



## Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 12 February 2026**

<b>Site Address:</b>	10 Hopetoun Court, Aberdeen, AB21 9QS
<b>Application Description:</b>	Erection of two-storey and single storey extensions to replace existing single storey extension, covered area and all associated external works and landscaping
<b>Application Ref:</b>	251110/DPP
<b>Application Type</b>	Detailed Planning Permission
<b>Application Date:</b>	10 October 2025
<b>Applicant:</b>	Aberlour Children's Charity
<b>Ward:</b>	Dyce/Bucksburn/Danestone
<b>Community Council:</b>	Bucksburn and Newhills



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### **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The application property is a large two storey detached building with a modern single storey side extension currently utilised as a children's care home/ day home by Aberlour Children's Charity. The property also has areas of car parking within the front curtilage and areas of garden ground laid to grass to the rear. The property is located on the western side of Hopetoun Court between the junctions of Hopetoun Grange and Hopetoun Drive with an access track running to the immediate north of the application property providing access to neighbouring domestic garages. The surrounding area is residential in nature with two, 1 ½ and single storey residential properties bounding the application site.

### **Relevant Planning History**

- 250846/DPP – Detailed planning permission for the erection of two-storey and single storey extensions to replace existing single storey extension, covered area and all associated external works and landscaping was withdrawn by the applicant on 8 October 2025.
- 121196 – Detailed planning permission for a proposed single storey extension to side of existing childcare centre and upgrading of existing parking facilities with new accessible route to rear extension was approved conditionally on 26 October 2012. This permission was implemented.
- A0/1696 – Detailed planning permission for the erection of a summerhouse was approved unconditionally on 14 February 2001.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Detailed planning permission is sought for the erection of two-storey and single storey extensions to replace the existing single storey side extension, formation of a covered area to the rear and all associated external works and landscaping to the side and rear of the existing building.

The two storey extension would project approximately 6m northwards along the street frontage from the side gable of the property, joined by way of a smaller two storey glazed link and with largely the same projection as the existing single storey extension. The extension would have an overall depth of approximately 20m (the two-storey element would project approximately 14.3m and the single storey element projecting a further 5.7m). The extension would project approximately 11.1m from the rear elevation of the existing building. The extension would have an overall height of approximately 7m (two storey element) and 3m (single storey element) and would have a 45 degree pitched roof on an east-west axis.

Internally the extension would include two bedrooms (within the single storey element), soft play/ day room, staff sleepover room, utility room, entrance, store and lift at ground floor level along with an office staff sleepover room and additional facilities at first floor level. Externally, windows and a door would be located on the northern elevation, with no windows proposed at first floor level. Two windows and an entrance set within a glazed link would be formed on the eastern elevation facing the street, two doors and windows at ground floor and two windows at first floor on the western elevation and a number of windows/ doors formed on the southern elevation. Three air source heat

pumps would be located on the northern boundary of the proposed extension, where a timber fence would be located. This timber fence would have a total height of 2.7m when measured from within the site, and would measure 1.8m including the existing brick boundary wall with 800 mm of fencing sitting above this in the western section of the site covering the enclosed garden ground. The access track to the immediate north sits at a higher ground level.

External materials proposed comprise white render (primarily to the upper floors on all elevations), a grey coloured facing brick (around the ground floor on all elevations, natural slate to the roof of the extension, solar panels on the southern roof plane of the extension, grey metal clad timber windows and doors and timber fencing and gates. The single storey element of the extension would have a green roof.

Parking and bin storage facilities would remain to the front of the premises, unchanged from the current arrangements.

## **Amendments**

The following amendments have taken place since the submission of the application:

- The design of the building has been altered. This has included minor alterations to the window configuration at ground floor level and the provision of additional renders on the rear elevation;
- The number of air source heat pumps has been amended from one large unit to three smaller units and further details regarding the specification of these has been provided;
- An amended landscaping plan was submitted; and
- Revised staff and visitor parking guidance was provided.

## **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=T3X5OHBZFQU00>

- Design and Access Statement
- Parking Guidance
- Supporting Statement
- Air Source Heat Pump Information

## **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because:

- The proposal is being recommended for approval and has been subject to six or more timeous letters of objection.

Determination of the application therefore falls outwith the scheme of delegation.

