

LOCAL REVIEW BODY



201035/DPP – Appeal against refusal of planning permission for:

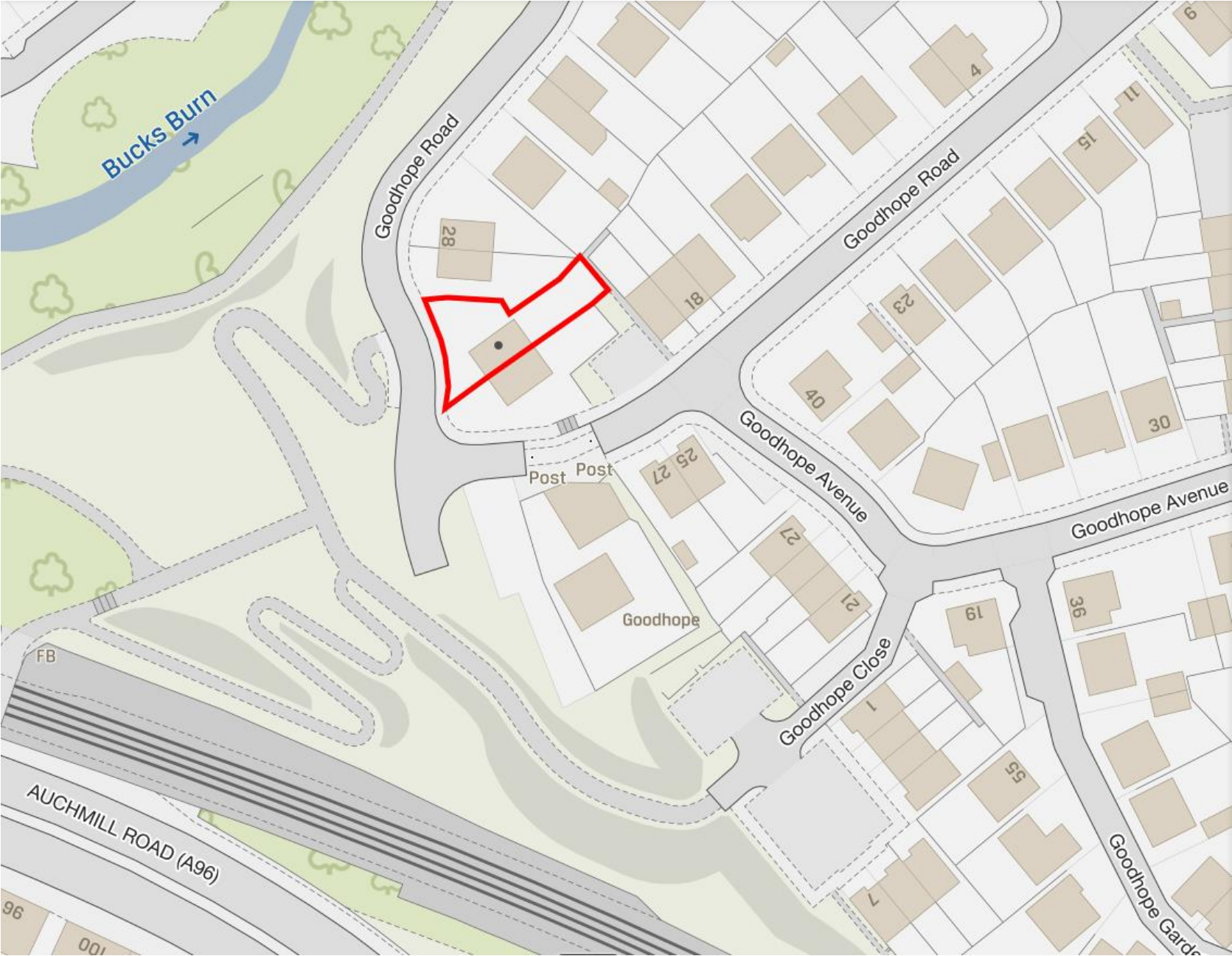
‘Installation of raised timber decking with external steps in rear garden’

