

Public Document Pack



To: Councillor McRae, Chairperson; and Councillors Cooke, Lawrence, Macdonald and Thomson.

Town House,
ABERDEEN 24 November 2025

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet remotely on **MONDAY, 1 DECEMBER 2025 at 11.00 am.**

JENNI LAWSON
CHIEF OFFICER – GOVERNANCE

Members of the Public can observe the meeting via Microsoft Teams [here](#).

B U S I N E S S

1.1 Procedure Notice (Pages 5 - 10)

COPIES OF THE RELEVANT PLANS / DRAWINGS ARE AVAILABLE FOR INSPECTION IN ADVANCE OF THE MEETING AND WILL BE DISPLAYED AT THE MEETING

Link to the [Local Development Plan](#)

TO REVIEW THE DECISION OF THE APPOINTED OFFICER TO REFUSE THE FOLLOWING APPLICATIONS

PLANNING ADVISER - LUCY GREENE

REVIEW ONE

2.1 43 Fairview Parade - Review of the Conditions for the Application for Change of Use from Domestic Outbuilding to Class 1A (Shops, Financial Professional and other services) (Retrospective) (Pages 11 - 36)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 250079.

2.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 37 - 90)

2.3 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 91 - 100)

2.4 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

2.5 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

REVIEW TWO

3.1 148 Victoria Street Aberdeen - Erection of Two Storey Extension to Rear (Pages 101 - 124)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 250366.

3.2 Delegated Report, Original Application Form and Decision Notice (Pages 125 - 142)

3.3 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 143 - 166)

3.4 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

3.5 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

REVIEW THREE

4.1 36 Devonshire Road Aberdeen - Installation of Fence to Front (Retrospective) (Pages 167 - 186)

Members, please note that all plans and supporting documents relevant to the review can be viewed online [here](#) and by entering the application reference number 250433.

- 4.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (Pages 187 - 212)
- 4.3 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 213 - 222)
- 4.4 Determination - Reasons for Decision
Members, please note that reasons should be based against Development Plan policies and any other material considerations.
- 4.5 Consideration of Conditions to be Attached to the Application - if Members are minded to Over-Turn the Decision of the Case Officer

Website Address: aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Mark Masson on mmasson@aberdeencity.gov.uk / tel 01224 067556

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LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

PROCEDURE NOTE

GENERAL

1. The Local Review Body of Aberdeen City Council (the LRB) must at all times comply with (one) the provisions of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (the regulations), and (two) Aberdeen City Council's Standing Orders.
2. Local members are not permitted to sit on cases that fall within their ward.
3. In dealing with a request for the review of a decision made by an appointed officer under the Scheme of Delegation adopted by the Council for the determination of "local" planning applications, the LRB acknowledge that the review process as set out in the regulations shall be carried out in stages.
4. As the first stage and having considered the applicant's stated preference (if any) for the procedure to be followed, the LRB must decide how the case under review is to be determined.
5. Once a notice of review has been submitted interested parties (defined as statutory consultees or other parties who have made, and have not withdrawn, representations in connection with the application) will be consulted on the Notice and will have the right to make further representations within 14 days.
Any representations:
 - made by any party other than the interested parties as defined above (including those objectors or Community Councils that did not make timeous representation on the application before its delegated determination by the appointed officer) or
 - made outwith the 14 day period representation period referred to abovecannot and will not be considered by the Local Review Body in determining the Review.
6. Where the LRB consider that the review documents (as defined within the regulations) provide sufficient information to enable them to determine the review, they may (as the next stage in the process) proceed to do so without further procedure.
7. Should the LRB, however, consider that they are not in a position to determine the review without further procedure, they must then decide which one of (or combination of) the further procedures available to them in terms of the regulations should be pursued. The further procedures available are:-
 - (a) written submissions;
 - (b) the holding of one or more hearing sessions;

- (c) an inspection of the site.
- 8. If the LRB do decide to seek further information or representations prior to the determination of the review, they will require, in addition to deciding the manner in which that further information/representations should be provided, to be specific about the nature of the information/representations sought and by whom it should be provided.
- 9. In adjourning a meeting to such date and time as it may then or later decide, the LRB shall take into account the procedures outlined within Part 4 of the regulations, which will require to be fully observed.

DETERMINATION OF REVIEW

- 10. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.
- 11. The starting point for the determination of the review by the LRB will be Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that:-
 - “where, in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise.”
- 12. In coming to a decision on the review before them, the LRB will require:-
 - (a) to consider the Development Plan position relating to the application proposal and reach a view as to whether the proposal accords with the Development Plan;
 - (b) to identify all other material considerations arising (if any) which may be relevant to the proposal;
 - (c) to weigh the Development Plan position against the other material considerations arising before deciding whether the Development Plan should or should not prevail in the circumstances.
- 13. In determining the review, the LRB will:-
 - (a) uphold the appointed officers determination, with or without amendments or additions to the reason for refusal; or
 - (b) overturn the appointed officer's decision and approve the application **with or without appropriate conditions.**
- 14. The LRB will give clear reasons for its decision.

Planning Development Management Committee and Local Review Body Site Visit Protocol

1. Introduction

- 1.1 The Planning Development Management Committee (PDMC) or the Local Review Body sometimes decides to inspect a site to gain a greater understanding of its location, physical characteristics and relationship to neighbouring properties or land uses. These can help Members reach an informed decision on a planning application.
- 1.2 This protocol sets out the procedure to be followed for the conduct of such formal site visits by Members. To ensure fairness, this guidance should be observed during these visits.
- 1.3 Site visits should only be necessary where:
 - the application can't be assessed fully without a site visit (eg. the proposal raises issues that need to be experienced eg. noisy or smelly processes near the site),
 - where the required information hasn't been provided by way of the plans, images or any supporting information, or
 - where the proposal is particularly contentious and where the benefit of a site visit is clear and substantial.

2. Interested Parties and Neighbouring Properties

- 2.1 There may also be a possibility that Members will visit neighbouring properties as part of the site visit. The Committee Clerk will contact all interested parties who submitted a timely representation in regards to an application ("interested parties") to let them know the application is on the agenda and, in the case of PDMC, advising that they may make a verbal representation at the Committee. Any interested parties who are neighbouring proprietors to the site, may request that their properties are visited as part of any site visit that may take place. To do so, they will be obliged to respond in writing to the Committee Clerk by the deadline of 12pm on the Tuesday before PDMC requesting that the committee visit their property during any site visit. In relation to the Local Review Body, any interested parties who are neighbouring proprietors to the site should indicate their wish for the Local Review Body to visit their property should a site visit be undertaken. Indication should be given in response to the notification given to the interested party advising them that the notice of review has been received.
- 2.2 If the PDMC or Local Review Body determine that a site visit is required for a particular application then the Committee or Local Review Body will also, at the same meeting, decide by agreement (or by way of a Procedural Motion if no agreement can be reached) whether they wish to visit the properties of any interested parties who have requested that they do so, as above. The decision of the PDMC or Local Review Body is final as to whether a site visit is conducted.
- 2.3 The applicants and/or their agent, as well as any interested parties whom PDMC or the Local Review Body have decided to visit their property as part of the site visit, as above, will also be advised of the site visit.
- 2.4 A copy of this protocol will be provided to the applicants and/or their agents and any interested parties whom PDMC or the Local Review Body have decided to visit their property as part of the site visit, as above. It will also form part of the agenda for the relevant site visit meeting.

- 2.5 It is important to emphasise that permission to enter any land will require to be given by the landowner. Landowners are legally entitled to refuse entry to their land.

3. Conduct of Site Visits

- 3.1 The Councillors' Code of Conduct applies to site visits; therefore interests should be declared. Members should not attend the site visit or take part in the determination of the application if, having considered the objective test in the Code of Conduct, they consider that they have a prejudicial interest.
- 3.2 Site visits are a fact finding exercise and not part of the formal consideration of the application and, therefore, Members require to remain impartial. Members must not appear to favour one or other party and must avoid reaching a final decision until all views have been presented at the Committee or Local Review Body meeting to take place following the site visit.

4. Procedure on Site

- 4.1 The Planning Development Management Committee or Local Review Body Convenor will call the site visit to order, ask the Committee Clerk to outline the site visit protocol, and invite the Planning Officer to summarise:
1. the application;
 2. any relevant site history;
 3. the features of the site;
 4. any other matters the Planning Officer considers should be pointed out.
- 4.2 The Planning Officer will then show Members around the site, showing relevant plans, describing the development proposed and pointing out significant features, and will also advise whether interested parties have requested that the PDMC Committee or Local Review Body view the site from other locations and how that is to be dealt with. Members may ask the Planning Officer factual questions (eg. distances to adjoining or interested parties' properties or the location of the planned development) but must not otherwise discuss the application. All questions should be objective, relevant and material. Members are not permitted to hear or express opinions on the merits of the application during the site visit. Members should not address anybody other than each other, the Planning Officer, other Council Officers and the Committee Clerk. Any questions from Members to the applicant, agents and interested parties should be directed through the Convenor. The applicant, agent and local ward members, community council representatives may join the site visit group but only to observe and listen and will not be permitted to address Members other than specifically when requested by the Convenor or the Planning Officer to confirm factual information such as the location of physical features and access points. Members of the public may attend and listen to the proceedings where these are conducted in public areas, but they have no right to enter private land or buildings. If the site visit gives rise to excessive lobbying or demonstrations, Members may cancel the visit and arrange another in private.
- 4.3 Hospitality will not be accepted during the site visit by Members from applicants or other parties given that this could be seen to show favour.
- 4.4 In order to assist in ensuring that all Members receive the same information to inform the decision making process, they should keep together in one group with the

Convenor and the Planning Officer during the entirety of the accompanied site visit. They should not break-off to discuss the proposal separately in small groups with other members, with residents or with the applicant.

5 What happens after a Site Visit

- 5.1 After a site visit has taken place, the PDMC will then reconvene and determine the application in the usual manner. Local Review Body meetings are held remotely and therefore following the site visit, Members will reconvene remotely. Any Member wishing to vote on an application or review following a Site Visit must have been in attendance at the Site Visit.

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Local Review Body (LRB)

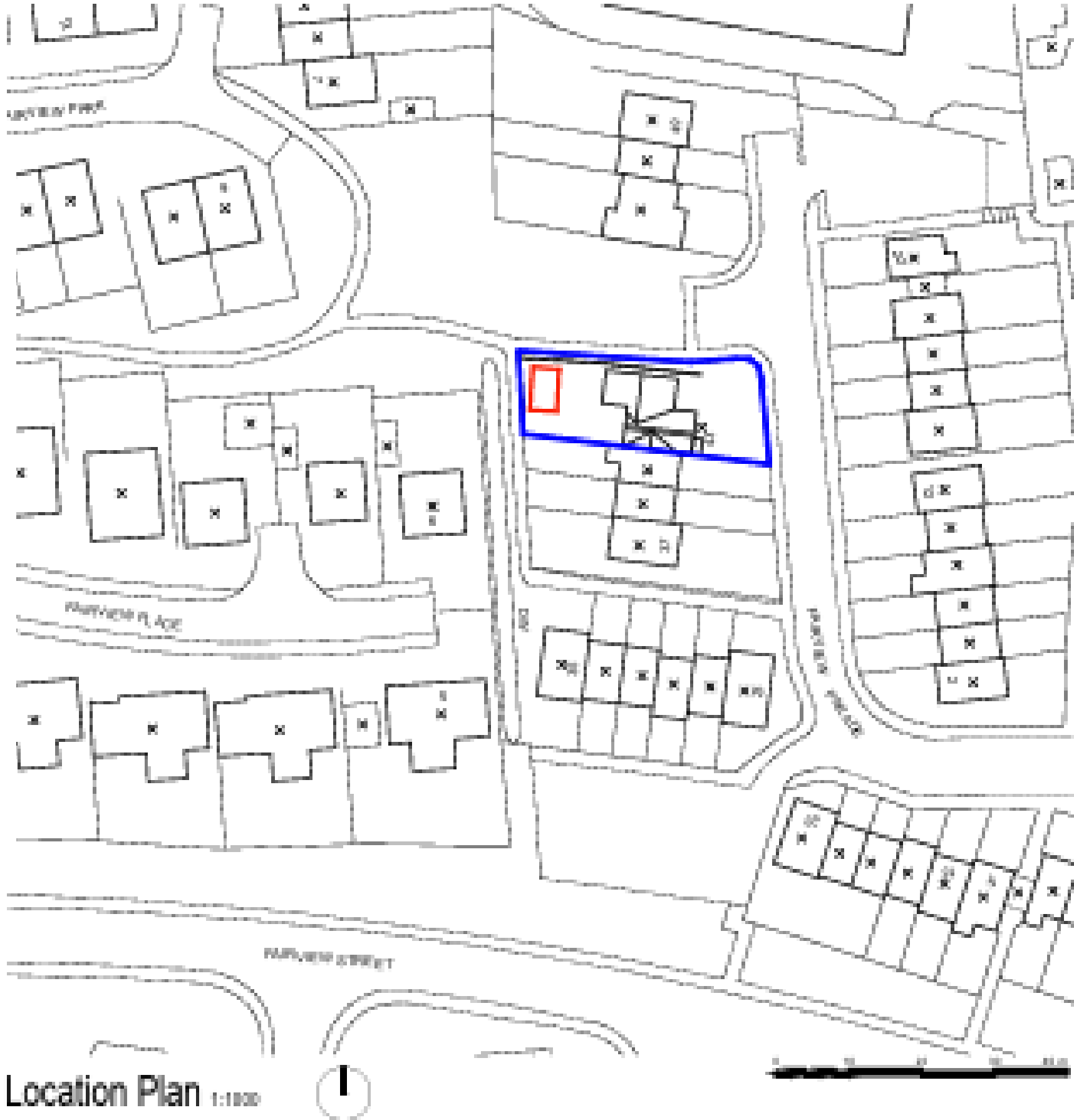
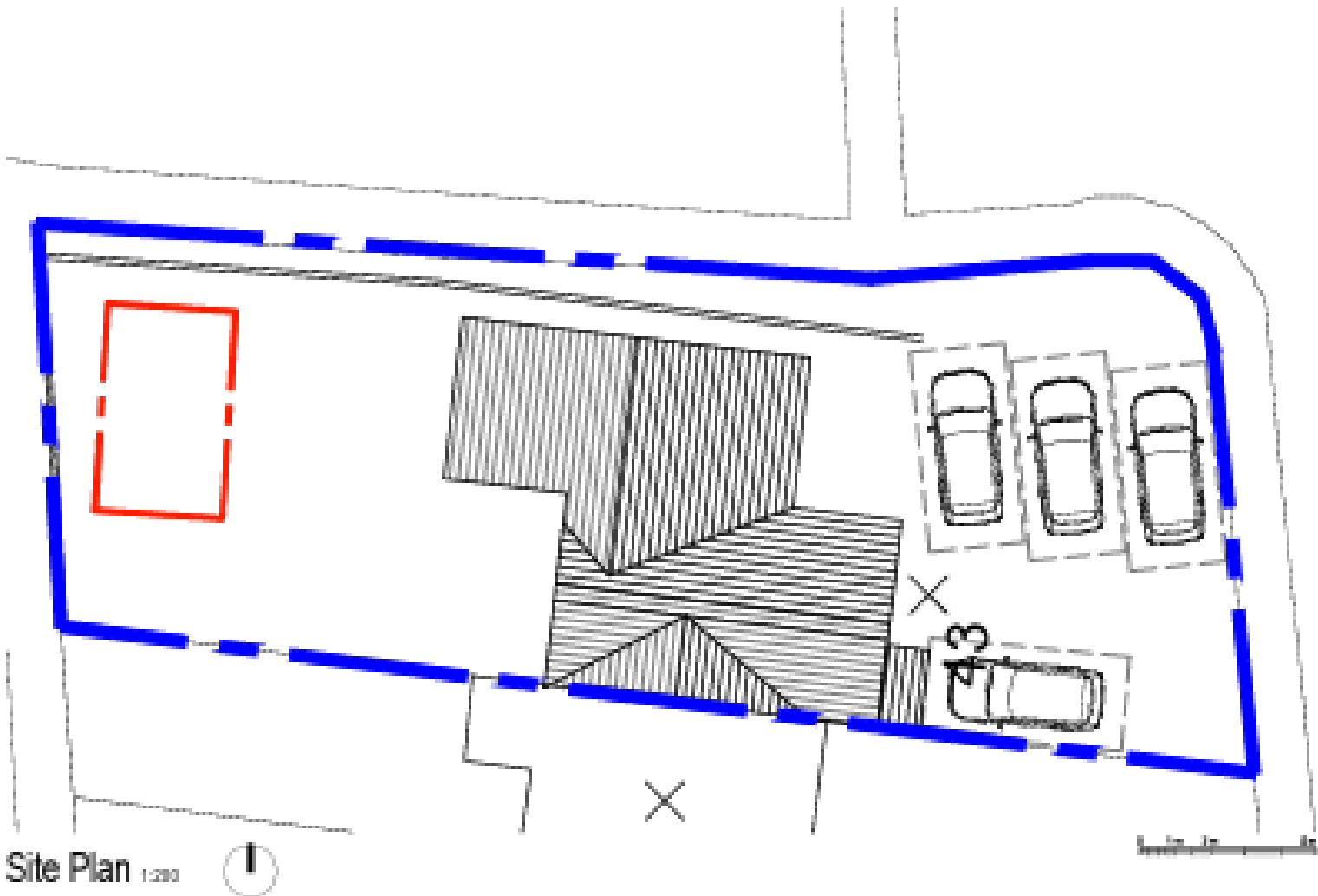
1 December 2025

250079/DPP - 43 Fairview Parade, Aberdeen
Conditions - Change of use from domestic outbuilding to class 1A
(shops, financial professional and other services) (retrospective)

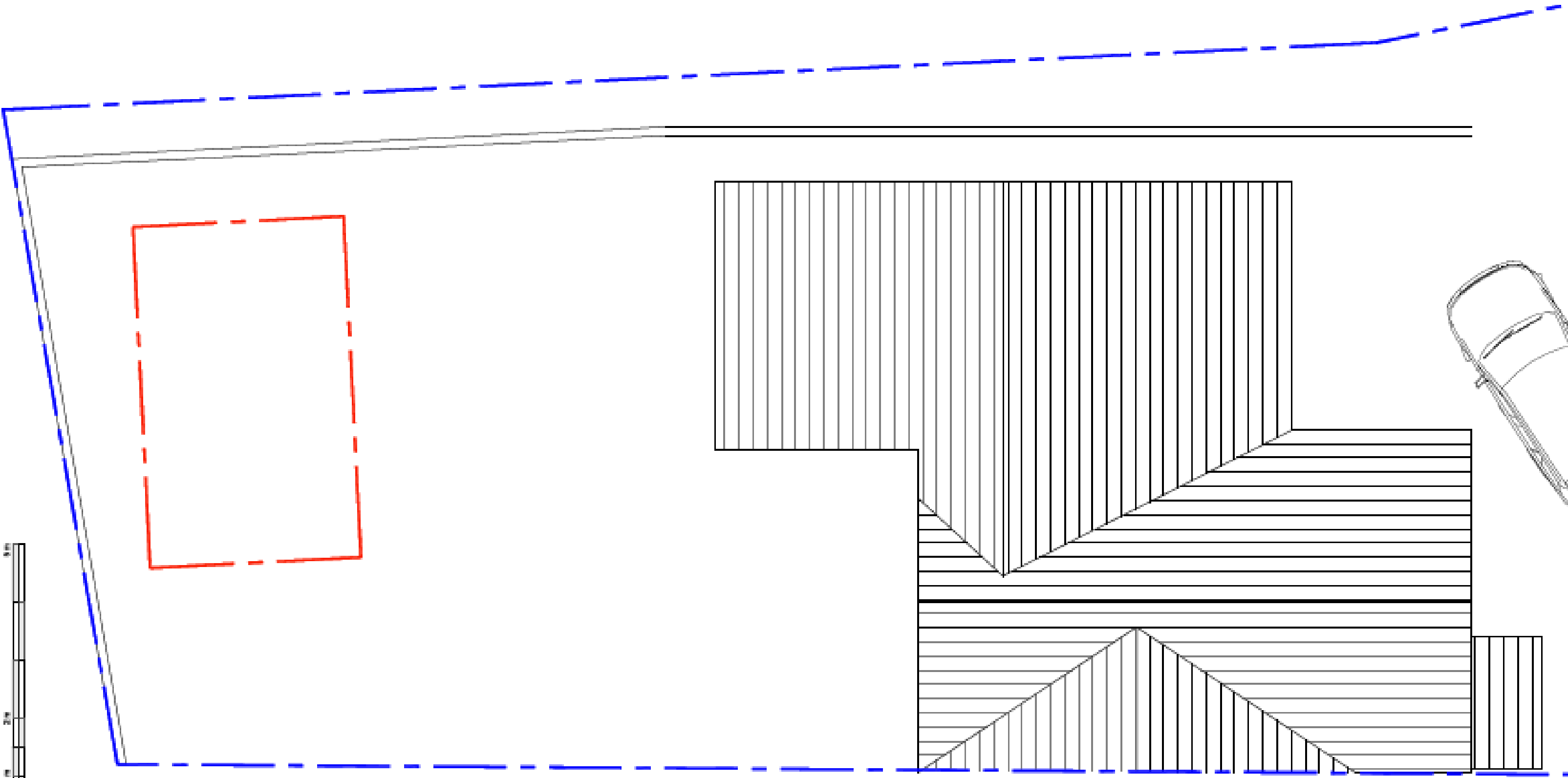
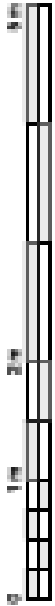
Lucy Greene, Planning Advisor

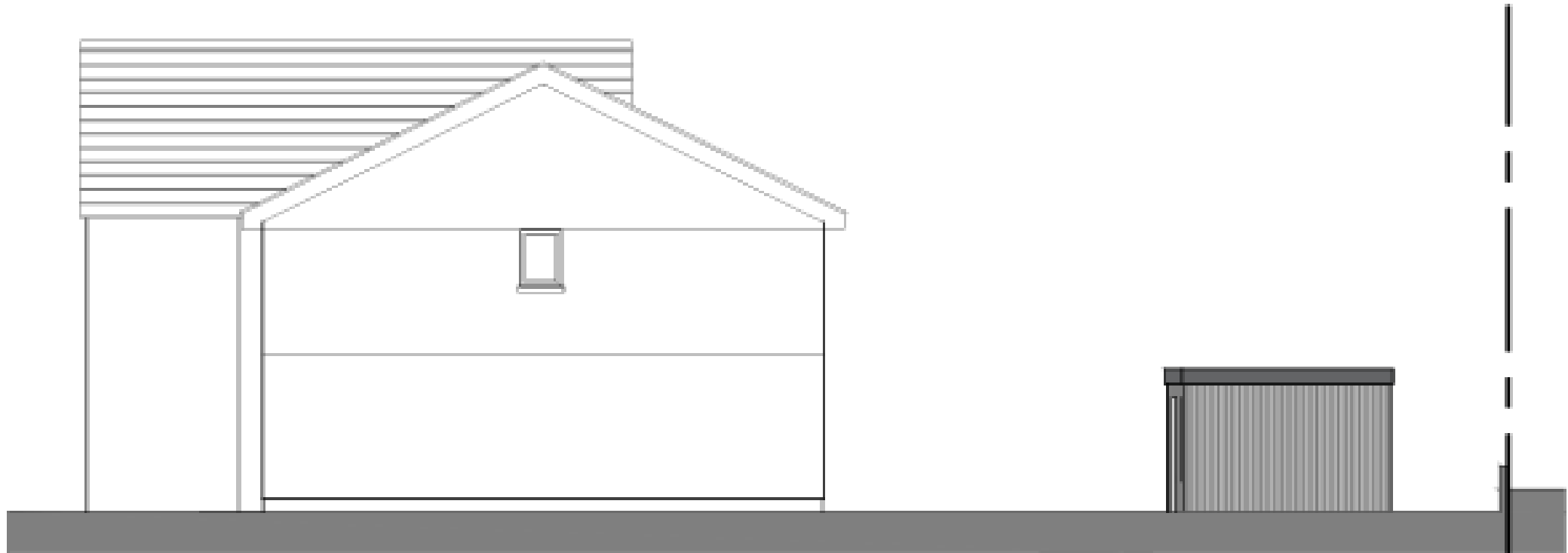
Location Plan

Page 12









Proposed North Site Elevation 1:100

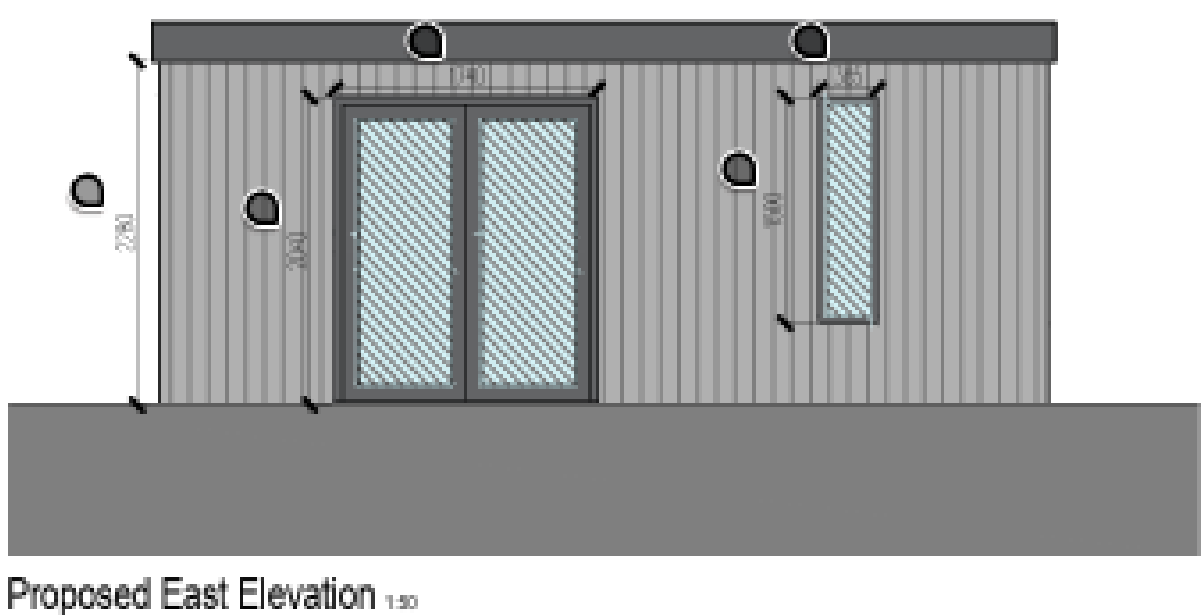
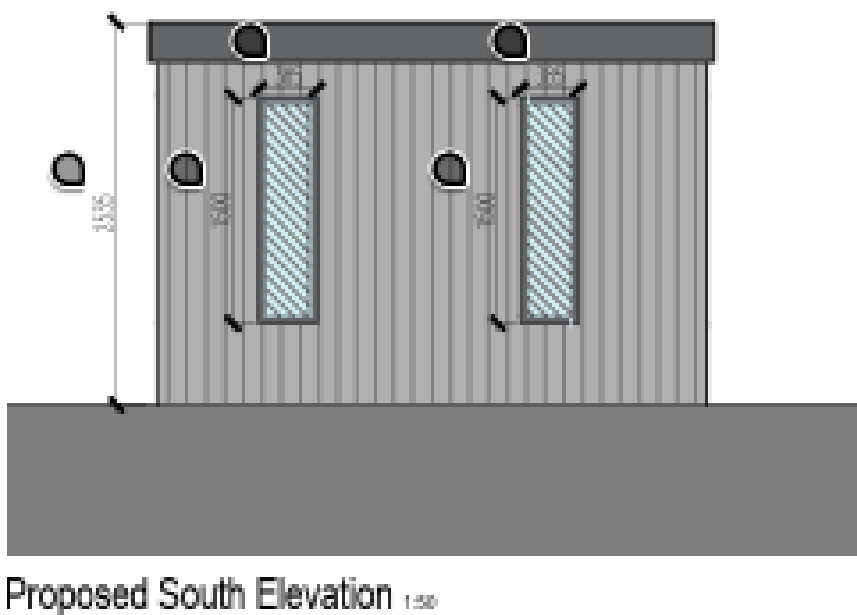
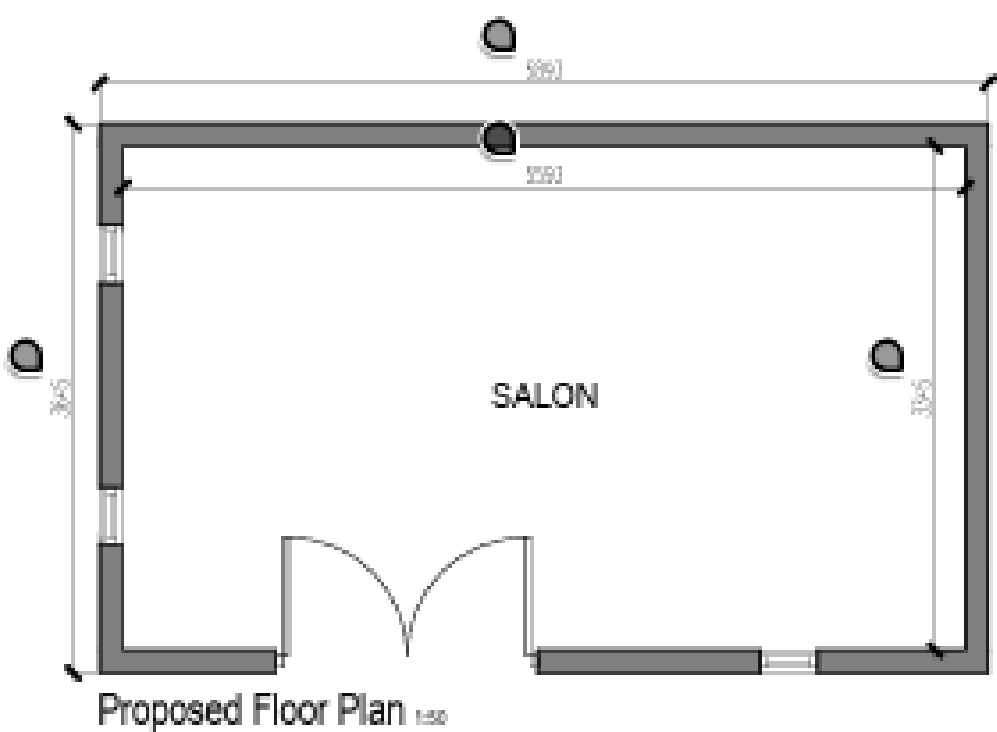


