



**MINUTES OF THE MEETING OF THE
LOCAL REVIEW BODY**

**THURSDAY 18 JANUARY 2024
VIA THE DIGITAL MEETINGS SYSTEM**

Committee Members Present:

Councillor L Allan

Councillor D Collins

Councillor C Yorkston (Chair)

Advisers to the Local Review Body:

Mr C Grilli, Legal Adviser to the LRB

Mr M Mackowiak, Planning Adviser to the LRB

Clerk:

Ms F Currie, Committees Officer

Apologies:

None

Declarations of Interest

None

Introductory Statement by the Legal Adviser

The Legal Adviser outlined the procedure for the Local Review Body to reach a decision on the planning application before it and reminded them that further advice would be provided on procedure, should they conclude they did not have enough information to determine the application today.

The Legal Adviser then invited nominations to chair the meeting. Councillor Allan nominated Councillor Yorkston, and this was seconded by Councillor Collins. It was agreed that Councillor Yorkston would chair the Local Review Body (LRB) on this occasion.

1. PLANNING APPLICATION NO. 21/01073/PP: PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF 1 HOUSE AND ASSOCIATED WORKS, LAND TO THE SOUTH WEST OF NEWMAINS, STENTON, DUNBAR, EAST LoTHIAN

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser provided a summary of the application site and location, as well as a detailed outline of the proposals and the planning history associated with the site. This included a previous planning permission in principle granted for 1 house (application 21/01072/PP). He highlighted the documents submitted by the applicant including a Design Statement prepared by the applicant's agent and a further supporting statement prepared by SAC Consulting (SRUC). Also submitted by the applicant on a confidential basis were two personal statements, Profit and Loss Accounts, a labour requirement assessment, a confidential Operational Needs Assessment, and a farm review scheme assessment dated 2010. Among other things, the documents assessed the required labour units for the management of the deer, cattle and arable enterprises of the farm. The supporting statement found that the existing farm operations had a justification for two full-time employees who would take over the work currently undertaken by the applicant and her husband. Due to the remote location, especially during inclement weather and the requirements for animal husbandry duties, the two workers would be required to live on the site.

The Planning Adviser reminded Members that section 25 of the Town and Country Planning (Scotland) Act 1997 required that the application be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan was National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (LDP). He indicated that the following policies were relevant to this case: Policies 1 (Tackling the climate and nature crises), 2 (Climate mitigation and adaptation), 3 (Biodiversity), 4 (Natural Places), 5 (Soils), 7 (Historic assets and places), 14 (Design, quality and place), 17 (Rural homes), 22 (Flood risk and water management) and 29 (Rural development) of NPF4. Policies DC1 (Rural Diversification), DC4 (New Build Housing in the Countryside), DC5 (Housing as Enabling Development), DC9 (Special Landscape Areas), CH4 (Scheduled Monuments and Archaeological Sites), CH6 (Gardens and Designed Landscapes), DP2 (Design), T1 (Development Location and Accessibility), T2 (General Transport Impact), NH3 (Protection of Local Sites and Areas), NH7 (Protecting Soils) and OS2 (Change of use to Garden Ground) of the LDP 2018.

The Planning Adviser noted that no public representations to the application were received, and that Dunpender Community Council were consulted on the application, however no response was received from them. No consultees had objected to the proposals. All the responses received to this application had been summarised within the case officer's report.

The case officer had sought the advice of the Council's independent agricultural and rural advisor (Laurence Gould) on the conclusions reached in the Operational Needs Assessment submitted by the applicant. This advice had been thoroughly summarised in the case officer's report. The rural advisor had concluded that the existing agricultural business demonstrated that there was a need for an on-site presence for the management and well-being of the livestock, and a requirement for a total of two labour units, but that the applicant and her husband together would comprise one of those labour units. Although there was a need for two houses to support the existing business, the applicant's existing house was included as one of those houses. Therefore, it was the view of the rural advisor that there was only justification for one additional house, and not the two proposed houses within planning application 21/01072/PP (granted permission last year); and the current application 21/01073/PP.

