

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

13 November 2023

ABERDEEN, 13 November 2023. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor McRae, Chairperson; and Councillors Alphonse, Boulton, Bouse (for item 2 only) and Lawrence (for items 1 to 3).

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

16 URQUHART STREET ABERDEEN - 230570

1. The Local Review Body (LRB) of Aberdeen City Council met on this day to review the decision taken by an appointed officer under the Council's Scheme of Delegation for the refusal of the application for the change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people at 16 Urquhart Street Aberdeen, planning reference 230570.

Councillor McRae as Chair for the meeting, gave a brief outline of the business to be undertaken, advising that the LRB would be addressed by the Assistant Clerk, Mrs Lynsey McBain with regards to the procedure to be followed and thereafter, by Ms Lucy Greene who would be acting as the Planning Adviser to the Body in the following case under consideration this day.

The Chairperson stated that although the Planning Adviser was employed by the planning authority, she had not been involved in any way with the consideration or determination of the application under review and was present to provide factual information and guidance to the Body only. He emphasised that the officer would not be asked to express any view on the proposed application.

The Local Review Body was then addressed by Mrs McBain, Assistant Clerk in regard to the procedure to be followed, at which time reference was made to the procedure note circulated with the papers calling the meeting and to more general aspects relating to the procedure.

In relation to the application, the LRB had before it (1) a delegated report by the Appointed Officer, Aberdeen City Council; (2) an application dated 10 May 2023 (3) links to the plans showing the proposal and planning policies referred to in the delegated report; (4) the Notice of Review submitted by the agent; and (5) letters of representation from the Aberdeen City Council's Roads Development Management Team, Environmental Health Team and Waste and Recycling Team.

Ms Greene then described the site and outlined the appellant's proposal. The application site comprised a flatted property situated at first-floor level within a traditional granite and slate mid-terraced 2½ storey residential tenement containing a total of six properties situated on the eastern side of Urquhart Street. The application property, originally designed and used as a mainstream residential flat, had recently been refurbished and was currently untenanted with the intention to bring it into use as a as Short Term Let (STL). The property had two double bedrooms and was double-

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aspect, with two windows on the building's front elevation, facing west over Urquhart Street, and two windows looking east over communal rear garden area. The property was accessed by a communal ground-floor front entrance door centrally positioned on the front elevation of the building facing onto Urquhart Street. It was not clear if other properties in the building were being used as an STL and it was assumed that the remaining five properties were in mainstream residential use.

In relation to the proposal, detailed planning permission was sought, for the change of use of the property from a residential flat to Short Term Let (STL) accommodation (both sui generis). The applicant advised that the maximum occupancy for the STL was 4 persons at any one time, with a minimum stay duration of 3 nights. The property would be operated as an STL on a permanent basis and customers of the property would utilise existing on-street waste and recycling bins on Urquhart Road directly in front of the property's entrance. The property does not benefit from offstreet parking. There was not controlled on-street parking (Controlled Parking Zone) in the area so visitors would be able to park on this street if spaces were available.

Ms Greene indicated that the appointed officer's reasons for refusal outlined in the report of handling was as follows:-

It would have a significant detrimental impact upon the amenity of the immediate neighbouring residential properties within the application building, beyond what could typically be expected if it were to be used as mainstream residential accommodation. This was considered to be contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP) and Policy 30 (Tourism), paragraph (e) part i) of National Planning Framework 4.

It was also considered that the location of this proposed STL, a tourism related use, was not within the city centre or land allocated for a tourism related use which was a requirement of Policy VC2 of the Aberdeen Local Development Plan. The proposal, which was also identified as having the potential to cause harm to the amenity of existing residents in the residential area, was not considered to have met the locational requirements, and was therefore contrary to Policy VC2 (Tourism and Culture) of the Aberdeen Local Development Plan.

Ms Greene outlined the key points from the appellant's Notice of Review as follows:-

- The appellant disagreed that there would a detrimental impact on the neighbouring properties and they had a positive relationship with the neighbours and maintained there were no concerns raised;
- They felt that although the proposal was not in line with locational requirements of VC2, there should be exceptions where there would be no disruption to residential amenity;
- No objections from neighbouring properties;
- The Short Term Let had broad advantages of supporting local tourism and the city's economy;

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- They were happy to accept modification to address any concerns and work with the local community to ensure there was no harm to existing residents.

