



DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

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EH25 9RE

on behalf of **Motor Fuel Ltd**

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	230675/DPP
Address of Development	Esplanade Filling Station North Esplanade West Aberdeen AB11 5RN
Description of Development	Installation of air/water/vacuum upstand and replacement of 3 parking spaces with 3 additional EV charging bays, erection of associated infrastructure including enclosure and upstands (retrospective)
Date of Decision	15 February 2024

DETAILS OF ANY VARIATION MADE TO THE ORIGINAL APPLICATION

None.

REASON FOR DECISION

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

Due to the specific circumstances of the site, whereby the site layout is very constrained and the site access is in very close proximity to a highly trafficked road immediately after a junction, the removal of all standard non-electric vehicle charging spaces and the siting of the water, air and vacuum unit in a location that blocks visibility at the access of the site adversely impacts road safety. The removal of all standard parking spaces introduces ambiguity and hesitation for drivers entering the site regarding whether they will park in an area of the forecourt which is in very close proximity to the site access and could result in vehicles queuing onto a highly trafficked road. The Council's Roads Development Management Team have objected to this application on road safety grounds.

In reaching this determination, the planning service has placed significant weight on considering the benefits of additional electric vehicle charging infrastructure in terms of contributing to the decarbonisation of transport and tackling the global climate crisis. Indeed, the addition of electric vehicle charging points would accord with the aims of Policies 1 (Tackling the Climate and Nature Crises) and 2 (Climate Change Mitigation and Adaptation) of National Planning Framework 4 and the principles of supporting sustainable transport infrastructure in Policy 13 (Sustainable Transport) and T2 (Sustainable Transport) of the Aberdeen Local Development Plan 2023. However, Policy 13 requires low or zero-emission vehicle charging points to be in 'safe and convenient locations'. Because of the specific circumstances of this site and its constrained layout, the benefits that would arise from the addition of three charging spaces (beyond what has been granted by Planning Permission Ref: 211462/DPP) in terms of climate mitigation would not outweigh the road safety impact that would arise from this development proposal. The development would not provide electric vehicle charging points in a safe location, in conflict with the aims of Policy 13 (Sustainable Transport) of the National Planning Framework 4 and, on balance, the decision is to refuse the application.



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

13664-1028-LP	Location Plan
13664-1028-21	Proposed Site Plan
13664-1028-BP	Block Plan
13664-1028-22	Proposed EV Screen and Charger Details
13664-1028-25	Proposed Air/Water and VAC Elevations and Details

Signed on behalf of the planning authority

A handwritten signature in blue ink that reads "Daniel Lewis".

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.