24 Goodhope Road, Aberdeen

Location Plan



Location Plan: GIS



Aerial Photo: Location



Photos



Photos



Photos



Photos



Photos



Photos



Photos



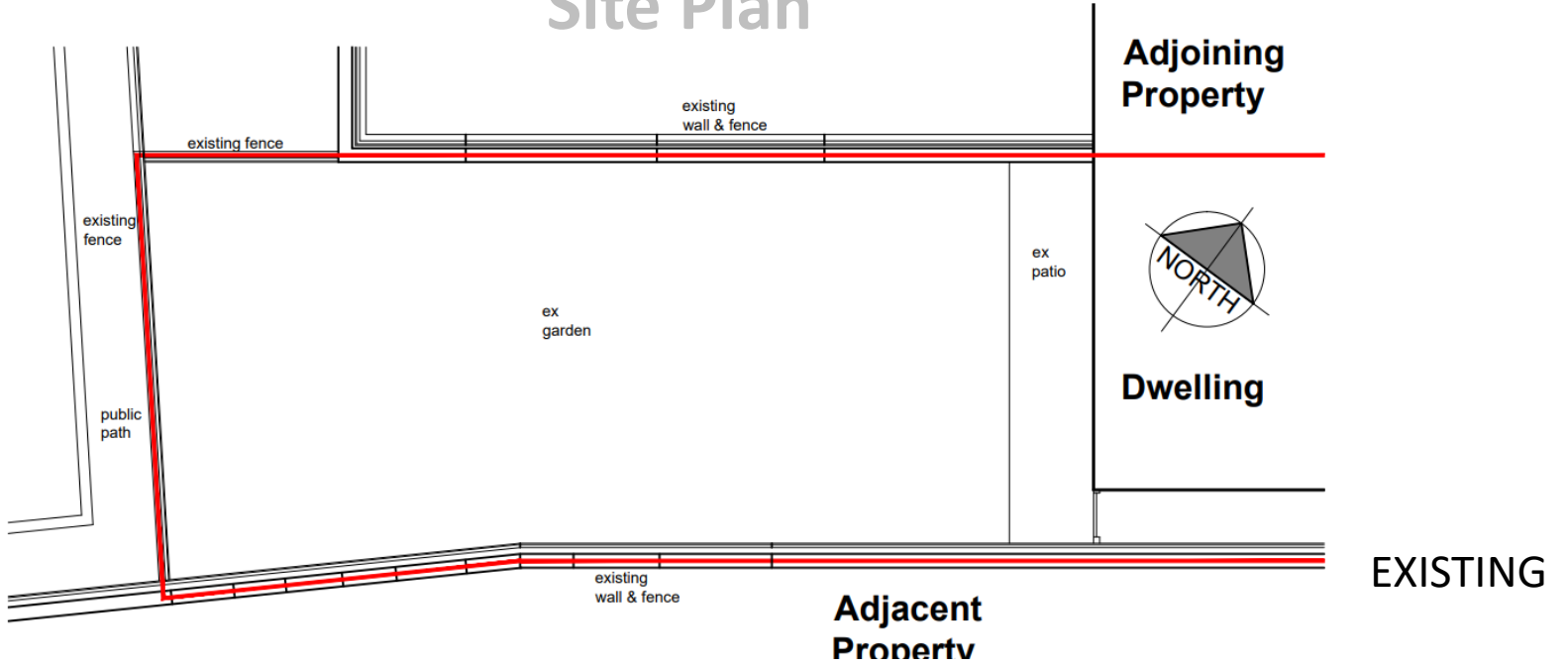
Photos



