

Public Document Pack



To: Councillor Milne, Convener; and Councillors Lawrence and Nicoll.

Town House,
ABERDEEN 27 February 2017

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in Committee Room 2 - Town House on **TUESDAY, 7 MARCH 2017** at **2.00 pm.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

- 1 Procedure Notice (Pages 5 - 6)

COPIES OF THE RELEVANT PLANS / DRAWINGS ARE AVAILABLE FOR INSPECTION IN ADVANCE OF THE MEETING AND WILL BE DISPLAYED AT THE MEETING

TO REVIEW THE DECISION OF THE APPOINTED OFFICER TO REFUSE THE FOLLOWING APPLICATIONS

PLANNING ADVISER - PAUL WILLIAMSON

- 2.1 Change of Use From (Class 5) to Use as an Indoor Trampoline Arena (Class 11) at Craigshaw Road, Tullos, Aberdeen, AB12 3AP - P161212

Members, please note that you are reviewing the decision of the case officer to refuse the above application.

- 2.2 Delegated Report, Plans, Decision Notice, Letters of Representation/Consultation Responses (Pages 7 - 104)

Members, please note that the relevant plans can be viewed online at the following link by entering the reference number 161212:-

<https://publicaccess.aberdeencity.gov.uk/online-applications>

2.3 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

Aberdeen Local Development Plan

B1: Business and Industrial Land

D3: Sustainable and Active Travel

C1: City Centre Development – Regional Centre

RT1: Sequential Approach & Retail Impact

RT2: Out of Centre Proposals

Proposed Local Development Plan

B1: Business and Industrial Land

T3: Sustainable and Active Travel

NC1: City Centre – Regional Centre

NC4: Sequential Approach and Impact

NC5: Out of Centre Proposals

Supplementary Guidance

Transport and Accessibility Supplementary Planning Guidance

The policies can be viewed at the following link:-

http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_local_development_plan.asp

2.4 Notice of Review with Initial Application and Supporting Information Submitted by Applicant / Agent (Pages 105 - 202)

2.5 Determination - Reasons for decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

2.6 Consideration of conditions to be attached to the application - if Members are minded to over-turn the decision of the case officer

PLANNING ADVISER - NICHOLAS LAWRENCE

3.1 495 Great Northern Road, Aberdeen, Aberdeen City, AB24 2EE - Proposed Upper Storey Extension Above Single Storey Extension to the Rear - P160882

3.2 Delegated Report, Plans and Decision Notice, Neighbourhood Notification and Letters of Representation/Consultation Responses (Pages 203 - 218)

Members, please note that the relevant plans can be viewed online at the following link by entering the reference number 160882:-

<https://publicaccess.aberdeencity.gov.uk/online-applications>

3.3 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

Adopted Aberdeen Local Development Plan

Policy D1 – Architecture and Placemaking

Policy H1 – Residential Areas

Proposed Aberdeen Local Development Plan

Policy D1 – Quality Placemaking by Design

Policy H1 - Residential Areas

Policy T5 - Noise

Supplementary Guidance (SG)

Householder Development Guide

3.4 Notice of Review with Initial Application and Supporting Information Submitted by Applicant / Agent (Pages 219 - 248)

3.5 Determination - Reason for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

3.6 Consideration of conditions to be attached to the application - if Members are minded to over-turn the decision of the case officer

PLANNING ADVISER - MATTHEW EASTON

3.7 40 Whitehall Road, Aberdeen, AB25 2PR - Proposed Dormer to Rear and Roof Lights to Front of Dwelling House - P161476

Members, please note that you are reviewing the decision of the case officer to refuse the above application.

4.1 Delegated Report, Plans and Decision Notice, Letters of Representation/Consultation Responses (Pages 249 - 260)

Members, please note that the relevant plans can be viewed online at the following link by entering the reference number 161476:-

<https://publicaccess.aberdeencity.gov.uk/online-applications>

4.2 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

National Policy

Scottish Planning Policy

Historic Environment Scotland Policy Statement

Adopted Aberdeen Local Development Plan

D1 - Architecture and Placemaking

D5 - Built Heritage

H1 - Residential Areas

Proposed Aberdeen Local Development Plan

D1 - Quality Placemaking by Design

D4 - Historic Environment

H1 - Residential Areas

Supplementary Guidance (SG)

The Householder Development Guide

Other Relevant Material Considerations

Managing Change in the Historic Environment: Roofs

4.3 Notice of Review with Initial Application and Supporting Information Submitted by Applicant / Agent (Pages 261 - 284)

4.4 Determination - Reason for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

4.5 Consideration of Conditions to be Attached to the Application - if Members are minded to over-turn the decision of the case officer

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Allison Swanson on aswanson@aberdeencity.gov.uk / tel 01224 522822

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

PROCEDURE NOTE

GENERAL

1. The Local Review Body of Aberdeen City Council (the LRB) must at all times comply with (one) the provisions of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 (the regulations), and (two) Aberdeen City Council's Standing Orders.
2. In dealing with a request for the review of a decision made by an appointed officer under the Scheme of Delegation adopted by the Council for the determination of "local" planning applications, the LRB acknowledge that the review process as set out in the regulations shall be carried out in stages.
3. As the first stage and having considered the applicant's stated preference (if any) for the procedure to be followed, the LRB must decide how the case under review is to be determined.
4. Once a notice of review has been submitted interested parties (defined as statutory consultees or other parties who have made, and have not withdrawn, representations in connection with the application) will be consulted on the Notice and will have the right to make further representations within 14 days.
Any representations:
 - made by any party other than the interested parties as defined above (including those objectors or Community Councils that did not make timeous representation on the application before its delegated determination by the appointed officer) or
 - made outwith the 14 day period representation period referred to abovecannot and will not be considered by the Local Review Body in determining the Review.
5. Where the LRB consider that the review documents (as defined within the regulations) provide sufficient information to enable them to determine the review, they may (as the next stage in the process) proceed to do so without further procedure.
6. Should the LRB, however, consider that they are not in a position to determine the review without further procedure, they must then decide which one of (or combination of) the further procedures available to them in terms of the regulations should be pursued. The further procedures available are:-
 - (a) written submissions;
 - (b) the holding of one or more hearing sessions;
 - (c) an inspection of the site.

7. If the LRB do decide to seek further information or representations prior to the determination of the review, they will require, in addition to deciding the manner in which that further information/representations should be provided, to be specific about the nature of the information/representations sought and by whom it should be provided.
8. In adjourning a meeting to such date and time as it may then or later decide, the LRB shall take into account the procedures outlined within Part 4 of the regulations, which will require to be fully observed.

DETERMINATION OF REVIEW

9. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.
10. The starting point for the determination of the review by the LRB will be Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that:-

“where, in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise.”
11. In coming to a decision on the review before them, the LRB will require:-
 - (a) to consider the Development Plan position relating to the application proposal and reach a view as to whether the proposal accords with the Development Plan;
 - (b) to identify all other material considerations arising (if any) which may be relevant to the proposal;
 - (c) to weigh the Development Plan position against the other material considerations arising before deciding whether the Development Plan should or should not prevail in the circumstances.
12. In determining the review, the LRB will:-
 - (a) uphold the appointed officers determination, with or without amendments or additions to the reason for refusal; or
 - (b) overturn the appointed officer’s decision and approve the application **with or without appropriate conditions.**
13. The LRB will give clear reasons for its decision in recognition that these will require to be intimated and publicised in full accordance with the regulations.

Report of Handling Detailed Planning Permission

161212/DPP: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11) at Craigshaw Road, Tullos, Aberdeen, AB12 3AP

For: Mr Vernon West

Application Date:	26 August 2016
Officer:	Dineke Brasier
Ward:	Kincorth/Nigg/Cove
Community Council:	Torry
Advertisement:	Development Plan Departure
Advertised Date:	14/09/2016

RECOMMENDATION: Refuse

SITE DESCRIPTION

The site comprises a former industrial/ warehouse unit and associated offices, yard and car park at the end of a cul-de-sac on the western edge of the West Tullos Industrial Estate adjoining (but with no access from) West Tullos Road. The property (formerly occupied by AC Yule) has been vacant for over five years and is in a poor condition. The building has an overall height of c.9m, is c.90m long and 23m deep. The side elevations include a number of smaller, lower single storey and two storey projections. The majority of walls are clad in fibre cement panels, with some sections finished in render or brickwork – especially the side projections. The roof is covered in fibre cement roof panels. To the south east of the building is a tarmacked yard and main parking area. Alongside the eastern boundary is a narrow track that leads up to a secondary car park, at a slightly higher ground level, also accessible from Craigshaw Road.

DESCRIPTION OF PROPOSAL

Change of use from general industrial (Class 5) to an indoor trampoline centre (Class 11). The proposed site layout would see parking for 70 cars, two motorcycles and twenty short stay cycle spaces. A bin storage area would be located to the front. The vast majority of the internal floorspace would be used for trampolines and decking, with separate areas for two party rooms, reception, a café, toilets and servicing areas.

RELEVANT HISTORY

161265/ADV is the accompanying application for advertisement consent for 3 illuminated fascia signs and two non-illuminated signs. This application is under consideration.

APPLICATION REF: 161212/DPP

P150610 for a change of use of the building to class 6 (storage), external alterations and new security fencing and entrance gates was approved in June 2015.

P150688 was the accompanying advertisement consent for three illuminated fascia signs. This application was approved in July 2015.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

- Employment Statement by Gojumpin Ltd dated 16th August 2016
- Public Interest Statement by Gojumpin Ltd dated 3rd August 2016
- Planning Statement by Lippe Architects and Town Planners dated August 2016
- Warehouse availability by Knight Frank, submitted 28 November 2016.
- Assessment of warehouse options, including sequential testing by Go Jumpin Ltd. dated 30 November 2016

CONSULTATIONS

Roads Development Management Team: No objection, but would like the following noted:

1. Lack of access by walking and cycling routes;
2. The remoteness of the location for public transport users, i.e. the distance from the nearest bus stop to the building exceeds 400m;
3. Four disabled parking spaces should be provided within easy access of the building;
4. Secure and covered long-stay cycle parking should be provided at a ratio of 1 per 10 staff;

Flooding and Coastal Protection Unit: No comments

Environmental Health Team: No observations

REPRESENTATIONS

30 letters of support have been received. The matters raised can be summarised as follows:-

- Proposal would provide an excellent, unique recreational facility, and would contribute to a healthy lifestyle;
- Proposal would be an excellent use for this vacant building, which is turning into an eyesore;
- Proposal would create new jobs; and
- Proposal would create a new tourist destination

PLANNING POLICY

Scottish Planning Policy

In particular paragraphs 28-29 setting out the guiding principles and then 68 – 69 on sequential testing.

Aberdeen Local Development Plan

BI1: Business and Industrial Land
D3: Sustainable and Active Travel
C1: City Centre Development – Regional Centre
RT1: Sequential Approach & Retail Impact
RT2: Out of Centre Proposals

Proposed Local Development Plan

B1: Business and Industrial Land
T3: Sustainable and Active Travel
NC1: City Centre – Regional Centre
NC4: Sequential Approach and Impact
NC5: Out of Centre Proposals

Supplementary Guidance

Transport and Accessibility Supplementary Planning Guidance

EVALUATION

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

Principle of the development

The site is located in the West Tullos Industrial Estate and allocated as Business and Industrial Land as set out in the Aberdeen Local Development Plan. Policy BI1 (Business and Industrial Land) applies and sets out that industrial and business uses (defined as within Classes 4-6) shall be retained within these areas, and that only ancillary uses that support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's business and industrial land.

The proposal is for a stand alone leisure facility (Class 11) and would function as a trampoline centre. The use would be a leisure facility catering mainly for families and children and, with that in mind, is not considered to be directly ancillary to surrounding business and industrial uses, or considered to support those businesses by enhancing the attraction and sustainability of the wider business and industrial designation. Thus the proposal is considered not in compliance with and thus a departure from policy BI1. To assess the suitability of the use in this area, other material considerations would therefore need to be considered.

In this regard West Tullos is a mature industrial estate within the city. It is recognised that it is not a prime high quality business location, but rather serves mid and lower pricepoints. It is not considered that this location directly competes with higher end office locations, such as: Prime 4, Gateway Business Park, or those in proximity to Aberdeen International Airport. It is also evident that a shift has developed with industrial occupiers being replaced with other uses on and flanking Wellington Road/

A956, e.g. car showrooms. Additionally there is a radio station (Unit 1 next door and accessed directly off Abbotswell Road) and a training centre (immediately to adjacent at Unit 13) elsewhere in West Tullos. It is also likely that the demand from industrial occupiers, and others more generally, has been reduced as a result of the economic downturn and resultant lack of investment in property assets. This is demonstrated by the fact that the building subject of this application has been empty for five years, and is currently in a poor state of repair.

The applicant has submitted a marketing statement, setting out that a number of viewings have taken place in the past year, with the building being dismissed by prospective occupiers for various reasons, including: its state of repair and the yard layout. Although these could be seen to reflect the lack of investment in the property and particular design characteristics, both of which may be able to be addressed by other means. Additionally, statistical evidence provided by the applicant has shown that the take up of industrial land this year is only roughly a quarter of that in 2014, and half of that in 2015, reflective of the economic downturn and level of demand being outstripped by supply. They also stated that it is unlikely that these figures will improve significantly over the remainder of the year.

Furthermore, as stated above, the peripheral character of this particular industrial estate is moving away from 'genuine' industrial uses to other uses with a more customer focused appearance such as car showrooms. This has become very apparent along the Wellington Road corridor, or in the case of the Radio Station at the periphery of the estate with a dedicated access.

It is also important to consider the space requirements of the proposed use. In this case, a trampoline centre would require a building with specific attributes: a large floorspace (>1400m²), a high ceiling height (>6m) and a relatively open plan. These requirements would restrict the type of buildings potentially suitable to larger industrial type buildings. In this case, it is considered that special circumstances could be demonstrated for a departure from policy B11. However, the location of the unit would also need to be acceptable in all other aspects with regards to sequential testing and accessibility. These are discussed below.

Impact on Aberdeen City Centre

Aberdeen City Centre is an important regional centre, and offers a wide range of goods and services. To ensure the vibrancy and vitality of the city centre, Policy C1 (City Centre Development – Regional Centre) of the ALDP sets out that proposals for new leisure uses shall be located in accordance with the sequential approach referred to in policy RT1 (Sequential Approach and Retail Impact).

RT1 adds that leisure proposals serving a catchment area that is city-wide or larger shall be located in the City Centre, preferably the City Centre Business Zone. In this case, the trampoline centre would be the first in the north-east region, and due to its nature clearly serve a catchment larger than the city itself.

The proposed location is however an out-of-centre location, and as such, the sequential test as set out in paragraphs 68-69 of Scottish Planning Policy (SPP) should be applied. This requires that prospective locations are considered in the following order of preference:

1. Town centres (including city centres)
2. Edge of town centres;
3. Other commercial centres identified in the development plan; and
4. Out-of-centre locations that are, or can, be made easily accessible by a choice of transport modes.

The applicant has been requested to demonstrate that more sequentially preferable central and accessible options have been investigated. In this regard paragraph 2.9 of the supporting statement, sets out a list of criteria relevant to a trampolining centre. However, the analysis provided does not show any consideration of other premises within the city. It merely considers whether or not the proposed building meets these specific criteria, rather than demonstrating if other sequentially preferable options have been investigated.

Following concerns raised in respect of the sequential work undertaken, an additional supplementary statement was submitted at the end of November, detailing other industrial units which had been considered. Of the six shortlisted the unit subject of this application was the one that was nearest the city centre – thus the best option. Again, this does not demonstrate sufficiently that any units nearer the city centre, or in sequentially preferable, or more safely sustainably accessible locations have been considered, as required under the sequential approach as set out in both policy and SPP.

Furthermore, the site would be isolated from other customer (and in particular family) focused uses, and thus the number of combined trips would be almost zero. The evidence submitted in respect of the sequential testing did not demonstrate that any locations near other attractions, leisure or retail uses, e.g. in business areas near leisure uses clustered at the beach, were considered at all. Such options or similar situation might have resulted in a more sustainable location being closer to the City Centre and in a location where leisure and shopping trips would be more likely to be combined and be accessible by modes other than the private car.

Investigations by Aberdeen City Council relating to other similar operations elsewhere in Scotland found that almost all were located in proximity to other commercial leisure or retail operations, rather than isolated within business and industrial areas.

It is therefore concluded that the proposal does not sufficiently demonstrate that more preferable locations have been evaluated or were available, and thus the proposal does not comply with the criteria as set out in policies C1 (City Centre Development – Regional Centre) and RT1 (Sequential Approach and Retail Impact).

In addition to the above, as the location is out-of-centre, policy RT2 (Out of Centre Proposals) of the ALDP applies. RT2 sets out five tests that leisure proposals in out-of-centre locations must comply with. These are:

1. No other suitable site in a location that is acceptable in terms of policy RT1 is available or is likely to become available in a reasonable time;
2. There will be no significant adverse effect on the vitality and viability of any retail location listed in the Hierarchy of Retail Centres Supplementary Guidance;

3. There is, in qualitative and quantitative terms, a proven deficiency in provision of the kind of development that is proposed;
4. The proposed development would be safely and easily accessible through a range of sustainable transport methods, such as walking, cycling and public transport;
5. The proposed development would have no significantly adverse effect on travel patterns and air pollution.

Taking each criterion in turn.

Criterion 1. As is discussed above it has not been sufficiently demonstrated that no sequentially preferable locations, particularly nearer the city centre or other identified centre, has been considered or is available. The first criterion would therefore not be met.

Criterion 2. The leisure use in itself would not present direct competition with the retail function of any neighbourhood or district centre. Although, as is the function of the sequential test, were it to be located in association with an existing retail location there could be positive knock on effects through linked trips and increased footfall, improving both vitality and viability of co-located facilities. Overall it is difficult to conclude compliance or otherwise with this criterion in the absence of a robust sequential testing exercise.

Criterion 3. As this trampoline centre would be the first of its kind within both Aberdeen and the wider north-east area, there is no current benchmark. As such it is difficult to determine in qualitative and quantitative terms demand. However, it is recognised that this form of leisure is growing nationally and as such there is likely to be a market. However, although there is a deficiency of this type of leisure facility in the region, there remains the question as to the suitability of the location. Overall, in respect of this single criterion it is considered that there is a deficiency in this type of development.

Criterion 4. The issue of accessibility and sustainable transport methods is discussed in detail below. However, in summary it is clear that the location is not easily or safely accessible by sustainable transport options. By and large the only reasonable way to get to the premises is via car. To explain, the nearest bus stop is more than 600m distant to the east, on Wellington Road, with no safe pedestrian crossing across this busy dual carriageway to and from the stop for southbound buses from the city centre. As such public transport and walking are not considered viable propositions. Additionally, given the distance from residential areas, the busy nature of Wellington Road and industrial character of Craigshaw Road, it is unlikely that cycling would be an attractive proposition. As such the location is not considered to be easily accessible and as such does not comply with criterion 4.

Given the commentary relating to criterion 4, it is expected that visitors and staff would mainly arrive by private car. In addition, due to the distance from any other leisure or retail uses, the number of combined trips would be insignificant. Furthermore, no transport strategy or similar has been submitted, setting out an expected split in modal trips. It is therefore considered that the proposal is likely to

have a significant adverse effect on travel patterns and potentially air pollution, and thus this fifth criterion is not met.

Taking account of the above, when assessing the proposal against the five tests set out in policy RT2 (Out of Centre Proposals), it only reservedly meets one of the five tests. The proposal is therefore considered not to comply with this policy.

Impact on local highway conditions and sustainable travel patterns

Policy D3 (Sustainable and Active Travel) sets out that new development should be designed to minimise travel by the private car. The Transport and Accessibility Supplementary Guidance (SPG) provides further detail, and sets out that public transport should be available within a radius of 400m of all developments. In this case, the nearest bus stop is approximately 600m away on Wellington Road, which is significantly more than the recommended distance in the SPG. Furthermore, this bus stop is on a busy dual carriageway, with no safe pedestrian crossing to the stop for southbound buses from the city centre. Human behaviour means that, unless an alternative is immediately available, most pedestrians are likely to take the shortest route to cross the road. This could result in an adverse impact on pedestrian safety, as more people could be crossing this busy road at an unsafe location. This would result in an unacceptable situation.

In an additional statement, the applicant has made an offer to launch an hourly shuttle bus service between the premises and Union Square on Saturdays and Sundays, most likely the busiest days of the week. This a measure designed to overcome the concerns with regards to the unsustainable location, but in itself would not address the concerns about pedestrian safety resulting from walking and using public bus routes, or indeed make the location sustainable. The proposal is therefore considered not to comply with policy D3 (Active and Sustainable Travel).

Other Material Planning Considerations

SPP – Paragraph 28 states that “*The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.*” In this regard it is important to make balanced decisions based on longer term land use planning objectives, rather than individual short term characteristics.

Paragraph 29 sets out further guiding principles, which require the following:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;

- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

In this case, it is felt that there are tensions in relation to the: net economic benefits; the overall economic case, relative to more appropriate opportunities and the local economic strategy; discord with the six qualities of successful place making, particularly in relation to pedestrian/ cyclist/ user safety and conflict with adjacent operations, does not prioritise sustainable/ active travel and is not well connected in this regard; does not consider all locations more sustainably and sequentially preferable, but focuses on the building itself; is not a sustainably accessible leisure location; and is not a sustainable land use option, due to its inaccessibility and lack of relationship with similar attractions and retail/ leisure uses. As such the guidance within SPP is not considered heeded.

Comments received from Aberdeen City Council's Economic Development Service advise that they are in the course of compiling a database of all property opportunities across the city, although this is not yet complete. However, in the interim contact could be made with the Council's Asset Management Team to look at potentially available Council properties. They also note the work undertaken by Knight Frank on suitable building availability, but comment that this has been based on the particular building being available and commercial decision making. On the issue of the evolving nature of West Tullos, this is noted. However, both the Economic Development and Planning and Sustainable Development Services of Aberdeen City Council would welcome the proposed use if a more suitable location could be identified and are happy to work with the applicant in this search.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015 and the Reporter has now reported back. The proposed plan constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The Reporters response does not affect policies in a manner that is relevant to this application. In relation to this particular application policy B1 (Business and Industrial Land) offers a slightly larger degree of flexibility than the current policy BI1 in as far as it states that proposals falling outwith classes 4, 5 or 6 that might be suitable on business and industrial land would be considered on their own merits. In this case it is considered that there could be conflict between such operations and the proposed commercial leisure use, focused at families, in respect of the operational characteristics and user profile. Thus the proposed use is not suitable for this particular location within a Business and Industrial allocation. Other determining policies that would be used in the assessment of this application (NC1 – City Centre Development – Regional Centre, NC4 – Sequential Approach and Retail Impact, NC5 – Out of Centre Proposals and T3 – Sustainable and Active Travel) have not substantively changed and the outcome of the application, when tested against these policies, would have remained as is.

Approval to adopt the LDP will be sought at the Full Council meeting of 14 December 2016. The actual adoption date is likely to be around the third week in January 2017.

RECOMMENDATION: Refuse

REASONS FOR RECOMMENDATION

Due to the specific building characteristics required by the proposed use, the fact the building subject of this application has been vacant for a period exceeding five years and taking account of the currently high level of industrial land available in the City, the principle of the proposed change of use as a departure from policy B11 (Business and Industrial Land) of the Aberdeen Local Development Plan, and policy B1 (Business and Industrial Land) of the Proposed Local Development Plan is open for consideration.

However, the proposal represents a commercial leisure facility in an out-of-centre location, which has not been demonstrated as being appropriate through a thorough sequential approach which confirms that no suitable premises in a more suitable location are available. The information submitted in this regard is not robust, and the proposal is therefore considered not to comply with the requirements of policies C1 (City Centre Development – Regional Centre), RT1 (Sequential Approach and Retail Impact) and RT2 (Out of Centre Proposals) of the Aberdeen Local Development Plan; and policies NC1 (City Centre Development – Regional Centre), NC4 (Sequential Approach and Impact) and NC5 (Out of Centre Proposals) of the Proposed Local Development Plan and SPP.

Equally there is potential conflict with the existing business and industrial uses within West Tullos and particularly on Craigshaw Road, given the differing users and operational characteristics, including vehicles using Craigshaw Road, of those uses and that of a commercial leisure facility focussed on families. All such that there would be conflict between those uses, such that the use proposed is not suited to the

location. As such it is considered that there would be tension with Policy B1 of the Proposed Local Development Plan and SPP.

Furthermore, the nearest bus stop to the building is located at a distance of more than 600m on Wellington Road, which exceeds the maximum distance of 400m as set out in the Transport and Sustainability Supplementary Guidance. In addition, the route to the bus stop for southbound buses from the city centre would result in a significant potential for adverse impact on pedestrian safety. The proposal is therefore considered not to be readily accessible by sustainable transport modes, including public transport, and would be heavily reliant on use of the private car and is thus unsustainable. This would be contrary to the terms of policies D3 (Active and Sustainable Travel) and RT2 (Out of Centre Proposals) of the Aberdeen Local Development Plan; policies T3 (Sustainable and Active Travel) and NC5 (Out of Centre Proposals) of the Proposed Local Development and the Transport and Accessibility Supplementary Guidance and SPP.

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Stuart Naysmith
Lippe Architects Ltd.
4 St. James Place
Inverurie
Scotland
AB51 3UB

on behalf of **Mr Vernon West**

With reference to your application validly received on 26 August 2016 for the following development:-

**Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)
at Craigshaw Road, Tullos**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
5297/004/-	Location Plan
5297/007/-	Site Layout (Proposed)
5297/005/-	Multiple Floor Plans (Proposed)
5297/006/-	Multiple Elevations (Proposed)

The reasons on which the Council has based this decision are as follows:-

Due to the specific building characteristics required by the proposed use, the fact the building subject of this application has been vacant for a period exceeding five years and taking account of the currently high level of industrial land available in the City, the principle of the proposed change of use as a departure from policy BI1 (Business

PETE LEONARD
DIRECTOR

and Industrial Land) of the Aberdeen Local Development Plan, and policy B1 (Business and Industrial Land) of the Proposed Local Development Plan is open for consideration.

However, the proposal represents a commercial leisure facility in an out-of-centre location, which has not been demonstrated as being appropriate through a thorough sequential approach which confirms that no suitable premises in a more suitable location are available. The information submitted in this regard is not robust, and the proposal is therefore considered not to comply with the requirements of policies C1 (City Centre Development - Regional Centre), RT1 (Sequential Approach and Retail Impact) and RT2 (Out of Centre Proposals) of the Aberdeen Local Development Plan; and policies NC1 (City Centre Development - Regional Centre), NC4 (Sequential Approach and Impact) and NC5 (Out of Centre Proposals) of the Proposed Local Development Plan and SPP.

Equally there is potential conflict with the existing business and industrial uses within West Tullos and particularly on Craigshaw Road, given the differing users and operational characteristics, including vehicles using Craigshaw Road, of those uses and that of a commercial leisure facility focussed on families. All such that there would be conflict between those uses, such that the use proposed is not suited to the location. As such it is considered that there would be tension with Policy B1 of the Proposed Local Development Plan and SPP.

Furthermore, the nearest bus stop to the building is located at a distance of more than 600m on Wellington Road, which exceeds the maximum distance of 400m as set out in the Transport and Sustainability Supplementary Guidance. In addition, the route to the bus stop for southbound buses from the city centre would result in a significant potential for adverse impact on pedestrian safety. The proposal is therefore considered not to be readily accessible by sustainable transport modes, including public transport, and would be heavily reliant on use of the private car and is thus unsustainable. This would be contrary to the terms of policies D3 (Active and Sustainable Travel) and RT2 (Out of Centre Proposals) of the Aberdeen Local Development Plan; policies T3 (Sustainable and Active Travel) and NC5 (Out of Centre Proposals) of the Proposed Local Development and the Transport and Accessibility Supplementary Guidance and SPP.

Date of Signing 23 December 2016



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

**DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED
WITH APPLICANT (S32A of 1997 Act)**

None.

**RIGHT OF APPEAL
THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Planning and Sustainable Development (address at the top of this decision notice).

**SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A
PLANNING DECISION**

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.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Ms Fiona Cook

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I believe this application should be supported as it will benefit the people of the north-east as there is no other facility like it in the area. I would make use of this facility with my two children at weekends or during the school holidays as they would love to be able to experience indoor trampolining. It will bring something new and different to Aberdeen.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Alison Mcclory

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Aberdeen is screaming out for more affordable activities for children. This is a great idea.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Carla Johnston

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Great idea

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Ms Rouise Rodger

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr Colin Cameron

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We regularly travel to Glasgow and Edinburgh to make use of similar facilities there. This is a brilliant idea, and something the North East is crying out for. Far better to see our kids running round and bouncing up and down than to see them glued to TV screens and playstations. I'm delighted that this has been proposed and am certain that this facility will benefit both the local and wider North East communities.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr Peter Watt

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am commenting on behalf of the Granite City Guerrillas dodgeball team. We are all fully supportive of this application and the plans for it to include a dodgeball trampoline element. We believe this provides further opportunity for wellbeing and health promotion in our community and will build on the work we have been undertaking to provide an alternative source of sport for our city

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mrs Nisha Misra

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Promotes a community who can be Healthy and active. It will contribute to a fitness lifestyle.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mrs Stacey Robertson

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Ms Natalie Day

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Think this will be brilliant for the public of all ages, there is nothing like this nearby so think it will benefit members of the public like myself greatly

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr Mark Cowie

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It will be a great new activity in Aberdeen. The city lacks variety of activity. Too much of Aberdeen's social activity revolves around alcohol. This would be fun and healthy

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Laura Stephen

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Its about time Aberdeen caught up with the bigger citys that get everything ...Aberdeen is a big city with nothing in it for teens

Cant come quick enough

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr Richard Williams

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I think this will be an excellent contribution to the area and will encourage kids and big kids to get some more exercise. Been to a similar one outside Glasgow and it was well attended, safe and well run, a great way for kids to get fit and have fun.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mrs Susan Duthie

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Think it a brilliant idea for the kids and create new jobs.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr George Milne

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I strongly support the proposal.

This would be a great recreational asset to Aberdeen and the area.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Leanne Mair

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I think a trampoline park will be great for Aberdeen, something different for the children to do and its also good fun for adults too. Myself and my daughter travelled to Glasgow just the other week to go to a trampoline park and we both had a great time so would be great to have one local to us.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mrs Donna Simpson

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It's a wonderful idea. My only concerns are over the health and safety side.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Nadine Cadenhead

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Nicola Bramley

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: All sports facilities are good for Aberdeen for fun and fitness for old and young to get involved. It's something different and the one in Glasgow is great and also a big tourist destination.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr Ian Nicol

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This is an excellent opportunity to bring a fun and healthy sports facility to Aberdeen. As a family we travel to Glasgow & East Kilbride to spend a day doing trampolining. Having a local facility would be brilliant.

AC Yuke's building has remained empty and unused for May years since the collapse of glazing manufacture on the site.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr Isn Nicol

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Change of use will bring long empty building back in use for the community.

This page is intentionally left blank

Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Kerry Willox

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Be great to have this in aberdeen, my son loves trampolining that much we travelled to air space in glasgow, aberdeen is lacking such facilities for children so this is a great idea

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr marc langford

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Excellent idea, and a valuable addition to the community of Aberdeen. Kids and adults alike should be encouraged to indeed do any form of exercise, indoor or out.

This page is intentionally left blank

Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Stacey Morrison

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Would be great to have something new to aberdeen. This is great for all ages! It sounds fun and exciting and would be a lovely family activity.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Caroline Kinghorn

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Welcome new business and different leisure activities to aberdeen.

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mrs Jena Milne

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Great fun for the family!

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Miss Sarah Watt

Address:

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It would be great to see something like this in Aberdeen. If Inverness can make it work why can't Aberdeen?

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mrs Anne Hudson

Address:

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: A facility like this would be fantastic for Aberdeen. In the current economic situation the redevelopment would create much needed jobs and investment. I fully support this application.

This page is intentionally left blank

Consultee Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Consultee Details

Name: Mr Nick Glover

Address: Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB

Email: nglover@aberdeencity.gov.uk

On Behalf Of: ACC - Environmental Health

Comments

No observations

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mrs Laura Wallace

Address:

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

This page is intentionally left blank

Consultee Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Consultee Details

Name: Mrs Katy Joy Goodall

Address: Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB

Email: kagoodall@aberdeencity.gov.uk

On Behalf Of: ACC - Flooding And Coastal Protection

Comments

No Comment

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr Phil Wallace

Address:

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Great idea

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Comments for Planning Application 161212/DPP

Application Summary

Application Number: 161212/DPP

Address: Craigshaw Road Tullos Aberdeen AB12 3AP

Proposal: Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)

Case Officer: Gareth Allison

Customer Details

Name: Mr Shawn Skinner

Address:

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I can't agree with this more

A real asset for young and old alike

This page is intentionally left blank

From: Louise Napier
Sent: Thu, 15 Dec 2016 11:37:34 +0000
To: Dineke Brasier
Cc: Christopher Cormack
Subject: RE: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Hi Dineke,

Very sorry for the delay in getting back to you. I have spoken to Chris from the PTU and we think there are issues with trying to reroute current services to facilitate bus access to the development. The 3 and the 5 from First would be the only options. Which we don't think they would be happy to do since it would result in significant drop in service for existing customers. If reliant on existing stops and services then you are right; the locations of crossings are not particularly conducive to safe crossing to the development and to find a safe crossing point creates a slightly longer journey.

It does seem likely, therefore, that shuttle bus is their only option. How sustainable this is would be a question and I wonder if they are aware of how expensive shuttle buses are, even those just running at the weekend. I don't know how well this can be conditioned? I also don't know what scope there is for making the service more commercial and then they could stop at normal stops on the way up/ back down. And that at least might off set the cost outlay and make it a bit more sustainable.

The only other solace I can offer is that we are looking at a cycle route up Craigshaw Drive that connects onto Wellington Road/ Cove and the Shell cycle path through Duthie Park and onto the Deeside Line and it is likely, since this will likely appeal to a certain target audience, that they may consider cycling to the development. And presumably anyone able to undertake a large amount of jumping is quite fit and therefore a longer distance to a bus stop wont prove such a challenge; if it were for an old peoples home then I think that would be an outright no... Since we are looking at a younger and fitter audience perhaps the 800m / 10 minute walk isnt a massive challenge?

