made reference to the following:-

- The location of the site within the designated green belt was highlighted, and reference was made to policy NE2 and its tests for new development;
- The scale and massing of the proposal were highlighted as being significant, and it was concluded that the proposal was not 'small-scale, and the built construction was not 'ancillary to what exists' as required by policy NE2;
- Notes that the scale of the extension was such that it reads as a new dwelling in its own right;
- Contends that there was a lack of consideration for site context and the character of the existing house;
- Concludes that the proposal does not accord with the expectations of Scottish Planning Policy, and was contrary to the principles of NE2 (Green Belt) and D1 (Quality Placemaking by Design), along with the requirements of 'Householder Development Guide' Supplementary Guidance;
- Also highlighted the identified flood risk to the north of the site, and stated that insufficient information had been provided to demonstrate adequate drainage arrangements – consequent conflict with NE6 (Flooding, Drainage and Water Quality).

Mr Evans explained that in regards to the appellants case, they raised the following in their Notice of Review:-

- The proposal was supported by the Strategic Development Plan and complied with relevant policies from the Aberdeen Local Development Plan and associated Supplementary Guidance;
- It did not undermine the purpose of the green belt;
- Is was consistent with the relevant criteria in the Householder Supplementary Guidance and was compatible with existing development in the area, with no adverse impact on amenity of neighbours and the plot ratio was significantly less than 50% which was allowed for;
- The site was located adjacent to allocated development site – LRB has previously accepted that this changes the context against which development in this area should be considered.

In terms of consultee responses, Mr Evans advised that further information was requested from the flooding team, in regard to maximum capacity of the proposed soakaways, and confirmation of whether the site as a whole would be able to contain water volumes from a 1:200 storm event. The flooding team noted a high risk of surface water flooding to the north of the site, and requested that steps were taken to prevent any increase in surface water through use of permeable materials and rainwater harvesting where appropriate.

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

Mr Evans advised that the relevant planning policies were as follows:-

- NE2 (Green Belt) – sets out that no development would be permitted in the Green Belt for purposes other than those essential for;
 1. agriculture;
 2. woodland and forestry;
 3. recreational uses compatible with an agricultural or natural setting;
 4. mineral extraction/quarry restoration; or
 5. landscape renewal.
- D1 – Quality Placemaking by Design: Requires development to be of a high standard of design, which demonstrated an understanding of its context and must be distinctive, welcoming, safe and pleasant, easy to move around, adaptable and resource efficient.

Supplementary Guidance - Householder Development Guide

General principles –

- Proposals should be '*architecturally compatible in design and scale with the original house and surrounding area*';
- No extension should result in a situation where amenity of neighbouring properties would be adversely affected in terms of privacy, daylight and general amenity;
- Earlier developments approved before this guidance was introduced would not be accepted as justification in support of proposals that otherwise fail to comply with these criteria;
- No more than 50% of front or rear curtilage should be covered by development; and
- Built footprint of the dwelling as extended should not exceed twice that of the original building.

Mr Evans also advised that Members should have regard to the Local Development Plan and any other material considerations they feel were relevant to the application that would point to either overturning the original decision or dismissing the review.

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

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Following discussion, Members agreed unanimously that the proposal was acceptable and therefore the Local Review Body's decision was to overturn the decision of the appointed officer and approve the application, subject to the following conditions:-

Materials/Finishes

No development pursuant to this grant of planning permission shall be undertaken unless a detailed scheme of materials to be used in the roof and walls of the approved extensions has been submitted to and agreed in writing by the planning authority. Thereafter, all works shall be carried out in full accordance with the materials so agreed - in order to ensure that materials are of high quality and appropriate to their context, and to ensure compliance with policy D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan.

Drainage/Flood Risk

No development pursuant to this grant of planning permission shall be undertaken unless further details of site drainage arrangements (including maximum capacity of soakaways and the site's ability to contain volumes from a 1:200 storm event, factoring in climate change) have been submitted to and agreed in writing by the planning authority. Thereafter all works shall be carried out in full accordance with the details so agreed - in order to ensure that the site can be adequately drained, consistent with policy NE6 - Flooding, Drainage and Water Quality of the Aberdeen Local Development Plan.

Car Parking

The annexe accommodation hereby approved shall not be brought into use unless provision has been made within the site for off-street car parking as shown on Architectonics drawing 014B (or such other drawing as may be approved by the planning authority in substitution) - in the interests of ensuring that adequate provision is made for the parking of vehicles within the site, thereby ensuring compliance with policy T2 (Managing the Transport Impact of Development) and the associated 'Transport and Accessibility' Supplementary Guidance.

In coming to their decision, the Local Review Body had regard to the provisions of the development plan as required by Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (as amended) and other material consideration in so far as these were pertinent to the determination of the application.

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

The Local Review Body (LRB) considered that this large site can accommodate the proposed extension without adverse impact on the amenity of the surrounding area, loss of light or loss of privacy to neighbours, and considered that the extensions would be appropriate to their context, having noted the varying built forms in this small cluster of properties, which includes an approved

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and recently constructed garage with ancillary accommodation at the neighbouring 'Eden Place' property. It was also noted that the development would allow for the refurbishment of the existing property. Members reiterated that the proposal was assessed on the basis of a domestic extension, as presented, and that it would be desirable to support co-living opportunities such as this.

The LRB recognised that the proposal is associated with an existing use in the designated Green Belt, as provided for by policy NE2 (Green Belt), and concluded that approval would not undermine the intended purpose of the green belt in this location. Members also noted that the local area will be subject to further change through the development of large-scale development opportunities identified by the Aberdeen Local Development Plan in the area immediately to the north (OP31 - Maidencraig South East and OP32 - Maidencraig North East). It was considered that the proposal makes adequate provision for off-street car parking and that it is readily accessible from the A944, which offers connections to bus routes, consistent with policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel).

- **COUNCILLOR MARIE BOULTON, Chairperson**

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