

# Public Document Pack



To: Councillor Boulton (Chairperson) and Councillors Duncan and MacKenzie.

Town House,  
ABERDEEN 09 December 2020

## **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL**

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in **Virtual - Remote Meeting on WEDNESDAY, 16 DECEMBER 2020 at 10.00 am.**

FRASER BELL  
CHIEF OFFICER - GOVERNANCE

### **B U S I N E S S**

1.1 Procedure Notice (Pages 3 - 4)

**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**

- 2.1 Detailed Planning Permission for the extension of dormers to rear and installation of replacement windows to rear and side - 57 Blenheim Place Aberdeen (Pages 5 - 34)
- 2.1 Delegated Report, Original Application Form and Decision Notice (Pages 35 - 52)
- Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 200660.
- 2.1 Planning Policies Referred to in Documents Submitted (Pages 53 - 54)
- 2.1 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 55 - 76)
- Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 200660.
- 2.1 Determination - Reasons for Decision
- Members, please note that reasons should be based against Development Plan policies and any other material considerations.
- 2.1 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

Should you require any further information about this agenda, please contact Lynsey McBain on [lymcbain@aberdeencity.gov.uk](mailto:lymcbain@aberdeencity.gov.uk) / tel 01224 522123

## 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. The Committee clerk will confirm these reasons with the LRB, at the end of each case, in recognition that these will require to be intimated and publicised in full accordance with the regulations.

# LOCAL REVIEW BODY



200660/DPP– Review against refusal of planning permission for:

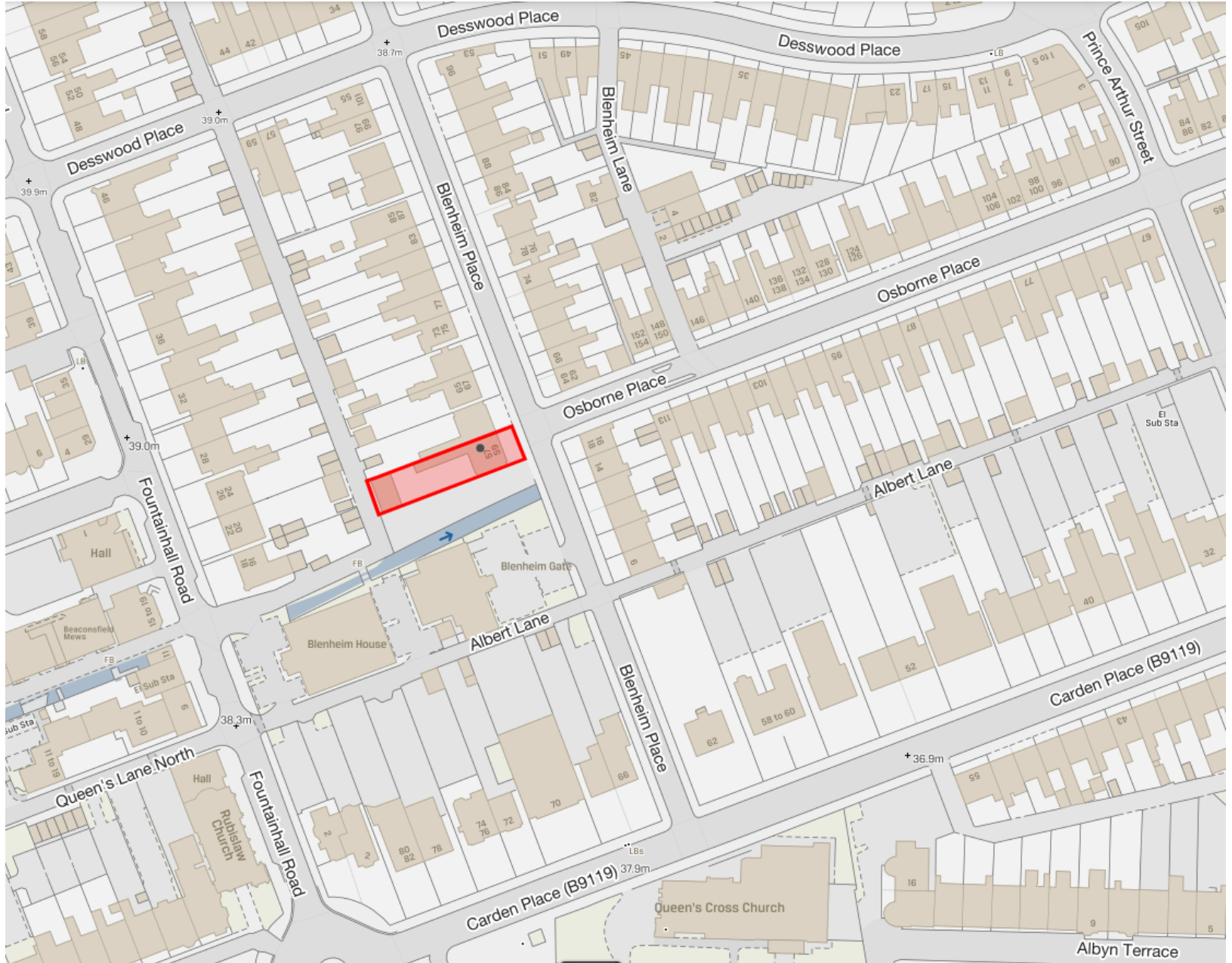
Extension of dormers to rear and installation of replacement windows  
to rear and side

