



## DECISION NOTICE

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

### Detailed Planning Permission

Richard Dingwall  
Richard Dingwall Architects  
583 George Street  
Aberdeen  
AB25 3XR

on behalf of **Sparks Homes Aberdeen Ltd**

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>	250701/DPP
<b>Address of Development</b>	Attic Floor Flat 440 Auchmill Road Aberdeen AB21 9NN
<b>Description of Development</b>	Change of use of flat to short-term let accommodation with maximum occupancy of 4 people
<b>Date of Decision</b>	26 September 2025

#### 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 change of use of the property from a residential flat to short term let accommodation would have a significant adverse impact on the amenity of the occupants of the neighbouring residential flats. This is because the occupants of the neighbouring flats would have to share the communal entrance and vestibule solely with frequently changing transient guests and cleaners of the short term let accommodation unit, who would be unknown to them. Taking into account the small size of the vestibule, close proximity of the private entrances of each property and the small size of those flats relative to the application property, with consideration for the prioritisation of protecting women's safety, this would result in a significant adverse impact on the sense of security, safety and privacy, whether actual or perceived, of the residents of the neighbouring flats. The comings and goings of a group of up to four adults and cleaners traversing through the building and using the property would likely increase noise disturbance compared to the existing use as a mainstream residential flat. The relative size of the four-bedroom flat compared to the neighbouring flats would result in the proposed short-term let use impacting on the quiet residential character of the building and worsening the amenity impacts experienced by the occupants of the neighbouring flats, in conflict with Policies 14 (Design, Quality and Place) of National Planning Framework 4 (NPF4) and Policies D1 (Quality Placemaking) and H1 (Residential Areas) of the Aberdeen Local Development Plan 2023 (ALDP).

The property is located in a residential area and does not offer accommodation within or close to the city centre, with the nearest tourist hotspot being TECA, located 3 kilometres to the northwest. It thus conflicts with the aims of Policy VC2 (Tourism and Culture) of the Aberdeen Local Development Plan 2023 in that it would undermine the sequential spatial strategy to direct visitor facilities into the city centre.

As such, the local economic benefits to the tourism and hospitality sectors are not considered sufficient to outweigh the loss of amenity to neighbouring residents. The proposed use is therefore contrary to Policy 30 (Tourism) of 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

1000 A  
1001 A

Location Plan  
Other Floor Plan (Proposed)

Signed on behalf of the planning authority

A handwritten signature in cursive script 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.