In terms of consultations, Ms Greene advised that the Council's Roads Team had no objection and the property was not in a controlled parking zone; that the Council's Environmental Health Team had no observations or objection; that the Waste Management had no objection but provided general information in regards to waste and there was no response received from Castlehill and Pittodrie Community Council. No letters of representation had been received from the neighbouring properties.

Ms Greene advised that the applicant had expressed the view that no further procedure was required before determination.

The Chairperson and Councillors Alphonse, Boulton and Lawrence all indicated in turn that they each had enough information before them and therefore agreed that the review under consideration should be determined without any further procedure.

In terms of relevant policy considerations, Ms Greene referred to the National Planning Framework 4 and the Aberdeen Local Development Plan 2023.

Ms Greene responded to questions from members.

Members each advised in turn and agreed by majority of three to one to overturn the appointed officers previous decision. Planning permission was therefore granted conditionally.

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 considerations in so far as these were pertinent to the determination of the application.

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

The use of the property as a short term let would provide accommodation close to Old Aberdeen and the University of Aberdeen, the beach and the Sports Village where there are frequent events. There are no large hotels in the area and having accommodation close to the aforementioned destinations reduces the need to travel and provides a service to visitors. The city centre is within a walking distance which is reasonable for many people, whilst public transport is readily available within a short distance of the flat. The area is a residential mix with many students, who tend to stay for academic periods. There are no objections from neighbours or the community council.

Although there is a level of tension with Policy VC2 (Tourism and Culture) of the Aberdeen Local Development Plan 2023 (ALDP), as the application site is not located within the city centre, in general terms it would be acceptable for the reasons above.

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With the attachment of a condition providing that the permission is limited to five years, the property's use as short term let accommodation would likely provide some local economic benefits, without causing any significant harm to local housing need through the loss of residential accommodation, in accordance with Policy 30 (Tourism) of National Planning Framework 4 (NPF4). The proposed use would also not conflict with, or cause any nuisance to, the residential amenity of the area, in accordance with Policy 30 of NPF4 and Policy H1 (Residential Areas) of the ALDP.

It was considered that the site would likely be predominantly accessed by sustainable and active modes of travel, in accordance with Policy 13 (Sustainable Transport) of NPF4 and Policies T2 (Sustainable Transport) and T3 (Parking) of the ALDP.

CONDITIONS

This permission is granted subject to the following conditions.

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) TIME LIMIT FOR SERVICED APARTMENT USE

The use of the flat for short term let accommodation as hereby approved, shall expire 5 years following the date of the grant of permission as stated on this notice, unless a further planning permission has been granted for continued use of the property as serviced apartment accommodation in the meantime. Should no further planning permission be granted then the property shall revert to a flat in residential use after the aforementioned 5-year period.

Reason: In order to allow reassessment of the local housing need and demand situation and the local economic benefits derived from the use of the property as short term let accommodation to be reassessed in 5 years' time, to ensure that the loss of the property as residential accommodation would remain compliant with Policy 30 of NPF4.

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2. The LRB then considered the second request for a review to evaluate the decision taken by an appointed officer under the Council's Scheme of Delegation to refuse the application for the formation of first floor extension over the existing garage and extensions to the front and rear at 6 Morningside Avenue Aberdeen, planning reference 230683.

The Chairperson stated that although the Planning Adviser for the LRB was employed by the planning authority, she had not been involved in any way with the consideration or determination of the application under review and was present to provide factual information and guidance to the Body only. He emphasised that the officer would not be asked to express any view on the proposed application.

In relation to the application, the LRB had before it (1) a delegated report by the Appointed Officer, Aberdeen City Council; (2) an application dated 5 June 2023 (3) links to the plans showing the proposal and planning policies referred to in the delegated report; and (4) the Notice of Review submitted by the agent.

Ms Greene then described the site and outlined the appellant's proposal. The application site was located to the south-west of the city in the established residential neighbourhood of Mannofield. The application dwelling was circa 1950s, 1.5 storey in height and semidetached. The principal elevation faced south-east onto Morningside Avenue, its rear garden was to the north-west, which abuts the Mannofield Water Treatment Works, and bounded with neighbouring residential properties to both sides. To the north-east and south-west of the site lie other sets of semi-detached dwellings.