57 Blenheim Place, Aberdeen

# Location Plan



# Location Plan - GIS



# Location – Aerial Photo





# Photo: Front

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Photo: Rear



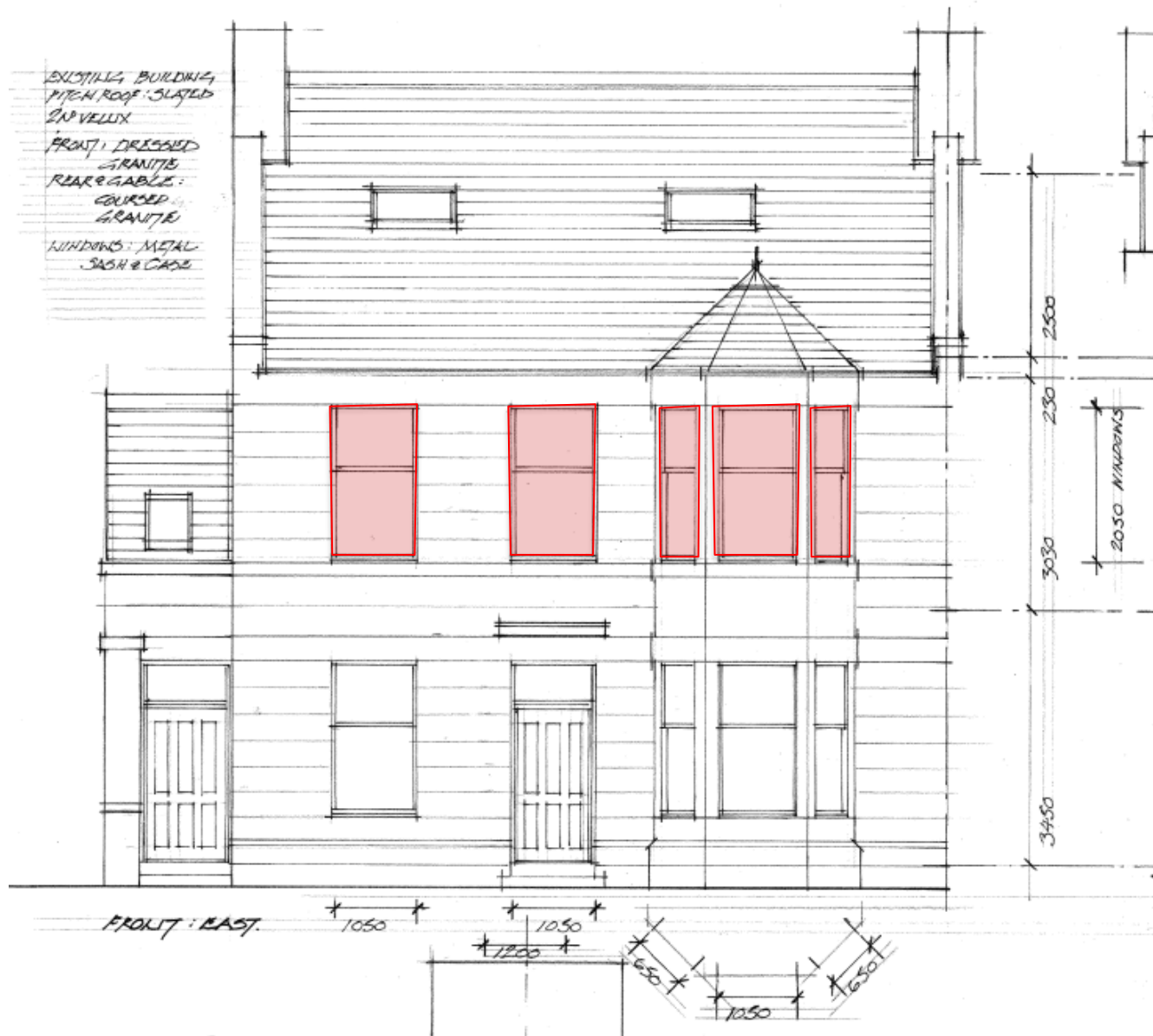
Photo: Side



Photo: Side



# Proposed Front Elevation



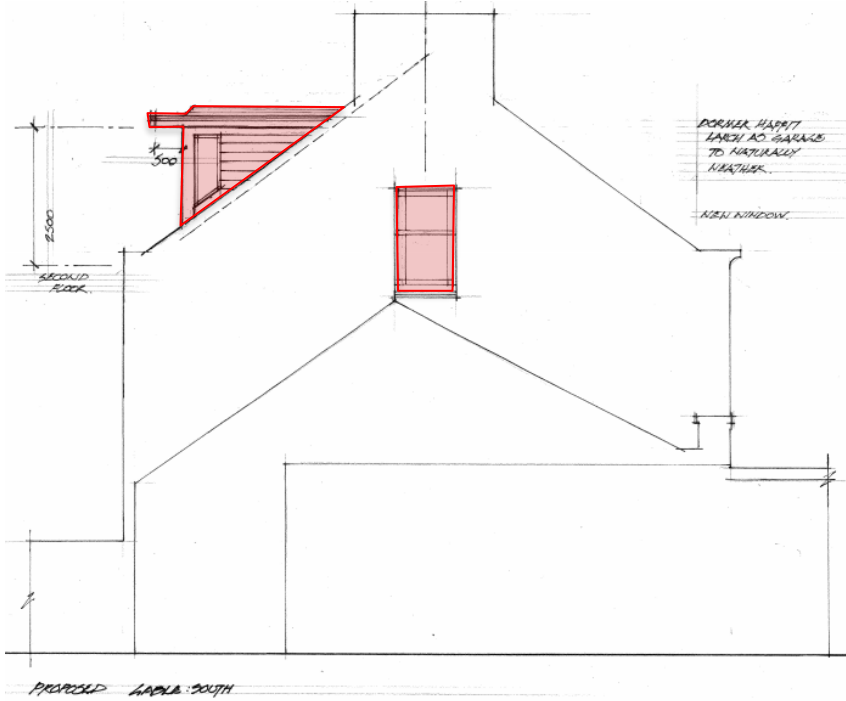
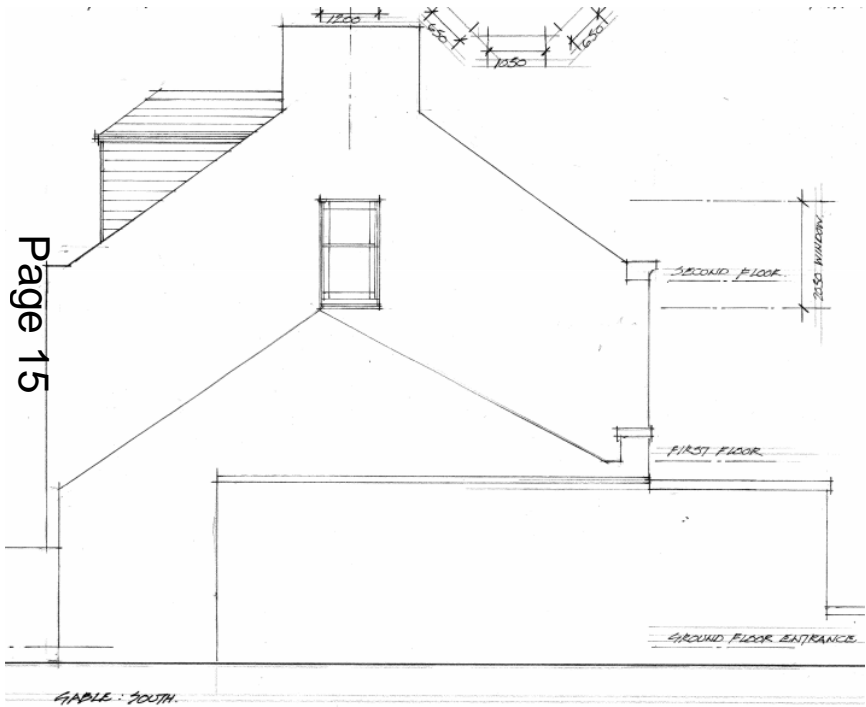
# Existing & Proposed Rear Elevation

