

LOCAL REVIEW BODY

ABERDEEN, 25th February, 2010. - Minute of Meeting of the LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL. Present:- Councillor McCaig, Chairperson; and Councillors Hunter and Penny.

SITE INSPECTION AND DETERMINATION

1. 29 OSBORNE PLACE, ABERDEEN – REAR HOUSE EXTENSION. The Local Review Body of Aberdeen City Council this day resumed consideration of the application (091539) for detailed planning permission in respect of a rear house extension at 29 Osborne Place, Aberdeen and, as agreed at its meeting on 11th February, 2010, undertook an accompanied site inspection. Present at the site were the applicant and the applicants agent.

On site the members heard the planning adviser who again, briefly, described the application proposal and advised with regard to the reasons for refusal, which were (one) that the proposed extension would have a detrimental impact on the residential amenity of the occupiers at 27 Osborne Place, with the projection of the extension being considered unacceptable and contrary to Policy 40 and also the guidance contained in Policy 8 of the Aberdeen Local Plan relating to dwelling extensions, as it would result in an extension of a scale which is unsympathetic to the original house and which would impact detrimentally on neighbouring amenity; and (two) that approval of the proposal would establish an undesirable precedent for similar applications which would be difficult to resist, to the detriment of residential amenity.

At this point the applicants agent, at the invitation of the Chairperson, drew the members attention to the fact that the only difference between proposals for a rear extension approved by the planning authority in March 2009 and those refused under the Scheme of Delegation, was a small area of floor space at one corner, with the roof design being identical in both applications.

Having moved from the rear garden area of the application premises to the public footpath on Osborne Place, the Local Review Body proceeded with their review of the case. The members were in agreement that the application under consideration was contrary to the Council's approved guidance notes for dwelling extensions involving terraced properties in that the proposed extension would exceed the policy and guidance limit of 3.0m for buildings along a mutual boundary; also agreed that because of the roof design, the scale and massing of the extension under review would be much the same as that which had already received approval; and concluded that the difference between the two proposals as regards loss of daylight to the neighbouring property, would be insignificant. In all

LOCAL REVIEW BODY
25th February, 2010

the circumstances, therefore, the Local Review Body unanimously supported the application.

The Local Review Body resolved:-

- (i) that the decision to refuse the application (091539) for planning permission for a rear extension at 29 Osborne Place, Aberdeen, be overturned on the basis that the purpose of the Council's adopted policy and guidance for dwelling extensions was to protect the amenity of neighbouring property and in the situation arising at the application site where the detail of the roof design was identical to one already approved, the impact on the adjoining property as regards loss of daylight would be much the same; and
- (ii) that the application be approved, unconditionally.

- **CALLUM McCAIG, Chairperson**.