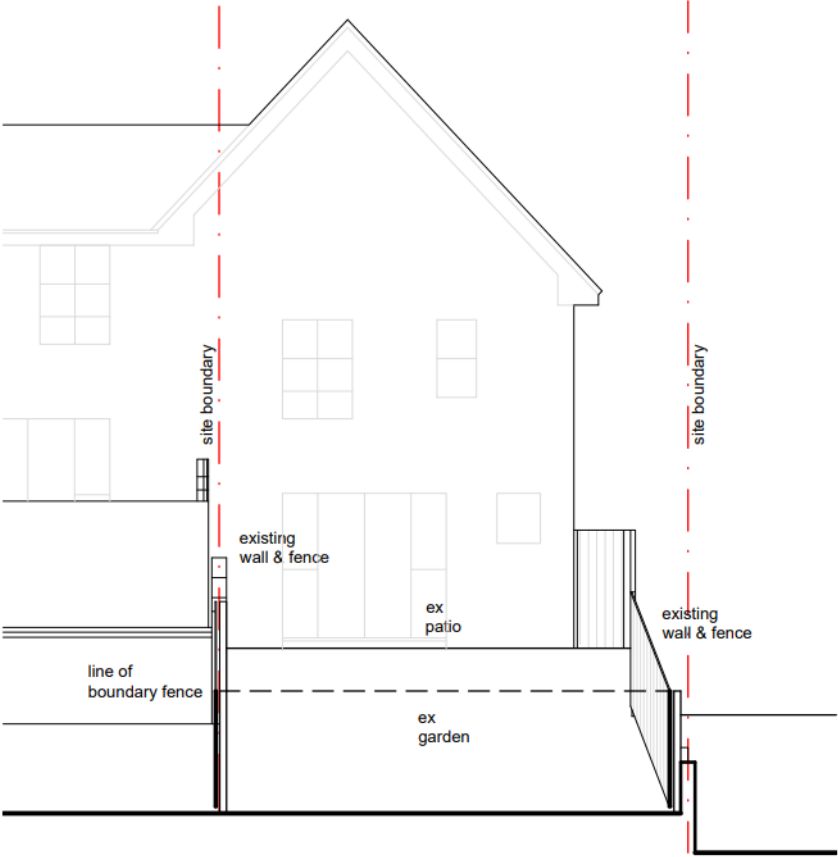
Photos



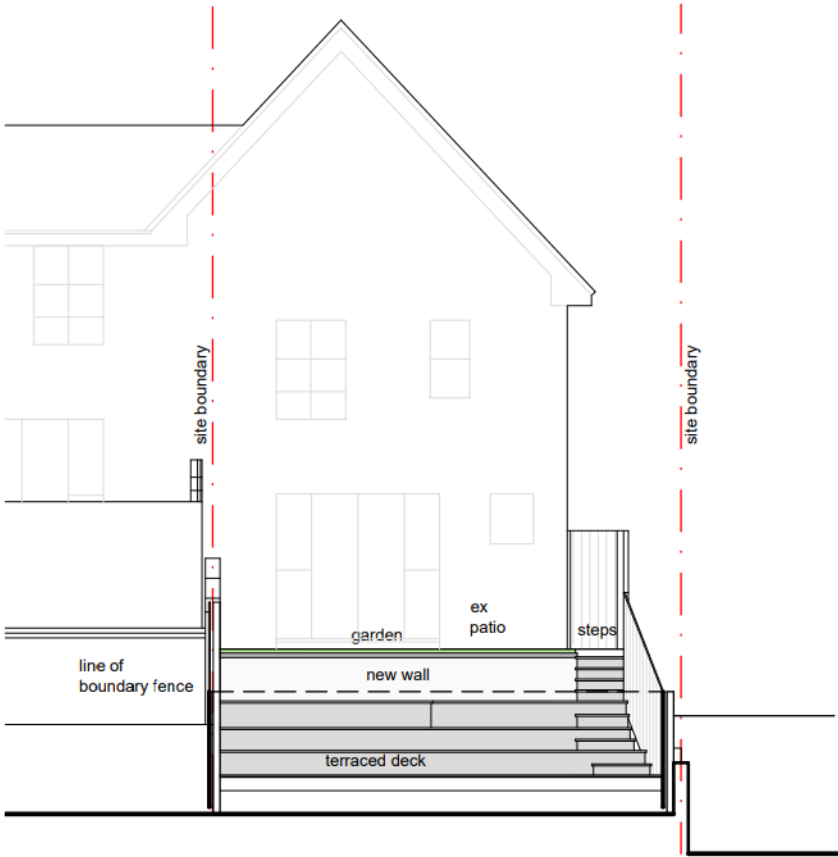
Site Plan



Rear Elevation

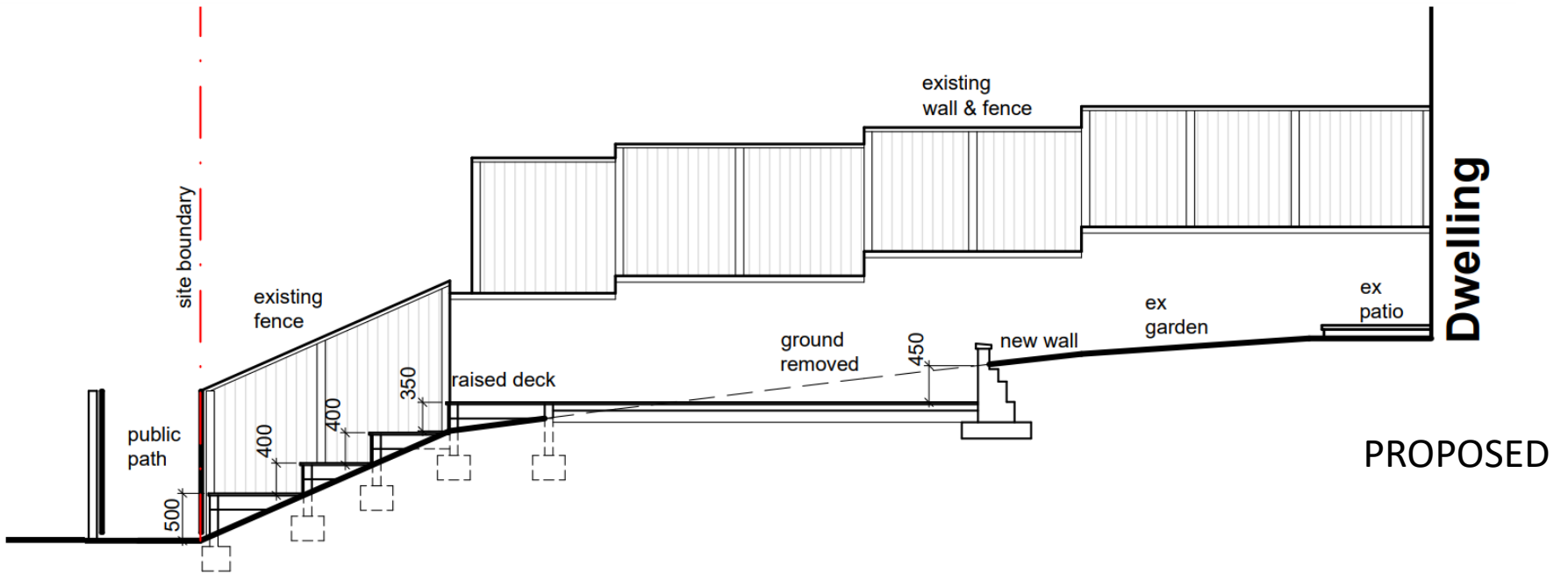
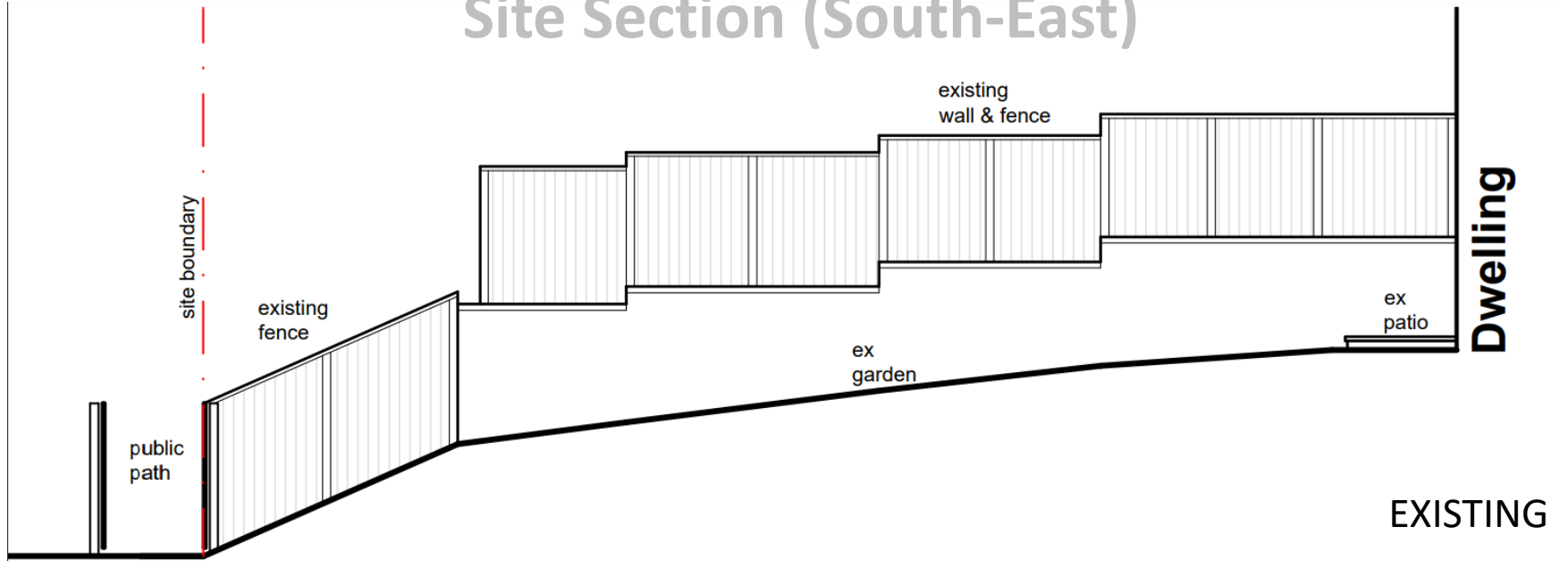


