

Appeal Statement

Application Reference: 250547/DPP

Site Address: 50 School Drive, Aberdeen

Development: Formation of driveway to front

Appellant: Mr Dylan Cundall

1. Introduction

This appeal is submitted in respect of the refusal of detailed planning permission for the formation of a driveway at 50 School Drive, Aberdeen.

The application was refused on 31 July 2025 on the basis that the proposal would result in the loss of on-street parking, specifically a disabled parking bay, which the Council considered to be a significant detriment to local amenity and contrary to Policy T3 (Parking), Policy H1 (Residential Areas), and associated Aberdeen Planning Guidance.

The appellant respectfully submits that the decision should be overturned for the reasons set out below.

2. Grounds of Appeal

2.1 Compliance with Design, Character, and Amenity Policies

The Council's own Report of Handling concluded that the proposal:

- Would not harm the character or appearance of the dwelling or surrounding street (Policies 14 NPF4, D1 ALDP).
- Would not constitute overdevelopment, with garden ground retained at the front and rear.
- Would preserve amenity in terms of daylight, sunlight, privacy, and outlook (Policy 16 NPF4, H1 ALDP).

These findings are not disputed and demonstrate that the proposal complies with the majority of relevant local and national policy requirements.

2.2 Roads Authority No Objection

The Council's Roads Development Management Team raised no objection. They confirmed that:

- The driveway is appropriately sized and designed.
- Drainage and safety standards are satisfied.
- The dropped kerb is acceptable.

This confirmation is significant, as the Council's own technical specialists found that the proposal meets all relevant requirements and does not present any concerns regarding road safety or parking management.

2.3 Parking Neutrality and Amenity Improvement

Both the appellant and partner currently park on-street outside of paid hours. The creation of a private driveway would therefore not increase parking demand, but instead free up space on the narrow section of School Drive for other residents.

This results in a net improvement to amenity, since School Drive often functions as a single-lane road when cars are parked along both sides. By relocating the appellant's vehicle off the street, passing space is increased and overall traffic flow improved.

2.4 Disabled Bay Evidence

The refusal centres on the removal of one disabled parking bay. The appellant has kept a photographic diary between late July and early September 2025, logging the use of the two bays outside the property. The results show:

- The west disabled bay (the one affected by the proposal) is almost exclusively used by a single blue badge holder [REDACTED]
- On one occasion (12/08/2025) a different vehicle [REDACTED] used the neighbouring east bay, but the appellant believes this was the same badge holder using a different vehicle.
- The east disabled bay will remain directly adjacent and available, meaning that the regular user of the west bay will retain immediate provision with no detriment to accessibility.
- A formal count confirms that School Drive currently provides 13 disabled bays in total. Even with the removal of the west bay, 12 bays will remain, ensuring ample provision.
- The survey also demonstrates that these bays are frequently misused by vehicles without a blue badge, undermining their effectiveness as dedicated disabled spaces.

The evidence therefore shows that the proposal does not harm disabled parking provision: the only known user of the west bay will still have use of the directly adjacent east bay, the wider street maintains an unusually high number of designated bays, and enforcement issues already limit their effectiveness.

2.5 Community Support

No objections were received. One representation expressed support for the application, conditional only that the driveway not encroach on paid parking — which it does not. The absence of opposition from neighbours or the community council strongly indicates that local amenity is not harmed.

2.6 Consistency and Fair Treatment

The Council's own report acknowledges that other properties on School Drive and in the surrounding area have front driveways, including tenements. While each case must be assessed on its merits, consistency in decision-making is a core planning principle. Approving this proposal would not set a new precedent but would align with the existing character of the street.

3. Conclusion

The refusal of this application rests almost entirely on the claimed loss of a disabled bay. However, the appellant's photographic diary and survey demonstrate that:

- The sole regular user of the west bay will still have use of the directly adjacent east bay.
- 12 disabled bays will remain on School Drive, ensuring more than adequate provision.
- The affected bay is therefore not essential, and its removal does not harm accessibility or residential amenity.
- Misuse of the bays by non-blue-badge holders is a recurring issue, meaning that the current provision is not functioning effectively.

When combined with the facts that:

- The Council's Roads team raised no objection;
- The proposal satisfies design, safety, and amenity policies;
- Neighbours and the community council raised no objections;
- The proposal would free up road space and improve traffic flow;

it is clear that the refusal was disproportionate and inconsistent with both the planning evidence and actual street conditions.

The appellant therefore respectfully requests that the Local Review Body overturn the decision and grant planning permission for the proposed driveway.