## **CONSULTATIONS**

### **Aberdeen City Council (ACC) Internal Consultees**

- **ACC - Roads Development Management Team** – note that the applicant has highlighted that the proposal would result in no additional children visiting the site. Cycle parking is also being provided, which is welcomed. State that the proposals would have no material impact on existing parking provision and have no objection to the application.
- **ACC - Environmental Health** – have reviewed the microgeneration certification scheme calculation (MCS) (Drawing No. 24063-56T-XX-ZZZ-D-A-001 P03) and are satisfied that the proposed Air Source Heat Pumps (ASHPs) would meet the MCS 020 standard and are therefore unlikely to cause noise disturbance. No objection to the proposal.
- **ACC - Waste and Recycling** – have advised of the waste management requirements for the development and noted that bins should be presented onto Hopetoun Court on collection day and then stored in a specified bin storage area. Bins should not be permanently stored on the pavement.

## **External Consultees**

- **Aberdeen International Airport** – the proposal has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. AIA therefore have no objection to the proposals. Requested the insertion of an informative in relation to the use of cranes.
- **Bucksburn and Newhills Community Council** – no comments received.

## **REPRESENTATIONS**

Forty-two representations have been received (40 in objection and two in support). The matters raised can be summarised as follows –

### Material Considerations

### Objections

#### Traffic, Parking and Road Safety

1. Concerns regarding on-street parking congestion that currently exists, with staff and visitors parking on the road outside the site. Also note that the car park at Sclattie Park is regularly full and used for a number of other purposes including shoppers and attendees at events at the P&J Live;
2. Short term parking impacts creating the worst impacts (deliveries, taxi's, school transport etc);
3. Concerns that the existing parking guidance is ignored by staff;
4. Note that neighbours who do have a driveway rely on on-street parking and that the users of the premises do not utilise the on-side parking provision when dropping off and picking up;
5. Concerns that emergency vehicles would not be able to pass cars parked on the street and that drivers are often forced to reverse onto the main road because of obstructions. In

addition, concerns that building works would create additional parking demands and that larger vehicles would not be able to enter/ exit the site;

6. Concerns about safety impacts on children, who play on the surrounding streets;

#### Scale of Development and Impact on Character and Appearance of Surrounding Area

7. The proposals are too large for the plot, resulting in its overdevelopment, being out of keeping with the design and appearance of properties in the surrounding area and having an institutional appearance within a predominantly residential area;

#### Amenity Impacts

8. The proposals would result in a loss of privacy due to the location of windows overlooking neighbouring properties both at ground floor and first floor level;
9. The proposals would have an adverse impact in terms of overshadowing / overbearing neighbouring properties;
10. How will sunlight and overshadowing be mitigated for gardens adjacent to the extension;

#### Operational Concerns

11. Impacts on amenity due to an increased in operation of the premises (shift changes, deliveries etc) and impacts on the mental health of neighbours from the 24/7 operation of the premises;
12. A number of the representations expressed support for the use, but considered the location of the building, within a residential area, to not be appropriate;
13. Queries raised about the new parking guidance and how this differed from previous guidance, query as to how if bedroom numbers are increasing how staff numbers would not be increasing and why a building of this size is necessary if the number of residents is not increasing;

#### Support

14. Importance of the service for children with disabilities with an emphasis on the home-from-home environment and positive impacts on wellbeing;
15. Comments that the parking is no worse than any other residential streets and the improvements proposed are beneficial; and
16. The extension would allow for the continued delivery of care facilities.

#### Non-Material Considerations

17. Doubt / concerns about claims that staff and service user numbers won't increase along with concerns about inconsiderate parking and previous assurances over parking arrangements not being honoured.

## **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 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 23 (Health and Safety)

#### Aberdeen Local Development Plan 2023

- Policy B3 (Aberdeen International Airport and Perwinnes Radar)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D5 (Landscape Design)
- Policy H1 (Residential Areas)
- Policy R5 (Waste Management Requirements for New Development)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy WB1 (Healthy Developments)
- Policy WB3 (Noise)
- Policy WB4 (Specialist Care Facilities)

### **Aberdeen Planning Guidance**

- Amenity and Space Standards
- Noise
- Transport & Accessibility

#### Other Material Considerations

- The Equalities Act (2010)

## **EVALUATION**

### **Key Determining Factors**

The key determining factors in the assessment of this application are whether the proposed development would:

- impact upon the character and appearance of the existing property or the surrounding area;
- impact upon the amenity of the area, including the residential amenity of neighbouring properties; and
- transport impacts.