EXISTING



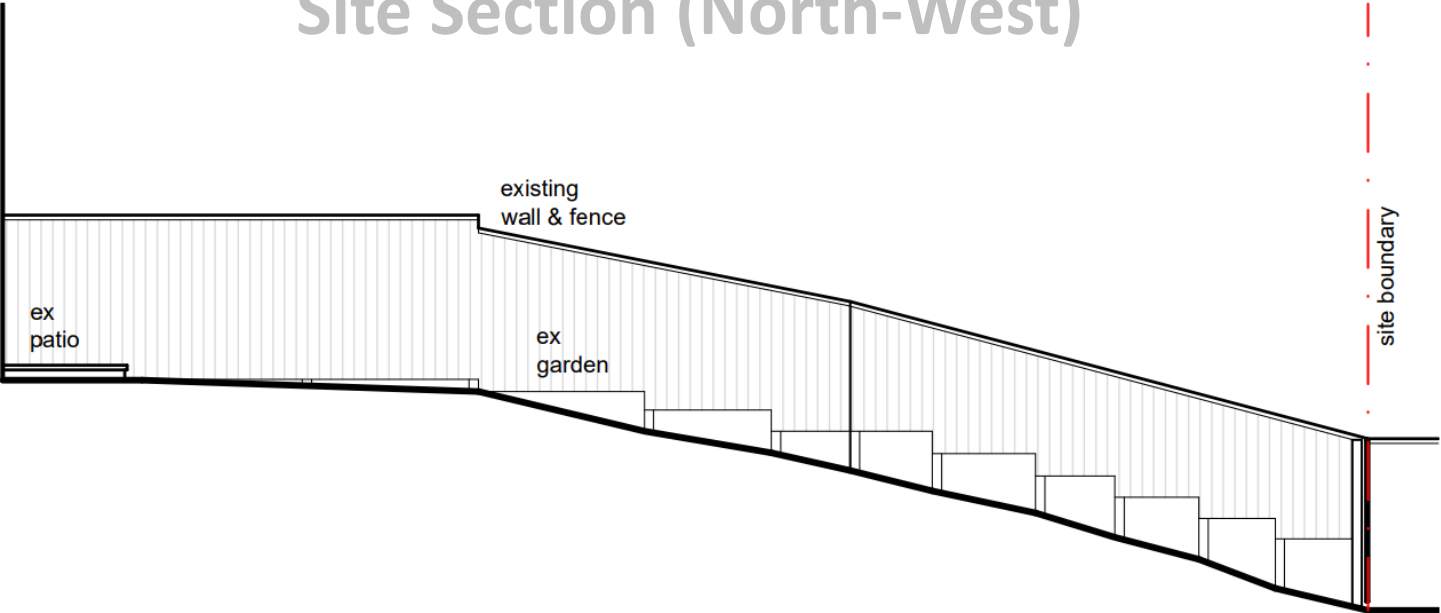
PROPOSED

Site Section (South-East)



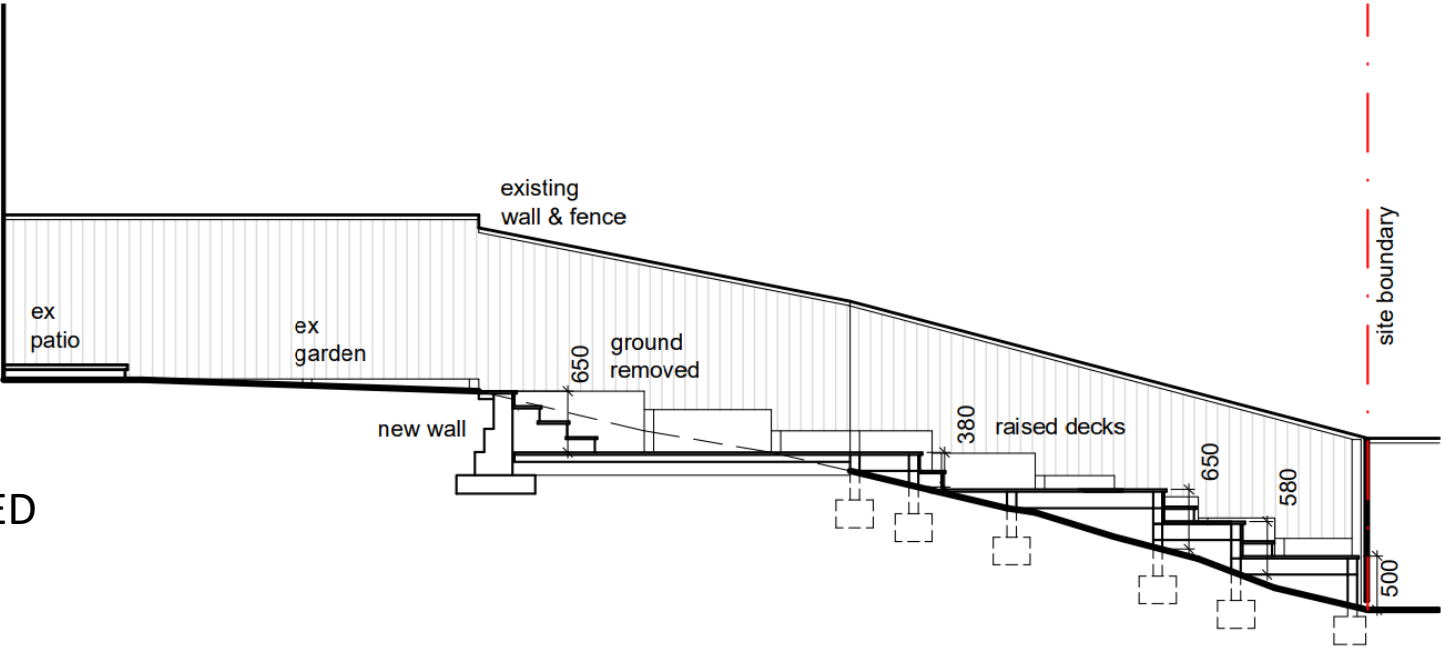
Site Section (North-West)