Proposed East Site Elevation 1:100

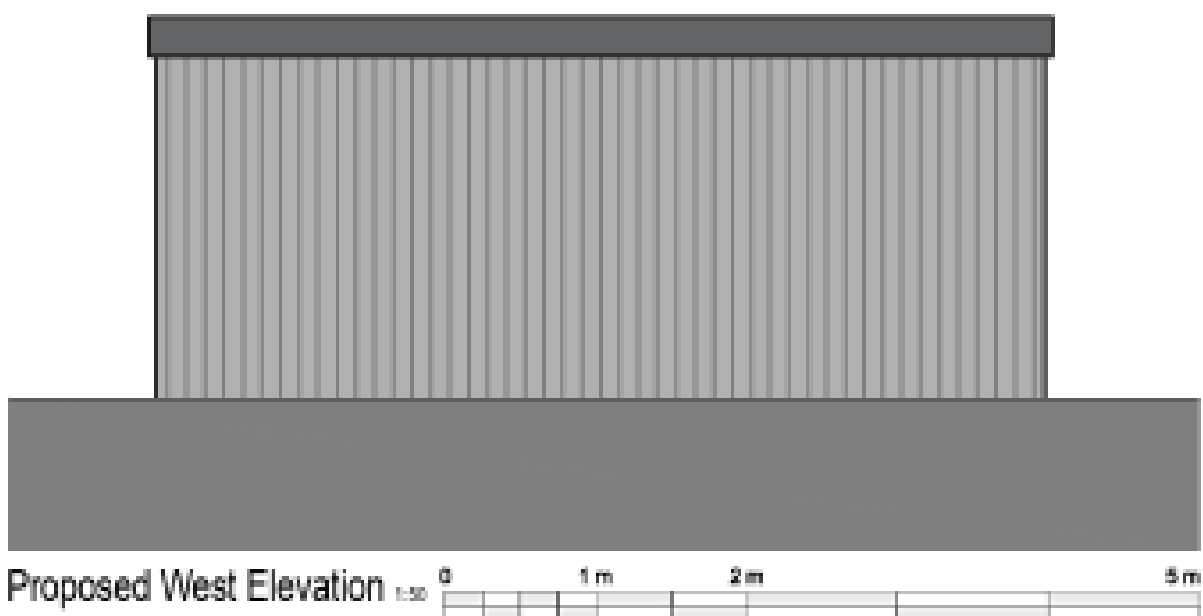
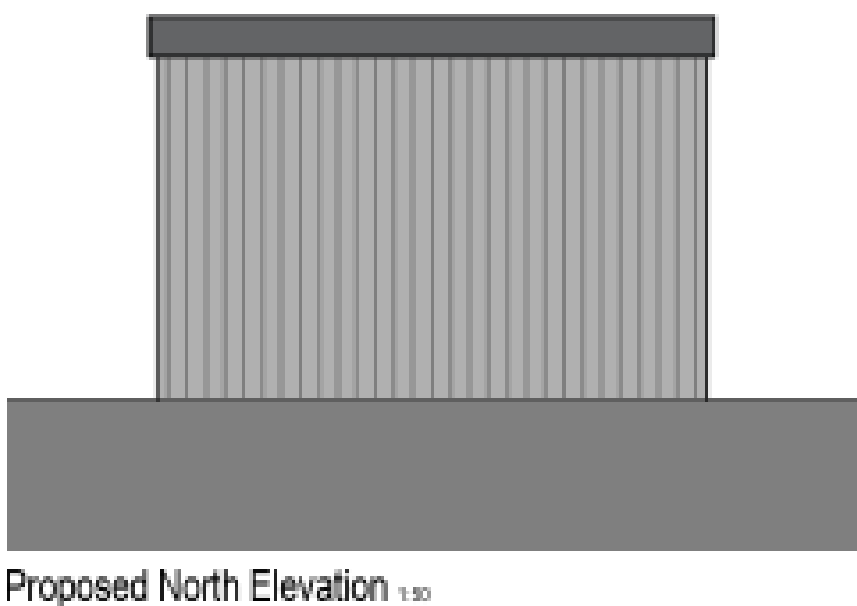


Proposed West Site Elevation 1:100





Wall Material:	Walls:	Timber Cladding	- Grey
Roof:	Flat Roof Membrane		- Black / Dark Grey
Windows + Doors:	uPVC Double Glazed units		- Black
Soffits + Fascias:	Timber Boards		- Dark Grey



















Reason for decision:

The use of the outbuilding as a hairdressing salon would allow for the continuation of an existing business working from a residential home. Subject to a condition limiting opening hours, in particular during the weekend, the proposal would not have a detrimental impact on the residential amenity of neighbouring properties. The proposal is thus in compliance with Policy 26 (Business and Industry) of NPF4 and Policy H1 (Residential Areas) of Aberdeen Local Development Plan 2023.

Sufficient space for parking is available on the site and in the immediate surrounding area, and there are options for bike storage. The proposal is thus compliant with Policy T3 (Parking) of Aberdeen Local Development Plan 2023.

The proposal is for a small homeworking business in an existing outbuilding, and sufficient consideration has been given to Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4.

Condition:

The use hereby approved shall not operate outwith the hours of 09:00 to 17:00 Monday, Thursday and Friday; 09:00 - 20:00 Tuesday and Wednesday; and 09:00 - 14:00 Saturday; and shall not operate on Sunday.

Reason - In order to ensure that the use would not result in undue loss of residential amenity to neighbouring properties.

Consultations

ACC - Environmental Health – No objection. The existing use of the premises as a home salon does not appear to have a detrimental impact on local amenity. Nevertheless, to protect the amenity of existing neighbours from noise, the following conditions/controls are recommended:

- The premises shall be used only as hair salon and shall not be used for any other purpose without an express grant of planning permission from the Planning Authority.
- The premises shall only be operational between 08:00 and 21:00 hours.

Roads DM: No objection

- Danestone - Pre Review 2024 Community Council – None received

Relevant Policies

LDP Policies

- H1: Residential Areas
- D1: Quality Placemaking

NPF4

Policy 1 (Tackling the Climate and Nature Crises)

Policy 2 (Climate Mitigation and Adaptation)

Policy 3 (Biodiversity)

Policy 26 (Business and Industry)

Business and Industry:

NPF4 – Policy 26

Policy Intent:

To encourage, promote and facilitate business and industry uses and to enable alternative ways of working such as home working, live-work units and micro-businesses.

Policy Outcomes:

- Recovery within the business and industry sector is sustainable and inclusive.
- Investment in the business and industrial sector contributes to community wealth building.

- ...
- b) Development proposals for home working, live-work units and micro-businesses will be supported where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses.

NPF4 – Policy 1

Tackling the climate and nature crises

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy Outcomes:

- Zero carbon, nature positive places.

Policy 1

When considering all development proposals significant weight will be given to the global climate and nature crises.

NPF4 – Policy 2

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy Outcomes:

- Emissions from development are minimised; and
- Our places are more resilient to climate change impacts.

Policy 2

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

NPF4 – Policy 3

Biodiversity

Policy Principles

Policy Intent:

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Policy Outcomes:

- Biodiversity is enhanced and better connected including through strengthened nature networks and nature-based solutions.

- c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.

Local Development Plan 2023

Policy H1 – Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential and householder development will be approved in principle if it:

1. does not constitute over-development; and
2. does not have an adverse impact to residential amenity and the character and appearance of an area; and
3. does not result in the loss of open space.

Within existing residential areas, proposals for non-residential uses will be supported if:

1. they are considered complementary to residential use; or
2. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.



NPF4 and Local Development Plan 2023: Design

Policy D1 – Quality Placemaking

Successful places will sustain and enhance the social, economic, environmental, wellbeing and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities.

- distinctive
- welcoming
- safe and pleasant
- easy to move around
- adaptable
- resource efficient

Design, quality and place

Policy 14

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- b) Development proposals will be supported where they are consistent with the six qualities of successful places:

5. Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience and integrating nature positive biodiversity solutions

Designing for:

- **transition to net-zero** including energy/carbon efficient solutions, retrofitting, reuse and repurposing and sharing of existing infrastructure and resources
- **climate resilience and nature recovery** including incorporating blue and green infrastructure, integrating nature positive biodiversity solutions
- **active local economy** including opportunities for local jobs and training, work spaces, enabling working from home, supporting community enterprise and third sector
- **community and local living** including access to local services and facilities, education, community growing and healthy food options, play and recreation and digital connectivity

Evaluation

- Primacy of Development Plan
- The Planning Act requires all applications to be determined in accordance with Development Plan unless material considerations indicate otherwise
- Careful assessment, each application treated on its merits

Basis for Decision

Zoning: Residential Areas (H1)

Would there be an adverse impact on residential amenity of the alteration of the condition to increase hours of operation ?

Conditions may be altered or removed.

1. Does the proposal comply with the Development Plan when considered as a whole?

2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?

Decision – state clear reasons for decision

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	Strategic Place Planning
	Report of Handling by Development Management Manager

Site Address:	43 Fairview Parade, Aberdeen, AB22 8ZX
Application Description:	Change of use from domestic outbuilding to class 1A (shops, financial professional and other services) (retrospective)
Application Ref:	250079/DPP
Application Type:	Detailed Planning Permission
Application Date:	7 February 2025
Applicant:	Mr and Mrs Darren and Gemma Carrol
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Danestone - Pre Review 2024

DECISION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site comprises part of a residential rear garden curtilage extending to c.22m². The area is occupied by a single storey outbuilding that has been constructed under permitted development rights. It has since been fitted out and is in use as a commercial hairdressing salon, used by the applicant as the basis for their hairdressing business.

The site is located in an established residential area. The larger residential curtilage in which the application site is located, 43 Fairview Parade, contains a detached dwelling with an east facing principal elevation looking out over Fairview Parade. It occupies a corner plot, with residential dwellings to its south and across the road to its east. To the north is a turning area and public open space, and to the west are more residential dwellings separated from the residential curtilage by a strip of mature landscaping. A public footpath runs along the north and west site boundary providing pedestrian connections to the wider Danestone area. Rear and side boundary treatments consist of close boarded timber fencing.

Relevant Planning History

- 180945/DPP – Detailed planning permission for the formation of a first floor extension over an existing extension to side and formation of porch to front was approved under delegated powers on 7 August 2018. This permission has been implemented;
- 131622 – Detailed planning permission for the erection of single storey side extension was approved under delegated powers on 26 February 2014. This permission has been implemented.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the change of use of a domestic outbuilding to a hairdressing salon (Class 1A – Shops, Financial and Professional Services). The application is submitted on a retrospective basis as the owner of the property currently runs an existing hairdressing business based in the outbuilding. Services are provided to one to two clients at a time. Requested opening hours are:

Monday	09:00 – 14:30;
Tuesday	09:00 – 20:00;
Wednesday	09:00 – 20:00;
Thursday	09:00 – 14:30;
Friday	09:00 – 14:30;
Saturday	09:00 – 17:00; and
Sunday	Closed.

In addition, the submitted supporting statement sets out that the salon would occasionally be used on a personal basis on a Friday evening.

The only matter under consideration as part of this application is the proposed change of use. The outbuilding itself was constructed under, and complies with, permitted development rights in relation to the construction of outbuildings in residential curtilages.

Amendments

None.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at –

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SQUXSSBZFN700>

Supporting Statement

CONSULTATIONS

Aberdeen City Council (ACC) Internal Consultees

ACC - Environmental Health – No objection. The existing use of the premises as a home salon does not appear to have a detrimental impact on local amenity. Nevertheless, to protect the amenity of existing neighbours from noise, the following conditions/controls are recommended:

- The premises shall be used only as hair salon and shall not be used for any other purpose without an express grant of planning permission from the Planning Authority.
- The premises shall only be operational between 08:00 and 21:00 hours.

ACC - Roads Development Management Team – No objections. Four parking spaces are

provided on site, which would appear adequate for the residential and business uses. The layout of the parking area does not conform to current standards. However, given this is an existing situation and the number of vehicles is low, this is not a road safety concern. It is noted that there is a parking area to the north off Fairview Parade, which is not adopted and thus appears to be privately owned. There is sufficient space within the site for bike storage. From reviewing the supporting statement, any traffic generated by the proposal will be minimal and will thus have no impact on the local road network

External Consultees

- **Danestone - Pre Review 2024 Community Council** – None received

REPRESENTATIONS

14 representations have been received, all in support. The matters raised can be summarised as follows –

Material Considerations

1. No noise or parking issues caused by business;
2. Sufficient parking in the surrounding area

Non-Material Considerations

3. Supporting local business

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 26 (Business and Industry)

Aberdeen Local Development Plan 2023

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)

- Policy T3 (Parking)

EVALUATION

Key Determining Factors

The key determining factors in the determination of this application are:

- The principle of the development;
- The development's impact on the character and appearance of the surrounding area;
- The development's impact on the residential amenity of nearby dwellings;
- The development's impact on local parking situation.

Principle of Development

Policy 26(b) (Business and Industry) of NPF4 is generally supportive of development proposals for home working, live-work units and micro-businesses where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses.

The application site is located in an established residential area and policy H1 (Residential Areas) of Aberdeen Local Development Plan 2023 applies. This policy sets out that non-residential uses in residential areas are only acceptable in principle if:

1. They are considered complementary to a residential use; or
2. It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

The proposal is for a change of use of a domestic outbuilding to a hairdressing salon run by the applicant, who is also the occupant and owner of the property at 43 Fairview Parade. A hairdressing salon is a use that is generally considered complementary and compatible with a residential use. The principle of the development is thus acceptable in terms of this aspect of both policies. However, its impact on the residential amenity of the surrounding area needs to be considered in detail and is discussed below.

Impact on residential amenity

The wider residential curtilage incorporating the application site is located on a corner plot. It is the northernmost property in a terrace of four dwellings. To its north and west are a turning head, public footpaths and open space and strategic landscaping. Fairview Parade runs to its east, with the adjoining dwelling of 39 Fairview Parade to its south.

The outbuilding is located in the north west corner of the plot. It is accessed by customers to the hairdressing salon from a path along the north side elevation of the dwelling. The building itself contains a set of double glass doors and tall narrow window in the east elevation and two narrow tall windows in the south elevation. All glass has an opaque film finish and thus obscurely glazed. It is not possible to view into the building from any of the rear gardens, nor is it possible to look out through the windows. In addition, the Supporting Statement sets out that blinds/coverings will be installed to minimise light pollution.

The Supporting Statement submitted with the application sets out that all fenestration in the building is double glazed, with all windows fixed; and that walls have been insulated with Rockwool Sound Insulation and a full cover of Celotex Insulation Board. This should ensure that any noise coming

from the hairdressing salon is minimised, albeit the frequency and numbers of customers visiting the premises is not anticipated to generate high levels of noise.

Floorspace is limited and extends to c.18.5m². Internally, the hairdressing salon includes two chairs, a hair washing station and small reception desk. Due to the limited size of the building, it will be unlikely that more than two clients can be served at any one time. The proposed operation is of a scale that only the applicant will work within the premises and serve an existing client base.

As such, the main impact on residential amenity of neighbouring properties will be the activity generated by customers not related to the residential property walking backwards and forwards to the outbuilding and parking on the property driveway and the associated noise and disturbance arising from such increased activity levels. The rear garden of 43 Fairview Parade is enclosed by a combination of timber fences and stone walls. Due to the height of the timber fences, there are no direct views from the applicant's garden into the neighbouring gardens thus limiting any options for direct overlooking. The applicant has proposed the following opening hours:

Monday	09:00 – 14:30;
Tuesday	09:00 – 20:00;
Wednesday	09:00 – 20:00;
Thursday	09:00 – 14:30;
Friday	09:00 – 14:30;
Saturday	09:00 – 17:00; and
Sunday	Closed.

Whilst the bulk of opening hours are during times that can be considered 'normal' working hours, i.e. during the day Monday to Fridays, it is proposed to have longer opening hours on a Tuesday and Wednesday and the option of opening every Saturday between 09:00 and 17:00. It is accepted that the increase in activity related to the two weekday later evening openings would be limited, and in line with recommendations issued by Environmental Health. However, weekends are the time most people tend to enjoy their gardens, and it is considered that this enjoyment of neighbouring gardens could be adversely affected by the additional activity generated by clients passing between the hairdressing salon and the gate to the side of the house. It is however acknowledged that many potential clients will work during the week, and will be limited in their opportunities of visiting the business during normal working hours. Therefore, to mitigate the impact of increased activity at the application property during the weekend but to allow some weekend customers, it is proposed to apply a condition limiting opening hours on a Saturday to between 09:00 and 14:00. Whilst this would allow the owner of the business to open on a Saturday, it would equally ensure that the neighbours will be able to enjoy their garden in peace without any potential disruption from clients walking backwards and forwards between the hairdressing salon and the front gate for a significant period of time during the day on a Saturday (*Issue 1*).

Subject to this condition limiting opening hours of the hairdressing salon, the proposal would not have an adverse impact on the residential amenity of neighbouring properties, and would thus comply with Policy 26 of NPF4 and Policy H1 of ALDP.

Parking

Policy T3 (Parking) of ALDP sets out that sufficient parking should be provided with new development. The site is located in a residential street. The application property has a large driveway to the front. The submitted site plan demonstrates that this driveway can accommodate up to four cars. However, whilst it would fit four cars, this would be tight and it is considered that accommodating three cars is more likely. The site is not located in a controlled parking zone, and on-street parking is readily available. In addition, there is a further private parking area available a

short distance to the north, which could also be used by clients in the event that the applicants have two cars parked on the driveway. Therefore, sufficient parking would be available on the site and in the immediate area to accommodate both the cars of the occupants of the house and visiting clients at the hairdressing salon (*Issue 1 and 2*).

Whilst no dedicated cycle storage space is shown on the drawings for the use of clients, there would be sufficient space available on the site to accommodate bikes and this is accepted.

Tackling the Climate and Nature Crises and Climate Mitigation

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise life-cycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change.

The proposal would see a hairdressing salon operating from an existing outbuilding in a residential garden. The business would provide a service to the local community and would offer the option for local residents to visit a hairdresser without having to travel into the city centre. The use of an existing building is minimising the requirement for the use of any further resources. The proposal thus takes sufficient cognisance of Policy 1 and Policy 2 of NPF4.

Matters Raised in Representations

All matters raised in representations are addressed in the evaluation above.

DECISION

Approve Conditionally

REASON FOR DECISION

The use of the outbuilding as a hairdressing salon would allow for the continuation of an existing business working from a residential home. Subject to a condition limiting opening hours, in particular during the weekend, the proposal would not have a detrimental impact on the residential amenity of neighbouring properties. The proposal is thus in compliance with Policy 26 (Business and Industry) of NPF4 and Policy H1 (Residential Areas) of Aberdeen Local Development Plan 2023.

Sufficient space for parking is available on the site and in the immediate surrounding area, and there are options for bike storage. The proposal is thus compliant with Policy T3 (Parking) of Aberdeen Local Development Plan 2023.

The proposal is for a small homeworking business in an existing outbuilding, and sufficient consideration has been given to Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4.

CONDITIONS

(01) RESTRICTION OF HOURS

The use hereby approved shall not operate outwith the hours of 09:00 to 17:00 Monday, Thursday and Friday; 09:00 – 20:00 Tuesday and Wednesday; and 09:00 – 14:00 Saturday; and shall not operate on Sunday.

Reason – In order to ensure that the use would not result in undue loss of residential amenity to neighbouring properties.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100699472-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Change of use for domestic outbuilding to serve as hair salon out with standard operational hours following receipt of enforcement notice ENF240172

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place? ☒ Yes ☐ No
(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

☐ No ☐ Yes – Started ☒ Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

31/12/2024

Please explain why work has taken place in advance of making this application: * (Max 500 characters)

Works originally fell within permitted development rights

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	eb-architect Ltd.		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Liane	Building Name:	Office 10, Badentoy Business Centre
Last Name: *	Wood	Building Number:	
Telephone Number: *	01224 969600	Address 1 (Street): *	Badentoy Crescent
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Portlethen
Fax Number:		Country: *	Scotland
		Postcode: *	AB12 4YD
Email Address: *	liane@eb-architect.com		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *	Darren and Gemma	Building Number:	43
Last Name: *	Carrol	Address 1 (Street): *	Fairview Parade
Company/Organisation		Address 2:	Danestone
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB22 8ZX
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

43 FAIRVIEW PARADE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB22 8ZX

Please identify/describe the location of the site or sites

Northing

810366

Easting

391806

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

21.50

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Hair Salon

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ≤ Yes T No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<div style="border: 1px solid black; padding: 2px 10px;">4</div>
<p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *</p>	<div style="border: 1px solid black; padding: 2px 10px;">4</div>
<p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
<p>Will your proposal require new or altered water supply or drainage arrangements? * ≤ Yes T No</p>	
<p>Do your proposals make provision for sustainable drainage of surface water?? * ≤ Yes T No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>	
<p>Are you proposing to connect to the public water supply network? *</p> <p>T Yes</p> <p>≤ No, using a private water supply</p> <p>≤ No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
<p>Is the site within an area of known risk of flooding? * ≤ Yes T No ≤ Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * ≤ Yes T No ≤ Don't Know</p>	
<h2 style="margin: 0;">Trees</h2>	
<p>Are there any trees on or adjacent to the application site? * ≤ Yes T No</p> <p>If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.</p>	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
<p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * ≤ Yes T No</p>	

If Yes or No, please provide further details: * (Max 500 characters)

Utilising waste collection of domestic property on site

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

≤ Yes T No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

T Yes ≤ No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 2 Financial, professional and other services

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

22

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

≤ Yes ≤ No T Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

≤ Yes T No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☐ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☐ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Liane Wood

On behalf of: Mr and Mrs Darren and Gemma Carrol

Date: 27/01/2025

☐ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☐ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☐ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☐ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

T

Yes

≤

No

≤

Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

T

Yes

≤

No

≤

Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

T

Yes

≤

No

≤

Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

T

Site Layout Plan or Block plan.

T

Elevations.

T

Floor plans.

≤

Cross sections.

T

Roof plan.

≤

Master Plan/Framework Plan.

≤

Landscape plan.

≤

Photographs and/or photomontages.

≤

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	≤	Yes	T	N/A
A Design Statement or Design and Access Statement. *	T	Yes	≤	N/A
A Flood Risk Assessment. *	≤	Yes	T	N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	≤	Yes	T	N/A
Drainage/SUDS layout. *	≤	Yes	T	N/A
A Transport Assessment or Travel Plan	≤	Yes	T	N/A
Contaminated Land Assessment. *	≤	Yes	T	N/A
Habitat Survey. *	≤	Yes	T	N/A
A Processing Agreement. *	≤	Yes	T	N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Miss Liane Wood

Declaration Date: 27/01/2025

Payment Details

Pay Direct

Created: 29/01/2025 15:40



DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Liane Wood
eb-architect Ltd.
Office 10, Badentoy Business Centre
Badentoy Crescent
Portlethen
AB12 4YD

on behalf of **Mr and Mrs Darren and Gemma Carrol**

Aberdeen City Council in exercise of its powers under the above mentioned Act hereby **grants planning permission** for the development specified below and shown in the approved plans and drawings.

Application Reference Number	250079/DPP
Address of Development	43 Fairview Parade Aberdeen AB22 8ZX
Description of Development	Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)
Date of Decision	17 July 2025

DETAILS OF ANY VARIATION MADE TO THE APPLICATION

None.

REASON FOR DECISION

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

The use of the outbuilding as a hairdressing salon would allow for the continuation of an existing business working from a residential home. Subject to a condition limiting opening hours, in particular during the weekend, the proposal would not have a detrimental impact on the residential amenity of neighbouring properties. The proposal is thus in compliance with Policy 26 (Business and Industry) of NPF4 and Policy H1 (Residential Areas) of Aberdeen Local Development Plan 2023.

