

## **DECISION NOTICE**

### **The Town and Country Planning (Scotland) Act 1997** **Detailed Planning Permission**

Katrina Denholm  
Katrina Denholm Architect  
8 Scotsmill Avenue  
Blackburn  
Aberdeen  
UK  
AB21 0HR

on behalf of **Mr Euan Davidson**

With reference to your application validly received on 14 June 2018 for the following development:-

**Erection of 1.5 storey extensions to gable and rear, form straight gable, raise height of chimney, and formation of dormer window to front at Glydene, 39 Cults Avenue**

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:

<b>Drawing Number</b>	<b>Drawing Type</b>
KHD-A1026-P-01-001 Rev A	Location Plan
KHD-A1026-P-01-004	Ground Floor Plan (Proposed)
KHD-A1026-P-01-005	First Floor Plan (Proposed)
KHD-A1026-P-01-006 Rev c	Multiple Elevations (Proposed)

#### **REASON FOR DECISION**

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

Although the proposal is considered to meet certain criteria contained in the Householder Development Guide relating to scale, materials and design, and would have minimal visual impact on the streetscape, the proposal would have an adverse impact on the residential amenity currently enjoyed by 37 Cults Avenue, by reason of an unacceptable loss of daylight to a ground floor window serving a habitable room, and would therefore be contrary to Policy H1 (Residential Areas) of the Aberdeen Local Plan in addition to the general principles contained in the Supplementary Guidance: Householder Development Guide. There are no material planning considerations which would warrant approval of consent in this instance.

**Date of Signing** 17 August 2018



**Daniel Lewis**  
Development Management Manager

### **IMPORTANT INFORMATION RELATED TO THIS DECISION**

#### **DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)**

None.

#### **RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at [www.eplanning.scot](http://www.eplanning.scot).

Notices of review submitted by post should be sent to Strategic Place Planning (address at the top of this decision notice).

## **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.