### **Principle of Development**

The application property is located within an established residential area where Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP) applies. Whilst Policy H1 is the principal policy in regards to the zoning of the site, other relevant policies in the ALDP and National Planning Framework 4 (NPF4) are used to assess the overall principle of development as detailed below.

Policy H1 of the ALDP states that within existing residential areas, proposals for non-residential uses will be supported if they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity. As the proposal is to extend the existing property to provide additional accommodation it does not involve any change of use. The impact of the works on existing residential amenity will be considered within the below evaluation.

Policy WB4 (Specialist Care Facilities) of the ALDP primarily relates to new care facilities and states “*proposals for new residential care facilities (such as Care Homes, Nursing Homes, Sheltered Living) should; be well-connected; located close to public transport links and community amenities for residents and staff, and provide visitor parking; and meet design and amenity standards in line with other types of ‘residential’ developments.*”

In relation to the above policy, whilst the proposal is an existing residential care facility, the above should be given some consideration. The existing facility is considered to be well-connected given it is located within the established area of Bucksburn and close to public transport routes (as discussed further below). The proposal would provide an enclosed outdoor facility via a private garden area for staff and residents and would provide a degree of off-street parking which could be utilised by visitors and staff. The proposal is also considered to meet the design and amenity standards required for such a development (as discussed elsewhere). The proposals therefore align with the aspirations of Policy WB4 of the ALDP (*Issue 16 in representations*).

### **Design and Impact on the Character of the Area**

The interrelationship between overdevelopment, design and impact on character mean that such matters are considered together alongside other relevant policies and guidance which directly support Policy H1. The Council’s Amenity and Space Standards Aberdeen Planning Guidance (APG) and Householder Development Guide APG must be considered as well as Policy D1 (Quality Placemaking) of the ALDP and Policy 14 (Design, Quality and Place) of NPF4. Both Policy D1 and Policy 14 require high standards of design and development which contributes to successful places, consistent with the six qualities. The material submitted in support of this application is considered to be sufficient to assess the design impact on the character of the area.

With respect to the APG on Amenity and Space Standards and Householder Development Guide, this guidance is primarily applicable to extensions to residential curtilages and whilst the current application relates to the development of an established care home site, it is recognised that the guidance contained within this document is relevant to the determination of the current application.

Firstly, the guidance outlines that proposals for extensions should be architecturally compatible in design and scale with the original house and surrounding area, materials should be complementary to the original building and extensions should not overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale. It also states that on properties of two storeys or more, two storey extensions will generally be possible.

Regarding the architectural design of the proposed extension, this can be characterised as a modern extension to a 1970s dwellinghouse of little architectural merit. Materials proposed include light grey brick, white render and elements of grey zinc and metal flashings. The design of the extension has been amended since the original submission (and from the previously withdrawn application) to reduce its overall appearance and reduce its visual dominance, particularly when viewed from Hopetoun Court. Whilst it is appreciated it would have an element of dominance when viewed from the adjacent access lane and from the rear of the adjacent dwellings, windows have been removed from this northern elevation to alleviate any privacy and overlooking concerns, the extension also being set back slightly and reduced in scale so that any impacts would be minimised as much as possible.

Whilst this elevation would look quite "blank" as a result, it is considered to be acceptable in this instance and the variety of materials on both this elevation and on the extension in general would add some variety and character to the building. The extension has therefore been designed with due consideration for its context and would have no adverse impacts on the character or appearance of the surrounding area. A condition is to be utilised seeking samples of materials, prior to the commencement of development.

The guidance also states that the built footprint of a dwellinghouse (appreciating this is a children's residential home) as extended should not exceed twice that of the original dwelling and that no more than 50% of the front or rear curtilage shall be covered by development.

In relation to the above, the overall plot coverage extends to approximately 960 sqm and there is approximately 526 sqm of private garden ground. The existing care home and single storey extension extend to approximately 170 sqm (noting the original dwelling covered an area of around 73 sqm) and including the existing outbuildings this extends the developed area within the plot to around 185 sqm and equates to around 20% of the overall plot being covered by buildings at present.

The proposal would add around an additional 75 sqm of floor space to the site covering an approximate 260 sqm or around 27% of the overall plot (excluding areas of hardstanding). The proposals would therefore result in more than 50% of the rear garden ground being retained. It is therefore the view of the Planning Service that given the large plot, existing development on site and the nature and design of the proposed extension, along with the minimal impacts on neighbouring properties, the overall envelope of development is acceptable.

