



## Strategic Place Planning

Report of Handling by Development Management Manager

<b>Site Address:</b>	43 Fairview Parade, Aberdeen, AB22 8ZX
<b>Application Description:</b>	Change of use from domestic outbuilding to class 1A (shops, financial professional and other services) (retrospective)
<b>Application Ref:</b>	250079/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	7 February 2025
<b>Applicant:</b>	Mr and Mrs Darren and Gemma Carrol
<b>Ward:</b>	Dyce/Bucksburn/Danestone
<b>Community Council:</b>	Danestone - Pre Review 2024

### **DECISION**

Approve Conditionally

### **APPLICATION BACKGROUND**

#### **Site Description**

The application site comprises part of a residential rear garden curtilage extending to c.22m<sup>2</sup>. The area is occupied by a single storey outbuilding that has been constructed under permitted development rights. It has since been fitted out and is in use as a commercial hairdressing salon, used by the applicant as the basis for their hairdressing business.

The site is located in an established residential area. The larger residential curtilage in which the application site is located, 43 Fairview Parade, contains a detached dwelling with an east facing principal elevation looking out over Fairview Parade. It occupies a corner plot, with residential dwellings to its south and across the road to its east. To the north is a turning area and public open space, and to the west are more residential dwellings separated from the residential curtilage by a strip of mature landscaping. A public footpath runs along the north and west site boundary providing pedestrian connections to the wider Danestone area. Rear and side boundary treatments consist of close boarded timber fencing.

#### **Relevant Planning History**

- 180945/DPP – Detailed planning permission for the formation of a first floor extension over an existing extension to side and formation of porch to front was approved under delegated powers on 7 August 2018. This permission has been implemented;
- 131622 – Detailed planning permission for the erection of single storey side extension was approved under delegated powers on 26 February 2014. This permission has been implemented.

### **APPLICATION DESCRIPTION**

## Description of Proposal

Detailed planning permission is sought for the change of use of a domestic outbuilding to a hairdressing salon (Class 1A – Shops, Financial and Professional Services). The application is submitted on a retrospective basis as the owner of the property currently runs an existing hairdressing business based in the outbuilding. Services are provided to one to two clients at a time. Requested opening hours are:

Monday	09:00 – 14:30;
Tuesday	09:00 – 20:00;
Wednesday	09:00 – 20:00;
Thursday	09:00 – 14:30;
Friday	09:00 – 14:30;
Saturday	09:00 – 17:00; and
Sunday	Closed.

In addition, the submitted supporting statement sets out that the salon would occasionally be used on a personal basis on a Friday evening.

The only matter under consideration as part of this application is the proposed change of use. The outbuilding itself was constructed under, and complies with, permitted development rights in relation to the construction of outbuildings in residential curtilages.

## Amendments

None.

## Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at –

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SQUXSSBZFN700>

Supporting Statement

## CONSULTATIONS

### Aberdeen City Council (ACC) Internal Consultees

**ACC - Environmental Health** – No objection. The existing use of the premises as a home salon does not appear to have a detrimental impact on local amenity. Nevertheless, to protect the amenity of existing neighbours from noise, the following conditions/controls are recommended:

- The premises shall be used only as hair salon and shall not be used for any other purpose without an express grant of planning permission from the Planning Authority.
- The premises shall only be operational between 08:00 and 21:00 hours.

**ACC - Roads Development Management Team** – No objections. Four parking spaces are

provided on site, which would appear adequate for the residential and business uses. The layout of the parking area does not conform to current standards. However, given this is an existing situation and the number of vehicles is low, this is not a road safety concern. It is noted that there is a parking area to the north off Fairview Parade, which is not adopted and thus appears to be privately owned. There is sufficient space within the site for bike storage. From reviewing the supporting statement, any traffic generated by the proposal will be minimal and will thus have no impact on the local road network

### **External Consultees**

- **Danestone - Pre Review 2024 Community Council** – None received

### **REPRESENTATIONS**

14 representations have been received, all in support. The matters raised can be summarised as follows –