Sufficient space for parking is available on the site and in the immediate surrounding area, and there are options for bike storage. The proposal is thus compliant with Policy T3 (Parking) of Aberdeen Local Development Plan 2023.

The proposal is for a small homeworking business in an existing outbuilding, and sufficient consideration has been given to Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4.



A full evaluation and account of the processing of the application is contained in the report of handling, which is available by entering the application reference number at <https://publicaccess.aberdeencity.gov.uk/>.

CONDITIONS

This permission is granted subject to the following conditions.

(01) RESTRICTION OF HOURS

The use hereby approved shall not operate outwith the hours of 09:00 to 17:00 Monday, Thursday and Friday; 09:00 - 20:00 Tuesday and Wednesday; and 09:00 - 14:00 Saturday; and shall not operate on Sunday.

Reason - In order to ensure that the use would not result in undue loss of residential amenity to neighbouring properties.

APPROVED PLANS AND DRAWINGS

SD01
PL01

Location Plan
Elevations and Floor Plans

Signed on behalf of the planning authority

Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION NOTICE

RIGHT OF APPEAL

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

1. to refuse planning permission for the proposed development;
2. to refuse approval, consent or agreement require by a condition imposed on a grant of planning permissions;
3. to grant planning permission or 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

If permission to develop land is refused or granted subject to conditions, 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 which has been 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 (as amended).

CONDITIONS



Failure to comply with any condition or limitation subject to which planning permission has been granted is a breach of planning control and may lead to enforcement action being initiated.

A request to discharge a condition which requires the submission and approval of information must be made by submitting the form available at <https://www.aberdeencity.gov.uk/post-decision-submissions>.

COMMENCEMENT AND COMPLETION OF DEVELOPMENT

Prior to implementing this planning permission, a person intending to do so, must give notice to the Council of the date development is expected to commence, by submitting Form A. Failure to do so is a breach of planning control and may lead to enforcement action being initiated.

Subsequently, as soon as is practicable after completion of the development, notice must be given to the Council of the completion date, by submitting Form B.

Forms can be submitted to pi@aberdeencity.gov.uk.

OTHER CONSENTS

This permission does not provide exemption from obtaining other consents administered by Aberdeen City Council, such as advertisement consent, listed building consent, building warrant, premises license, or roads construction consent. Those carrying out development associated with this permission are responsible for obtaining all relevant consents from the Council and other regulatory bodies.

OTHER ADVISORY NOTES

Notification of Initiation of Development

Town and Country Planning (Scotland) Act 1997 – Section 27B

Application reference number: 250079/DPP

Site address: 43 Fairview Parade, Aberdeen

Date of decision: 17 July 2025

Person or company intending to carry out the development	
Name and address	
Phone number or e-mail address	
Owner of the land to which the development relates (if different from above)	
Name and address	
Phone number or e-mail address	
Site agent or contractor appointed to oversee development	
Name and address	
Phone number or e-mail address	

Date it is intended to initiate development: DD / MM / YYYY

General Data Protection Regulations – How we use your data

Aberdeen City Council collects, maintains and processes automatically information about you for the purposes of processing and determining planning applications and may be used for consultation purposes where applicable under legislation. Information will be disclosed only in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 or otherwise as required by law, including disclosure to other agencies (for example Scottish Fire and Rescue Service, Police Scotland, NatureScot, Historic Environment Scotland) as required for the purposes of determining this application.

For the purposes of processing this information Aberdeen City Council is the Data Controller. The Information Commissioner Office is the UK's regulator of data protection law (www.ico.org.uk). For further information on how we use, store & protect your data please see our website www.aberdeencity.gov.uk/your-data/privacy-notices/your-data-planning-application

Notification of Completion of Development

Town and Country Planning (Scotland) Act 1997 – Section 27B

Application reference number: 250079/DPP

Site address: 43 Fairview Parade, Aberdeen

Date of decision: 17 July 2025

Person or company completing development	
Name and address	
Phone number or e-mail address	

Date on which development was completed:

DD / MM / YYYY

General Data Protection Regulations – How we use your data

Aberdeen City Council collects, maintains and processes automatically information about you for the purposes of processing and determining planning applications and may be used for consultation purposes where applicable under legislation. Information will be disclosed only in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997 or otherwise as required by law, including disclosure to other agencies (for example Scottish Fire and Rescue Service, Police Scotland, NatureScot, Historic Environment Scotland) as required for the purposes of determining this application.

For the purposes of processing this information Aberdeen City Council is the Data Controller. The Information Commissioner Office is the UK's regulator of data protection law (www.ico.org.uk). For further information on how we use, store & protect your data please see our website www.aberdeencity.gov.uk/your-data/privacy-notices/your-data-planning-application

Aberdeen City Council – Development Management Team Consultation Request

Case Officer: Dineke Brasier	To: ACC - Environmental Health
E-mail: dbrasier@aberdeencity.gov.uk	Date Sent: 12 February 2025
Tel.: 01224 045808	Respond by: 5 March 2025
Application Type: Detailed Planning Permission	
Application Address: 43 Fairview Parade Aberdeen AB22 8ZX	
Proposal Description: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)	
Application Reference: 250079/DPP	
Consultation Reference: DC/ACC/SRKUZFBZ00K02	

To view the plans and supporting documentation associated with the application please [follow this link](#).

In the case of pre-application enquires please login at <https://publicaccess.aberdeencity.gov.uk> and in 'Consultation Search' enter the consultation reference (shown above) into the 'Letter Reference' field and then click 'Search'.

Unless agreed with the case officer, should no response be received by the respond by date specified above it will be assumed your service has no comments to make.

Should further information be required, please let the case officer know as soon as possible in order for the information to be requested to allow timeous determination of the application. **Response**

Please select one of the following.

No observations/comments.	
Would make the following comments (please specify below).	X
Would recommend the following conditions are included with any grant of consent.	
Would recommend the following comments are taken into consideration in the determination of the application.	
Object to the application (please specify reasons below).	

COMMENTS

This Service notes the above development proposal and would comment as follows:

Environmental Noise Control

Existing use of the premises as a home salon does not appear to have had a detrimental impact on local amenity. Nevertheless, to protect the amenity of existing neighbours from noise, we would recommend the following conditions/controls:

- The premises shall be used only as hair salon and shall not be used for any other purpose without an express grant of planning permission from the Planning Authority.
- The premises shall only be operational between 08:00 and 21:00 hours.

Responding Officer: Neil Stirling

Date: 27/02/25

Email: nstirling@aberdeencity.gov.uk

Consultee Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Consultee Details

Name: Mr Jack Penman

Address: Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB

Email: Not Available

On Behalf Of: ACC - Roads Development Management Team

Comments

I note that this proposal is for a change of use from domestic outbuilding to class 1A (shops, financial professional and other services) (retrospective) at 43 Fairview Parade, Aberdeen, AB22 8ZX.

The site is in the inner-city boundary and not in a CPZ. The site is in an existing residential area and is fronted by good standard adopted footways. The site is near well serviced public transport stops on Fairview Street.

I note there are 4 parking spaces on site, which from reviewing the supporting statement would appear adequate for the residential and business needs. The layout of the parking area associated with the site does not conform with current standards relating to driveways. However, as this is an existing situation and the number of vehicle movements in a day is likely very low it is not considered to be a road safety concern. It is noted that there is a car parking area located at the north end of Fairview Parade. This is not part of the adopted road and appears to be privately owned.

There appears to be ample room for customers to store their bicycles securely on site.

From reviewing the supporting statement any traffic generated by this proposal will be minimal and thus have no impact on the local road network.

I can confirm that Roads have no objection to this proposal.

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Miss Louise Mair

Address: 8 Fairview Parade Danestone Aberdeen AB22 8ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I fully support this application.

There has never been any problems relating to noise/parking etc

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Miss Stacey Anderson

Address: 162 Fairview Crescent Danestone ABERDEEN AB22 8ZT

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I fully support this application as a former neighbour who experienced no problems with parking or noise from the private salon.

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Miss Susie Johnston

Address: 4 Fairview Parade Danestone Aberdeen AB22 8ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I have no objection whatsoever. I support the application wholeheartedly.

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mr David Anderson

Address: 37 Fairview Parade Danestone Aberdeen AB228ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: There has never been any issues arising from the use of the chalet as a business. On e person working has not generated large volumes of traffic nor noise.

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mr Dennis Stuart

Address: 14 Fairview Parade Aberdeen A AB22 8ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As regards the change of use application concerning 43 Fairview Parade,Danestone,AB22 8ZX,we,as neighbours have no objection to this application as the business there is being run in a very professional manner and causes no disruption or noise. There is adequate on-street parking as well as a small 3-vehicle parking area immediately adjacent to No.43 and 2 public car parks in the street each with space for several vehicles.

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mr Donald Anderson

Address: 23 Fairview Parade Danestone Aberdeen AB22 8ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mr S Scollay

Address: 20 Fairview parade Aberdeen Ab228zx

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mrs Angela Mitchell

Address: 41 Fairview parade Aberdeen AB22 8ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I fully support the application, there is ample parking on the street, with two car parks and the small area next to 43 to support the running of a small business and currently causes no issues.

As being the only direct neighbour there is no noise disruption whatsoever.

Good luck moving this forward.

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mrs Christine Graham

Address: 16 Greystone Road Kemnay Aberdeen AB515RS

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I support this application as a fantastic local business who is operating from a private and welcoming space. Gemma works extremely hard to accommodate her clients and provides a fantastic service. Highly professional and talented hair specialist

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mrs Lesley Anderson

Address: 23 Fairview Parade Danestone ABERDEEN AB22 8ZX

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I fully support this planning application and the services being proposed by Gemma Carroll. The change of use will have no impact on the residents as there's ample parking in the visitors car park beside 43 Fairview Parade.

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mrs michelle Marnoch

Address: 22 Fairview Parade Aberdeen AB22 8ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I fully support this business, it has never caused any problems for myself or my family.
We support gemma and her business.

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mrs Sonja Steven

Address: 27 Fairview Parade Danestone Aberdeen AB22 8ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Fully support the application

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mrs Sophie Johnston

Address: 5 Fairview Road Danestone Aberdeen AB22 8ZG

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

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Comments for Planning Application 250079/DPP

Application Summary

Application Number: 250079/DPP

Address: 43 Fairview Parade Aberdeen AB22 8ZX

Proposal: Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Case Officer: Dineke Brasier

Customer Details

Name: Mrs Susan Purvis

Address: 25 Fairview Parade Aberdeen AB22 8 ZX

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I have no problem with the proposed changes to there Domestic outbuilding 53 Fairview Parade.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 053746 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100699472-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="eb-architect Ltd"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Ewen"/>	Building Name:	<input type="text" value="Office 10"/>
Last Name: *	<input type="text" value="Buchan"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="01224969600"/>	Address 1 (Street): *	<input type="text" value="Badentoy Business Centre"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Badentoy Crescent"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Portlethen"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Aberdeenshire"/>
		Postcode: *	<input type="text" value="AB12 4YD"/>
Email Address: *	<input type="text" value="ewen@eb-architect.com"/>		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Darren"/>	Building Number: <input type="text" value="43"/>
Last Name: *	<input type="text" value="Carrol"/>	Address 1 (Street): * <input type="text" value="Fairview Parade,"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: * <input type="text" value="Danestone,"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Aberdeen"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="AB22 8ZX"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value=""/>	

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="43 FAIRVIEW PARADE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB22 8ZX"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="810366"/>	Easting	<input type="text" value="391806"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Change of use from domestic outbuilding to class 1A (shops, financial profesional and other services) (retrospective)

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☐ Refusal Notice.
- ☒ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Supporting document included to review of condition.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting statement regarding the operating hours condition applied to approval.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

250079/DPP

What date was the application submitted to the planning authority? *

05/02/2025

What date was the decision issued by the planning authority? *

17/07/2025

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Ewen Buchan

Declaration Date: 01/10/2025

Payment Details

Pay Direct

Created: 01/10/2025 10:31

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Our Ref: 2564.Client001.01.10.25
1st October 2025

Strategic Place Planning
Aberdeen City Council
Ground Floor North
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

Planning Application Review, Home-Based Hair Salon – APP ref: 250079/DPP

1. Introduction

This supporting statement is submitted in connection with a request to review and amend Condition (01) attached to the above planning permission, which currently restricts the operation of the approved home salon use to:

09:00–17:00 Monday, Thursday and Friday

09:00–20:00 Tuesday and Wednesday

09:00–14:00 Saturday

No operation permitted on Sunday

The reason given for the condition is: "In order to ensure that the use would not result in undue loss of residential amenity to neighbouring properties."

The applicant seeks a modest and reasonable amendment to the condition, in line with Environmental Health advice, national policy, and the Aberdeen City Local Development Plan.

2. Nature of the Use

The approved development is a single-chair hair salon, operated by one stylist on an appointment-only basis. Only one client attends at any given time, ensuring very limited client numbers.

The activities undertaken, hair cutting, colouring, and hair treatments, are quiet in nature, contained within an insulated outbuilding, and comparable to domestic household use. There is no use of industrial machinery, amplified music, or equipment that could cause noise or disturbance.

3. Residential Amenity

It is considered that the current hours are overly restrictive relative to the actual impacts of the business:

Noise: Hairdressing generates minimal sound, comparable to domestic use.

Traffic: Vehicle movements are staggered, with no congregation of cars or parking pressure.

Neighbouring Properties: There is strong support from surrounding neighbours, with no substantiated objections from adjoining properties. Concerns have stemmed from a more distant neighbour with whom there is an ongoing personal dispute, including photographing clients, verbal abuse, and nuisance behaviour. These are not material planning considerations. No evidence exists to show that the salon has caused undue loss of amenity.

4. Need for Flexibility

Restrictive hours prevent the applicant from serving clients who require after-work or seasonal appointments. Some treatments are time-intensive and cannot reasonably be accommodated within the current hours.

The applicant's family circumstances further highlight the need for flexibility. With three children and both parents self-employed, late openings are limited to two evenings per week, varying



depending on family schedules, particularly her son's ice hockey training commitments in Dundee and Elgin.

5. Environmental Health Officer's Statement

The Environmental Health Officer's consultation response (27 February 2025) confirmed that: "Existing use of the premises as a home salon does not appear to have had a detrimental impact on local amenity."

The officer recommended conditions including:

The premises shall be used only as a hair salon.

The premises shall only be operational between 08:00 and 21:00.

This is significant, as it shows that professional Environmental Health advice supports operating hours materially broader than those currently imposed by Condition (01).

6. Planning Policy Context

The proposal is supported by both national and local planning policy.

Scottish Planning Policy (SPP): Encourages home-working and small-scale enterprises where no material harm arises to residential amenity.

Aberdeen City Local Development Plan (2023):

Policy H1: Residential Areas – permits home-working and small-scale businesses where they do not adversely affect the character or amenity of the surrounding area.

Policy WB3: Noise – requires that development does not create an unacceptable level of noise or disturbance.

The salon is a single-chair, appointment-only business that has not caused any amenity issues and, therefore, fully complies with both Policy H1 and Policy WB3.

7. Clarification of "Operating Hours"

It is also requested that the definition of "operating hours" be clarified to mean times when clients are present.

Access outside these times is required for cleaning, preparation, restocking, or private domestic use. These activities are ancillary to the use, have no noise or amenity impact, and should not be construed as a breach of condition.

8. Proposed Revised Hours

The applicant, therefore seeks to amend Condition (01) as follows:

Monday to Friday: 09:00–21:00

Saturday: 09:00–18:00

Sunday: Closed

Although these hours provide flexibility, in practice, the salon would only operate late on two evenings per week, dependent on family and client commitments.

9. No Precedent for Wider Commercial Uses

The requested amendment would not set a precedent for other businesses in the area. A hair salon is a uniquely low-impact use, with limited traffic and negligible noise. Approval of extended hours in this instance cannot be extrapolated to higher-impact commercial uses.

10. Planning Balance

In determining whether Condition (01) should be varied, the balance must be weighed between any potential harm and the benefits.

There is no evidence of harm to residential amenity. Environmental Health confirm there has been no detrimental impact.

The proposal is supported by planning policy which encourages home-working where no material impacts arise.



The salon provides local economic and social benefits, allowing a small business to thrive in a sustainable, low-impact way.

The amendment would allow the applicant to meet client demand while balancing family responsibilities, supporting the wider principles of flexible working.

The benefits clearly outweigh any perceived or unsubstantiated concerns.

11. Conclusion

The home salon is a low-impact, single-operator business with broad neighbour support and no evidence of harm. Environmental Health confirm there is no detrimental impact and recommend hours of 08:00–21:00.

The proposed amendment is proportionate, consistent with Policy H1 (Residential Areas) and Policy WB3 (Noise) of the Aberdeen City Local Development Plan 2023, and aligned with Scottish Planning Policy.

We therefore respectfully request that Condition (01) be amended to read:

"The salon shall only be open to clients between the hours of 09:00 and 21:00 Monday to Friday, and 09:00 and 18:00 on Saturday, with no client appointments on Sunday. Access outside these times shall be permitted for purposes ancillary to the use, including cleaning, restocking, preparation and private domestic use."

This amendment allows the business to operate sustainably, flexibly, and responsibly, while ensuring no loss of residential amenity to neighbouring properties.

Yours Sincerely,



Ewen Buchanan BSc(Hons) MArch ARB RIAS RIBA
Chartered Architect

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Local Review Body (LRB) 1 December 2025

250366/DPP – 148 Victoria Street, Dyce
Erection of two storey extension to rear

Lucy Greene, Planning Advisor



Site Location Plan Scale 1:1250 @ A1

Existing House Site Footprint = 265.2/sq
Proposed House Site Footprint = 282.2m/sq
Site Area = 1442.6m/sq