I am afraid the majority will drive but at least from the air quality and congestion point of view if its mainly people attending in evenings and at weekends then this isnt so bad.

Sorry for me this is an ambiguous one, and perhaps the above thoughts compound that!

Thanks and regards,

Louise

Louise Napier
Senior Planner (Transport Strategy)

Planning and Sustainable Development | Communities, Housing and Infrastructure | Aberdeen City Council | Business Hub 4 | Ground Floor North | Marischal College | Aberdeen | AB10 1AB
Email lnapier@aberdeencity.gov.uk | Direct Dial 01224 523327 | Switchboard 08456 08 09 10 | Website www.aberdeencity.gov.uk

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From: Dineke Brasier
Sent: 05 December 2016 10:37
To: Louise Napier
Subject: FW: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Hi Louise,

Could you please have a look at the below please? The application is for the change of use of the former AC Yule building on Craigshaw Road to a trampoline centre. One of the issues we have with this, is that the building is more than 400m from a bus stop – also the nearest bus stop (at approx. 850m) is located on Wellington Road, and there doesn't seem to be a safe pedestrian crossing across this dual carriage anywhere near either the bus stop or Craigshaw Road. The applicant now proposes to implement a shuttle bus service, but I'm not sure this would be workable, or overcome the general concerns with regards to the unsustainable location of the building.

It would be great if I could get your thoughts on this.

Many thanks,
Dineke

From: Lesley Tierney [<mailto:lesley@lippe-architects.co.uk>]
Sent: 30 November 2016 12:26
To: Dineke Brasier
Subject: RE: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Good afternoon Dineke

Further to your conversation with Vernon West on Monday, I attach the information you discussed in terms of the units which have been considered and the reason they have been rejected and an availability schedule for buildings between 20,000 sq ft and 35,000 sq ft.

With regard to a shuttle bus to a local nodal point, the applicant would be able to offer a dedicated shuttle bus service on Saturday and Sunday which is the busiest period for such facilities. It is proposed this would leave Union Square on the hour and from the site on the half hour. Increasing the availability of this to week days could be investigated further once the facility was operational. The applicant is also happy to make contributions to road and pedestrian safety in proximity to the site, to be agreed with Planning and the Council's Roads Department.

We have also made contact with Mr Steve Harris who is the Chief Executive of VisitAberdeenshire. He has made the following statement which we would also which consideration being given to in recommending on the application.

"I would urge support for the Go Jump In proposal to create a state of the art trampoline area on Craigshaw Road, Aberdeen. The site has been vacant for a number of years and we should support an organisation that has a track record of creating facilities in similar locations. The proposal will create an amenity for local people and visitors alike, being of a quality that people will travel to use. The participation rates in gymnastics and trampolining have grown rapidly over recent years and, with medals in trampolining being won at the Rio Olympics earlier this year, growth looks set to continue."

Thank you again for your consideration and we look forward to hearing from you.

Lesley

Kind Regards

Lesley Tierney

Associate + Chartered Planning Consultant

T: 01467 622785

lesley@lippe-architects.co.uk



4 St. James Place Inverurie Aberdeenshire AB51 3UB
25 Albyn Place Aberdeen AB10 1YL

lippe-architects.co.uk

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From: Dineke Brasier [<mailto:DBrasier@aberdeencity.gov.uk>]

Sent: 29 November 2016 15:21

To: Lesley Tierney
Subject: RE: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Hi Lesley,

That's fine and as agreed with Mr West earlier in the week.

Many thanks,
Kind regards,
Dineke Brasier

From: Lesley Tierney [<mailto:lesley@lippe-architects.co.uk>]
Sent: 29 November 2016 15:14
To: Dineke Brasier
Subject: FW: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Hello Dineke

We are still preparing the further info that you gave us the time to submit and will have this to you tomorrow. Thank you.

Lesley

Kind Regards

Lesley Tierney
Associate + Chartered Planning Consultant
T: 01467 622785
lesley@lippe-architects.co.uk



4 St. James Place Inverurie Aberdeenshire AB51 3UB
25 Albyn Place Aberdeen AB10 1YL

lippe-architects.co.uk

Find us on 

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From: Daniel Lewis [<mailto:DLewis@aberdeencity.gov.uk>]
Sent: 29 November 2016 14:54
To: Lesley Tierney <lesley@lippe-architects.co.uk>

Cc: Gale Beattie <GALEB@aberdeencity.gov.uk>; Dineke Brasier <DBrasier@aberdeencity.gov.uk>
Subject: FW: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Lesley

I understand that you have been trying to contact Gale to discuss this application and she has asked me to respond.

As you know this application has been subject of considerable discussion and you have been provided with ample feedback from the previous case officer Gareth Allison and subsequently by Dineke. It is considered that all supporting information necessary to make a decision has been submitted and has been carefully evaluated. It has been concluded that the fundamental planning issues identified in Dineke's email below cannot be overcome for this particular site.

Dineke's email below represents the collective view of planning service including the Head of Service and the application will be determined for refusal under delegated powers. Your client will, of course have the opportunity to have the decision reviewed by the Local Review Body.

Best regards
Daniel

: Dineke Brasier [<mailto:DBrasier@aberdeencity.gov.uk>]
Sent: 24 November 2016 16:36
To: Lesley Tierney
Subject: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Hi Lesley,

Following on from our discussion earlier, I am hereby providing you feedback on the current application. As discussed, the application will be recommended for refusal under delegated powers, and I will write the report of handling next week.

There are various issues with the application as it currently stands. When Gareth send you his initial assessment on 30th September, he raised various issues which could be split into three different categories:

1. The principle of a leisure use on land allocated for business/industrial use;
2. The accessibility of the site by sustainable transport methods such as public transport, walking and cycling; and
3. Sequential testing.

It is felt that the principle of establishing this use on a business/industrial estate could be accepted, provided it would be in the right location and would be accompanied by the right justification, including a sequential test. As such, just because the building is located in an industrial estate does not in itself warrant a reason for refusal.

Where this current proposal falls down on are site specific reasons, especially in relation to accessibility and sequential testing.

In relation to accessibility, the building has poor links to the city centre and other areas within the city via public transport, walking or cycling. Even though the nearest properties are within 50m on the other side of West Tullos Road, there is no direct pedestrian access from that side into the site. Residents from that part of Kincorth would need to walk along Abbotswell Crescent, Abbotswell Road, then down Craigshaw Drive and Craigshaw Road to get to the building. Furthermore, the nearest bus stop is located on Wellington Road, which exceeds the distance of 400m as set out in the Council's Transport and Accessibility Supplementary Guidance. A further issue in this respect is that there is no safe pedestrian crossing point near the bus stop on Wellington Road to get to Craigshaw Road, which could result in an adverse impact on pedestrian safety.

With regards to the sequential testing, both policy RT1 in the current LDP and policy NC4 in the proposed LDP set out that proposals which serve a catchment area that is city-wide or larger shall be located in the city centre (regional centre). In your supporting statement it is clearly outlined that the facility is intended to serve both Aberdeen and the surrounding wider area, and as such it would have a regional catchment. The Sequential Test as set out in Scottish Planning Policy, which is a key material planning consideration, should therefore be applied. This requires that locations are considered in the following order of preference:

- town centres (including city centres and local centres);
- edge of town centre;
- other commercial centres identified in the development plan; and
- out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.

SPP para 71 states that where development proposals in edge of town centre, commercial centre or out-of-town locations are contrary to the development plan, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing town centres is acceptable. This 'thorough assessment' has not been appropriately evidenced by the information currently submitted. There is no detailed evidence to substantiate that there are no other suitable premises nearer the city centre or in a more sustainable location, or any evidence that other buildings or areas within the city have been considered.

I trust this information is of assistance, and that it covers what was discussed earlier during our phone call.

Many thanks,

Kind regards,

Dineke Brasier
Planner

Planning and Sustainable Development | Communities, Housing and Infrastructure | Aberdeen City Council | Business Hub 4 | Ground Floor North | Marischal College | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 523514 | Customer Contact Line: 03000 200 292 **(Please note new number)**

Email: dbrasier@aberdeencity.gov.uk | Web: www.aberdeencity.gov.uk/planningapplications |
Customer Feedback Survey: www.surveymonkey.co.uk/r/PlanningDM

Please note that I work on Mondays, Tuesdays, Wednesdays and Thursdays.

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From: Claire McArthur
Sent: Thu, 24 Nov 2016 10:51:38 +0000
To: Dineke Brasier
Cc: Andrew Brownrigg
Subject: RE: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Hello,

I've had a quick look the application this morning.

In short, I don't think the proposal can be seen as conforming with either the extant or the emerging Local Development Plan, primarily due to site location and the lack of evidence that has been presented on the sequential test.

Policy RT1 in the 2012 LDP and Policy NC4 in the Proposed LDP are both clear that proposals which serve a catchment area that is city-wide or larger shall be located in the City Centre (Regional Centre). The applicants have made it quite clear in their supporting statement that the facility (which should only be recognised as a Class 11 leisure proposal and not a Class 4 business as seems to be implied in the correspondence of 6th October), would be the first in Aberdeen City and Shire, and the inference is that it would have a regional draw / catchment.

The proposed site is not located with the City/Regional Centre, but rather on an out-of-centre site in an area designated as B1 Business and Industry. The Local Development Plan expects that applicants should follow the Sequential Test as described in Scottish Planning Policy (SPP). For avoidance of doubt, the Scottish Planning Policy is a key material consideration and is very much relevant to this application – paragraph 2.3 of the Supporting Planning Statement seems to be confusing English and Scottish policy documents in this regard.

The aim expressed in SPP is to recognise and prioritise the importance of city/town centres and encourage a mix of developments which support their vibrancy, vitality and viability. This requires that locations are considered in the following order of preference:

- town centres (including city centres and local centres);
- edge of town centre;
- other commercial centres identified in the development plan; and
- out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.

SPP para 71 states that where development proposals in edge of town centre, commercial centre or out-of-town locations are contrary to the development plan, it is for applicants to demonstrate that more central options have been thoroughly assessed and that the impact on existing town centres is acceptable. We do not consider this "thorough assessment" to be appropriately evidenced within the information currently submitted by the applicant/agent. Paras 2.10 and 2.11 of the Supporting Planning Statement note that the applicants have gone through some sequential analysis and in doing so have reached the conclusion that no suitable premises can be found. No detailed evidence to substantiate this statement has been provided. It is also noted that in carrying out this assessment the applicants have considered a floor space of 2,381 square metres (as per the current offering at Tullos) and not the minimum acceptable facility size stated in para 2.9 of the Supporting Planning Statement as 1,400 square metres.

Para 73 of SPP goes on to state that out-of-centre locations should only be considered for uses which generate significant footfall (which, as discussed the applicants infer from their supporting information and vast social media following) where:

- all town centre, edge of town centre and other commercial centre options have been assessed and discounted as unsuitable or unavailable;
- the scale of development proposed is appropriate, and it has been shown that the proposal cannot reasonably be altered or reduced in scale to allow it to be accommodated at a sequentially preferable location;
- the proposal will help to meet qualitative or quantitative deficiencies; and (*emphasis added*)
- there will be no significant adverse effect on the vitality and viability of existing town centres.

We do not consider that information submitted to support this application demonstrates that the four criteria listed above have been met.

Trust the above is of some use in the short term. If you need anything else from us then please let me know.

Best,

Claire

Claire McArthur
Senior Planner (Development Plan)
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4 Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Email CMcArthur@aberdeencity.gov.uk

Direct Dial 01224 523098

Switchboard 03000 200 292

Website www.aberdeencity.gov.uk/localdevelopmentplan

Working Days: Tuesday – Friday



[@AberdeenLDP](https://twitter.com/AberdeenLDP)



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From: Dineke Brasier

Sent: 23 November 2016 14:01

To: Claire McArthur
Subject: RE: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Hi Claire,

Please see attached. I think this is all that's relevant for you. Let me know what else you would need. Like I said, I'm giving Lesley a ring tomorrow. The idea is, as the application has been running for quite a while, that I'm going to give her a definite yes or no tomorrow, but if you think there is a lot of info missing, then it would be good to hear that too, and we can take it from there.

Thanks,
Dineke

From: Claire McArthur
Sent: 23 November 2016 11:46
To: Dineke Brasier
Subject: RE: 161212: Trampoline Centre, Craigshaw Road, Aberdeen

Hi Dineke,

Andy has passed this on to me, but I'm not aware of the background. What do you need from us? Something on sequential test?

Are you working from home today? Are you able to give me a quick call to discuss?

Thanks,

Claire

Claire McArthur
Senior Planner (Development Plan)
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4 Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Email CMcArthur@aberdeencity.gov.uk
Direct Dial 01224 523098

Switchboard 03000 200 292
Website www.aberdeencity.gov.uk/localdevelopmentplan

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From: Andrew Brownrigg
Sent: 23 November 2016 11:28
To: Claire McArthur
Subject: FW: 161212: Trampoline Centre, Craigshaw Road, Aberdeen
Importance: High

Andrew Brownrigg
Team Leader (Development Plan)
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4 Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Email abrownrigg@aberdeencity.gov.uk
Direct Dial 01224 523317

Switchboard 03000 200 292
Website www.aberdeencity.gov.uk/localdevelopmentplan

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 [Aberdeen Local Development Plan Page](#)

From: Dineke Brasier
Sent: 23 November 2016 10:08
To: Andrew Brownrigg
Subject: 161212: Trampoline Centre, Craigshaw Road, Aberdeen
Importance: High

Hi Andy,

Following on from our discussion last week, could I please have some comments on this? I need to get back to the applicant tomorrow, so the sooner the better.

Many thanks,

Kind regards,

Dineke Brasier
Planner

Planning and Sustainable Development | Communities, Housing and Infrastructure | Aberdeen City Council | Business Hub 4 | Ground Floor North | Marischal College | Broad Street | Aberdeen | AB10 1AB

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MEMO



ABERDEEN
CITY COUNCIL

To	Dineke Brasier Planning & Infrastructure	Date	23/11/2016
		Your Ref.	P161212 (ZLF)
		Our Ref.	TR/GW/1/51/2
From	Roads Projects		
Email	roads@aberdeencity.gov.uk		
Dial	01224 522284		
Fax			

Roads Projects
Enterprise, Planning & Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen AB10 1AB

Planning application no. 161212
Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)
Craigshaw Road Tullos

I have considered the above planning application and have the following observations:

1 Development Proposal

1.1 I note that the application is for a change of use of former AC Yule Building (Class 5) to use as an indoor Trampoline Arena (Class 11).

2 Walking and Cycling

2.1 The walking and cycling access is limited. Given the business unit lies within an industrial estate there are footways provided, however, there is little opportunity for non-car based travel to access the leisure facility.

2.2 The dual carriageway west of the site, West Tullos Road, presents a significant barrier to access the site from the west. Though the route has a Toucan-style controlled crossing which allows walking and cycling access to the industrial estate from the west, the site itself is not readily accessible.

2.3 To make the site more accessible from the west a footway access to the site should be considered. A footway / cycleway linking directly to the Toucan crossing would increase accessibility for walking, cycling and public transport.

2.4 Construction of a length of shared surface and access point from the west would serve to reduce car-based trips to the development. **I would ask the lack of access by walking and cycling routes to a leisure site be noted.**

2.5 The nearest available cycle route / shared use path is located to the north-west of the site at Abbotswells Road. This offers connection with Aberdeen city centre.

Gordon McIntosh
Corporate Director

3 Public Transport

- 3.1 Public transport is available in the general area east and west of the development, however, the walk distances to the nearest bus stops are in excess of the 400 metres distance preferred by Aberdeen City Council (ACC).
- 3.2 **The remoteness of the location for public transport users is noted.**

4 Parking

- 4.1 The parking layout shown in drawing no. 5297/007/- indicates provision for 70 parking spaces. This provision was for the previous purpose i.e. an industrial unit. The parking standards for assembly and leisure (1 space per 22m²) enable the parking spaces to remain acceptable to ACC.
- 4.2 Disabled parking is shown by two spaces being provided. ACC's current guidance requires four disabled parking spaces be provided. **I would ask that four disabled spaces be provided within easy access of the building entrance and meet with ACC guidance on markings and accessibility.**
- 4.3 Cycle parking is provided for at the front of the building by 10 cycle-stands. This is welcomed and is an acceptable short-stay parking measure. ACC require long-stay cycle parking be provided for the leisure facility staff in the form of secure and sheltered cycle parking. Long-stay cycle parking can be either internal or external to the building and be in the form of cycle lockers. **I would ask long-stay cycle parking storage be provided at a ratio of 1 per 10 staff.**
- 4.4 Motorcycle parking is required at the ratio of 1 space per 25 car parking spaces. **I would ask 2 motorcycle spaces be provided.**

5 Development Vehicle Access

- 5.1 The existing vehicle accesses are to be used and this is considered acceptable.

6 Construction Consent

- 6.1 The (access junction layout/local road improvements/internal road layout/etc) are to be designed to Aberdeen City Council standards. The development will require to be subject to a (Section 56/Section 21 Roads Construction Consent procedure) and I would urge the applicant to contact Colin Burnet on 01224 522409 to discuss this matter in further detail.

7 Conclusion

- 7.1 I have no objection to this application subject the issues mentioned above are noted.

Roads Development Management

From: Kristian Smith
Sent: Mon, 16 Jan 2017 16:02:15 +0000
To: Dineke Brasier
Subject: FW: 161212/DPP: Former AC Yule building - email to economic development

Can you save the email to the file.

K

From: Jamie Coventry
Sent: 23 December 2016 11:25
To: Kristian Smith
Cc: Daniel Lewis
Subject: RE: 161212/DPP: Former AC Yule building - email to economic development

Kristian – I don't think there is much we can say on this as the issue is about accessibility and the wrong type of use for this site.

Location

Economic Development is in the process of developing a database to advise on all property opportunities across the City but we are currently not able to do this. For opportunities in Council owned properties, we would recommend talking with the non-housing property manager Neil Strachan.

However, we note that the client and their agent Knight Frank has done a search of property opportunities and has not found suitable accommodation for this application which we assume is based on identifying a suitable physical site but **also** their commercial decision.

Usage and Transport

Usage has declined in the Tullos area as Knight Frank stated. Economic Development would welcome their application if a suitable site could be found. However, the downsides of this site are considered to be based upon poor accessibility and policy on the type of uses in West Tullos which Economic Development is not in a position to comment upon.

From: Kristian Smith
Sent: 21 December 2016 12:15
To: Jamie Coventry
Cc: Daniel Lewis
Subject: FW: 161212/DPP: Former AC Yule building - email to economic development

Jamie,

Have you had a chance to look at this? Pressure is on to get a decision out by Xmas and we await ED feedin – unless I've missed it?

Kristian

From: Dineke Brasier
Sent: 13 December 2016 15:33

To: Kristian Smith

Subject: 161212/DPP: Former AC Yule building - email to economic development

Hi Jamie,

Thanks for offering to have a look at this, with the aim of providing some comments from Economic Development.

The situation is as follows:

A planning application has been submitted for a change of use of the Former AC Yule building to a trampoline centre. The building is located at the end of Craigshaw Road, backing onto West Tullos Road. The site is allocated in the Aberdeen Local Development Plan as Business and Industrial Land, and policy BI1 (Business and Industrial Land) applies. This policy sets out that generally only business, industrial and warehouse uses would be acceptable in these locations. As such, the proposal would represent a departure from that policy. However, taking account of the facts that the building has been empty for five years, the West Tullos Industrial Estate is slowly moving away from 'genuine' industrial uses through an increase in uses such as car showrooms etc, and the general decline in demand for industrial land in recent times, it is felt that a departure from this policy could be justified.

However, other policies require that the applicant demonstrates evidence that no suitable building would be available nearer the city centre or in a more accessible location. This is where this proposal falls foul. The information submitted is only very brief, and mainly focuses on other warehouses within other industrial estates, generally further away from the city. Secondly, the AC Yule building is in a very poor location with regards to public transport and accessibility by pedestrians/cyclists. The nearest bus stop is on Wellington Road, and there is no safe crossing point across this busy road anywhere between the bus stop and Craigshaw Road.

We would like to stimulate this leisure use, as the benefits to the city are clear. However, in our view, this is not the right site as it's too far removed from any other leisure/ retail uses, and accessibility is poor. We have received some information from the applicant with regards to the demand for industrial land at the moment, and a supporting letter from the Chamber of Commerce raising some interesting points, both of which are attached to this email. Would you be able to comment on these?

Many thanks,

Kind regards,

Dineke Brasier
Planner

Planning and Sustainable Development | Communities, Housing and Infrastructure | Aberdeen City Council | Business Hub 4 | Ground Floor North | Marischal College | Broad Street | Aberdeen | AB10 1AB

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Your Ref 161212/DPP
Our Ref GOJ/3000/00001/EFB/MYB/JB

Union Plaza
1 Union Wynd
Aberdeen
AB10 1DQ

T +44 (0)1224 621621
F +44 (0)1224 627437

LP-100 Aberdeen 1
DX AB35 Aberdeen

www.burnesspaull.com

DELIVERY

Acting Head of Planning and Sustainable Development
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Burness Paull

18 January 2017

Dear Sir

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

GOJUMPIN LTD

FORMER AC YULE BUILDING, CRAIGSHAW ROAD, TULLOS, ABERDEEN

We are instructed by our client, Gojumpin Ltd, to lodge a Review against the refusal of an application for planning permission by your Council for the change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11) at Craigshaw Road, Tullos, Aberdeen. We enclose:

- 1 Your Notice of Review Form duly completed; and
- 2 Full Review Statement and Documents on which we intend to rely.

Our client has instructed us to request a Hearing in relation to the determination of the Review. We should be obliged if you could acknowledge safe receipt.

Yours/...



Aberdeen Edinburgh Glasgow

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Lawyers with offices in Aberdeen, Edinburgh and Glasgow.
A list of members is available for inspection at the firm's registered office.

Live: 36855812 v 1

Yours faithfully



for and on behalf of Burness Paul LLP

T: +44 (0)1224 261273

E: Margaret.Bochel@burnesspaul.com

Enc

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Agent (if any)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

Mark this box to confirm all contact should be through this representative:

Yes No

* Do you agree to correspondence regarding your review being sent by e-mail? Yes No

Planning authority

Planning authority's application reference number

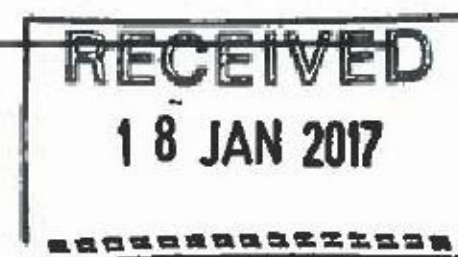
Site address

Description of proposed development

Date of application

Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.



Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Further written submissions are necessary to fully explain why the reasons for refusal of the application are fundamentally flawed, provide evidence which counters those reasons and highlight material considerations which support the application not presented in the Report of Handling. A Hearing would allow the applicant the opportunity to present their case and answer any questions the LRB may have.

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

The site itself can be easily accessed, however prior arrangements will require to be made if access to the building is required.

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

See accompanying Review Statement

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

3D graphics prepared since the receipt of the Decision Notice are included as Document to Review Statement

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

See accompanying Review Statement

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the ~~applicant/agent~~ ~~[delete as appropriate]~~ hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed


for and on behalf of Business Park Ltd

Date

18 January 2017

REVIEW STATEMENT

on behalf of

GOJUMPIN LTD

in respect of a Review against refusal of planning permission for change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11), Craigshaw Road, Tullos, Aberdeen, AB12 3AP by officers of

ABERDEEN CITY COUNCIL

Subjects: Former AC Yule building, Craigshaw Road, Tullos, Aberdeen, AB12 3AP

Planning Authority Ref: 161212/DPP

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REVIEW STATEMENT

On behalf of

GOJUMPIN LTD (“THE APPLICANT”)

in respect of a Review against refusal of planning permission for change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11), Craigshaw Road, Tullos, Aberdeen, AB12 3AP by officers of

ABERDEEN CITY COUNCIL (“THE COUNCIL”)

Subjects: Former AC Yule building, Craigshaw Road, Tullos, Aberdeen, AB12 3AP

Council reference: 161212/DPP

1 INTRODUCTION

1.1 Gojumpin Ltd seek a review of the decision delegated to officers to refuse planning permission for the proposed change of use of the former A C Yule building on Craigshaw Road from Class 5 (storage) to Class 11 (leisure) for the purpose of a trampoline arena.

1.2 The Review is requested on the grounds that under section 25 of the Town and Country Planning (Scotland) Act 1997 planning applications require to be determined in accordance with the development plan, unless material considerations indicate otherwise. It is submitted that:

- the Application accords with the relevant policies of the development plan and Scottish Planning Policy;
- there are sufficient material considerations (including economic and health benefits) which support the application; and as such
- the Application meets both tests of the Planning Act.

1.3 The following sections address these factors in more detail in considering the reasons for refusal of the Application. As a result it is submitted that the application should be approved.

2 BACKGROUND

2.1 Gojumpin Ltd wish to make a £1m investment, creating over 60 new non-oil related jobs, in Aberdeen during the City’s longest and most severe economic downturn, by opening a new

trampoline arena on the Tullos industrial estate. Trampoline arenas are one of the fastest growing indoor entertainment attractions worldwide, providing a fun, physical fitness outlet appealing to both children and adults. As at January 2017 there are 111 trampoline arenas in the UK, with Aberdeen being the only major Scottish city without such a facility.

2.2 The Application will provide a number of benefits, as set out in the supporting documentation submitted with the application but in summary they include:

- The creation of new non-oil jobs with associated training (see Employment Statement);
- The provision of an all weather facility to encourage exercise, promote a healthy life style and help to combat obesity (see Planning Statement and Our Edge Graphic);
- Bringing back into active use a building which has been redundant for 5 years (see Planning Statement);
- Creating a new attraction in a tired industrial estate (see Planning Statement).

2.3 As highlighted in the public interest statement which accompanied the Application, there is considerable public support for the proposed trampoline arena. That support has continued to grow with a 1,868 signature petition (as at 17 January 2017) in support of the application, whilst no letters of objection were received.

2.4 The Application was determined under delegated powers on 23 December 2016. The officer refused the application for the following three reasons:

1 Application of the sequential test

2.5 The Report of Handling states that:

“...the proposal represents a commercial leisure facility in an out-of-centre location, which has not been demonstrated as being appropriate through a thorough sequential approach which confirms that no suitable premises in a more suitable location are available.”

2.6 It is therefore considered not to comply with the requirements of policies:

- CI (City Centre Development - Regional Centre);
- RT1 (Sequential Approach and Retail Impact); and
- RT2 (Out of Centre Proposals)

of the Aberdeen Local Development Plan, and policies:

- NCI (City Centre Development - Regional Centre);

– NC4 (Sequential Approach and Impact); and

– NC5 (Out of Centre Proposals)

of the Proposed Local Development Plan; and

– Scottish Planning Policy.

2 Potential conflict with existing business and industrial uses

2.7 It is maintained in the Report of Handling that “...*there is potential conflict with the existing business and industrial uses within West Tullos and particularly on Craigshaw Road, given the differing users and operational characteristics...*” As such it is considered that there would be tension with Policy B1 of the Proposed Local Development Plan and SPP.

3 Accessibility by walking, cycling and public transport

2.8 The final reason for refusal is that “...*the nearest bus stop to the building is located at a distance of more than 600m on Wellington Road, which exceeds the maximum distance of 400m as set out in the Transport and Sustainability Supplementary Guidance. In addition, the route to the bus stop for southbound buses from the city centre would result in a significant potential for adverse impact on pedestrian safety.*” The proposal is therefore considered to be contrary to the terms of policies:

– D3 (Active and Sustainable Travel); and

– RT2 (Out of Centre Proposals)

of the Aberdeen Local Development Plan, and policies:

– T3 (Sustainable and Active Travel); and

– NC5 (Out of Centre Proposals)

of the Proposed Local Development;

– Transport and Accessibility Supplementary Guidance; and

– Scottish Planning Policy.

2.9 The Refusal Notice, dated 23 December 2016 forms Document GOJ 1.

3 APPLICATION

3.1 Plans were submitted showing the site, elevations and floor plans for the proposed development, along with illustrative graphics, a supporting planning statement, an

employment statement, public interest statement, options assessments, schedules of parks elsewhere, statement regarding the contribution of the trampoline arena to attracting local business to Tullos, a site marketing and interest summary and an updated options assessment (Document GOJ 2).

- 3.2 Graphics prepared since the receipt of the Decision Notice are included as Document GOJ 5 to this Review Statement.

4 CONSULTATION RESPONSES

- 4.1 The Report of Handling (Document GOJ 3) confirms there were no objections to the Application, including from any statutory consultee. Whilst the Council's Roads Projects team offered comments on the application and made a number of observations, they did not raise any objections, merely requested that the issues they mentioned be noted. These comments are considered in section 7 below.

- 4.2 30 letters were submitted to the Council in support of the application. The Report of Handling summarises the matters raised in these representations as follows. The proposal would:

- provide an excellent, unique recreational facility, and would contribute to a healthy lifestyle;
- be an excellent use for this vacant building, which is turning into an eyesore;
- create new jobs; and
- create a new tourist destination.

5 DEVELOPMENT PLAN

- 5.1 As stated previously, section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

- 5.2 The relevant Development Plan for the determination of this Application comprises the Aberdeen City and Shire Strategic Development Plan (2014) (SDP) and the Aberdeen Local Development Plan (ALDP).

- 5.3 The planning officer summarises the Development Plan policies which apply to this application in the Report of Handling but makes no reference to the SDP.

- 5.4 The relevant LDP policies cited are:

- BI1: Business and Industrial Land

- D3: Sustainable and Active Travel
- C1: City Centre Development - Regional Centre
- RT1: Sequential Approach and Retail Impact
- RT2: Out of Centre Proposals

5.5 The Proposed Aberdeen Local Development Plan (PALDP) was not a formal part of the Development Plan at the time of the determination of the Application, although it is a material consideration. Relevant policies cited by the planning officer are:

- B1: Business and Industrial Land
- T3: Sustainable and Active Travel
- NC1: City Centre Development - Regional Centre
- NC4: Sequential Approach and Impact
- NC5: Out of Centre Proposals

6 MATERIAL CONSIDERATIONS

6.1 Other material considerations cited by the officer are:

- Scottish Planning Policy, paragraphs 28-29 setting out the guiding principles and paragraphs 68-69 on sequential testing; and
- Transport and Accessibility Supplementary Planning Guidance.

6.2 These are discussed in sections 7 and 9 below.

7 REVIEW OF REASONS FOR REFUSAL

1 Application of the sequential test

7.1 The Report of Handling notes that the site of the proposed development is allocated in the Aberdeen Local Development Plan as B11 Business and Industrial Land and that the building currently has planning permission for Class 5 general industrial use. The officer does, however, accept that other material considerations, including the:

- mature nature of the West Tullos industrial estate;
- existence of newer, better located sites elsewhere in the City;

- introduction of new uses elsewhere on the estate;
- economic downturn;
- fact that the building has been vacant for 5 years with no interest from prospective occupiers over the last year despite marketing; and
- evidence provided on take up of industrial land in the area

means that the proposed use was considered as having special circumstances which would justify a departure from the current allocation. Hence the principle of a trampoline arena on the site appears to have been accepted.

- 7.2 In reaching such a conclusion the officer recognised that the particular space requirements of the proposed use, in terms of size of floorspace, ceiling height and need for an open plan format, “...would restrict the type of buildings potentially suitable to larger industrial type buildings.”
- 7.3 That statement is clearly indicative of the case officer accepting that such a use can only be accommodated in the types of buildings usually found in industrial estates. However, in refusing the Application the officer argues that the Applicant failed to demonstrate a full assessment of alternative locations.
- 7.4 It is accepted that as a leisure use the proposed development may require to be assessed against the town centre first policy as set out in SPP, Policies C1, RT1 and RT2 of the LDP and Policies NC1, NC4 and NC5 of the PALDP. It should, however, be noted that the requirements of Policy RT1 are that “...all retail, commercial, leisure and other development appropriate to town centres should be located in accordance with the hierarchy and sequential approach...” set out in the policy and in Supplementary Guidance: Hierarchy of Retail Centres. It is submitted that a development of the nature proposed in this Application, requiring an industrial scale building, is not “appropriate” to a town centre location.
- 7.5 However, even if it is agreed that the proposed use could theoretically be located in a town centre, the following factors should be considered.

Case law on the application of the sequential test

- 7.6 The options assessment carried out by Knight Frank and submitted with the Application demonstrates that no suitable buildings are available in town centre or edge of centre locations and that other requirements mean that other commercial locations are not suitable. As highlighted in the Planning Statement submitted with the Application, Lord Reed’s judgement in the case of *Tesco Stores Ltd v Dundee City Council [2012] UKSC13* is clear that in identifying suitable alternative sites the term “suitable” in the context of the sequential test means suitable for the proposed development and there is no requirement for the proposed development to be altered or reduced in scale to fit an alternative site. It is not for the planning authority to consider an alternative, theoretical development.

- 7.7 Also Lord Hope states in his concurring judgement: *"It is the proposal for which the developer seeks permission that has to be considered when the question is asked whether no suitable site is available within or on the edge of the town centre."* He is also clear that *"...if [proposals] do not meet the sequential approach criteria, bearing in mind the need for flexibility and realism... they will be rejected. But these criteria are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no interest in doing so."*

Precedent

- 7.8 The planning officer argues that the information provided in support of the Application does not meet the requirements of the sequential test. However, as stated previously, she has accepted that the requirements of the proposal are such that they can only be met by larger industrial type buildings. It is inevitable that the majority of such buildings will be located on out-of-centre industrial estates. Indeed, although the Report of Handling states that investigations carried out by the Council on similar operations elsewhere in Scotland are generally located in proximity to other commercial leisure or retail operations, no evidence is provided by the Council of that, whilst the Applicant has provided an assessment of 89 similar facilities across the UK, 86 of which are located on industrial estates. Within Scotland all of the existing trampoline arenas are located on industrial estates.
- 7.9 In any event, it should be noted that in stating that trampoline arenas elsewhere in Scotland are located in proximity to other commercial leisure or retail operations, given that they are still nevertheless located on industrial estates, the planning officer is accepting that such uses are appropriate on an industrial estate. Whether this is the first, second or third commercial leisure or retail use is not relevant. The key issue is whether this particular leisure use is acceptable, and evidence provided by the Applicant of such uses on other industrial estates elsewhere clearly shows that it is. There are also examples elsewhere within the City of similar leisure uses located on industrial estates, including Cart Start and Strikers in Broadford Road and the Banks O'Dee sport club in Abbotswell Road.