The proposed extension is considered to be suitably positioned in the northern section of the plot (covering part of the site of the existing single storey extension that is to be removed to facilitate the extension) and its width, layout and design would allow for an appropriate separation distance between it and neighbouring adjacent properties (approximately 6 m to the boundary of the property to the north and 10 m to its rear elevation). Whilst it does sit at a higher level than the existing

extension it would not appear out of context, being of a similar height to the existing dwellinghouse and its slimline appearance when viewed from the western (principal) elevation.

The addition of other aspects to the proposal including fencing on the northern boundary are considered to be acceptable and would add an additional degree of privacy to both occupants of the property and neighbouring dwellings towards the area of private garden ground. The three air source heat pumps have been sited behind this boundary wall and would not be readily visible from any public vantage points, given that the ground level sits lower than the existing access track. The re-siting of the outbuildings within the rear curtilage would also have no adverse impacts on the character or appearance of the surrounding area.

## Summary

The proposed development would not result in overdevelopment of the site and would be of a density, scale and layout which would not adversely affect the character or appearance of the surrounding area. The proposals are therefore considered to be compliant with the requirements of Policy 14 of NPF4, Policies H1 and D1 of the ALDP, and with the general aspirations of its associated APG on the Amenity and Space Standards, the Householder Development Guide and Materials (*Issue 7 and 14 in letters of representation*).

## **Impact on Residential Amenity**

Both Policy D2 (Amenity) of the ALDP and the Amenity and Space Standards APG advise that *“amenity has an impact on many levels, an individual level, a neighbourhood level, a city level and a regional level. Amenity encompasses more than the home in which a person lives, good amenity is the benchmark for all development and enshrines the principles of placemaking. At all levels good amenity has a positive impact on people’s quality of life and health and wellbeing, and on being climate change ready.”* Consideration must be given to the quality of amenity for the future occupants of the proposed building, and also whether there would be any adverse impacts on the amenity of the existing neighbouring dwellings, taking into consideration aspects such as daylight and sunlight receipt, outlook and privacy.

In addition, criterion 2 of Policy H1, Policy D2, the Amenity and Space Standards APG, all advise that new development should not borrow amenity from, or prejudice the development of adjacent land, or adversely affect existing developments in terms of impact on privacy, daylight, general amenity, and immediate outlook. In addition, new development should be afforded a reasonable amount of amenity in line with the prevailing characteristics of the surrounding area, and that an appropriate quality and quantity of internal floor space and private amenity space should be provided.

With regards to sunlight and daylight receipt, the proposed extension would be in receipt of sufficient daylight with the majority of the windows facing the internal garden area and having a western and southern facing outlook, maximising opportunities for sunlight and passive solar gain.

Daylight receipt is a requirement for living rooms, kitchens (where these are not internalised) and bedrooms. In assessing the potential impact of proposed development upon existing dwellings is the “BRE Guide, Site Layout Planning for Daylight and Sunlight – A guide to good practice” will be used. The HDG also states that no extension or alteration should result in a situation where the amenity of any neighbouring properties would be adversely affected. Significant adverse impact on privacy, daylight and general amenity will count against a development proposal.

Turning to the impacts on sunlight and daylight receipt for neighbouring properties, in particular those located at 6-8 Hopetoun Court, daylight and sunlight analyses has been submitted by the

applicant. The document confirms that, utilising the 45 degree method, the line when overshadowing would occur would not cross the mid-point of the nearest window in plan or elevation. The document also notes that utilising the 25 degree method, the proposed extension would not result in the loss of daylight to facing habitable room windows of the neighbouring properties to the north. The impact of the proposed extension on neighbouring properties is minimised by the presence of the access lane that lies between the application site and the dwellinghouse curtilage to the north, and rises to the west. The submitted information suggests that there would be no adverse impacts on sunlight or daylight receipt to these properties. Whilst there would likely be some impact on sunlight to the private garden ground of the neighbouring properties this would be negligible and not to a degree that would warrant refusal of the planning application. There are no other properties, including those to the west and south which would be affected as a result of daylight and sunlight receipt as a result of site characteristics.

