

5. **LRB 548** – Notice of Review Against Refusal of Full Planning Permission for Alterations to Dwellinghouse at The Granary, Shorehead, Stonehaven, Aberdeenshire, AB39 2JY – Reference: APP/2021/2221.

Local Review Body: Councillors D Lonchay (Chair), S Adams, J Goodhall, and P Johnston.

- (i) Extract from the Local Review Body Minute of 24 June 2022.

Members/Officers are reminded that they should refer to the agenda papers which were issued to them for the Local Review Body meeting of 24 June 2022 (Item 5) where this Notice of Review was initially considered.

ABERDEENSHIRE COUNCIL

LOCAL REVIEW BODY

VIRTUAL MEETING, FRIDAY, 24 JUNE, 2022

EXTRACT

5. LRB 548 – NOTICE OF REVIEW AGAINST REFUSAL OF FULL PLANNING PERMISSION FOR ALTERATIONS TO DWELLINGHOUSE AT THE GRANARY, SHOREHEAD, STONEHAVEN, ABERDEENSHIRE, AB39 2JY – REFERENCE: APP/2021/2221.

Local Review Body: Councillors D Lonchay (Chair), S Adams, J Goodhall, and P Johnston.

There was circulated, a Notice of Review, and supporting documents submitted by the agent, which sought a review of the Appointed Officer's decision to Refuse Full Planning Permission for Alterations to a Dwellinghouse at the Granary, Shorehead, Stonehaven, Aberdeenshire, AB39 2JY – Reference: APP/2021/2221.

The Planning Adviser introduced the Notice of Review and advised the Local Review Body that in terms of review procedure, the applicant had requested a review of the documentation as presented before them and no further procedure. The Planning Adviser then provided the Local Review Body with the background to the applicant's case, along with a series of slides and photographs of the site and surrounding area.

The Planning Adviser ended his presentation by reporting that no valid representations had been received during the consultation period for the application prior to determination.

Further to consultation undertaken, it was reported that Environment – Built Heritage had stated that whilst the modest enlargement of the small bi-partite windows on the ground floor of the principle elevation would be acceptable, the enlargement of the existing second and third floor openings and the formation of an inverted dormer balcony would not be acceptable as the style, design and proportions of those alterations would be adjudged to detract from the character of the property and have a detrimental impact on the principle elevation of the listed building, and the wider conservation area.

They also stated that the siting of the escape ladder on the secondary elevation was deemed to be discretely positioned and was therefore acceptable, however, they would request a condition be attached to any consent, requiring that the stainless steel on the ladder be painted to match the harling finish of the walls, and subsequently reduce visual impact and that a condition stipulate that any re-rendering of external walls be carried out using lime based finish as opposed to K-Rend.

The Local Review Body then considered the Appointed Officer's reasons for refusal, namely:

- (1) The application is considered by the Planning Authority to not be in compliance with the Aberdeenshire Local Development Plan 2017. The proposed alterations, by virtue of the enlarged window openings and external finishing materials proposed are deemed to detract from the historical integrity and aesthetic quality and character of the principal elevations of the listed building, and therefore do not comply with Policy HE1 Protecting Historic Buildings, Sites, and Monuments of the Aberdeenshire Local Development Plan 2017.
- (2) The proposed alterations, by virtue of the enlarged window openings and external finishing materials proposed are not considered appropriate for a traditional building located within the conservation area and would detract from the character and appearance of the overall streetscape and therefore do not comply with Policy HE1 Protecting Historic Buildings, Sites, and Monuments of the Aberdeenshire Local Development Plan 2017.

The Local Review Body considered that the relevant policies, as contained within the Local Development Plan 2017 were: Policy P1: Layout, Siting, and Design; Policy P3: Infill and Householder Developments within Settlements (including home and work proposals); Policy HE1: Protecting Historic Buildings, Sites and Monuments and Policy HE2: Protecting Historic and Cultural areas.

The Local Review Body considered that the relevant policies, as contained within the proposed Local Development Plan 2020 were: Policy P1: Layout, Siting and Design; Policy HE1: Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites and Policy HE2: Protecting Historic, Cultural and Conservation Areas.

As part of their consideration of the review, the Local Review Body noted that as the 5-year plan period associated with the Aberdeenshire Local Development Plan 2017 had now ended they must consider whether the proposal constituted development which contributed to sustainable development. If so, there would be a presumption in favour of such development unless any adverse impacts arising from the proposal that were significant and demonstrable would indicate against a grant of planning permission.

Whilst the Planning Adviser reiterated that the principles of Scottish Planning Policy had been incorporated within the Local Development Plan, and therefore still embodied those principles, he noted that it would be incumbent on the Local Review Body to consider whether the proposal could contribute to sustainable development as part of their consideration of the review.

The Chair then asked the Local Review Body to consider whether there was sufficient information before them for members to consider the review without further procedure.

In response to questions raised, the Planning Adviser confirmed:

- (1) Whilst it was within the capabilities of the Local Review Body to make a decision which did not align with the decision of the reporter on the Listed Building Consent Application, given both applications covered the same works, due regard should be taken of that decision when determining the review.
- 2) Policy HE2 was, in his view, a relevant policy given that the proposed development was located in a conservation area and the Report of Handling had made it clear that the Appointed Officer had concerns regarding the impact of the changes to the fenestration of the building on the character of the wider conservation area.

Having considered all of the information before them, the Planning Adviser's presentation, and the response to questions raised, the Local Review Body were unanimous in their view that they did not have enough information before them to determine the Notice of Review. The Local Review Body considered that they would require additional information to assist with their decision making for the proposal before them, namely:

- (1) The applicant/agent should be asked to provide an updated plan, which should include the use of lime render, which had been omitted from the original plan.
- (2) The Planning Service should be asked to comment on the differences between the Report of Handling and the Decision Notice in respect of the reasons for refusal, and the omission of references to Policy HE2.
- (3) The Planning Service should be asked to comment on the proposed development in relation to the Local Development Plan Historic Environment Policy and the wider conservation area.
- (4) The Planning Service should be asked to comment on the omission of lime render on the plans as submitted.
- (5) The Planning Service should be asked to provide a copy of the Scottish Government's reporter's decision on the Listed Building Consent appeal APP/2021/2402.

After due consideration, the Local Review Body **agreed** to **DEFER** consideration of the Notice of Review, to allow them to follow further procedure, by way of seeking additional information, as noted at (1) to (5) above.