Dwelling



EXISTING

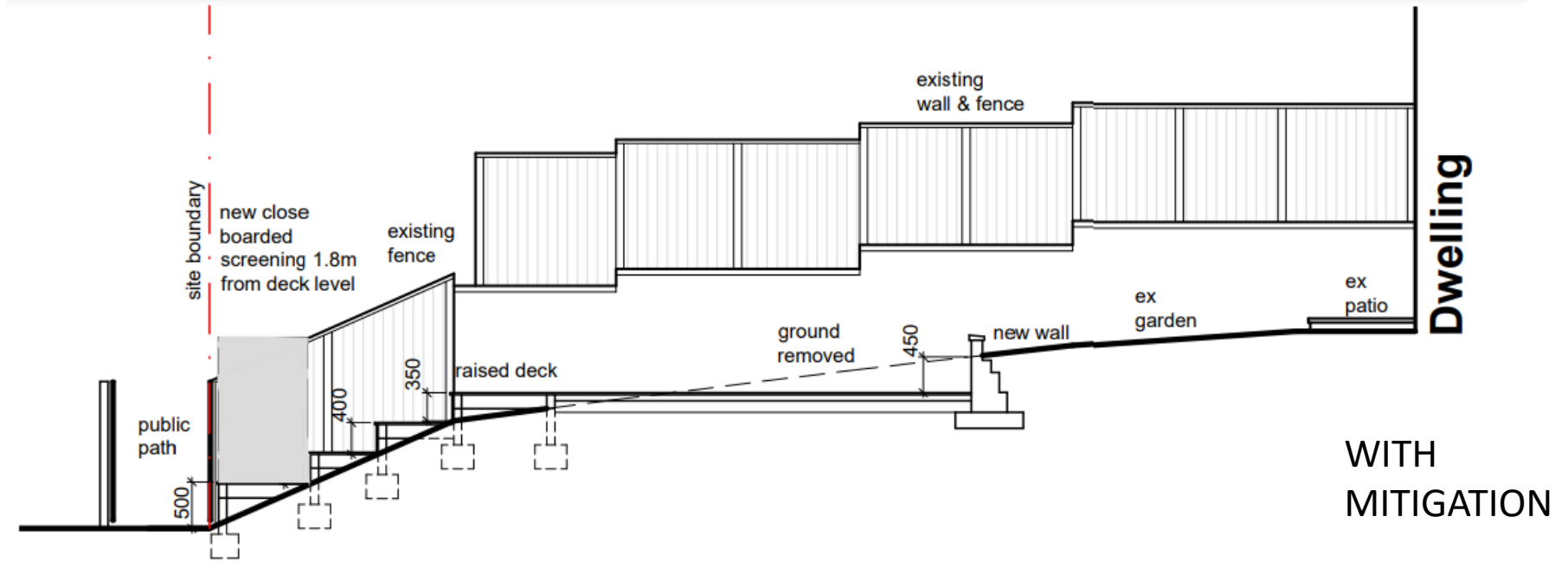
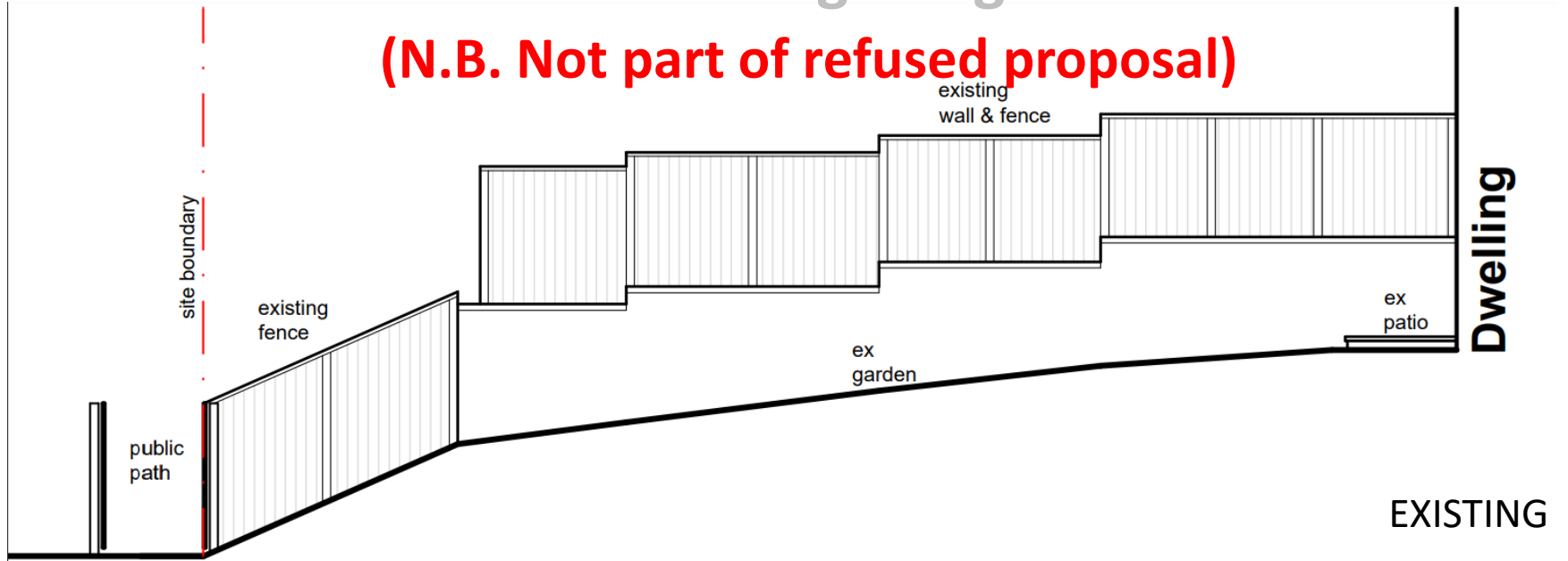
Dwelling