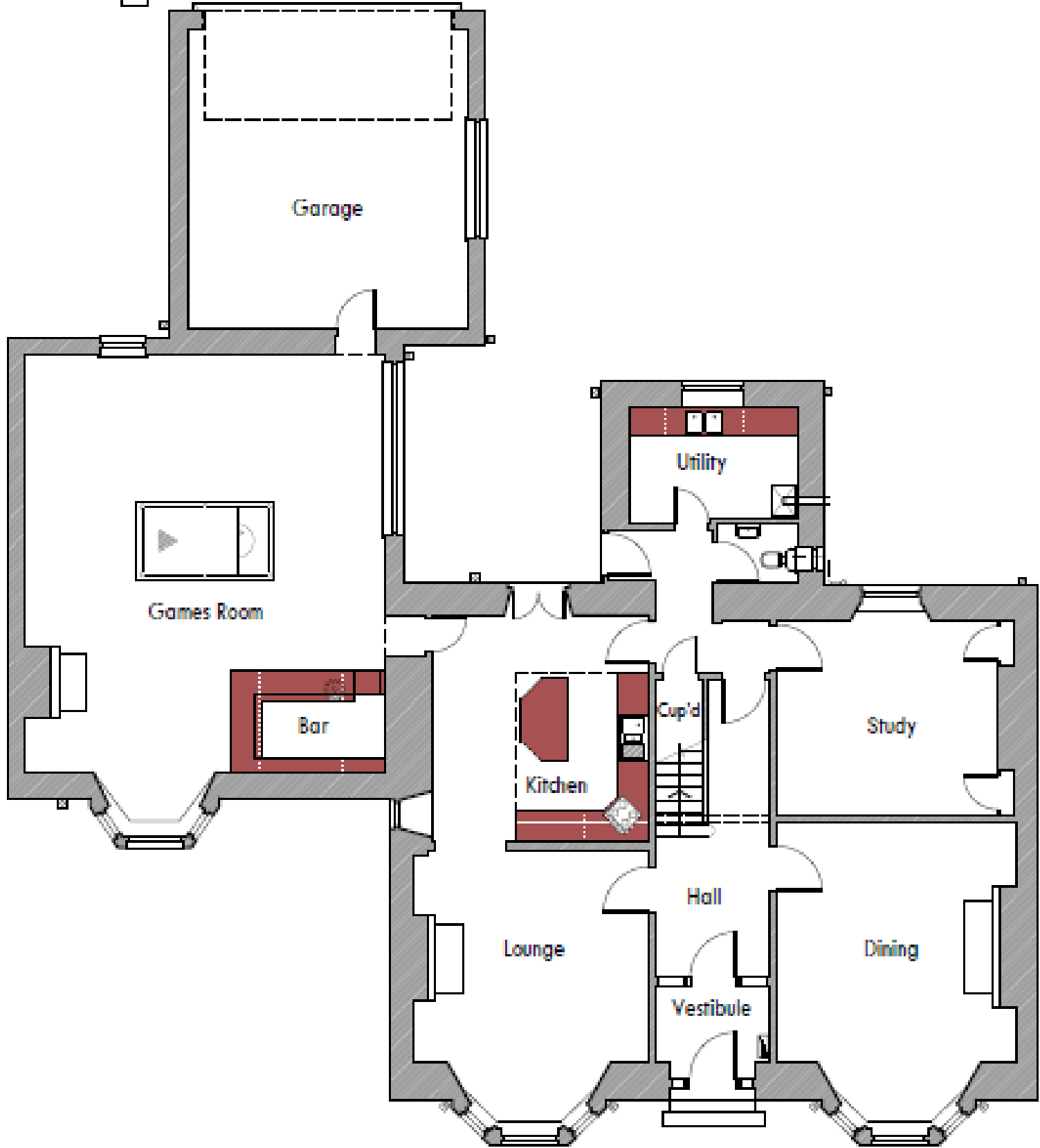
Location Plan



Existing Site Layout Plan Scale 1:200 @ A1

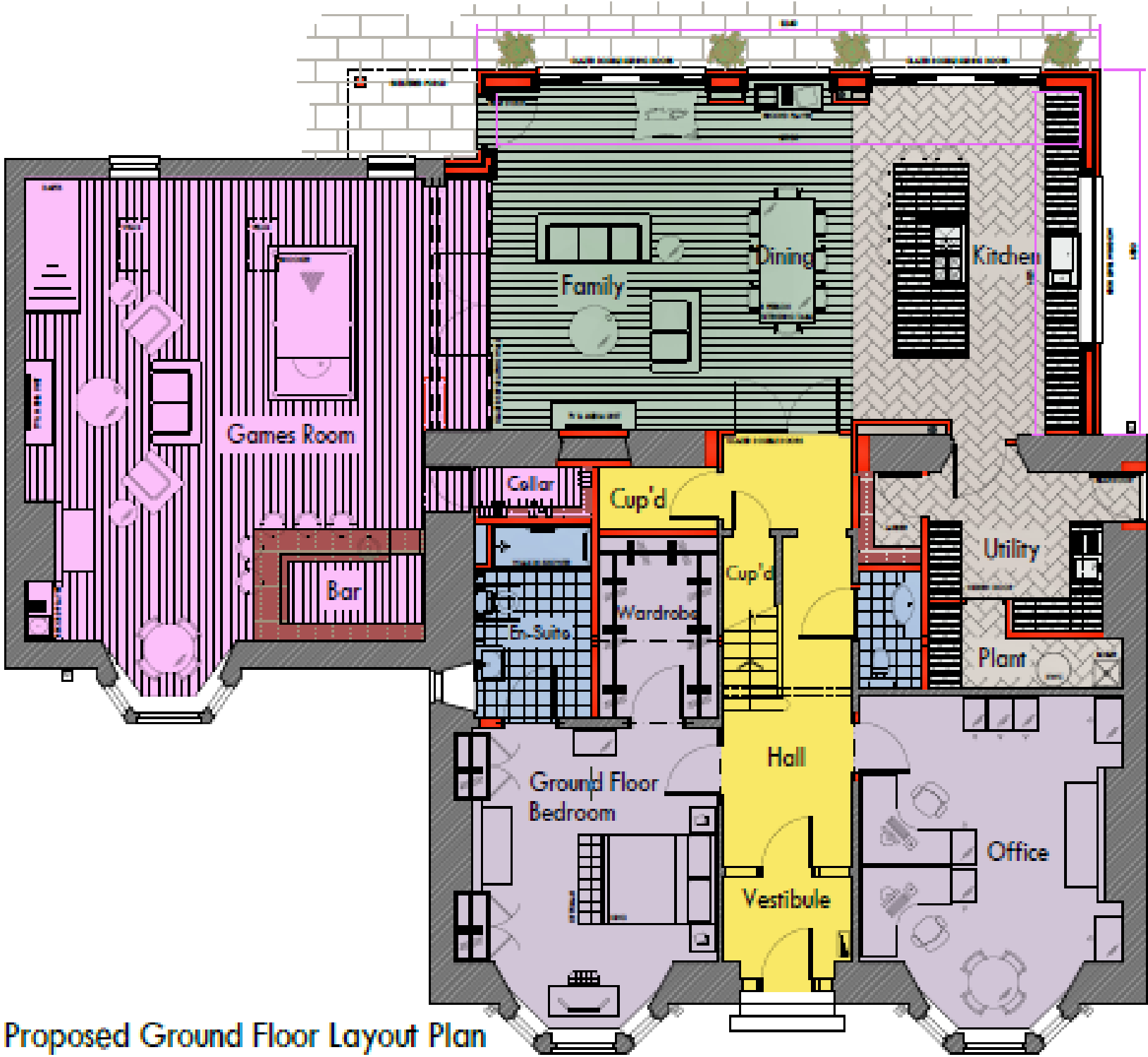


Proposed Site Layout Plan Scale 1:200 @ A1



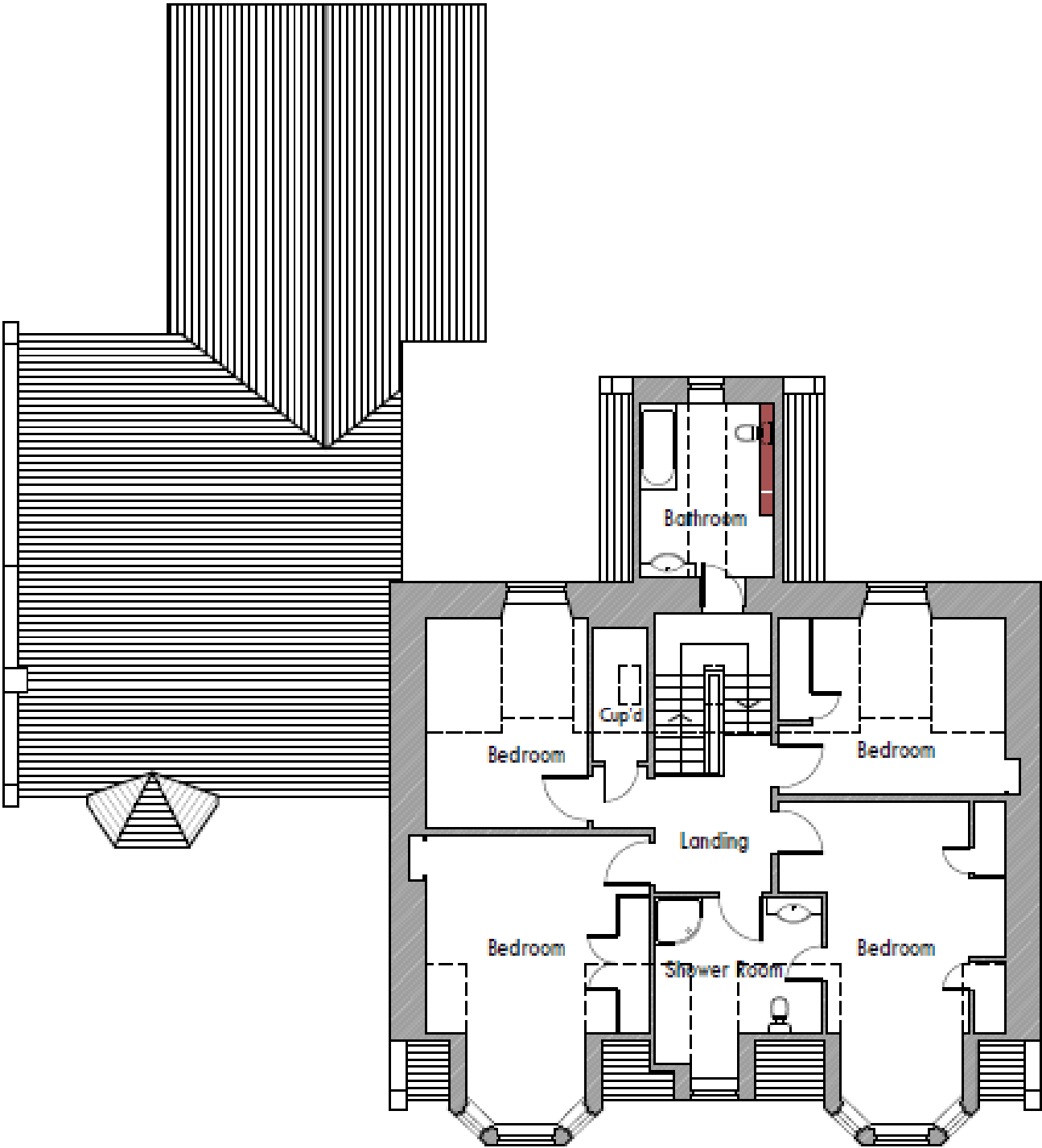
Existing Ground Floor Layout Plan

Scale 1:100 @ A1



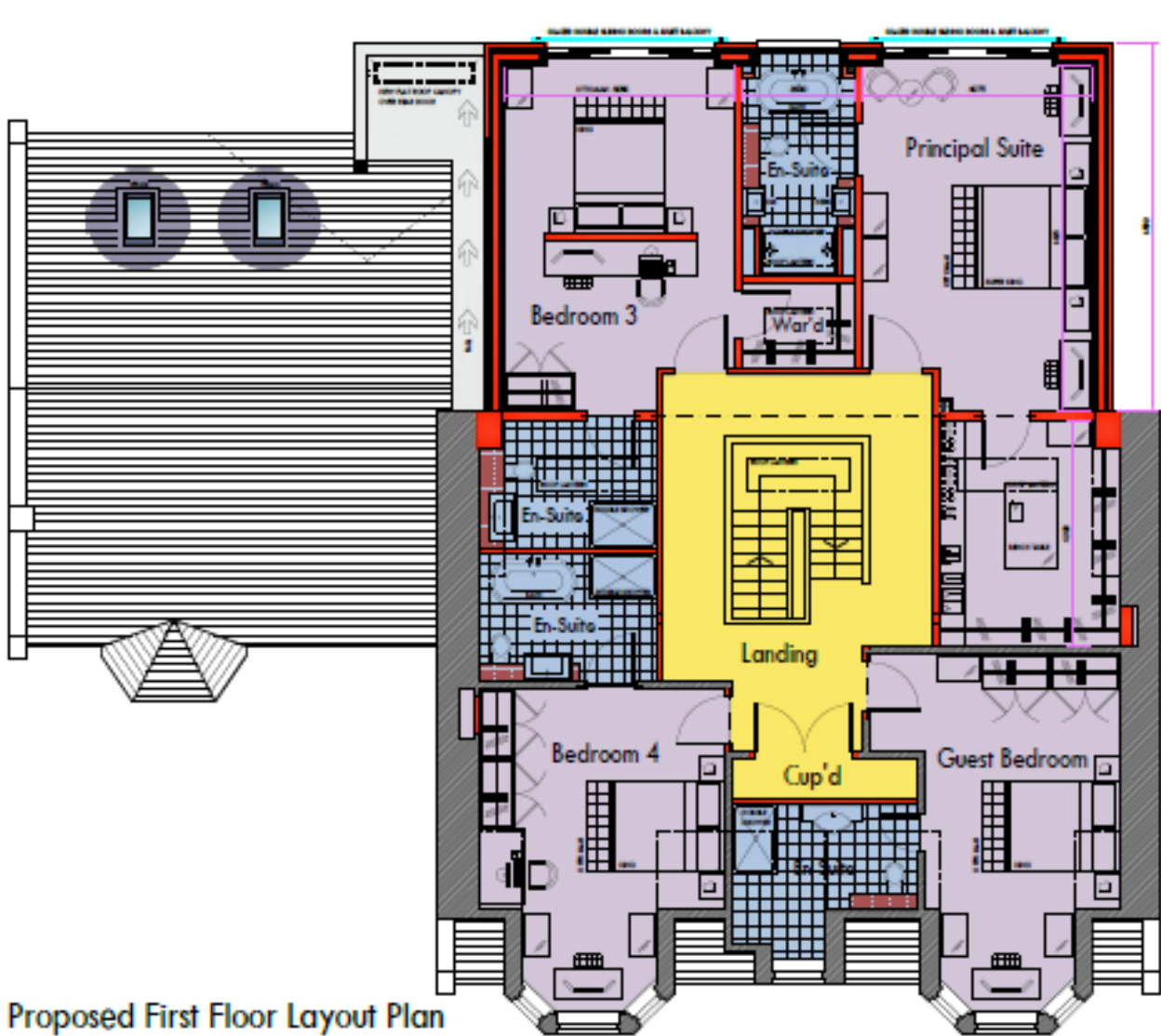
Proposed Ground Floor Layout Plan

Scale 1:50 @ A1



Existing First Floor Layout Plan

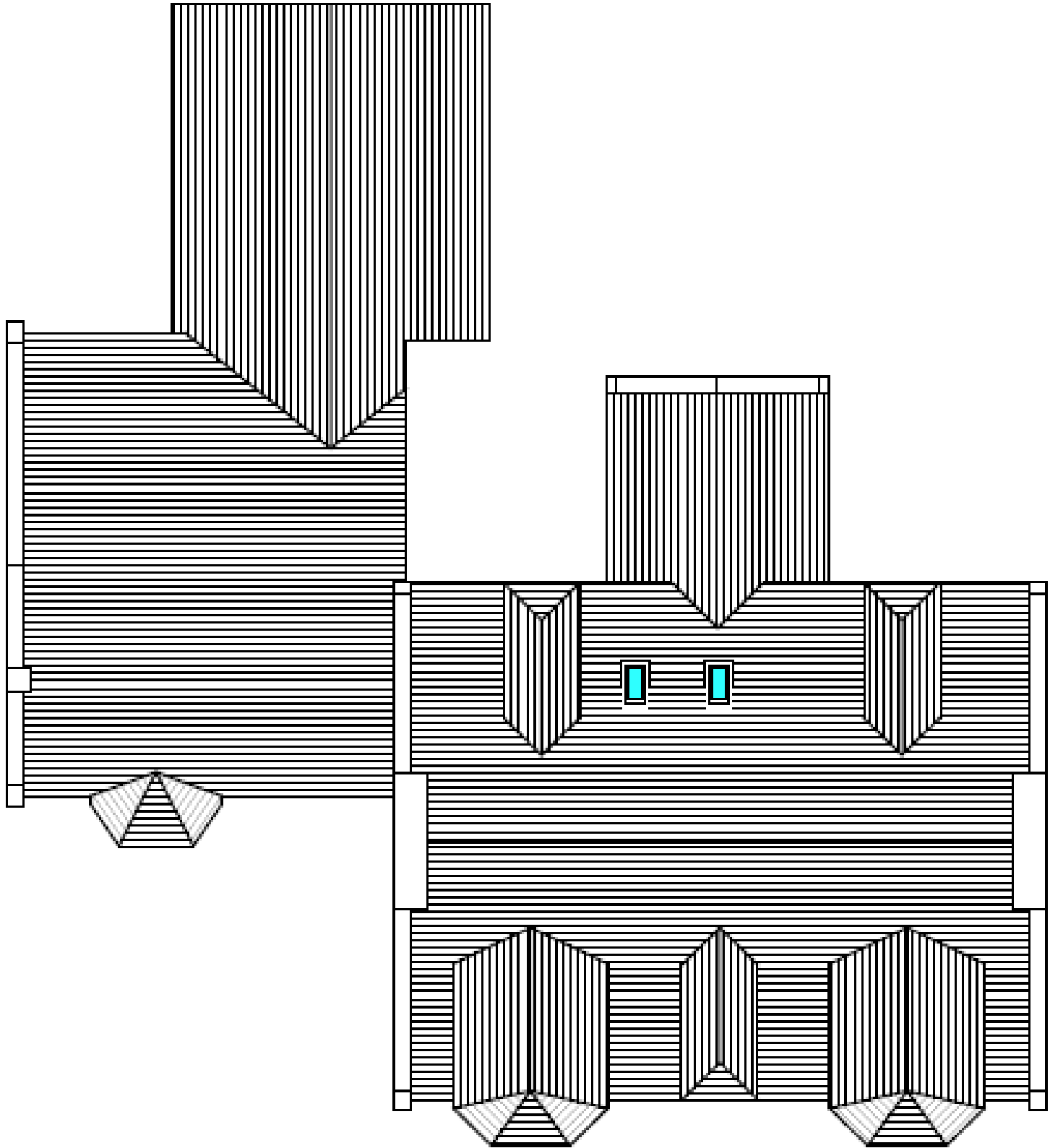
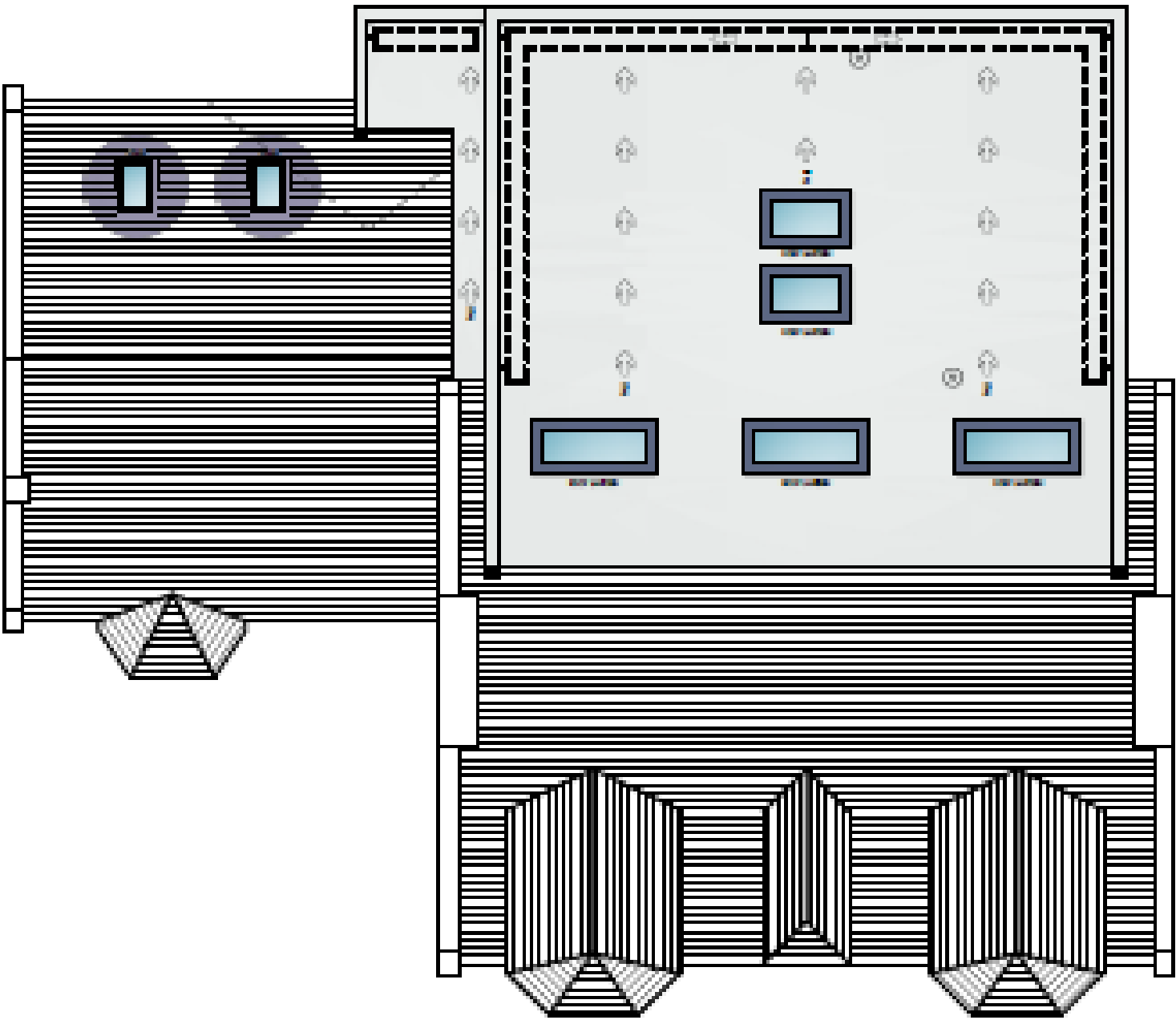
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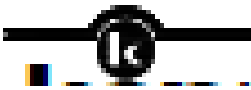
Proposed First Floor Layout Plan

Scale 1:50 @ A1

Scale 1:50 @ A1

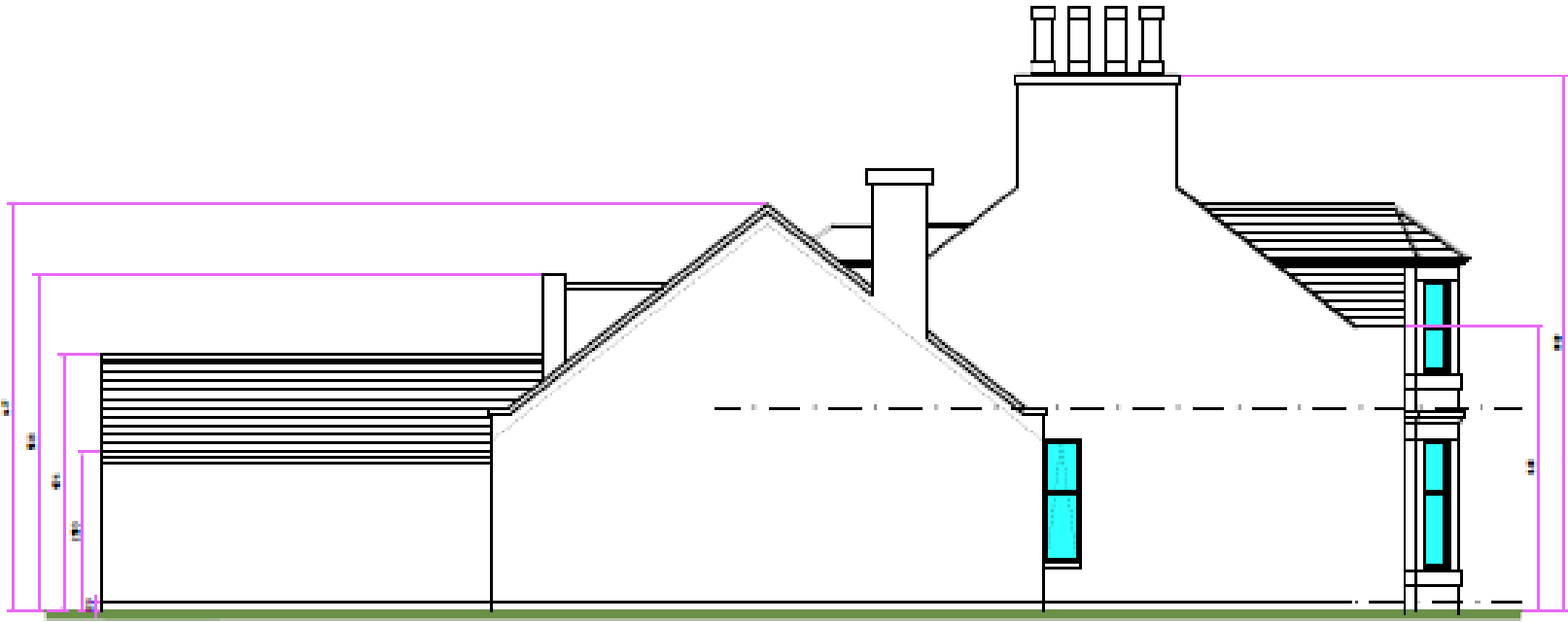


Proposed Roof Plan 1:100



Existing Roof Plan

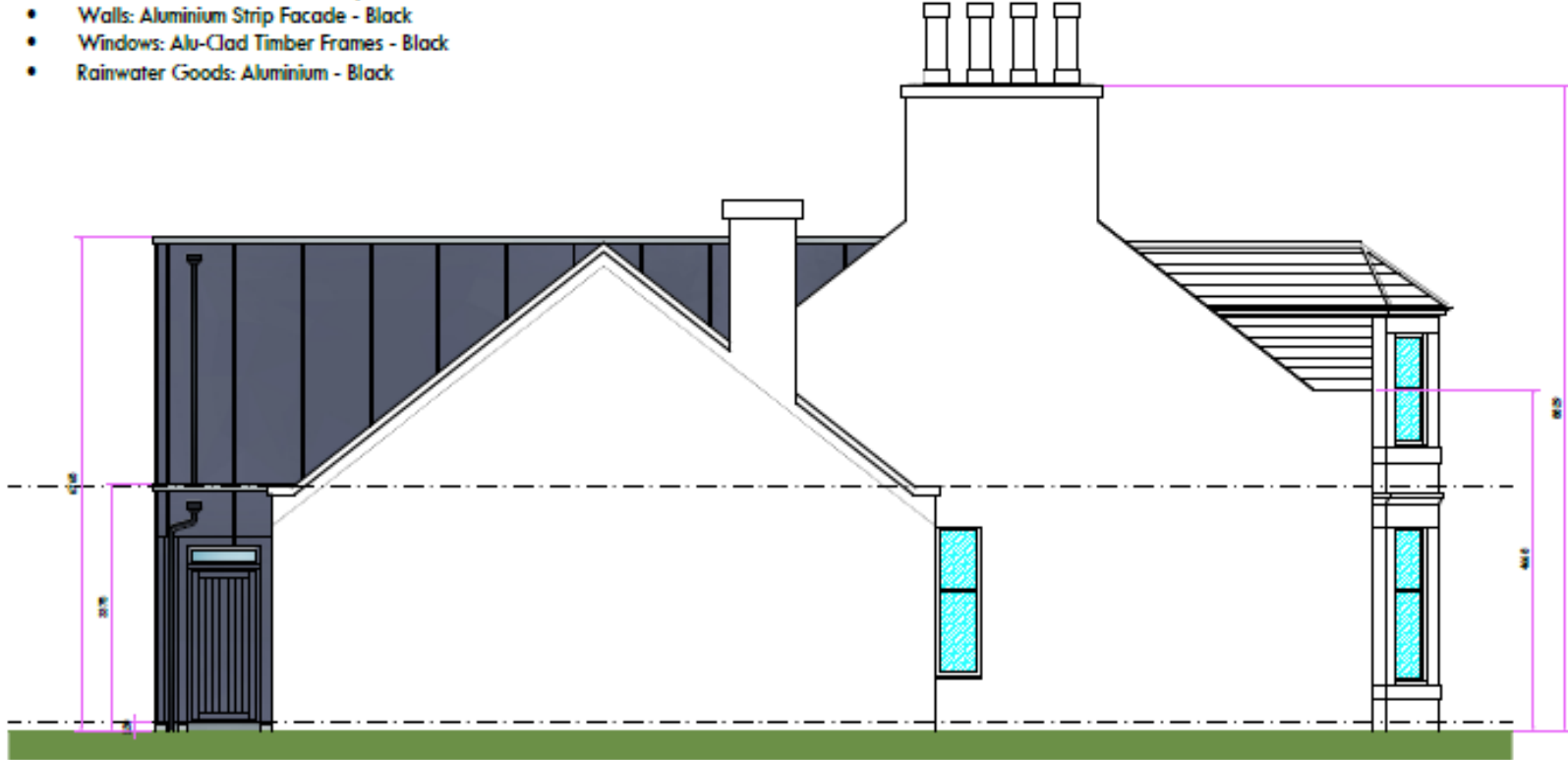
Scale 1:100 @ A1



Existing Side Elevation (North) Scale 1:100 @ A1

Proposed External Finishes:-

- Proposed Extension
- Roof: Samafil Membrane - Grey
 - Walls: Aluminium Strip Facade - Black
 - Windows: Alu-Clad Timber Frames - Black
 - Rainwater Goods: Aluminium - Black



Proposed Side Elevation (North) Scale 1:50 @ A1

Existing External Finishes:-

- Victorian Building
- Roof: Natural Slate
 - Walls: Granite Stone - Grey
 - Windows: uPVC Frames - White
 - Rainwater Goods: uPVC - Grey
- 20th Century Extension
- Roof: Natural Slate
 - Walls: Roughcast - Buff
 - Windows: uPVC Frames - Brown
 - Rainwater Goods: uPVC - Grey



Proposed Rear Elevation (East)

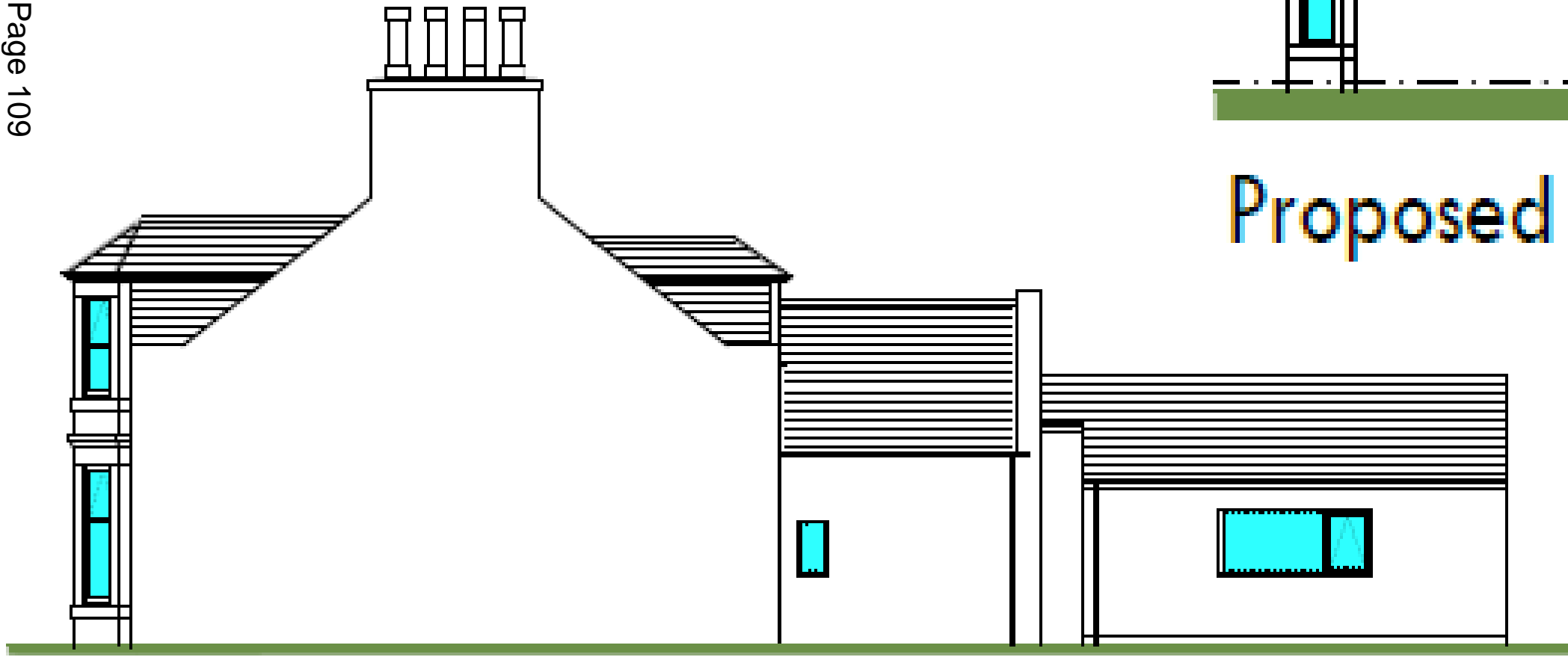
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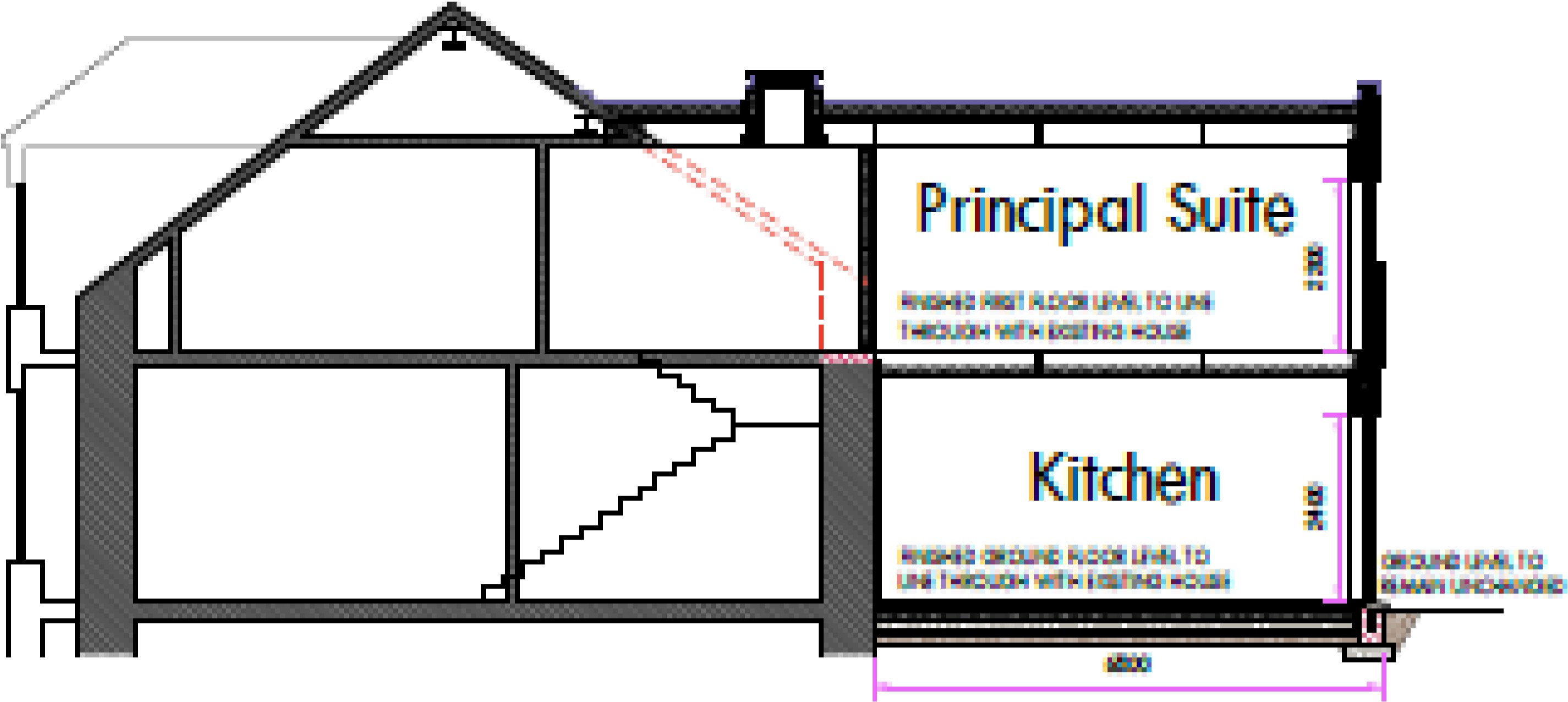
Existing Rear Elevation (East) Scale 1:100 @ A1