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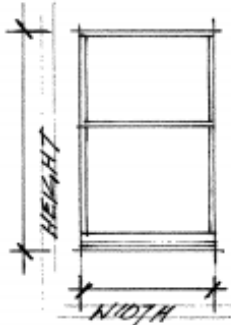
# Existing & Proposed Side Elevation

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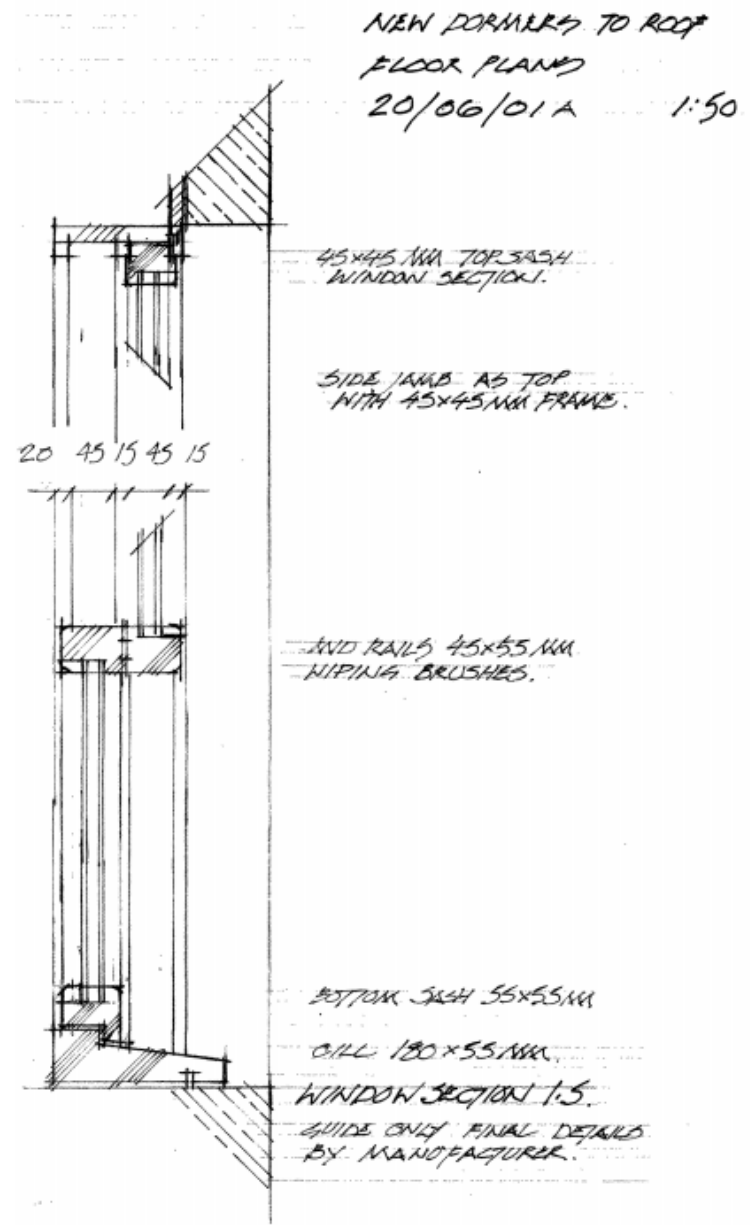


# Window Schedule & Cross-section

WINDOWS:	NO	HEIGHT	WIDTH
REPLACEMENT TO EXISTING	5	2050	1050
	2	2050	250
	1	2050	300
	1	2050	1200
NEW TO FORMERS	5	1750	800



ALL SASH & CASE TYPE  
HIGH PERFORMANCE D.I.G. UNITS  
CONSTRUCTED IN TIMBER



NEW FORMERS TO ROOF  
FLOOR PLANS  
20/06/01 A 1:50

45x45 MM TOP SASH  
WINDOW SECTION.

SIDE JAMB AS TOP  
WITH 45x45 MM FRAME.

20 45 15 45 15

11 11 11

IND RAILS 45x55 MM  
WIPING BRUSHES.

