

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

ABERDEEN, 28 October 2025. Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor McRae, Chairperson; and Councillors Alphonse, Clark, Farquhar, Copland (for the second review) and Greig (for the first review only) .

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

### **50 SCHOOL DRIVE ABERDEEN - 250547**

1. The Local Review Body (LRB) of Aberdeen City Council met on this day to consider a review of the decision taken by an appointed officer under the Council's Scheme of Delegation for the refusal of the application for Detailed Planning Permission for the formation of driveway to the front at 50 School Drive Aberdeen.

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 24 May 2025; (3) the Decision Notice dated 31 July 2025; (4) links to the plans showing the proposal and planning policies referred to in the draft delegated report, (5) a consultee comment as well as a letter of support from a neighbour and (6) the Notice of Review submitted by the applicant.

Ms Greene then described the site and outlined the appellant's proposal for detailed planning permission.

Ms Greene advised that the application site comprised the curtilage of a ground-floor flat within a traditional four-in-a-block, two-storey granite tenement building with access to the ground-floor unit provided from the side (western) elevation. The building's

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principal (northern) elevation overlooked a grass covered garden with shrubbery and a paved pathway leading to the centre entrance for the first-floor units and wrapping around the side of the building. The front curtilage was bound by a low-level wire fence. A pavement and narrow grass verge separate the front curtilage with School Drive to the north. Two disabled parking bays were marked on the southern side of the road immediately adjacent to the application property. The site was located on a residential street with neighbouring buildings of a matching design. The front curtilages of the neighbouring dwellings have a variety of layouts with some including front driveways, as well as grass and paving covered front gardens.

In terms of the proposal Ms Greene indicated that Detailed Planning Permission was sought for the formation of a driveway in the front curtilage, extending from the front boundary with the pavement inward along the western boundary of the site. In addition to the proposed driveway formation, the existing wire fence along the northern boundary was to be removed and replaced with a c. 90 cm high timber fence. The installation of the new timber fence was not included in the following evaluation as it constituted permitted development under Class 7 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended.

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

The proposed formation of a driveway to the front garden of a tenement flat would further reduce the overall availability and makeup of on-street parking adjacent to the building for other residents and is thus contrary to Aberdeen Planning Guidance: Transport & Accessibility and associated Policy T3 (Parking) of the Aberdeen Local Development Plan 2023 (ALDP). Additionally, given the site-specific context, the proposal would prove a significant detriment to local amenity as the removal of an on-street parking space would further reduce an existing limited availability of parking space for adjacent residents and would thus also be contrary to Policy H1 (Residential Areas) of the ALDP and Aberdeen Planning Guidance: Householder Development Guide.

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

- The refusal was based on loss of disabled parking space;
- The survey data showed it was used almost solely by one car and that car could park in the other disabled bay close by;
- School Drive had 13 disabled bays and 12 would remain, which provided ample provision;
- The survey showed that disabled bays were frequently used by non disabled badge holders;
- The Council's Roads Development Management did not object to the proposal;
- The proposal met all technical, design and amenity standards; and
- The Community Council and neighbouring properties did not object to the proposal and the driveway would free up an on-street space, which would improve traffic flow on a narrow road.

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In terms of Consultation response, Ms Greene advised that Roads Development Management had no objections to the proposal and one letter of support was received from an interested party.

In terms of procedure by which the review would be conducted, Ms Greene advised that the applicant had expressed the view that a site visit should take place before determination.

Ms Greene also indicated that the applicant had submitted new matters within the Notice of Review which were not before the appointed officer when a decision was made. Members then heard legal advice from Vicki Johnstone, Solicitor, and the members agreed unanimously to accept the new information into the proceedings.

The Chairperson and Councillors Alphonse, Clark, Farquhar and Greig 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 various questions from Members.

**Members each advised in turn and unanimously agreed to refuse the application.**

In coming to their decision, the Local Review Body had regard to the provisions of the development plan as required by Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (as amended) and other material 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 proposed formation of a driveway to the front garden of a tenement flat would further reduce the overall availability and makeup of on-street parking adjacent to the building for other residents and is thus contrary to Aberdeen Planning Guidance: Transport & Accessibility and associated Policy T3 (Parking) of the Aberdeen Local Development Plan 2023 (ALDP). Additionally, given the site-specific context, the proposal would prove a significant detriment to local amenity as the removal of an on-street parking space would further reduce an existing limited availability of parking space for adjacent residents and would thus also be contrary to Policy H1 (Residential Areas) of the ALDP and Aberdeen Planning Guidance: Householder Development Guide.

