

21<sup>st</sup> November 2017

Allison Swanson  
Legal and Democratic Services  
Corporate Governance  
Aberdeen City Council  
Town House  
Broad Street  
Aberdeen  
AB10 1AQ

Dear Allison

**Project: Proposed Development at 38 Cameron Street, Aberdeen, AB23 8QB – Planning Appeal**  
**Our Reference – AD 1117**

In response to your letter dated 8<sup>th</sup> November 2017 enclosing a letter to yourselves from Mr Collie and Miss Halliday dated 2<sup>nd</sup> November 2017 we would respond to as follows:

1. A toilet window has frosted glass for this very reason, to provide privacy for the user from adjoining properties. The window in the photograph has been shown fully opened for effect, however it is highly unlikely that the window is ever in the fully openable position, and the frosted glazing is doing the exact function that it is meaning to carry out. It should also be noted that this window is in fact in a non-habitable room, and as such is not considered when overlooking distances are considered between developments. Therefore this point should not be considered as relevant to the proposal.
2. When looking at the overlooking distances and the relationship of habitable room, windows are considered when they are directly opposite each other. The photograph clearly shows that this window is at 90 degrees to the proposed development at 38 Cameron Street, and therefore this point should not be considered relevant.
3. It was proposed that frosted glass be installed to both the bedrooms at the rear of the property. The bathroom would as standard have frosted glass. We proposed that the frosted glass be conditioned as part of the application. The planner rejected this on the basis that the condition could not be enforced. I found this statement from the planner very confusing. The statement from the planner essentially says that no planning condition can ever be enforced? Surely this cannot be correct. Planning conditions are there for very good reasons to ensure that an approved scheme adheres to the conditions placed upon it.

The planners response to the development was to reduce the size of the dormer to the width of the proposed shower room, glazing would be frosted, and then install velux windows to the rear bedrooms. Having discussed this with the planner, we advised that by using top hung rooflights, the applicant could if they so choose, open the window fully, and look out into the rear garden exactly in the same manner they are saying could happen with the proposed dormer. In fact due to the design of the rooflight, you could actually be standing closer to the rear garden fence with the use of the rooflight than with a dormer. This happens because of the construction of the two forms. When this was stated to the planner, he actually agreed this was the case.

4. With regards to the height variance between the two properties, I am sure a condition could be placed on an approval, that screening could be put up at the rear of 38 Cameron Street to provide the privacy for the occupants of 11 Gordon Place.

The applicants wishes to state that he has no desire to be looking into his neighbour's garden, or in fact anybody's garden. The applicant wants to develop the property into a fully functional family home that he can enjoy with his wife and child.

If you have any queries regarding the above please do not hesitate to contact me on Tel 01224 701576.

Yours Sincerely  
for All Design (Scotland) Limited



Paul Walber  
Director