With respect to impacts on privacy and outlook, the main consideration is the presence of the new two storey extension, and the resulting impact on privacy from windows on properties to the immediate north and west. Whilst the amended extension design would include windows at first floor level facing north, these would serve a non-habitable space (stairwell) and would not offer a significant overlooking opportunity. The windows at ground floor level, which would serve a mixture of bedrooms, day rooms and utility space would be separated from the boundary by timber fencing and the existing boundary wall and would not introduce an unacceptable overlooking issue. The windows at upper level of the proposed extension on the western elevation would serve a staff sleepover room and office and would not directly overlook the windows of any neighbouring properties. As a result of the amendments to the design, it is concluded that the proposed extension would not have an unacceptable impact on neighbouring properties.

In terms of garden ground, it is noted that some of the existing garden ground would be lost to facilitate the development, however, a large majority of this would remain and sufficient garden ground would be retained for the property and would provide outdoor facilities and play equipment for the residents of the property. The landscaping and details proposed the levels of private amenity space are considered to be appropriate in this instance.

The APG also provides specific guidance for residential homes and care homes and states that *“particular attention should be paid to the orientation of care homes and long term residential homes. Residents should be able to access a garden space that is attractive, welcoming, well-lit by natural light throughout the year, and which allows a function walking route to be created.”* The proposals would provide an outdoor garden space that would comply with the guidance.

In summary, due to the size of the existing plot and the surrounding context, the minimal impact on neighbouring properties, landscaping proposed and levels of garden ground that would be retained, the proposals are considered to be acceptable without having any significant adverse impact to any neighbouring properties, – in accordance with Policy 16 (Quality Homes) of NPF4, Policies D2 (Amenity) and H1 (Residential Areas) of the ALDP, and with the associated Amenity and Space Standards and relevant sections of the Householder Development Guide (*Issues 8-10 in letters of representation*).

## **Access and Parking**

With regard to access and parking, the applicants have submitted a supporting document, ‘Hopetoun Court Aberlour Options Aberdeen: Staff and Visitor Parking Guidelines’ which advises that all staff are advised to park within the public car park at Sclattie Park, 110 m from the application property and are encouraged to utilise existing bus services and other sustainable modes of transport to visit the site. Overnight staff utilise the on-site parking facilities during their shift. Similarly visitors are encouraged to park within the public car park and any drop off of children is encouraged

within the curtilage of the property, with on-street parking for short periods only. A condition has been added to the permission to ensure that this guidance is complied with. (*Issues 3 and 4*).

The applicants have also noted that the addition of two ground-floor bedrooms is intended to improve physical accessibility for children with mobility impairments who are currently unable to access the service. These additions would not increase the overall capacity of the services provided at the application property but would enhance its flexibility and inclusivity, enabling the team to support a broader range of needs within the existing premises. (*Issues 11, 13 and 14*).

The site is located within the “outer city” and is not within an area with any controlled parking measures. There is capability for the parking of vehicles within the curtilage of the site. Roads Development Management reviewed the proposals and are content that the proposals would have no material impact on the existing parking provision. They are also content with the proposed cycle parking provision within the curtilage of the site. They have no objection to the application.

In terms of wider sustainability, the site is in close proximity to bus routes (an approximate 160m walk to Sclattie Park), which provide access to the city centre. In addition, there are local amenities within a short walking distance from the application site boundary. Provided the staff and visitor parking guidelines are adhered to, and this can be done by way of a planning condition, the development would be in accordance with Policy 13 (Sustainable Transport) and Policy 15 (Local Living and 20 Minute Neighbourhoods) of NPF4, with Policies T2 (Sustainable Transport) and T3 (Parking) of the ALDP, and with the associated Transport & Accessibility APG.

## **Landscaping and Biodiversity**

Policy D5 (Landscape Design) of the ALDP advises that “*development proposals will be designed with an effective, functional and attractive landscape framework supported by clear design objectives. The level of detail required will be appropriate to the scale of development.*”

A landscaping plan has been submitted as part of the application. This proposes to add a sedum roof to the flat roof elements of the extension covering approximately 90 sqm of the available roof space. Hedging is also proposed within the front curtilage of the property along with a number of shrubs and plants. A green wall is also proposed with integrated planting (within the garden area of the property) The general layout of the landscaping is considered to be acceptable and a condition will be added to the permission to ensure that the landscaping and biodiversity features are carried out in accordance with the approved plan (see condition 2). This would ensure compliance with Policy D5 of the ALDP.

