

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Neil Rothnie Architecture
703 Great Northern Road
Aberdeen
AB24 2DU

on behalf of **Ms Ruma Begum**

With reference to your application validly received on 7 September 2022 for the following development:-

**Erection of fence and gate to front (retrospective)
at Flat A, 13 Powis Crescent**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

<u>Drawing Number</u>	<u>Drawing Type</u>
3585 - 01	Location Plan
3585 - 02	Proposed Elevations & Site Layout Plan

DETAILS OF ANY VARIATION MADE TO THE ORIGINAL APPLICATION

None.

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

The proposed development which is retrospective is considered inappropriate in terms of the material finish, scale and siting of the fence and associated gates in the

context of the residential curtilage and the surrounding area. Taking into account the height and location of the fence where it extends forward of the principal elevation of the flatted property and along the length of the site boundary with Powis Crescent, it is considered particularly intrusive within the streetscene, resulting in a significant adverse visual impact on the character and amenity of the residential area. Furthermore, its approval would set an undesirable precedent for similar applications being granted under current policy and guidance which would further erode the visual amenity of the surrounding area.

The proposal does not accord with the requirements of sub-section (g) of Policy 16 (Quality Homes) of National Planning Framework 4. It is deemed to be contrary to the requirements of Policy D1 (Quality Placemaking by Design) and Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2017 and fails to address the expectations of the Council's Supplementary Guidance on Householder Development. There are no material planning considerations of sufficient weight, including evaluation under the Proposed Aberdeen Local Development Plan 2020, that would warrant approval of the application in this instance.

Date of Signing 24 January 2023

A handwritten signature in black ink that reads "Daniel Lewis". The signature is written in a cursive, slightly slanted style.

Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

RIGHT OF APPEAL

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A review request must be made using the 'Notice of Review' form available from <https://www.eplanning.scot/>.

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.