The Planning Adviser noted that the case officer had conducted a detailed planning assessment of the proposals and had concluded that the principle of the development of one house on the application site was contrary to Policies 5 (Soils) , 17 (Rural Homes) and 29 (Rural Development) of NPF4 and Policies DC1, DC4 (New Build Housing in the Countryside) and DC5 (Housing as Enabling Development) of the adopted East Lothian Local Development Plan 2018.

The Planning Adviser then summarised the applicant's submission, noting that the applicant had indicated that neither she nor her husband were able to continue with the heavy manual work of the farm. While remaining committed to the business, they could only undertake a restricted range of duties and the operational needs assessment had confirmed a requirement for 2 additional staff. The assessment had justified the need for two homes for these workers and there were no buildings on the farm which could be converted to new accommodation. The submission also included a critique and rebuttal of the report received from the Council's rural advisor. In particular, the statement on accommodation requirements which the applicant felt to be wholly inaccurate. The applicant had presented evidence that two additional workers were required, with the support of the applicant and her husband This would require two additional homes on the farm to accommodate these two workers and enable the applicant and her husband to continue to occupy Newmains House. Furthermore, the applicant had highlighted that Newmains House had been purchased as an independent residential home within Newmains Steading and was not an asset of the farm business.

The Planning Adviser summarised several of the other points made within the applicant's submission, including comments by the agent.

He concluded his presentation by reminding Members that they had the option of seeking further information, if required.

In response to questions from Members, the Planning Adviser provided information on the location and relevance of the previous planning permission granted for erection of 1 house. He confirmed that the applicants would accept a condition added to this planning permission to ensure that the new house was the property of the farm business, and that they would continue to reside in the existing house.

The Chair asked his colleagues to confirm that they had attended the site visit and if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their views on the application.

Councillor Collins provided some background to the calculations from the farm management handbook and confirmed that the information provided in the appeal submissions was

accurate. She commented that working with deer and cattle could be extremely dangerous and the specified level of staff was appropriate. She stated that staff needed to be on site for health and safety reasons and to ensure easy access to the animals, and the business would be able to employ an additional two staff which would benefit the local economy. For these reasons she was minded to uphold the appeal.

Councillor Allan was grateful for the background provided by Councillor Collins on the working arrangements on the farm. She was reassured that the proposed house would belong to the farm and, on these grounds, she would be minded to uphold the appeal.

The Chair echoed his colleagues' remarks. He indicated that he had had concerns that the proposed house, if not part of the farm, might be sold and then further houses might need to be built. He asked for confirmation regarding the condition to ensure the house was owned by the farm. If this could be added, he would be minded to uphold the appeal.

Councillors Collins added that it would encourage future generations to join the business, if there was a house linked to the business.

The Planning Advisor confirmed that a similar condition was added to the previous planning permission and such a condition could also be added here; that the house could only be used by an agricultural worker. The Legal Adviser confirmed the terms of the proposed condition which formed part of the suggested conditions provided by the planning officer.

The members of the LRB confirmed their decision via roll call vote. They agreed unanimously to uphold the appeal and to grant planning permission subject to the conditions provided by the planning officer.

Decision

The ELLRB agreed unanimously to uphold the appeal and to grant planning permission in principle subject to the following conditions:

1 The development hereby approved shall begin before the expiration of 5 years from the date of this permission.

Reason:

Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

2 Notwithstanding the submitted indicative drawings, and for avoidance of doubt, the indicative design proposal plans submitted as part of this Planning Permission in Principle application do not represent an approved scheme and all matters are reserved. The submission for approval of matters specified in conditions of this grant of planning permission in principle in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall include details of the siting, design and external appearance of the house, the existing and finished site and floor levels in relation to Ordnance Datum, the details of waste management and recycling facilities, the details of surface water management, drainage arrangements, and SUDS proposals, the hard and soft landscaping of the site, the means of access to it and the means of any enclosure of the boundaries of the site and those details shall accord with the following principles of development for the site:

a. The house shall be designed with a pitched roof(s) and such roof(s) shall be clad with natural slates or natural red clay pantiles, or a mix of natural slates and natural clay pantiles, with any pantiles being kept to lower sections of roof;

b. The external walls of the house shall be finished either wholly with natural local red sandstone, or a combination of natural local red sandstone and a wet dash or textured render. Any render used shall not be a white or pale coloured render;