Other non-industrial uses in and around West Tullos

- 7.10 The Report of Handling highlights the range of non industrial uses which already exist in Tullos, including a number of retail car showrooms, which the proposed development will be in close proximity to. So even if it was to be accepted that there were advantages to such uses being co-located, whilst not being a requirement, there are a range of activities which could be combined with a visit to the trampoline park. It is, for example, highly possible that families will combine a trip to a car show room with a visit to the trampoline arena. The same is true of visits to the numerous supermarkets located within a five minute drive of the Application site; families will take their car to their weekly supermarket shop and combine that with a trip to the trampoline arena.

Search for alternative sites

- 7.11 Notwithstanding the arguments set out above, the Applicant has provided details of two searches carried out to identify alternative suitable sites. For the reasons set out in the assessment of options statement, none of those sites met the Applicant's requirements. Since receiving the Decision Notice a further search of potential properties has been undertaken, including looking at retail units in the Bon Accord Centre, Union Square and on Great Northern Road. None of the available units are of an appropriate size. The Aberdeen Journals building on the Langstracht and the former Bon Accord indoor bowling centre have also been investigated, but neither building is currently available.

Impact on city centre and other centres

- 7.12 Given that there is no equivalent existing facility in Aberdeen City or Aberdeenshire it is submitted that the proposal will meet both a qualitative and quantitative deficiency. The same factor means that it and will not draw footfall away from the city centre or other town centres and therefore will have no adverse impact on the vitality and viability of those centres.

Accessibility

- 7.13 The issue of accessibility is discussed below.
- 7.14 The above commentary demonstrates that the policy criteria of SPP and Policy RT2 have been met.

2 Potential conflict with existing business and industrial uses

- 7.15 The second reason for refusal of the Application relates to the potential conflict of vehicle movements with existing business and industrial uses on the industrial estate. The Report of Handling suggests this creates a tension with Policy B1 of the PALDP. It is not clear which aspect of Policy B1 the planning officer is referring to, since there is no reference to the issue of potentially conflicting uses in that policy, other than in relation to proximity to residential areas which is not applicable to the circumstances of this Application.
- 7.16 In any event, this was not an issue raised by the Council's Roads Project team in their consultation response and it is difficult to see how the planning officer has reached such a conclusion. Although it is anticipated that the proposed facility will be used at all times, peak periods will inevitably be during the evening and weekends when significantly less business and industrial uses are taking place.
- 7.17 In addition, the planning officer has recognised that trampoline arenas are located on industrial and business estates elsewhere in the country and, as set out above, has therefore acknowledged that the co-location of such a leisure use with industrial uses is acceptable in principle. She has not provided any evidence as to why that should not be the case in relation to this Application.

- 7.18 It should also be noted that, as highlighted by the planning officer, there are already a large number of non business and industrial uses on the Tullos estate. Such uses include car showrooms, training facilities, radio stations, a taxi company and a restaurant, and hence the potential conflict with industrial vehicle movements will not be significant.

3 Accessibility by walking, cycling and public transport

- 7.19 The final reason for refusal is that the Application site is located more than 400m from the nearest bus stop and as such it is considered to be contrary to Policy D3: Sustainable and Active Travel and Supplementary Guidance on Transport and Accessibility which require new development to be designed to minimise travel by private car and encourage active travel.
- 7.20 Although the Roads Projects team noted the lack of access to the site by walking and cycling, they did not object to the application. Rather they suggested mechanisms to make the site more accessible by way of a footway access from the west, a footway/cycleway linking directly to the Toucan crossing, construction of a length of shared surface and an access point from the west. The Applicant has made a written offer to the Council (dated 6 October 2016, Document GOJ 4) of £10,000 as a contribution towards a bus stop and/or road crossing in the location of the development, despite no request having been made for this or a contribution towards any of the potential solutions offered by the Roads Projects team. The Applicant would have been happy to discuss any solutions which could alleviate the planning officer's concerns had they been given the opportunity to do so. Subsequent to receiving the Decision Notice the Applicant's agent has discussed these options with the Roads Projects team and it is understood that a contribution in the order of £14,000 would allow for a pedestrian/cycling link from the existing Toucan crossing point on to the rear of the Application site which would satisfy the Roads Projects team that the Application would be acceptable in terms of access by walking and cycling. The Applicant is willing to make this contribution and to provide a rear access to the site.
- 7.21 In terms of access by public transport, the building could be reopened with its existing Class 5 use, with the same number of parking spaces, and would still be the same distance from the bus stop. Indeed, when AC Yule occupied the site it had 200 employees travelling to work there. Whilst it might be reasonable to refuse an application on these grounds for a new greenfield development, where the Application is to reuse an existing building, and there are means available to improve accessibility by means other than the private car, it is unreasonable to refuse the Application because of its distance from a bus stop. That is particularly so given that the whole purpose of the proposed development is to provide a facility that will encourage people of all ages, including whole families, to take exercise which they might not otherwise have done. The health benefits of the facility will achieve the same objectives as active travel.
- 7.22 Also, whilst not restricted to use by tenants of the industrial estate, the Application would provide a facility for workers in the area to take exercise before work, during lunch breaks and after work. Indeed at their other facilities the Applicant offers local businesses a unique fitness programme for their staff and is willing to do the same at this site. The Application

has also received support from other sports clubs and organisations in the City because of the value they believe a trampoline centre adds to their own offering. That includes, for example, the Granite City Guerillas Dodgeball Club, City of Aberdeen Gymnastics Club and Visit Aberdeen.

8 ABERDEEN CITY AND SHIRE STRATEGIC DEVELOPMENT PLAN

8.1 As stated above, the planning officer makes no reference to the SDP in her Report of Handling, despite the fact that it is a fundamental part of the Development Plan, against which the Application requires to be assessed.

8.2 The SDP vision is that:

“Aberdeen City and Shire will be an even more attractive, prosperous and sustainable European city region and an excellent place to live, visit and do business.”

8.3 It goes on to state that:

“We will have acted confidently and taken courageous decisions necessary to further develop a robust and resilient economy....”

8.4 To make this vision a reality, and to contribute towards the Scottish Government objective of increasing sustainable economic growth, the SDP includes a number of aims which include to:

“make sure the area has enough people, homes and jobs to support the level of services and facilities needed to maintain and improve the quality of life.”

8.5 In terms of the locations in which development is to take place, the SDP’s spatial strategy seeks to promote development in places that meet the needs of business and, at the same time, are sustainable. The SDP strategy also recognises the need to maintain and improve the area’s communities, and the services they depend on.

8.6 The SDP identifies four Strategic Growth Areas (SGA) in which significant growth is planned. The Aberdeen City Council area is one of those SGAs within which it is anticipated that around half of all new development will take place.

8.7 It is submitted that the Application is supported by the SDP for the following reasons:

- the proposed development will provide a facility which will make the City even more attractive and prosperous, as evidenced by the huge public support for the Application and the number of non-oil jobs to be created;

- approval of the Application, whilst being contrary to the current ALDP allocation, would be consistent with the SDP vision to act confidently and take decisions which will further develop a robust and resilient economy; and
- it is located within the Aberdeen Strategic Growth Area.

9 MATERIAL CONSIDERATIONS

Scottish Planning Policy (SPP)

- 9.1 The planning officer makes reference to SPP (2014) but omits to highlight that it introduces a presumption in favour of development which contributes to sustainable development, with the aim of achieving the right development in the right place. For proposals which do not accord with up-to-date development plans SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.
- 9.2 Although it is accepted that the PALDP was in the final stages of preparation at the time of the consideration of the Application, and as such the development plan is up-to-date in terms of timescales, the period of time it takes to prepare a new development plan means that neither the ALDP nor the PALDP take account of the current economy of Aberdeen and not cannot then be considered to be up-to-date in that respect. The down turn in the economy, arising from the reduced oil price which started to fall in 2014, has been deeper and longer than any previous oil market downturn and cannot therefore be considered as a short term situation. That means that the presumption in favour of sustainable economic development should be given considerable weight, particularly where the development complies with the policy principles set out in the SPP (discussed below).
- 9.3 The Report of Handling does refer to paragraph 28 of SPP which states that:
- “The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.”*
- 9.4 The Report of Handling then goes on to highlight the principles set out in SPP which should guide decisions. These are:
- giving due weight to net economic benefit;
 - responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
 - supporting good design and the six qualities of successful places;
 - making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;

- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

9.5 The planning officer concludes that there are tensions between the net economic benefit and the overall economic case and a number of the other principles, and therefore that the Application has not followed the guidance in SPP.

9.6 It is submitted that that is not in fact the case, particularly given that the Application is for the change of use of an existing building with no external alterations proposed. Those principles of particular relevance to this Application are discussed below:

- the Application clearly brings a **net economic benefit** with the direct creation of 20 new full time and 46 new part time jobs, with an extensive and systematic training programme to provide long term career prospects for staff, as well as providing opportunities for indirect employment in related and supporting services and trades;
- it has **responded to current economic issues** by generating new, non-oil employment opportunities and making use of a redundant industrial building for which it has been accepted there is unlikely to be any future industrial use;
- the proposal is for the reuse of an existing building and as such it is difficult to apply a number of the **qualities of successful places**, such as being distinctive or welcoming, retrospectively. However, in bringing a currently redundant building

back in to use the Application is consistent with the principles in terms of, for example, encouraging activity in the area to help create a safe and pleasant environment and being adaptable and resource efficient by re-using an existing resource.

- by selecting an unused industrial building the Application aims to **make efficient use of existing capacities of land and buildings**, rather than building a new facility on a greenfield site. Whilst it is recognised that its location in an out of town industrial estate may not support town centre priorities, as explained above, and accepted by the case officer, there are only a limited number of locations which can accommodate such a use, none of which are available in the city centre. However, providing an active use in West Tullos will add to the attraction of what is now an outdated industrial estate struggling to compete with the more modern offerings elsewhere in the city, whilst not impacting negatively on the vitality and viability of the city centre.
- the Application also **supports the delivery of a leisure development** which has significant public support, as well as support from a wide range of associated sports and leisure clubs, which cannot be accommodated elsewhere in the City.
- the Applicant has demonstrated the **health and wellbeing benefits** of trampolining as an activity both in terms of providing a venue for social interaction and for physical activity.

9.7 It is considered that the other principles highlighted in SPP relating to the delivery of infrastructure, climate change mitigation and adaptation, protecting, enhancing access to cultural and natural heritage, reducing waste and avoiding over development are not relevant to this Application.

Supplementary Guidance Transport and Accessibility

9.8 Issues relating to transport and accessibility are discussed in Section 7 above.

9.9 It is submitted that the Application is supported by these material considerations and that there are no other material considerations which would justify the Local Review Body refusing this application.

10 CONCLUSION

10.1 As set out above, it is submitted that:

- the Application accords with the relevant policies of the development plan and Scottish Planning Policy;
- there are sufficient material considerations (including economic and health benefits) which support the application; and as such

- the Application meets both tests of the Planning Act.

10.2 For these reasons this Application should be approved.

BURNES PAULL LLP
Solicitors, Aberdeen
AGENT FOR THE APPLICANT

18 January 2016

LIST OF DOCUMENTS

On behalf of

GOJUMPIN LTD ("THE APPLICANT")

in respect of a Review against refusal of planning permission for change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11), Craigshaw Road, Tullos, Aberdeen, AB12 3AP by officers of

ABERDEEN CITY COUNCIL ("THE COUNCIL")

Subjects: Former AC Yule building, Craigshaw Road, Tullos, Aberdeen, AB12 3AP

Council reference: 161212/DPP

GOJ1 Refusal Notice dated 23 December 2016

GOJ2 Application dated 19 August 2016 together with:

- (a) Location Plan Reference 5297/004/-
- (b) Site Plan Reference 5297/007/-
- (c) Proposed Elevation Plan Reference 5297/006/-
- (d) Floor Plans Reference 5297/005/-
- (e) Planning Statement (August 2016)
- (f) Assessment of Warehouse Options in Aberdeen (30 November 2016)
- (g) Public Interest Statement dated 3 August 2016
- (h) Employment Statement dated 16 August 2016
- (i) Internal Trampoline Area Photograph
- (j) Trampoline Arena Information Sheet
- (k) Schedule of Trampoline Parks in Great Britain (April 2016)
- (l) Our Edge – Intimate Customer Knowledge

(m) First Bus Routes

(n) Bluebird Bus Routes

(o) Site Marketing and Interest Summary (4 October 2016)

(p) Attracting Local Business to Tullos (4 October 2016)

GOJ3 Report of Handling

GOJ4 Developer Contribution Offer to Council dated 6 October 2016

GOJ5 3D graphics



Marischal college Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100022514-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Change of use of former AC Yule Building (Class 5) to use as an indoor Trampoline Arena (Class 11).

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

Yes No

Has the work already been started and/or completed? *

No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Lippe Architects Ltd.		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stuart	Building Name:	
Last Name: *	Naysmith	Building Number:	4
Telephone Number: *	01467 622785	Address 1 (Street): *	St. James Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Inverurie
Fax Number:		Country: *	Scotland
		Postcode: *	AB51 3UB
Email Address: *	stuart@lippe-architects.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Vernon	Building Number:	550
Last Name: *	West	Address 1 (Street): *	Dundee Road
Company/Organisation	Gojumpin Ltd	Address 2:	
Telephone Number: *		Town/City: *	Slough
Extension Number:		Country: *	England
Mobile Number:		Postcode: *	SL1 4JU
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

803707

Easting

394169

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

No feedback given to date, email sent to PI e-mail address and to Hannah Readman as she dealt with a previous submission for the same building (P150610) and got an auto response stating she longer worked for the authority. Waiting response from the PI e-mail address.

Title:

Other title:

First Name:

Last Name:

Correspondence Reference Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

7708.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Disused and vacant since 2011 : Former AC Yule window and door factory workshop, warehouse and associated offices.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

70

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

70

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Two 660 litre refuse bins stored at front of site, see plans.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr Kevin Shand

Address:

Simply Self Storage Simply Self Storage , Muggiemoss Road , Aberdeen, AB21 9NP

Date of Service of Notice: *

19/08/2016

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or -

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Stuart Naysmith

On behalf of: Gojumpin Ltd

Date: 18/08/2016

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Stuart Naysmith

Declaration Date: 19/08/2016

Payment Details

Cheque: Gojumpin Ltd, 000024

Created: 19/08/2016 10:54



TOWN AND COUNTRY PLANNING ACT 1990

PLANNING STATEMENT

TO ACCOMPANY A PLANNING APPLICATION FOR :

**'THE PROPOSED CHANGE OF USE OF THE FORMER A C YULE
BUILDING FROM CLASS 5 TO CLASS 11 FOR THE
PURPOSE OF A TRAMPOLINING ARENA'**

AT CRAIGSHAW ROAD, TULLOS, ABERDEEN, AB12 3AP

ON BEHALF OF

GO JUMP IN LTD

AUGUST 2016

REV A – 29/08/2016

REF : 5297



1.0 INTRODUCTION

1.1 This Planning Application seeks the :

'Change of Use from Class 5 (General Industrial) to Class 11 (Assembly + Leisures : Indoor Sports) for the purposes of a trampoline park'.

at the former A C Yule Building, Craighshaw Road, Tullos, Aberdeen for Go Jump In Ltd; trading as 'Jump In'.

1.2 The accompanying Design Principles document sets out the format for this essential business in the provision of a trampoline centre – which would be the first in Aberdeen, City and Shire. The proposed leisure use is targeted towards children to have recreational fun, and adults of all ages in participating in keep fit regimes.

Calorie burn through 'trampolining' is roughly similar to running, with some studies even showing greater energy consumption. Trampolining helps with balance and co-ordination for all ages and bouncing enhances overall immune functions for the body. While undoubtedly a recreational facility – this development, like many sports and recreational pursuits, conveys many health advantages for participants.

1.3 Jump In has established very successful centres in Slough, and Warwick and operates from head quarters in the Slough Industrial Estate. The proposed Jump In arena in Aberdeen would be their fifth site in the UK. Two new arenas are shortly opening in Tonbridge and Enfield. The proposed arena would provide 66 new jobs; (with max 22 on site at any one time) party and café facilities for up to 80 people with a 150 jumper capacity.

1.4 The existing building has been unoccupied since A C Yule's insolvency in 2011. The building consists of 2381 m² of workshop and 505 m² of offices. It's currently in need of maintenance and update . Planning Policy raises questions on the suitability of the investment taking place on an industrial estate; the location outside of a town centre, and transportation impacts.

By way of reference, the Planning Permission granted for the previous Simply Self Storage facility is Approval Ref No. P150610. Due to the downturn in the oil And gas sector this facility will no longer go ahead.

- 1.5 The purpose of this Planning Statement is to address the key planning principles In the context of this site in Aberdeen in accordance with the Planning Act which gives primacy to the development plan. Following the publication of national planning policy in the Framework, the weight to be given to the development plan depends upon the degree of consistency with the Framework.
- 1.6 The key planning policy issues are considered to be :
- The sustainability of the premises for the proposed use in and out of the centre location.
 - The impact of the proposal on the availability of employment land.
 - The locational accessibility of the premises, and the impact of traffic generated by the proposal of the wider highway network.
- 1.7 In the context of the location within an established industrial estate, employment area, the activity will not give rise to the significant sources of noise specifically when considered against the previous industrial use. The arrangements for the provision of air extraction from the proposed refreshment area for patrons can be adequately addressed by installation of a standard extraction system; it's likely to be less obtrusive than the extraction methods used for the workshop.

2.0 RELEVANT PLANNING CONSIDERATIONS

This Planning Statement now addresses the key considerations identified.

- i. The suitability of the premises for the proposed use in and out of centre location. This site is 'BI1' Business + Industrial Land.
 - Sequential test
- 2.1 The adopted Aberdeen City Development Plan 2012 sets a city centre policy. The following policies are relevant :

Policy BI1 : Business + Industrial Land

Policy RT1 : Sequential Approach and Retail Impact

Policy BI1 :

The Policy encourages (within Paras 3 & 4) areas for recreation and ancillary facilities within BI1 areas where the Ancillary Facility "Enhances the Attraction" and/or "meets The Needs of Businesses and Employees". The proposals will provide a fitness facility NOT currently available in the Tullos Estate or in the City as a whole.

Policy RT1 :

This policy is heavy weighted to retail but mentions "leisure". The proposed facilities require a substantial size of building currently in the city centre.

2.2 It is acknowledged that in the main a leisure proposal is a 'town centre use'.

In summary form, the Planning Policy requires an applicant to :

- Undertake a sequential test
- Demonstrate that if located 'out of centre' the location is an accessible site
- Demonstrate flexibility on issues such as format and scale

2.3 The Supreme Court has told us in Dundee what "suitable" means and it has expressly rejected the approach advocated by the LCA and Legal & General that the concept relates to need and/or identified deficiencies in retail provision in the area in question; and it has expressly rejected the notion that "suitable" means that one should alter or reduce the proposal so as to fit onto an alternative site (emphasis added). The policy concerning the sequential approach as set out in the NPF (National Planning Framework), and (to the extent that it is still relevant) Scottish Planning Policy, must be applied in a manner which complies with the legally binding case law on the meaning of the sequential approach. Plainly the case in question (Dundee) is of seminal importance.

- 2.4 In summary it establishes (a) what if a site is not 'suitable' for the commercial requirements of the developer in question then it is not a 'suitable' site for the purposes of the sequential approach; and (b) in terms of the size of the alternative site, provided that the Applicant has demonstrated flexibility with regards to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site.
- 2.5 It is important to bear in mind that the sequential test as set out in NPF (24) require applications for main town centre uses to be located in town centres and it then runs through the sequence, edge and then out-of-centre. This makes good the very simple point that what sequential test seeks is to see whether the application i.e. what is proposed, can be accommodated on a town centre site.
- 2.6 The reference to the Dundee case is *Tesco Stores Ltd v Dundee City Council 2012*.
- 2.7 These conclusions as to the application of the sequential test are relevant to this proposal, which seeks consent for an 'indoor trampoline arena'. If deemed necessary by the Planning Department granting Planning Permission, a condition could be imposed upon the granting of Planning Permission to the effect that :
'This permission shall ensure for the use of the premises as an indoor trampoline arena, and for no other use within Class 11 of the Town and Country Planning (Use Classes) (Scotland) Order 1997'.
- Such a condition would provide a level of control to the planning service on any future recreational use of the premises, which may be accommodated within the town centre.
- **Flexibility in approach as applied by the Applicant**

- 2.8 The commercial requirements of Jump In, which form the basis of their decision to invest in the establishment of a trampoline arena within Tullos, Aberdeen are influenced by the following factors.
- Building size : larger units have a stronger business case due to fixed costs that exist in any trampoline park (management, insurance, systems etc.)
 - Ceiling height : ceiling height has an impact on insurance premiums and a higher roof provides a more open feel (a more pleasant experience for customers).
 - Assessment of current use : the use needs to be aligned with the activity, Class Use 11 and where necessary a change of use has to be sought (incurring risk and cost).
 - Single vs. multi-floor : multi floor limits the footprint and head height on which to Mount the trampolines limiting the capacity of the park.
 - Floor layout : line of sight across arena enables proper monitoring of participants (cellular space is not likely to be effective) which is key to ensuring timely interventions.
 - Security of tenure : need to ensure that the lease length is sufficient to justify the investment, i.e. short term let not possible.
 - Bus connectivity : public transport connectivity is key to providing customers and staff (who mostly rely on foot, cycle or public transport) with easy access to the site.
 - Train connectivity : as per bus connectivity as two are likely to be linked.
 - Walking access : pavement is required for safe pedestrian access to the building.
 - Bike shelters : as per bus connectivity.
 - Parking : parking forms part of a customer's first impression so should be well organised and more than sufficient to accommodate peak demand, 70 car park spaces are provided reducing capacity.

- Physical condition : leisure spending is discretionary and the condition of the building indirectly evidences the quality of the service offering (affecting customer perceptions). The building needs maintenance and renovations to bring it into a usable standard otherwise the building will deteriorate further.
- Relationship with neighbouring uses : given trampoline park visitation tends to be planned rather than tactical, from a purely commercial standpoint this matters less.

2.9 Flexibility for the purposes of undertaking the Sequential Test is demonstrated by the following approach, which has been undertaken by Jump In :

- Building size : the business model requires warehouse buildings to be minimum 15,000 sq ft / 1,400 m² (there are 50 planned parks in the UK and the smallest is 15,000 sq ft / 1,400 m²). However the proposed 2381 m² workshop/arena is ideal.
- Ceiling height : Internal Association of Trampoline Park (IATP) regulations stipulate minimum unobstructed clearance of 17 foot / 5.2 m (20 foot / 6.1 m for the foam pit feature).
- Assessment of current use : consideration has been given to the local leisure options, other industrial units, and commercial units in the town centre.
- Single vs multi-floor : Jump In has not ruled out multi-floor units provided capacity is sufficient and the refurbishment work to facilitate the installation of a trampoline arena falls within the overall capacity capital expenditure budget.
- Floor layout : alcoves could be accommodated by adjusting Jump In's staffing Model (by increasing the number of marshals and assigning marshals to specific alcoves).
- Security tenure : Jump In has not ruled out 5 year leases providing such leases are within the Landlord & Tenant Act 1954, 10 year is offered at Tullos.
- Bus connectivity : remote locations were not ruled out.
- Train connectivity : as per bus connectivity.

- Walking access – as per bus connectivity.
- Bike shelters : bike shelter provision expected to be a provision of consent thus if not pre-existing, Jump in investigated whether near site-provision existed, or whether it could be accommodated within the parking/yard, racks have been proposed.
- Parking : parking is proportionate to the capacity of jumpers. For a park at 15,00 sq ft /1400 m² one would expect a parking requirement of 42 spaces when measured against roads requirements. 70 have been provided given the expected use and size.
- Physical condition : restoration and decorative work can form part of the fit-out bill if physical condition is sub-standard but must fall within an overall capital expenditure budget.
- Relationship with neighbouring uses : an open approach has been adopted.

2.10 The Sequential Approach has been undertaken for the town centre, together with an edge of centre zone.

2.11 Jump In carried out evaluation of the town centre and edge of centre comparing the offer of 2381 m² of arena area. There are no 'suitable' premises in a town centre or edge of centre location for the Applicant's proposal. The Applicant is not required to undertake any comparative assessment between buildings that may be available in out of centre locations. Knight Frank undertook a property search for Go Jump In Ltd, a letter confirming outcome, copy attached (Appendix 1).

Conclusion as to the impact upon Policy C1, RT1 and RT2

2.12 It is submitted that the Applicant has undertaken a thorough sequential test for locationally preferable premises that may be suitable for the particular use for which planning permission is sought. It is concluded that there are no such premises 'suitable' The requirements of the sequential tests have been met.

2.13 This proposal is for non- housing use. This application submission focuses on changing the existing class 5 General Industrial Use, the proposal is a business use and will create 66 jobs which will be new to this site as there has been no employment since A C Yule's closure in 2011.

2.14 The Local Plan sets out a policy for the protection of employment land.

2.15 The specific nature of the proposed development requires a largely clear span building with a floor to ceiling heights that is typically only found within an industrial or warehouse building. No suitable premises has been identified in the town centre or edge of centre.

There are various other industrial buildings and sites across Aberdeen used for comparable leisure uses :

- Cart Start, Broadford Road
- Strikers, Broadford Road
- Banks of Dee, Abbotswell Road

The theme is also carried across Aberdeenshire and Scotland with various sports and leisure pursuits taking place in once vacant industrial units.

2.16 On the basis of the current market signals, it is reasonable to conclude that there is no significant interest in these premises for Class 5 use. Put shortly, the change of use would not frustrate market demand for warehouse space within Aberdeen and Shire, there is currently a good supply of unoccupied industrial buildings in need of repair.

The relative employment opportunities between a continued use of the premises for Warehousing against the proposed use.

2.17 The proposal is for leisure use not business/industrial, Jump In will create 66 new job opportunities – which will particularly appeal to young people.

This level of employment may be compared to the potential employment opportunities which may be available from a warehouse of this scale. A C Yule employed over 200 but they stopped operating 5 years ago and the building has suffered from a lack of maintenance ever since. This proposal has the propensity to provide a substantial increase in the number of job opportunities (66 compared to the current 0) with little prospect in the current oil and gas financial climate and the current availability of higher quality buildings of this type.

The focus upon youth employment provides a substantial opportunity for the provision of training – which typically may not be replicated within a general warehouse operation. Jump In invests in training for all staff members – with the maxim that confident staff perform with confidence within the workplace.

Many young people enter employment with few skills in engaging with the public. Jump In provides proprietary training in customer relations and all points of sale (POS) systems. Jump In provides St. John's Ambulance run courses to ensure that all staff attains an appropriate level of health and safety learning. All 'court marshals' are trained to the safety standards required by the Prefabricated Access Suppliers and Manufacturers Association (PASMA) to enable proficient use of aluminium scaffolding (for the purposes of maintaining the trampoline structures).

Jump In staff are typically 16 – 22 years of age and for the majority of staff the appointment is the first entry into the workforce. Jump In aim to secure a high standard of engagement with the public and effective monitoring to ensure the safety of customers.

- 2.18 It is submitted that these employment characteristics should be weighed in the Balance when considering the 'loss' of a disused and low quality warehouse space.

Whether the proposed use would have a negative or a positive impact on other businesses within the area.

2.19 Key considerations for the achievement of this planning objective is to ensure That the land use planning system :

- Allows for investment in high quality recreational facilities – of the widest form.
- To allow such facilities to locate where accessible throughout the day. For people In employment, a location within a town centre is often not so convenient for short sessions of exercise during the working day.

2.20 It is submitted that this proposal accords with the underlying objective and the proposed investment should be welcomed for the introduction of a new source of informal recreation that will be attractive to young people and adults. These social benefits should be weighed in the balance when considering the impact of the adaption of a warehouse to this recreational use. It is submitted that the introduction of this use would not result in a disadvantage to the continuing employment activities within the locality. Furthermore, the experience at the Jump In premises at Slough Industrial Estate is that these recreational opportunities are well used during the lunch hour by employees in the adjoining premises. Jump In operates time schedules based on ½ hourly intervals to promote easy access to the recreational facilities.

Conclusion as to the impact upon business and industrial land.

2.21 In the context of the provision of this Policy, it is submitted that this non-housing use would not have the effect of limiting the level of the provision of land available for employment. The past marketing of the premises has revealed no interest in occupation of the premise for a workshop, offices or warehouse. The one previous proposal for a Simply Self Storage unit will no longer go forward due to downturn in the oil and gas sector.

This proposal will:

- Provide a use for redundant property.
- Potentially provide more jobs than a Class 4/5/6/ use.
- Broadens employment choice beyond Class 5.
- Provides a focus of new employment opportunities for young people entering the work force.
- Provides greater opportunities for staff training than typically may be available within a general warehouse.
- Has the propensity to encourage people working close to the proposed site to participate in a keep fit exercise during the working day.

Accessibility of the site

2.22 The site is within easy access for :

- Pedestrian and cycle access.
- Public transport provision.

The proposed development is well connected in terms of walking and cycling links. To the north of the site, the road and footpaths along Craigshaw Road providing connections into the surrounding local road and footpath network. We feel that policy D3 'Sustainable + Active Travel' is adhered to promoting a healthy life style and active travel and not reliance on private motor vehicles.

2.23 The nearest bus stop is located on Wellington Road, approximately 850m from the site access – which provides a good standard of access to bus services. The bus stop has a shelter and seating, timetable information and raised kerbing for the mobility impaired and for parents with children. Both Bluebird and First Bus operate from and to this stop. We have attached extracts from both operators. Bluebird state the bus stop is a 5 minute walk from the site.

2.24 The car parking standards within Aberdeen City are maximum standards with a view to force alternative modes of transport. Given the inter City location and a type 9 Leisure and Assembly / Sports facility use, the occupancy of 22 staff at one time, (11 car park spaces) and maximum 150 jumpers on site (75 car park spaces), a total of maximum 86 spaces would be required.

Given the past use and workforce of 211 persons at the point A.C. Yule ceased to operate, we submit that the existing 70 spaces should suit the proposed maximum capacity of 150 jumpers and 22 staff. The fact that the majority of staff will be encouraged to use public transport, cycle or walk to work, and given their likely age, this is put forward as an appropriate level of car parking.

- 2.25 The impact on the local roads network should be negligible as the A.C. Yule facility, whilst in operation, not only had 211 employees, but had large commercial vehicles coming and going from the site. The infrastructure has been in place since the November 2011 date at which A.C. Yule ceased trading. Upon this basis we put forward that there should be no adverse effect on the road or traffic networks.

3.0 Conclusions

- 3.1 It is submitted that there is no site or premises in a sequentially preferred location which is suitable for the proposed investment by Jump In to establish a trampoline arena in Aberdeen City
- 3.2 The application of the sequential approach is not to be applied so as to coerce an applicant into altering or reducing a proposal to fit into space that may be available within the town centre or edge of centre. As the Secretary of State acknowledges the 'question is whether the alternative site is suitable for the proposed development'.
- 3.3 The establishment of a trampoline arena – the first in Aberdeen City and Shire – gives rise to some obvious land use considerations, for example uninterrupted floor to ceiling heights; the availability of clear space so that proper management can be made of participants in the interest of their wellbeing and that of other participants. In consequence, cellular and multi-floored space is unlikely to be suitable for the particular form of development. Jump In have properly applied flexibility in format and scale to their proposals when undertaking the Sequential Test.

- 3.4 The Applicant's objective is to invest in premises that are accessible to a wide cross-section of the community is coincidental with the underlying intent of national and local planning policy to enable access to be gained other than reliance upon the private car.
- 3.5 The Applicant has undertaken an extensive search and analysis as to the suitability of land and premises available within the town centre and edge of centre for his proposed investment. The analysis concludes that there are no alternative accommodation suitable for this proposed use in a sequentially preferred location. The A C Yule building is well suited to these proposals, within a search that Commenced early 2016.
- 3.6 The former A C Yule building is accessible to residential communities, and to the surrounding working population. It is an 'accessible site that is well connected to the town centre'.
- 3.7 The proposals brings benefits in the form of substantial job opportunities, particularly for young people. The level of employment will be greater than that which may be typically anticipated in a use of the premises for workshop or warehousing. This proposal broadens employment opportunities and is likely to particularly appeal to young people entering the labour market. The 'loss' of the workshop and warehouse is not considered to be significant in terms of the supply of employment land and premises. The existing derelict building will be brought back into leisureland and employment use. Fundamentally, in the context of the concern that is raised by Policy the change of use will not provide any form of precedent to proposals for the redevelopment of employment land for residential purposes.
- 3.8 The proposal investment will bring a vibrant new leisure use to Aberdeen. The investment will bring benefits to the community in the provision of new recreational

facilities for all ages. The nature of the proposal will contribute to the overall well being of the local community.

- 3.9 It is submitted that this proposal meets the principal local policy tests set out in Policy RT1 – it is important to recognise that a local plan can never identify each and every circumstance where development may or may not be acceptable. It is reasonable to assume that in the preparation of the Local Plan the provision of indoor recreation with a trampoline arena could not have been contemplated. As such it is important to consider the underlying purposes of policies and reach a balanced planning judgement as to whether the integrity of those policies would be harmed by allowing the development.
- 3.10 For the reasons explained, it is believed this investment will bring welcome benefits to the local community – a new source of all-inclusive indoor recreation, with beneficial employment opportunities for young people, especially those starting out in working life. The 'loss' of a redundant workshop and warehouse in need of considerable maintenance – is considered not to be significant.
- 3.11 This proposal will contribute positively to the economic and social dimension of sustainable development. The proposal comprises an efficient use of an existing building and has no impacts upon the environmental dimension of sustainable development. The Change of Use from employment use to leisure should be welcomed.
- 3.12 Planning Permission is invited accordingly.