BOTTOM SASH 55x55 MM

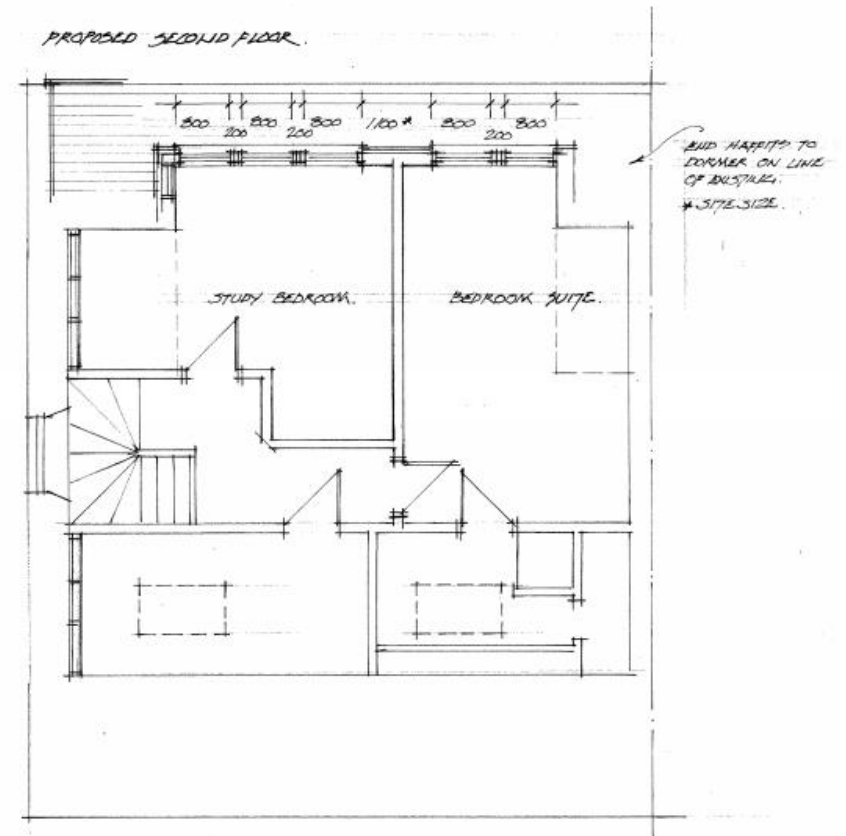
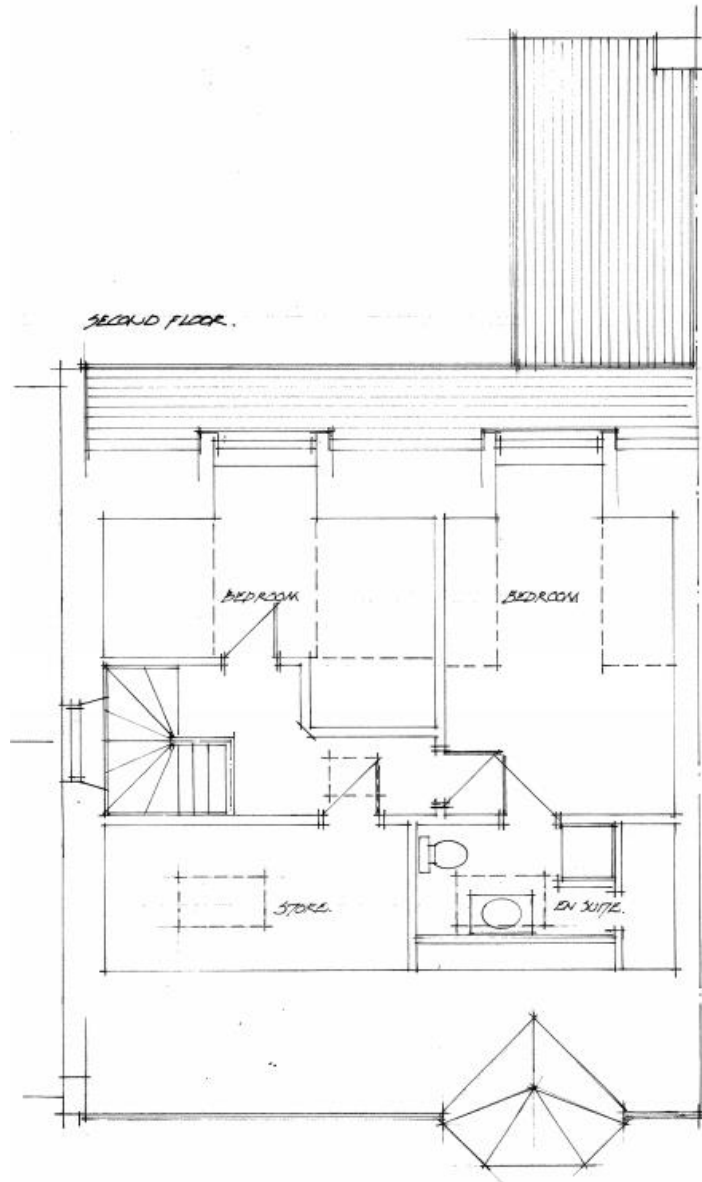
SILL 180x55 MM

WINDOW SECTION 1:5

GUIDE ONLY FINAL DETAILS  
BY MANUFACTURER.



# Second Floor: Existing & Proposed



# Reasons for Decision

Stated in full in decision notice. Key points:

- Notes that the proposed replacement windows are of an acceptable design and materials, which is appropriate to the site's location within a Conservation Area and consistent with relevant local and national guidance on window replacement.
- Highlights that the proposed removal of the traditional dormers is not supported by policy and the design of the proposed dormer extension is unsympathetic. Its massing is specifically identified as a concern given the rear of the property is prominently visible from the adjacent car park and rear service lane. The proposed dormer extension would be at odds with its context.
- Overall, the proposal was considered to have a detrimental impact on the character and appearance of the Conservation Area
- Policy conflicts were identified with Scottish Planning Policy; Historic Environment Policy for Scotland; Policies D1 (Quality Placemaking by Design), H1 (Residential Areas) and D4 (Historic Environment) of the Adopted Aberdeen Local Development Plan; and guidance contained within the Householder Development Guide and HES's Managing Change Guidance relating to roofs.
- Conflict with equivalent policies from Proposed Aberdeen Local Development Plan also noted

# Applicant's Case for Review

- Contends that guidance should be applied flexibly and with regard to circumstances rather than used as a rigid set of rules to be applied in all cases
- Consider that a site visit would be invaluable in terms of understanding the context
- Highlights that over 50% of the existing roof would remain unaffected and that the rear of the property would not be visible from either Blenheim Place or Osborne Place, with the only view point for pedestrians would be a side view when walking up Blenheim Place from Carden Place
- Disputes the importance placed on views of the rear of the property
- Finishes are intended to complement the existing property
- Points to a rear dormer at 28/30 Fountainhall Road as justification and highlights a general variety in dormer arrangements in the surrounding area

# Applicant's Case for Review

## Photos of 28/30 Fountainhall Rd

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# Applicant's Case for Review

## Photos of 28/30 Fountainhall Rd

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# H1: Residential Areas

- Does this proposal represent overdevelopment?
- Would it have an *'unacceptable impact on the character and amenity'* of the area?
- Would it result in the loss of open space?
- Does it comply with Supplementary Guidance?  
(e.g. Householder Development Guide; Windows and Doors SG)

# D1: Quality Placemaking by Design

All dev't must *“ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials”*.

Proposals will be assessed against the following six essential qualities:

- Distinctive
- Welcoming
- Safe and pleasant
- Easy to move around
- Adaptable
- Resource-efficient

## D4: Historic Environment

- ACC will '*protect, preserve and enhance*' the historic environment, in line with national and local policy and guidance
- High quality design that respects the character, appearance and setting of the historic environment, and protects the special architectural and historic interest of its LBs and CAs will be supported



# Householder Development Guidance

## General Principles:

- Extensions should be architecturally compatible with original house and surrounding area (design, scale etc)
- Should not '*dominate or overwhelm*' original house. Should remain visually subservient.
- Extensions should not result in a situation where the amenity of neighbouring properties would be adversely affected (e.g. privacy, daylight, general amenity)
- Approvals pre-dating this guidance do not represent a 'precedent'

# Householder Development Guidance

## Dormer Windows – General Principles

- New dormers should respect scale of the building and should not dominate, overwhelm or unbalance the original roof;
- On traditional properties, original dormers must be retained and repaired, and their removal and/or replacement with larger or more modern dormers will not be permitted;
- On individual properties or in terraces where there are existing well-designed dormers and where there is adequate roof space, the construction of new dormers which match those existing may be acceptable. Additional dormers will not be permitted however, if this results in the roof appearing overcrowded. These dormers should be closely modelled in their detail and position on the roof, on the existing good examples. They will normally be aligned with windows below;
- In the case of non-listed buildings in CAs, 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.