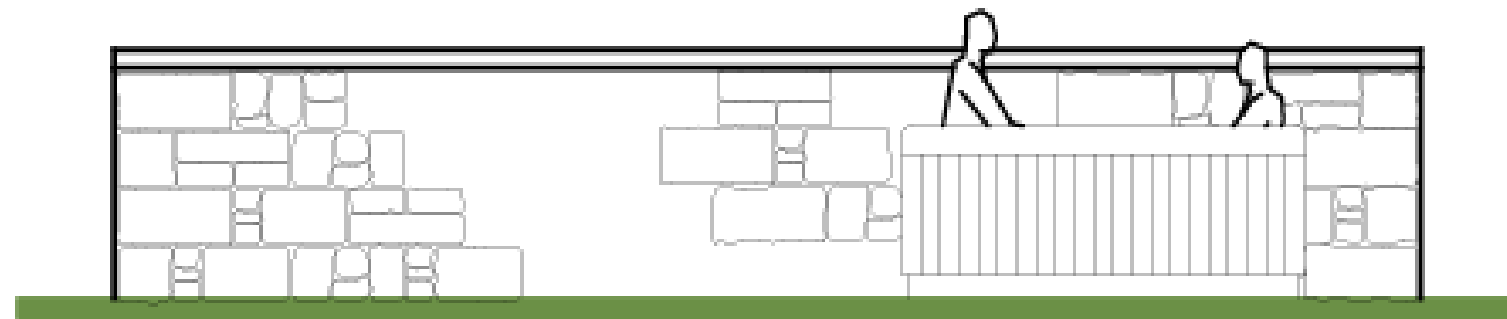
Proposed Side Elevation (South) 1:100



Existing Side Elevation (South) Scale 1:100 @ A1

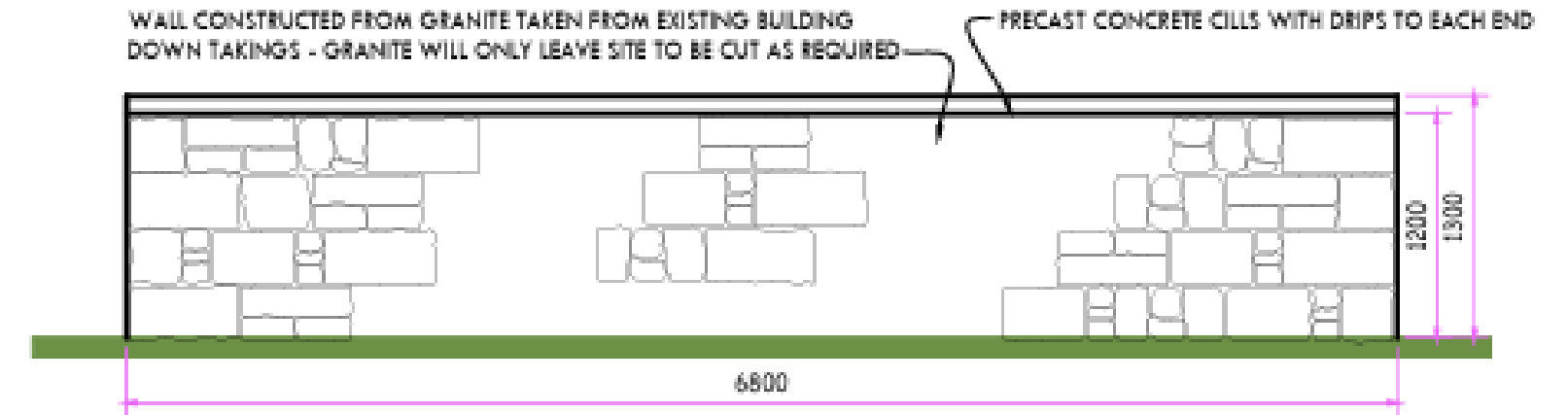


Proposed Cross Section 1:100



Proposed West Elevation

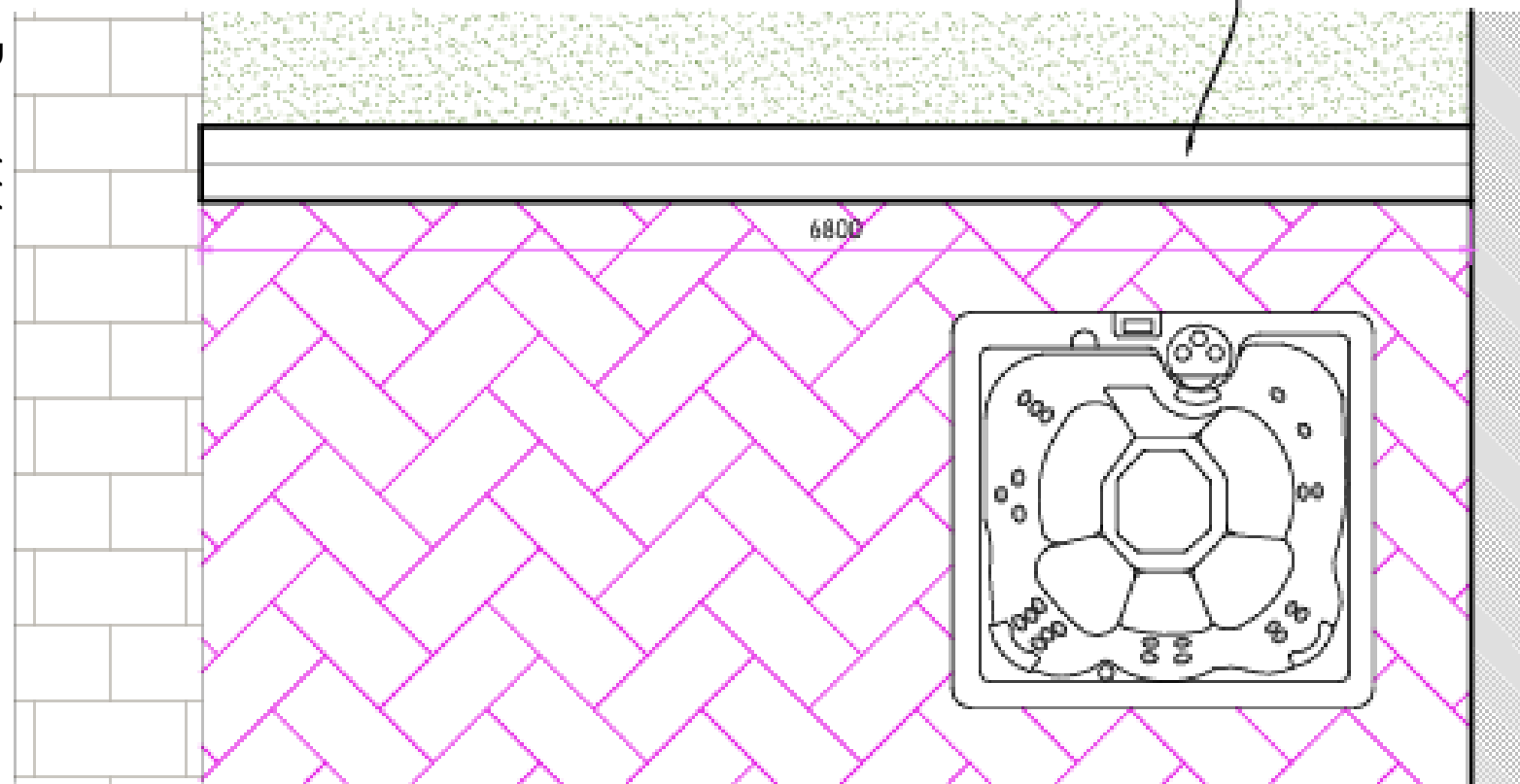
Scale 1:50 @ A3



Proposed East Elevation

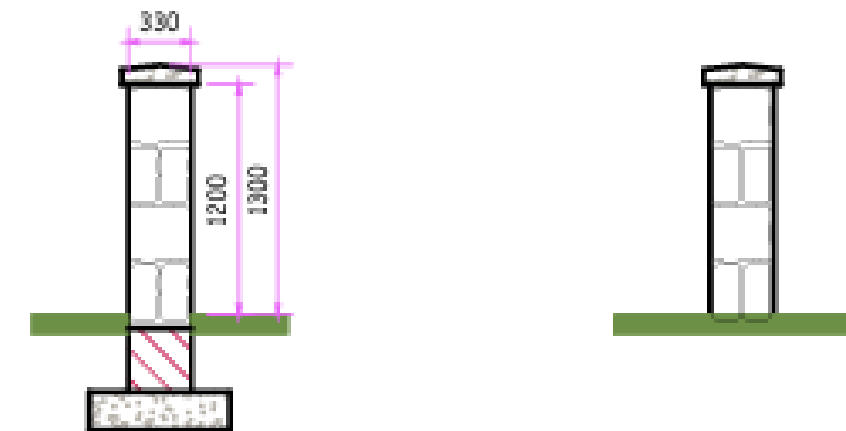
Scale 1:50 @ A3

WALL CONSTRUCTED FROM GRANITE TAKEN FROM EXISTING BUILDING
DOWN TAKINGS - GRANITE WILL ONLY LEAVE SITE TO BE CUT AS REQUIRED



Proposed Layout Plan

Scale 1:50 @ A3



Pro. Section & North Elevation

Scale 1:50 @ A3

Reasons for Refusal

Due primarily to its disproportionate scale as a 2-storey extension on a 1½-storey dwellinghouse, the proposed plain box form cutting into most of the roof, and the elevational treatment which would exaggerate the harmful effects of scale and form, the proposed extension would dominate the existing dwellinghouse at its prominent corner site when viewed from Gladstone Place, failing to be subordinate to it and harming its character and that of the surrounding area. This is particularly given the architectural merit of the traditional dwellinghouse and its rear elevation, which currently make a positive contribution to the character of the area.

The development would therefore be contrary to the first General Principle of Aberdeen Planning Guidance: Householder Development Guide and against the design principles of Policies 14 (Design Quality and Place) of National Planning Framework 4 (NPF4) and D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023 (ALDP), in particular the requirements to be distinctive and welcoming. Likewise, the development would be contrary to Policy 16 (Quality Homes) of NPF4, which supports householder development only where it does not have a detrimental impact on the character of the home in terms of size, design and materials, and Policy H1 (Residential Areas) of the ALDP, which does not support development which would have an adverse impact on the character and appearance of an area.

National Planning Framework 4

Policy 1 (Tackling the Climate and Nature Crises)

Policy 2 (Climate Mitigation and Adaption)

Policy 14 (Design, Quality and Place)

Policy 16 – Quality Homes

Local Development Plan 2023

Policy D1 (Quality Placemaking)

Policy D7 (Our Granite Heritage)

Policy H1 (Residential Areas)

APG : [Householder Design Guide](#)
[Materials](#)

[Managing Change in Historic Environment: Extensions](#)

NPF4 – Policy 1

Tackling the climate and nature crises

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy Outcomes:

- Zero carbon, nature positive places.

Policy 1

When considering all development proposals significant weight will be given to the global climate and nature crises.

NPF4 – Policy 2

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy Outcomes:

- Emissions from development are minimised; and
- Our places are more resilient to climate change impacts.

Policy 2

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

National Planning Framework 4

Policy 16 – Quality Homes

- g) Householder development proposals will be supported where they:
 - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
 - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

Design

Six Qualities of Successful Places (Policy 14, Annex D NPF4)

1. Healthy: Supporting the prioritisation of women's safety & improving physical and mental health
2. Pleasant: Supporting attractive natural and built spaces, designing for: social interactions, protection, variety and quality of recreation space, connecting with nature and enjoyment of outdoor spaces
3. Connected: Supporting well connected networks that make moving around easy and reduce car dependency
4. Distinctive: Supporting attention to detail of local architectural styles and natural
5. Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience and integrating nature positive biodiversity solutions
6. Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can meet the changing needs and accommodate different uses over time

Policies – LDP 2023

Policy H1 - Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new development and householder development will be approved in principle if it:

- 1 does not constitute over development;
- 2 does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3 does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and
- 4 complies with Supplementary Guidance.

Policies – LDP 2023

Policy D7 – Our Granite Heritage

The Council seeks the retention and appropriate re-use, conversion and adaption of all historic granite buildings, structures and features, including setted streets, granite kerbs and granite boundary walls.

Proposals to demolish any granite building, structure or feature, partially or completely, will not normally be granted planning permission, conservation area consent or listed building consent.

Householder Design Guide

General Principles

1. Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.

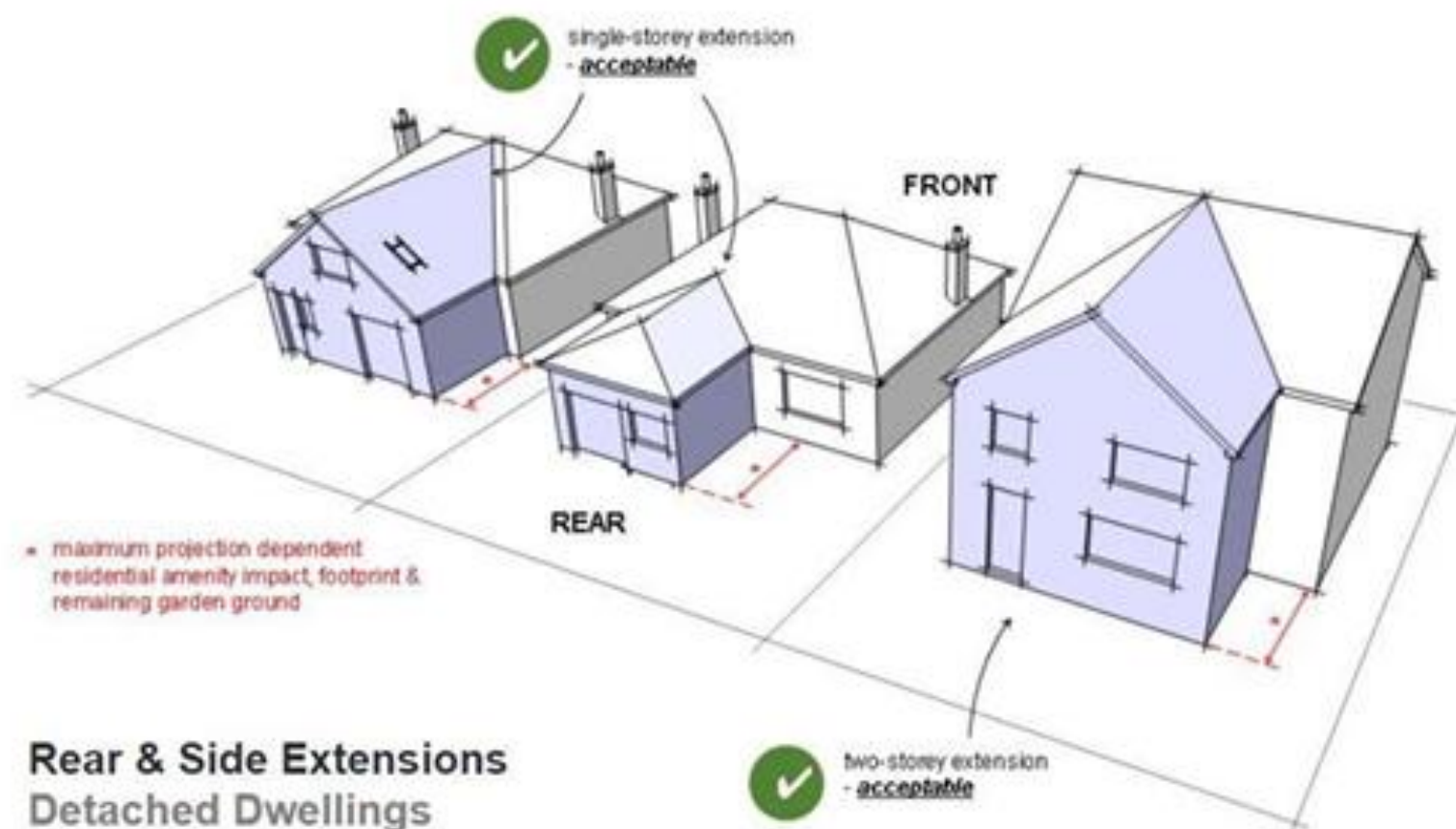
2.3 Rear House Extensions

Where planning permission is required, the following general rules will apply:

REAR AND SIDE EXTENSIONS

Detached Dwellings

- The maximum dimensions of any single-storey extension will be determined on a site-specific basis.
- On properties of 2 or more storeys, two storey extensions will generally be possible, subject to the considerations set out in the 'General Principles' section above.



Materials

6.4 Technical Considerations

- If detailed correctly, metal cladding can be an attractive, contrasting material for external walls in new buildings and in contemporary extensions to existing (including historic) buildings.
- Careful consideration requires to be given to the colour, surface finish, module size and jointing, which should all be chosen based on a site-specific analysis of the context.
- The jointing used in 'standing-seam' metal cladding can add visual interest to otherwise featureless walls, replicating the raised- batten jointing seen in traditional lead roofs.
- Variations in colour between cladding panels can help to break up large blank elevations, such as that seen in the Residence Inn Marriott hotel at Marischal Square.
- Metal cladding can be used to good effect in reducing the massing of medium-height, flat-roofed buildings by imitating the appearance of a roofscape.

HES Managing Change Guidance: Extensions

3. CONTEXTUAL DESIGN

3.1 New work must acknowledge the old in every case, whether that work will be:

- a restoration
- a replication
- a complementary addition
- a deferential contrast
- an assertive contrast

Assertive contrast

3.8 Assertive contrast means affirmation of the new as a more or less equal partner to the old. New and old combined should be of greater lasting value than either on its own. This demands higher-quality new work than would often be found in an isolated new building. The presence of the existing building 'raises the game' for the new build.

4. GENERAL PRINCIPLES

4.1 It is difficult to lay down hard and fast rules for new work when much will depend upon the site, the landscape, the scale and form both of the existing building and of the addition or extension proposed. The following basic principles will, however, apply:

- An addition or extension should play a subordinate role. It should not dominate the original building as a result of its scale, materials or location, and should not overlay principal elevations.
- Where an extension is built beside a principal elevation it should generally be lower than, and set back behind, that facade.
- An extension that would unbalance a symmetrical elevation and threaten the original design concept should be avoided.
- An extension should be modestly scaled and skillfully sited.
- Fire escape routes may be internal wherever space can be created without damaging important interior work. Where an external escape stair is necessary, it should be located as reversibly and inconspicuously as possible, and not on principal elevations.

Evaluation

- Primacy of Development Plan – NPF4 and LDP 2023
- The Planning Act requires all applications to be determined in accordance with Development Plan unless material considerations indicate otherwise
- Careful assessment, each application treated on its merits

Basis for Decision

Zoning:

How would the extension would affect character and amenity of the historic granite building and surrounding area ?

- 1. Does the proposal comply with the Development Plan when considered as a whole?**
- 2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?**

Decision – state clear reasons for decision

	Strategic Place Planning
	Report of Handling by Development Management Manager

Site Address:	148 Victoria Street, Dyce, Aberdeen AB21 7BE
Application Description:	Erection of two storey extension to rear
Application Ref:	250366/DPP
Application Type:	Detailed Planning Permission
Application Date:	9 April 2025
Applicant:	Mr B Sutherland
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Dyce and Stoneywood

DECISION

Refuse.

APPLICATION BACKGROUND

Site Description

The application site consists of a detached 1½-storey dwellinghouse dating to the late 19th century in Dyce, set in the centre of a large residential curtilage of approximately 0.14 hectares. The dwellinghouse is built of granite ashlar to the front and coursed rubble to the sides and rear, with slate tile roof and white windows. To the rear (east) elevation are a pair of hipped roof wallhead dormers and a protruding 1½-storey gable wing, also constructed in granite. Adjoining the side (north) elevation and extending eastwards is a single-storey extension including double garage with pitched slate tile roof and walls finished in granite and brown-grey harling. There is a timber outbuilding with decking to the south-east corner.

The property is on the corner of and is accessed via both Victoria Street and Gladstone Place, separated on both sides by a granite wall approximately 1.3 metres in height. To the east is a grassed rear lane separated by a similar wall and across from which is the rear curtilage of the flatted cottage containing 4 and 6 Gladstone Place. To the south is the neighbouring detached dwellinghouse at 144 Victoria Street, contemporary with the application property and of similar design and layout, separated towards the front by a timber panel fence approximately 1.8 m high and towards the rear by a granite wall approximately 1.3 m high.

The area is primarily residential in character, largely consisting of detached dwellinghouses from various eras and styles. There is a church to the north and commercial properties on Victoria Street to the south.

Relevant Planning History

None.

APPLICATION DESCRIPTION

Description of Proposal

It is proposed to demolish the garage element of the existing extension, the original protruding granite rear wing, the existing rear dormers and wall of the dwellinghouse. In the place of the original wing would be erected a 2-storey flat roof extension and porch. The extension would be approximately 6.5 metres long, 11.2 m wide and 6.8 m high, and would be clad in dark grey standing seam metal with single-ply membrane roof and black alu-clad timber framed windows and glazed doors, with two east-facing Juliet balconies formed on the first floor.

A garden wall approximately 1.3 m high and 6.8 m long would be built within the rear garden from the duntakings of the demolished rear wing. This part of the proposal is permitted development but has been explicitly included towards satisfying policy for the retention of historic granite, as discussed in detail in the Evaluation below.

Amendments

In agreement with the applicant, the following amendments were made to the application –

A granite wall was included as part of garden landscaping using duntakings from the rear wing proposed for demolition.

Supporting Documents

All drawings can be viewed on the Council's website at –

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SUCV51BZHQZ00>

CONSULTATIONS

- **Dyce and Stoneywood Community Council** – No response received.

REPRESENTATIONS

None.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan 2023

- Policy D1 (Quality Placemaking)
- Policy D7 (Our Granite Heritage)
- Policy H1 (Residential Areas)

Aberdeen Planning Guidance

- Householder Development Guide
- Materials

Other National Policy and Guidance

- Managing Change in the Historic Environment: Extensions

EVALUATION

Key Determining Factors

The key determining factors in the assessment of this application are whether the proposed development would:

- impact upon the character and appearance of the existing dwelling or the surrounding area;
- impact upon the amenity of the area, including the residential amenity of immediately neighbouring properties;

Policy Context

Policy 16 (Quality Homes), paragraph (g) of National Planning Framework 4 (NPF4) states that householder development proposals will be supported where they:

- do not have a detrimental impact on the character or environmental quality of the home and the surrounding area, in terms of size, design and materials; and*
- do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.*

The application site also lies within a Residential Area, as zoned in the Aberdeen Local Development Plan 2023 (ALDP) Proposals Map. Policy H1 (Residential Areas) of the ALDP states that within existing residential areas, proposals for new householder development will be approved in principle if it:

1. *does not constitute overdevelopment; and*
2. *does not have an adverse impact to residential amenity and the character and appearance of an area; and*
3. *does not result in the loss of open space.*

Impact on the Character and Appearance of the Area

In determining whether the proposed development would adversely affect the character and appearance of the existing dwelling, and the surrounding area, Policy 14 (Design, Quality and Place) of NPF4 is relevant. Policy 14 encourages and promotes well-designed development that makes successful places by taking a design-led approach. Policy D1 (Quality Placemaking) of the ALDP substantively reiterates the aims and requirements of Policy 14.

Siting, Scale, Design and Materials

The Council's Householder Development Guide Aberdeen Planning Guidance (HDG) states: *"Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area"*.

The application site is a corner site from which the rear extension would be more visible from the side and rear on Gladstone Place than is typical of rear extensions. The character of the dwellinghouse and surrounding area is therefore more sensitive to changes within this curtilage than those elsewhere. The surrounding area is largely residential in character and consists mostly of detached dwellings built at various points since the late 19th century. The visual character of the area is mixed but in general typified by traditional pitched roof forms. Where flat-roof extensions to traditional properties do exist, these are either at the ends of gables and integrated to some extent into the form and finish of the building as a whole, as at 133a-141 Victoria Street, or are not especially visible from the street, as at numbers 3 and 4-6 Gladstone Place.

Appraising the dwellinghouse itself, its principal elevation is the west elevation, finished in fine detail with ashlar granite walls. Nevertheless, its opposite rear elevation is visible from Gladstone Place and well composed, consisting of a subsidiary contemporaneous granite built rear wing and two hipped roof wallhead dormers. These elements make positive contributions to the character of the dwellinghouse and street corner. While their removal is permissible in principle because the building has no official protection, any replacement should make a similarly positive contribution to place.

The HDG states that 2-storey extensions will generally be possible on properties of 2 or more storeys, subject to the HDG's General Principles, as quoted above. The existing dwellinghouse is 1½ storeys, whereby its first-floor accommodation rises well above the eaves line and is lit by bay dormers to the front and wallhead dormers to the rear. This presents an initial challenge of scale for integrating any 2-storey extension to the rear of the property, as the ceiling heights necessary for such an extension could result in a form which challenged the established scale and form of the existing dwellinghouse.

In this case, the proposed 2-storey extension would be a relatively unarticulated flat-roof box form breaching well above the eaves of the dwellinghouse and effacing most of its rear roof plane and wall. The large expanse of blank wall on the first floor north and south elevations and the direct repetition of the ground floor door/window arrangement at first floor level on the east elevation would increase the visual weight and prominence of the first floor. This imposing appearance at first floor level would exacerbate the severity of the extension's intrusion on the upper level of the original dwellinghouse. While the extension's walls would be set in from the gables and its roof below the ridge, the overall result would be a large extension of a severe contrasting form that would challenge the original dwellinghouse, to the significant detriment of its architectural merit as a late Victorian

villa and the character of the wider area.

Given this, established national guidance on the extension of traditional buildings is therefore materially relevant. While 'assertive contrast' extensions can be effective design solutions on traditional buildings, as described in *Managing Change in the Historic Environment: Extensions*, this demands a specification and design over and above what would ordinarily be found in an isolated new building. The contrasting forms must be integrated in such a way as to achieve an assemblage *"of greater lasting value than either on its own."* The large box form of the extension dominating the existing traditional villa would not achieve this.

The proposed porch canopy would likewise, by virtue of the deep fascia, exacerbate the heaviness of the proposed extension's appearance and its overbearing impact on the original dwellinghouse.