APPLICATION REF NO. 161212/DPP

Planning and Sustainable Development
Communities, Housing and Infrastructure
Business Hub 4, Marischal College, Broad Street
Aberdeen, AB10 1AB

Tel: 03000 200 292 Email: pi@aberdeencity.gov.uk

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Stuart Naysmith
Lippe Architects Ltd.
4 St. James Place
Inverurie
Scotland
AB51 3UB

on behalf of **Mr Vernon West**

With reference to your application validly received on 26 August 2016 for the following development:-

**Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)
at Craigshaw Road, Tullos**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
5297/004/-	Location Plan
5297/007/-	Site Layout (Proposed)
5297/005/-	Multiple Floor Plans (Proposed)
5297/006/-	Multiple Elevations (Proposed)

The reasons on which the Council has based this decision are as follows:-

Due to the specific building characteristics required by the proposed use, the fact the building subject of this application has been vacant for a period exceeding five years and taking account of the currently high level of industrial land available in the City, the principle of the proposed change of use as a departure from policy B11 (Business

PETE LEONARD
DIRECTOR

and Industrial Land) of the Aberdeen Local Development Plan, and policy B1 (Business and Industrial Land) of the Proposed Local Development Plan is open for consideration.

However, the proposal represents a commercial leisure facility in an out-of-centre location, which has not been demonstrated as being appropriate through a thorough sequential approach which confirms that no suitable premises in a more suitable location are available. The information submitted in this regard is not robust, and the proposal is therefore considered not to comply with the requirements of policies C1 (City Centre Development - Regional Centre), RT1 (Sequential Approach and Retail Impact) and RT2 (Out of Centre Proposals) of the Aberdeen Local Development Plan; and policies NC1 (City Centre Development - Regional Centre), NC4 (Sequential Approach and Impact) and NC5 (Out of Centre Proposals) of the Proposed Local Development Plan and SPP.

Equally there is potential conflict with the existing business and industrial uses within West Tullos and particularly on Craigshaw Road, given the differing users and operational characteristics, including vehicles using Craigshaw Road, of those uses and that of a commercial leisure facility focussed on families. All such that there would be conflict between those uses, such that the use proposed is not suited to the location. As such it is considered that there would be tension with Policy B1 of the Proposed Local Development Plan and SPP.

Furthermore, the nearest bus stop to the building is located at a distance of more than 600m on Wellington Road, which exceeds the maximum distance of 400m as set out in the Transport and Sustainability Supplementary Guidance. In addition, the route to the bus stop for southbound buses from the city centre would result in a significant potential for adverse impact on pedestrian safety. The proposal is therefore considered not to be readily accessible by sustainable transport modes, including public transport, and would be heavily reliant on use of the private car and is thus unsustainable. This would be contrary to the terms of policies D3 (Active and Sustainable Travel) and RT2 (Out of Centre Proposals) of the Aberdeen Local Development Plan; policies T3 (Sustainable and Active Travel) and NC5 (Out of Centre Proposals) of the Proposed Local Development and the Transport and Accessibility Supplementary Guidance and SPP.

Date of Signing 23 December 2016



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

**DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED
WITH APPLICANT (S32A of 1997 Act)**

None.

**RIGHT OF APPEAL
THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Planning and Sustainable Development (address at the top of this decision notice).

**SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A
PLANNING DECISION**

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.

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Stuart Naysmith
Lippe Architects Ltd.
4 St. James Place
Inverurie
Scotland
AB51 3UB

on behalf of **Mr Vernon West**

With reference to your application validly received on 26 August 2016 for the following development:-

**Change of use from (Class 5) to use as an indoor Trampoline Arena (Class 11)
at Craigshaw Road, Tullos**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
5297/004/-	Location Plan
5297/007/-	Site Layout (Proposed)
5297/005/-	Multiple Floor Plans (Proposed)
5297/006/-	Multiple Elevations (Proposed)

The reasons on which the Council has based this decision are as follows:-

Due to the specific building characteristics required by the proposed use, the fact the building subject of this application has been vacant for a period exceeding five years and taking account of the currently high level of industrial land available in the City, the principle of the proposed change of use as a departure from policy BI1 (Business

PETE LEONARD
DIRECTOR

and Industrial Land) of the Aberdeen Local Development Plan, and policy B1 (Business and Industrial Land) of the Proposed Local Development Plan is open for consideration.

However, the proposal represents a commercial leisure facility in an out-of-centre location, which has not been demonstrated as being appropriate through a thorough sequential approach which confirms that no suitable premises in a more suitable location are available. The information submitted in this regard is not robust, and the proposal is therefore considered not to comply with the requirements of policies C1 (City Centre Development - Regional Centre), RT1 (Sequential Approach and Retail Impact) and RT2 (Out of Centre Proposals) of the Aberdeen Local Development Plan; and policies NC1 (City Centre Development - Regional Centre), NC4 (Sequential Approach and Impact) and NC5 (Out of Centre Proposals) of the Proposed Local Development Plan and SPP.

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Date of Signing 23 December 2016



Daniel Lewis
Development Management Manager

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THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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- 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(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Planning and Sustainable Development (address at the top of this decision notice).

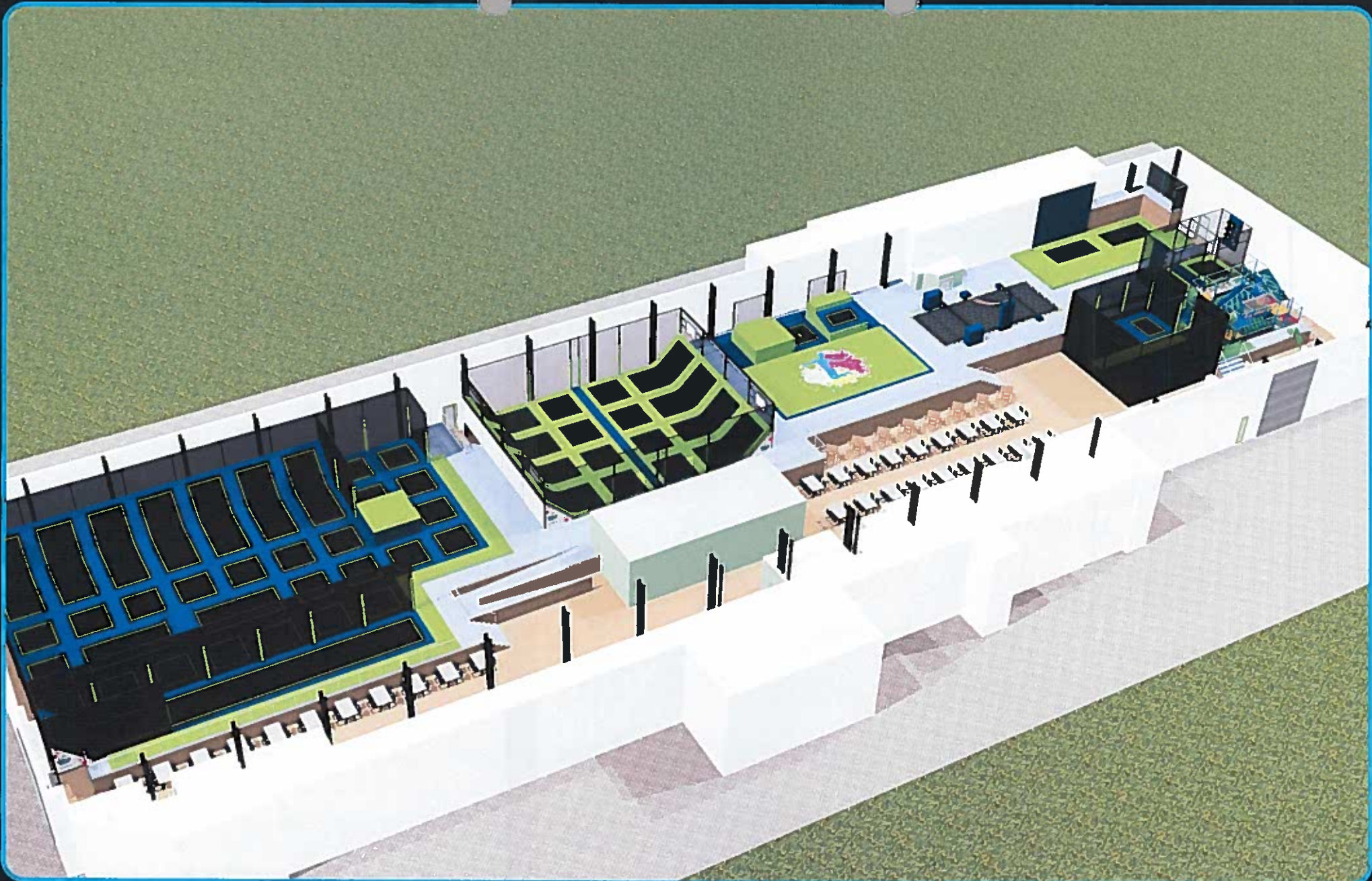
**SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A
PLANNING DECISION**

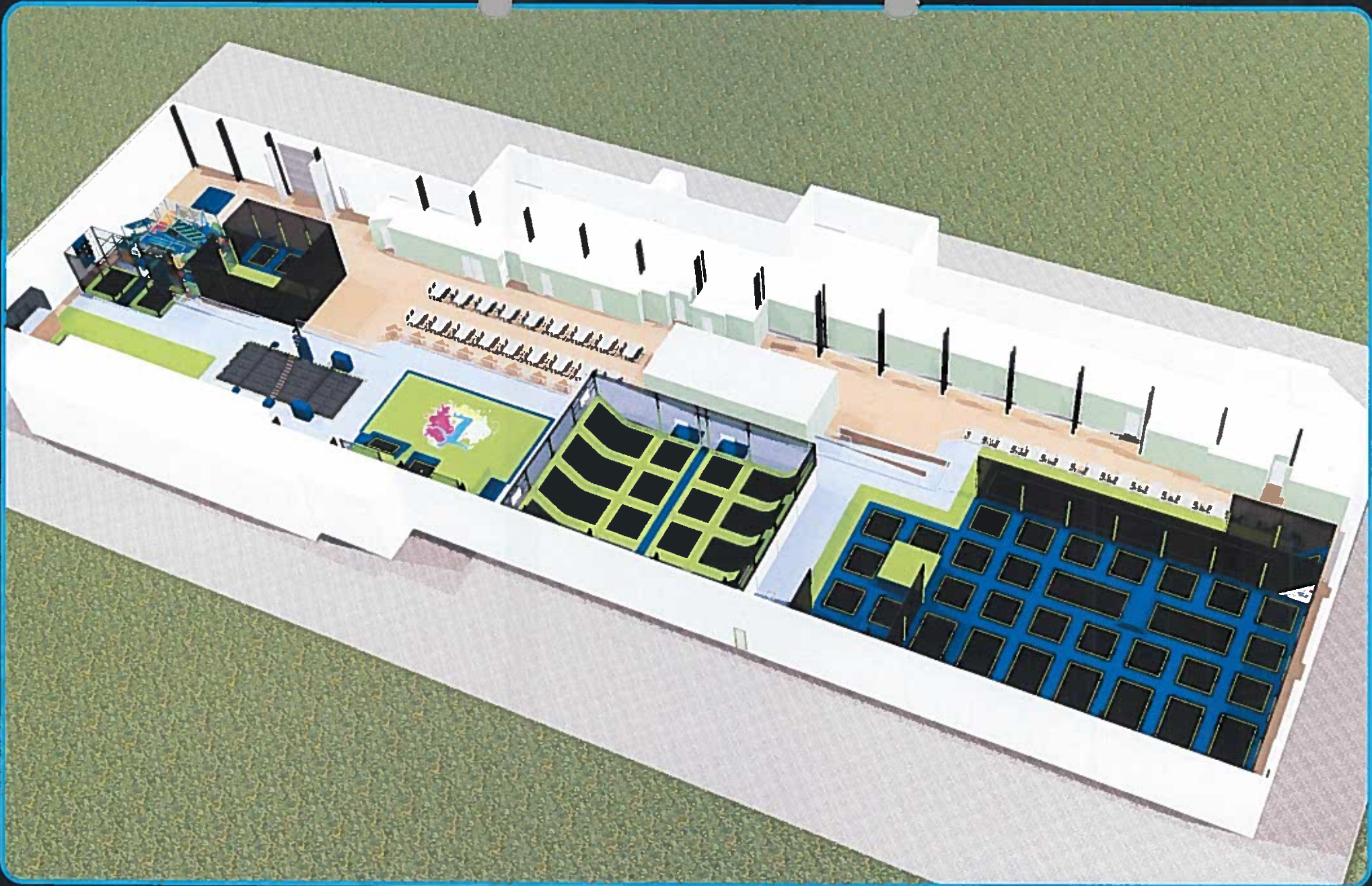
If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the 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.

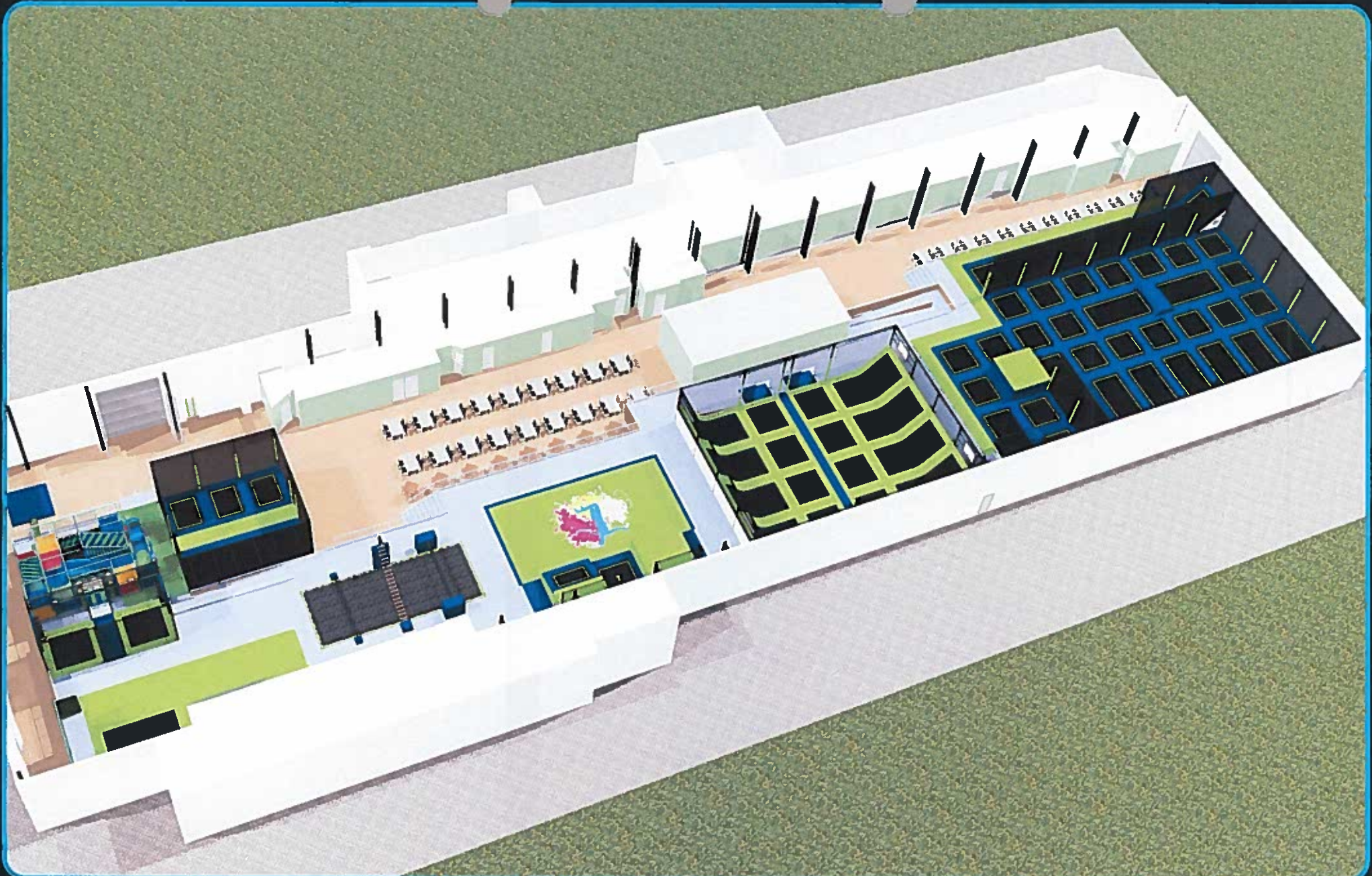
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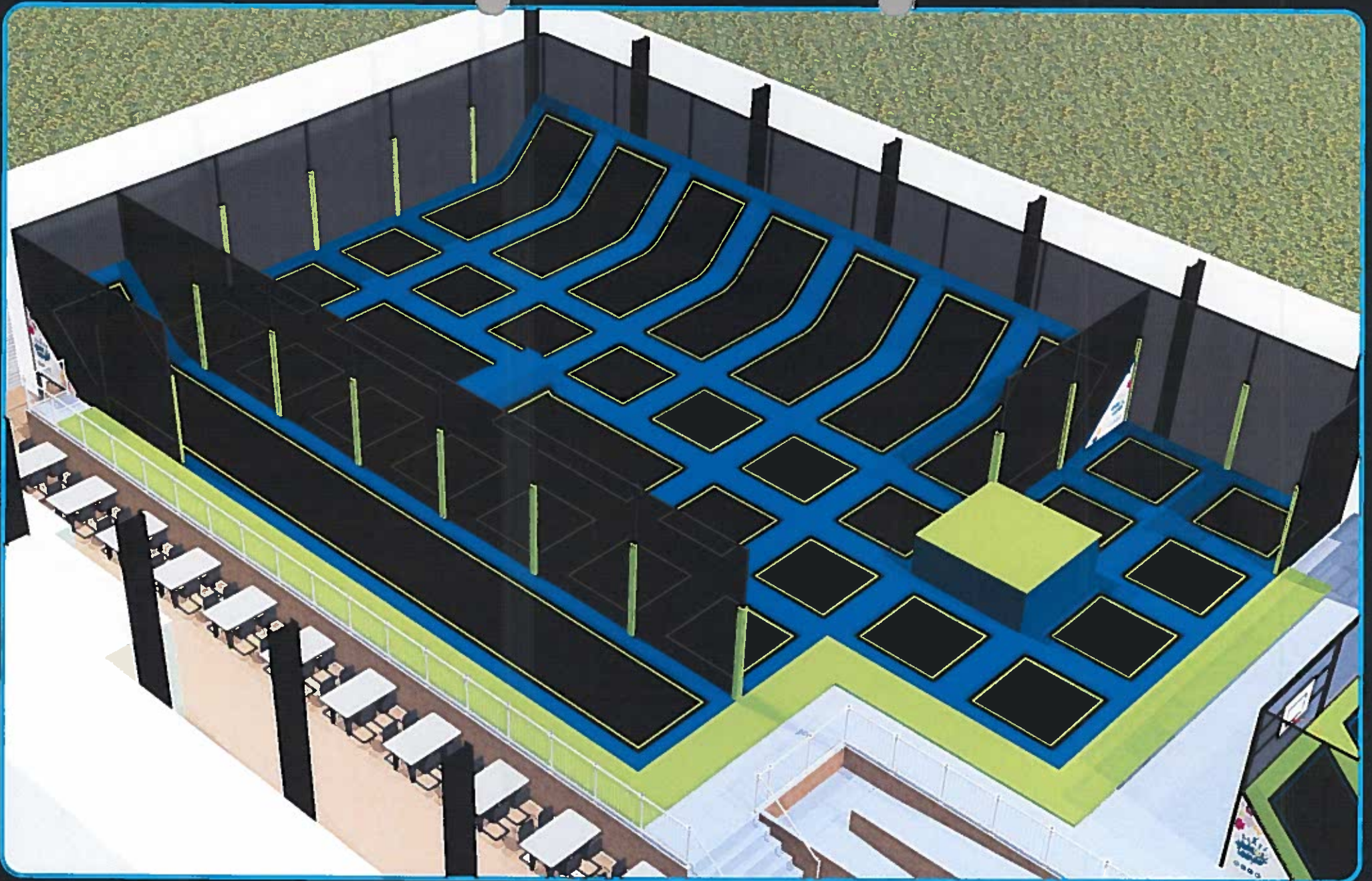


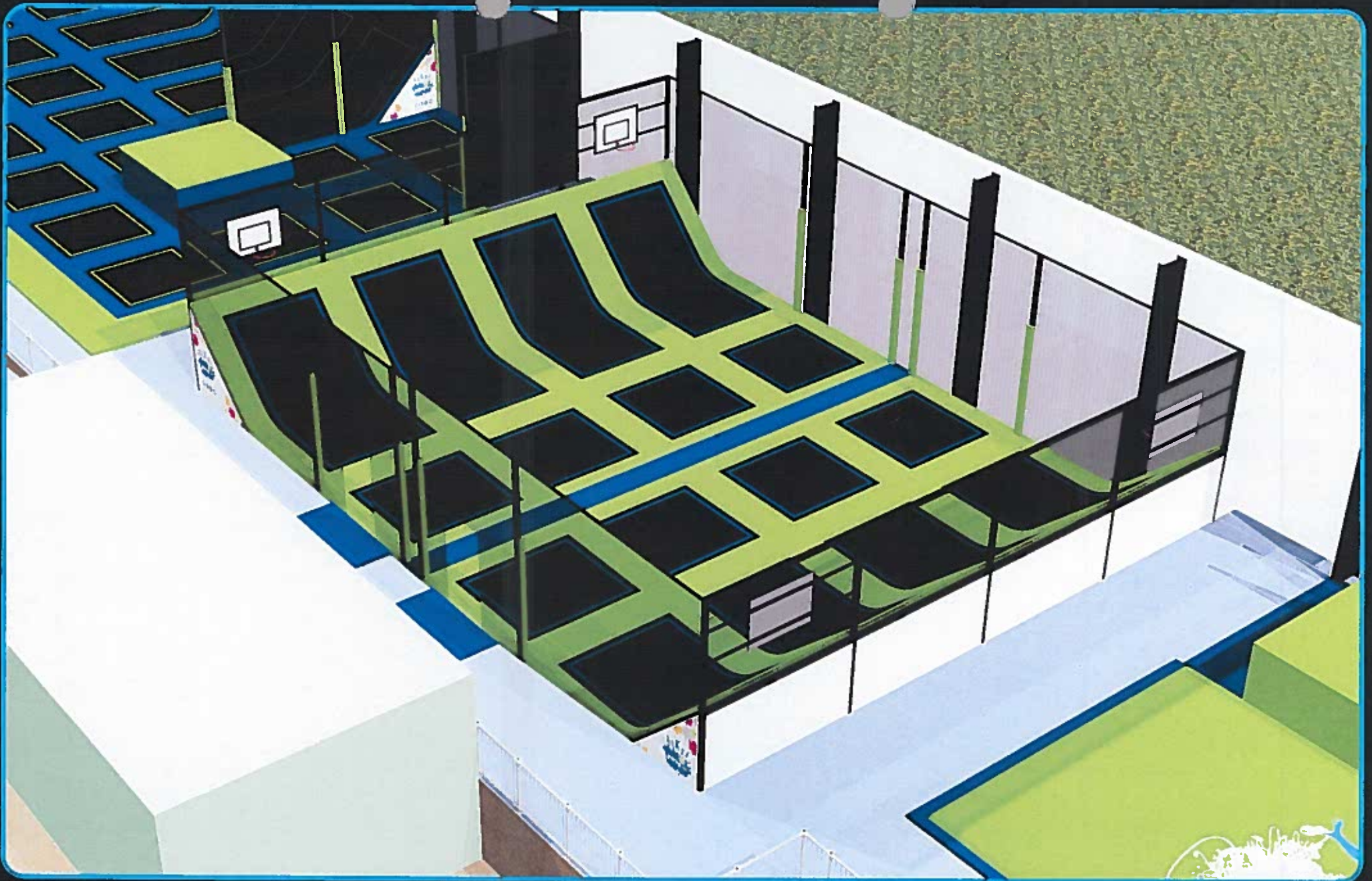
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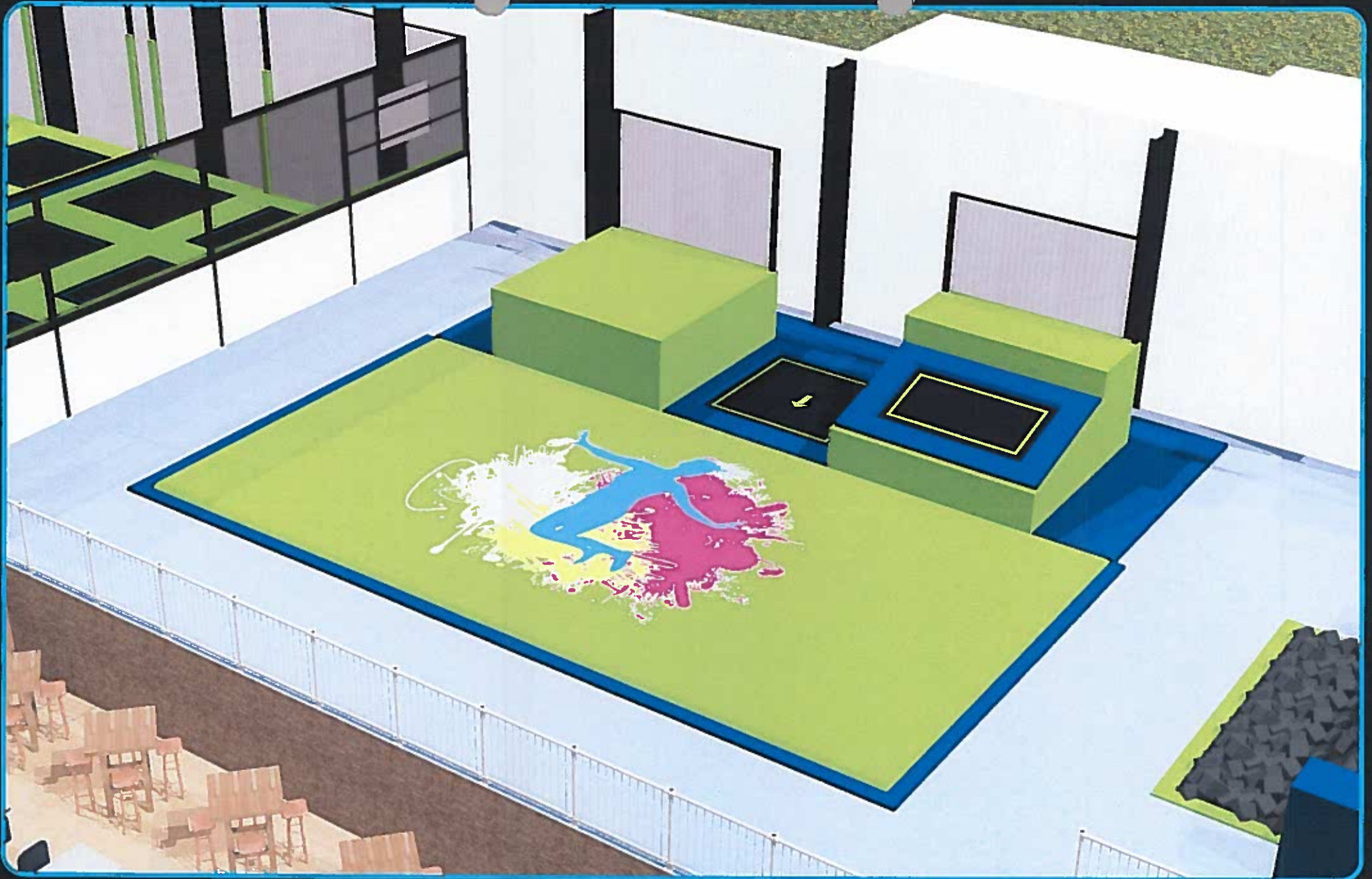


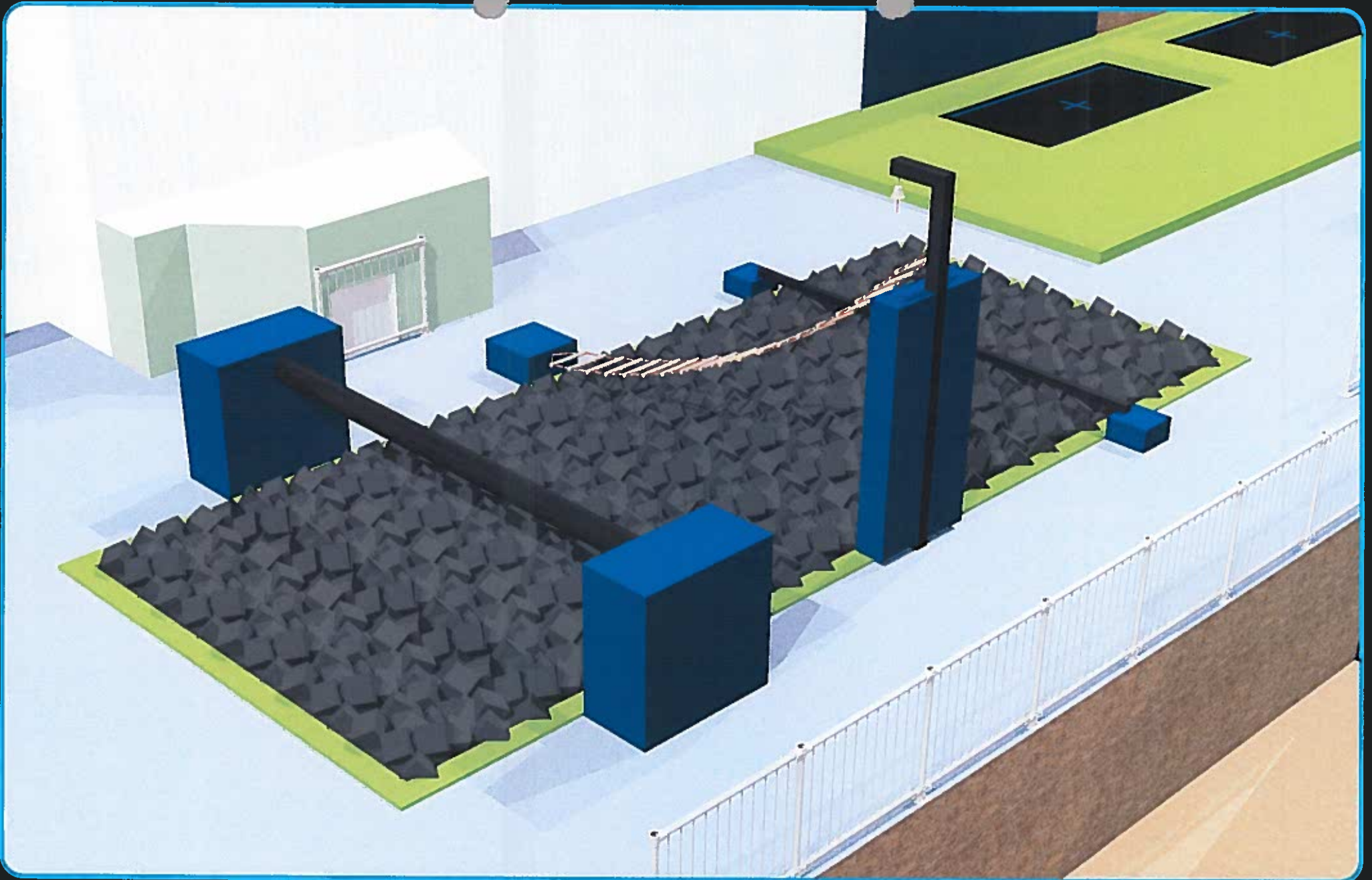








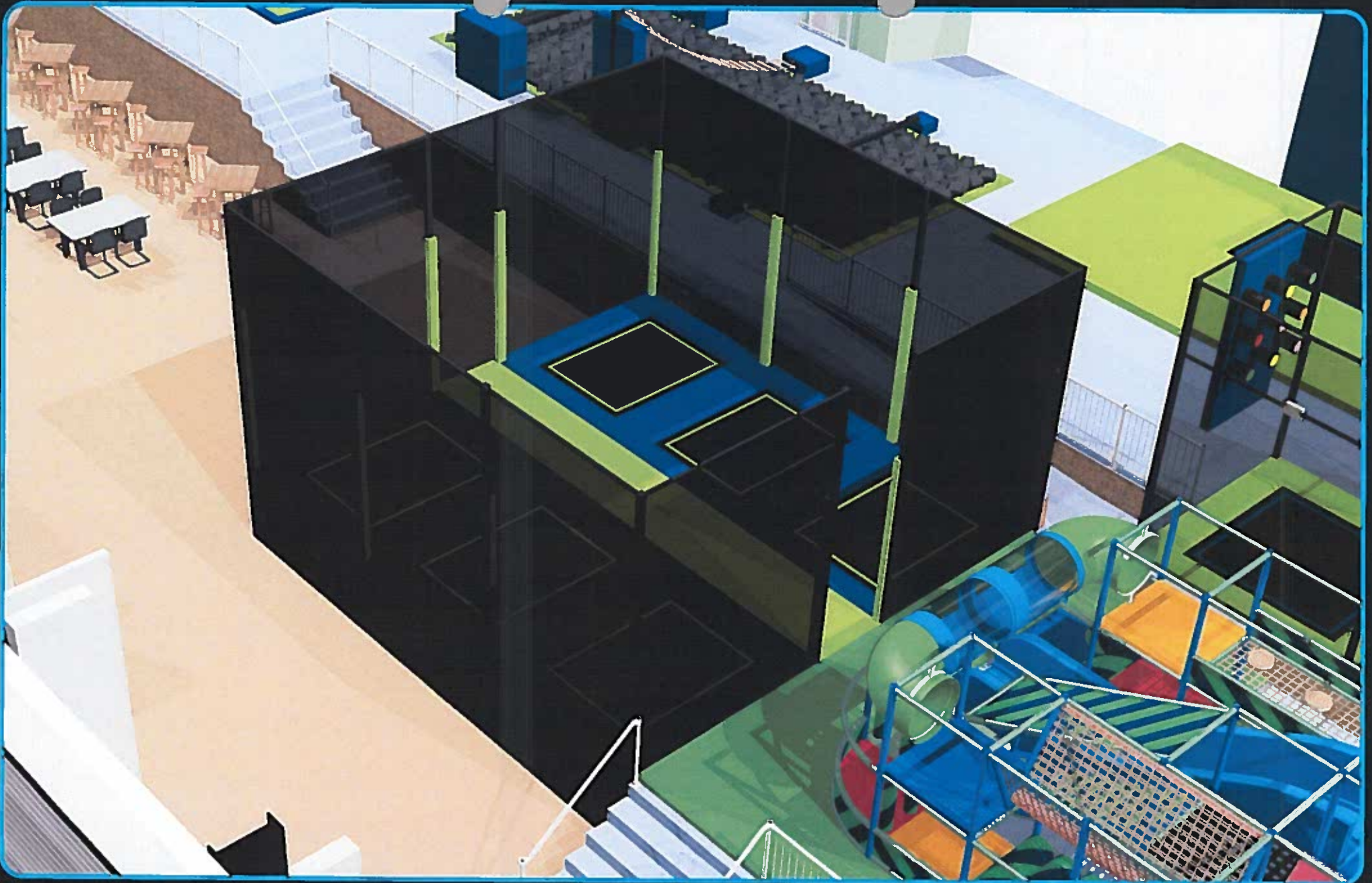












TP TRAMPOLINE PARKS

Sidijk
sport, fun and industry

Sidijk B.V.
Plato 1
NL-8448 CM Heerenveen
The Netherlands

T. +31 566 625 700
F. +31 566 622 769
E. info@sidijk.com
I. www.sidijk.com

Drawing: 16-0608270

Designed by: BS

Gojumpin Ltd. Assessment of Warehouse Options in Aberdeen

30th November 2016

This document seeks to illustrate the warehouses that have been evaluated by Gojumpin Ltd in Aberdeen, and the rationale for its selection of Craigshaw Drive.