- c. The house shall be designed to complement the existing local traditional architectural vernacular, character and appearance of neighbouring and nearby buildings, and shall include traditional components and styles of design;
- d. The house shall be designed so that areas of glazing are generally of a traditional size and scale and so that any such glazing and, if relevant, any photovoltaic panels are positioned to minimise their visual impact in views of the site;
- e. The house shall be provided with parking spaces within the curtilage of the house at a rate of 150% for a house of 5 habitable rooms or fewer (minimum 2 spaces), or 225% for a house of 6 or more habitable rooms, formed either as a driveway or accessed from a driveway, and those parking spaces shall each have minimum dimensions of 2.5 metres by 5 metres, and sufficient on-site turning and manoeuvring space shall be provided to enable a vehicle to enter and leave the public road in a forward gear;
- f. The provision of visibility splays measuring 2 metres by 120 metres to each side of the junction of the vehicular access road with the U179 public road;
- g. A minimum of the first 2 metres of the vehicular access road measured back from its junction with the U179 public road and for its full width shall be hard-formed across its full width;
- h. The means of enclosing the boundaries of the site shall be shown and the house shall not be occupied until the approved means of enclosure has been erected or planted; and
- i. A scheme of landscaping for the site.

No part of the development hereby approved shall be begun on the site until all of the above details have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason:

In order to enable the Planning Authority to consider these matter/s in detail to ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in the interests of road safety, and to enable the Planning Authority to control the development in the interests of safeguarding the character and appearance of the area and the privacy and amenity of neighbouring residential properties and of occupiers of the new house and the impact of the proposed development on the Whittingehame to Deuchrie Special Landscape Area and the Danskine to Whitecastle Special Landscape Area, and the setting of the Whittingehame Local Garden and Designed Landscape.

3 Prior to the commencement of the development hereby approved on the site, a suitable Geo-Environmental Assessment of the site shall be carried out, and the findings report of that assessment shall be submitted to and approved in advance in writing by the Planning Authority. The scheme shall include details of the following:

- Phase I - A preliminary investigation incorporating a desk study, site reconnaissance, development of a conceptual model and an initial risk assessment.
- Phase II - A site survey (ground investigation, gas monitoring, and sample analysis) and risk evaluation. This phase is required if the Phase I investigation has indicated that the site is potentially contaminated, and the degree and nature of the contamination warrants further investigation. The Phase II investigation shall include survey of the extent, scale and nature of contamination, and reporting on the appropriate risk assessment(s) carried out with regards to Human Health, the Water Environment and Gas Characteristic Situation as well as an updated conceptual model of the site, and an appraisal of the remediation methods available and proposal of the preferred option(s).
- Phase III - Where risks are identified, a Remediation Strategy shall be produced detailing and quantifying any works which must be undertaken in order to reduce the risks to acceptable levels and make the site suitable for the proposed use. The Remediation Strategy shall detail all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. It shall also ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development. The Remediation Strategy shall be submitted to and approved in advance in writing by the Planning Authority.

The Desk Study and Ground Investigation shall be undertaken by suitably qualified, experienced and competent persons and shall be conducted in accordance with the Environment Agency's Contaminated Land Report 11, Model Procedures for the Management of Land Contamination, CLR11. Should remedial works be required then, prior to the site being occupied, a Validation Report shall be submitted to the Planning Authority for approval confirming that the works have been carried out in accordance with the Remediation Strategy.

The presence of any previously unsuspected or unforeseen contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority. At this stage, further investigations may have to be carried out to determine if any additional remedial measures are required.

Before the proposed house hereby approved is occupied the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority.

Reason

To ensure that the site is clear of contamination prior to the occupation of the building.

4 The details to be submitted pursuant to condition 2 above shall include full details of the surface water management strategy including the proposed sustainable urban drainage scheme (SUDS) for the site. The surface water management strategy including the proposed sustainable urban drainage scheme (SUDS) for the site shall thereafter be fully implemented in accordance with the details as approved by the Planning Authority.