# Householder Development Guidance

## Dormer Windows – Older properties of a traditional character: Rear elevations

- The aggregate area of all dormers should not dominate the original roof slope;
- Dormer haffits should be a minimum of 400mm in from the inside face of the gable tabling;
- The front face of dormer extensions should be a minimum of 400mm back from the front edge of the roof, but not so far back that the dormer appears to be pushed unnaturally up the roof slope;
- Flat roofs on box dormers should be a reasonable distance below the ridge;
- Windows should be located at both ends of box dormers;
- A small apron may be permitted below a rear window; and
- Solid panels between windows in box dormers may be permitted but should not dominate the dormer elevation.

# Supplementary Guidance: Replacement Windows & Doors

- First principle is of retaining and repairing original or historic windows, and this will always be promoted over replacement.
- Opportunities to replace unsympathetic windows will be supported. Reinstatement of original types and arrangements will be encouraged.
- If existing non-historic windows on the public elevation of an unlisted building within conservation area are being replaced, the reinstatement of the original types and arrangements of windows will always be encouraged.
- Factors including materials, means of opening, colour etc will be of relevance
- Detailed cross-sections of sash-and-case windows required to ensure adherence to criteria stated in Supplementary Guidance (where S&C considered to be necessary – ‘public elevations’ in CA)

# Scottish Planning Policy (SPP)

- Proposals in CAs should preserve or enhance the character and appearance of the CA. Proposals that do not harm the character or appearance should be treated as preserving it.



## MANAGING CHANGE IN THE HISTORIC ENVIRONMENT WINDOWS



- **Maintenance and repair** is the preferred means of safeguarding the character of a historic window;
- **Where a window is beyond repair**, its replacement should be permitted, but should closely match original window design, detail and materials.
- **In replacing sash windows, materials other than timber (e.g. uPVC) will rarely be acceptable;**
- In other cases the windows may be modern replacements, sometimes inexact copies of the original examples, or using inappropriate sections or materials. **In such cases it should be acceptable to replace the windows with an aim to regain the original design intention or improve the existing situation.**

# Roofs



- Highlights that the significance of a roof is derived from its shape, pitch, profile, covering materials etc.
- Important to understand a roof's contribution to a building's character and to protect a building's special character through re-use of existing historic materials and close matching of new materials
- The alteration of a roof can create additional space to allow the building as a whole to remain in use and develop with the needs of the occupants. In considering how to alter a roof it is important to understand the appearance of the building or street as a whole. The potential for cumulative effects of similar developments should also be considered.
- Early historic dormers should be retained. The addition of new features to principal or prominent roof slopes should generally be avoided. New dormers should be appropriately designed and located with care.



Aberdeen City Conservation Area Character Appraisals and Management Plan

# Albyn Place and Rubislaw

To be read in conjunction with Section 1: Strategic Overview and Section 2: Management Plan

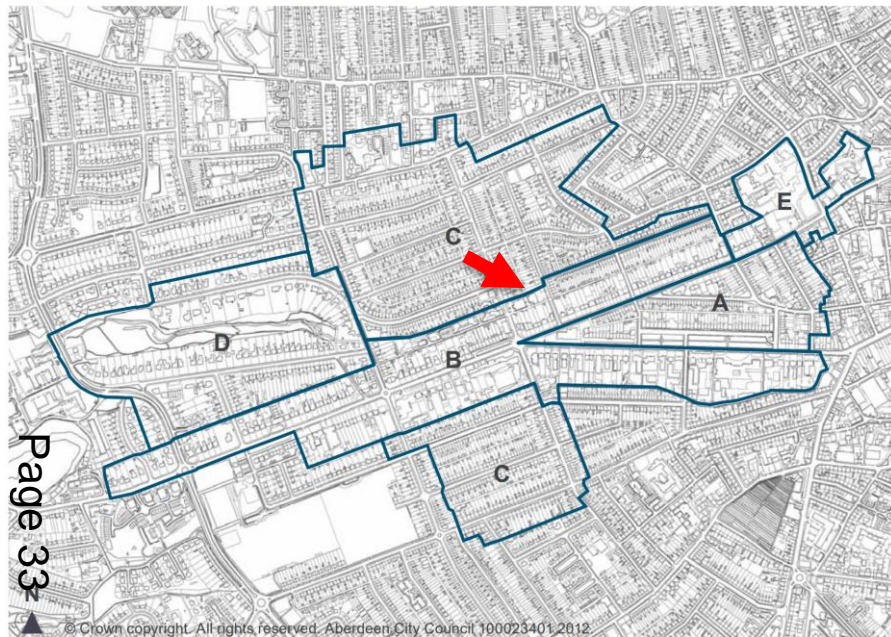
July 2013

**Planning and Sustainable Development**  
Enterprise, Planning and Infrastructure  
Aberdeen City Council  
Business Hub 4 - Marischal College  
Broad Street  
Aberdeen  
AB10 1AB  
[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)



# Albyn Place & Rubislaw CA Character Appraisal

Albyn Place and Rubislaw conservation area character areas



- Divided into 5 distinct character areas. Blenheim Place lies within Character Area C: *'North and south of Queen's Road, but east of Rubislaw Den'*
- Character area C is noted for its wide, tree lined streets, with a number of back lanes. Granite buildings with slate roofs and lack of dormers (apart from the eastern section of Osborne Place).
- Includes SWOT analysis. Overall, an identified strength of the CA is its retention of the original dormer pattern on residential streets.
- Identified weaknesses include the *'removal of timber sash and case windows'*, the *'variety of window styles and materials in flatted properties'* and *'front box dormers'*
- Opportunities include *'repair and replacement of windows with those of traditional style, proportions and materials'*
- *'Unsympathetic development that does not reflect or relate to the character of the Conservation Area'* is identified as a specific threat

# Points for Consideration:

**Zoning:** Do members consider that the proposed works would adversely affect the character or amenity of the area, as set out in policy H1? Do the proposed alterations accord with the relevant SG, also tied to policy H1?

Specifically, is the replacement of the existing non-original windows with timber sash-and-case frames supported by the relevant SG? Also, is the removal of the existing historic dormer windows and replacement with a new dormer as proposed supported by the Householder Development Guide SG.

**Historic Environment:** Do members consider that the proposed works to preserve or enhance the character and amenity of the Conservation Area, as required by SPP, HESPS and policy D4 of the ALDP?