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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 Detailed Planning Permission for the straightening of both hipped gables, erection of two storey extension with balcony to rear, and erection of replacement garage, at 20 Westholme Avenue Aberdeen.

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 and decision notice by the Appointed Officer, Aberdeen City Council; (2) an application dated 20 May 2025 (3) links to the plans showing the proposal and planning policies referred to in the delegated report; (4) the decision notice dated 15 August 2025 (5) the Notice of Review submitted by the agent and (6) one letter of objection.

Ms Greene then described the site and outlined the appellant's proposal. The site comprised the curtilage of a traditional, mid-20th century one-and-a-half storey detached dwelling situated on the north-eastern side of Westholme Avenue. The grey granite walled dwelling had a hipped slate roof with front and rear dormers. A single-storey garage with lean-to roof was attached to the side (southern) elevation and adjacent boundary wall. The garage extended beyond the rear (eastern) elevation of the dwelling. A small single-storey extension projected from the northern end of the rear elevation. The site was bound on either side (north and south) by neighbouring detached dwellings of a similar style, with long rear curtilages bound by a mid-level granite wall. The rear of the property was bound by a narrow lane. The area surrounding the application site along Westholme Avenue featured similarly designed detached dwellings. The north-eastern side of Westholme Avenue featured a consistent row of similarly designed, one-and-a-half storey, hipped roof mid-20th century dwellings. Some dwellings of alternative ages and designs were also present in the vicinity, namely four late 20th century two storey pitched roof dwellings with front-facing gables to the south of the application property (on the opposite side of the street) and two late 20th -century one-and-a-half storey dwelling's with front facing gables are sited to the west, adjacent to the North Burn of Rubislaw and with Westholme Crescent North.

In terms of the proposal, Ms Greene advised that Detailed Planning Permission was sought for the following:

- Hip-to-gable roof extensions to both side elevations of the original dwelling;
- Erection of a two-storey extension that would project from the full width of the rear elevation, with a pitched roof, rear gable end, and Juliet balcony; and
- Erection of a replacement garage and extension to the side.

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

The proposed hip-to-gable extensions of the dwelling, which was sited within a long line of relatively unaltered, traditionally designed mid-20th century granite 1½ storey hip-roofed dwellings, would introduce an overwhelming and dominating scale and roof form that would contrast significantly with the prevailing character of the streetscape on Westholme Avenue. The proposed development would therefore have an adverse impact on the character and appearance of both the application dwelling and the surrounding area, and was thus contrary to Policies 14 (Design, Quality and Place) and 16 (Quality Homes) of National Planning Framework 4, Policies D1 (Quality Placemaking) and H1 (Residential Areas) of the Aberdeen Local Development Plan 2023, and the Aberdeen Planning Guidance: Householder Development Guide.

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

- The proposal was sympathetic with the existing house, through careful design and it integrated with the existing house and did not overwhelm it;
- Westholme Avenue contained a number of house types, many had been altered and extended over time;
- There wouldn't be an unacceptable impact on neighbouring properties in terms of privacy, overshadowing and appropriate separation;
- The house was not listed or within a Conservation Area;
- Extension was required to accommodate family living and there would be no impact on privacy, sunlight, daylight and no overdevelopment of the plot.

In terms of consultation responses, one letter of objection was 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, Clark, Copland and Farquhar 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 then answered various questions from Members.

**Members each advised in turn and unanimously agreed to overturn the appointed officers decision and grant planning permission 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

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(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 extension would be acceptable in terms of its impact on the character of the area and visual amenity in the streetscape. There were a variety of house types within the surrounding area, including formerly hipped roofs that have been modified. The house was detached and the proposal involved both sides of the roof being altered, ensuring symmetry. The rear extension would not be highly visible from the public road. The proposed works would ensure the future proofing of the property for the occupants by way of expanding the accommodation. Taking these factors into account the proposal was considered acceptable and to comply with Policy H1: Residential Areas and D1: Quality Placemaking in the adopted Aberdeen Local Development, Policy 16: Quality Homes and Policy 14: Design, quality and place in National Planning Framework 4 (NPF4), as well as the Aberdeen Planning Guidance: Householder Development Guide.

### 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) GRANITE SAMPLE

That no granite shall be used on the development hereby approved other than in accordance with a) a sample and b) a photograph of the sample together with the existing granite of the house, that have been submitted to and approved in writing by the planning authority.

Reason – in the interests of visual amenity and the character of the area.

- **Councillor Ciaran McRae, Chairperson**