The application dwelling comprises a 2-bedroom property with a single-storey garage extension to the north-east side. There were existing dormers on both the front and rear of the dwelling, a large single pitched roof dormer to front and flat roofed dormer to rear. The property had been previously extended to the rear by means of a single storey rear extension which occupies the whole feu width, with pitched/hip and flat roof elements. The dwelling was of an architectural style typical of the street and is finished in grey granite, with pink granite quoin, cill and basecourse detailing, white windows, light grey door and slate roof. The side garage was finished in stone, flat roof and light grey door. The ground level of the road noticeably slopes upwards towards the front elevation of the dwelling (south-east) and gave the property a more elevated positioning compared to the opposite side of the street. The front garden contained a single width driveway, with the majority laid as rockery shrub planting. The site sits just outwith the boundary of the Great Western Road Conservation Area which is to the north west.

In terms of the proposal, Ms Greene explained that planning permission was sought for the erection of a first-floor extension, which proposed to extend the height of the existing garage, extending up and building over it to rearrange the upper floor layout of the dwelling, incorporating a new master bedroom with en-suite and study.

Ms Greene indicated that the appointed officer's reasons for refusal outlined in the report of handling was as follows:-

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The scale and design of the proposed extension was not compatible with the original dwelling, adversely unbalancing the semi-detached property due to the form of the roof and overwhelms the existing dwelling but virtue of its form and massing, thus resulting in over-development. The extension was also considered to conflict with the prevalent character of the street, effectively creating a terrace and resulting in no clear division between it and its neighbouring dwelling, which had an adverse impact on the visual amenity of the surrounding residential area. Furthermore, the proposed front and rear dormers would overwhelm their existing roof slopes when incorporated into the proposed extension, exacerbating the adverse impact on the surrounding residential area. As such, the proposal is not compliant with Policy H1 (Residential Areas) or Policy D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023. The proposal was also not considered acceptable against Policy 14 (Design, Quality and Place) and Policy 16 (Quality Homes) of National Planning Framework 4.

Ms Greene outlined the key points from the appellant's Notice of Review as follows:-

- The proposals reflect scale and design of the house and do not dominate or overwhelm;
- The streetscape was a mix of house types and their various alterations over time;
- The design was consistent with the original house and also with many alterations in the surrounding streets;
- The roof would mirror that at 4 Morningside Avenue;
- There were similar extensions at 8 Morningside Avenue (2011) which was considered a suitable scale and design;
- The property and surrounding areas were not in a conservation area;
- the applicant had personal reasons to stay in the area;
- No representations received and no detrimental impact on neighbouring properties;
- Householder Development Guide had not yet been adopted, and the weight was at the discretion of the decision maker;
- The dormers complied in position, window placement was also within the guidance;
- The proposed roof shape would not match adjoining semi as that had an extended straight gable, however, many variations exist in the area and the officers view was subjective; and
- It complied with D2 on Amenity – light, privacy and amenity space.

In terms of Consultations, no letters of representation were received and no consultee comments.

Ms Greene advised that the applicant had expressed the view that no further procedure was required before determination.

The Chairperson and Councillors Alphonse, Boulton, Bouse and Lawrence all indicated in turn that they each had enough information before them and therefore agreed that the review under consideration should be determined without any further procedure.

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In terms of relevant policy considerations, Ms Greene referred to the National Planning Framework 4 and the Aberdeen Local Development Plan 2023.

Ms Greene responded to questions from members.

Members each advised in turn and agreed unanimously to overturn the appointed officers previous decision. Planning permission was therefore granted conditionally.

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 considerations in so far as these were pertinent to the determination of the application.

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

There was a mixture of styles of houses and extensions on the street and within the surrounding area, although it was acknowledged that some of these at varying times. The proposal would not result in over development of the plot and would not have a detrimental impact on the character of the area. Houses in the surrounding area had a similar style of extension, and although it was acknowledged that each case was determined on its own merits, in this case the proposal was not out of keeping with the character of the area. There was a need for extensions, in order to allow smaller houses to accommodate the needs of families today, including people working from home. The proposed materials would match those of the existing house and would be the subject of a condition. The proposal thereby accords with Policy H1: Residential Areas and D1: Design, in the Aberdeen Local Development Plan 2023 (LDP) and Policy 14: Design, Quality and Place and 16: Quality Homes in the National Planning Framework 4 (NPF4) and the Aberdeen Planning Guidance: Householder Guide.

