

Planning Development Management Committee – 15 May 2024

Planning Appeals Update

This report informs Planning Development Management Committee (PDMC) members about planning appeals and notifications in relation to Aberdeen City Council decisions that the Scottish Government’s Division for Planning and Environmental Appeals (DPEA) has received or decided since the last PDMC meeting. It also lists appeals that are still pending.

Appeals Lodged

Type of appeal	Enforcement Notice	Application Reference	N/A
Address	Land to rear of 6 Craigden		
Description	Change of Use from Public Open Space to Private Gated Communal Garden and the Erection of Associated Enclosure Fence with Gate without the benefit of planning permission.		
History	Refusal of change of use application (221307/DPP) upheld by the Local Review Body last year. Enforcement Notice subject to this appeal was subsequently served.		
DPEA weblink	Scottish Government - DPEA - Case Details (scotland.gov.uk)		

Appeals Determined

Type of Appeal	Planning Permission	Application Reference	231263/DPP
Address	Upper Birchwood, 1 South Avenue		
Description	Erection of Shed to Front (Retrospective)		
History	Refused by PDMC of 7 December 2023 against officer recommendation		
DPEA Decision	Planning permission appeal allowed – planning permission granted. Appeal for Costs declined Design, materials and scale are appropriate for a garden shed which; - is largely unobtrusive and screened by the existing fence - does not intrude on the principal elevation of the house. - does not have a detrimental effect on neighbouring properties		

	(including the ground flood flat) by reason of physical or amenity impact, overshadowing or overlooking. Is, therefore, compliant with relevant NPF4 policies 14 (Design, Quality and Place) and 16 (Quality Homes) and LDP policies H1 (Residential Areas), D1 (Quality Placemaking) and D2 (Amenity).
DPEA weblink	Scottish Government - DPEA - Case Details (scotland.gov.uk)

Type of Appeal	Advertisement Consent	Application Reference	231081/ADV
Address	Queen Elizabeth Bridge Roundabout, Craig Place		
Description	Installation Of 1 Illuminated Free Standing Digital Display		
History	Refused by officers under delegated powers		
DPEA Decision	<p>Appeal dismissed – application refused</p> <p>The proposed display board would be contrary to the interests of public safety in that would be positioned in front of an existing unadopted footpath, reducing natural surveillance and potentially decreasing public safety in the area.</p>		
DPEA weblink	Scottish Government - DPEA - Case Details (scotland.gov.uk)		

Appeals Pending

Type of appeal	Planning Permission	Application Reference	231018/DPP
Address	693 George Street		
Description	Change Of Use from Class 1A (Shops, Financial Professional and Other Services) to Hot-Food Takeaway (Sui Generis) and Installation of Kitchen Extract Vent to Rear Elevation (Part-Retrospective)		
History	Refused by PDMC of 14 March 2024 against officer recommendation		
DPEA weblink	Scottish Government - DPEA - Case Details (scotland.gov.uk)		

Type of Appeal	Certificate of Lawfulness	Application Reference	231216/CLE
Address	First Floor Left, 23 Hollybank Place		
Description	Existing Use of Flat as Short Term Let Accommodation (Sui Generis) with Maximum Occupancy of 2 People		

History	Refused by officers under delegated powers
DPEA weblink	Scottish Government - DPEA - Case Details (scotland.gov.uk)