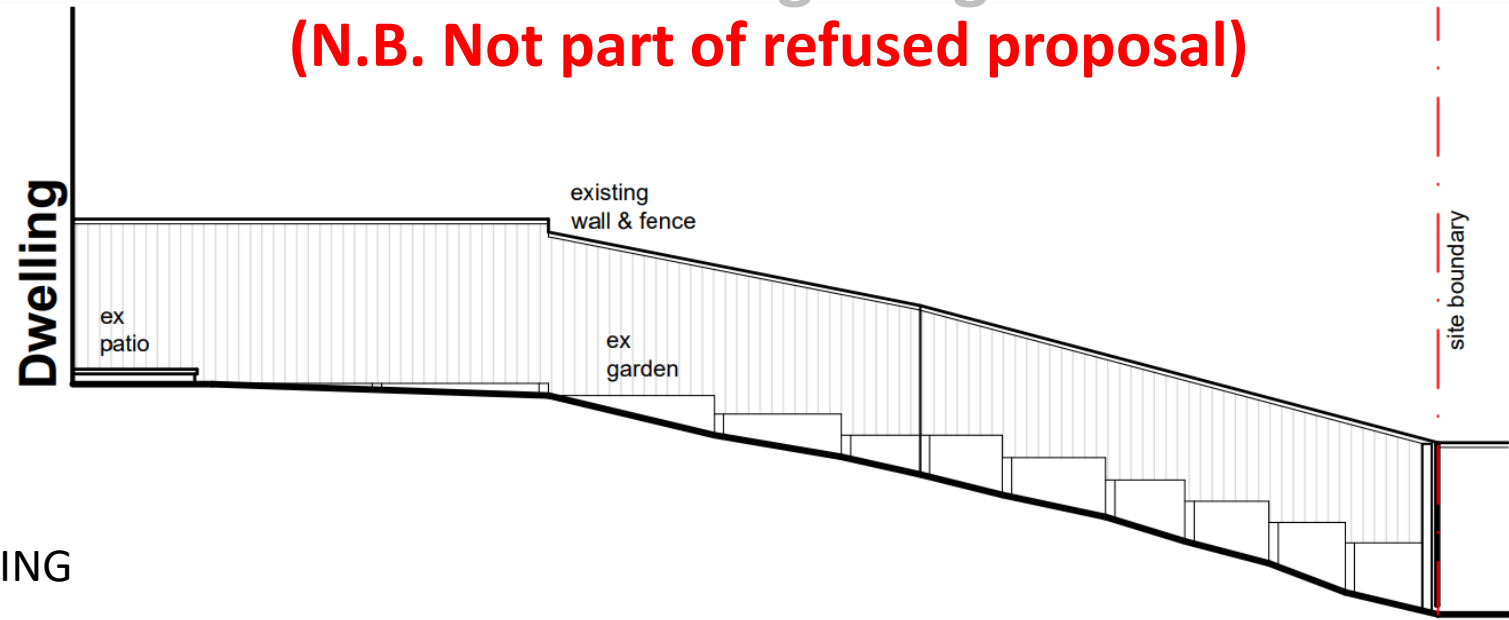
PROPOSED

Plans showing mitigation

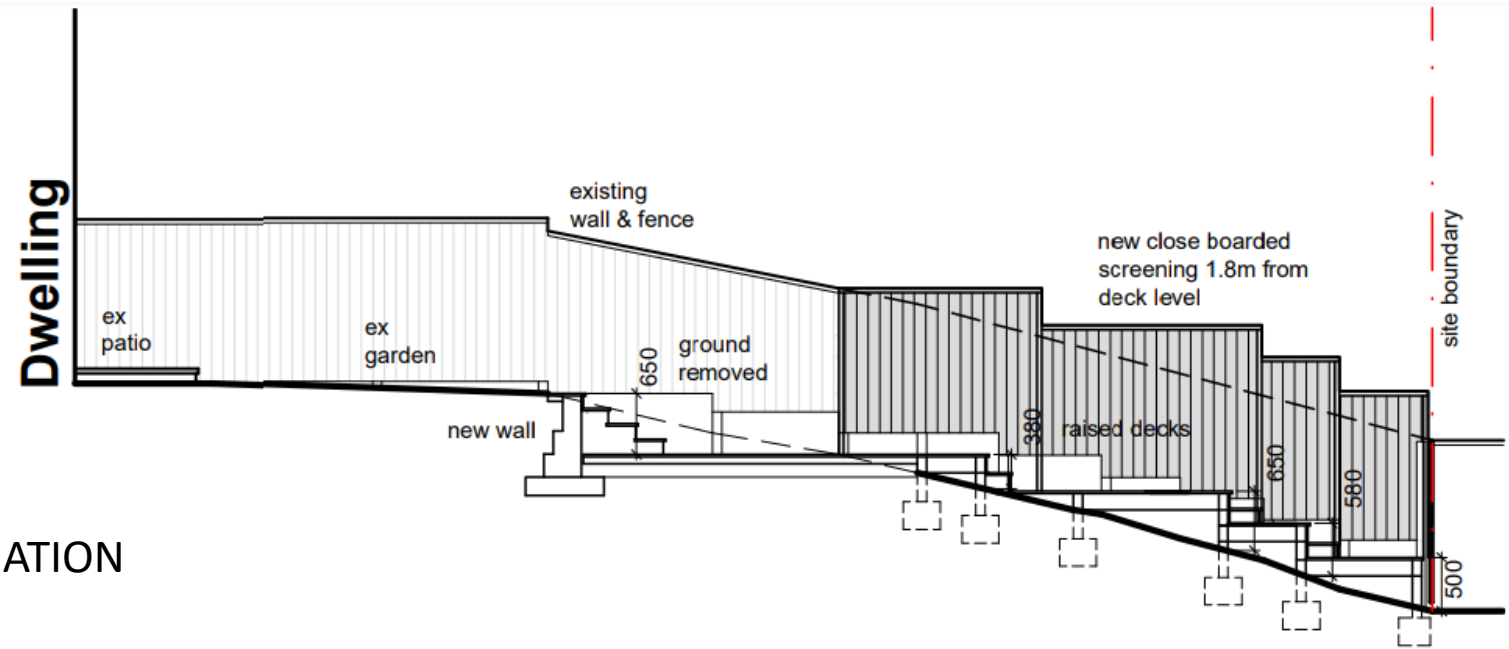
(N.B. Not part of refused proposal)



Plans showing mitigation (N.B. Not part of refused proposal)