### **Material Considerations**

1. No noise or parking issues caused by business;
2. Sufficient parking in the surrounding area

### **Non-Material Considerations**

3. Supporting local business

### **MATERIAL CONSIDERATIONS**

#### **Legislative Requirements**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

#### **Development Plan**

##### **National Planning Framework 4**

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 26 (Business and Industry)

##### **Aberdeen Local Development Plan 2023**

- Policy H1 (Residential Areas)
- Policy D1 (Quality Placemaking)

- Policy T3 (Parking)

## **EVALUATION**

### **Key Determining Factors**

The key determining factors in the determination of this application are:

- The principle of the development;
- The development's impact on the character and appearance of the surrounding area;
- The development's impact on the residential amenity of nearby dwellings;
- The development's impact on local parking situation.

### **Principle of Development**

Policy 26(b) (Business and Industry) of NPF4 is generally supportive of development proposals for home working, live-work units and micro-businesses where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses.

The application site is located in an established residential area and policy H1 (Residential Areas) of Aberdeen Local Development Plan 2023 applies. This policy sets out that non-residential uses in residential areas are only acceptable in principle if:

1. They are considered complementary to a residential use; or
2. It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

The proposal is for a change of use of a domestic outbuilding to a hairdressing salon run by the applicant, who is also the occupant and owner of the property at 43 Fairview Parade. A hairdressing salon is a use that is generally considered complementary and compatible with a residential use. The principle of the development is thus acceptable in terms of this aspect of both policies. However, its impact on the residential amenity of the surrounding area needs to be considered in detail and is discussed below.

### **Impact on residential amenity**

The wider residential curtilage incorporating the application site is located on a corner plot. It is the northernmost property in a terrace of four dwellings. To its north and west are a turning head, public footpaths and open space and strategic landscaping. Fairview Parade runs to its east, with the adjoining dwelling of 39 Fairview Parade to its south.

The outbuilding is located in the north west corner of the plot. It is accessed by customers to the hairdressing salon from a path along the north side elevation of the dwelling. The building itself contains a set of double glass doors and tall narrow window in the east elevation and two narrow tall windows in the south elevation. All glass has an opaque film finish and thus obscurely glazed. It is not possible to view into the building from any of the rear gardens, nor is it possible to look out through the windows. In addition, the Supporting Statement sets out that blinds/coverings will be installed to minimise light pollution.

The Supporting Statement submitted with the application sets out that all fenestration in the building is double glazed, with all windows fixed; and that walls have been insulated with Rockwool Sound Insulation and a full cover of Celotex Insulation Board. This should ensure that any noise coming

from the hairdressing salon is minimised, albeit the frequency and numbers of customers visiting the premises is not anticipated to generate high levels of noise.

Floorspace is limited and extends to c.18.5m<sup>2</sup>. Internally, the hairdressing salon includes two chairs, a hair washing station and small reception desk. Due to the limited size of the building, it will be unlikely that more than two clients can be served at any one time. The proposed operation is of a scale that only the applicant will work within the premises and serve an existing client base.

As such, the main impact on residential amenity of neighbouring properties will be the activity generated by customers not related to the residential property walking backwards and forwards to the outbuilding and parking on the property driveway and the associated noise and disturbance arising from such increased activity levels. The rear garden of 43 Fairview Parade is enclosed by a combination of timber fences and stone walls. Due to the height of the timber fences, there are no direct views from the applicant's garden into the neighbouring gardens thus limiting any options for direct overlooking. The applicant has proposed the following opening hours:

Monday	09:00 – 14:30;
Tuesday	09:00 – 20:00;
Wednesday	09:00 – 20:00;
Thursday	09:00 – 14:30;
Friday	09:00 – 14:30;
Saturday	09:00 – 17:00; and
Sunday	Closed.

