

City Chambers
DUNDEE
DD1 3BY

3rd December, 2024

BAILIES

Will DAWSON

COUNCILLORS

Stewart HUNTER

Dorothy McHUGH

Michael CRICHTON

Dear Colleague

You are requested to attend a MEETING of the **LOCAL REVIEW BODY** to be held remotely on Tuesday, 10th December, 2024 at 2:00pm.

Members of the Press or Public wishing to join the meeting should contact Committee Services on telephone (01382) 434205 or by email at committee.services@dundeecity.gov.uk by no later than 12 noon on Friday, 6th December, 2024.

Yours faithfully

GREGORY COLGAN

Chief Executive

AGENDA OF BUSINESS

1 DECLARATION OF INTEREST

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which would reasonably be regarded as so significant that they are likely to prejudice your discussion or decision-making.

2 MINUTE OF PREVIOUS MEETING - Page 1

(Minute of 26th November, 2024, copy attached).

3 LOCAL PLANNING REVIEW LRB09/2024 (AN37-2024)

PLANNING APPLICATION 24/00364/FULL - CONVERSION OF VACANT BASEMENT UNIT TO SERVICED OFFICES (CLASS 4) AND EXTERNAL ALTERATIONS - HIGH MILL, HIGHMILL COURT, DUNDEE

Review documents have previously been circulated and are available to view on request.

4 LOCAL PLANNING REVIEW LRB12/2024 (AN38-2024)

PLANNING APPLICATION 24/00270/FULL - FORMATION OF ROOF TERRACE - 183 FISHER STREET, BROUGHTY FERRY, DUNDEE, DD5 2BR

Review documents have previously been circulated and are available to view on request.

5 LOCAL PLANNING REVIEW LRB11/2024 (AN39-2024)

PLANNING APPLICATION 23/00635/FULL - CHANGE OF USE TO SHORT TERM LET (RETROSPECTIVE) - 22L MARINE PARADE WALK, DUNDEE

Review documents have previously been circulated and are available to view on request.

ITEM No ...1.....

At a MEETING of the **LOCAL REVIEW BODY** held remotely 26th November, 2024.

Present:-

Bailie Will DAWSON
Councillor Ken LYNN
Councillor Dorothy MCHUGH (Articles I to III)
Councillor Michael CRICHTON (Articles IV to VII)

Bailie Will DAWSON, Convener, in the Chair.

The Chair welcomed those present to the meeting and briefly outlined the role of the Local Review Body and officers, in particular advising that, although the Planning Adviser was an employee of the Planning Authority, he had not been involved in the determination of the case under review and was present to provide factual information and guidance only.

I DECLARATION OF INTEREST

There were no declarations of interest.

II MINUTES OF PREVIOUS MEETINGS

The minute of meeting of 13th August, 2024 was submitted and noted.

III LOCAL PLANNING REVIEW LRB04/2024

PLANNING APPLICATION 23/00712/FULL – CHANGE OF USE OF FLAT TO 4 PERSON SHORT TERM LET, 73 FISHER STREET, BROUGHTY FERRY, DUNDEE

There was submitted Agenda Note AN16-2024 giving details of a request for a review of planning permission for the change of use from a flat to a 4 person short term let, 73 Fisher Street, Broughty Ferry, Dundee.

The Planning Adviser gave a brief outline of the application and the reason for refusal. An accompanied site visit had take place on 21st October, 2024.

The Legal Adviser advised that the applicant had intimated in the Notice of Review that they had not raised any new matters which were not before the Appointed Officer at the time of reaching their decision. The appeal statement did not include anything that the Appointed Officer would not have been aware of. The Legal Adviser considered that the Local Review Body should therefore take all documents submitted into consideration during its deliberations. The Legal Adviser noted that although the applicant had referred to Listed Building consent in their appeal statement, the review was for a Change of use and this was what before members for their consideration.

The Local Review Body considered the documentation submitted and having taken into account the provisions of the Development Plan, all material considerations and all matters raised at the Review and the site visit upheld the determination of the Appointed Officer and refused application 23/00712/FULL under review for the following reasons:-

The proposal is contrary to policy 30 of National Planning Framework 4, as the short-term let accommodation would adversely impact on the amenity of neighbouring residents due to the proximity and relationship between the proposed short-term let and neighbouring properties. The short-term let use would not be compatible with the amenity and character of the immediate area. There are no material considerations of sufficient weight to justify approval of the application contrary to the development plan.