## **Climate Change and Noise**

As outlined above, NPF4 Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) requires significant weight to be given to the global climate and nature crises in the consideration of all development proposals, with Policy 2 requiring development proposals to be designed and sited to minimise lifecycle greenhouse gas emissions as far as possible. Policy WB3 (Noise)

The proposal includes the provision of energy saving measures via the installation of three air source heat pumps, which would be located on the northern boundary of the proposed extension. Environmental Health have reviewed the proposals and are satisfied that the proposed ASHPs would meet relevant standards and not cause a noise disturbance. They are therefore content that this element of the proposal would have no adverse impact on residential amenity and would thus comply with Policy WB3 (Noise) of the ALDP.

The provision of the above, along with elements of landscaping (including a green roof and landscaped garden areas), would ensure that the proposal include energy saving measure in accordance with Policies 1 and 2 of NPF4.

## **Waste Management**

The proposed development provides sufficient and dedicated storage space for waste and recycling to the front of the premises, adjacent to the public road in accordance with Policy 12 (Zero Waste) of NPF4 and R5 (Waste Management Requirements for New Development) of the ALDP, and also with the associated APG.

## **Health and Wellbeing**

Consideration has to be given to the impact on local air quality from dust during any demolition (of the extension) and excavation. As the development falls below the threshold in Table 1 of the Air Quality APG, there is no requirement for an air quality assessment to be submitted in this instance. The design of the proposal would have no material impact on suicide risk. The development would accord with the aspirations of Policy 23 (Health and Safety) of NPF4 and WB1 (Healthy Developments) of the ALDP.

## **Aberdeen Airport and Perwinnes Radar**

Policy B3 (Aberdeen Airport and Perwinnes Radar) of the ALDP advises “*any development falling within safeguarded areas identified on the airport safeguarding map will be subject to consultation with Aberdeen International Airport. Any proposed development must not compromise the safe operation of the airport.*”

The proposals were subject to consultation with the airport who have noted that the proposals would not conflict with safeguarding criteria and they therefore have no objections to the proposed development. There would be no conflict with Policy B3 of the ALDP. They have requested the insertion of an informative in relation to the use of cranes and this has been added below.

## **Equality Considerations**

Section 149 of the Equality Act 2010 requires the planning authority, in the exercise of its functions, to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a protected characteristic and persons who do not share it requires to have cognisance, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

Meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of such persons' disabilities. Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

In this case, it is understood that the extension is required to improve enhanced facilities and therefore improve the safety and the quality of life of persons with a disability, which is a relevant protected characteristic under the act. The approval of the application would help to remove or minimise disadvantages related to that relevant protected characteristic, namely those with a disability. As outlined above, the proposed extension is nevertheless acceptable in terms of planning policy, therefore compliance with the duty does not require the applicant to be treated more favourably than would otherwise be the case.

## **Matters Raised in Representations**

The matters not addressed in the above evaluation have been addressed below.

### Objections

#### Traffic, Parking and Road Safety

1. Concerns regarding on-street parking congestion that currently exists, with staff and visitors parking on the road outside the home. Also note that the car park at Sclattie Park is regularly full and used for a number of other purposes including shoppers and attendees at events at the P&J Live. *Response: the parking arrangements for the site are considered to be acceptable and colleagues in Roads Development Management are content with the arrangements.*
2. Short term parking impacts creating the worst impacts (deliveries, taxi's, school transport etc); *Response: the parking arrangements for the site are considered to be acceptable and colleagues in Roads Development Management are content with the arrangements.*
4. Note that neighbours who do have a driveway rely on on-street parking and that the users of the premises do not utilise the on-side parking provision when dropping off and picking up; *Response: it is not anticipated that the proposed extension would exacerbate the issue to such an extent that would warrant refusal of planning permission.*
5. Concerns that emergency vehicles would not be able to pass cars parked on the street and that drivers are often forced to reverse onto the main road because of obstructions. In addition, concerns that building works would create additional parking demands and that larger vehicles would not be able to enter/ exit the site; *Response: this is an existing arrangement, and the parking of vehicles on the road requires to be in line with relevant traffic regulations. It is not anticipated that the extension and works would exacerbate the issue to an extent that would warrant refusal of planning permission.*
6. Concerns about safety impacts on children, who play on the surrounding streets; *Response: it is not anticipated that the proposed extension would exacerbate the issue to such an extent that would warrant refusal of planning permission.*
11. Impacts on amenity due to an increased in operation of the premises (shift changes, deliveries etc) and impacts on the mental health of neighbours from the 24/7 operation of the premises; *Response: given this is an existing use and the operational aspects would not be changing to a significant degree the proposed extension would not exacerbate this issue to a degree that would warrant refusal of planning permission.*
12. A number of the representations expressed support for the use, but considered the location of the building, within a residential area, to not be appropriate; *Response: comment noted,*