The minimum commercial size for Gojumpin Ltd is 20k square foot

As the Planning Statement makes clear the minimum size of a trampoline park nationally is 15k sq ft. However Gojumpin Ltd prefers a larger warehouse (ideally in the 25-30k sq ft range although we are happy to look at 20-35k sq ft) as the table below illustrates:

Status	Average	Slough	Warwick	Tonbridge	Enfield	Aberdeen	Harrogate	Poole
Sq ft	27,396	31,752	26,211	32,448	21,814	29,637	25,100	24,811

The rationale for a large warehouse is the following:

1. Delivery of a richer consumer experience by provision of a greater range of trampoline-based features
2. Ability to cater to specific groups. Plan to install:
 - a. Two performance trampolines for the City of Aberdeen Gymnastics club and the Banks O'Dee Trampoline club
 - b. Dodgeball court for the Granite City Guerrillas (dodgeball club)
3. Efficiency advantages in relation to management, insurance, purchasing etc. which make the business case more viable

Research and viewings were conducted on six buildings

Knight Frank were engaged to conduct a comprehensive survey of the options available to Gojumpin Ltd in Aberdeen City and Aberdeenshire. This search was undertaken continuously over the first half of 2016, with viewings taking place in April and May. Six options warranted serious consideration and these are evaluated in the table below:

Units Inspected	Location	Years of vacancy More = better	Eaves Height 20ft 20ft ideal, 17ft min	Parking 50+ ideal	Size k sq ft 25-30k sq ft preferred	Rents acceptable Market specific	Demography 20min drivetime key	Public transport access Bus, train, cycle, walk all considered	Overall
Craigshaw Rd	Tulloch	5 years	Yes	Yes	30	Yes	City centre	Bus access limited, walking/cycling screen well	Exact fit given requirements
Unit s 13 & 14 Hazerness	Atrens	<24 months	Yes	Yes	35	Yes	City centre	Bus access limited, walking/cycling screen well	Too large and industrial
7A & 7B on ABZ business park	Dyce	<24 months	Yes	Yes	20	Yes	By airport	Intermittent buses, but car traffic increases	Airport location unattractive
Unit D Wellheads Terrace	Dyce	<18 months	Yes	Yes	26	Yes	By airport	Intermittent buses, but car traffic increases	Airport location unattractive
The Core	Bridge of Don	<24 months	Yes	Yes	27	Yes	Near city	Near bus stop	Too large and industrial
Kingshill Commercial Park	Westhill	<24 months	Yes	Yes	27	Yes	Out of town	Near bus stop	Too large and industrial

Key
 Positive attribute
 Negative attribute

The unit at Craigshaw Rd was by some margin the best option with all other units being compromised. The built environment locally is also supportive of the investment case:

- The existence of local leisure amenities in the Tulloch estate such as Cart Start, Strikers, and Banks O'Dee means the area is known for leisure by local residents; and
- The presence of a number of supermarkets (e.g., Lidl, Tesco, Sainsbury, Asda) within a 5min drive offers opportunity for 'linked trips.'

Knight Frank re-ran the search on 29th November 2016 to see if options had improved

Following a conversation with the Planning Officer on 28th November 2016, Knight Frank re-ran the warehouse search to see if new and better options had materialised. Gojumpin Ltd has researched the options and presents the results below:

Units Inspected	Location	Years of vacancy More = better	Eaves Height 20ft 20ft ideal, 17ft min	Parking 60+ ideal	Size k sq ft 25-30k sq ft preferred	Rents acceptable Market specific	Demography 20min drivetime key	Public transport access Bus, train, cycle, walk all considered	Overall
Craighaw Rd	Tulloch	3 years	Yes	Yes	30	Yes	City centre	Bus access limited, walking/cycling screen wall	Exact fit given requirements
Blackness Rd	Alfers	Not known	Yes	Yes	33	Yes	City centre	Bus access limited, walking/cycling screen wall	Location too industrial
1 Mintie Drive	Alfers	Not known	Yes	Yes	33	Yes	City centre	Bus access limited, walking/cycling screen wall	Location too industrial
Newton Rd	Dyce	Not known	Yes	Yes	23	Yes	By airport	Intermittent buses, but car traffic increases	Airport location unattractive
7A & 7B on ABZ business park	Dyce	<24 months	Yes	Yes	29	Yes	By airport	Intermittent buses, but car traffic increases	Airport location unattractive
Unit D Wellheads Terrace	Dyce	<24 months	Yes	Yes	26	Yes	By airport	Intermittent buses, but car traffic increases	Airport location unattractive
Unit J A&B Wellheads Terrace	Dyce	<24 months	Yes	Yes	26	Yes	By airport	Intermittent buses, but car traffic increases	Airport location unattractive
Unit A Wellheads Terrace	Dyce	<24 months	Yes	Yes	26	Yes	By airport	Intermittent buses, but car traffic increases	Airport location unattractive
Unit B Wellheads Terrace	Dyce	<24 months	Yes	Yes	26	Yes	By airport	Intermittent buses, but car traffic increases	Airport location unattractive
Higchlere Business Park	Inverurie	Not known	Yes	Yes	30	Yes	In Shire	None, limited public transport	Location unattractive
Unit 1 Burnside	Turriff	Not known	Yes	Yes	22	Yes	In Shire	None, limited public transport	Location unattractive
The Core	Bridge of Don	<24 months	Yes	Yes	27	Yes	Near city	Near bus stop	Exact fit given requirements

Key
 Positive attribute
 Negative attribute

The table above highlights two implications of the economic climate in Aberdeen:

1. Half of the units found in H1 2016 remain unoccupied highlighting the risk of long term voids
2. The number of available units has increased suggesting operators are not renewing leases

The need for new generators of employment is therefore strong.

Beyond sequential preference, this site offers the chance to redevelop a dilapidated warehouse

Sufficient material considerations exists to warrant a departure from the LDP. The proposal would deliver sustainable development and bring a brownfield site which is currently unsightly and underused back into efficient use. The building occupying the site is in poor condition but would be completely upgraded as part of the proposal. The site's continued use for employment is not possible due to the nature and condition of the building.

Brownfield sites are recognised as being valuable contributors to the regeneration of areas. The site is not, perhaps unusually, being developed for housing. This should be welcomed as there is always the threat of further residential development on such sites which the Council maintains there is an adequate supply of. The use of the site and building for non-residential use should be welcomed. Scottish Planning Policy supports alternative uses for land which shows little prospect of continued use in its current format.

The proposed development would vastly improve the visual appearance of this prominent site.

Vernon West
 Chairman, Gojumpin Ltd
 30th November 2016

Availability 20,000 - 35,000 sq.ft

No.	Address	Date Marketed	Property Type	Description	Status	Area (Imperial)	Parties	Transaction Type	Terms
1	5 Blackhouse Circle Blackhouse Industrial Estate Peterhead	22/11/2016	Industrial/Distribution	The facility comprises of three interconnecting steel portal frame buildings. The south most building provides storage and welfare space while the remainder provide workshop and storage space.	A on/m	Offices/Welfare - 5,671 Sq Ft Workshops - 17,563 Sq Ft Total Size: 23,234 Sq Ft	Landlord's Agent - FG Burnett Tenant - General Electric (GE)	FHVP	Sale Price: £ 350,000 Price Qualifier: Offers in Excess of
2	Blackness Road Allens Industrial Estate Allens	15/09/2016	Industrial/Distribution	The property comprises an industrial site with several workshops and office accommodation. Located on Blackness Road, Allens.	A on/m	Main Office Ground Floor - 1,548 Sq Ft Main Office First Floor - 1,548 Sq Ft Production Office Ground Floor - 2,533 Sq Ft Workshops Bay 1 & 2 - 11,324 Sq Ft Workshops Bay 3 - 2,244 Sq Ft Rear Store 1 - 2,317 Sq Ft Rear Store 2 - 2,134 Sq Ft Canteen - 1,091 Sq Ft Total Size: 24,739 Sq Ft Yard - 47,700 Sq Ft	Freeholder's Agent - A B Robb Ltd	BA	Rent: £ 220,000 PA Sale Price: £ 2,250 M Price Qualifier: Offers in the Region of
3	Blackness Avenue Allens Industrial Estate Allens	15/08/2016	Industrial/Distribution	The property comprises a detached facility comprising two interconnecting industrial units with a lean-to extension plus a concrete yard to the side and rear. Located on Blackness Avenue, Allens.	A on/m	Offices - 2,381 Sq Ft Main Workshop - 15,525 Sq Ft Lean to - 1,339 Sq Ft Front Workshop - 3,379 Sq Ft Mezzanine - 2,419 Sq Ft Total Size: 25,044 Sq Ft Yard 20,448 Sq Ft	Freeholder's Agent - FG Burnett	LLHVP	Sale Price: £ 975,000 Head Lease Commencement Date: 01/04/1981 Head Lease Expiry Date: 31/03/2080 Head Lease Term: 99 yrs
4	1 Minto Drive Allens Industrial Estate Allens	11/08/2016	Industrial/Distribution	The subjects comprise a detached workshop with exclusive car-parking, and a secure concrete and hardcore yard.	A on/m	Warehouse - 19,443 Sq Ft Office - 893 Sq Ft Total Size: 20,336 Sq Ft Yard 35,844 Sq Ft	Landlord - West Coast Estates Ltd Landlord's Agent - Knight Frank LLP Landlord's Agent - Ryden	OML	Rent: £ 200,000 PA Quoting Terms: The subjects are available on a new FRI lease. Any medium to long term lease will incorporate upward only rent reviews.
5	Blackhall Road Highclere Business Park Inverurie	27/07/2016	Industrial/Distribution	The property comprises a detached and substantial warehouse with ancillary loading area and car parking. Located on Blackhall Road, Inverurie.	A on/m	Floor Area - 30,421 Sq Ft Total Size: 30,421 Sq Ft	Landlord's Agent - FG Burnett	OML	Quoting Terms: Terms on Application

No.	Address	Date Marketed	Property Type	Description	Status	Area (Imperial)	Parties	Transaction Type	Terms
6	Newton Road Kirkhill Industrial Estate Dyce	13/06/2016	Industrial/Distribution	The facility comprises a series of office and industrial buildings together with a storage yard all contained within a site extending to 0.955 hectares (2.36 acres). Located on Newton Road, Kirkhill Industrial Estate.	A on/m	Offices (GIA) - 6,888 Sq Ft Welfare/Stores (GIA) - 4,001 Sq Ft Workshop (GIA) - 7,845 Sq Ft Stores (GIA) - 1,603 Sq Ft Separate Workshop (GIA) - 2,913 Sq Ft Store/Inspection Building (GIA) - 1,957 Sq Ft Total Size: 25,207 Sq Ft Storage Yard 16,146 Sq Ft	Landlord's Agent - FG Burnett	BA	Quoting Terms: Terms on Application. Lease terms to be agreed upon. Price on application.
7	Woodside Road Brdge of Don	09/12/2015	Industrial/Distribution	The property comprises a detached workshop facility with office accommodation at ground floor level on a site extending to approximately 0.53 hectares (1.33 acres) or thereby.	A on/m	Workshop - 20,651 Sq Ft Ground Floor Office - 1,442 Sq Ft Yard - 15,000 Sq. Ft - 1 Sq Ft Total Size: 22,094 Sq Ft	Vendor - Team Relocations Limited Vendor's Agent - Knight Frank LLP	FHVP	Sale Price: £ 1.350 M Price Qualifier: Offers in the Region of
8	Unit D Wellheads Terrace Wellheads Industrial Estate Dyce	31/07/2015	Industrial/Distribution	Large high bay industrial building with office and yard space. Located on Wellheads Terrace, Dyce.	A on/m	Office - 538 Sq Ft Industrial - 25,059 Sq Ft Mezzanine - 385 Sq Ft Total Size: 25,982 Sq Ft Yard 26,928 Sq. Ft	Sub-Lessor's Agent - Ryden	OMSL	Lease Expiry Date: 07/2017 Quoting Terms: Sub lease of building held on FRI terms until July 2017. Rent on Application.
9	Unit 1 Burnside Turnff	09/07/2015	Industrial/Distribution	Subjects comprise a large steel portal frame unit which extends to 22,500 Sq ft, externally there is a yard which extends to 1.71 acres. Landlord has right of access across yard to gain access to his property. Located in Turnff, Aberdeenshire.	A on/m	Unit - 22,500 Sq Ft Total Size: 22,500 Sq Ft Yard - 1.71 acres	Landlord's Agent - Aberdeen & Northern (Estates) Ltd	OML	Rent: £ 80,000 PA
10	S2 The Core Brdge of Don	23/06/2015	Industrial/Distribution	Office and warehouse facility with yard space. Construction due to begin August 2015 with completion due May 2016. Located at the Core, Brdge of Don.	A on/m	Office - 6,000 Sq Ft Warehouse - 21,000 Sq Ft Total Size: 27,000 Sq Ft Yard - 32,670 Sq Ft	Developer - Clearbell Capital LLP Developer's Agent - FG Burnett Developer's Agent - JLL Developer's Agent - Shepherd Commercial	BA	Quoting Terms: Terms on Application
11	7A International Avenue ABZ Business Park Dyce	20/08/2014	Industrial/Distribution	New build industrial and office building with secure concrete yard. Open plan office accommodation will be on the ground floor. The building has been designed to enable the provision of first floor offices should an occupier require. Located within the ABZ Business Park, Dyce.	A on/m	Office - 4,063 Sq Ft Workshop - 12,374 Sq Ft Mezzanine Storage - 4,046 Sq Ft Total Size: 20,483 Sq Ft Concrete Yard - 19,419 Sq Ft	Developer's Agent - FG Burnett Developer's Agent - Ryden	BA	Rent: £ 243,000 PA Lease Term: 15 yrs Review Type: OMOV Upward Only Quoting Terms: FRI Lease, rent on application.

No.	Address	Date Marketed	Property Type	Description	Status	Area (Imperial)	Parties	Transaction Type	Terms
12	Units 1A&B Wellheads Crescent Wellheads Industrial Estate Dyce	17/07/2014	Industrial/Distribution	Modern warehouse and industrial facility located within the Wellheads Industrial Estate, Dyce.	A or/m	Warehouse - 17,139 Sq Ft Office - 3,003 Sq Ft Mezzanine - 5,054 Sq Ft Total Size: 25,196 Sq Ft	Tenant's Agent - Ryden	ASG	Rent: £ 174,050 PA Lease Expiry Date: 22/06/2022 Lease Term: 8 yrs Review Type: OMV Upward Only Quoting Terms: Available from October 2014.
	Unit A Wellheads Terrace Dyce	20/11/2016	Industrial/Distribution	Warehouse and industrial facility located within Dyce.	A or/m	Workshop - 28,338 Sq Ft Total Size: 28,338 Sq Ft Yard 24,000 sq.ft	Tenant's Agent - Knight Frank	OML	Terms on application.
	Unit B Wellheads Terrace Dyce	20/11/2016	Industrial/Distribution	Warehouse and industrial facility located within Dyce.	A or/m	Workshop -20,087 Sq Ft Total Size: 20,087 Sq Ft	Tenant's Agent - Knight Frank	OML	Terms on application.



Document
GOJ 4

Gojumpin Ltd

Jump In Trampoline Arena

Slough

SL14JU

6th October 2016

To: Aberdeen City Council

Dear Sir/Madam,

Gojumpin Ltd is happy to make a Developer Contribution notwithstanding the 'nil' required contribution from Aberdeenshire Council's Developer Obligations Team as outlined in their letter of 5/10/16. We are willing to offer a payment of payment of £10,000 as a commitment towards bus stop and/or road crossing in a location to benefit the proposed development should the application be successful. This offer is to go towards easing access via public transport and foot traffic to the proposed site.

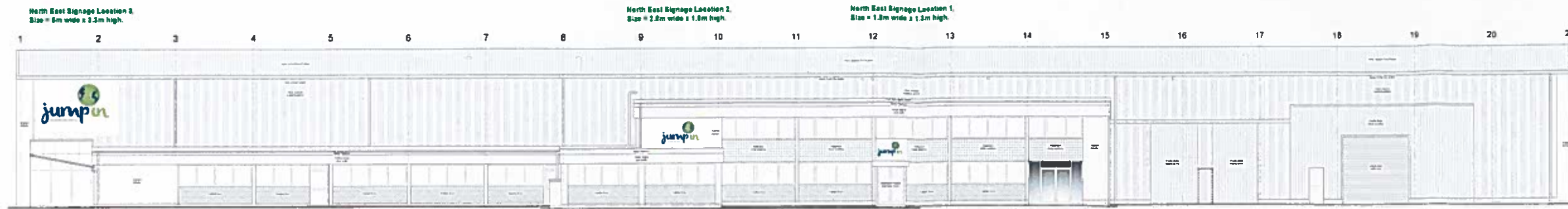
Kind regards,

Vernon West

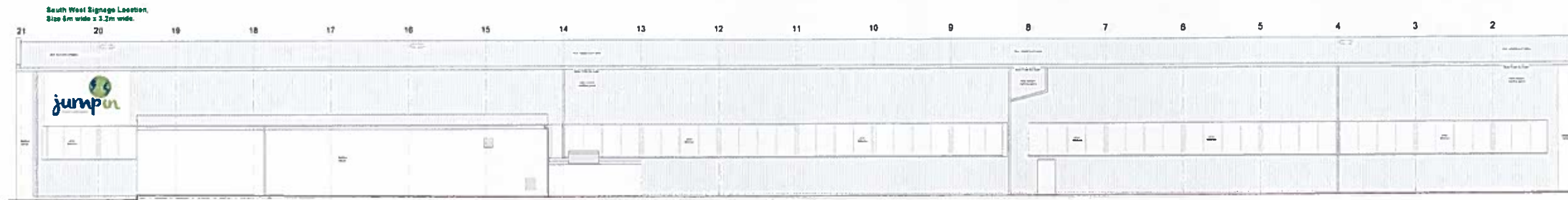
Chairman

Gojumpin Ltd

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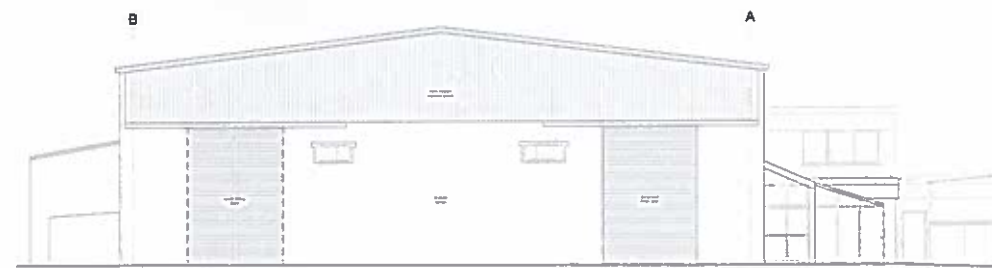
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South West Elevation Scale 1:100 on A0 sheet (1:200 on A3).



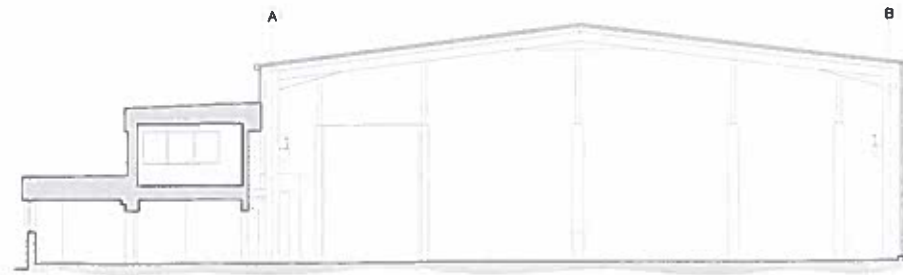
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Scale 1:100 on A0 sheet (1:200 on A3).



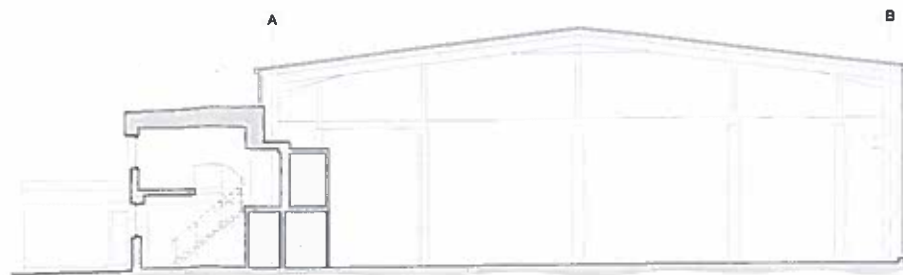
South East Elevation Scale 1:100 on A0 sheet (1:200 on A3).



Section A-A Scale 1:100 on A0 sheet (1:200 on A3).



Section B-B Scale 1:100 on A0 sheet (1:200 on A3).



Section C-C Scale 1:100 on A0 sheet (1:200 on A3).

EXTERNAL FINISHES:

All external finishes to remain as is. Essential maintenance and remedial work will be carried out to bring the property up to a habitable, crisp & clean standard. Any replacement materials will be on a like for like basis. External cladding will be over-shedded with a new skin of corrugated metal sheet, colour Goosewing Grey, or as agreed with planning service and client.

PROJECT DETAILS

Proposed Alterations to
Workshop & Offices,
Craigshaw Road, Tullos,
Aberdeen, AB12 3AP for
GO JUMP IN LTD

PLANNING - Elevations

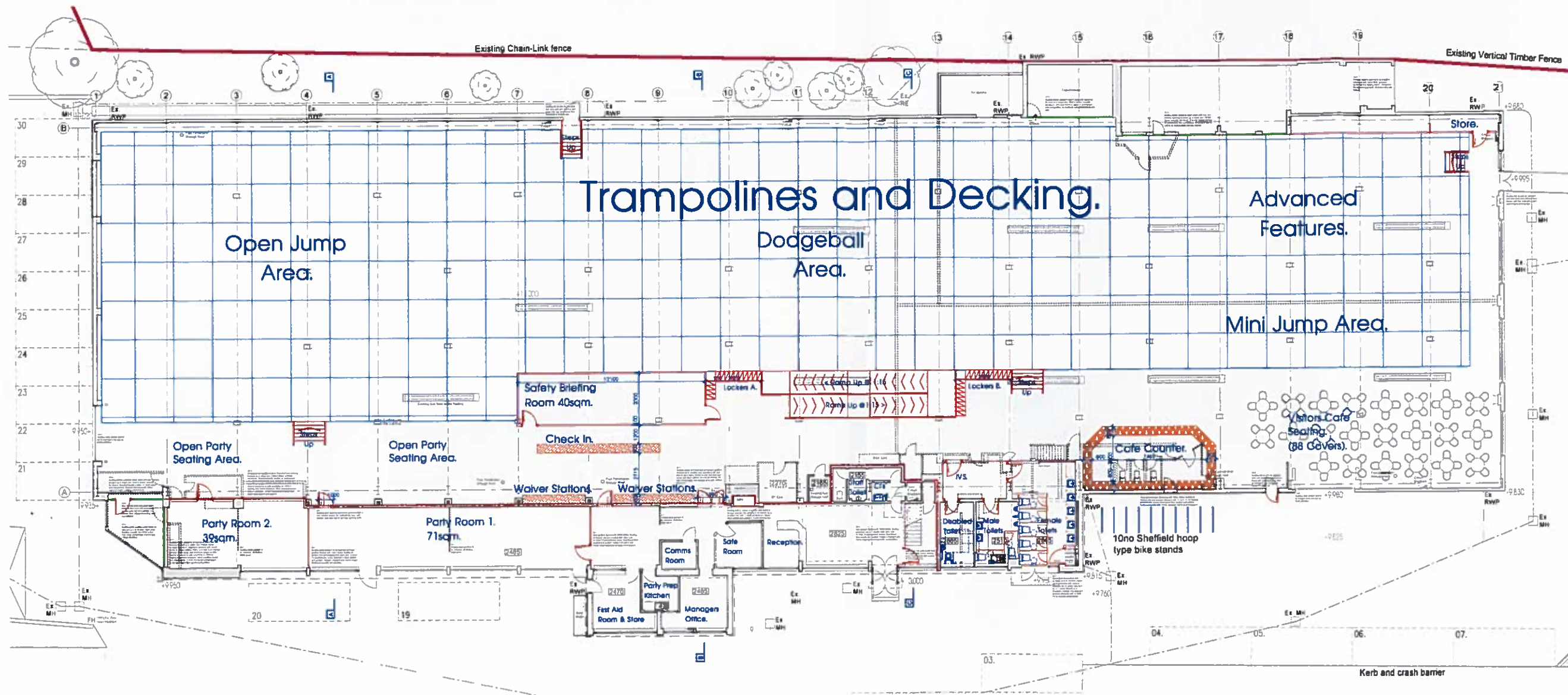
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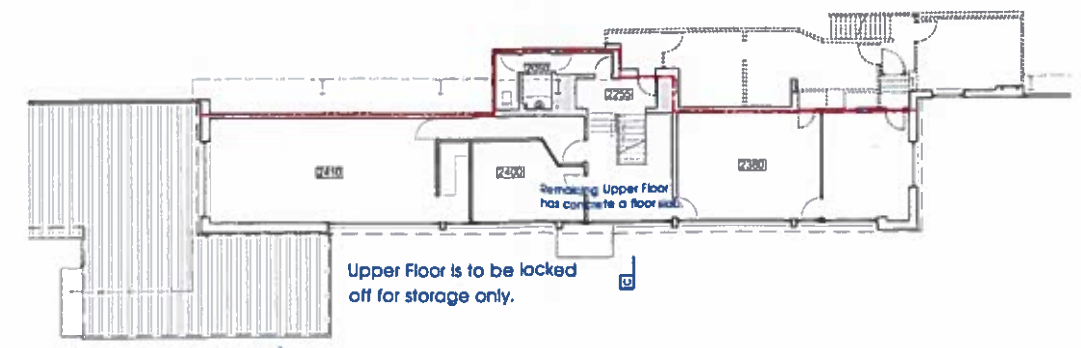


21 Abercrombie Place, Glasgow
G3 7LN
Tel: 0141 527295 / 0141 421 119
E: info@tippe.co.uk
www.tippe.co.uk

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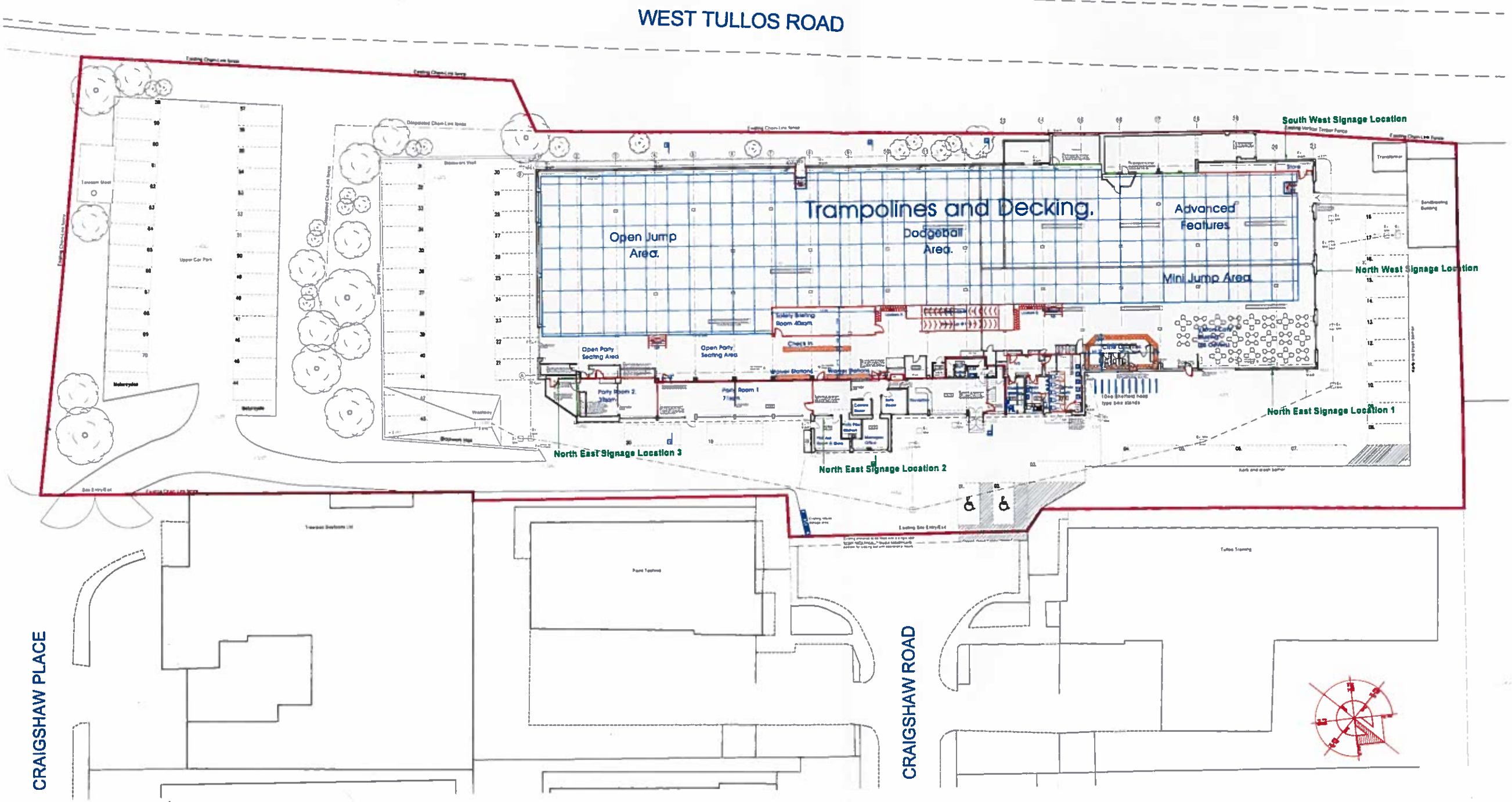


Existing Ground Floor Plan
Scale 1:100 on A0 sheet (1:200 on A3)



Existing First Floor Plan
Scale 1:100 on A0 sheet (1:200 on A3)

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Existing Site Plan Scale 1:250 on A1 sheet (1:500 on A3).

PROJECT DETAILS

Proposed Alterations to
 Workshop & Offices,
 Craigshaw Road, Tullos
 Aberdeen, AB12 3AP for
 GO JUMP IN Ltd

PLANNING - Site plan

Scale: 1:250 on A1 sheet
 Date: 15/08/16
 Drawn:

CHECK	INITIALS	DATE
planning		
warrant		
leader		

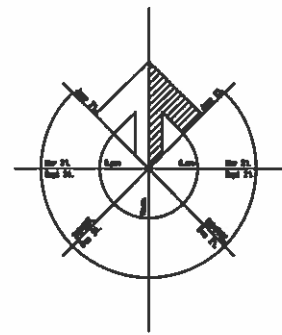
lippe architects -planners

4 St James Place, Inverness,
 Aberdeenshire, AB21 3JG
 01467 627765 / 01467 624185

25 Abay Place, Aberdeen AB10 1YL
 01224 631233

e: admin@lippe-architects.co.uk
 www.lippe-architects.co.uk

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 DO NOT SCALE - IF IN DOUBT PLEASE CONTACT LA+P

PROJECT DETAILS

Proposed Alterations to
 Workshop & Offices,
 Craigshaw Road, Tullos,
 Aberdeen, AB12 3AP. for
 GO JUMP IN Ltd.

LOCATION PLAN.

Scale: 1:2500 on A4 sheet.
 Date: 15/08/16
 Drawn: SN.

