

ABERDEEN CITY COUNCIL

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COMMITTEE	Planning Development Management Committee	
DATE	26 September 2013	
LEAD HEAD OF SERVICE Margaret Bochel		DIRECTOR Gordon McIntosh
TITLE OF REPORT	Planning Digest	
REPORT NUMBER	EPI/13/	

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1. PURPOSE OF REPORT

- 1.1 To advise Committee about recent appeal decisions, recent updates in Scottish Government Planning Advice and other aspects of the planning service.

2. RECOMMENDATION

- 2.1 To note the outcome of the appeal decision.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from these appeal decisions.

4. OTHER IMPLICATIONS

- 4.1 The report is for information and does not have any implications for any legal, resource, personnel, property, equipment, sustainability and environmental, health and safety and/or policy implications and risks.

5. BACKGROUND/MAIN ISSUES

**PLANNING DIGEST**

**APPEAL DISMISSED**

**Oldmill Road, Bon Accord Crescent, Aberdeen**

**Erection of a mixed use building consisting of serviced residential apartments and a business unit**

**Application Ref: P121633**

Planning permission for a mixed-use building consisting of services apartments and a business unit (office) was refused by the Development Management Sub-Committee

(Visits) on the 28th March 2013 in accordance with officer recommendation. The reasons for refusal were (1.) the proposal by virtue of its design, scale and mass would have an adverse impact on the residential amenity of the residents of Springbank Terrace, numbers 22-27, by way of loss of privacy, loss of light, and negative impact on the outlook of the properties on Springbank Terrace (2.) the proposal by virtue of its design and scale would have an unacceptable impact in terms of light pollution which would be detrimental to the amenity of nearby residential properties, and the amenity of the Conservation Area; (3.) the design, scale and massing of the proposal is not in-keeping within the locality, and would have an unacceptable impact on the Conservation Area.

The decision to refuse the application was subsequently appealed to the Scottish Government Directorate for Planning and Environmental Appeals in July 2013. The appeal was determined based on written representations and an unaccompanied site visit. The appeal was dismissed. The Reporter commented: that the "boxy appearance where wall would abruptly give way to sky, with none of the subtlety in managing the transition from wall to roof", finding this "aspect of the design incongruous with its setting, with adverse effects on the character and appearance of the conservation area and on the setting of the listed buildings in the crescent". The Reporter stated that he believed that the southern aspect of the proposed building "would...be dominant and overbearing, with adverse effects both on the character of the conservation area and on residential amenity for the occupants of Springbank Terrace." He was prepared "to accept that adequate levels of privacy would be achieved, but the trees (*designed to provide a privacy screen*) when fully grown would add to the feeling of oppression and dominance that would adversely affect residential amenity...The building and its associated planting would reduce the amount of visible sky and hence daylight for houses in Springbank Terrace and in Bon Accord Street." He added that light pollution (*arising from the building*) would produce a further adverse impact on residential amenity."

He concluded that that the proposal fails to show sufficient consideration for its context and failed to make a positive contribution to its setting. It would adversely affect the character and appearance of the conservation area and the setting of listed buildings. It would have an unacceptable impact on the character and amenity of the surrounding area.

The appeal decision letter can be viewed at;

<http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=qA359131>

## 6. IMPACT

The Scottish Government has stated that an effective planning service is fundamental to achieving its central purpose of sustainable economic growth. As such the information in this report relates to a number of Single Outcome Agreement Outcomes:

- 1 - We live in a Scotland that is the most attractive place for doing business in Europe;
- 2 - We realise our full economic potential with more and better employment opportunities for our people;

10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need;

12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations;

13 - We take pride in a strong, fair and inclusive national identity; and

15 - Our public services are high quality, continually improving, efficient and responsive to local people's needs.

Public – The report may be of interest to the development community and certain matters referred to in the report may be of interest to the wider community.

## 7. BACKGROUND PAPERS

None.

## 8. REPORT AUTHOR DETAILS

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