There was no significant impact on the amenity of the occupiers of neighbouring houses and an adequate level of amenity would be created for the residents of the application property, in accordance with Policy D2: Amenity, in the LDP. The proposal would not impact on the character of the nearby Conservation Area and would therefore preserve its character in accordance with Policy D6: Historic Environment, in the Local Development Plan.

CONDITIONS

This permission is granted subject to the following conditions.

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the

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expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) MATERIALS

That no materials shall be used on site other than in accordance with details, including samples where necessary, submitted to and approved in writing by the planning authority.

Reason - in the interests of quality design and visual amenity.

31 MORNINGSIDE AVENUE ABERDEEN - 230767

3. The LRB then considered the third request for a review to evaluate the decision taken by an appointed officer under the Council's Scheme of Delegation to refuse the application for the erection of first floor extension over existing garage to the side and formation of dormers to the front and rear at 31 Morningside Avenue Aberdeen, planning reference 230767.

The Chairperson stated that although the Planning Adviser for the LRB was employed by the planning authority, she had not been involved in any way with the consideration or determination of the application under review and was present to provide factual information and guidance to the Body only. He emphasised that the officer would not be asked to express any view on the proposed application.

In relation to the application, the LRB had before it (1) a delegated report by the Appointed Officer, Aberdeen City Council; (2) an application dated 7 April 2023 (3) links to the plans showing the proposal and planning policies referred to in the delegated report; (4) the Notice of Review submitted by the agent; and (5) two letters of support.

Ms Greene then described the site and outlined the appellant's proposal. The application site comprised a 1.5-storey semi-detached dwelling in Mannofield which shared a mutual boundary with 29 Morningside Avenue to the north. The dwelling had a west-facing principal elevation that fronts onto Morningside Avenue and a rear garden to the east which is bounded by residential sites on each side. To the north and south of the site sat another set of semi-detached properties. The application dwelling was formed of a two-bedroom property with a single-storey garage extension to the side. There was an existing single box dormer on both the front and rear of the roof, each of which shares a party wall with the dormer on the other half of the semi-detached property. The dwelling was constructed in granite, with white windows and a doors and a slate roof. The existing garage was finished with a black roller shutter door and white lining cladding on the exterior wall and the ground level of the road noticeably slopes down towards the south of Morningside Avenue.

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In terms of the proposal, Ms Greene explained that detailed planning permission was sought for the erection of a first-floor extension, extending the height of the garage extension and building over it to rearrange the top floor, incorporating three bedrooms and a bathroom.

Ms Greene indicated that the appointed officer's reasons for refusal outlined in the report of handling was as follows:-

The scale and design of the proposed extension was not compatible with the original dwelling, adversely unbalancing the semi-detached property due to the form of the roof and interfering with the existing chimney. The extension would also conflict with the prevalent character of the surrounding area as the majority of properties had maintained a balanced hipped roof form with a chimney in the centre or to the sides of the property. Furthermore, the proposed front dormer would overwhelm the existing roof slope when incorporated into the proposed extension, interfering with the appearance of the existing chimney and diverging from the character of front dormers in the surrounding area. As such, the proposal was not compliant with Policy H1 (Residential Areas) or Policy D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023. The proposal was also not considered acceptable against Policy 14 (Design, Quality and place) of National Planning Framework 4.

Ms Greene outlined the key points from the appellant's Notice of Review as follows:-

- Several semi detached houses in the area had been altered to replace hipped roof with gable;
- The development was largely to the side, over the garage;
- Due to topography in the area, some houses sit higher, over bearing on neighbours;
- The application property had falling ground in back garden and very difficult to develop;
- The development to front would break the building line and alternatives would impact neighbours or parking;
- Over time several houses had been extended to the side, where unaltered properties adjoin those and the current Householder Developer Guide made these undevelopable; and
- The chimney would not be highly visible due to the dormer and design of extension, however, 20 Morningside Crescent was an example of similar recent approval.

In terms of Consultations, two letters of support were received and no consultee comments.

Ms Greene advised that the applicant had expressed the view that no further procedure was required before determination.

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The Chairperson and Councillors Alphonse, Boulton and Lawrence all indicated in turn that they each had enough information before them and therefore agreed that the review under consideration should be determined without any further procedure.