CHECK	INITIALS	DATE
planning:		
warrant:		
tender:		



4 St James Place, Inverurie,
 Aberdeenshire, AB51 3UB
 t:01467 622785 f:01467 624185

25 Albyn Place, Aberdeen, AB10 1YL
 t: 01224 531333

e:admin@lippe-architects.co.uk
 www.lippe-architects.co.uk

LOCATION PLAN

Scale 1:2500 at A4

Document
 GOJ 2(a)

Ref: 5297/004/-

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Public Interest in Jump In Trampoline Arena, Aberdeen

3rd August 2016

Background

To date, there has been no active marketing of the proposed Jump In Trampoline Arena in Aberdeen beyond the following actions:

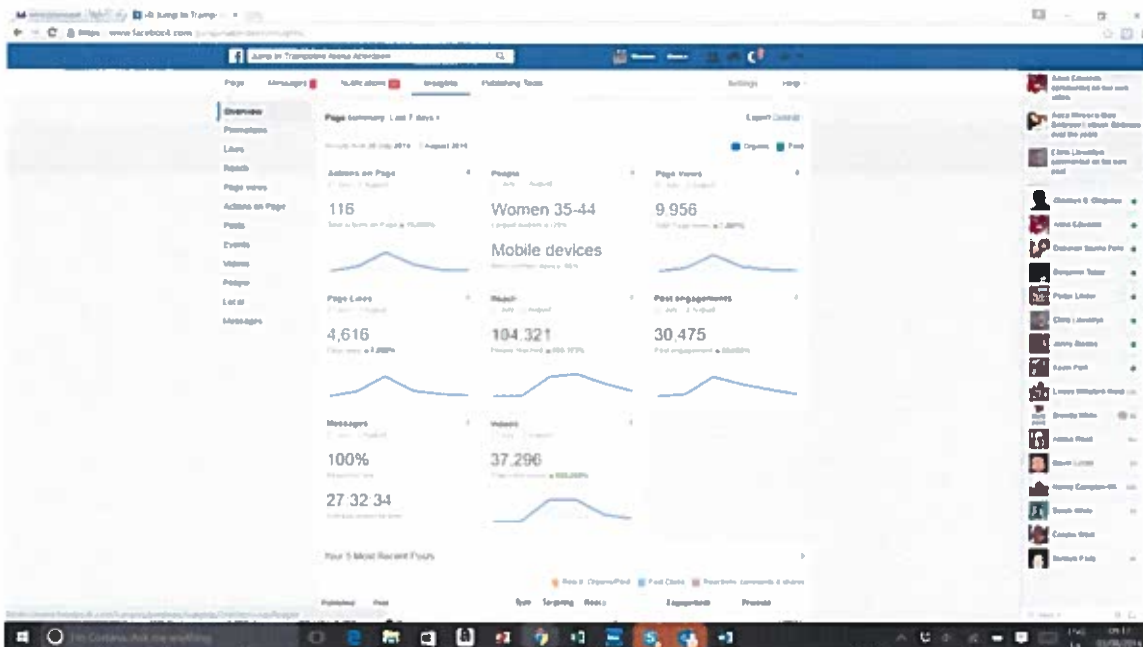
- Press release indicating an intention to operate a Trampoline Arena
- “Coming Soon” notice on the company website
- Creation of a Jump In Trampoline Arena, Aberdeen Facebook page

None of the pre-launch marketing campaigns have commenced and less than £100 has been spent on the actions above from a total pre-launch marketing budget of £20k.

Social Media Engagement

The local public interest has been far in excess of the interest shown at the equivalent stage of our existing site developments:

- There have been around 4,700 “likes” of our Aberdeen Facebook page in just one week upon commencement of digital marketing
 - This is in excess of our Slough site which has been open for almost a year
 - The other pipeline sites have never been in excess of 2,500 likes
- The Aberdeen Facebook page has been viewed by over 100,000 people in the last week with posts on the page reaching 75,000 people



Local residents have been sharing their excitement with us directly:



- 129 people have commented in relation to what features we should provide (i.e. foam pits vs. dodge ball vs. slack lines etc.)
- Excitement is definitely present with comments such as “we will defy be going here!” and “OH MY GOD!! YES YES YES!!”

Schools and Community Groups Outreach

Numerous schools and community groups have contacted us given their interest in taking advantage of the facility. We plan to work with Raring2Go magazine to maximize our reach and up-take.

Our existing parks in Slough and Warwick have strong relationships with local autistic groups. We plan to proactively approach the Grampian Autistic Society and the National Autistic Society of Scotland in due course.

Summary

Overall, without prompting, there has been an overwhelmingly positive response from the local community to the possibility of a Jump In Trampoline Arena coming to the local area.

Vernon West
Chairman, Gojumpin Ltd
3rd August 2016

Gojumpin Ltd. Employment Statement for Craigshaw Road Planning Application

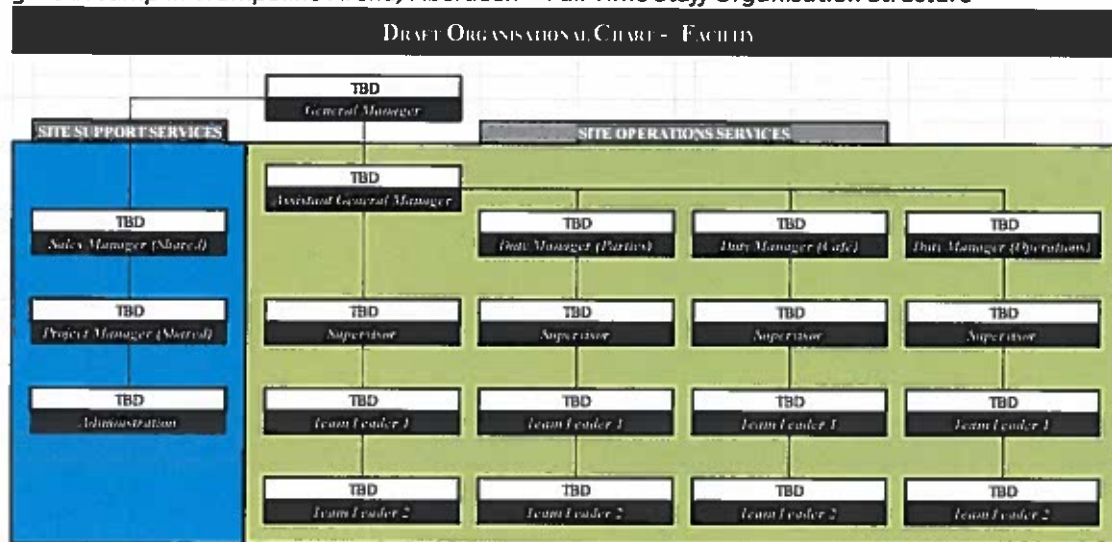
16th August 2016

This document seeks to illustrate the roles available and development provided for local people looking to build long term careers with the company.

The Jump In Trampoline Arena would employ more people than under the authorised use

As illustrated by our site organisation structure below, Gojumpin Ltd will be recruiting 20 full time staff who will work at the new arena in Aberdeen. Based on the precedent set by the Jump In Trampoline Arenas in Slough & Warwick, there will be an additional 46 part time and casual staff employed by the company. Total "full time equivalent" staff (>35 hours per week) will be 35-45 depending on time of year (school holiday or not). This excludes freelance contractors such as fitness instructors and cleaners as well as the safety trainers, electricians, plumbers, carpenters, entertainers and other local service providers necessary for supporting and maintaining the site.

Figure 1: Jump In Trampoline Arena, Aberdeen – Full Time Staff Organisation Structure



We expect an extremely high level of local interest in jobs at the Jump In Trampoline Arena

At our Warwick facility there were >250 applicants for the top six management roles advertised:

- *General Manager* – >60 applicants (all via indeed.co.uk)
- *Assistant General Manager* – >110 applicants (mostly indeed.co.uk but also via local FE college)
- *Duty Manager* – >70 applicants (mostly via indeed.co.uk but also via local FE college)

Given the lay-offs experienced by Aberdeen in the aftermath of the oil price drop, we expect strong demand from young people especially given the training programme provided (described in more detail below).

Gojumpin Ltd offers its employees a long term career by investing in their training and providing them with the opportunity for promotion and development

The Directors of Gojumpin Ltd have all worked in senior positions at large corporations which have adopted best practice development programmes for their employees. The Gojumpin Ltd Board is fully committed to providing the necessary training to achieve industry leading professional standards and to maximise the opportunity from internal development and promotion.

The basic training for all Gojumpin Ltd. employees consists of the following modules:

- Company induction & familiarisation with company policies, processes and procedures
- Courts training (for courts staff)
- Reception training (for reception staff)
- Café training (for café staff)
- Parties training (for parties staff)

Employees at the Aberdeen site will get the opportunity for vocational training at the Slough & Warwick sites, as well as classroom based training, prior to the opening of the Aberdeen Arena. Following launch, during non-peak periods staff will be rotated around different areas of the arena to enable multi-skilling e.g. courts staff will be trained in manning reception and the café etc.

In addition to this, further development training is offered to staff looking to build their skillset. As an example, below is a list of the training courses that have been delivered (or are scheduled) for Slough staff:

- PASMA access tower usage (3 spaces)
- Fire Marshall training (10 spaces)
- NEBOSH international diploma (1 space)
- DePICT one day project management introduction (5 spaces)
- PRINCE2 Foundation & Practitioner project management training (2 spaces)
- St John's Ambulance Schools First Aid (24 spaces)

Training will be tailored according to the needs of the growing company and the skills gaps of the team it has chosen to grow with the business.

Vernon West
Chairman, Gojumpin Ltd
16th August 2016

4 October 2016



Dan Smith
E: dan.smith@savills.com
DL: +44 (0) 1224 971134
F: +44 (0)

5 Queen's Terrace
Aberdeen AB10 1XL
T: +44 (0) 1224 971 110
savills.com

Dear Sir/Madam,

CRAIGSHAW ROAD, ABERDEEN – SITE MARKETING AND INTEREST SUMMARY

I write to clarify the marketing endeavours and levels of interest following the above property being placed on the market, and to outline our view as to the reasons why the property has been vacant since 2011.

By way of background, Savills was appointed as sole agent by the building owner, Simply Self Storage Ltd, in March 2016. Our instruction was to secure a suitable tenant for the building on a leasehold basis.

Prior to Savills appointment, the property was marketed for sale by AB Robb, on behalf of the Yule Family Pension Fund. This marketing campaign followed the high profile demise of local glazing firm AC Yule in November 2011.

After an extensive campaign, the building was eventually sold in February 2014 to John Clark Motor Group for use as a car preparation and storage facility. Without having occupied the building, John Clark deemed it surplus to requirements and consequently (in June 2015) sold it on to Simply Self Storage. The intention had been for Simply Self Storage to occupy the building themselves, but given the downturn in the local economy, they decided that this was no longer a feasible option.

Simply Self Storage started marketing the building themselves in late 2015, before appointing Graham and Sibbald, and subsequently Savills to undertake a more comprehensive marketing campaign on their behalf.

The building has been lying vacant since late 2011, and has been deteriorating ever since.

Following Savills' appointment in March 2016, we undertook a full marketing campaign, including:

Marketing Initiatives

- Main marketing board
- Savills website
- EGi Property Link Website
- Costar/Focus Website
- Preparation of PDF/printed in-house particulars

We have also undertaken regular mailing/emailing exercises including:

- All relevant enquiries held on Savills agent databases for parties seeking similar property

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited, Chartered Surveyors. Regulated by RICS. A subsidiary of Savills plc. Registered in England No. 2805138.
Registered office: 33 Margaret Street, London, W1G 0JD

- Target mailing to surrounding local & regional industrial/warehouse occupiers
- Target mailings to all local Industrial Agents and those with national clients

We are confident the property has been marketed in full, and all sectors of the market (from all use classes) have been made aware of the unit's availability.

Interest:

In terms of interest, it is prudent to clarify that our marketing has not been limited to any sector of the market in particular. Our aim was simply to secure an occupier in a swift and satisfactory manner.

Given the number of business and industrial users in the wider Tullos Estate, our client's intention was ideally to secure an industrial occupier for this unit. Demand for commercial property in Aberdeen is inextricably linked to activity in the North Sea Oil and Gas Exploration and Production sector. The vast majority of businesses in Aberdeen have a link, either direct or indirect with the Energy Sector.

As a consequence there is an obvious and direct correlation between the price per barrel of Brent Crude oil and demand for commercial property throughout the city. The price per barrel of Brent Crude oil has dropped from c.\$120 in Summer 2014 to the current level of c.\$50. This drop in oil price has seen a significant tail off in demand and activity in the Energy sector.

Many companies in Aberdeen have been through, or are going through a staff rationalisation and redundancy process. This has had a significant and adverse effect on the demand for commercial property and the supply / demand equation has swung hugely in favour of the tenant.

Supply of commercial property across the city is at an unprecedented high, and demand is intermittent at best.

Interest has been limited over the marketing period due to a number of reasons:

- The downturn in the Oil and Gas Exploration and Production Industry. The downturn in the Oil and Gas Industry has seen a significant adverse effect on the occupational market in Aberdeen. The vast majority of commercial occupiers in Aberdeen have a link (either direct or indirect) with the Oil and Gas Exploration and Production Industry. There has been a significant tail off in demand for commercial property.
- The restricted external areas. Limited yard space renders the building unsuitable for many industrial occupiers as direct lorry/HGV access to the roller shutter is extremely constrained.
- Potential conflict between cars and trucks/HGVs in the yard, especially as the gradient of the yard restricts lorry/HGV movements.
- Lack of warehouse heating (requires additional capital expenditure)
- Office mezzanine which is dilapidated (requires additional capital expenditure)
- Roof not wind and watertight (requires additional capital expenditure)
- Yard and fence in state of disrepair (requires additional capital expenditure)
- Dilapidations schedule not enforced on previous occupier making for significant strip out (requires additional capital expenditure)

There have only been 4 viewings of the property since it was offered to the market by Savills in March 2016. These are summarised below:

- Wood Group Industrial Services – oil and gas service company. Reasons for discounting as an option - yard too small and perceived access issues for articulated vehicles.

- Seven Seas – food wholesaler. Reasons for discounting as an option – too much office content.
- Piper Seafoods – seafood wholesaler. Reasons for discounting as an option – too much capital expenditure would be required to put the building in useable order.
- JumpIn – building ticks all boxes

Fit for leisure use

Throughout the marketing period Savills became aware of an emerging sector in the leisure market, this followed a series of enquiries from companies looking to launch a centre for indoor trampolining and children's indoor soft play centres in the region. Equally Savills became aware that the developments in Scotland have all involved a change of use from Class 4,5&6 uses.

The subject property attracted the interest because the property was suited to the proposed use in terms of building height, shell specification (allowing for bespoke fit-out), adequate yard area to allow sufficient parking, location and good proximity to public transport, demographics of the area and general feel of the estate with a more public facing feel to it than typical industrial estates.

In addition the short cul-de-sac section of Craigshaw Road where the building is situated services a number of small buildings, including Tullos Training, which attract largely domestic scale traffic already and with which the proposed use of the subject building would be entirely compatible.

I trust this letter is of assistance to you and please do not hesitate to contact me should you require any further information.

Yours sincerely

A solid black rectangular box redacting the signature of Dan Smith.

Dan Smith
Director



Gojumpin Ltd. Attracting Local Businesses to Tullos Craigshaw Road Planning Application

This document seeks to illustrate the ways in which the proposed development at Craigshaw Road enhances the attractiveness of Tullos to local business.

The Jump In Trampoline Arena would offer unique fitness classes to local workers

Gojumpin Ltd has developed a unique adult fitness programme with a cross-fit operator branded Wild Jump. This offering provides class capacity of 200 people per week at our Slough and Warwick facilities and is very popular with local workers. Our location within the Slough Trading Estate (the largest industrial estate in private ownership in Europe) means our offering is fine-tuned to the adult fitness market.

The Wild Jump offering comprises:

- Zumba Lean – Zumba fitness on trampolines. Core workout incorporating dance moves
- Wild Jump – Pure trampoline fitness. Big movements to get the whole body working
- Wild Jump Cardio – Trampoline fitness and RMT club exercise. Focus on fast movement and repetitions
- Wild Jump Strength – Trampoline fitness and Titan Bag exercise. Strength drills

A strong health and wellness offering makes Tullos a more attractive industrial destination

Most companies in Tullos are SMEs and do not have an in house health & wellness facility. We would partner with local business offering discount schemes and tailored programmes. Local employers would benefit from a healthy workforce and a better employee proposition.

Dodgeball is one of the fastest growing sports in the UK and we have set-up local leagues in Slough and Warwick. Most teams are from SMEs or corporates and HR is encouraging due to the benefits of workforce cohesion. We expect this to be popular in the Tullos area.

2/3 of our customers at Slough are within a 10min drive so this facility will primarily serve Tullos and its immediate surrounding area (in contrast to the position stated in 2.4 of the Policy Evaluation).

The unit is currently dilapidated which, given its prominence, suggests a lack of investment in Tullos

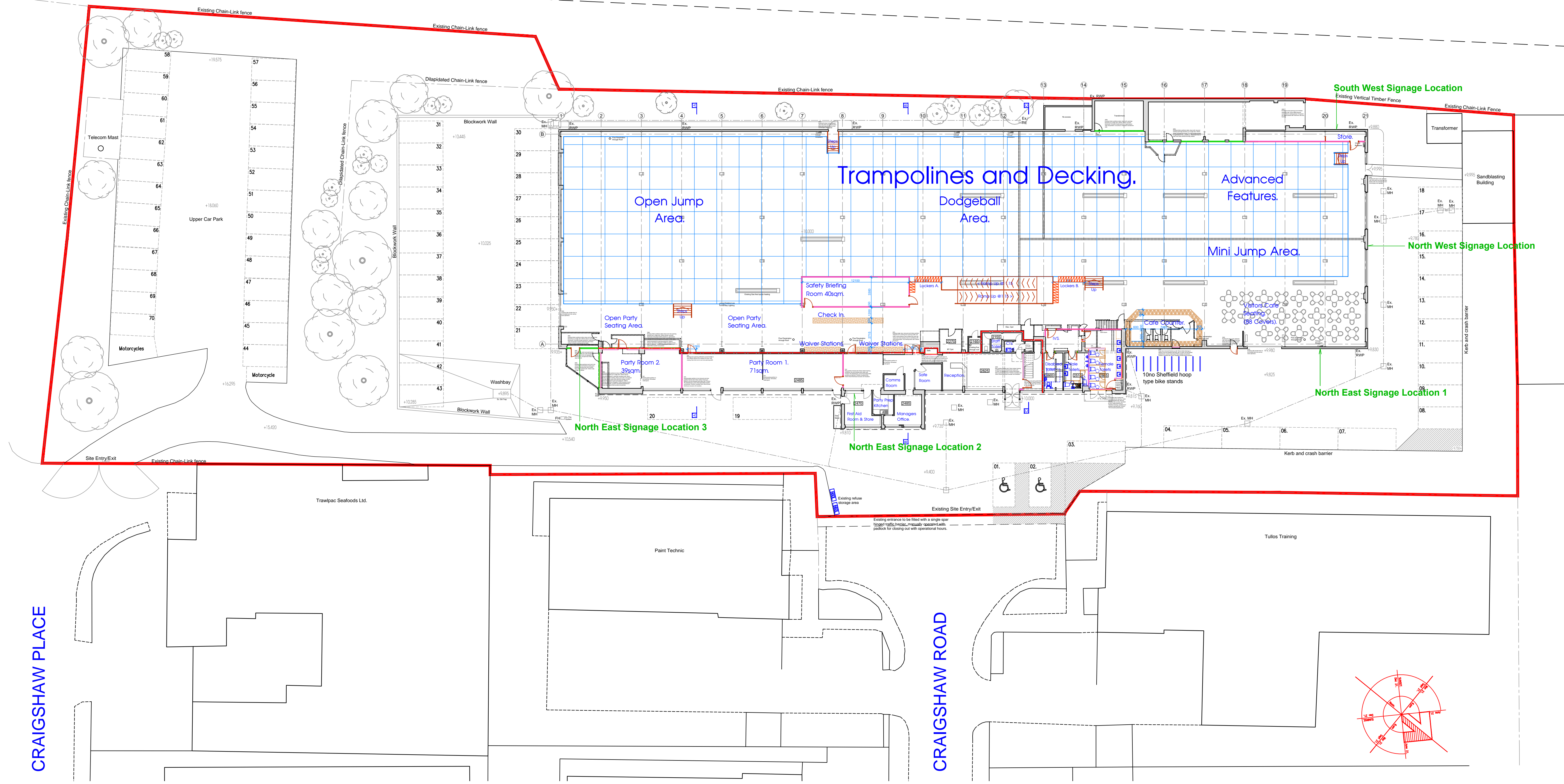
The image of the Tullos estate is an important determinant of attractiveness for industrial tenants. The unit has been unoccupied since 2011 and significant investment is required. From the W Tullos Road you can observe the following:

- Paint is peeling off cladding and office brickwork
- Grass is growing and seagulls are nesting on the roof
- The fencing has holes in numerous places

The proposed scope of works includes over-cladding the unit which will provide a facelift to the building and therefore improve the image of the Tullos estate.

Vernon West
Chairman, Gojumpin Ltd
4th October 2016

WEST TULLOS ROAD



Page 201

Existing Site Plan Scale 1:250 on A1 sheet (1:500 on A3).

PROJECT DETAILS

Proposed Alterations to
 Workshop & Offices,
 Craigshaw Road, Tullos,
 Aberdeen, AB12 3AP. for
 GO JUMP IN Ltd.

PLANNING - Site plan

Scale: 1:250 on A1 sheet.
 Date: 15/08/16.
 Drawn:

CHECK	INITIALS	DATE
planning:		
warrant:		
tender:		



4 St James Place, Inverurie,
 Aberdeenshire, AB51 3UB
 t:01467 622785 f:01467 624185
 25 Albyn Place, Aberdeen, AB10 1YL
 t: 01224 531333
 e:admin@lippe-architects.co.uk
 www.lippe-architects.co.uk

Ref: 5297/007/-

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Report of Handling Detailed Planning Permission

160882: Proposed upper storey extension above single storey extension to the rear at 495 Great Northern Road, Aberdeen, Aberdeen City, AB24 2EE

For: Mr F Goheer

Application Date:	4 July 2016
Officer:	Roy Brown
Ward:	Hilton/Woodside/Stockethill
Community Council:	Woodside
Advertisement:	N/A
Advertised Date:	N/A

RECOMMENDATION: Refuse

SITE DESCRIPTION

The application site relates to an upper storey flatted dwelling within a 1½ storey granite building. The rear elevation of the building features a single storey extension, an access staircase and the entrance doorway to the flat. The ground floor of the site is used as a hot food takeaway (Spiceation). The site is bounded by Great Northern Road to the north, which it fronts; 493 Great Northern Road to the east, which the site adjoins; 2 Deer Road to the south; and 497 Great Northern Road to the west.

DESCRIPTION OF PROPOSAL

Detailed Planning Permission is sought for the erection of an upper storey extension to the flat above the single storey rear extension of the hot food takeaway.

RELEVANT HISTORY

None

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

CONSULTATIONS

Consultee	Date of Comments	Summary of Comments
ACC - Environmental Health	23 rd September 2016	The extension will require the relocation of the ventilation extract outlet to the takeaway. Any relocation of the ventilation extract system should take into account noise/order from its operation and measures put in place, if required,

to prevent noise/odour nuisance to surrounding residents.

REPRESENTATIONS

1 letter of objection has been received. The matters raised can be summarised as follows:-

- The windows on the west elevation adversely affecting neighbouring privacy.
- The location of the ventilation extract outlet after completion of the development.

PLANNING POLICY

Adopted Aberdeen Local Development Plan

Policy D1 – Architecture and Placemaking

Policy H1 – Residential Areas

Proposed Aberdeen Local Development Plan

Policy D1 – Quality Placemaking by Design

Policy H1 - Residential Areas

Policy T5 - Noise

Supplementary Guidance (SG)

'Householder Development Guide'

EVALUATION

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

The site is located within an area zoned for residential use of the adopted Aberdeen Local Development Plan and relates to an existing flatted dwelling. To accord with Policy H1, the principle of an extension would be acceptable if the proposal does not constitute overdevelopment; does not have an unacceptable impact on the character of the amenity of the surrounding area; does not result in the loss of valuable and valued open space; and complies with the SG. The proposal would not necessarily constitute overdevelopment, given it would be a minor addition in terms of floor area compared to the original building, it would not affect the built footprint of the building, site coverage, and it would not increase the intensity of activity in the area. The extension would not result in the loss of valued open space.

Policy D1 states that new development must be designed with due consideration to its context. A general principle in the Householder Development Guide is that proposals for extensions should be architecturally compatible in design and scale with the original house and its surrounding area. Any extension should not serve to overwhelm or dominate the original form or appearance of the dwelling. Although the extension would be sited to the rear, set in from the gable end of the dwelling, and

would have a lesser height than the ridge of the original building, its two-storey flat-roofed form compared to the 1½ storey gable roofed form of the original dwelling would serve to dominate the original roofslope, and the two-storey west elevation with limited architectural features would be significant in terms of size, scale and massing. While the contrast created by contemporary materials can complement traditional materials in certain circumstances, in this particular case, given the significant size, scale and massing of the proposal, the contemporary materials of the extension would highlight its overall massing. The proposal would not be acceptable in terms of design and scale with the original building and the surrounding area, and given its significant form would adversely affect the character or the visual amenity of the surrounding area. It is considered the proposals fail to accord with Policy D1.

Calculations, using the 45 degree rule in the SG, show that the proposal would not adversely affect the availability of sunlight or daylight to any neighbouring property. The proposed extension includes glazing on the west elevation, which would be located at 1.6m above the floor level, which would result in overlooking into the rear curtilage of 497 Great Northern Road. Although it is recognised that its height above ground level would mean that there would not be direct overlooking, given the window is to a habitable room, which is likely to be regularly used (kitchen and lounge); the frequency of overlooking would be to the detriment of the privacy of 497 Great Northern Road. As there is screening around the site, the glazing on the south elevation would not adversely affect neighbouring privacy. The proposal would result in a situation when amenity is 'borrowed' from an adjacent property, due to the loss of neighbouring privacy, which is contrary to the general principles in the Supplementary Guidance: 'The Householder Development Guide.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015 and the Reporter has now reported back. The proposed plan constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The Reporters response does not affect policies in a manner that is relevant to this application. In relation to this particular application proposal policies in the Proposed LDP are not materially different from those in the adopted LDP.

Approval to adopt the LDP was given at the Full Council meeting of 14 December 2016. The actual adoption date is likely to be around the third week in January 2017.

Matters Raised in the Letters of Representation

APPLICATION REF: 160882

No ventilation is proposed as part of this application. A separate application for Detailed Planning Permission may be required for alterations to the ventilation. In the event that an application is submitted, there would be the opportunity for members of the public to comment on such a proposal. The other matters raised in the letter of objection have been sufficiently addressed in the above assessment.

RECOMMENDATION: Refuse

REASONS FOR RECOMMENDATION

By way of scale, size, materials and massing in the context of 495 Great Northern Road and the surrounding area, the proposed extension would be unacceptable. The proposal would result in the loss of neighbouring privacy. It would therefore fail to accord with Policy D1 – Architecture and Placemaking and Policy H1 – Residential Areas of the adopted Aberdeen Local Development Plan; the Supplementary Guidance: ‘The Householder Development Guide’; and the relevant policies of the proposed Aberdeen Local Development Plan.

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Ducad Architectural Consultant
9 William Mackie Avenue
Stonehaven
AB39 2PQ

on behalf of **Mr F Goheer**

With reference to your application validly received on 4 July 2016 for the following development:-

Proposed upper storey extension above single storey extension to the rear at 495 Great Northern Road, Aberdeen

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
100	Multiple Floor Plans (Proposed)
101	Multiple Elevations (Proposed)
160882/1	Location Plan

The reasons on which the Council has based this decision are as follows:-

By way of scale, size, materials and massing in the context of 495 Great Northern Road and the surrounding area, the proposed extension would be unacceptable. The proposal would result in the loss of neighbouring privacy. It would therefore fail to accord with Policy D1 - Architecture and Placemaking and Policy H1 - Residential Areas of the adopted Aberdeen Local Development Plan; the Supplementary Guidance: 'The Householder Development Guide'; and the relevant policies of the proposed Aberdeen Local Development Plan.

PETE LEONARD
DIRECTOR

Date of Signing 23 December 2016



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Planning and Sustainable Development (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

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.

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From: Nick Glover
Sent: 23 Sep 2016 16:02:01 +0100
To: Roy Brown
Subject: P160882 - 495 Great Northern Road

In relation to the above application it is understood that the creation of the upper storey extension will require the relocation of the ventilation extract outlet to the takeaway premises underneath.

It is advised that any relocation of the ventilation extract system takes into consideration the impact of any noise and/or odour from the operation of the ventilation system and measures put in place, if required, to prevent causing a noise/odour nuisance to surrounding residents.

Nick Glover
Principal Environmental Health Officer

Environmental Health and Trading Standards
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 15
Third Floor South
Marischal College
Broad Street
Aberdeen
AB10 1AB

Email: nglover@aberdeencity.gov.uk
Direct Dial: 01224 523026
Direct Fax: 01224 523887

Do you have any feedback on the Environmental Health Service received? The Service would like to hear about what it is doing right and what could be improved. Feedback can be provided through the attached survey link and does not take more than a few minutes to complete.

www.surveymonkey.co.uk/r/EnviroProt

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List of Notified Neighbours

160882 - Extension to kitchen forming open plan lounge

495 Great Northern Road
Aberdeen
Aberdeen City
A

The following neighbouring properties were notified on 3 August 2016:

12 Queen Street Woodside Aberdeen AB24 4EG

Attic Floor Right 1 Deer Road Aberdeen AB24 4EF

First Floor Right 1 Deer Road Aberdeen AB24 4EF

First Floor Left 1 Deer Road Aberdeen AB24 4EF

503 Great Northern Road Aberdeen AB24 2DD

Attic Floor Left 1 Deer Road Aberdeen AB24 4EF

505 Great Northern Road Aberdeen AB24 2DD

Flat 8 2 Deer Road Aberdeen AB24 4RW

Flat 5 2 Deer Road Aberdeen AB24 4RW

Flat 3 2 Deer Road Aberdeen AB24 4RW

Flat 27 2 Deer Road Aberdeen AB24 4RW

Flat 25 2 Deer Road Aberdeen AB24 4RW

Flat 21 2 Deer Road Aberdeen AB24 4RW

Flat 19 2 Deer Road Aberdeen AB24 4RW

Flat 16 2 Deer Road Aberdeen AB24 4RW

Flat 14 2 Deer Road Aberdeen AB24 4RW

Flat 1 2 Deer Road Aberdeen AB24 4RW

Flat 10 2 Deer Road Aberdeen AB24 4RW

Flat 9 2 Deer Road Aberdeen AB24 4RW

Flat 7 2 Deer Road Aberdeen AB24 4RW

Flat 6 2 Deer Road Aberdeen AB24 4RW
Flat 4 2 Deer Road Aberdeen AB24 4RW
Flat 29 2 Deer Road Aberdeen AB24 4RW
Flat 28 2 Deer Road Aberdeen AB24 4RW
Flat 26 2 Deer Road Aberdeen AB24 4RW
Flat 24 2 Deer Road Aberdeen AB24 4RW
Flat 23 2 Deer Road Aberdeen AB24 4RW
Flat 2 2 Deer Road Aberdeen AB24 4RW
Flat 20 2 Deer Road Aberdeen AB24 4RW
Flat 18 2 Deer Road Aberdeen AB24 4RW
Flat 17 2 Deer Road Aberdeen AB24 4RW
Flat 15 2 Deer Road Aberdeen AB24 4RW
Flat 13 2 Deer Road Aberdeen AB24 4RW
Flat 12 2 Deer Road Aberdeen AB24 4RW
Flat 11 2 Deer Road Aberdeen AB24 4RW
Flat 22 2 Deer Road Aberdeen AB24 4RW
481-483 Great Northern Road Aberdeen AB24 2EE
481 Great Northern Road Aberdeen AB24 2EE
487 Great Northern Road Aberdeen AB24 2EE
483 Great Northern Road Aberdeen AB24 2EE
485 Great Northern Road Aberdeen AB24 2EE
489A Great Northern Road Aberdeen AB24 2EE
497 Great Northern Road Aberdeen AB24 2EE
Gents Hairdressing By Lynn 501 Great Northern Road Aberdeen AB24 2EE
489 Great Northern Road Aberdeen AB24 2EE
499 Great Northern Road Aberdeen AB24 2EE
493 Great Northern Road Aberdeen AB24 2EE

491B Great Northern Road Aberdeen AB24 2EE

491A Great Northern Road Aberdeen AB24 2EE

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Comments for Planning Application 160882

Application Summary

Application Number: 160882

Address: 495 Great Northern Road Aberdeen Aberdeen City A

Proposal: Proposed upper storey extension above single storey extension to the rear

Case Officer: Roy Brown

Customer Details

Name: Mrs christine darroch

Address: 499 great northern road woodside aberdeen

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am concerned about the side window for the lounge as it will look onto my property effecting the privacy of my garden. At present the extractor fan for Spice Sensations an Indian carry out under the property is not an issue but were will it go when the extension is done.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100037215-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Farooq	Building Number:	156
Last Name: *	Goheer	Address 1 (Street): *	Ashgrove Road West
Company/Organisation		Address 2:	
Telephone Number: *	[REDACTED]	Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB16 5BD
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

495 Great Northern Road

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Aberdeen

Post Code:

AB24 2EE

Please identify/describe the location of the site or sites

Northing

808956

Easting

392312

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Proposed upper storey extension above single storey extension to the rear

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer to supporting Document

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

existing drawings / proposed drawings / supporting document / additional images

Application Details

Please provide details of the application and decision.

What is the application reference number? *

160882

What date was the application submitted to the planning authority? *

04/07/2016

What date was the decision issued by the planning authority? *

23/12/2016

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The access is restricted by locked gate to the rear of the property.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Farooq Goheer

Declaration Date: 20/01/2017

PLANNING APPLICATION (Ref: P160212) 27 NORTH SQUARE, FOOTDEE, ABERDEEN.

Mr F Goheer, 495 Great Northern Road, Aberdeen, AB24 2EE

Request for review of refusal of planning application P160212 for the erection of an upper storey extension above single storey extension to the rear of the property.

Statement to accompany the Notice of Review.

