

5. **LRB 512** – Notice of Review Against Refusal of Full Planning Permission for Erection of Dwellinghouse (Change of House Type to Planning Permission APP/2019/1716) at Site at South East of Elrick House Estate, Newmachar, Aberdeenshire – Reference: APP/2020/1659.

(ii) Applicant/Agent's Response to the Additional Information.

RE: LRB 512 - Notice of Review - APP/2020/1659 - Additional Information from the Planning Service

31 May 2021
09:10

Subject	RE: LRB 512 - Notice of Review - APP/2020/1659 - Additional Information from the Planning Service
From	tommyinglis@aol.com
To	Local Review Body Submissions
Sent	31 May 2021 00:10

Hi Frances

Thank you for forwarding the Team Manager's response dated 18 May with your Email of 21 May.

The explanation for the discrepancy in the site plan incorrectly approved as part of planning application, APP/2019/1716 is very much in line with the explanation provided by the planning advisor at the Local Review meeting on 26 March 2021. Given the level of concern expressed by members at that meeting, it is appropriate that a new planning application has been submitted for consideration. However, we note that the applicant in his new application has also taken the opportunity to modify the house design previously approved for the development. We further note that it is acknowledged that the site plan submitted by Mr and Mrs Hynd with their application APP/2020/1659 was indeed accurate and showed fixed features, plot5 and the access road all in the correct locations.

Our key outstanding concern is that the Planning Team Manager states in his response that this new application will form a "material consideration " for our pending LRB. As the application has yet to be determined we are unable to comment on how the determination might materially affect the LRB. However, we have looked at the application on the planning portal and would comment as follows on the various design changes and how they relate to the reasons given for refusing planning application APP/2020/1659.

The five bullet points in section 1.3 of our statement accompanying our request for a review address the concerns that had been raised by the planning officer in the determination document and eventual refusal of our application. These are shown in bold below.

- **Increase the glazing and less timber linings on the upper sections of the West and South elevations** – The reason for removing the balcony on the South elevation in APP/2020/1659 was explained in this bullet point in the supporting statement. The problem of overlooking is exacerbated in the new design as the balcony of plot 5 now looks directly over the front door and windows in plot 4 and this elevation now has as much lining included as Mr and Mrs Hynd's design. In their design the glazing on the South elevation is consistently rectangular in shape whereas the new design now includes a mixture of velux roof lights, large square windows and rectangular glazing both on and below the South facing balcony. As already stated in our supporting documents the extent of linings on the West elevation are more than in the new application but in a different position on the gable.

- **The astragals on the lower elevation windows on the East and West elevations – either full height without astragals or smaller windows** – This is fully addressed in the supporting statement for the review and remains unchanged. Mr and Mrs Hynd continue to feel that mechanical ventilation involving energy consumption is unnecessary as opening windows would provide adequate ventilation.
- **Please can you reduce the double garage to a single garage (In subsequent discussions between the planning officer and our agent the planning officer made it clear that a double garage would only be approved if it were to be positioned in the far South West corner of the plot)** – Note that in our supporting statement for the review we suggested that double garages would be an expectation for developments of this nature and the new application does indeed show double garages for all six plots and those for plots 1 and 6 are in a very similar position relative to the house to that proposed by Mr and Mrs Hynd which was previously unacceptable to the planning officer.
- **The upper windows on the West elevation – either a window or a rooflight rather than the vertical glazed wallhead sections. Please can you remove the Juliet balconies from the windows** – Looking at the newly submitted application it now also includes a singular vertical glazed wallhead/rooflight section which suggests that the reasoning for such an arrangement in terms of emergency exit has been accepted by the applicant in his new application yet to be determined. It is accepted that Mr and Mrs Hynd's design includes several such windows to provide the additional exit route safety and natural light that they wished in their home. We must emphasise this is not an elevation visible from the listed building involved in this case any of the other homes in the development or any other roadway.

Tom Inglis

Tom Inglis
4 Blair of Tarradale
Muir of Ord
IV6 7PY

Tel 01463870693
Mobile 07810153908
Email tommyinglis@aol.com

From: Frances Brown <frances.brown@aberdeenshire.gov.uk> **On Behalf Of** Local Review Body Submissions
Sent: 21 May 2021 12:18
To: Tom Inglis <tommyinglis@aol.com>
Subject: LRB 512 - Notice of Review - APP/2020/1659 - Additional Information from the Planning Service

Good afternoon Mr Inglis,

Please find attached a covering letter, and a copy of information which I had requested from the Planning Service for LRB 512 – Planning Reference: APP/2020/1659.

Can you please consider the content, and discuss this with your client and provide any comment on this to the date intimated on my letter.

The Local Review Body will consider this review again at their meeting on 25 June 2021.

Kind regards

Frances

Frances Brown / Committee Officer
Legal & People
Aberdeenshire Council / Woodhill House
Westburn Road / Aberdeen / AB16 5GB

Tel: 01467 532862 (internal 7612862)

Email: frances.brown@aberdeenshire.gov.uk

Local Review Body Email: localreviewbodysubmissions@aberdeenshire.gov.uk

Website: <http://www.aberdeenshire.gov.uk/>
<https://twitter.com/aberdeenshire>

[If you would like to comment on the service you have received please click on this link to rate the service out of five. It will only take a minute.](#)



This e-mail may contain privileged information intended solely for the use of the individual to whom it is addressed. If you have received this e-mail in error, please accept our apologies and notify the sender, deleting the e-mail afterwards. Any views or opinions presented are solely those of the e-mail's author and do not necessarily represent those of Aberdeenshire Council.

Dh'fhaodadh fiosrachadh sochaire, a tha a-mhàin airson an neach gu bheil am post-dealain air a chur, a bhith an seo. Ma tha thu air am post-dealain fhaighinn mar mhearachd, gabh ar leisgeul agus cuir fios chun an neach a chuir am post-dealain agus dubh às am post-dealain an dèidh sin. 'S e beachdan an neach a chuir am post-dealain a tha ann an gin sam bith a thèid a chur an cèill agus chan eil e a' ciallachadh gu bheil iad a' riochdachadh beachdan Chomhairle Shiorrachd Obar Dheathain.

www.aberdeenshire.gov.uk