The extension's public harm would be most apparent from Gladstone Place, where the extension would be highly visible. From the busier thoroughfare of Victoria Street there would be less impact, although because of the large separation distance between the dwellinghouse and neighbouring buildings, the extension would still be apparent as a large unsympathetic form to the rear of the property, particularly when viewing the dwellinghouse in the context of its matching neighbour to the south, whereby both the application property and matching neighbour have hitherto been extended at a smaller scale using largely sympathetic forms and materials.

The use of dark grey standing seam metal cladding would in and of itself be an appropriate contemporary and contrasting material with the stonework of the dwellinghouse and many buildings of the surrounding area. Aberdeen Planning Guidance: Materials acknowledges that *"Metal can often be utilised to provide a clear, honest distinction and contrast between old and new."* However, the Guidance also makes clear that among other things, the scale of cladding must be sympathetic to the context. Given the issues of scale, form and mass described above, the use of metal cladding as proposed would not lend any significant benefit to the sympathetic integration of the extension's form with the original dwellinghouse.

The detached dwelling sits within a generous curtilage and its scale does not preclude the possibility of a substantial extension which would nevertheless be sympathetic and subordinate to the original house in scale and form. This is demonstrated to some extent by the level of incremental extension to the property which has already taken place, and the extensions undertaken at 133 Victoria Street. With this principle in mind, discussions have been had with the applicant's agent to modify the proposal through some reduction of the extension's scale and the reconsideration of its articulation and form to better integrate a large extension with the dwellinghouse. Following these discussions, ultimately the agent has advised that the applicant wishes to have the application determined in its current unacceptable form.

Overdevelopment

Guidance on what constitutes 'overdevelopment' is set out within 'General Principles 4 and 5' at section 2.2 of the HDG. This states that the built footprint of a dwellinghouse, as extended, should not exceed twice that of the original dwelling and no more than 50% of the rear curtilage of a dwelling should be covered by development. In terms of the current proposal, calculations confirm that the existing rear curtilage extends to 832 sqm, and whilst the proposed extension would add 78 sqm, the built area, including the existing extensions, built elements to be removed, outbuilding, and area of decking would result in 75% of the rear curtilage remaining unbuilt. The collective size of both existing and proposed extensions would result in the original house being increased in footprint by approximately 74%. Such an increase would be substantial and, as has been explained above, the design of the resulting large scale of development would be detrimental to the character of the dwellinghouse and surrounding area. Nevertheless, it would not itself be overdevelopment as according to the HDG.

Retention of Granite

Policy D7 (Our Granite Heritage) seeks the retention and appropriate reuse of all historic granite buildings, structures and features. The use of an unspecified amount of granite salvaged from the demolition of the rear wing and walls would be supported by this policy in general terms. Any alignment with Policy D7 is insufficient to outweigh the principal issues of scale and design discussed above.

Open Space

The proposed householder development would be wholly contained within the existing residential curtilage of the application property and no open space would be lost.

Summary

To summarise, the proposed development would significantly harm the character and appearance of both the existing dwelling and the surrounding area. The proposal is therefore contrary to Policies 14 and 16 of NPF4 and Policies D1 and H1 of the ALDP, as well as the relevant guidance contained within the Householder Development Guide.

Impact on the Amenity of the Area

In relation to assessing impacts on residential amenity, the HDG states that "*No extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity will count against a development proposal.*"

Daylight and Sunlight Receipt

The proposed extension would be at a sufficient distance from any neighbouring properties that it would not have a significantly adverse impact on daylight or sunlight receipt to neighbours.

Privacy and Outlook

The proposed extension would have ground floor windows on its south and east elevations facing the rear gardens of neighbours. The ground floor windows to the south would largely face onto the mutual boundary fence approximately 9 m away and standing approximately 1.8 m high. The windows facing east would be approximately 18 m from the neighbouring rear curtilage of 4 and 6 Gladstone Place. Based on this spatial arrangement, the proposal would not have any significant adverse impact on the privacy of neighbouring properties.

Notwithstanding issues raised above on the harm that the extension would cause to the character and appearance of the dwellinghouse and surrounding area, the extension would be at sufficient distance from neighbouring properties that it would not have any significant impact on the outlook enjoyed by any particular property.

Summary

To summarise, the proposed development would preserve the amenity of the surrounding area, including the residential amenity of the neighbouring properties, in accordance with Policy 16 of NPF4 and Policy H1 of the ALDP, as well as the relevant guidance contained within the Householder Development Guide.

Tackling the Climate and Nature Crises, Climate Mitigation and Adaptation

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be sited and designed to adapt to current and future risks from climate change.

The proposed householder development would be sufficiently small-scale such that it would not make any material difference to the global climate and nature crises, nor to climate mitigation and adaptation. The proposals are thus acceptable and do not conflict with the aims and requirements of Policies 1 and 2 of NPF4.

DECISION

Refuse.

REASON FOR DECISION

Due primarily to its disproportionate scale as a 2-storey extension on a 1½-storey dwellinghouse, the proposed plain box form cutting into most of the roof, and the elevational treatment which would exaggerate the harmful effects of scale and form, the proposed extension would dominate the existing dwellinghouse at its prominent corner site when viewed from Gladstone Place, failing to be subordinate to it and harming its character and that of the surrounding area. This is particularly given the architectural merit of the traditional dwellinghouse and its rear elevation, which currently make a positive contribution to the character of the area.

The development would therefore be contrary to the first General Principle of Aberdeen Planning Guidance: Householder Development Guide and against the design principles of Policies 14 (Design Quality and Place) of National Planning Framework 4 (NPF4) and D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023 (ALDP), in particular the requirements to be distinctive and welcoming. Likewise, the development would be contrary to Policy 16 (Quality Homes) of NPF4, which supports householder development only where it does not have a detrimental impact on the character of the home in terms of size, design and materials, and Policy H1 (Residential Areas) of the ALDP, which does not support development which would have an adverse impact on the character and appearance of an area.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100707760-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

extension to rear of dwelling house

Has the work already been started and/ or completed? *

☒ No ☐ Yes - Started ☐ Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Ken Mathieson Architectural Design Ltd		
Ref. Number:	2919	You must enter a Building Name or Number, or both: *	
First Name: *	Stuart	Building Name:	Mansard House
Last Name: *	Mathieson	Building Number:	15
Telephone Number: *	01224 710357	Address 1 (Street): *	Oldmeldrum Road
Extension Number:		Address 2:	Bucksburn
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB21 9AD
Email Address: *	stuart@kenmathieson.com		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	B	Building Number:	148
Last Name: *	Sutherland	Address 1 (Street): *	Victoria Street
Company/Organisation		Address 2:	Dyce
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:	07889194781	Postcode: *	AB21 7BE
Fax Number:			
Email Address: *	stuart@kenmathieson.com		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

WILLOW BANK

Address 2:

148 VICTORIA STREET

Address 3:

DYCE

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB21 7BE

Please identify/describe the location of the site or sites

Northing

812965

Easting

388708

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Stuart Mathieson

On behalf of: Mr B Sutherland

Date: 07/04/2025

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates?. * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☒ Existing and proposed floor plans.
- ☒ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☒ Roof plan.
- ☐ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☐ Yes ☒ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Stuart Mathieson

Declaration Date: 07/04/2025

Payment Details

Pay Direct

Created: 07/04/2025 16:53



DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Stuart Mathieson
Ken Mathieson Architectural Design Ltd
Mansard House
15 Oldmeldrum Road
Bucksburn
Aberdeen
AB21 9AD

on behalf of **Mr B Sutherland**

Aberdeen City Council in exercise of its powers under the above mentioned Act hereby **refuses planning permission** for the development specified below and shown in the plans and drawings listed.

Application Reference Number	250366/DPP
Address of Development	148 Victoria Street Dyce Aberdeen AB21 7BE
Description of Development	Erection of two storey extension to rear
Date of Decision	4 September 2025

DETAILS OF ANY VARIATION MADE TO THE APPLICATION

In agreement with the applicant, the following variations were made to the application under section 32A of the 1997 Act –

A granite wall has been proposed as part of garden landscaping using duntakings from the rear wing proposed for demolition.

REASON FOR DECISION

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

Due primarily to its disproportionate scale as a 2-storey extension on a 1½-storey dwellinghouse, the proposed plain box form cutting into most of the roof, and the elevational treatment which would exaggerate the harmful effects of scale and form, the proposed extension would dominate the existing dwellinghouse at its prominent corner site when viewed from Gladstone Place, failing to be subordinate to it and harming its character and that of the surrounding area. This is particularly given the architectural merit of the traditional dwellinghouse and its rear elevation, which currently make a positive contribution to the character of the area.

The development would therefore be contrary to the first General Principle of Aberdeen Planning Guidance: Householder Development Guide and against the design principles of Policies 14 (Design Quality and Place) of National Planning Framework 4 (NPF4) and D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023 (ALDP), in particular the requirements to be distinctive and welcoming. Likewise, the development would be contrary to Policy 16 (Quality Homes) of NPF4, which supports householder development only where it does not have a detrimental impact on the character of the home in terms of size, design and materials, and Policy H1 (Residential Areas) of the ALDP, which does not support development which would have an adverse impact on the character and appearance of an area.



A full evaluation and account of the processing of the application is contained in the report of handling, which is available by entering the application reference number at <https://publicaccess.aberdeencity.gov.uk/>.

PLANS AND DRAWINGS

PL01 A	Multiple Floor Plans (Proposed)
PL02 A	Multiple Elevations (Proposed)
SP01 B	Site Layout (Proposed)

Signed on behalf of the planning authority

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

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.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 053746 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100707760-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Ken Mathieson Architectural Design Ltd"/>		
Ref. Number:	<input type="text" value="2919"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Stuart"/>	Building Name:	<input type="text" value="Mansard House"/>
Last Name: *	<input type="text" value="Mathieson"/>	Building Number:	<input type="text" value="15"/>
Telephone Number: *	<input type="text" value="01224 710357"/>	Address 1 (Street): *	<input type="text" value="Oldmeldrum Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Bucksburn"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="AB21 9AD"/>
Email Address: *	<input type="text" value="stuart@kenmathieson.com"/>		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="B"/>	Building Number: <input type="text" value="148"/>
Last Name: *	<input type="text" value="Sutherland"/>	Address 1 (Street): * <input type="text" value="Victoria Street"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="Dyce"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text" value="REDACTED"/>	Postcode: * <input type="text" value="AB21 7BE"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="WILLOW BANK"/>
Address 2:	<input type="text" value="148 VICTORIA STREET"/>
Address 3:	<input type="text" value="DYCE"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB21 7BE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="812965"/>	Easting	<input type="text" value="388708"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of two storey extension to rear

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached statement for full details

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Planning Application form, Planning Refusal, Statement of Appeal, Drawings: 2919 - EX01-A / PL01-A / PL02- A / SP01-B / W01-A

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

250366/DPP

What date was the application submitted to the planning authority? *

07/04/2025

What date was the decision issued by the planning authority? *

04/09/2025

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Stuart Mathieson

Declaration Date: 03/11/2025

Fee Exemption Reason

I used the fee calculator and my application / request for local review / appeal is not subject to fee

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Town and Country Planning (Scotland) Act 1997 as amended.

Application for Review Against the Refusal of Planning Permission for the Erection of a Two Storey Extension to rear of house, 148 Victoria Street, Dyce AB21 7BE

Application Reference 250366/DPP

For Mr. and Mrs. Sutherland (the appellants)

By Aberdeen City Council (The Council)

Karen Clark, Planning Consultancy, Mayriggs, Brechin Road, Kirriemuir DD8 4DE

Telephone 07930 566336 | Email: karen@ktclark.co.uk

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Appendices

- Appendix 1 Application Forms
- Appendix 2 Plans and Location Plan
- Appendix 3 Refusal Notice
- Appendix 4 Report of Handling

1.Executive Summary

This Appeal Statement is submitted on behalf of Mr. and Mrs. Sutherland (the appellants) in respect of the decision by Aberdeen City Council (The Council) to refuse an application for full planning permission at 148 Victoria Street, Aberdeen, AB21 7BE, application reference: 250366/DPP.

The application, lodged on 7th of April 2025 and refused under delegated powers on the 4th of September 2025, sought full planning permission for the erection of a two-storey extension to the rear of the house. The proposal will incorporate the following works:

- Removal of existing modern garage block
- Removal of 1 ½ storey rear block
- Erection of 2 storey extension to the rear

This Appeal Statement addresses in detail the reasons for refusal and demonstrates that the proposal is fully compliant with the policies of the National Planning Framework 4 (NPF4), the Aberdeen Local Development Plan 2023, and the associated Design Guidance.

For the reasons set out herein, the Local Review Body is respectfully requested to uphold this appeal and grant planning permission for the proposed development.

2. Reasons for Refusal

The decision notice dated the 4th of September 2025 provides the following statement on which the Council has based this decision.

“ Due primarily to its disproportionate scale as a 2-storey extension on a 1½-storey dwellinghouse, the proposed plain box form cutting into most of the roof, and the elevational treatment which would exaggerate the harmful effects of scale and form, the proposed extension would dominate the existing dwellinghouse at its prominent corner site when viewed from Gladstone Place, failing to be subordinate to it and harming its character and that of the surrounding area. This is particularly given the architectural merit of the traditional dwellinghouse and its rear elevation, which currently make a positive contribution to the character of the area.

The development would therefore be contrary to the first General Principle of Aberdeen Planning Guidance: Householder Development Guide and against the design principles of Policies 14 (Design Quality and Place) of National Planning Framework 4 (NPF4) and D1 (Quality Placemaking) of the Aberdeen Local Development Plan 2023 (ALDP), in particular the requirements to be distinctive and welcoming. Likewise, the development would be contrary to Policy 16 (Quality Homes) of NPF4, which supports householder development only where it does not have a detrimental impact on the character of the home in terms of size, design and materials, and Policy H1 (Residential Areas) of the ALDP, which does not support development which would have an adverse impact on the character and appearance of an area.

3. Grounds of Appeal

It is submitted that the proposed extension has been designed to read as a distinct and separate element, ensuring a clear difference between the original dwelling and the new addition. While contemporary in character, the extension remains subordinate to the existing house and is sympathetic to the surrounding context, which currently comprises a varied mix of property styles and ages, including modern infill development and includes a range of alterations and extensions to traditional buildings.

The design carefully addresses residential amenity safeguarding privacy, preventing undue overshadowing, and maintaining appropriate separation distances. As such, the proposal will have no unacceptable impact on neighbouring residents. Further, the proposal supports sustainable development principles by improving the long-term adaptability and usability of the dwelling, consistent with the objectives of high-quality placemaking.

Accordingly, the development is considered to comply with the relevant provisions of National Planning Framework 4, the Aberdeen Local Development Plan 2023, and the associated Design Guidance.

4. Site Appraisal

4.1 Site Description

The appeal property comprises a 1 ½ storey dwelling dating from the 19th century, located within the centre of Dyce.

The existing property is a large, detached house constructed in granite ashlar with a slate roof. To the rear, there are two original dormer windows, while to the side there is an original single-storey element which has been altered over time and now presents a rendered elevation to Gladstone Place. A later modern garage extension also lies to the rear. A 1 ½ storey ancillary block occupies part of the rear, this is of limited scale, has restricted headroom, and provides only ancillary accommodation in the form of a ground floor utility room with an ensuite above.

The property occupies a corner plot at the junction of Victoria Street and Gladstone Place, with its principal elevation addressing Victoria Street. Side views are available from Gladstone Place, from which the house presents a series of different elements rather than a uniform architectural elevation. The dwelling sits on a large plot with generous garden areas to the front and rear.

The house is representative of many properties of its period and style found throughout Aberdeen, it is neither a listed building nor situated within a conservation area. As such, it is not subject to any heritage-related constraints.



View of appeal site from Victoria Street



View of appeal site viewed from Gladstone Place

4.2 Surrounding Area

The property lies within a mixed area, characterised by a variety of land uses and house types. The area has grown organically over time, which is evidenced by the diversity of house ages, forms, and architectural detailing. This variety of dwellings, alterations and extensions collectively contributes to the distinct character of the area.

Within the immediate area, there are a range of house types including:

- 1 ½ and 2 storey detached and semi-detached family homes from differing periods
- Variety of plot sizes
- Modern infill developments and redeveloped plots
- Bungalows and single-storey dwellings
- Flatted blocks
- Variety of extensions

This mix reflects the area's evolution and underpins its distinctive identity.

Examples of this are:



Examples of modern infill development Gladstone Place and Victoria Street



Infill development and town hall opposite the development on Victoria Street

There are also a range of extensions to properties within the surrounding area, examples can be seen at



3 and 14 Gladstone Place

5. The Appellants

The appellants, Mr. & Mrs. Sutherland, wish to extend the house to suit their family. The house at 148 Victoria Street has been owned by the appellants family for over 40 years, this is the second generation of the family to live in the home. The family have strong ties to the area and wish to remain in the area close to family and friends while making best use of the house creating an adaptable home allowing them to live in the house longer. The proposal aligns with NPF4 principles of making best use of existing housing stock.

6. Planning History

The house was previously operated as a bed and breakfast, planning consent was granted for this use in 2013 application ref 130689.

7. Design Process

7.1 Design Brief

The appellants seek to extend their home to better meet their family's needs. The proposed development will allow the appellants to make full and efficient use of their property, providing functional and comfortable living space without the need to relocate.

The extension has been designed to be cost-effective and sustainable while respecting the character of the property and its surroundings.

7.2 Development Proposals

The current application seeks full planning permission for alterations and extensions to the existing dwelling at 148 Victoria Street, Dyce, comprising:

- Removal of existing modern garage block
- Removal of 1 ½ storey ancillary block extension
- Erection of 2 storey extension to the rear

Design

The proposal requires the removal of the small 1 ½ storey ancillary block to the rear of the main house together with the demolition of the more modern garage extension. In their place, a two-storey extension is proposed, providing a ground floor area of approximately 78 sqm. The extension will integrate with the existing roof plane at a similar position to the current dormer windows.

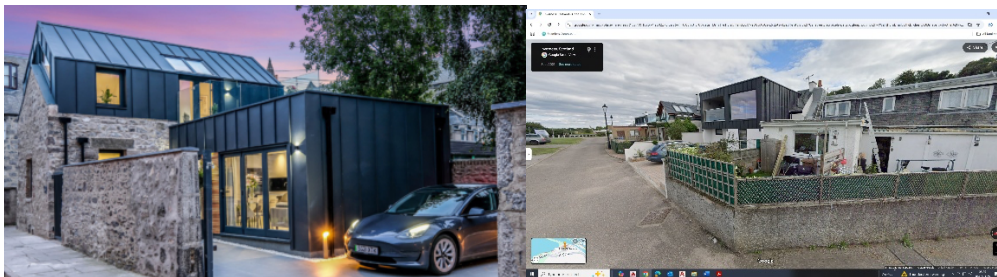
A deliberate design decision has been made to adopt a contemporary approach, with the extension finished in black aluminium and incorporating a flat roof. This ensures a clear visual distinction between the historic house and the new addition. The juxtaposition between the traditional granite dwelling and the contemporary extension has been purposefully created to allow the extension to

be read as a distinct, modern element, while remaining appropriate in both scale and form. The extension has been carefully designed to remain subordinate to the original dwelling. It is significantly smaller in scale than the existing house and will not exceed the main roof ridge at any point. The proposed extension will not impact on the principal elevation of the property and will be unseen from Victoria Street.

This is a common architectural practice and can be seen in high quality extensions throughout Scotland successful examples are provided below.



Side Extension to a semi-detached house, Edinburgh - Restoration project Glasgow



Extension to listed building in Crown Street, Aberdeen – Extension in Inverness



Extension to stone building – Extension to dwelling in Milltimber, Aberdeen

Streetscape Context

The Report of Handling expressed concern that the proposed extension would not appear subordinate to the existing house, resulting in a harmful impact on the character of both the dwelling and the surrounding area.

As demonstrated, the immediate surrounding area includes a wide variety of buildings, land uses, and house types of differing ages demonstrating the evolving nature of the area. The area does not exhibit a uniform architectural character but is instead defined by its mix of forms and various alterations and changes, including infill development and modern extensions to older properties.

The application site is located at the junction of Victoria Street and Gladstone Place. The property fronts onto Victoria Street, and as the proposed extension is wholly located to the rear, it will be entirely unseen from the principal (front) elevation. The visual impact from the main elevation will therefore remain unchanged, thereby safeguarding the established streetscape to Victoria Road.

The property presents a side elevation to Gladstone Place. This street contains a range of house types, including a modern infill development immediately opposite the application site access and a range of extensions in evidence to older properties. Current views of the house from this direction are limited in nature, being partially screened by the existing side and garage extension. At present, the primary impression from Gladstone Place is of the large garage extension and the rendered side addition.

While the proposed extension will be visible from Gladstone Place, such views will be fleeting for pedestrians and vehicles passing by. The design has been deliberately developed to read as a clear contemporary addition to the rear/secondary elevation, ensuring a clear difference between historic and the new build element.

Overall, given the mixed character of the surrounding area and the relatively modest scale of the proposal in its wider context, the extension will have little to no detrimental impact on the character of the house or the surrounding area. Instead, it will represent a respectful and contemporary addition that sits comfortably within its setting.

Proportion and Design

In terms of design, the Report of Handling expressed concern that the proposed rear extension was disproportionate in scale. It was noted that, being a two-storey addition to a 1½-storey dwelling, with a plain box form cutting into much of the roof along with the proposed elevational treatment that would exacerbate issues of scale and form, resulting in the extension dominating the existing house.

The existing property is a 1½-storey late Victorian dwelling, characterised by generous ceiling heights and a pitched slate roof of approximately 40 degrees. As demonstrated on Section Plan Ref. PL02, lodged in support of this submission, the proposed two-storey rear extension will adjoin the roof in

approximately the same position as the original dormers. Importantly, at no point does the proposed extension breach the roofline of the original house.

The extension is located entirely to the rear of the property and will be wholly unseen from the principal (front) elevation. It replaces the rear block and modern garage extension; as such, the net increase in footprint is only approximately 17sqm.

The design has been deliberately developed to read as a contemporary addition, with a clear distinction between old and new. It is intended to be recognised as a modern extension that respects the historic form of the original building while providing a high-quality and innovative design providing additional adaptable accommodation suited to modern living.

The proposal represents an efficient use of the property and garden, centrally located within Dyce, and will not dominate the original house. Instead, it will deliver a contemporary extension that responds positively to the mixed character of the surrounding area and makes a respectful contribution to the continually evolving streetscape.

Impact on a traditional granite house.

The Report of Handling raised concerns that the use of modern materials and design elements would not align with the historic character of the granite-built dwellinghouse, thereby undermining its architectural integrity. While the existing house is traditional in character and materials, it is neither listed nor located within a conservation area and therefore has no special historic designation. Nonetheless, it represents a good example of a late 19th-century home, a type which is common throughout Aberdeen and Scotland.

The proposed extension is located wholly to the rear of the property and will not be visible from Victoria Street. The principal elevation will remain unaltered, ensuring there is no impact on the public-facing aspect of the dwelling.

The new rear extension will replace an existing modern garage and a smaller 1½-storey ancillary block, both of which are of limited architectural value. A conscious design decision has been made, consistent with established architectural practice, to clearly distinguish between the historic fabric and the new addition. This approach maintains the character of the original dwelling while allowing for innovative and contemporary alterations. The deliberate contrast between old and new highlights the architectural heritage of the property while providing present-day accommodation needs.

Furthermore, the surrounding area contains a variety of house types, reflecting its ongoing evolution over time. The proposed extension will sit comfortably within this context and will contribute positively to the distinct character of the locality.

Amenity and Functionality

The existing rear block is of limited architectural value, modest in scale, and currently provides only ancillary accommodation. The proposed extension will deliver modern and adaptable living space,

making efficient use of both land and existing buildings. This approach fully accords with the principles of NPF4, which promote the sustainable use of land and buildings within urban areas.

The design has been carefully developed to ensure that it has no adverse impact on neighbouring amenity. In particular, the form and layout of the extension have been designed to avoid any loss of privacy or overlooking to the neighbouring property to the rear/east. This is evidenced by the absence of any neighbour objections to the proposals.

7.3 Sustainability

The applicant is committed ensuring their homes is sustainable. It is submitted that maximising the opportunities within the existing house is sustainable in itself. The proposed alterations include high levels of insulation to comply with current building regulations. Further, the alteration works will allow the installation of an electric charging point.

8. Development Plan Policy

8.1 National Planning Framework 4

NPF4 was adopted on the 13th of February 2023 and now forms part of the development plan. Considering the policies of relevance to the current application:

Policy 1 (Tackling the Climate and Nature Crises)

Policy Intent: To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 2 Climate Mitigation and Adaptation

Policy Intent: To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.

Response to Policies 1 and 2, while the current proposal is small scale, it is considered that by maximising the opportunities of this existing house, allowing the appellants to stay in their home, close to their work and family commitments and by providing highly insulated, adaptable accommodation fulfils the policy intents of minimising waste and emissions while making best use of existing buildings in an urban setting.

Policy 14 Liveable Places Design, quality and place

Policy Intent: To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs

within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

b) Development proposals will be supported where they are consistent with the six qualities of successful places:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health.

Pleasant: Supporting attractive natural and built spaces.

Connected: Supporting well connected networks that make moving around easy and reduce car dependency

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

Response: The proposal seeks to maximise the opportunities of the existing home. The house is located within an established residential area, where there is a mix of house types and examples of homes which have been altered and extended, these differences contribute to the distinct character of the area. The house benefits from easy access to local facilities and services and therefore adheres to the principles of local living. The extension and alterations will allow the family to continue to live in the area where they are well established with work and family commitments close by. The house benefits from easy and convenient access to the local roads and well-lit footpath network which connects the safely to the wider area. The proposed extension has been designed to complement the immediate area while providing adaptable accommodation allowing residents to live long term in the properties.

The proposed development therefore reflects and responds positively to this established character and is compatible with the surrounding townscape while making efficient use of land and buildings. Therefore, it is submitted that the proposal complies with Policy 14 Livable Spaces.

Policy 16 Quality homes

Policy Intent: To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

g) Householder development proposals will be supported where they:

i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and

ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

Response: The design of the alterations has been specifically designed to provide additional accommodation while not having a detrimental impact on the character or environmental quality of the home. The proposed alterations will not have a detrimental impact on the amenity of the neighbouring properties by virtue of the physical impact, overshadowing or overlooking. This is evidenced by the fact that there were no neighbour representations to the proposal.

Therefore, it is submitted that the development accords with NPF4 policy 16-part g.

Therefore, overall, it is submitted the proposal complies with the Policies of NPF4. Further, the scheme supports the spatial principle of local living and compact urban growth, making best use of existing land and buildings within existing settlements supporting local livability.

8.2 Aberdeen Local Development Plan 2023 (ALDP)

The ALDP is the extant plan and is therefore the primary consideration in determining this appeal. The following policies and guidance are relevant:

- Policy D1 – Quality Placemaking
- Policy D2 – Amenity
- Policy D7 Our Granite Heritage
- Policy H1 – Residential Areas

In addition, the following Aberdeen Planning Guidance documents are relevant:

- Householder Development Guide (HDG)
- Materials Guidance

Considering the policies of relevance:

Policy D1 – Quality Placemaking by Design

Policy Requirement: Policy D1 requires development to achieve high standards of design, contributing to distinctive, sustainable, and successful places, assessed against six essential qualities (distinctive, welcoming, safe and pleasant, easy to move around, adaptable, resource efficient).