Reason:

To ensure the provision of a satisfactory sustainable urban drainage scheme for the application site in the interests of flood prevention, environmental protection and the long-term amenity of the area.

5 Prior to the commencement of the development hereby approved, details of wheel washing facilities to be installed on the site shall be submitted to and approved in advance in writing by the Planning Authority. The wheel washing facilities shall be provided and maintained in working order during the period of construction of the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres. Thereafter, the Wheel Washing Facilities shall be implemented and complied with in accordance with the approved details for the period of construction of the development hereby approved.

Reason:

In the interests of road and pedestrian safety.

6 The occupation of the house hereby approved shall be restricted to a person(s) solely or mainly employed in the agricultural business of Newmains Farm operated from the agricultural unit at Newmains, or the dependant of such a person.

Reason:

To comply with the Council's Policy for the erection of new houses in the countryside.

7 Prior to the commencement of development, a report on the actions to be taken to reduce the Carbon Emissions from the build and from the completed development shall be submitted to and approved in writing by the Planning Authority. This shall include the provision of renewable technology for all new buildings, where feasible and appropriate in design terms, and new car charging points and infrastructure for them, where feasible and appropriate in design terms. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the report and timescales so approved.

Reason:

To minimise the environmental impact of the development.

8 Prior to the commencement of development a detailed statement on the measures to be implemented to enhance biodiversity on the site, including appropriate measures to conserve, restore or enhance biodiversity on the site and a timescale for their implementation shall be submitted to and approved in advance in writing by the Planning Authority. Thereafter, the measures to conserve, restore or enhance biodiversity on the site shall be implemented in accordance with the details and timescale so approved.

Reason:

In the interests of enhancing the biodiversity on the site

2. PLANNING APPLICATION NO. 23/00373/P: ERECTION OF 1 REPLACEMENT HOUSE AND ASSOCIATED WORKS, TRABROUN FARMHOUSE, HUNTINGDON, MACMERRY EH41 3SX

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser provided a summary of the application site and location, as well as a detailed outline of the proposals and the planning history associated with the site. This included an application for the erection of one house which had been withdrawn prior to determination, and planning permission granted in 2021 for the erection of one house, garage and associated works on land north of Trabroun Farm.

The Planning Adviser referred Members to the case officer's summary of the main points of the applicant's supporting statement submitted with the original planning application.

He reminded Members that section 25 of the Town and Country Planning (Scotland) Act 1997 required that the application be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan was National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (LDP). The following policies were identified as being relevant to this case: Policies 7 (Historic assets and places), 17 (Rural homes) and 29 (Rural development) of NPF4. Policies DC1 (Rural Diversification), DC3 (Replacement Dwelling in the Countryside), DC4 (New Build Housing in the Countryside), DC5 (Housing as Enabling Development), CH1 (Listed Buildings), CH6 (Gardens and Designed Landscapes), DP1 (Landscape Character), DP2 (Design), T1 (Development Location and Accessibility), and T2 (General Transport Impact) of the LDP 2018.

The Planning Adviser noted that no public objections had been received against the application and one representation in support of the application had been submitted. There had been no objections to the proposal from the Council's internal consultees.

He noted that the case officer had conducted a detailed planning assessment of the proposal and had concluded that the proposed scheme of development for a replacement house on this rural site located within the East Lothian countryside did not meet the circumstances specified in Policies 7, 17 and 29 of NPF4 and Policies CH1, DC1, DC3, DC4, DC5, DP1 and DP2 of the adopted ELLDP 2018. The case officer had concluded that the proposal was not in accordance with the Development Plan and there were no material planning considerations that outweighed that fact.

The Planning Adviser summarised the main points of the applicant's appeal submission which included an assessment of the proposals against relevant planning policy. It noted that the existing house was not listed and had several serious structural and energy efficiency defects. While it was a larger footprint, the proposed house was largely single storey and would remain subservient to the existing steading, while also being far more energy efficient. The estimated costs to rectify the defects of the existing property were deemed unviable when set against the property's market value. The materials of the proposed replacement house would ensure that it was more sympathetic to its surroundings than the existing house which was, in the applicant's opinion, a discordant and incongruous feature.