Whilst the bulk of opening hours are during times that can be considered 'normal' working hours, i.e. during the day Monday to Fridays, it is proposed to have longer opening hours on a Tuesday and Wednesday and the option of opening every Saturday between 09:00 and 17:00. It is accepted that the increase in activity related to the two weekday later evening openings would be limited, and in line with recommendations issued by Environmental Health. However, weekends are the time most people tend to enjoy their gardens, and it is considered that this enjoyment of neighbouring gardens could be adversely affected by the additional activity generated by clients passing between the hairdressing salon and the gate to the side of the house. It is however acknowledged that many potential clients will work during the week, and will be limited in their opportunities of visiting the business during normal working hours. Therefore, to mitigate the impact of increased activity at the application property during the weekend but to allow some weekend customers, it is proposed to apply a condition limiting opening hours on a Saturday to between 09:00 and 14:00. Whilst this would allow the owner of the business to open on a Saturday, it would equally ensure that the neighbours will be able to enjoy their garden in peace without any potential disruption from clients walking backwards and forwards between the hairdressing salon and the front gate for a significant period of time during the day on a Saturday (*Issue 1*).

Subject to this condition limiting opening hours of the hairdressing salon, the proposal would not have an adverse impact on the residential amenity of neighbouring properties, and would thus comply with Policy 26 of NPF4 and Policy H1 of ALDP.

## Parking

Policy T3 (Parking) of ALDP sets out that sufficient parking should be provided with new development. The site is located in a residential street. The application property has a large driveway to the front. The submitted site plan demonstrates that this driveway can accommodate up to four cars. However, whilst it would fit four cars, this would be tight and it is considered that accommodating three cars is more likely. The site is not located in a controlled parking zone, and on-street parking is readily available. In addition, there is a further private parking area available a

short distance to the north, which could also be used by clients in the event that the applicants have two cars parked on the driveway. Therefore, sufficient parking would be available on the site and in the immediate area to accommodate both the cars of the occupants of the house and visiting clients at the hairdressing salon (*Issue 1 and 2*).

Whilst no dedicated cycle storage space is shown on the drawings for the use of clients, there would be sufficient space available on the site to accommodate bikes and this is accepted.

### **Tackling the Climate and Nature Crises and Climate Mitigation**

Policy 1 (Tackling the Climate and Nature Crises) of NPF4 requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals. Policy 2 (Climate Mitigation and Adaptation) of NPF4 requires development proposals to be designed and sited to minimise life-cycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change.

The proposal would see a hairdressing salon operating from an existing outbuilding in a residential garden. The business would provide a service to the local community and would offer the option for local residents to visit a hairdresser without having to travel into the city centre. The use of an existing building is minimising the requirement for the use of any further resources. The proposal thus takes sufficient cognisance of Policy 1 and Policy 2 of NPF4.

### **Matters Raised in Representations**

All matters raised in representations are addressed in the evaluation above.

## **DECISION**

Approve Conditionally

## **REASON FOR DECISION**

The use of the outbuilding as a hairdressing salon would allow for the continuation of an existing business working from a residential home. Subject to a condition limiting opening hours, in particular during the weekend, the proposal would not have a detrimental impact on the residential amenity of neighbouring properties. The proposal is thus in compliance with Policy 26 (Business and Industry) of NPF4 and Policy H1 (Residential Areas) of Aberdeen Local Development Plan 2023.

Sufficient space for parking is available on the site and in the immediate surrounding area, and there are options for bike storage. The proposal is thus compliant with Policy T3 (Parking) of Aberdeen Local Development Plan 2023.

The proposal is for a small homeworking business in an existing outbuilding, and sufficient consideration has been given to Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4.

## **CONDITIONS**

(01) RESTRICTION OF HOURS

The use hereby approved shall not operate outwith the hours of 09:00 to 17:00 Monday, Thursday and Friday; 09:00 – 20:00 Tuesday and Wednesday; and 09:00 – 14:00 Saturday; and shall not operate on Sunday.

Reason – In order to ensure that the use would not result in undue loss of residential amenity to neighbouring properties.