

City Chambers
DUNDEE
DD1 3BY

26th April, 2024

BAILIE

Will DAWSON

COUNCILLOR

Mark FLYNN

Dorothy McHUGH

Dear Colleague

LOCAL REVIEW BODY

You are requested to attend a MEETING of the **LOCAL REVIEW BODY** to be held remotely on Friday, 3rd May, 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 Wednesday, 1st May, 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 MINUTES OF PERVIOUS MEETINGS - Pages 1 and 3

(Minutes of 6th February, 2024 and 12th March, 2024, copies attached).

3 LOCAL PLANNING REVIEW LRB03/2024 (AN11-2024)

PLANNING APPLICATION 23/00606/FULL – LAND BETWEEN 60 AND 62 FINTRY PLACE,
BROUGHTY FERRY, DUNDEE.

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

ITEM No ...2.....

At a MEETING of the **LOCAL REVIEW BODY** held remotely on 6th February, 2024.

Present:-

Bailie Will DAWSON
Bailie Christina ROBERTS
Councillor Michael CRICHTON

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 LOCAL PLANNING REVIEW LRB02/2024

PLANNING APPLICATION 23/00532/FULL– ERECTION OF 2 METRE FENCE (RETROSPECTIVE), 2 NESBITT STREET, DUNDEE.

There was submitted Agenda Note AN6-2024 giving details of a request for a review of planning permission for Erection of 2 Metre Fence (Retrospective), 2 Nesbitt Street, 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 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 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 upheld the determination of the Appointed Officer and refused application 22/00532/FULL under review for the following reason:-

1. The height and siting of the fence detracts from the character of the property and its setting, and the otherwise open urban form of the streetscape of Nesbitt Street. The design and scale of the fencing is incongruous and visually intrusive with its residential setting. This is exacerbated by its prominent corner location. The proposal fails to comply with Policy 16g of the National Planning Framework 4 and Policy 11 of the Dundee Local Development Plan 2019. There are no material considerations that would warrant approval of planning permission in this instance.

Will DAWSON, Chair.

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ITEM No ...2.....

At a MEETING of the **LOCAL REVIEW BODY** held remotely on 12th March, 2024.

Present:-

Bailie Will DAWSON
Councillor Mark FLYNN
Councillor Dorothy McHUGH

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 minutes of meeting of 7th November, 2023 and 16th January, 2024 were submitted and noted.

III LOCAL PLANNING REVIEW LRB03/2024

PLANNING APPLICATION 23/00606/FULL – ERECTION OF A DWELLINGHOUSE - LAND BETWEEN 60 AND 62 FINTRY PLACE, BROUGHTY FERRY, DUNDEE.

There was submitted Agenda Note AN8-2024 giving details of a request for a review of planning permission for the erection of a dwellinghouse at Land between 60 and 62 Fintry 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 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 Local Review Body considered the documentation submitted and, after discussion, agreed to hold an accompanied site visit. (Subsequently arranged for 5th April, 2024). The Local Review Body further agreed that the applicant be asked to stake out the dimensions of the dwellinghouse including its height if this was possible.

Will DAWSON, Chair.