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

The proposed development is acceptable when considered against the relevant policies of National Planning Framework 4 (NPF4), the Aberdeen Local Development Plan 2023 (ALDP), and the associated Aberdeen Planning Guidance (APG). The proposed extension to an existing residential care home, whilst large compared to the existing building footprint would be of a design, scale, siting and would utilise materials that would respect the character and amenity of the surrounding area. The works are also considered to have been designed with due regard to their context and would not adversely affect the amenity of any neighbouring residential property to a degree that would warrant refusal of the application. The proposals would also include an acceptable landscape layout and its implementation would be controlled via planning condition. The proposed development would therefore accord with Policy 14 (Design, Quality and Place) of NPF4, Policy H1 (Residential Areas), Policy D1 (Quality Placemaking) and Policy D2 (Amenity), Policy D5 (Landscape Design) and WB4 (Specialist Care Facilities) of the Aberdeen Local Development Plan 2023, and the Amenity and Space Standards and Householder Development Guide Aberdeen Planning Guidance.

The existing facility and proposed extension would be sufficiently accessed by vehicular and sustainable means and the appropriate level of parking and existing and proposed parking arrangements are acceptable. The proposals are therefore in compliance with Policy 13 (Sustainable Transport) of NPF4, Policy T2 (Sustainable Transport) and Policy T3 (Parking) of the ALDP, and with the Transport and Accessibility Aberdeen Planning Guidance. The development would not result in any health and wellbeing risks, in accordance with Policy 23 (Health and Safety) of NPF4 and WB1 (Healthy Developments) of the ALDP and would also provide adequate waste management in compliance with Policy 12 (Zero Waste) of NPF4, Policy R5 (Waste Management Requirements for New Developments) of the Aberdeen Local Development Plan and the Waste Management Requirements for New Developments Aberdeen Planning Guidance and would have no adverse impacts in terms of noise, from the air source heat pumps, in accordance with Policy WB3 (Noise) of the ALDP and its associated Noise Aberdeen Planning Guidance. The proposal would incorporate low and zero carbon generating technologies in accordance with Policy 1 (Tackling the Climate and Nature Crises), Policy 2 (Climate Mitigation and Adaption) of NPF4. In addition, the proposals would have no impact on the operation of the airport, in accordance with Policy B3 (Aberdeen International Airport and Perwinnes Radar) of the ALDP.

## **CONDITIONS**

### **(01) DURATION OF PERMISSION**

The development to which this notice relates must be begun not later than the expiration of 3 years beginning with the date of this notice. If development has not begun at the expiration of the 3-year period, the planning permission lapses.

Reason - in accordance with section 58 (duration of planning permission) of the 1997 act.

## (02) LANDSCAPING/ BIODIVERSITY SCHEME

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme (as detailed on Drawing No: HCA-2510-LS) and shall be completed during the planting season immediately following the commencement of the development or as otherwise agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

In addition, prior to the commencement of the implementation of the approved scheme, detailed proposals for a programme for the long term management and maintenance of all the approved landscaped and open space areas within the development shall be submitted for the further written approval of the Planning Authority. Thereafter, all management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

## (03) MATERIALS

That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

Reason - in the interests of visual amenity.

## (04) STAFF AND VISITOR PARKING GUIDANCE COMPLIANCE

That staff and visitor parking and access arrangements for the premises hereby approved shall be carried out in complete accordance with the 'Hopetoun Court Aberlour Options Aberdeen: Staff and Visitor Parking Guidelines' (Our Reference 251110-01) document approved as part of this planning permission.

Reason – to minimise the impact of staff and visitor parking on the surrounding area.

## ADVISORY NOTES FOR APPLICANT

### Use of Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. There is a requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4 – Cranes (available at <https://www.aoa.org.uk/policy-campaigns/operations-safety/>).

### Hours of Construction

No development works, including site/ground preparation, demolition and/or construction, causing noise beyond the site boundary should occur outside the following hours: Monday to Friday 07:00 hours to 19:00 hours and Saturday 08:00 hours to 13:00 hours.