In terms of relevant policy considerations, Ms Greene referred to the National Planning Framework 4 and the Aberdeen Local Development Plan 2023.

There were no questions from Members.

Members each advised in turn and agreed unanimously to overturn the appointed officers previous decision. Planning permission was therefore granted conditionally.

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 considerations in so far as these were pertinent to the determination of the application.

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

There was a mixture of styles of houses and extensions on the street and within the surrounding area, although it is acknowledged that these were built at varying times. The proposal would not result in over development of the plot and would not have a detrimental impact on the character of the area. Houses in the surrounding area had similar styles of extension, and it was acknowledged that each case was determined on its own merits, in this case the proposal was not out of keeping with the character of the area. There was a need for extensions, in order to allow smaller houses to accommodate the needs of families today and in this case it was both difficult to extend to the rear and potentially would have more impact on neighbours compared to the proposal.

The proposed materials would match those of the existing house and would be the subject of a condition; the retention of the chimney was also welcomed, as it was a feature in common with other houses on the street . The proposal thereby accords with Policy H1: Residential Areas and D1: Design, in the Aberdeen Local Development Plan 2023 (LDP) and Policy 14: Design, Quality and Place and 16: Quality Homes in the National Planning Framework 4 (NPF4). Although in terms of roof alterations the proposal does not comply with the Aberdeen Planning Guidance: Householder Guide, this was outweighed by the particular considerations of this case as noted above.

There was no significant impact on the amenity of the occupiers of neighbouring houses and an adequate level of amenity would be created for the residents of the application property, in accordance with Policy D2: Amenity, in the LDP. The retention of the garden, as opposed to an alternative proposal of extending to the rear, meant that the proposal did not impact negatively on climate change mitigation and detract from biodiversity, thus according with Policy 1: Tackling

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the Climate and Nature Crisis and Policy 3: Biodiversity in NPF4.

CONDITIONS

This permission is granted subject to the following conditions.

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) MATERIALS

That no materials shall be used on site other than in accordance with details, including samples where necessary, submitted to and approved in writing by the planning authority.

Reason - in the interests of quality design and visual amenity.

SKARRA-DON, PITMEDDEN ROAD, DYCE - 230757

4. The LRB then considered the fourth request for a review to evaluate the decision taken by an appointed officer under the Council's Scheme of Delegation to refuse the application for the extension to an existing garage to the front at Skarra-Don, Pitmedden Road, Dyce Aberdeen, planning reference number 230757.

The Chairperson stated that although the Planning Adviser for the LRB was employed by the planning authority, she had not been involved in any way with the consideration or determination of the application under review and was present to provide factual information and guidance to the Body only. He emphasised that the officer would not be asked to express any view on the proposed application.

In relation to the application, the LRB had before it (1) a delegated report by the Appointed Officer, Aberdeen City Council; (2) an application dated 21 June 2023 (3) links to the plans showing the proposal and planning policies referred to in the delegated report; and (4) the Notice of Review submitted by the agent.

Ms Greene then described the site and outlined the appellant's proposal. The application site was located in the north-west of the city, situated in a rural context which is circa 325m south-east of the city boundary, which followed the mid-point of the River Don. The application site formed part of the wider Dyce neighbourhood, at an area generally known as Beidleston and Pitmedden. The application site was also

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located circa 90m south-west from the Aberdeen-Inverness Railway Line (the route of which is designated as a Local Nature Conservation Site). The site was bounded to the north, east and west by agricultural land, with access to the site taken from the south-west corner of the plot off Pitmedden Road. The application plot was bounded to the south-east by neighbouring plot containing Beidleston Cottage (which was a traditional granite single-storey detached cottage).

In terms of the proposal, Ms Greene explained that the application sought detailed planning permission for an extension to an existing double garage by way of a further double garage on its south east elevation. The proposed new development would extend in pitched roof form to integrate with the existing garage, with its gable located on the south-east.

Ms Greene indicated that the appointed officer's reasons for refusal outlined in the report of handling was as follows:-

The proposed garage development was considered to be of an inappropriate scale, footprint, massing and design, which did not reflect the typical proportions of a domestic ancillary building. The scale of the garage and its presence would appear to be excessive and visually dominant in the context to the existing dwelling, the plot and surrounding area. As such, the proposed development failed to respect the site's existing context or the wider character of the Green Belt, resulting in an adverse visual impact. The proposal was therefore considered to be contrary to the requirements of Policy NE1 (Green Belt), Policy D1 (Quality Placemaking), Policy D2 (Amenity) and T3 (Parking) of the Aberdeen Local Development Plan 2023.