The Planning Adviser concluded his presentation by reminding Members that they had the option of seeking further information, if required.

The Planning Adviser responded to questions from Members providing further context on the issue of like for like development and confirming that this had been explored in detail by the planning case officer. He indicated that the beech hedge was to be retained but that some of the upper parts of the new house would still be visible from the road. He also provided details of the construction of the existing house.

The Chair asked his colleagues to confirm that they had attended the site visit and if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their views on the application.

Councillor Collins commented that the construction of the proposed new build would be more complementary to the surrounding farm buildings than what was there at present; and it would be far more energy efficient. She said that the cost of stripping back and re-insulating and re-cladding the existing house would be similar to that of building a new house. She noted that the beech hedge was quite high and very little of the new house would likely to be visible from the road. She thought that the proposed house would be beneficial from the point of view of the applicants' planning for succession/retirement from the business and, for these reasons, she was minded to support the application.

The Chair said he had had some concerns regarding the proposed size of the new house, but he welcomed the positioning and quality of the new building compared to the existing house. He was minded to support the application.

Councillor Allan agreed with her colleagues and was minded to support the application. She did not think that the existing house would be missed and, regarding future proofing of the farm business, she agreed that these proposals were a positive step.

The members of the LRB confirmed their decision via roll call vote. They agreed unanimously to uphold the appeal and to grant planning permission subject to the conditions suggested by the planning case officer.

Decision

The ELLRB agreed, unanimously, to uphold the appeal and to grant planning permission subject to the following conditions:

1. Site Setting out

No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed house and garage shown in relation to the finished ground and floor levels on the site.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

2. Schedule of materials

A schedule and/or samples of all of the external finishing materials and finishing colours to be used in the external finishes of the house and garage hereby approved shall be submitted to and approved in writing by the Planning Authority prior to their use in the development. Thereafter, the external finishing materials and colours used shall accord with the schedule and samples so approved.

Reason:

To ensure the satisfactory appearance of the development in the interest of safeguarding the character and appearance of the area.

3. Site Access, parking and turning

Prior to the occupation of the house hereby approved the vehicular access, turning and parking arrangements shall be laid out and made available for use, as shown in docketed drawing no.R532 PL08A and thereafter the access, turning and parking areas shall be retained for such uses, unless otherwise approved in writing by the Planning Authority.

Reason:

To ensure the provision of an acceptable standard of vehicular access, turning and parking in the interests of road safety.

4. Geo-Environmental Assessment

Prior to any site development works a suitable Geo-Environmental Assessment must be carried out, with the Report(s) being submitted to the Planning Authority for approval. It should include details of the following:

- (i) A Preliminary Investigation incorporating a Phase I Desk Study (including site reconnaissance, development of a conceptual model and an initial risk assessment);
 - (ii) A Ground Investigation comprising a survey of the extent, scale and nature of contamination, and an updated conceptual model of the site. It is required if the Desk Study has indicated that the site is potentially contaminated and the degree and nature of the contamination warrants further investigation;
 - (iii) An appraisal of the remediation methods available and proposal of the preferred option(s).
- (a) Prior to any works beginning on site (and where risks have been identified), a detailed Remediation Statement should be produced that shows the site is to be brought to a condition suitable for the intended use by the removal of unacceptable risks to all relevant and statutory receptors. The Statement should detail all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. It should also ensure that the site will not qualify as contaminated land under Part2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development. The Statement must be submitted to the Planning Authority for approval.
- (b) Following completion of the measures identified in the approved Remediation Statement, a Validation Report should be submitted that demonstrates the effectiveness of the remediation carried out. It must be approved by the Planning Authority prior to commencement of the new use of the land.

Reason:

To ensure that the site is clear of any contamination found to be present prior to the use of the building approved.

5. Carbon Emissions

Prior to the commencement of development, a report on the actions to be taken to reduce the Carbon Emissions from the build and from the completed development shall be submitted to and approved in writing by the Planning Authority. This shall include the provision of renewable technology for all new buildings, where feasible and appropriate in design terms, and new car charging points and infrastructure for them, where feasible and appropriate in design terms. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the report so approved.

Reason:

To minimise the environmental impact of the development.

