



## DECISION NOTICE

### The Town and Country Planning (Scotland) Act 1997

### Detailed Planning Permission

Rachael Walker  
Rachael Walker Architects Ltd  
Mill Of Braco Croft  
Pitcaple  
Inverurie  
Aberdeenshire  
AB51 5JA

on behalf of **Executors John Langler**

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.

<b>Application Reference Number</b>	230969/DPP
<b>Address of Development</b>	Scotstown Moor Base Shielhill Road Aberdeen AB23 8NN
<b>Description of Development</b>	Redevelopment of vacant industrial site, including erection of 4 detached houses, associated garaging / car parking, pedestrian access paths, infrastructure and open space
<b>Date of Decision</b>	13 February 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 –

- Revised site layout / access, revised plot boundaries, pedestrian and drainage connections.

## REASON FOR DECISION

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

### 01. Ecology Impact

Due to the presence of protected species on and adjacent to the site, the nature of development and extent of groundworks / excavation, in the absence of a suitable survey and acceptable mitigation details or measures to avoid disturbance to protected species resulting from the development, the proposal is anticipated to have direct adverse effects on a Protected Species. Thus it has not been demonstrated that the development would accord with Policy 4 (Natural Places) part f) within National Planning Framework 4 (NPF4) and Policy NE3 (Our Natural Heritage) within the Aberdeen Local Development Plan 2023 (ALDP).

### 02. Design / Overdevelopment

As the proposed development would not relate well to the semi-rural context and its poor relationship to the public road, by reason of the proximity and orientation of the proposed detached buildings, the arrangement, positions and sizes of the houses, the prominence of proposed fencing and the location of the private gardens for Plots 1 and 4 next to Shielhill Road, it conflicts with the design quality aspirations of NPF4 Policy 14 (Design, Quality and Place) and ALDP Policies D1 (Quality Placemaking) and D4 (Landscape).



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

114 - P-01	Location Plan
114 - P-02- REV. D	Site Layout (Proposed)
114 - P-03 A	Elevations and Floor Plans
114 - P-04 A	Elevations and Floor Plans
114 - P-05 A	Elevations and Floor Plans
114 - P-06	Elevations and Floor Plans

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.