Introduction

This Notice of Review has been prepared to support the request for review under the terms of section 43A(8) of the Town and Country Planning (Scotland) Act 1997 and Regulation 9 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, against the refusal by Aberdeen City Council to grant detailed planning permission for the erection of a rear extension to the first floor flat at 495 Great Northern Road, Aberdeen.

Application Site

The application property comprises a first floor flat within a 1½ storey granite building. The ground floor of the site is used as a hot food takeaway (Spiceation) under the ownership of the applicant. The property fronts Great Northern Road whilst the rear is landlocked. The rear elevation of the building features a single storey extension, an open access staircase and the entrance doorway to the flat. The rear of the property faces the multi storey block of flats on the east side of Deer Road with other boundaries formed by a retail shop at 493 Great Northern Road to the east, The grounds of the multi storey block of flats at 2 Deer Road to the south; and 497 Great Northern Road to the west which comprises business premises on the ground floor with residential accommodation on the upper floor.

Application

Detailed Planning Permission is sought for the erection of an extension to the flat above the existing single storey rear wing of the ground floor hot food take away.

The extension will accommodate a living room and kitchen thus significantly improving the quality and living conditions for the occupiers of the flat.

Decision

The reason for refusal of the application is given on the decision notice as

'By way of scale, size, materials and massing in the context of 495 Great Northern Road and the surrounding area, the proposed extension would be unacceptable. The proposal would result in the loss of neighbouring privacy. It would therefore fail to accord with Policy D1 - Architecture and Placemaking and Policy H1 - Residential Areas of the adopted Aberdeen Local Development Plan; the Supplementary

Guidance: 'The Householder Development Guide'; and the relevant policies of the proposed Aberdeen Local Development Plan'.

It should be noted that the decision notice fails to explain why the scale, size, materials and massing are unacceptable and it is necessary to refer to the Report of Handling which states that the proposal would not be acceptable in terms of design and scale with the original building and the surrounding area, and given its significant form would adversely affect the character or the visual amenity of the surrounding area to find this information.

In this regard the Decision Notice fails to meet the requirements of Section 43(1A) of the Town and Country Planning (Scotland) Act 1997 (as amended) which requires a planning authority to include in each decision notice issued to an applicant the reasons on which the authority based that decision.

This statement will nevertheless address the design and scale issues raised in the Report of Handling as well as the specific issue relating to neighbouring privacy referred to in the Decision Notice. A copy of the Report of Handling is attached as appendix 1. The Council has not provided the applicants with a copy of the letter of objection from a neighbour referred to in the Report of Handling nor is this letter available on the Council's website so the response to the objection will require to be based on the brief summary of the points of objection in the Report of Handling.

Response to Grounds of Refusal

The Report of Handling identifies two specific Local Development Plan policies and Supplementary Guidance.

Policy D1 – Architecture and Placemaking is a high level, city wide policy which requires high standards of design and requires new development to be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

The rationale for the design approach which has been adopted is set out in detail below after the summary of other policy requirements.

Policy H1 - Residential Areas states that householder development will be approved in principle if it:

1. does not constitute over development;
2. does not have an unacceptable impact on the character or amenity of the surrounding area;
3. does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010;
4. complies with Supplementary Guidance on Curtilage Splits; and
5. complies with Supplementary Guidance on House Extensions.

In essence therefore the principle of constructing an extension is acceptable in principle.

The Report of Handling accepts that the proposal satisfies points 1 and 3 of Policy H1. Point 4 is not relevant to the application so it is only points 2 and 5 which require or be addressed. Essentially these relate to matters of the design and scale of the proposed extension which are referred to in more detail in Supplementary Guidance.

Detailed guidance for householder developments is set out in Supplementary Guidance: Householder Development Guide. That document lists the following principles which will be applied to all applications for householder development:

1. Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling.

2 Any extension or alteration should not result in a situation where amenity is 'borrowed' from an adjacent property. Significant adverse impact on privacy, daylight and general residential amenity will count against a development proposal

3. Any existing extensions, dormers or other alterations which were approved prior to the introduction of this supplementary guidance will not be considered by the planning authority to provide justification for a development proposal which would otherwise fail to comply with the guidance set out in this document. This guidance is intended to improve the quality of design and effectively raise the design standards and ground rules against which proposals will be measured.

4. The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.

5. No more than 50% of the front or rear curtilage shall be covered.

It is only points 1 and 2 of the Supplementary Guidance that are matters of concern and which have been raised in the Report of Handling and repeat the requirement of Policy H!..

The Report of Handling considers that although the extension would be sited to the rear, set in from the gable end of the dwelling, and would have a lesser height than the ridge of the original building, 'its two-storey flat-roofed form compared to the 1½ storey gable roofed form of the original dwelling would serve to dominate the original roof slope, and the two-storey west elevation with limited architectural features would be significant in terms of size, scale and massing. While the contrast created by contemporary materials can complement traditional materials in certain circumstances, in this particular case, given the significant size, scale and massing of the proposal, the contemporary materials of the extension would highlight its overall massing. The proposal would not be acceptable in terms of design and scale with the original building and the surrounding area, and given its significant form would adversely affect the character or the visual amenity of the surrounding area. It is considered the proposals fail to accord with Policy D1'.

Design Approach

The only public area from where the extension would be seen would be from Deer Road. This would be across the garden of the property at 497 Great Northern Road and views would be restricted by the 2m metre high wall along the heel of the pavement. [see Image 01 below]



[Image 01]

The existing flat is restricted in size with small rooms and in particular a cramped kitchen with large lie ins. The proposal to form a modest extension maximises the out the back above an existing single storey flat roof extension allows the applicant to improve significantly the living conditions for him and his family.

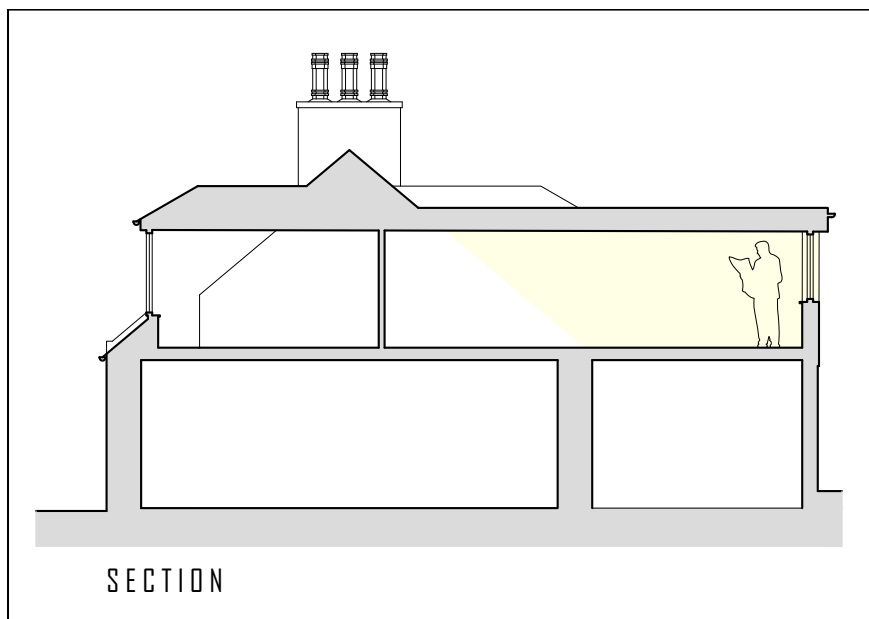
The design of the extension is a simple flat roof extension cantilevering over the splay to the ground floor rear extension to maximise the area available. I seek a contemporary finish with timber linings to contrast and enhance contextual setting within this location, in relation to this context the scheme takes an approach with the material specified, which clearly identifies the old and the new, conveying an architectural language different to traditional, and in my view enhancing the design approach.

It is considered that contrary to the assertions in the Report of Handling the scale, form and materials respect the character and amenity of the area and comply with Policies D1, H1 and the Householder Supplementary Guidance.

Privacy

The issue of loss of privacy which forms a second reason for refusal relates to the window on the west elevation of the proposed extension. There is no objection

raised by the Appointed Officer to the principal window in the extension which faces south over the applicant's property. The one letter of objection which has been received makes representation about the privacy issues arising from this window in the west elevation. The window is a small high-level window, only some 600mm high, which could be conditioned to have frosted glass; this window serves to provide daylight only. However the window is positioned so that it is set back close to the roof slope of the existing house, which means that there are no privacy issues in relation to windows in the property at 497 Great Northern Road. This is acknowledged in the Report of Handling. Therefore any overlooking will be limited to the rear area and this will be extremely restricted. The cill of the window is 800mm above the floor level of the room so views out of the window will tend to be to distant objects or to the sky. This is illustrated in the section below.



It should be noted that the existing open rear stair provides views across neighbouring properties which will no longer be the case if the extension was to be built.

Other Issues

The Report of Handling confirms that the propose extension meets the guidance set out in the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011) and will have no adverse impact on the daylight or sunlight of neighbouring properties.

The flue referred to in the letter of objection the Environmental Health Officer's comments will be dealt with as a separate matter and a separate planning application submitted as explained in the report of Handling.

Conclusion

This statement demonstrates that, contrary to the reasons given for refusal, the proposed extension has been considered carefully and complies with both the Council's Development Plan Policy and Supplementary Guidance

The statement demonstrates that the Appointed Officer has overstated the impact of the west facing window and the application does not give rise to any adverse impact on neighbours.

The Local Review Body is accordingly respectfully requested to grant this appeal to allow the applicant to alter his home in a sensitive way in order to meet improve the living conditions for him and his family.

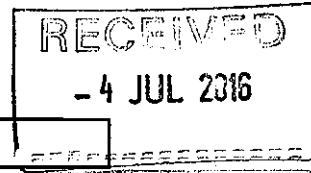
160882

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr.	Ref No.	
Forename	F.	Forename	
Surname	GOHEER	Surname	
Company Name		Company Name	DUCAD
Building No./Name	156	Building No./Name	9
Address Line 1	ASHLOVE RD	Address Line 1	WILLIAM MACKIE
Address Line 2	WEST	Address Line 2	AV.
Town/City	ABERDEEN	Town/City	STONEHAVEN
Postcode	AB16 5BD.	Postcode	AB39 2PQ
Telephone		Telephone	07711 325 417
Mobile		Mobile	
Fax		Fax	
Email		Email	DUCAD@ME.COM
3. Address or Location of Proposed Development (please include postcode)			
495 th GT NORTHERN RD ABERDEEN AB24 2EE			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Describe the Proposed Works			
Please describe accurately the work proposed:			
EXTENSION TO KITCHEN FORMING OPEN PLAN LAUNDS			
Have the works already been started or completed		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, please state date of completion, or if not completed, the start date:			
Date started:	<input type="text"/>	Date completed:	<input type="text"/>



If yes, please explain why work has already taken place in advance of making this application.

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces)

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

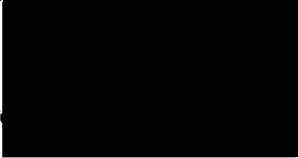
DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, ~~the applicant~~ agent hereby certify that the attached Land Ownership Certificate has been completed

I, ~~the applicant~~ agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature



Name:

1/7/2016

Date:

K. O'GRIFF

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
 Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland)
 Regulations 2013

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than ~~myself~~ _____ was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed: [REDACTED] _____

On behalf of: K. OUSAVI

Date: 1/7/2016

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have _____ served notice on every person other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land

or

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have _____ served notice on every person other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

Signed:

On behalf of:

Date:

CERTIFICATE C

Certificate C is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where it has not been possible to identify ALL or ANY owners/agricultural tenants.

(1) I have been unable to serve notice on **every** person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates.

or

(2) I have been unable to serve notice on **any** person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner of any part of the land to which the application relates.

(3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have been unable to serve notice on any person other than myself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant.

or

(5) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have served notice on each of the following persons other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name	Address	Date of Service of Notice

(6) I have _____ taken reasonable steps, as listed below, to ascertain the names and addresses of all other owners or agricultural tenants and have _____ been unable to do so.

Steps taken:

Signed:

On behalf of:

Date:

CERTIFICATE D

Certificate D is for use where the application is for mineral development.

(1) No person other than myself _____ was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

or

(2) I have _____ served notice on each of the following persons other than myself _____ who, at the beginning of the period of 21 days ending with the date of the accompanying application, was to the applicant's knowledge, the owner, of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

(3) None of the land to which the application relates constitutes or forms part of an agricultural holding.

or

(4) The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have _____ served notice on each of the following persons other than myself _____ who, at the beginning of the period of 21 days ending with the date of the application, was an agricultural tenant.

(5) Notice of the application as set out below has been published and displayed by public notice

Signed:

On behalf of:

Date:

CERTIFICATE E

Certificate E is required where the applicant is the sole owner of all the land and the land to which the application relates is agricultural land and there are or are not agricultural tenants.

I hereby certify that -

(1) No person other than myself _____ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants.

or

(1) No person other than myself _____ was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants. These people are:

Name	Address	Date of Service of Notice

(3) I have _____ taken reasonable steps, as listed below, to ascertain the names and addresses of the other agricultural tenants and have _____ been unable to do so.

Steps taken:

Signed:

On behalf of:

Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

Town and Country Planning (Scotland) Act 1997
Regulation 15 (1) of the Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013

Name [Note 1]

Address

Proposed development at [Note 2]

Notice is hereby given that an application is being made to
[Note 3] Council by

For planning permission to [Note 4]

If you wish to obtain further information on the application or to make representations about the application, you should contact the Council at [Note 5]

(The grant of planning permission does not affect owners' rights to retain and dispose of their property unless there is some provision to the contrary in an agreement or lease. The grant of planning permission for non-agricultural development may affect agricultural tenants security of tenure.)

Signed
On behalf of
Date

*Delete where appropriate

[Note 1] – Insert name and address of owner or agricultural tenants

[Note 2] – Insert address or location of proposed development.

[Note 3] – Insert name of planning authority.

[Note 4] – Insert description of proposed development.

[Note 5] – Insert planning authority address.

NOTICE TO OWNERS AND AGRICULTURAL TENANTS

The Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013 (Regulation 15)

NOTES FOR GUIDANCE

Before applying for planning permission or planning permission in principle under regulations 9 to 11, applicants should notify all persons who (other than themselves), were the owners of any of the land to which the application relates, or were agricultural tenants at the beginning of the prescribed period (in effect 21 days ending with the date on which the application was submitted).

Notices to owners and agricultural tenants should be in the form set out in schedule 1 of the regulations and must include:

1. The name of the applicant
2. The address or location of the proposed development
3. A description of the proposed development and
4. The name and address of the planning authority who will determine the application.

The grant of planning permission will not affect the rights of an owner, or tenant under a lease which has at least 7 years to run, to dispose of the consented property unless there is express provision in the lease/Agreement.

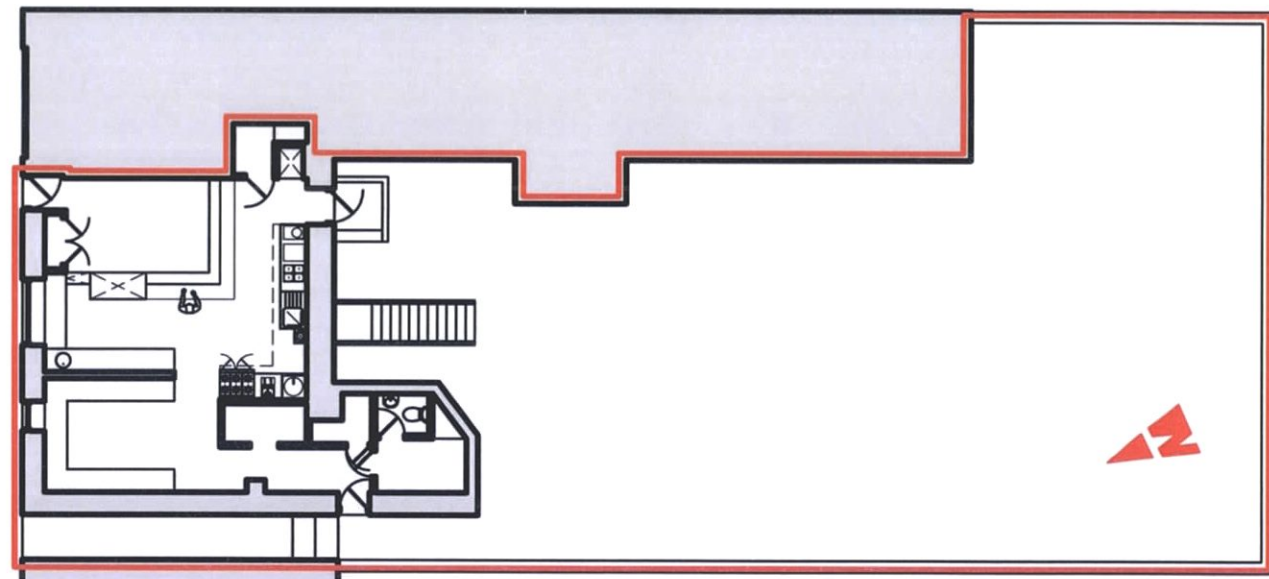
Applications for the working and winning of underground minerals

The notification of site owners and agricultural tenants regarding applications for the working and winning of underground minerals may be both onerous and complex. In addition to those owners and agricultural tenants with rights in relation to the relevant surface land, there may be other people with ownership rights to minerals, other than those vested in the Crown (oil, gas, coal, gold and silver), who may be difficult to identify and notify.

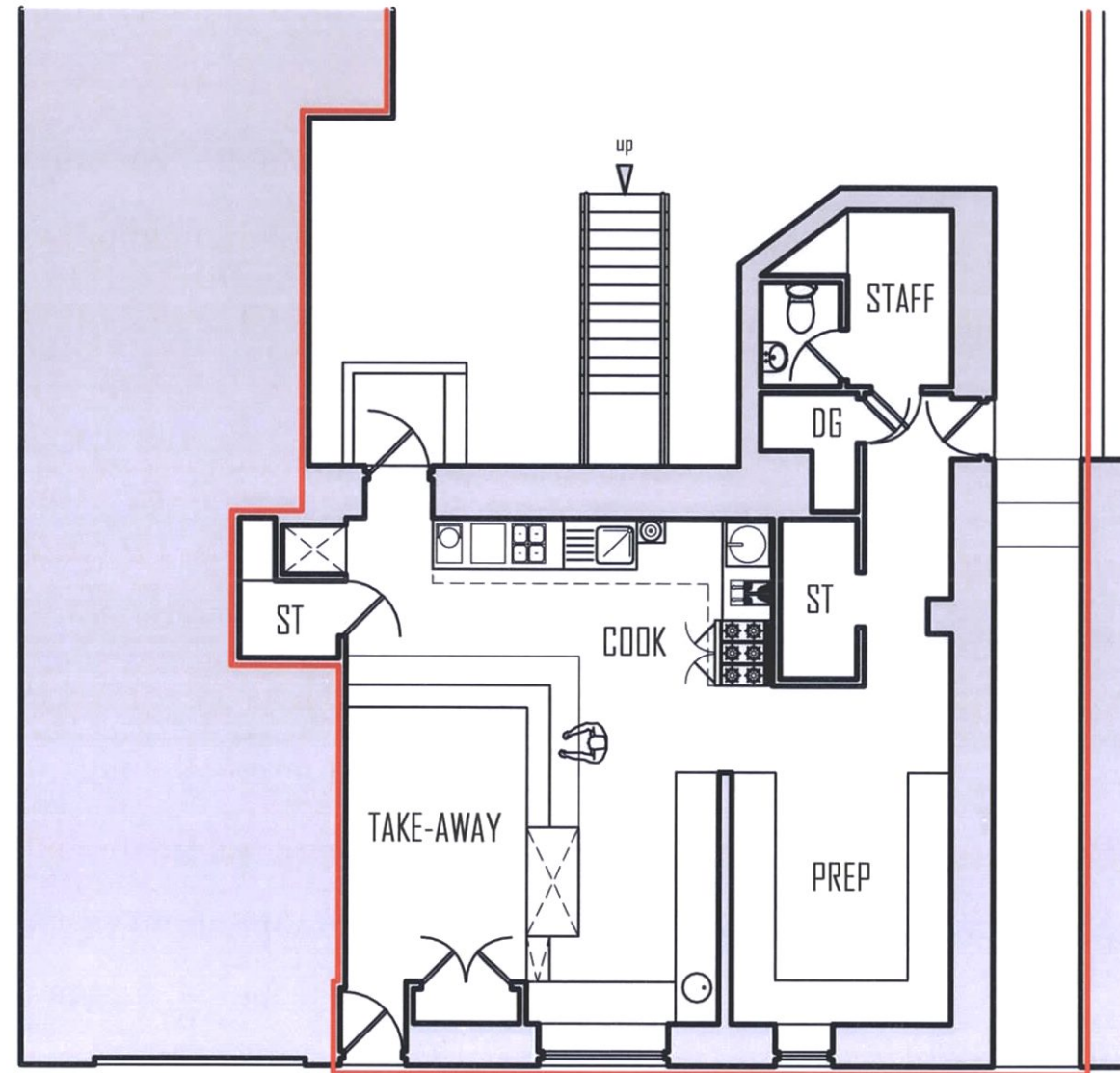
For the purposes of these applications, regulation 15(4) amends the requirement to notify owners to relate to those who "to the applicant's knowledge" are owners

Any personal data that you may be asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

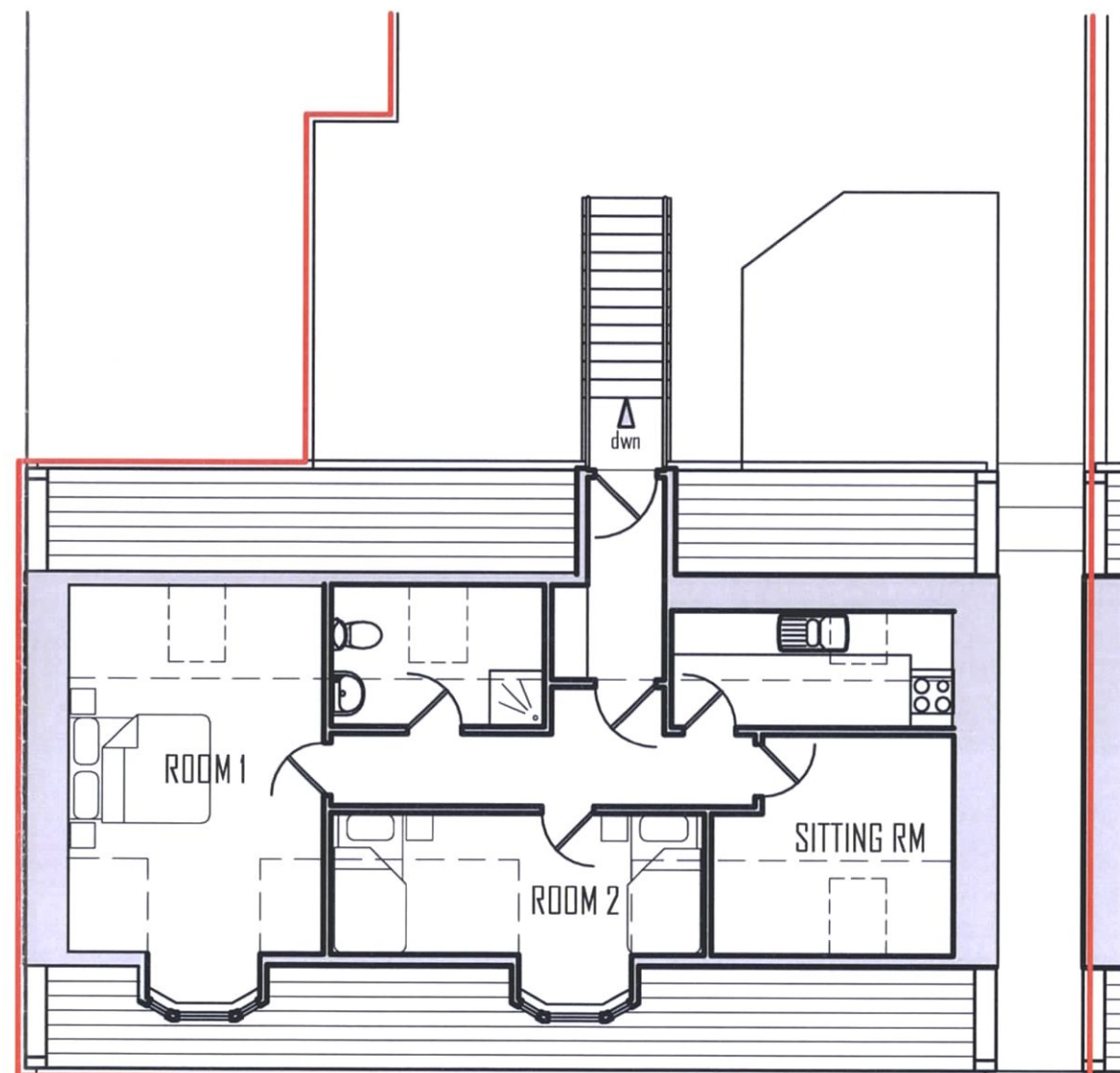
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BLOCK PLAN [1 : 200]



GROUND FLOOR PLAN

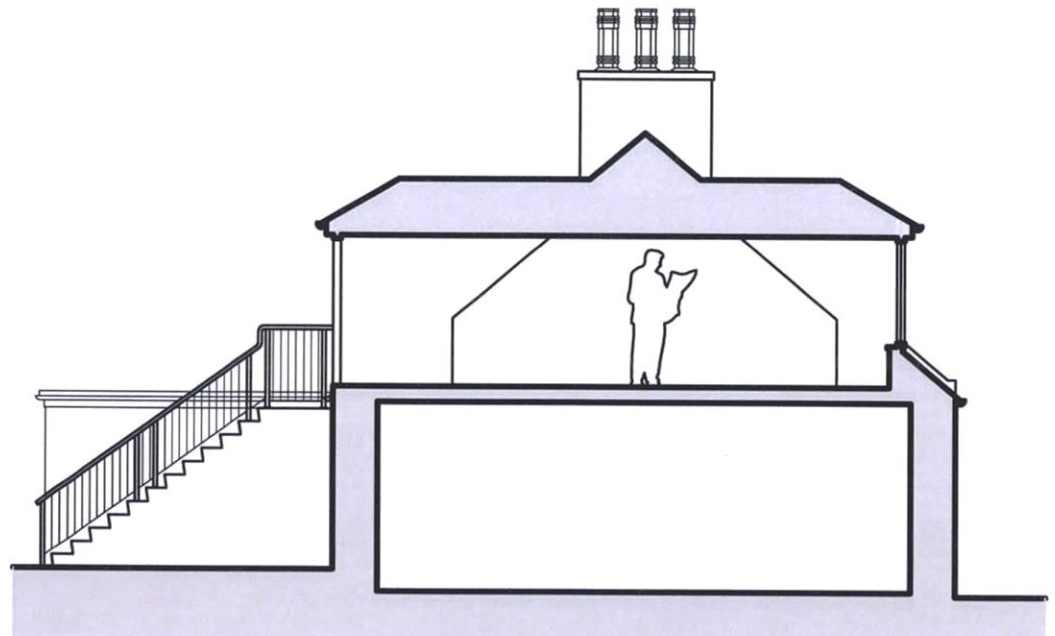


FIRST FLOOR PLAN

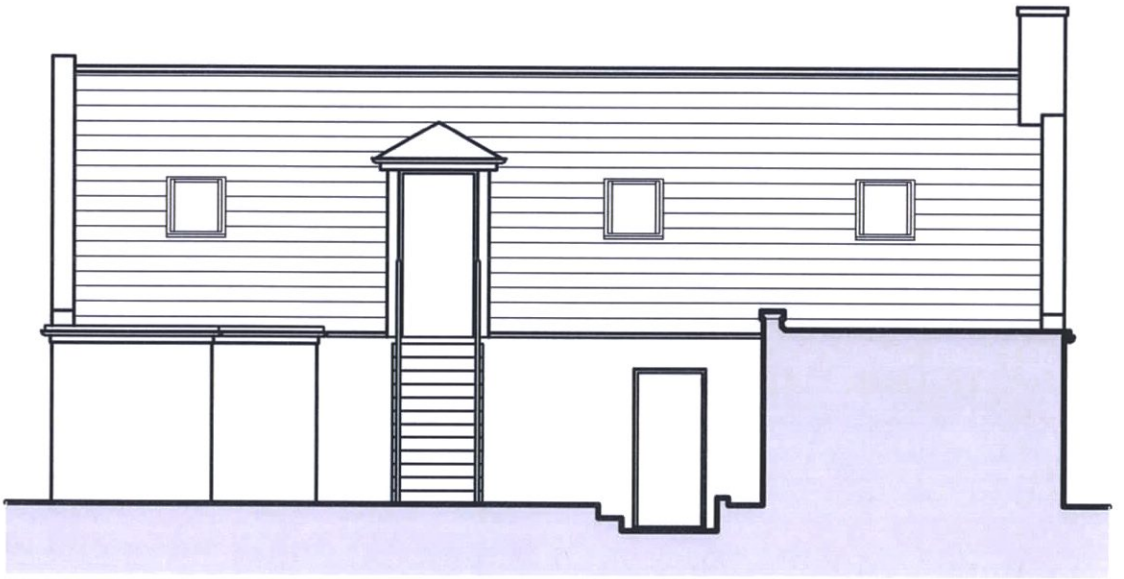
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NORTH ELEVATION



