

## Planning Development Management Committee - 18 April 2024

### Planning Appeals Update

This report informs Planning Development Management Committee (PDMC) members about planning appeals and notifications in relation to Aberdeen City Council decisions that the Scottish Government's Division for Planning and Environmental Appeals (DPEA) has received or decided since the last PDMC meeting. It also lists appeals that are still pending.

#### Appeals Lodged

Type of appeal	Planning Permission	Application Reference	231018/DPP
Address	693 George Street		
Description	Change Of Use from Class 1A (Shops, Financial Professional and Other Services) To Hot-Food Takeaway (Sui Generis) and Installation of Kitchen Extract Vent to Rear Elevation (Part-Retrospective)		
History	Refused by PDMC of 14 March 2024 against officer recommendation		
DPEA weblink	<a href="https://www.scotland.gov.uk/topics/planning-and-environmental-appeals/cases/231018">Scottish Government - DPEA - Case Details (scotland.gov.uk)</a>		

#### Appeals Determined

Type of Appeal	Certificate of Lawfulness	Application Reference	231217/CLE
Address	First Floor Right, 15 Urquhart Street		
Description	Existing Use of Flat as Short Term Let Accommodation (Sui Generis) with Maximum Occupancy of 4 People		
History	Refused by officers under delegated powers		
DPEA Decision	No remit - appeal submitted too late (ie. beyond the 3 months allowed from the date of the decision).		
DPEA weblink	<a href="https://www.scotland.gov.uk/topics/planning-and-environmental-appeals/cases/231217">Scottish Government - DPEA - Case Details (scotland.gov.uk)</a>		

Type of Appeal	Advertisement Enforcement Notice	Application Reference	N/A
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Address	18 Holburn Street
Description	Installation of 1 Illuminated Fascia on the Front Elevation
History	Enforcement Notice to remove the signage served by officers under delegated powers
DPEA Decision	Appeal dismissed. The signage has been installed and requires consent. The notice was served correctly. The period allowed for compliance is reasonable. The requirement to remove the signage is proportionate and justified
DPEA weblink	<a href="https://www.scotland.gov.uk/Topics/Planning/Development-Applications/230173">Scottish Government - DPEA - Case Details (scotland.gov.uk)</a>

### **Notified Application**

Type of Appeal	Notified application	Application Reference	230173/PPP
Address	Land At Greenferns, Sites Op28 & Op33		
Description	Residential-Led, Mixed Use Development comprising approximately 1,575 Homes, Employment Use, A Neighbourhood Centre Comprising Local Retail and Commercial Provision, Leisure and Community Uses and Associated Infrastructure including New and Upgraded Access Roads, Landscaping, Open Space and Engineering Works		
History	PDMC of 14 March 2024 referred the application to the Scottish Ministers with a willingness to approve subject to legal agreement		
DPEA Decision	Scottish Ministers' have decided not to intervene and, therefore, officers are authorised to approve the application subject to the legal agreement		
DPEA weblink	<a href="https://www.scotland.gov.uk/Topics/Planning/Development-Applications/230173">Scottish Government - DPEA - Case Details (scotland.gov.uk)</a>		

### **Appeals Pending**

Type of Appeal	Planning Permission	Application Reference	231263/DPP
Address	Upper Birchwood, 1 South Avenue		
Description	Erection of Shed to Front (Retrospective)		
History	Refused by PDMC of 7 December 2023 against officer recommendation		
DPEA weblink	<a href="https://www.scotland.gov.uk/Topics/Planning/Development-Applications/231263">Scottish Government - DPEA - Case Details (scotland.gov.uk)</a>		

Type of Appeal	Certificate of Lawfulness	Application Reference	231216/CLE
Address	First Floor Left, 23 Hollybank Place		
Description	Existing Use of Flat as Short Term Let Accommodation (Sui Generis) with Maximum Occupancy of 2 People		
History	Refused by officers under delegated powers		
DPEA weblink	<a href="https://www.scotland.gov.uk/topics/dpea/cases/231216">Scottish Government - DPEA - Case Details (scotland.gov.uk)</a>		

Type of Appeal	Advertisement Consent	Application Reference	231081/ADV
Address	Queen Elizabeth Bridge Roundabout, Craig Place		
Description	Installation Of 1 Illuminated Free Standing Digital Display		
History	Refused by officers under delegated powers		
DPEA weblink	<a href="https://www.scotland.gov.uk/topics/dpea/cases/231081">Scottish Government - DPEA - Case Details (scotland.gov.uk)</a>		