**Design:** Is the proposal of sufficient design quality (D1), appropriate to its context?

**1. Does the proposal comply with the Development Plan when considered as a whole?**

**2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan? (e.g. SPP, HES guidance, Albyn & Rubislaw CA Appraisal, Proposed ALDP)**

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)

 <p><b>ABERDEEN</b> 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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<b>Site Address:</b>	57 Blenheim Place, Aberdeen, AB25 2DZ
<b>Application Description:</b>	Extension of dormers to rear and installation of replacement windows to rear and side
<b>Application Ref:</b>	200660/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	17 June 2020
<b>Applicant:</b>	Mr Keith Varney
<b>Ward:</b>	Hazlehead/Ashley/Queens Cross
<b>Community Council:</b>	Queen's Cross and Harlaw
<b>Case Officer:</b>	Jemma Tasker

### **RECOMMENDATION**

Refuse.

### **APPLICATION BACKGROUND**

#### **Site Description**

The application site is located on the western side of Blenheim Place, immediately across from the junction with Osborne Place and adjacent to a car park which sits along the southern boundary, related to the Blenheim House office building, currently occupied by EY (formerly known as Ernst and Young) and The Wood Foundation. The property backs on to a rear lane that runs between, and parallel to, Blenheim Place and Fountainhall Road.

The property is an upper floor flat that forms part of a traditional granite, 2 storey, semi-detached property. All windows relating to the upper floor flat are white, metal, sash and case units. The rear (west) roof slope contains 2 piended dormers which mirror the adjoining property. The surrounding area is characterised by properties of a similar architectural character. The vast majority of the roofs of these properties – notably on the western side of Blenheim Place – contain either piended dormers or rooflights. The site lies within the Albyn Place and Rubislaw Conservation Area.

#### **Relevant Planning History**

Application Number	Proposal	Decision Date
120878	Formation of double garage as part of garage construction across whole plot width	08.08.2012 Status: Approve Unconditionally.

### **APPLICATION DESCRIPTION**

## **Description of Proposal**

Detailed Planning Permission (DPP) is sought for the extension of the existing dormers to the rear (west) elevation and the installation of replacement windows to the rear (west) and side (south) elevations of the property.

It is proposed to infill the area between the two end haffits of the existing dormers, forming a dormer which would total a maximum 6.8m in width. The infill area would consist of an additional sash and case window and larch cladding. The pitched roofs of the existing dormers would be removed and a large flat roof created, finished with a dark grey single membrane, giving the dormer a maximum height of 2.5m. The result of these changes is that a large box dormer would be formed.

Consent is also sought for a number of replacement windows on the rear (west) and side (south) elevations of the building. The existing metal sash and case windows would be replaced by timber sash and case, double glazed units.

## **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=QBYGUHBZIAV00>

## **CONSULTATIONS**

**Queen's Cross and Harlaw 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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that special attention shall be paid to the desirability or preserving or enhancing the character or appearance of the conservation area.

### **National Planning Policy and Guidance**

- Scottish Planning Policy (SPP)
- Historic Environment 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 may also be a material consideration. The Proposed SDP constitutes the settled view of the Strategic Development Planning Authority (and both partner Councils) as to what should be the final content of the next approved Strategic Development Plan. The Proposed SDP was submitted for Examination by Scottish Ministers in Spring 2019, and the Reporter has now reported back. The Scottish Ministers will consider the Reporter's Report and decide whether or not to approve or modify the Proposed SDP. The exact weight to be given to matters contained in the Proposed SDP in relation to specific applications will depend on whether –

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

## **Aberdeen Local Development Plan (2017) (ALDP)**

- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment
- Policy H1 – Residential Areas

## **Proposed Aberdeen Local Development Plan (2020) (PALDP)**

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- these matters have been subject to public consultation through the Main Issues Report;
- the level of objection raised in relation these matters as part of the Main Issues Report; and,
- the relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case by case basis. Policies of relevance include:

- Policy D1 – Quality Placemaking
- Policy D2 – Amenity
- Policy D6 – Historic Environment
- Policy D8 – Windows and Doors
- Policy H1 – Residential Areas

### **Supplementary Guidance**

- The Householder Development Guide
- The Repair and Replacement of Windows and Doors

### **Other Material Considerations**

- HES Managing Change in the Historic Environment: Windows and Roofs
- Albyn Place and Rubislaw Conservation Area Character Appraisal and Management Plan (July, 2013)

## **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. The proposal would comply with this policy in principle provided it does not constitute overdevelopment, does not adversely affect the character and amenity of the surrounding area, and it complies with the associated Supplementary Guidance. This proposal would not enlarge the built footprint of the property and would not significantly increase the intensity of use on the site; therefore, it would not constitute overdevelopment. The other issues are assessed in the evaluation below.

### **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. The six qualities of placemaking referred to Policy D1 requires development to reinforce the established pattern of development and to reflect local style and urban form.

### **Replacement Windows**

The principle of replacing the existing windows in the property is acceptable, given that they are not original, subject to ensuring that the new windows would be compliant with all relevant Supplementary Guidance and that they would adequately preserve the character and appearance of the surrounding Conservation Area.

The windows earmarked for replacement are modern metal framed units and are clearly not original or historic to the property. The applicant seeks to replace such windows with double glazed, timber framed, one-over-one sash and case windows, the details of which are considered to be acceptable and in line with the Supplementary Guidance: 'The Repair and Replacement of Windows and Doors', representing an improvement on the basis of reinstating a more faithful window material.

### **Dormer Extension**

One of the general principles of the Householder Development Guide is that dormers should be architecturally compatible in design and scale with the original house and its surrounding area. The Guide also states, "*On traditional properties, original dormers must be retained and repaired, and their removal and/or replacement with larger or modern dormers will not be permitted*". Whilst the drawings indicate that the new dormers would be formed between the existing two outer hafts

(thus it is assumed that those dormers would be retained), the remainder and thus the substantial part of both dormers would be removed, in direct conflict with the stated requirement of the Householder Development Guide that such dormers **must** be retained.

The rear elevations of the properties on the western side of Blenheim Place (south of Desswood Place) and the majority to the east of Blenheim Place are similar in their appearance and architectural details, and a significant contributing factor to this similarity is that all but two of the properties of this house type in the surrounding area contain pitched dormers, rooflights or nothing at all. While there is not specifically uniformity across the roof slopes, any alterations or additions are sympathetic, subservient, traditional dormer additions or rooflights. This similarity across such a large number of properties – and importantly the omission of flat roof dormers – is a contributing factor to the character and appearance of the area.