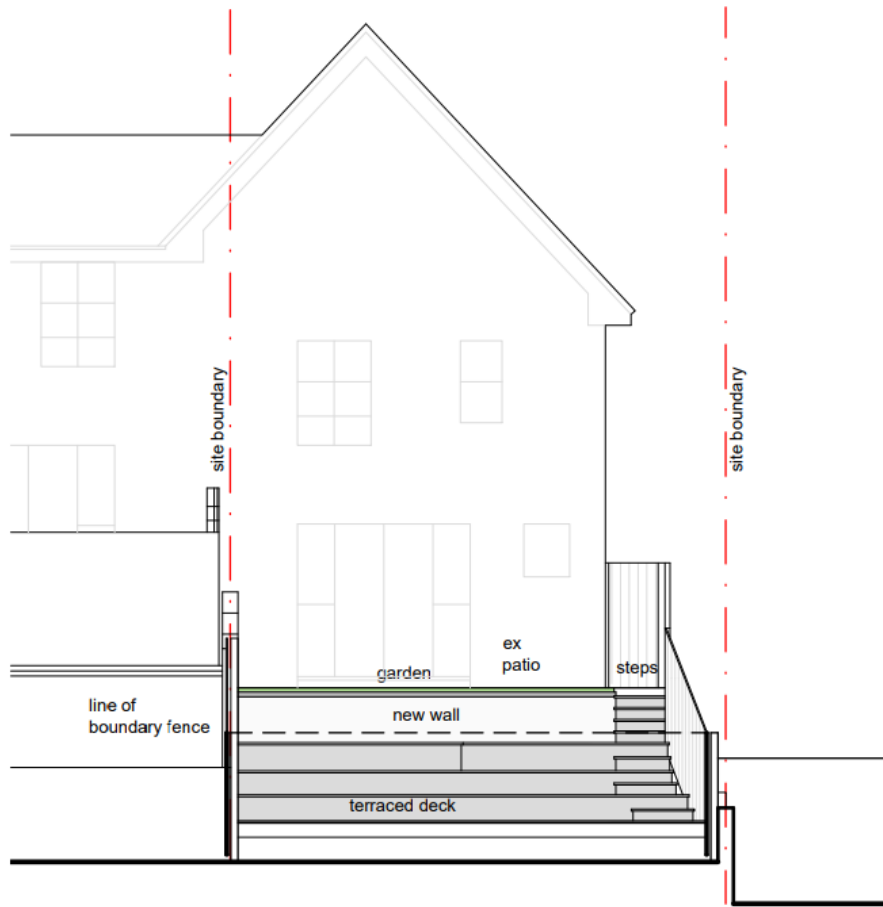


EXISTING

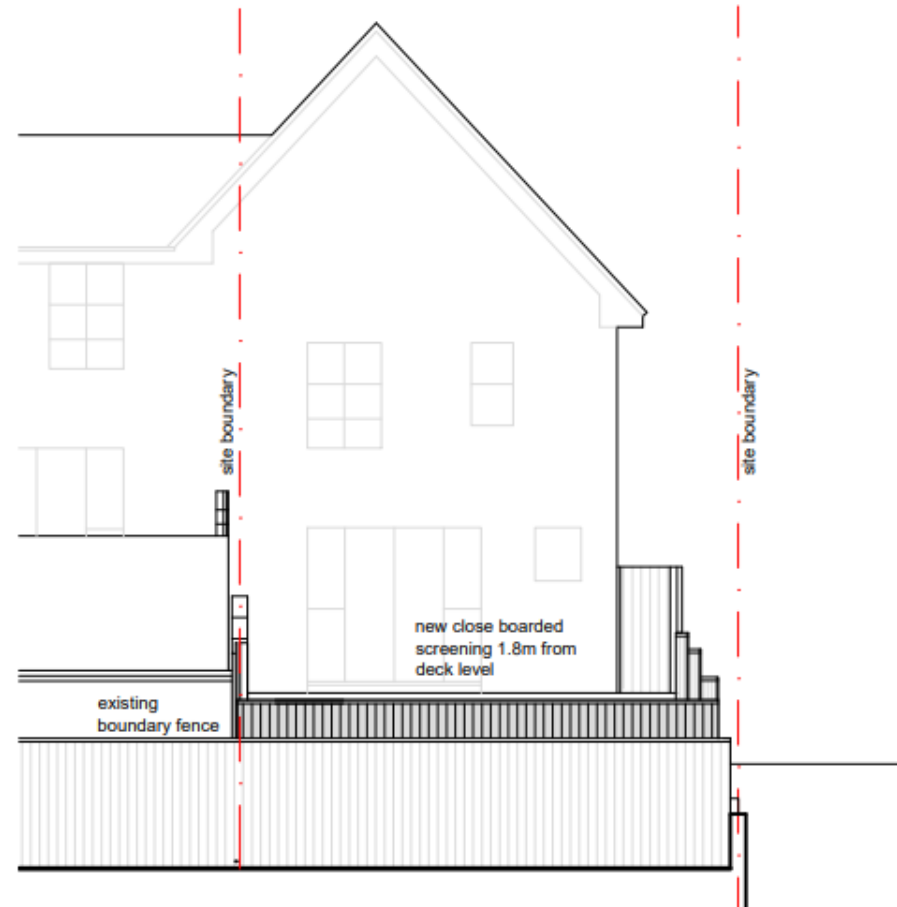


WITH
MITIGATION

Plans showing mitigation (N.B. Not part of refused proposal)