Response: The proposed extension and alterations have been carefully designed in response to their context. The proposal will deliver a high-quality and adaptable home, enabling the appellants to

continue living in the community where they are well established while meeting their changing accommodation needs.

The granite frontage will be untouched. A deliberate and well-established architectural approach has been adopted, whereby the proposed rear extension is contemporary in form and finished in appropriate modern materials ensuring a clear distinction between old and new, maintaining the integrity of the historic character while allowing for innovative and considered alterations. The extension will be wholly to the rear, leaving the principal elevation unaltered.

Although two storey in height, the extension will not breach the existing roof ridge, with the new roof tying into the roof plane at approximately the same level as the existing dormers. Following removal of the existing ancillary block and garage, the net increase in floor area is 17 sqm with the floor area of the extension approximately 78sqm. This is proportionate within the generous plot and does not constitute overdevelopment.

The extension will not be visible from Victoria Street. Side and rear views from Gladstone Place will be seen against the backdrop of the original house, ensuring that the new addition remains clearly subordinate.

Accordingly, the proposal responds positively to Policy D1 by:

- Delivering a contemporary yet sustainable and high-quality design solution;
- Providing adaptable accommodation that makes efficient use of the plot within an established residential area supporting local living;
- Reflecting the evolving and varied character of the locality, thereby contributing positively to the distinctive nature of the area.

The proposal therefore complies with Policy D1.

Policy D2 – Amenity

Policy Requirement: Policy D2 seeks to ensure that new development delivers adequate amenity for occupiers and neighbours, including privacy, sunlight, daylight, and outlook.

Response: The proposed extension has been carefully designed to avoid adverse amenity impacts. The nearest neighbour at No.4 Gladstone Place is positioned perpendicular to the appeal site, with its side (west) elevation facing towards the proposed extension. Importantly, this elevation contains no windows. In addition, existing ancillary structures substantially screen views of the garden.

The rear wall of the extension will be located approximately 23 metres from the garden of No.4 Gladstone Place, ensuring no impact on privacy, daylight, or outlook. The Report of Handling confirms that there would be no loss of sunlight, daylight, or privacy to neighbouring properties.

For the appellants, the proposal will significantly improve amenity by providing light, modern, and well-insulated accommodation.

The proposal therefore complies with Policy D2.

Policy D7 – Our Granite Heritage

Policy Requirement: Policy D7 requires the retention and appropriate re-use, conversion, and adaptation of historic granite buildings, structures, and features.

Response: The proposal involves removal of a small, ancillary block of limited architectural value. The granite from this structure will be carefully salvaged and reused in the construction of a new boundary wall.

The proposal therefore aligns with, and does not conflict with, Policy D7.

Policy H1 – Residential Areas

Policy Requirement: Policy H1 supports householder development where it:

1. Does not constitute overdevelopment;
2. Does not adversely impact residential amenity or the character and appearance of the area; and
3. Does not result in the loss of open space.

Response:

- **Overdevelopment:** The Householder Development Guide (HDG) confirms that the footprint of a dwelling, as extended, should not exceed twice that of the original dwelling, nor more than 50% of the rear curtilage.

The rear curtilage of the appeal site extends to approximately 832sqm. The proposed extension adds 78sqm, with a net increase offset by removal of the existing garage and rear block of 17 sqm. The overall site coverage remains well within guideline limits, with around 75% of the rear garden left unbuilt. The Report of Handling confirms the proposal does not constitute to overdevelopment.

- **Loss of Open Space:** The development is wholly contained within the residential curtilage and will not result in any loss of open space.
- **Amenity Impacts:** There will be no adverse impact on neighbouring properties in terms of privacy, overshadowing, or sunlight/daylight, this is confirmed by the Planning Service in the Report of Handling.
- **Design and Materials:** As addressed under Policy D1, the design approach is both acceptable and consistent with good practice, ensuring compatibility with the existing dwelling while maintaining architectural integrity.

The proposal therefore complies with Policy H1.

Householder Development Guide (HDG)

- **Design Compatibility:** The extension is contemporary in design, providing a carefully proportioned, visually subservient extension that is respectful of the main house. It provides

high-quality, sustainable, and adaptable accommodation that makes efficient use of the plot.

- **Amenity:** As confirmed in the Report of Handling, there are no adverse impacts on neighbouring privacy, daylight, or amenity.
- **Precedent:** While past approvals do not establish precedent, they demonstrate the evolving and varied character of the area, as evident from the range of house types, designs, and extensions present.
- **Site Coverage:** The Report of Handling confirmed there is no issue of overdevelopment, with the site coverage remaining well within HDG thresholds.

The proposal therefore fully complies with the HDG.

9. Conclusion

The Town and Country Planning (Scotland) Act 1997 as amended requires that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

This Appeal Statement has set out a clear response to Aberdeen City Council's refusal of planning application Ref: 250366 for the erection of a two-storey rear extension at 148 Victoria Street, Dyce.

The Council's Report of Handling confirmed that the proposal would not constitute overdevelopment, would not result in the loss of open space, and would not give rise to unacceptable impacts on neighbouring amenity, including privacy, daylight, or sunlight. The sole area of concern related to the design of the proposed extension and its relationship with the traditional dwelling.

This Statement has demonstrated that:

- The contemporary design provides a deliberate distinction between old and new, providing a high-quality and sustainable architectural solution.
- The principal front elevation on to Victoria Street will remain unaltered, ensuring the public-facing character of the property is unaffected.
- The surrounding area is varied in architectural character, comprising a mix of house types and extensions, the proposed extension will sit comfortably within this evolving context.
- The extension will provide functional and adaptable accommodation, enhancing the living conditions of the appellants.
- The proposal represents sustainable development by making efficient use of existing land and buildings, supporting compact urban living.
- The proposal is in line with the development plan in that it:
 - Complies with **Policy D1**, by achieving a high standard of design which is distinctive, sustainable, and adaptable, while responding positively to its context.
 - Complies with **Policy D2**, by safeguarding the amenity of neighbouring properties and significantly improving amenity for the appellants.

- Complies with **Policy D7**, through the careful retention and re-use of granite, ensuring the city's granite heritage is respected.
- Complies with **Policy H1** and the **Householder Development Guide**, by avoiding overdevelopment, retaining private garden space, and respecting the residential character of the area.
- Accords with the wider principles of **NPF4**, by making sustainable use of land and existing buildings within an established urban location close to services and facilities supporting compact urban growth and local living.

The proposal represents a sensitive and sustainable adaptation of an existing dwelling which safeguards the amenity of the immediate neighbours, respects the mixed local character while delivering adaptable modern accommodation. For these reasons, the Local Review Body is respectfully requested to uphold this appeal and grant planning permission for the proposed development.

November 2025.

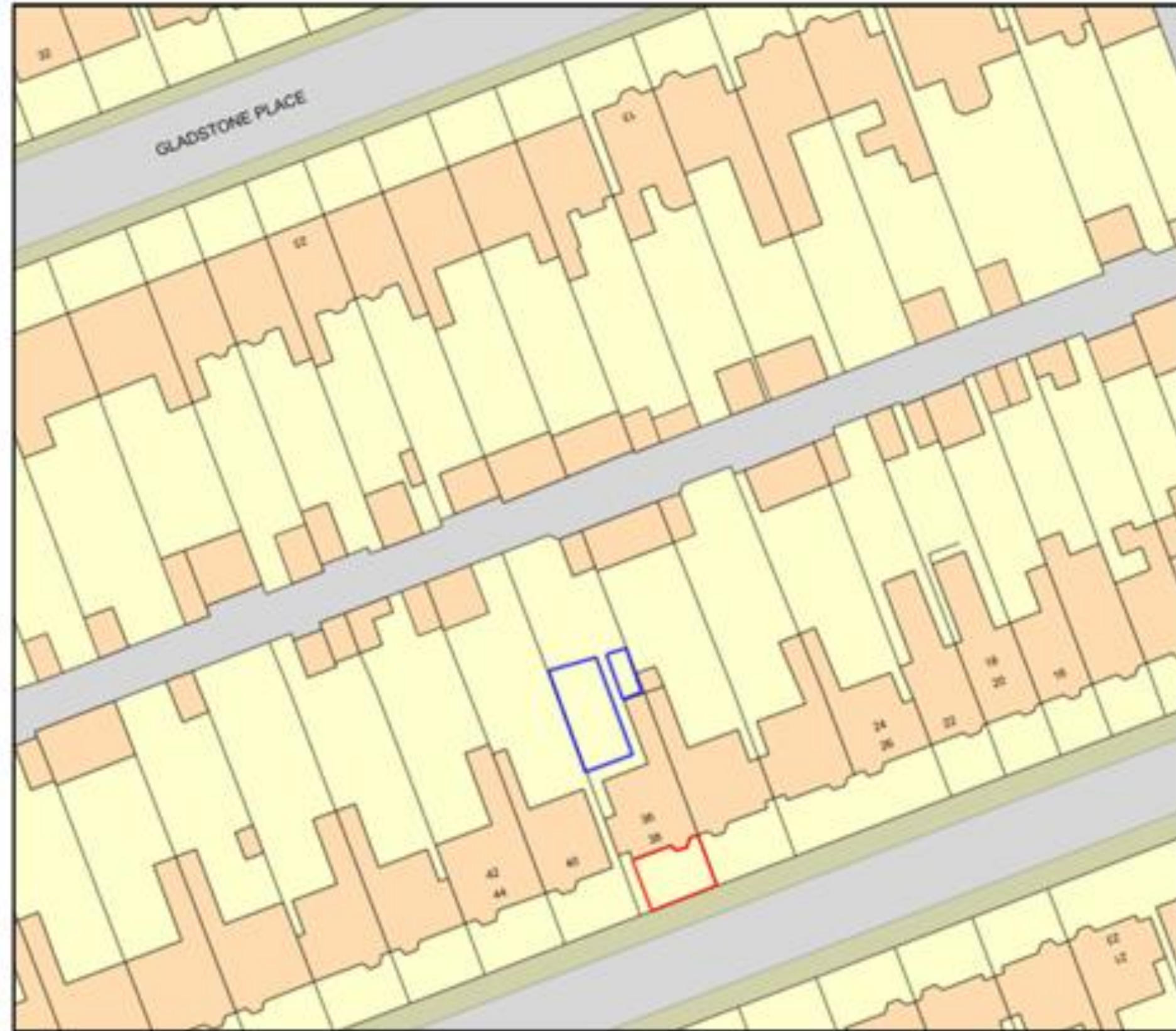
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Local Review Body (LRB) 1 December 2025

250433/DPP – 36 Devonshire Road
Installation of fence to front (retrospective)

Lucy Greene, Planning Advisor

36 Devonshire Road



Location Plan

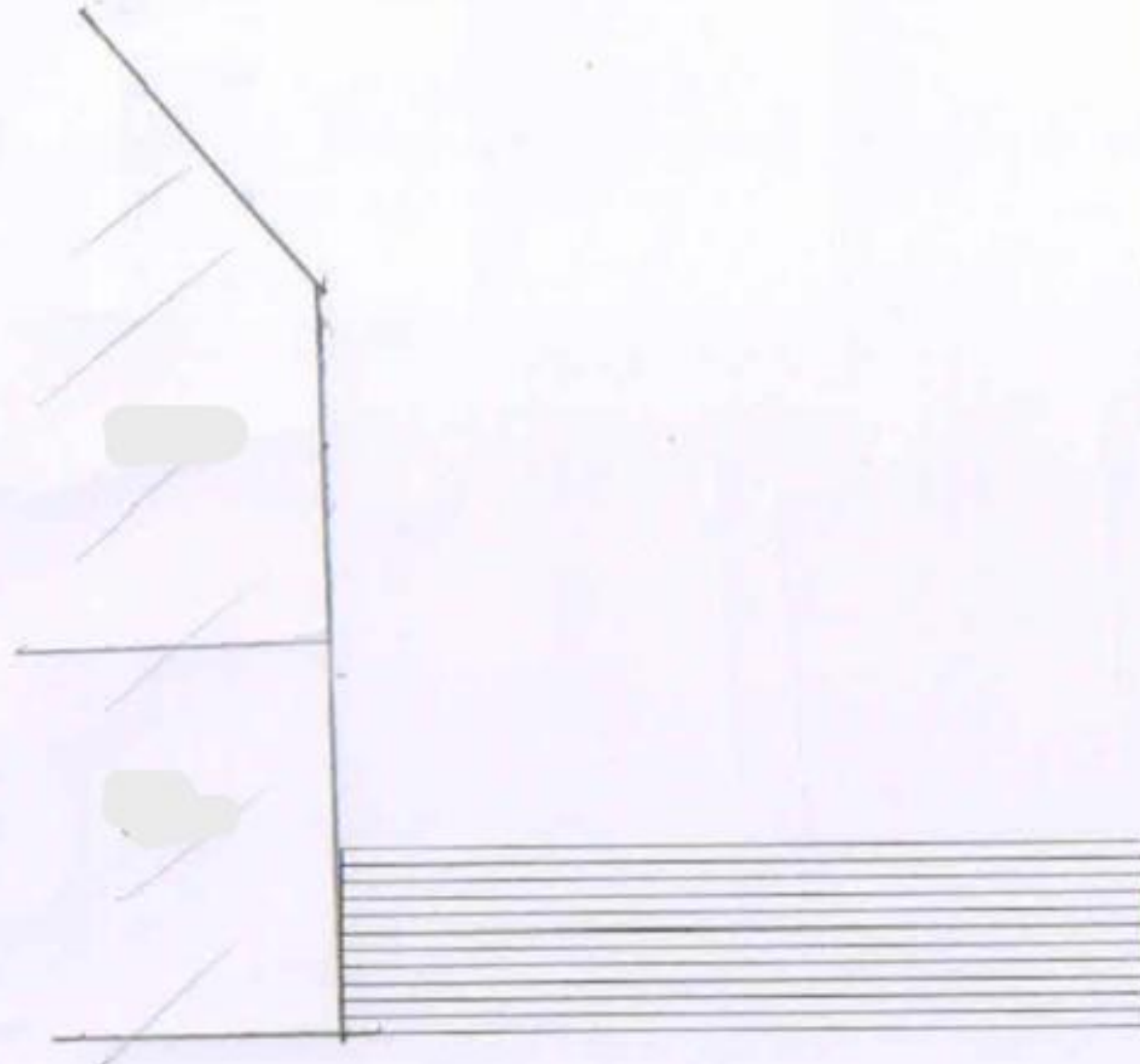
P
side panel
169





Fence shown in grey. Wooden slated (11 x 15cm deep planks); painted grey. Height: 1.70 metres. Width of of wood: 0.02m. Dimensions, including distance from boundary, shown.

Scale 1:100. Wooden slated fence, gaps of 1cm between boards, painted grey. Dimensions: 7.06m x 1.70m



WEST ELEVATION

REASON FOR DECISION

The fence is of an excessive height and alien design and materials for the context of the application site and the surrounding area. This adversely disrupts the regular and extensive rhythm of largely low boundary treatments in stone, metal railing or planted hedging that has been established on the street and which makes a significant contribution to its historic character and distinctive sense of place.

The development therefore fails to preserve the character and appearance of the surrounding area, contrary to Policy 16 (Quality Homes) of National Planning Framework 4 (NPF4) and Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP). The proposed works are also be contrary to the relevant guidance set out in the Householder Development Guide Aberdeen Planning Guidance.

The fence harms the distinctiveness of the surrounding area and is therefore contrary to Policies 14 (Design Quality and Place) of NPF4 and D1 (Quality Placemaking) of the ALDP. The works would also fail to preserve the character and appearance of the conservation area, contrary to Historic Environment Policy for Scotland, Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP.

National Planning Framework 4

Policy 1 (Tackling the Climate and Nature Crises)

Policy 2 (Climate Mitigation and Adaption)

Policy 7 (Historic Assets and Places)

Policy 14 (Design, Quality and Place)

Policy 16 (Quality Homes)

Local Development Plan 2023

Policy D1 (Quality Placemaking)

Policy D6 (Historic Environment)

Policy H1 (Residential Areas)

APG : [Householder Design Guide](#)

[Albyn Place and Rubislaw Conservation Area Character Appraisal and Management Plan](#)

Equality Act 2010

Historic Environment Policy for Scotland

[Managing Change in the Historic Environment: Boundaries](#)

NPF4 – Policy 1

Tackling the climate and nature crises

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy Outcomes:

- Zero carbon, nature positive places.

Policy 1

When considering all development proposals significant weight will be given to the global climate and nature crises.

NPF4 – Policy 2

Policy Principles

Policy Intent:

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy Outcomes:

- Emissions from development are minimised; and
- Our places are more resilient to climate change impacts.

Policy 2

- a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.
- b) Development proposals will be sited and designed to adapt to current and future risks from climate change.
- c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

NPF4 – Policy 7

Historic assets and places

Policy Principles

Policy Intent:

To protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Policy Outcomes:

- The historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change.
- Redundant or neglected historic buildings are brought back into sustainable and productive uses.
- Recognise the social, environmental and economic value of the historic environment, to our economy and cultural identity.

- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
 - i. architectural and historic character of the area;
 - ii. existing density, built form and layout; and
 - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.

National Planning Framework 4

Policy 16 – Quality Homes

- g) Householder development proposals will be supported where they:
 - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
 - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

Design

Six Qualities of Successful Places (Policy 14, Annex D NPF4)

1. Healthy: Supporting the prioritisation of women's safety & improving physical and mental health
2. Pleasant: Supporting attractive natural and built spaces, designing for: social interactions, protection, variety and quality of recreation space, connecting with nature and enjoyment of outdoor spaces
3. Connected: Supporting well connected networks that make moving around easy and reduce car dependency
4. Distinctive: Supporting attention to detail of local architectural styles and natural
5. Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience and integrating nature positive biodiversity solutions
6. Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can meet the changing needs and accommodate different uses over time

Policies – LDP 2023

Policy H1 - Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new development and householder development will be approved in principle if it:

- 1 does not constitute over development;
- 2 does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3 does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and
- 4 complies with Supplementary Guidance.

Policies – LDP 2023

Policy D6 – Historic Environment

Development must protect, preserve and enhance Aberdeen's historic environment, including its historic fabric.

There will be a presumption in favour of the retention and appropriate reuse of historic environment, historic assets, and heritage assets that contribute positively to Aberdeen's character.

Appropriate developments, including new features and fixings, must be designed to respect the character, appearance and setting of the historic environment and protect the special architectural or historic interest of listed buildings, conservation areas and historic gardens and designed landscapes. Stone cleaning will only be supported if in line with local and national guidance.

Householder Design Guide

Fences, Walls and Other Boundary Enclosures

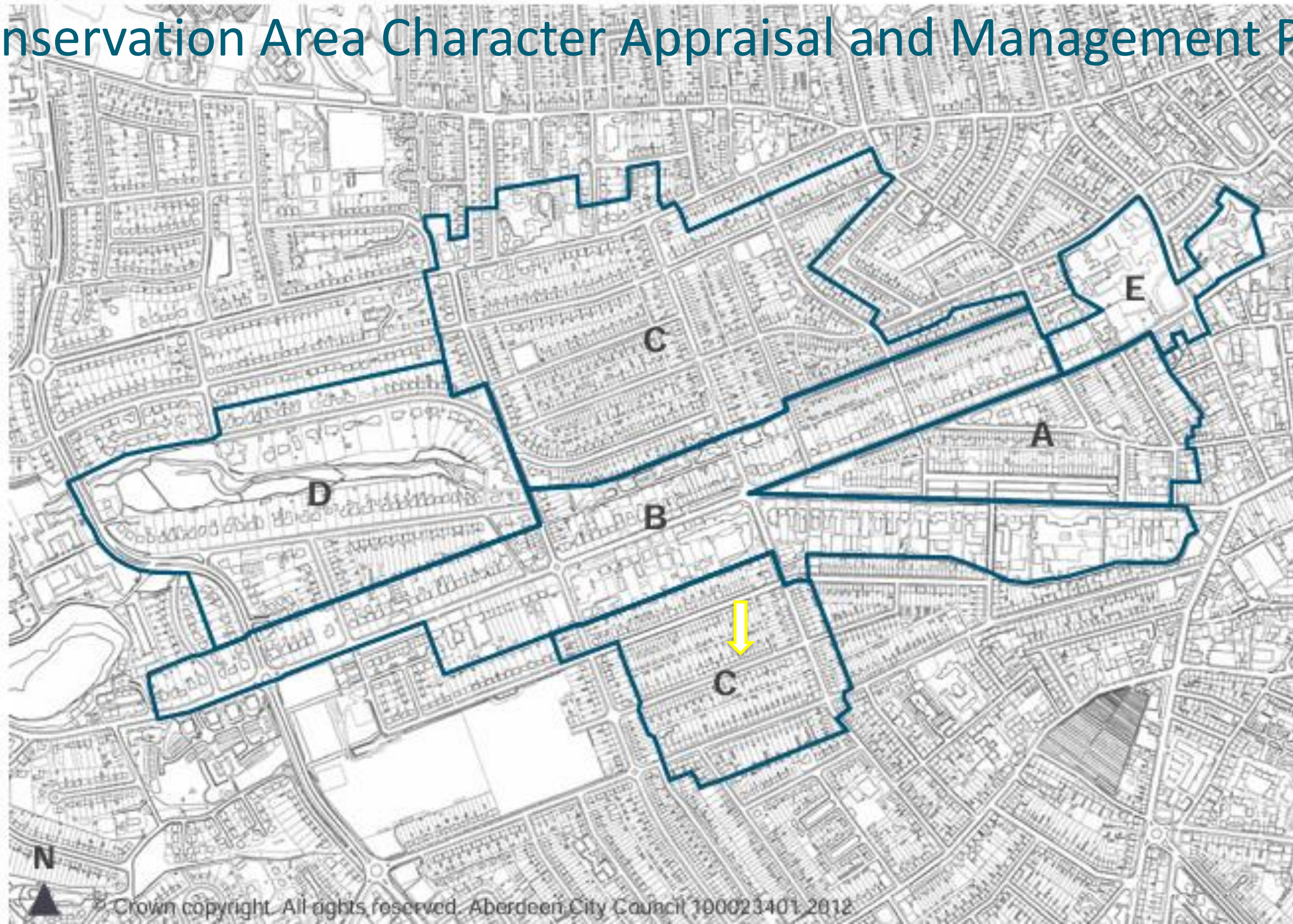
- In all instances, the scale and form of boundary enclosures should be appropriate to their context and should not detract from the street scene as a result of inappropriate visual impact.
- Proposals for boundary enclosures will not be permitted where they would result in an unacceptable impact upon the amenity of neighbouring dwellings.

HES Managing Change Guidance: Boundaries

Key Issues

1. Walls, fences and other boundary treatments form important elements in defining the character of historic buildings, conservation areas and designed landscapes. Listed building consent is required for any works affecting the character of a listed building and planning permission may be required in a conservation area.
2. Age, design, materials, and associated features are amongst the factors that contribute to the interest of historic boundaries.
3. In planning works to historic boundaries it is important to understand and protect their key characteristics.
4. Walls often use local building materials or local traditions. New work should seek to maintain this wherever possible.

Conservation Area Character Appraisal and Management Plan



Conservation Area Character Appraisal and Management Plan

1.2 Summary of significance

Albyn Place/Rubislaw was one of the first Conservation Areas designated in Aberdeen. The area was built to show the prosperity and wealth of the city and of those who had its commissioned buildings. It embraces the Victorian development of the city, providing good examples of planned streetscapes; formal gardens and residential developments. The area is characterised by wide tree lined streets, which follow a linear and grid pattern. The majority are accompanied by low granite front garden walls and back lanes that provide access to the rear of buildings. There is a mixture of public formal space and private informal space.

Alongside the grandiose developments and distinctive semi-detached and detached villas, there are rows of simpler yet substantial terraced developments. To the north, south and west sit terraces; semi-detached and detached residential dwellings of granite and slate, most of which are two storeys and sit back off linear streets. To the east there is a concentration of business, commercial and educational facilities which occupy substantial granite buildings close to the city centre.

C | north and south of Queen's Road, but east of Rubislaw Den. This area comprises the most northerly part of the Conservation Area to the north of King's Gate. To the east it runs to the western most boundary wall of the Grammar School. To the south the boundary runs along character area B, with the western boundary being Forest Road. The area comprises a linear, grid like streetscape which is residential, and mostly consists of semi-detached and terraced properties. The streets are wide and tree lined, and there are a number of back lanes in the area. The house style is on the majority plain; however there are a number of distinctive buildings in certain areas.

The southern section of Character area 3 runs from Queen's Lane South in the north to Ashley Lane in the South. The eastern edge runs along the back lane of St. Swithin Street while the western edge sits on Union Grove Lane. The character area comprises mostly semi-detached and terraced properties, set back from the wide tree lined pavements behind low granite walls. The buildings are on the whole plain yet substantial in form. The area is mostly residential, yet there is a collection of small retail premises at the southern section of St. Swithin Street. The character area runs slightly downhill from north to south.

Evaluation

- Primacy of Development Plan – NPF4 and LDP 2023
- The Planning Act requires all applications to be determined in accordance with Development Plan unless material considerations indicate otherwise
- Careful assessment, each application treated on its merits

Basis for Decision

Zoning: Residential area

How would the extension would affect character and amenity of the conservation area property ?

- 1. Does the proposal comply with the Development Plan when considered as a whole?**
- 2. Do other material considerations weigh for or against the proposal? Are they of sufficient weight to overcome any conflict with the Development Plan?**

Decision – state clear reasons for decision

	Strategic Place Planning
	Report of Handling by Development Management Manager

Site Address:	36 Devonshire Road, Aberdeen, AB10 6XR
Application Description:	Installation of fence to front (retrospective)
Application Ref:	250433/DPP
Application Type:	Detailed Planning Permission
Application Date:	6 May 2025
Applicant:	Mrs Donna Ewen
Ward:	Hazlehead/Queen's Cross/Countesswells
Community Council:	Queen's Cross and Harlaw

DECISION

Refuse.

APPLICATION BACKGROUND

Site Description

The site comprises the front residential curtilage of an end-terrace ground floor flat on the north side of Devonshire Road. The road was feued in the late 19th and early 20th centuries and is largely laid out with granite terraces of dwellinghouses and self-contained one-up-one-down flats. The front curtilage is typical for the regular plan of the plots, with an approximate 7.1 metre setback from the public road to the south and a width of approximately 10.7 m. The associated flat is to the north of the front curtilage. To its west is the neighbouring front curtilage of 40 Devonshire Road, separated by a hedge and an access path serving the front door of the upper flat (38), and to the east is the neighbouring front curtilage of the ground floor flat at 34 Devonshire Road, separated by a hedge and the fence subject to this application, described in further detail below.

The area is residential in character and characterised by regular building setbacks from the public road, planted or low built boundary treatments, and an avenue of trees along both pavements. The site lies within the Albyn Place and Rubislaw Conservation Area.

Relevant Planning History

None.

APPLICATION DESCRIPTION

Description of Proposal

Retrospective planning permission is sought for the erection of a timber, horizontal panel fence along the length of the mutual boundary of the front curtilage with 34 Devonshire Road to the east, 7.06 m long and 1.70 m high. The fence is painted a light grey colour.

