

DECISION NOTICE

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

John Buchan
MGA Architecture
22 Rubislaw Terrace
Aberdeen
United Kingdom
AB10 1XE

on behalf of **Carden Studios Ltd**

With reference to your application validly received on 8 April 2022 for the following development:-

Change of use and conversion of class 4 office building to form 2 residential flats, alterations and installation of replacement windows and doors; formation of entrance door from an existing window opening; associated works landscaping works; and installation of retractable bollards at Studio 3, 32 Albert Street

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
1413 - LOC01 A	Location Plan
1413 - 200 E	Site Layout (Proposed)
1413 - 202 D	Multiple Floor Plans (Proposed)
1413 - 204 B	Multiple Elevations (Proposed)
1413 - 205 B	North Elevation (Proposed)
1413 - 206 A	Replacement Window Details
1413 - 207	Entrance Door Details

DETAILS OF ANY VARIATION MADE TO THE ORIGINAL APPLICATION

It was initially proposed to install a granite upstand with railings and an automatic raised arm barrier along the northern boundary, however stainless steel, retractable bollards are now proposed, but it should be noted that this change was not made at the request of the Planning Service. Amendments have also been made to the external amenity area, these have been at the request of the Planning Service.

REASON FOR DECISION

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

While the principle of a residential use in this area could be deemed appropriate, the proposal overall cannot be accepted given the lack of an appropriate level of external amenity space, which is considered to inhibit the quality of the development as well as the wellbeing of future occupants. The proposal therefore fails to comply with Policy D1 - Quality Placemaking by Design of the current Aberdeen Local Development Plan, the associated Landscape SG and with Policy D2 - Amenity of the Proposed Aberdeen Local Development Plan 2020.

Furthermore, the use of composite doors on the west elevation does not seek to protect, preserve and enhance the historic importance of the B listed building. As such, the proposal fails to comply with Policy D4 - Historic Environment of the current Aberdeen Local Development Plan, Scottish Planning Policy and Historic Environment Policy for Scotland, as well as the relevant Repair and Replacement of Windows and Doors and Managing Change Guidance: Doorways.

Date of Signing 30 September 2022



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

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

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.