

5. **LRB 554** – Notice of Review Against Refusal Full Planning Permission for Change of Use and Extension from Business (Class 4) to Dwellinghouse (Class 9) at Muirskie Grange, Durris, Banchory, AB31 6EB – Reference: APP/2021/2863.

(ii) Planning Service Response – Obscure Glazing.

# FW: For Information - FW: E 554 - Notice of Review - APP/2021/2863 - Request for Information

04 August 2022

15:16

Subject	<b>FW: For Information - FW: E 554 - Notice of Review - APP/2021/2863 - Request for Information</b>
From	Louise Todd
To	Frances Brown
Sent	04 August 2022 15:09

Good afternoon Frances,

Please see below my response to the request from the Local Review Body for APP/2021/2863.

*Obscure glazing is not generally considered to be an appropriate remedy for overlooking, as if there is considered to be a concern due to the proposed design, orientation and proximity to neighbours then the perceived overlooking from windows would not be overcome through the use of obscure glazing and subsequently, it would still result in a detrimental impact on neighbouring amenity. In addition, obscured glazing offers no barrier to overlooking when windows are in an open position.*

*Furthermore, obscure glazing can be difficult to enforce, and if considered appropriate, a condition would need to be applied to the consent to ensure that any obscure glazing was retained in perpetuity and the permitted development rights were removed for Class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.*

*In the case of Muirskie Grange, there are wider considerations than the potential overlooking causing a detrimental impact on amenity, a new dwelling would not be approved in such close proximity to neighbours within this setting, and although it is appreciated this is a conversion of an existing building, this does not mean the appropriate amenity requirements are less. The proposal fails to establish a level of amenity currently experienced by the residential properties in the cluster.*

Kind regards

Louise

Louise Todd  
Planning Officer (Development Management)  
Kincardine and Mearns/Marr  
Planning and Economy  
Environment and Infrastructure Services  
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**From:** Frances Brown <[frances.brown@aberdeenshire.gov.uk](mailto:frances.brown@aberdeenshire.gov.uk)>

**Sent:** 01 August 2022 14:55

**To:** Planning Online <[planningonline@aberdeenshire.gov.uk](mailto:planningonline@aberdeenshire.gov.uk)>

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Good afternoon Planning,

At the Local Review Body meeting on Friday 29/04/2022, the Local Review Body deferred consideration of this review, to allow them to follow further procedure by way of seeking additional information.

The Local Review Body have requested that the Planning Service comment on amenity and privacy concerns, and whether those concerns could be addressed if obscure glass were used on any, or all of the velux windows.

Would someone be able to consider this and provide a response please.

Kind regards

*Frances*

Frances Brown / Senior Committee Officer  
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