Amendments

There have been no formal amendments, however the applicant has advised that they are prepared to paint the fence a darker colour.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at –

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SVGWTZBZICO00>

- Supporting Statement

CONSULTATIONS

- **Queen's Cross and Harlaw Community Council** – No response received.

REPRESENTATIONS

Three representations have been received (one objection and two in support). In addition, one late representation in support has been received, all material considerations of which have been considered in the Evaluation. This does not affect the application's determination under delegated powers according to the Scheme of Delegation and the matters raised in timeous representations can be summarised as follows –

Material Considerations

Objection

1. The fence has an unacceptable effect on the streetscape, contrary to Policies H1 and D1 of the Aberdeen Local Development Plan 2023.
2. The fence would set a precedent for tall fences at the front of other properties.

Support

3. The fence improves the appearance of the street.
4. The fence's finish complements the surrounding granite.
5. The fence is in keeping with other boundary treatments on the street.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Section 149 of the Equality Act 2010 requires that a public authority must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act, promote equality of opportunity for those with protected characteristics, and to foster good relations between persons who share a relevant protected characteristic and those who do not.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 7 (Historic Assets and Places)
- Policy 14 (Design, Quality and Place)
- Policy 16 (Quality Homes)

Aberdeen Local Development Plan 2023

- Policy D1 (Quality Placemaking)
- Policy D6 (Historic Environment)
- Policy H1 (Residential Areas)

Aberdeen Planning Guidance

- Householder Development Guide

Other National Policy and Guidance

- Historic Environment Policy for Scotland
- Managing Change in the Historic Environment: Boundaries

Other Material Considerations

- Albyn Place and Rubislaw Conservation Area Character Appraisal and Management Plan

EVALUATION

Key Determining Factors

The key determining factors in the assessment of this application are whether the proposed development would:

- impact upon the character and appearance of the existing dwelling or the surrounding area;
- impact upon the amenity of the area, including the residential amenity of immediately neighbouring properties;

- preserve or enhance the character and appearance of the conservation area.

Policy Context

Policy 16 (Quality Homes), paragraph (g) of National Planning Framework 4 (NPF4) states that householder development proposals will be supported where they:

- do not have a detrimental impact on the character or environmental quality of the home and the surrounding area, in terms of size, design and materials; and*
- do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.*

The application site also lies within a Residential Area, as zoned in the Aberdeen Local Development Plan 2023 (ALDP) Proposals Map. Policy H1 (Residential Areas) of the ALDP states that within existing residential areas, proposals for new householder development will be approved in principle if it:

- does not constitute overdevelopment; and*
- does not have an adverse impact to residential amenity and the character and appearance of an area; and*
- does not result in the loss of open space.*

Impact on the Character and Appearance of the Area, and the Historic Environment

In determining whether the proposed development would adversely affect the character and appearance of the existing dwelling, and the surrounding area, Policy 14 (Design, Quality and Place) of NPF4 is relevant. Policy 14 encourages and promotes well-designed development that makes successful places by taking a design-led approach. Policy D1 (Quality Placemaking) of the ALDP substantively reiterates the aims and requirements of Policy 14.

The application site also lies within the Albyn Place and Rubislaw Conservation Area. Historic Environment Policy for Scotland (HEPS), Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP all seek to ensure that new development in conservation areas either preserves or enhances the character and appearance of the conservation area.

Historic Environment Scotland's guidance, Managing Change in the Historic Environment: Boundaries ('Boundaries') sets out that boundary treatments such as walls and fences are important elements which partially define the character of historic buildings and conservation areas. For the most part, Boundaries covers alterations and repairs to historic boundaries rather than new boundary features in historic contexts. However, it does state that an important consideration for boundaries is the impact of development in relation to the unified designs of streets and other groups of buildings. It further states that *"the continuity or uniformity of a boundary can characterise a whole street or area of the same period, style, historic development or original ownership"*. This consideration applies to the relatively uniform street context of the application site.

Site context

The Council's Householder Development Guide Aberdeen Planning Guidance (HDG) states: *"In all instances, the scale and form of boundary enclosures should be appropriate to their context and should not detract from the street scene as a result of inappropriate visual impact."*

The Albyn Place and Rubislaw Conservation Area Character Appraisal and Management Plan ('Character Appraisal') summarises the area's significance as one that *"embraces the Victorian development of the city, providing good examples of planned streetscapes; formal gardens and*

residential developments. The area is characterised by wide tree lined streets, which follow a linear and grid pattern. The majority are accompanied by low granite front garden walls". The property lies within Character Area C as identified in the Character Appraisal, where low granite walls to the front pavement are again identified as typical. The area is also identified as having *"a distinctive rhythm due to the symmetrical nature of the buildings, [and] the linear street pattern"*.

Devonshire Road typifies much of these elements as described in the Character Appraisal. Its regular terraced building types and setbacks, line of trees and limited number of boundary treatments contribute to a distinctive character and rhythm. Along almost the entire length of the street, the prevailing front boundary treatments are low granite boundary walls and railings (up to approximately 1.1 metres in height), or otherwise very low granite kerbs where historic railings have likely been removed, or hedges. The hedges are typically maintained to the same height as surrounding physical boundaries, although some grow higher.

Departing from this pattern, there is one instance, cited by the applicant in their Supporting Statement, of a black timber fence approximately 1.8 m high set against a hedge of equal height, in the front curtilage of 48 Devonshire Road. Planning permission would have been required for this fence although there is no record of an application having been received. Historic photography from Google Street View indicates that the fence has been in place since at least May 2014. It is therefore over four years old and hence immune from enforcement action. Although not part of the assessment of this application, the disruptive impact of this existing fence on the streetscape relative to the other boundary treatments is noticeable when approaching it from the east and vividly demonstrates the harm that is caused to the appearance of the street and to the character of the conservation area by inappropriate fences in front gardens.

The Supporting Statement avers that the bamboo structure which has supported the neighbouring hedge also constitutes a fence requiring permission. This is not a material consideration to the application as what is being assessed is the fence which has been erected at 36 Devonshire Road. For the avoidance of doubt, the bamboo and netting are gardening features which appear to serve to provide structure and support to the hedge, and do not constitute development requiring planning permission.

In relation to these hedge structures and the general maintenance of the hedge, the Supporting Statement advances the case that these have harmed visual amenity, which then the applicant has sought to address through the erection of the fence. This issue however relates to a civil matter between the parties who are concerned with the management of the boundary hedge, and it is not a material consideration to the planning application.

In summary, the fence that is subject of this application is different from the prevailing boundary treatments of the street in a way which is not explicitly supported by the Character Appraisal as typical for the conservation area. It therefore cannot be described as being "in keeping" with other boundary treatments as has been argued in a representation (*issue 5 in representations*). Nevertheless, as is acknowledged in particular by HEPS, change within historic environments is possible subject to it being carefully managed to protect the special character and appearance of historic sites such as the conservation area. The question to be addressed in the evaluation that follows is therefore whether the change that has taken place causes harm to that character and appearance.

Siting, Scale, Design and Materials

The siting of the fence along a mutual boundary is typical and acceptable. In the representations submitted to the application, there are divergent opinions as to whether the fence at the application property has a positive or negative impact on the character and appearance of the area in terms of its scale, design, and materials (*issues 1, 3 and 4*). With the exception of the nearby fence described

above which does not have planning permission but is exempt from enforcement action, the applicant's fence is higher than any other built front curtilage boundary on Devonshire Road, where the generally low-level built boundary treatments establish a distinctive rhythm between the public faces of properties. The numerous hedges on the street can and sometimes do grow higher. However, these hedges do not constitute development and are largely outwith the control of the planning authority. Furthermore, their physical character as vegetation softens their physical impact and increases the pleasant attributes of the surrounding place through natural enhancement.

The fence however is a hard-built and solid boundary treatment very different in character from hedging. The effect of its greater height is exacerbated by its construction in horizontal timber panels, which is alien to prevailing boundary treatments on the street, drawing attention to the fence and adversely disrupting the distinctive rhythm established by its select range of boundary treatments. While it has been argued in representations that the painting of the fence light grey matches with the colour of the granite dwellings (*issue 4*), the effect of the light shade only further draws attention to the fence and exacerbates its impact.

Given the character of the street and the surrounding conservation area set out in the Character Appraisal, the low built boundary treatments of the street make a significant contribution to its architectural interest and the place's distinctive character and appearance. The fence runs against this distinctive rhythm both in height, design and material, with no other comparable exceptions save for one which is lawful only because it is immune from enforcement. The fact that the fence is well maintained does not resolve this harm (*issue 8*). The fence therefore causes significant harm to the street's distinctive sense of place, its architectural interest and the character and appearance of the conservation area, contrary to Policies 7 and 14 of NPF4 and D1 and D6 of the ALDP, as well as HEPS.

Mitigation

The applicant has advised they would be open to painting the fence a darker colour, such as dark green or dark grey, towards mitigating the fence's visual impact. While this would improve the proposal, the contrast of the material with that of other boundaries on the street and its outstanding height would still adversely disrupt the rhythm of the streetscape described above, to the extent that the height would need to be reduced to a level comparable with the prevailing built boundary treatments. This would be approximately 460 millimetres, or three slats. The applicant has declined to make this change to height.

Precedent

Concerns have been raised in the representation objecting to the application that the proposal would set a precedent for similar tall fences to the front of other properties, further eroding the character and appearance of the surrounding area (*issue 2*). While each application is determined on its own merits according to its own site context, the cumulative erosion of place character through a process akin to precedent can occur in places where there is a regular and consistent built pattern. Devonshire Road has a consistent building type, building line setbacks, and most importantly a limited number of boundary treatment types. Given this regularity, it is difficult to envisage the material considerations on which the fence being assessed under this application could be approved, while a similarly specified fence along a front curtilage boundary elsewhere on the street could then be refused at a later date under the same statutory development plan. As such, approval of this proposal would threaten to introduce a process of cumulative harm to the architectural character and appearance of this part of the Albyn Place and Rubislaw Conservation Area, which would be difficult to prevent due to the street's relative uniformity.

Overdevelopment

Guidance on what constitutes “overdevelopment” is set out within ‘General Principles 4 and 5’ at section 2.2 of the Householder Development Guide. This states that the built footprint of a dwellinghouse, as extended, should not exceed twice that of the original dwelling and no more than 50% of the front or rear curtilage of a dwelling should be covered by development. The fence does not increase the dwelling’s built footprint and does not constitute overdevelopment.

Open Space

The householder development is wholly contained within the existing residential curtilage of the application property and no open space has been lost.

Summary

To summarise, the development is of an inappropriate scale, design and material for its context. It fails to preserve the character and appearance of the surrounding area, contrary to Policies 14 and 16 of NPF4 and Policies D1 and H1 of the ALDP, as well as the relevant guidance contained within the Householder Development Guide. The development also fails to preserve the character and appearance of the conservation area, contrary to HEPS, Policy 7 of NPF4 and Policy D6 of the ALDP.

Impact on the Residential Amenity of the Area

As well as visual amenity discussed above, residential amenity is considered. In relation to assessing impacts on residential amenity, the HDG states that: *"Proposals for boundary enclosures will not be permitted where they would result in an unacceptable impact upon the amenity of neighbouring dwellings."*

Privacy and Outlook

Privacy is given in the Supporting Statement as the main reason for setting the fence at its height of 1.7 m, and for declining requests to lower it to correspond with nearby walls and railings. As set out in the Supporting Statement, the fence has been put up in relation to the individual applicant’s own feeling of a loss of privacy, rather than because of any privacy issues arising from the front curtilage’s physical spatial context with the surrounding area. According to the Supporting Statement, and as corroborated by historic Google Street View photography, the established boundary treatment until the erection of the fence had been a hedge on both sides maintained at a height similar to nearby low boundary walls.

As such, and based on the context of the surrounding area, there is no especial expectation that the front curtilages of the dwellings, which face onto the street and have either planted or low built boundary treatments between them, should enjoy a greater level of privacy which would be afforded by higher boundary treatments such as is being applied for. The principle of residential privacy is dependent on context. The context for privacy is different between a dwelling’s rear curtilage surrounded by neighbouring private spaces and its front curtilage which faces onto the public road, as is the case here. In the context of the front curtilages, their residential amenity is promoted primarily by the clear demarcation between private and public space, rather than the securing of exclusive privacy between residential curtilages commensurate with a back garden.

It is therefore clear that the privacy issue which has been raised cannot be generalised to the physical spatial relationship of the application property with its surrounding context, which is what the fence is assessed against in this planning application. The proposal therefore cannot be said to promote the privacy of the residential property, which also has access to a larger and more private

garden area to the rear.

Regarding neighbouring properties, the fence does not cause any harm to the privacy, real or felt, of neighbouring properties, nor is it overbearing to the extent that it would significantly harm the outlook of any specific property. Rather, its visual harm as set out above would be on the character of the wider streetscape.

Daylight and Sunlight Receipt

The front curtilages are not the primary outdoor spaces exclusive to the dwellings, which have private garden areas to the rear. The front curtilages on both sides of the fence are large enough that it does not have any significant adverse overshadowing impact on either the application curtilage or its neighbour to the east.

Summary

To summarise, notwithstanding the harm to visual amenity, the development has no significant impact in relation to the residential amenity of the surrounding area, including the residential amenity of the neighbouring properties, in accordance with Policy 16 of NPF4 and Policy H1 of the ALDP, as well as the relevant guidance contained within the Householder Development Guide. The fence is not required in order to protect the privacy of property's occupants, given its position in the open and publicly visible front curtilage, and as there is a larger, more private garden area to the rear.

Public Sector Equality Duty

The Supporting Statement highlights the planning authority's public sector equality duty under the Equality Act 2010, as outlined in the Legislative Requirements above. This is in relation to a protected characteristic, disability of a person(s). As it applies to people with disabilities, which are protected under the 2010 Act, the planning authority, in exercising its functions, must have due regard to the elimination of discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act against people with disabilities, must advance equality of opportunity for people with disabilities, and foster good relations between people with disabilities and those without. This due regard does not override the legal responsibilities of the planning authority in exercising its planning functions. Particularly in this case is the planning authority's statutory duty under section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 ('the Listed Buildings and Conservation Areas Act') to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The Supporting Statement links the application directly to disability by stating that the privacy imparted by the fence supports the person(s)' management of their disability(ies).

As already discussed under 'Privacy and Outlook' above, the level of privacy to be expected from the front garden in its surrounding context is not sufficient to justify the height of the fence. Given that the application property has more private garden ground to the rear, the property overall does not suffer from a lack of private open space relative to its use as a ground floor flat.

It is therefore not clear how the fence specifically supports the enjoyment of the front garden towards managing any person's disability(ies) in a way that could not otherwise be achieved through development which preserved the character and appearance of the conservation area, not to mention use of the private garden ground to the rear. As such, there is insufficient weight to outweigh the planning authority's statutory duty under section 64 of the Listed Buildings and Conservation Areas Act. On considering this duty and then giving due regard to the public sector equality duty, the application cannot be supported on such a basis.

Regarding the right to respect for private and family life which the Supporting Statement refers to under the Article 8 of the Human Rights Act 1998, planning authorities are prohibited from acting in a way which is incompatible with Convention rights under the European Convention on Human Rights. Such rights are material considerations and are respected; however they are not guaranteed. These rights have to be balanced against all other material considerations when determining a planning application. The application is determined against the statutory development plan, which has been confirmed through its adoption process to be compliant with the Human Rights Act 1998.

Tackling the Climate and Nature Crises, Climate Mitigation and Adaptation

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be sited and designed to adapt to current and future risks from climate change.

The householder development is sufficiently small-scale such that it does not make any material difference to the global climate and nature crises, nor to climate mitigation and adaptation. The proposal is thus acceptable and does not conflict with the aims and requirements of Policies 1 and 2 of NPF4.

DECISION

Refuse.

REASON FOR DECISION

The fence is of an excessive height and alien design and materials for the context of the application site and the surrounding area. This adversely disrupts the regular and extensive rhythm of largely low boundary treatments in stone, metal railing or planted hedging that has been established on the street and which makes a significant contribution to its historic character and distinctive sense of place.

The development therefore fails to preserve the character and appearance of the surrounding area, contrary to Policy 16 (Quality Homes) of National Planning Framework 4 (NPF4) and Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP). The proposed works are also be contrary to the relevant guidance set out in the Householder Development Guide Aberdeen Planning Guidance.

The fence harms the distinctiveness of the surrounding area and is therefore contrary to Policies 14 (Design Quality and Place) of NPF4 and D1 (Quality Placemaking) of the ALDP. The works would also fail to preserve the character and appearance of the conservation area, contrary to Historic Environment Policy for Scotland, Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP.

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Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100709097-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

A 1.7 metre slated wooden fence, painted grey, in the front garden of 36 Devonshire Road, Aberdeen, AB10 6XR, running north-south along the boundary with the front garden of 34 Devonshire Road.

Has the work already been started and/ or completed? *

☐ No ☐ Yes - Started ☒ Yes – Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

11/05/2024

Please explain why work has taken place in advance of making this application: *
(Max 500 characters)

I did not think that permission would be required because there is an existing historical boundary fence between 34 and 36 Devonshire Road; and because my neighbour at 34 was told by the Council there was no planning control required when she erected her own "bamboo fencing".

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Donna"/>	Building Number:	<input type="text" value="36"/>
Last Name: *	<input type="text" value="Ewen"/>	Address 1 (Street): *	<input type="text" value="Devonshire Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB10 6XR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="36 DEVONSHIRE ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB10 6XR"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="805488"/>	Easting	<input type="text" value="392363"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

I received an email from Planning Inspector Stuart Morrice (ENF250068) saying that as no planning permission had been sought, this appeared to be a breach of controls, and that I should apply for consent or my fence would be removed.

Title:

Mrs

Other title:

First Name:

Donna

Last Name:

Ewen

Correspondence Reference Number:

ENF250068

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mrs Donna Ewen

On behalf of:

Date: 28/04/2025

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

☒ Existing and Proposed elevations.

☒ Existing and proposed floor plans.

☐ Cross sections.

☐ Site layout plan/Block plans (including access).

☐ Roof plan.

☐ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☒ Yes ☐ No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mrs Donna Ewen

Declaration Date: 28/04/2025

Payment Details

Online payment: ABSP00011924

Payment date: 28/04/2025 20:33:00

Created: 28/04/2025 20:33

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DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Mrs Donna Ewen
36 Devonshire Road
Aberdeen
AB10 6XR

Aberdeen City Council in exercise of its powers under the above mentioned Act hereby **refuses planning permission** for the development specified below and shown in the plans and drawings listed.

Application Reference Number	250433/DPP
Address of Development	36 Devonshire Road Aberdeen AB10 6XR
Description of Development	Installation of fence to front (retrospective)
Date of Decision	22 July 2025

DETAILS OF ANY VARIATION MADE TO THE APPLICATION

None.

REASON FOR DECISION

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

The fence is of an excessive height and alien design and materials for the context of the application site and the surrounding area. This adversely disrupts the regular and extensive rhythm of largely low boundary treatments in stone, metal railing or planted hedging that has been

established on the street and which makes a significant contribution to its historic character and distinctive sense of place.

The development therefore fails to preserve the character and appearance of the surrounding area, contrary to Policy 16 (Quality Homes) of National Planning Framework 4 (NPF4) and Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP). The proposed works are also be contrary to the relevant guidance set out in the Householder Development Guide Aberdeen Planning Guidance.

The fence harms the distinctiveness of the surrounding area and is therefore contrary to Policies 14 (Design Quality and Place) of NPF4 and D1 (Quality Placemaking) of the ALDP. The works would also fail to preserve the character and appearance of the conservation area, contrary to Historic Environment Policy for Scotland, Policy 7 (Historic Assets and Places) of NPF4 and Policy D6 (Historic Environment) of the ALDP.



A full evaluation and account of the processing of the application is contained in the report of handling, which is available by entering the application reference number at <https://publicaccess.aberdeencity.gov.uk/>.

PLANS AND DRAWINGS

250433-01

Location Plan

250433-03

Site Layout (Proposed)

250433-04

West Elevation (Proposed)

Signed on behalf of the planning authority

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

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.

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Comments for Planning Application 250433/DPP

Application Summary

Application Number: 250433/DPP

Address: 36 Devonshire Road Aberdeen AB10 6XR

Proposal: Installation of fence to front (retrospective)

Case Officer: Esmond Sage

Customer Details

Name: Dr Bill Harrison

Address: 16 Summer Place Dyce Aberdeen AB21 7EJ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application. Reason: the proposed boundary treatment (1.7 metre fence to the front of the property facing Devonshire Road) is not consistent with policies H1 (residential areas) and D1 (quality placemaking) of the Aberdeen Local Development Plan (2023) due to its unacceptable effect on the streetscape (see paragraph 7.18 of the ALDP). If approved, it will set a bad precedent for further applications for tall fences at the front of properties.

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Comments for Planning Application 250433/DPP

Application Summary

Application Number: 250433/DPP

Address: 36 Devonshire Road Aberdeen AB10 6XR

Proposal: Installation of fence to front (retrospective)

Case Officer: Esmond Sage

Customer Details

Name: Miss Lesley Mutch

Address: GL 18 Albyn Grove Aberdeen AB10 6SQ

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: As a long-term resident of Albyn Grove, I have for many years walked around my community. I am familiar with the area. Having read the supporting statement, it is clear the applicant is doing their best to keep the area as good as it can be, including their garden. I can confidently say the fence is a welcome addition to the street, and now looks far better. There is more to this than just a fence!

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Comments for Planning Application 250433/DPP

Application Summary

Application Number: 250433/DPP

Address: 36 Devonshire Road Aberdeen AB10 6XR

Proposal: Installation of fence to front (retrospective)

Case Officer: Esmond Sage

Customer Details

Name: Mr David Harris

Address: 64 Devonshire Road Aberdeen AB10 6XQ

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I offer my full support for the wonderful fence at number 36 Devonshire Road. The fence has been tastefully crafted and painted with a silver finish to complement its granite surroundings. I feel it is in keeping with other partitions on the street. I would encourage Aberdeen City Council to approve this application.

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Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100729657-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Donna"/>	Building Number:	<input type="text" value="36"/>
Last Name: *	<input type="text" value="Ewen"/>	Address 1 (Street): *	<input type="text" value="Devonshire Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB10 6XR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

36 DEVONSHIRE ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB10 6XR

Please identify/describe the location of the site or sites

Northing

805488

Easting

392363

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

A 1.7 metre slated wooden fence, painted grey, in the front garden of 36 Devonshire Road, Aberdeen, AB10 6XR, running north south along the boundary with the front garden of 34 Devonshire Road. Note, I have since offered to reduce the height of the fence to 1.4 metres by removing two slats (officers asked for 3), to paint it green instead of grey (as suggested by planning officers), and grow clematis to cover the top slat.

Type of Application

What type of application did you submit to the planning authority? *



Application for planning permission (including householder application but excluding application to work minerals).



Application for planning permission in principle.



Further application.



Application for approval of matters specified in conditions.

What does your review relate to? *	
<input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.	
<h3 style="margin: 0;">Statement of reasons for seeking review</h3> <p>You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)</p> <p>Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.</p> <p>You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.</p> <div style="border: 1px solid black; height: 60px; margin-top: 10px; padding: 5px;"> See supporting document. </div>	
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 	
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)	
<div style="border: 1px solid black; height: 60px; margin-top: 10px; padding: 5px;"> These new matters were part of a compromise offered by me in response to an initial rejection. Officers had asked that I remove 3 slats. I offered to remove 2. I have agreed to paint the fence green at their request (originally it was grey) and to grow clematis to cover the top slat. </div>	
Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)	
<div style="border: 1px solid black; height: 60px; margin-top: 10px; padding: 5px;"> See supporting statement. </div>	
<h3 style="margin: 0;">Application Details</h3>	
Please provide the application reference no. given to you by your planning authority for your previous application.	<div style="border: 1px solid black; padding: 2px;">250433/DPP</div>
What date was the application submitted to the planning authority? *	<div style="border: 1px solid black; padding: 2px;">28/04/2025</div>
What date was the decision issued by the planning authority? *	<div style="border: 1px solid black; padding: 2px;">22/07/2025</div>

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

The circumstances surrounding this planning application go beyond planning law [REDACTED]
[REDACTED] I also believe it is imperative that I am given the opportunity to convey the emotional impact this has had and to answer directly any questions the Local Review Body may have.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☐ Yes ☐ No ☒ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Donna Ewen

Declaration Date: 13/10/2025

Payment Details

Online payment: ABSP00012424
Payment date: 13/10/2025 23:11:00

Created: 13/10/2025 23:11

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Notice of Review

Not applying for planning permission was a genuine oversight on my part and I apologise once again for that.

There was a single letter of objection to my application – from someone living 5 miles away – and two letters of support from the immediate area. As a compromise, and in response to suggestions from officers, I have offered to:

- Paint my fence banco National Trust green (I had originally made it grey to match it to the building)
- Remove 2 slats rather than the 3 had been asked for, a difference of just 14 centimetres
- Grow clematis on the fence (I sought advice from a professional gardener), so that the top slat is obscured, achieving a visual softening

I would ask you to consider *why* I erected the fence in haste – to protect my privacy and amenity.

[REDACTED]
[REDACTED] the bay was placed nearer my ground floor neighbour's front gate to avoid a tree. For four years we had shared the maintenance of a long-established chest-high boundary hedge (one I loved). [REDACTED]
[REDACTED]

the remaining hedge on [REDACTED] to over 2 metres, leaving the upper reaches to lean into my airspace. Bamboo canes were tied together with Christmas tinsel; a wooden board was wedged against a communal downpipe. This is what I was confronted with (the original fence can be seen):



Since then, horizontal plastic poles have been added to the vertical bamboo ones, creating a lattice structure to which fairy lights have been added. I do not believe this is more in keeping with a conservation area than a simple wooden fence.



I understand the value of guidance to preserve the historic character of the area. However, I would ask the Local Review Body to look beyond material planning considerations and take a more human-centric view when considering this appeal.

the enforcement of conservation rules in this case without consideration of my lived-experience would represent such a disadvantage.

When I was told in April by planning inspector Mr Morrice that I needed to apply for planning permission, he advised: "The limitation on the fence comes from the fact the property is located within the conservation area and not in relation to the height." I have since been told I can keep my fence if I reduce its height by 46 centimetres, a somewhat contrary position.

I was told: "This would be the highest level at which the fence would correspond to most other built boundary treatments on the street and therefore reflect the prevailing built boundary treatment for front gardens in the area." Note, this states "most" but not "all". According to public planning records, [REDACTED] "bamboo fencing" (as it was described on the Council's website) did not require consent. A few doors away there is a wooden fence that has stood for several years, both being higher than my fence:



The rejection of my planning application is at best inconsistent; at worst, potentially discriminatory.

[REDACTED] As I said, I am happy to remove 2 of the 3 slates requested and to cover the other one with foliage. A mere 14 centimetres is the difference between me having peace of mind and living with anxiety by having the fence serve as a deterrent.

My hope therefore is that the review body will exercise some discretion; that I might be granted retrospective consent given the extenuating personal circumstances described, the planning precedents set elsewhere on Devonshire Road and in the conservation area, and my attempt to sincerely maintain the tone not just of my garden but the street through the proposed compromise/enhancements.

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