It was noted that Councillor Lynn dissented from this decision.

IV LOCAL PLANNING REVIEW LRB05/2024

PLANNING APPLICATION 24/00317/FULL - INSTALLATION OF FLUE (RETROSPECTIVE) - 1 BLAKE PLACE, BROUGHTY FERRY, DUNDEE

There was submitted Agenda Note AN23-2024 giving details of a request for a review of planning permission for the Installation Of Flue (Retrospective) - 1 Blake Place, Broughty Ferry, Dundee.

The Planning Adviser gave a brief outline of the application and the reasons for refusal.

The Legal Adviser advised that the applicant had intimated in the Notice of Review that they had not raised any new matters which were not before the Appointed Officer at the time of reaching their decision. The applicant had responded to matters which were raised in the Report of Handling and had submitted a number of documents to support their application for review. The Legal Adviser noted there were a number of documents particularly in relation to unreasonable behaviour and questions for the Local Review Body which the Local Review Body should not take into consideration. There were material considerations which were in other documents submitted, however the weight the Local Review Body would choose to give these was for their consideration.

The Local Review Body considered the documentation submitted and, after discussion, agreed to hold an accompanied site visit. (Subsequently arranged for 8th November, 2024).

V LOCAL PLANNING REVIEW LRB06/2024

PLANNING APPLICATION 24/00324/FULL - FORMATION OF VEHICLE ACCESS, INSTALLATION OF GATES AND EV CHARGING POINT , 17 DOUGLAS TERRACE, BROUGHTY FERRY, DUNDEE

There was submitted Agenda Note AN24-2024 giving details of a request for a review of planning permission for the Installation Of Flue (Retrospective) - 1 Blake Place, Broughty Ferry, Dundee.

The Planning Adviser gave a brief outline of the application and the reasons for refusal.

The Legal Adviser considered that the Local Review Body should take all documents submitted into consideration during its deliberations.

The Local Review Body considered the documentation submitted and having taken into account the provisions of the Development Plan, all material considerations and all matters raised at the Review reversed the determination of the Appointed Officer and approved application 24/00324/FULL subject to the undernoted condition:-

The driveway shall only be formed by porous material, to ensure rainwater is not permitted to flow outwith the property boundary.

It was noted that Councillor Lynn dissented from this decision.

VI LOCAL PLANNING REVIEW LRB07/2024

PLANNING APPLICATION 24/00150/FULL - ERECTION OF DWELLINGHOUSE, LAND SOUTH OF 144 STRATHERN ROAD, BROUGHTY FERRY, DUNDEE

There was submitted Agenda Note AN25-2024 giving details of a request for a review of planning permission for The Erection Of Dwellinghouse - Land South Of 144 Strathern Road, Broughty Ferry, Dundee.

The Planning Adviser gave a brief outline of the application and the reasons for refusal.

The Legal Adviser considered that the Local Review Body should take all documents submitted into consideration during its deliberations.

The Local Review Body considered the documentation submitted and, after discussion, agreed to hold an accompanied site visit. (Subsequently arranged for 8th November, 2024).

VII LOCAL PLANNING REVIEW LRB08/2024

PLANNING APPLICATION 24/00182/FULL - FORMATION OF DOORWAY AND ERECTION OF GARAGE (RETROSPECTIVE) , 26 WESTFIELD ROAD, BROUGHTY FERRY, DUNDEE

There was submitted Agenda Note AN26-2024 giving details of a request for a review of planning permission for The Formation Of Doorway And Erection Of Garage (Retrospective) - 26 Westfield Road, Broughty Ferry, Dundee.

The Planning Adviser gave a brief outline of the application and the reason for refusal.

The Legal Adviser advised that the applicant had intimated in the Notice of Review that they had raised new matters which were not before the Appointed Officer at the time of reaching their decision. There was a paragraph giving details of the height difference between the height difference between the approved permission and actual height of the garage. The Legal Adviser indicated that the Local Review Body could seek clarification on this from the Planning Adviser when taking this information into consideration during its deliberations.

The Local Review Body considered the documentation submitted and, after discussion, agreed to hold an accompanied site visit. (Subsequently arranged for 8th November, 2024).

Will DAWSON, Chair.