The rear elevation of the building, despite being of secondary importance architecturally, is clearly visible from several public viewpoints, being prominently visible from the adjacent car park and the rear service lane.

It is considered that the proposed dormer would appear somewhat visually dominant on the roof slope, especially in comparison to neighbouring properties, covering some 44% of the roof slope. The dormer would be a considerable mass compared to neighbouring buildings, which typically contain rooflights, or 1 or 2 pitched dormers. Additionally, through the incorporation of a flat roof, it would contrast significantly with that traditional style of the dormers in the immediate area, and thus the non-traditional architectural form would be inappropriate in this particular instance.

Because of its extended form and flat roof design, the proposed dormer would result in the loss of similarity to this line of residential properties and thus would have a significant adverse impact of the character of the surrounding area, in conflict with Policy H1. It would not reflect the established pattern of development and urban form, in conflict with Policy D1 and thus would be detrimental to the character of the surrounding area.

This proposal could set a precedent for similar proposals which could be granted planning permission under current policies and guidance, which cumulatively would be significantly detrimental to the character of the surrounding area.

While the proposed dormer extension would comply with some of the specific guidelines relating to dormers contained within the Householder Development Guide, the overriding determining factor, and statutory duty of the Planning Authority, is the consideration of the impact of the proposal on the character and appearance of the Conservation Area. The proposed enlargement to extend the dormer would comprise the removal of the traditional dormers, located in a publicly visible location. It would result in the loss of similarity of this part of Blenheim Place, creating a dormer at odds with the context of the surrounding area. It would therefore be detrimental to the character of the surrounding area, in conflict with Policy H1, it would not conform with the qualities of successful placemaking in conflict with Policy D1 in that it would not reinforce the established pattern of development and reflect local styles and urban form, and it would conflict with the Supplementary Guidance: 'The Householder Development Guide' in that it would include the removal of traditional dormers and would not be architecturally compatible in design and scale with the original building in the context of the surrounding area.

### **Impact on the Historic Environment**

Scottish Planning Policy (SPP), Historic Environment Policy for Scotland (HEPS) and Policy D4 (Historic Environment) of the ALDP all seek to ensure that new development in Conservation Areas either preserves or enhances the character and appearance of the Conservation Area. An assessment of the impact of the proposals on the character of the area is made in the foregoing

evaluation and the same principles apply to the impact of the proposals on the character and appearance of the wider Albyn Place and Rubislaw Conservation Area.

The replacement windows would see an improvement on the existing situation; therefore, having a positive impact on the character and appearance of the Conservation Area.

However, the proposed dormer would be in direct conflict with HES's Managing Change Document – Roofs, which states that '*Early historic dormers should be retained. 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 enlargement of the existing rear dormer would, in effect, remove the existing traditional design of the dormers and create a considerably large mass on the roof slope which is unsympathetic to the traditional scale and form of the original building. The rear elevations of the surrounding properties on the western side of Blenheim Place do not see any flat roof dormer additions; the vast majority of any addition have been designed, sited and scaled with due consideration for the context of the original properties. In the current context, the proposed enlargement to create a large flat roof dormer to the application property would contribute to the incremental increase in insensitive alterations to roof spaces which would harm the prevailing character and appearance of the Albyn Place and Rubislaw Conservation Area. It is considered that the proposed works would detrimentally affect the character and appearance of the property's rear elevation, prominently visible from the adjacent car park and rear service lane, and that of the wider Conservation Area. The proposal therefore fails to comply with the principles of SPP, HEPS, Policy D4 of the ALDP and HES's Managing Change Document – Roofs.

### **Impact on Residential Amenity**

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

### **Proposed Aberdeen Local Development Plan (PALDP) (2020)**

In relation to this particular application, the Policies D1, D2, D6, D8 and H1 in the Proposed Aberdeen Local Development Plan 2020 (PALDP) substantively reiterate those in the Adopted Local Development Plan and the proposal is not acceptable in terms of both Plans for the reasons previously given.

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

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

## **RECOMMENDATION**

Refuse.

## **REASON FOR RECOMMENDATION**

The proposed windows are considered to be of an acceptable design, scale and materials which would not adversely affect the character and appearance of the building or the Albyn Place and Rubislaw Conservation Area, in accordance with the Supplementary Guidance: 'The Repair and



Replacement of Windows and Doors' and HES's Managing Change guidance relating to windows.

However, the proposed dormer creates significant tension with the Householder Development Guide and HES's Managing Change guidance relating to roofs through the removal of the traditional dormers. The unsympathetic dormer extension would be a considerable mass on the rear elevation of the original building, which is prominently visible from the adjacent car park and rear service lane. Alterations along the other rear elevations nearby have been designed with due consideration for the context of the area but the proposed dormer extension would be at odds with that context.

Therefore, overall, the proposal would have a detrimental impact on the character and appearance of the Conservation Area and would thus fail to comply with Scottish Planning Policy; Historic Environment Policy for Scotland; Policies D1 (Quality Placemaking by Design), H1 (Residential Areas) and D4 (Historic Environment) of the Adopted Aberdeen Local Development Plan; Policies D1, D2, D6, D8 and H1 of the Proposed Aberdeen Local Development Plan; and guidance contained within the Householder Development Guide and HES's Managing Change Guidance relating to roofs. There are no material planning considerations of sufficient weight which would warrant approval of planning permission in this instance.

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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            100263869-001

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)

Alteration of rear dormers and new replacement windows

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:	calder design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Martin	Building Name:	
Last Name: *	Calder	Building Number:	19
Telephone Number: *	01224633889	Address 1 (Street): *	beechgrove
Extension Number:		Address 2:	terrace
Mobile Number:		Town/City: *	aberdeen
Fax Number:		Country: *	scotland
		Postcode: *	AB15 5DR
Email Address: *	caldermartin@hotmail.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: *	Keith	Building Number:	57
Last Name: *	Varney	Address 1 (Street): *	Blenheim Place
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB25 2DZ
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

57 BLENHEIM PLACE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB25 2DZ

Please identify/describe the location of the site or sites

Northing

805975

Easting

392466

## 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)

The proposal would not meet guidelines in respect of the construction of dormers.

Title:

Ms

Other title:

First Name:

Jemma Tasker

Last Name:

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.

