



DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Gillian Inglis
SJA Platinum Property Group Ltd
7 Albert Street
Aberdeen
AB251XX

on behalf of **Mr Matthew Dougherty**

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	240350/DPP
Address of Development	155 Bon-accord Street Aberdeen AB11 6XE
Description of Development	Change of use of flat to Short Term Let accommodation (sui generis) with maximum occupancy of 4 people
Date of Decision	14 May 2024

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 location of the only access door for the proposed short term let (STL) property on the rear of the building, an otherwise private elevation, would result in groups of up to four transient guests (changing on a frequent basis) requiring to pass through a private area of the site to access the property. This would require guests unknown to the occupants of the neighbouring ground-floor with basement flat passing its rear windows when accessing and leaving the property, resulting in persons unknown to the neighbours' being able to look immediately across and down into the windows, thus adversely impacting on the privacy and sense of security for the occupants of the neighbouring flat. Guests would also be required to walk through and past the neighbouring rear garden to access the property. As such, the use of the property as an STL would present adverse harm to the amenity of the neighbouring residential property in respect of privacy, security and the enjoyment of private external amenity areas. The proposed use is therefore contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP) and Policy 30 (Tourism), paragraph (e) part i) of National Planning Framework 4 (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/>.

PLANS AND DRAWINGS

Location Plan
First Floor Plan (Proposed)
Other Supporting Statement (Pre
Planning Checklist)

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.