There was also considered to be some conflict with Policy 1 (Tackling the Climate and Nature Crises); Policy 2 (Climate Mitigation and Adaptation); Policy 8 (Green Belts); Policy 14 (Design, Quality and Place); and Policy 16 (Quality Homes) of National Planning Framework 4; which sought climate-conscious and well-designed development that does not have a detrimental impact on the character of the surrounding area. There were no material planning considerations which would warrant approval of planning permission in this instance.

Ms Greene outlined the key points from the appellant's Notice of Review as follows:-

- The garage extension would replace the steel garage to the rear of the cottage and was of lesser massing and would have an improved appearance;
- They clarified that the cottage was in ownership of the applicant and permission had been granted for its removal;
- The existing garage to Skarra-Don was not forward of building line as the cottage still existed;
- The original garage and parking areas had been in place for almost 30 years;
- The garage proposal considered in context of larger plot size which included the cottage plot;
- The materials match Skarra-Don, and it would be less visually intrusive to have vehicles in the garage;

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- There was no tension with Policy 1 (Climate and Nature Crises) as overall emissions would reduce on site, with fewer vehicles and emissions from houses;
- The existing steel shed would be reused elsewhere;
- Although a small scale development the proposal would increase biodiversity by increase in garden after the demolition of the cottage;
- The proposal was single storey and complies with Householder Development Guidance;
- The garage would be subordinate in scale;
- The plot coverage was accepted by the case officer and did not agree there was an increase in coverage, as steel garage would be removed and cottage would be demolished;
- They would accept hipping roof and removing window (as per LRB submissions);
- The garage was not excessively large in context of plot and the relationship to the house; and
- Parking already exists on the site and this would allow for storage.

In terms of consultations, Roads Development Management had no objection to the application and no other responses were received.

Ms Greene advised that the applicant had expressed the view that a site visit should take place before determination.

The Chairperson and Councillors Alphonse and Boulton all indicated in turn that they each had enough information before them and therefore agreed that the review under consideration should be determined without any further procedure.

In terms of relevant policy considerations, Ms Greene referred to the National Planning Framework 4 and the Aberdeen Local Development Plan 2023.

Members asked a number of questions in regards to the proposal.

Members each advised in turn and agreed unanimously to overturn the appointed officers previous decision. Planning permission was therefore granted conditionally.

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 considerations in so far as these were pertinent to the determination of the application.

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

That the proposed garage extension was acceptable within the green belt as it was within the site of the existing house and small scale and therefore complies in principle with Policy NE1 in the Aberdeen Local Development Plan 2023 (LDP) and Policy 8: Green Belt in NPF4. The attachment of a condition requiring

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landscaping to take place would result in planting that would help screen the development, in the interests of character of the green belt and to contribute towards the natural environment and biodiversity mitigation.

It was further considered that if Beidleston Cottage within the south east area of the application were to remain on site, the garage would be detrimental to the amenity and safety of the occupiers of the cottage. The proposal was therefore considered acceptable with the attachment of a condition to the effect that the garage extension hereby approved shall be erected only after the demolition of the cottage.

CONDITIONS

This permission is granted subject to the following conditions.

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

(02) LANDSCAPING

That no development shall take place unless there has been submitted to, and approved in writing by the planning authority, a scheme of landscape planting, within the area to the south east of the garage extension hereby approved. The planting shall be carried out within the first planting season following the substantial completion of the extension and any trees or plants that become diseased or die within 5 years of planting shall be replaced with those of the same species or as agreed in writing with the planning authority.

Reason: In the interests of providing visual screening, preserving the character of the green belt, nature and biodiversity.

(03) NO DEVELOPMENT UNLESS COTTAGE DEMOLISHED

That the extension to the garage hereby approved shall not be erected unless Beidleston Cottage to the immediate southeast within the site edged red has been demolished.

Reason: The existing cottage is in close proximity to the proposed garage extension and the latter would have a detrimental impact on the amenity and safety of any occupiers of the cottage. The applicant has indicated the intention to demolish the cottage.

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- **Councillor McRae - Chairperson**