PROPOSED/REFUSED



WITH MITIGATION

Reasons for Refusal

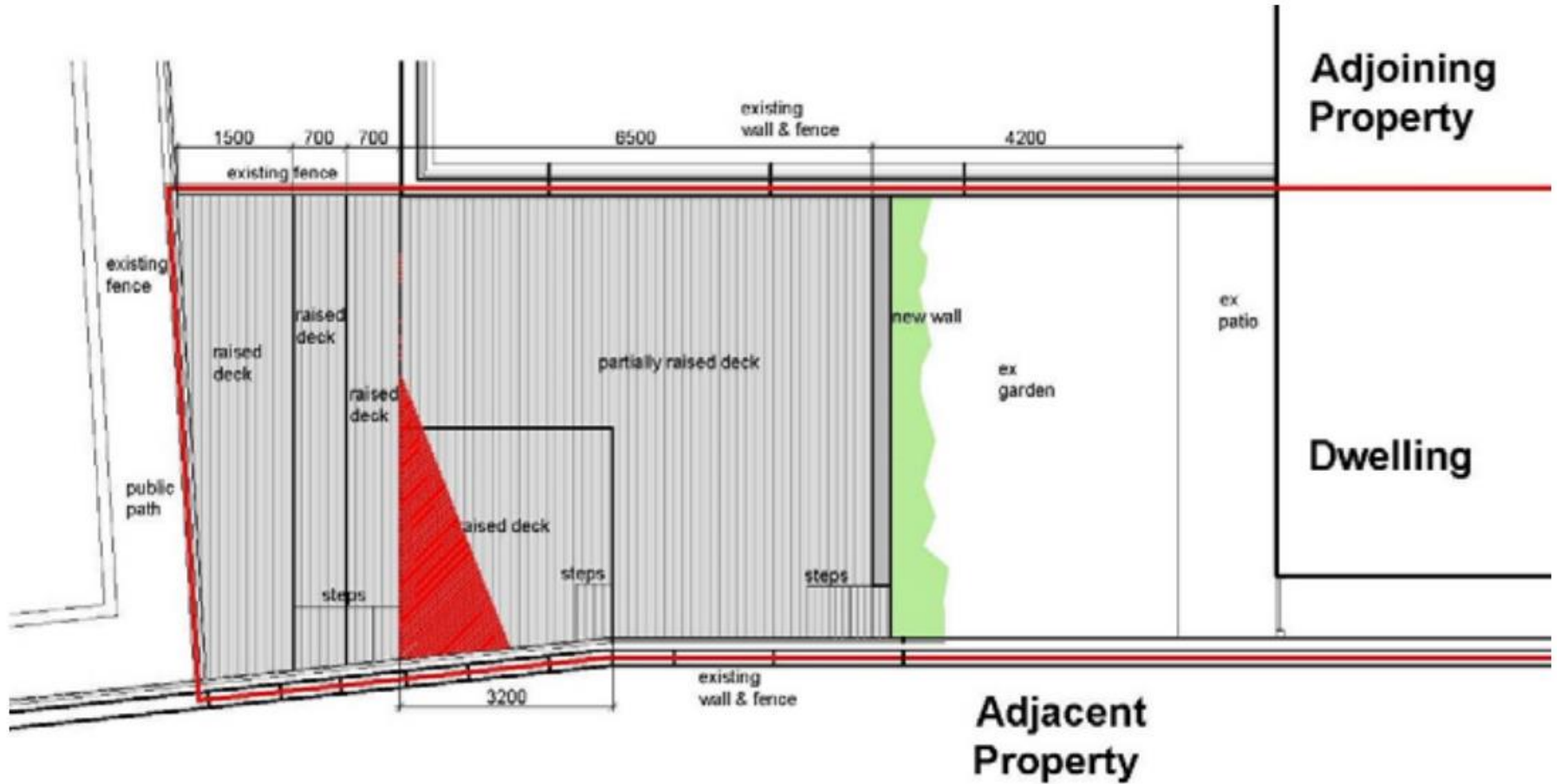
- Proposal would “*significantly worsen the level of privacy*” currently afforded to the rear gardens of numbers 20, 26, 28 and 30 Goodhope Road
- Would reduce the effective height and level of screening between mutual boundaries to an unacceptable level
- Considered to be contrary to Policy H2 (Mixed Use Areas) due to the conflict with the amenity of adjacent land uses, as well as the relevant "general principles" and guidance set out in Section 3.1.10 of the Householder Development Guide SG
- Also in conflict with policies D1, D2 and H2 in the Proposed ALDP
- No overriding material considerations in favour of approval

Applicant's Case for Review

Stated in Notice of Review and accompanying statement. Key points:

- Applicant's garden is steeply sloping, and this proposal is intended to reduce maintenance and increase useability of the garden
- Argue that the lack of a site visit has unduly affected the decision to refuse on grounds of overlooking
- Existing boundary fence already varies in height and the proposed deck levels have been designed to limit overlooking, with steps directly abutting boundary fence
- Highlights that neighbouring properties are already overlooked from the existing garden level and there would be no further loss of amenity due to the raised decking
- Due to the garden level sloping at an angle, there is only a small portion of the decking that brings it outwith the scope of current Permitted Development Rights (see provided plan on next slide)
- Applicants offered to increase height of fencing, but this was discounted on the basis that it would adversely affect neighbours' amenity. The case officer also stated that some areas of existing fencing are insufficient.
- Highlights that the appointed officer's decision was taken after the extended determination period agreed with the applicant
- Disputes officer's reference to the adjoining property to the south-east being affected, as this actually sits higher than the application property
- Concludes that impact on privacy would be negligible and does not warrant refusal

Applicant's Case for Review





D1: Quality Placemaking by Design

All dev't must *“ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials”*.

Proposals will be assessed against the following six essential qualities:

- Distinctive
- Welcoming
- Safe and pleasant
- Easy to move around
- Adaptable
- Resource-efficient

H2: Mixed Use Areas

Policy H2 - Mixed Use Areas

Applications for development or change of use within Mixed Use Areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. Where new housing is proposed, a satisfactory residential environment should be created which should not impinge upon the viability or operation of existing businesses in the vicinity. Conversely, where new industrial, business or commercial uses are permitted, development should not adversely affect the amenity of people living and working in the area.

Householder Development Guide SG

Proposals should:

- Be ***“architecturally compatible with original house and surrounding area”*** (design, scale etc)
- Should not ***‘dominate or overwhelm’*** the original house. Should remain visually subservient.
- Should not result in adverse impact on **privacy, daylight, amenity**
- Approvals pre-dating this guidance do not represent a **‘precedent’**
- Footprint of dwelling should not exceed **twice that of original house**
- **No more than 50% of front or rear curtilage** may be covered (anything less than that considered on its merits)
- In relation to decking, states that proposals *“should not result in an adverse impact upon the amenity of adjacent dwellings, including both internal accommodation and external private amenity space”*
- In relation to fences and other boundary enclosures:
 - *‘in all instances, the scale and form of boundary enclosures should be appropriate to their context and should not detract from the street scene as a result of inappropriate visual impact’: and*
 - *‘proposals for boundary enclosures will not be permitted where they would result in an unacceptable impact upon the amenity of neighbouring dwellings’*

Points for Consideration

Zoning: Does the proposal comply with the tests set out in policy H2 (Mixed Use Areas)?

Design: Is the proposal of sufficient design quality (D1) - *having regard for factors such as scale, siting, footprint, proportions relative to original, materials, colour etc?*

Does it accord with the general principles set out in the 'Householder Development Guide', and the specific commentary on decking?

- 1. Does the proposal comply with the Development Plan when considered as a whole?**
- 2. Are there any material considerations that outweigh the Development Plan in this instance?**

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)