

## **DECISION NOTICE**

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

### **Detailed Planning Permission**

Miss Jackie Anderson  
18 Home Farm Gardens  
Bridge Of Don  
Aberdeen  
AB22 8UE

With reference to your application validly received on 20 August 2018 for the following development:-

**Erection of timber decking along rear boundary with associated steps and handrails (retrospective)  
at 18 Home Farm Gardens, Bridge Of Don**

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>
	Site Layout (Proposed)
	Elevations and Floor Plans
Rev A	Location Plan

### **REASON FOR DECISION**

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

The raised deck as erected, represents a visually prominent and intrusive structure, out of character with the surrounding area that does not take into consideration its immediate context and relationship with neighbouring dwellings, and therefore makes no positive contribution to the wider residential area, contrary to Policy D1 (Quality Placemaking by Design). As a result of its height and dimensions, it has an

adverse impact on residential amenity by reason of an unacceptable loss of privacy to the immediately adjacent dwelling houses, as it offers direct views into their rear windows and overlooks their private amenity spaces, as well as offering wider views over the rear gardens of several further properties within the terrace. The raised decking therefore fails to comply with the Supplementary Guidance: Householder Development Guide and with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan. There are no material planning considerations which would warrant approval of consent in this instance.

**Date of Signing** 19 October 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.