3. PLANNING APPLICATION NO. 23/00664/P: FORMATION OF DORMERS, 7 QUEENS DRIVE, PENCAITLAND EH34 5AW

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser provided a summary of the application site and location, as well as a detailed outline of the proposals.

He reminded Members that section 25 of the Town and Country Planning (Scotland) Act 1997 required that the application be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan was National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (LDP). The following policies had been identified as being relevant to this case: Policies 14 (Design, quality and place) and 16 (Quality Homes) of NPF4; and DP5 (Extensions and Alterations to Existing Buildings) of the LDP 2018.

The Planning Adviser highlighted the case officer's assessment of the proposals against the relevant planning policies. The case officer had noted that the windows to be formed within the rear (south) elevation of the proposed dormer, would face over the rear garden of the applicant's house and therefore they would not allow for harmful overlooking of any neighbouring residential properties. Also, owing to its size, form, orientation and position, the proposed dormer would not give rise to a harmful loss of sunlight or daylight received by any neighbouring residential properties. On these considerations of privacy and amenity the case officer had concluded that the proposals would not conflict with Policy DP5 of the LDP.

However, the case officer had concluded that the proposed large 'box type' dormer would, due to its size, scale, design, proportions, massing, and position, be a radical alteration to the rear elevation roof slope of the house that would be a harmfully dominant, intrusive and incongruous feature. It would be harmfully disproportionate to, and result in a gross overdevelopment of, the rear (south) facing pitched roof slope. Moreover, as the proposed dormer would project above the main ridgeline of the roof it would be an alien feature that would be out of keeping with the character and appearance of the house. Consequently, the proposed dormer would not be subservient to, or in keeping with, the character and appearance of the house. It would instead be harmful to the character and appearance of the house contrary to Policies 14 and 16 of NPF4 and Policy DP5 of the adopted East Lothian Local Development Plan 2018. In conclusion, the case officer had noted that the proposed dormer failed to accord with the provisions of the stated relevant development plan policies and there were no material considerations which would outweigh that fact.

The Planning Adviser summarised the applicant's appeal submission which made the following points: the proposed dormer was situated to the rear of the property and would not be readily visible from the street except partially when viewed down the driveway; it would not be a dominant feature given its position on the rear roof slope facing a rear private garden; and, as the dormer was situated to the rear of the property, it would not be harmful to the character and appearance of the house or surroundings. The applicant also stated that the existing character of the house would be maintained, remaining as a single storey cottage when viewed in the context of the street, and therefore well integrated into its surroundings. The formation of the full width dormer to the rear would provide much needed additional bedroom space to allow a family with children to inhabit the property. When viewed from the street, the new ridge flashing would not be alien but rather appear as a traditional replacement ridge roll flashing. Lastly, the house was not within a conservation area and was not a listed building.

The Planning Adviser concluded his presentation by reminding Members that they had the option of seeking further information, if required.

The Planning Adviser responded to questions from Members confirming that there were no other houses in the neighbourhood with dormers of similar size to that proposed in the application.

The Chair asked his colleagues to confirm that they had attended the site visit and if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their views on the application.

Councillor Allan said she had walked around the neighbourhood and had observed that there were no dormers of a similar size to the one proposed in this application. She felt that it would be out of proportion to the house, and it would be partly visible from the road. She was minded to support the original decision of the planning officer, and would have preferred to see something more in proportion with its surroundings.

Councillor Collins agreed that the proposed dormer was extremely large and not in proportion to the building. She noted that there was a dormer on the house next door, but this was smaller and more complementary to the house. She would be supporting the original decision of the planning officer.

The Chair said he was of a similar opinion. While he could understand the need for additional space for the family, he felt the scale of the proposed dormer meant that it would no longer be subservient to the house. For these reasons, he was minded to support the original decision of the planning officer.

The members of the LRB confirmed their decision via roll call vote. They agreed unanimously to dismiss the appeal and to refuse planning permission.

Decision

The ELLRB agreed, unanimously, to dismiss the appeal and to refuse planning permission for the reasons set out in the planning case officer's report.

Signed

Councillor Colin Yorkston
Chair of Local Review Body (Planning)