## 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: Martin Calder

On behalf of: Mr Keith Varney

Date: 04/06/2020

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 Martin Calder

Declaration Date: 04/06/2020

## Payment Details

Online payment: ABSP00005257  
Payment date: 14/06/2020 14:04:00

Created: 14/06/2020 14:04



## **DECISION NOTICE**

### **The Town and Country Planning (Scotland) Act 1997**

#### **Detailed Planning Permission**

Martin Calder  
calder design  
19 Beechgrove Terrace  
Aberdeen  
AB15 5DR

on behalf of **Mr Keith Varney**

With reference to your application validly received on 17 June 2020 for the following development:-

**Extension of dormers and installation of replacement windows to rear at 57 Blenheim Place, 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:

<b>Drawing Number</b>	<b>Drawing Type</b>
200660/01	Location Plan
20/06/02	Multiple Elevations (Proposed)
20/06/01	Multiple Floor Plans (Proposed)

#### **REASON FOR DECISION**

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

The proposed windows are considered to be of an acceptable design, scale and materials which would not adversely affect the character and appearance of the building or the Albyn Place and Rubislaw Conservation Area, in accordance with the Supplementary Guidance: 'The Repair and Replacement of Windows and Doors' and

HES's Managing Change guidance relating to windows.

However, the proposed dormer creates significant tension with the Householder Development Guide and HES's Managing Change guidance relating to roofs through the removal of the traditional dormers. The unsympathetic dormer extension would be a considerable mass on the rear elevation of the original building, which is prominently visible from the adjacent car park and rear service lane. Alterations along the other rear elevations nearby have been designed with due consideration for the context of the area but the proposed dormer extension would be at odds with that context.

Therefore, overall, the proposal would have a detrimental impact on the character and appearance of the Conservation Area and would thus fail to comply with Scottish Planning Policy; Historic Environment Policy for Scotland; Policies D1 (Quality Placemaking by Design), H1 (Residential Areas) and D4 (Historic Environment) of the Adopted Aberdeen Local Development Plan; Policies D1, D2, D6, D8 and H1 of the Proposed Aberdeen Local Development Plan; and guidance contained within the Householder Development Guide and HES's Managing Change Guidance relating to roofs. There are no material planning considerations of sufficient weight which would warrant approval of planning permission in this instance.

**Date of Signing** 14 August 2020



**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](http://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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## **Aberdeen Local Development Plan (ALDP)**

- Policy H1 – Residential Areas
- Policy D1 - Quality Placemaking by Design
- Policy D4 - Historic Environment

## **Supplementary Guidance**

Householder Development Guide

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

The Repair and Replacement of Windows and Doors

<https://www.aberdeencity.gov.uk/sites/default/files/1.1.PolicySG.WindowsDoors.pdf>

Albyn Place and Rubislaw Conservation Area Character Appraisal

[https://www.aberdeencity.gov.uk/sites/default/files/2013\\_Con\\_Appraisal\\_3\\_Albyn.pdf](https://www.aberdeencity.gov.uk/sites/default/files/2013_Con_Appraisal_3_Albyn.pdf)

## **Other Material Considerations**

Scottish Planning Policy (2014)

<https://www.gov.scot/publications/scottish-planning-policy/>

Historic Environment Policy for Scotland (HEPS)

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

Proposed Aberdeen Local Development Plan (2020)

<https://www.aberdeencity.gov.uk/services/planning-and-building/local-development-plan/aberdeen-local-development-plan/aberdeen-local-development-plan-review#3678>

Managing Change in the Historic Environment:

- Roofs  
<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=577dd6d3-94cc-4a14-b187-a60b009af4bd>
- Windows  
<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=3425bb51-8a55-4f99-b7aa-a60b009fbca2>

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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 100263869-003

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="Keith"/>	Building Number:	<input type="text" value="57"/>
Last Name: *	<input type="text" value="Varney"/>	Address 1 (Street): *	<input type="text" value="Blenheim"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Place"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="U.K"/>
Mobile Number:	<input type="text" value="REDACTED"/>	Postcode: *	<input type="text" value="AB25 2DZ"/>
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="57 BLENHEIM PLACE"/>
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="AB25 2DZ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="805975"/>	Easting	<input type="text" value="392466"/>
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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)

Extension of dormers and installation of replacement windows to rear

## 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.

Firstly on procedural matters we would state that Guidance in terms of Planning should be viewed as that , rather than strict rules that require to be adhered to with all applications . There has to be a degree of flexibility in regard to individual applications which should be viewed on merit with reference to Guidance . Secondly we would hope that a site visit is seen as part of the review , from previous reviews this has proved to be invaluable in terms of understanding the application .

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)

A ; Additional written statement of appeal. B ; Photographs of property. C ; Photographs of 28/30 Fountainhall Road from rear lane. D ; Photographs of office development adjacent to property.

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

200660/DPP

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

17/06/2020

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

14/08/2020

## 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)

As stated in our reason for review a site inspection by the review board is critical as it would then give a clear view of the surrounding developments which are strongly used as points in the refusal documents.

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 Martin Calder

Declaration Date: 08/11/2020

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## **A: Additional Statement L R B 57 Blenheim Place Aberdeen ref 200660/DPP**

**Proposal:** Keeps within the outer haffits of the existing dormers and consists of a 2.3m infill element between them which clearly diminishes the overall impact with over 50% of the existing roof unaffected. In terms of sympathy the proposed finishes are all intended to tone with the present slated roof finish and the granite walls of the property. Compared to properties noted below the massing is retained within the extent of the existing dormers and by that does not add “considerable mass on the rear elevation “. Item B encompasses photographs of property.

**Visibility:** The proposals are to the rear of the property and would not be visible from either Blenheim Place or Osborne Place, the only view point is for pedestrians from this side is when walking up Blenheim Place from Carden Place, and at that only the side of the dormer is visible and this is virtually unchanged by these proposals.

**Refusal Statement:** This lays great emphasis on the adjacent offices car park and rear lane as areas affected by the proposals. The offices and car park are in planning terms recent additions to the immediate area and it could be argued that the loss of privacy to the rear of the property at the time and since is detrimental to my client. Item D encompasses photographs of the offices.

The rear lane is sighted as important in the refusal by stating that “the other rear elevations nearby have been designed with due consideration for the context of the area “. We would contend that that is not the case for the following reasons.

Directly opposite is No. 20 Fountainhall Road where there is a flat roofed dormer, albeit historical, more importantly at Nos.28/30 Fountainhall Road there are two flat roof dormers which totally overpower the properties, No. 30 is of recent construction within the last 5 years.

In general terms there is a variety of dormer arrangements along both sides of the lane in the immediate vicinity. Item C encompasses photographs of 28/30 referred to above.

It is accepted that precedence is not an argument that can be used in planning terms , however, in this case the refusal is strongly based on siting examples within the area of the proposal and we therefore refer to the above as part of our response.

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