SECTION AA

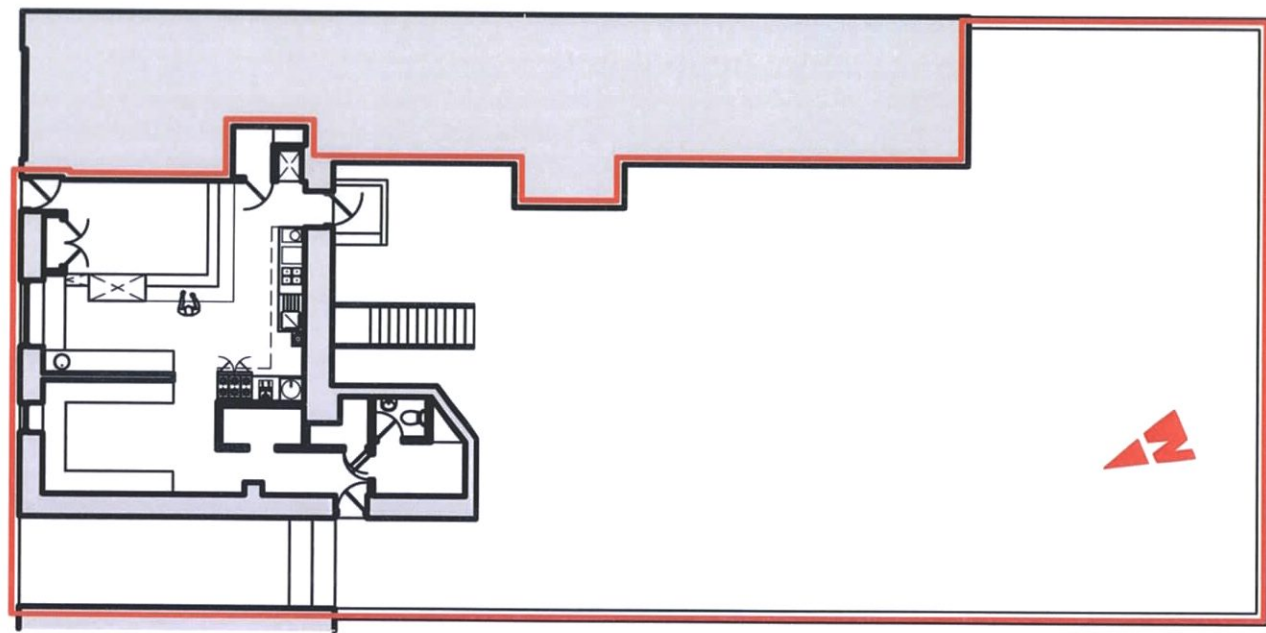


SOUTH ELEVATION

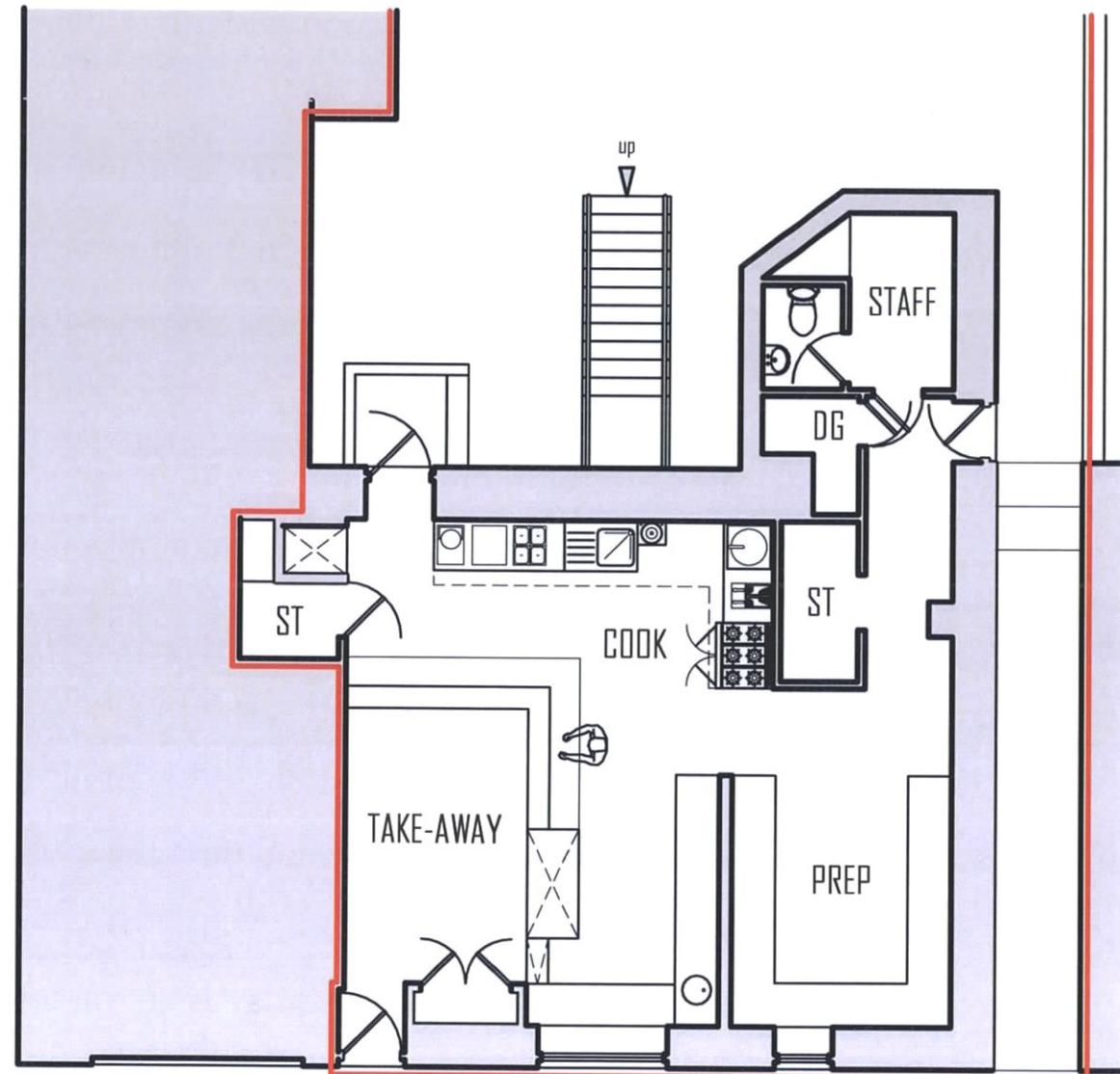


SECTION AA

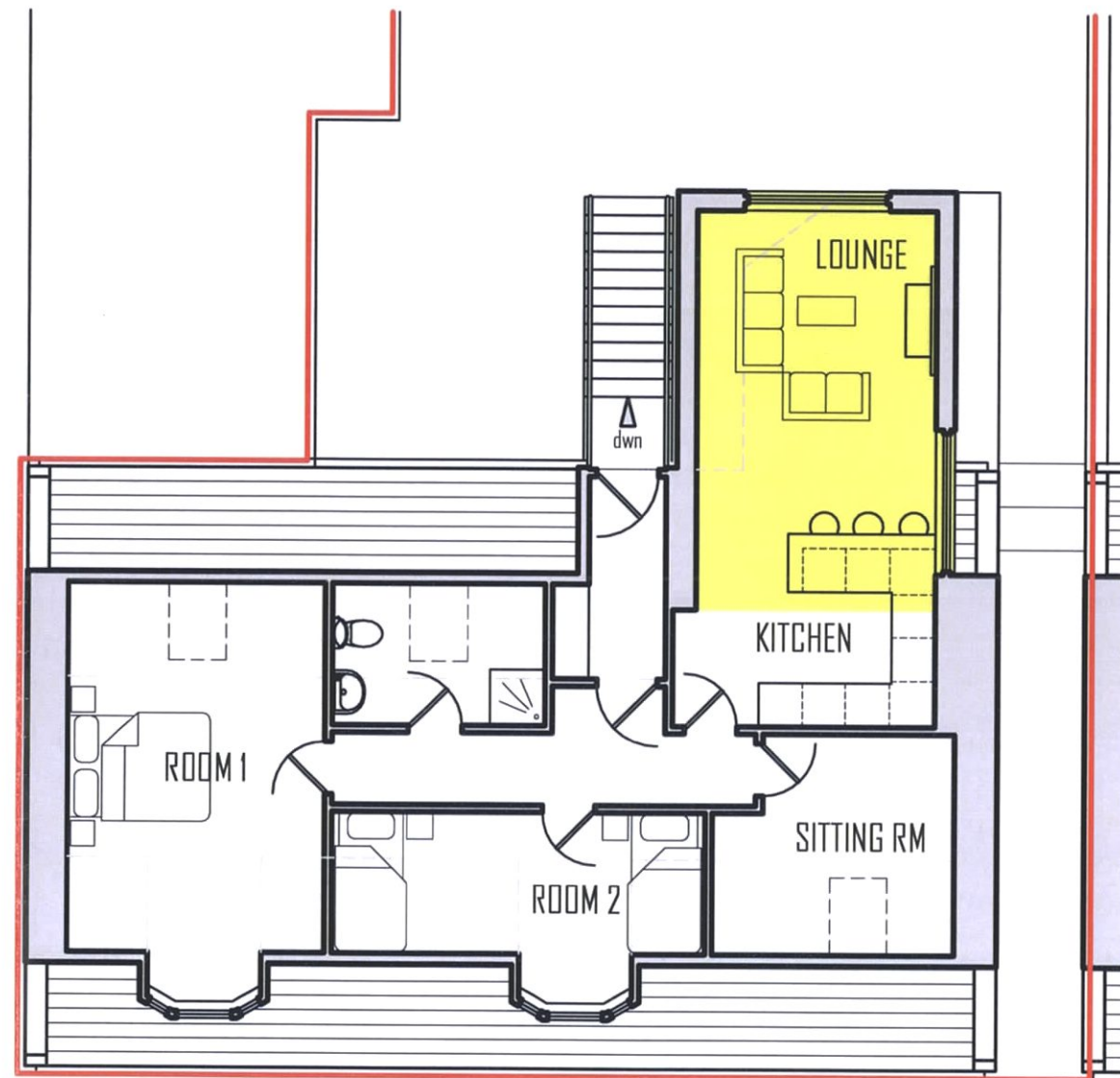
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BLOCK PLAN (1:200)



GROUND FLOOR PLAN

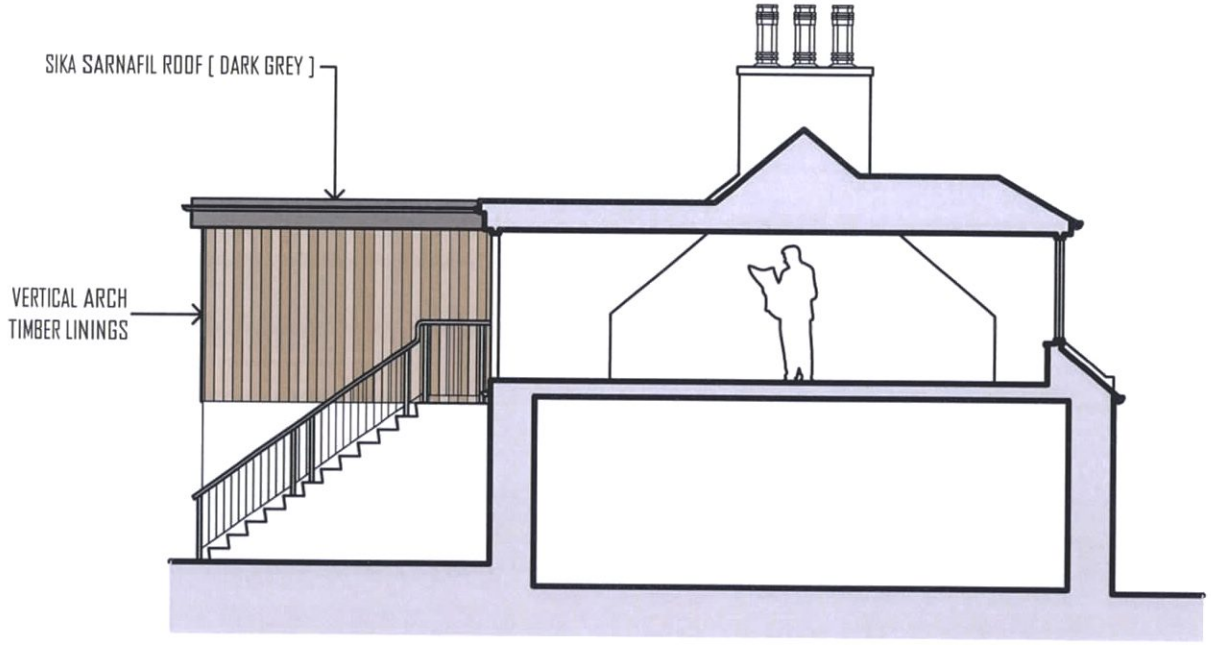


FIRST FLOOR PLAN

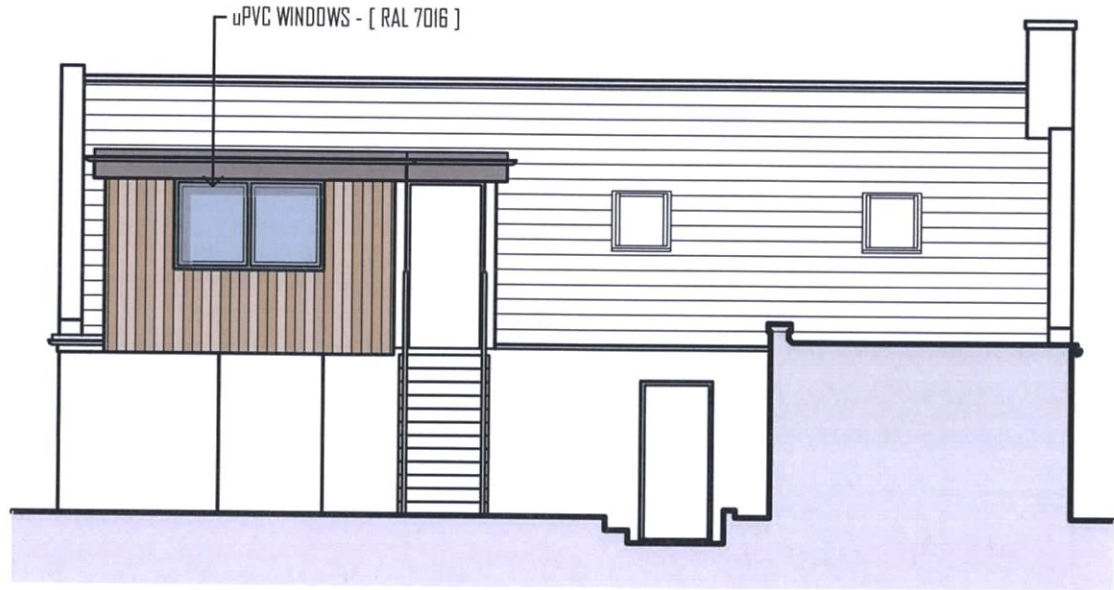
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NORTH ELEVATION



SECTION AA



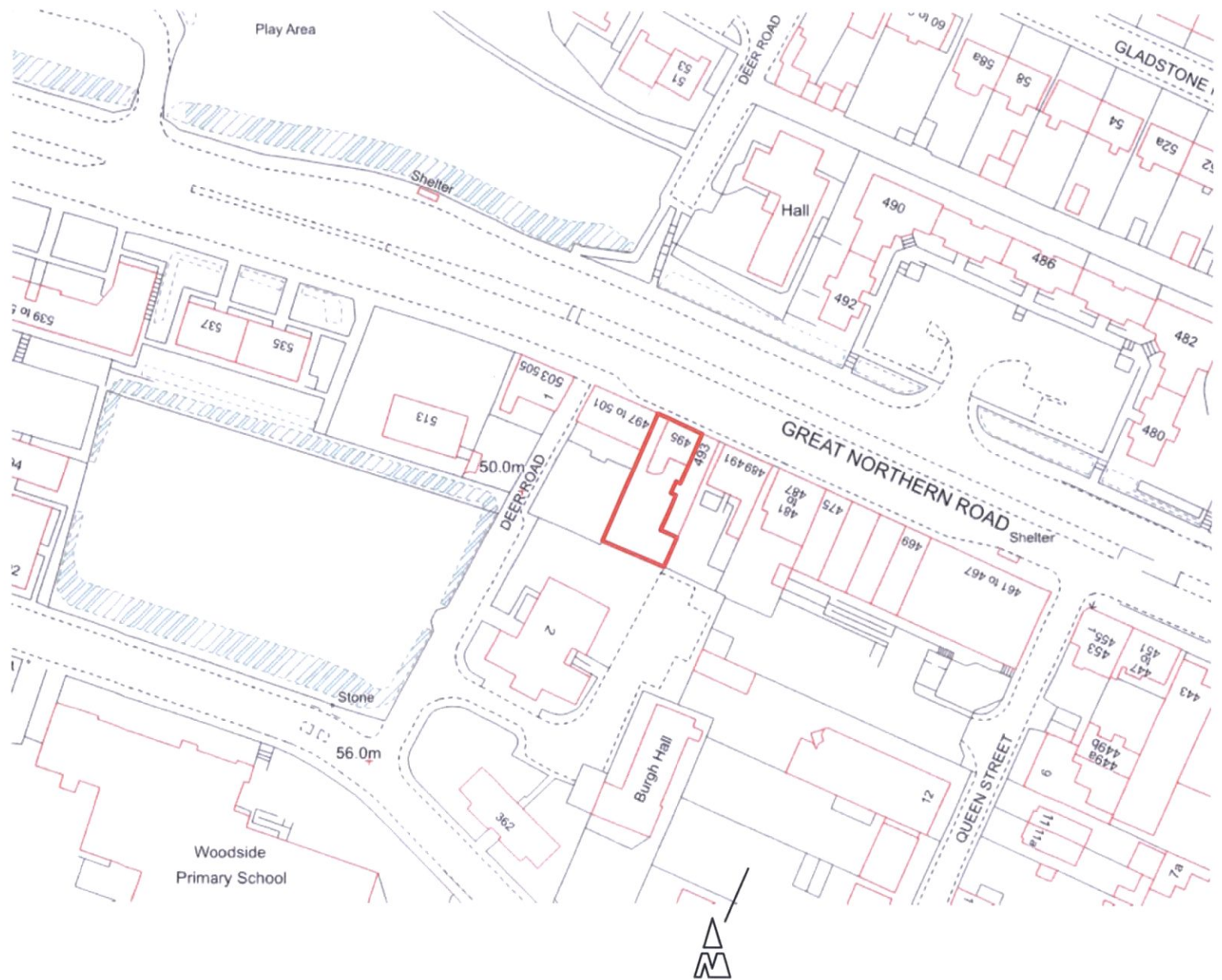
SOUTH ELEVATION



SECTION AA

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Location Plan [scale 1 : 1250]

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Report of Handling Detailed Planning Permission

161476/DPP: Proposed dormer to rear and roof lights to front of dwelling house at 40 Whitehall Road, Aberdeen, AB25 2PR,

For: Mr John Diack

Application Date:	12 October 2016
Officer:	Roy Brown
Ward:	Hazlehead/Ashley/Queens Cross
Community Council:	Rosemount and Mile-End
Advertisement:	S60/65
Advertised Date:	26 th October 2016

RECOMMENDATION: Refuse

SITE DESCRIPTION

The application site relates to an upper level flat within a two and a half storey traditional granite building. The building has a southwest facing principal elevation, and has a gable roof. The site fronts Whitehall Road to the southwest and adjoins 34 and 36 Whitehall Road to the southeast. Whitehall Terrace is located to the northeast (rear of the property). The site is located within the Albyn Place/Rubislaw Conservation area.

DESCRIPTION OF PROPOSAL

Detailed Planning Permission is sought for erection of a box dormer roof extension on the rear elevation of the dwelling and three rooflights on the principal elevation of the dwelling.

RELEVANT HISTORY

None

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

CONSULTATIONS

Consultee	Date of Comments	Summary of Comments
ACC – Roads Development Management	16 th November 2016	No objection – the proposal would result in the addition of one bedroom, which would not change the parking requirement.
Community Council	N/A	No response.

REPRESENTATIONS

None

PLANNING POLICY

National Policy

Scottish Planning Policy

Historic Environment Scotland Policy Statement

Adopted Aberdeen Local Development Plan

D1 - Architecture and Placemaking

D5 - Built Heritage

H1 - Residential Areas

Proposed Aberdeen Local Development Plan

D1 - Quality Placemaking by Design

D4 - Historic Environment

H1 - Residential Areas

Supplementary Guidance (SG)

'The Householder Development Guide'

OTHER RELEVANT MATERIAL CONSIDERATIONS

'Managing Change in the Historic Environment: Roofs'

EVALUATION

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

The site is located within an area zoned for residential use within the adopted Aberdeen Local Development Plan and relates to an existing flat. To accord with Policy H1, the principle of rooflights and a dormer roof extension on an existing dwelling may be acceptable if the proposal does not constitute over development; does not have an unacceptable impact on the character or the amenity of the surrounding area; does not result in the loss of valuable and valued open space; and complies with the SG.

The proposal would not constitute over development as the built footprint of the dwelling would not be altered, and the development represents a domestic extension to an existing residential dwelling. It would not significantly increase the intensity of activity on the site or in the surrounding area. The extension would be sited within an existing residential curtilage, and thus would not result in the loss of valued open space. The dormer extension would be publically visible from Craigie Park/Whitehall Terrace. With the exception of 42 Whitehall Road, which features a box dormer extension, the rear roof slopes of the properties on the northeast of Whitehall Road are largely unaltered from their original construction. The proposed box dormer extension would be a substantial modern intervention which would dominate the

unaltered roofspace of the publically visible rear elevation. Given its context and its location within a conservation area, the box dormer extension would have an unacceptable impact on the character and visual amenity of the surrounding area.

A general principle in the SG is that proposals for dormers should be architecturally compatible in terms of design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Managing Change in the Historic Environment: Roofs states that new dormers and rooflights should be appropriately designed and located with care. With regards to the design guidelines of dormers, the SG states that non-traditional style dormers may be accepted on the rear of non-listed buildings in conservation areas. On public elevations of older properties, the council will seek a traditional, historically accurate style of dormer window. The SG states that the guidelines for older properties may be relaxed where a property is situated between two properties which have existing box dormer extensions, or in a street where many such examples have already been constructed.

As previously stated, only one of the adjacent properties has an existing box dormer extension, and there are no other such examples on the street. There is no precedent which justifies a relaxation of the guidelines for older properties in this particular case. The proposal would be a non-traditional style dormer on the rear of a non-listed building which is publically visible from Craigie Park. Given its public location and the absence of many box dormer extensions on the northeast elevations of the properties of Whitehall Road, a traditional, historically accurate dormer is sought, and a non-traditional style dormer - despite being located on the rear - would not be accepted. The proposal would comply with certain guidelines in 'The Householder Development Guide'. It would be suitably located in from the tabling, above the wallhead, and below the ridge, and thus the dormer would not give the roof an unbalanced appearance. The proposed dormer would cover just less than half of the aggregate area of the roofslope. However, the proposed non-traditional large modern box form is contrary to the above guidelines. Its modern materials would not relate to the traditional form of the original roof slope, and the face of the dormer would not be fully glazed. This overall form would serve to exacerbate its size, scale and massing on the original roofslope, and would set an undesirable precedent for similar proposals on the largely unaltered properties on the rear elevations of Whitehall Road. The proposed non-traditional dormer would be inappropriate in terms of design and scale with the original dwelling and the surrounding area, contrary to the SG. It has not been designed with due consideration for its context, and thus the proposal would fail to comply with Policy D1. The proposed dormer has not been appropriately designed and located with care, and thus the proposal would fail to comply with Managing Change in the Historic Environment: Roofs.

The three proposed rooflights on the principal elevation would be appropriately located on the middle third of the roofslope. Although it is considered that three rooflights would be more numerous than is necessary for an area for storage, the proposed rooflights would be vertical in proportion, of a 'heritage' type with a central glazing bar, and there are a number of rooflights on the principal elevations of properties on Whitehall Road. Three rooflights would thus be likely to be acceptable in this case. Nevertheless, further information to determine the projection of the

rooflights above the plane of the slates was sought to assess whether the rooflights would be acceptable and was not received.

As stated above, the dormer extension at 42 Whitehall Road cannot be used as justification for this proposal as a general principle in 'The Householder Development Guide' is that any dormers which were approved prior to the introduction of the Supplementary Guidance will not be considered by the planning authority to provide a justification for a development proposal which would otherwise fail to comply with the guidance in the document.

The proposal would comply with the other general principles of the 'The Householder Development Guide'. The proposal would not result in any loss of privacy given the presence of existing upper storey windows overlooking the rear gardens of neighbouring dwellings, and the proposed rooflights overlooking a public road. It would not adversely affect sunlight or daylight, nor would it be overbearing on any neighbouring property. The proposed dormer extension would not result in a situation where amenity is borrowed from a neighbouring property. As the proposal is a roof extension, the proposal would not affect the built footprint of the dwelling or site coverage.

Policy D1 states that new development must be designed with due consideration to its context. Policy D5 of the ALDP states that proposals affecting conservation areas will only be permitted if they comply with SPP. SPP states proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area. For the above reasons, the proposed dormer has not been designed with due consideration to its context, and would negatively affect the character of the Albyn Place/Rubislaw conservation area. The proposal would fail to accord with SPP, HESPS and therefore Policy D5. Further information was required to assess the impact of the rooflights on the character of the conservation area.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015 and the Reporter has now reported back. The proposed plan constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The Reporter's response does not affect policies in a manner that is relevant to this application. In relation to this particular application proposal policies in the Proposed LDP are not materially different from those in the adopted LDP.

Approval to adopt the LDP will be sought at the Full Council meeting of 14 December 2016. The actual adoption date is likely to be around the third week in January 2017.

RECOMMENDATION: Refuse

REASONS FOR RECOMMENDATION

Due to its non-traditional design, its scale, size, massing, materials and location, the proposed dormer extension would be unacceptable in the context of 40 Whitehall Road and the surrounding area. Further information is required to assess whether the proposed rooflights would be acceptable. This information was requested, but not forthcoming. Overall, the proposal would negatively affect the character of the Albyn Place/Rubislaw conservation area. The proposed extension and dormer would thus fail to comply with Scottish Planning Policy; Historic Environment Policy Statement and its associated document, 'Managing Change in the Historic Environment: Roofs'; Policy D1 – Architecture and Placemaking, Policy D5 – Built Heritage and Policy H1 – Residential Areas of the adopted Aberdeen Local Development Plan; the Supplementary Guidance: 'The Householder Development Guide'; the related policies of the proposed Aberdeen Local Development Plan.

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DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Mr John Diack
40 Whitehall Road
Aberdeen
Scotland
AB25 2PR

With reference to your application validly received on 12 October 2016 for the following development:-

**Proposed dormer to rear and roof lights to front of dwelling house
at 40 Whitehall Road, Aberdeen**

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

<u>Drawing Number</u>	<u>Drawing Type</u>
161476/1	Location Plan
100	Proposed Elevations and Floor Plans

The reasons on which the Council has based this decision are as follows:-

Due to its non-traditional design, its scale, size, massing, materials and location, the proposed dormer extension would be unacceptable in the context of 40 Whitehall Road and the surrounding area. Further information is required to assess whether the proposed rooflights would be acceptable. This information was requested, but not forthcoming. Overall, the proposal would negatively affect the character of the Albyn Place/Rubislaw conservation area. The proposed extension and dormer would thus fail to comply with Scottish Planning Policy; Historic Environment Policy Statement and its associated document, 'Managing Change in the Historic

PETE LEONARD
DIRECTOR

Environment: Roofs'; Policy D1 - Architecture and Placemaking, Policy D5 - Built Heritage and Policy H1 - Residential Areas of the adopted Aberdeen Local Development Plan; the Supplementary Guidance: 'The Householder Development Guide'; the related policies of the proposed Aberdeen Local Development Plan.

Date of Signing 23 December 2016



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Planning and Sustainable Development (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

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.

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From: Kamran Syed
Sent: 25 Oct 2016 14:59:21 +0100
To: Roy Brown
Subject: RE: E-Consultation Request Notification, Development Management, Application Ref: 161476/DPP

Roy,

The proposal would result in addition of one bedroom which would not change the parking requirement .

I have no objection on the above application.

Regards
Kamran

-----Original Message-----

From: roybrown@aberdeencity.gov.uk [<mailto:roybrown@aberdeencity.gov.uk>]

Sent: 18 October 2016 13:27

To: RoadsProjects

Subject: E-Consultation Request Notification, Development Management, Application Ref: 161476/DPP

Please find attached a consultation request on the above application from Development Management (Planning) . If no response is received by 8 November 2016, then it will be assumed that you have no comment to make on the application. Should you require a longer period to respond or additional information, please make the Case Officer aware as soon as possible. Many Thanks.

IMPORTANT NOTICE: This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100027827-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="John"/>	Building Number:	<input type="text" value="40"/>
Last Name: *	<input type="text" value="Diack"/>	Address 1 (Street): *	<input type="text" value="Whitehall Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB25 2PR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

40 WHITEHALL ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB25 2PR

Please identify/describe the location of the site or sites

Northing

806178

Easting

392582

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Proposed dormer to rear and roof lights to front of dwelling house

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer to Supporting Document.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting Document / Survey Details - Plans + Elevations / Planning Details - Plans + Elevations / Location Plan.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

161476

What date was the application submitted to the planning authority? *

11/10/2016

What date was the decision issued by the planning authority? *

23/12/2016

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr John Diack

Declaration Date: 19/01/2017

PLANNING APPLICATION (Ref: P161476) 40 Whitehall Road Aberdeen,

Mr John Diack 40 Whitehall Road, Aberdeen, AB25 2PR

Request for review of refusal of planning application P116476 for the erection of a dormer window to the rear and three roof lights to the front.

Statement to accompany the Notice of Review.

Introduction

This Notice of Review has been prepared to support the request for review under the terms of section 43A(8) of the Town and Country Planning (Scotland) Act 1997 and Regulation 9 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013, against the refusal by Aberdeen City Council to grant detailed planning permission for the erection of a dormer window to the rear and the installation of three roof lights on the front elevation of the property.

Site

The application property comprises the upper flat of the two flatted, traditional granite property 40 Whitehall Road. The property currently comprises a 2 bedroom flat on the first floor with attic storage. The property lies within a residential area, is allocated H1 - Residential Areas of the Aberdeen Local Development Plan 2012 and is within the Albyn Place/Rubislaw Conservation Area. The property is not listed.

The property is situated on the north east side of Whitehall Road and backs onto the rear gardens of houses in Whitehall Terrace.

There is a dormer window on the rear of the neighbouring property at 42 Whitehall Road. Rear dormers are a feature throughout the Conservation Area.

Application

Detailed Planning Permission is sought for erection of a box dormer roof extension on the rear elevation and three roof lights on the principal elevation of the dwelling at 40 Whitehall Road. This will allow the conversion of the attic to an additional bedroom with en suite bathroom to meet the changing needs of the applicant.

The proposed dormer will have windows positioned at either end with the windows being divided to provide a traditional vertical proportion. The dormer will be symmetrical and predominantly glazed. The dormer haffits and central panel will be clad in slate grey weatherboard linings, a durable material which has been chosen to complement the slate roof. The three roof lights on the front elevation have vertical proportions with the application drawings clearly describing these as conservation roof lights.

The application was advertised as a development affecting the character of a conservation area. No objections to the application were received either as a result of the advertisement or of the statutory neighbour notification process.

Reasons for Refusal

The application was refused by the Appointed Officer for the following reasons.

'Due to its non-traditional design, its scale, size, massing, materials and location, the proposed dormer extension would be unacceptable in the context of 40 Whitehall Road and the surrounding area. Further information is required to assess whether the proposed roof lights would be acceptable. This information was requested, but not forthcoming. Overall, the proposal would negatively affect the character of the Albyn Place/Rubislaw conservation area. The proposed extension and dormer would thus fail to comply with Scottish Planning Policy; Historic Environment Policy Statement and its associated document, 'Managing Change in the Historic Environment: Roofs'; Policy D1 – Architecture and Placemaking, Policy D5 – Built Heritage and Policy H1 – Residential Areas of the adopted Aberdeen Local Development Plan; the Supplementary Guidance: 'The Householder Development Guide'; the related policies of the proposed Aberdeen Local Development Plan.'

For ease of reference a copy of the Report of Handling is attached as an appendix.

Response to Reasons for Refusal

The reasons for refusal refer to 6 policies:

Scottish Planning Policy

Historic Environment Policy Statement and its associated document, 'Managing Change in the Historic Environment: Roofs';

Aberdeen Local Development Plan: Policy D1 – Architecture and Placemaking, Policy D5 – Built Heritage and Policy H1 – Residential Areas.

Scottish Planning Policy has key principles of supporting sustainable development and promoting high quality of design. Section 1.8 of Scottish Historic Environment recognises that the protection of the historic environment is not about preventing change but that change in this dynamic environment should be managed intelligently and with understanding, to achieve the best outcome for the historic environment and for the people of Scotland.

The Scottish Historic Environment Policy Guidance Note: Managing Change in the Historic Environment: Roofs advises that the addition of new features to principal or prominent roof slopes should generally be avoided and that new dormers and roof lights should be appropriately designed and located with care.

There is nothing therefore in terms of national policy to preclude the principle of the construction of either the dormer or the installation of the roof lights.

Local Development Plan Policies D1 – Architecture and Placemaking, D5 – Built Heritage and Policy H1 – Residential Areas are similarly high level policies requiring sensitive design of new developments and the protection of residential amenity.

All of these policies have a considerable degree of overlap and in essence reflect the requirement of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas. Scottish Planning Policy states that this requirement is met if the proposal has a neutral impact on the conservation area.

It is the Supplementary Guidance: 'The Householder Development Guide which gives detailed guidance on dormer design.

In drawing up the proposals the applicant and his agents gave very careful attention to the requirements of the Guide.

The Supplementary Guidance contains a series of requirements for the construction of new dormer windows starting with a general principle that

'Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling'

In particular the relevant general principle to the application under review is given in Section f which states that

'Non-traditional style dormers may be accepted on the rear of non-listed buildings in conservation areas, but generally not on the rear or any other elevations of listed buildings.'

More detailed guidance for dormers on the rear elevations of traditional properties indicates that the guidelines for older properties may be relaxed

'where a property is situated between two properties which have existing box dormer extensions, or in a street where many such extensions have already been constructed. They may also be relaxed on the non-public (rear) side of a property. In such cases, and notwithstanding the design and finish of neighbouring development, the following minimum requirements will apply:

- a) The aggregate area of all dormer and/or dormer extensions should not dominate the original roof slope;*
- b) Dormer hafts should be a minimum of 400mm in from the inside face of the gable tabling;*
- c) The front face of dormer extensions should be a minimum of 400mm back from the front edge of the roof, but not so far back that the dormer appears to be pushed unnaturally up the roof slope.*
- d) Flat roofs on box dormers should be a reasonable distance below the ridge;*

- e) *Windows should be located at both ends of box dormers;*
- f) *A small apron may be permitted below a rear window; and*
- g) *Solid panels between windows in box dormers may be permitted but should not dominate the dormer elevation.'*

The Report of Handling in its Evaluation Section acknowledges that the proposed dormer complies with the minimum requirements listed in (a) to (g) above of the detailed requirements for dormers on the rear elevations of older properties in terms of the distance of the ends of the dormer from tabling, the position of the dormer above the wall head and below the ridge and the overall size of the dormer. The Report of Handling further confirms that the proposed dormer does not result in overdevelopment of the property nor it does it have any adverse impact on the privacy or daylighting of neighbouring properties. The Appointed Officer, in the Report of Handling, considers that notwithstanding compliance with the minimum requirements above the dormer is too large, the modern materials are unsympathetic and the front face of the dormer should be fully glazed. The Guidelines only require a fully glazed face on dormers on the front elevation of traditional properties and this is not a specific requirement for dormers on the rear elevation.

As the design satisfies all of the specific requirements in the Supplementary Guidance: 'The Householder Development Guide. It is the question of the location of the site in the Conservation Area and the impact of the dormer on the character of the area which is the determining issue.

Importantly the Report of Handling fails to provide a detailed assessment of how visible the dormer will be from public areas. This is a crucial omission. A careful examination of the site shows that from public roads the dormer will only be seen along a very short section of Craigie Park and then at an oblique angle across a number of rear gardens of properties in Whitehall Road and Whitehall Terrace as well as beyond the existing box dormer at 42 Whitehall Road. Views from Whitehall Terrace are similarly extremely constrained with only fleeting glimpses possible through the gap between houses at 23 and 25 Whitehall Terrace.



Image 01 [View From Rear Garden]



Aerial Image [showing view points]



Image 01



Image 02



Image 03



Image 04

The existing dormer at 42 Whitehall Road is part of the character of the Conservation Area and its presence cannot be simply dismissed by stating that it does not constitute a precedent in terms of current policy. The Report of Handling fails to provide any proper justification as to how the current proposal in the context of the site and neighbouring properties including the existing dormer on the adjacent property adversely affects the character of the Conservation Area.

The Report of Handling states (again in the Evaluation Section) that the proposed non-traditional large modern box form is contrary to the above guidelines. Its modern materials would not relate to the traditional form of the original roof slope, and the face of the dormer would not be fully glazed. This overall form would serve to exacerbate its size, scale and massing on the original roof slope, and would set an

undesirable precedent for similar proposals on the largely unaltered properties on the rear elevations of Whitehall Road.

I would argue that the forgoing demonstrates that the proposals do adhere to the guidance as set out above, with respect to size / location etc., with the height reflecting that of the neighbour's dormer, this being set well below the ridge line. In designing the dormer I have proposed a contemporary finish to contrast and enhance the dormer's contextual setting within this key location. In relation to this context the scheme takes an approach with the material specified, which clearly identifies the old and the new, conveying an architectural language different to traditional, and in my view enhancing the character and amenity of the area. This design approach is supported by both Scottish Planning Policy and Scottish Historic Environmental Policy.

In regard to the 3 roof lights on the front elevation it should be noted that the Appointed Officer does not object to their size or location but seeks further information on the details of their design. Whilst the submitted drawings state these will be Conservation Roof lights and provides a specification it is felt that the submission of further information which might be required could entirely appropriately be sought by means of a planning condition. The Applicant would be content to accept the imposition of such a condition.

Conclusion

This statement demonstrates that, contrary to the reasons given for refusal, the proposed development complies with the Council's Supplementary Guidance and by implication therefore complies with Development Plan Policy. The statement demonstrates that the Appointed Officer has overstated the prominence of the dormer in the Report of Handling and that, in fact, the dormer will only be seen over a very short section of Craigie Park and at one point on Whitehall Terrace. This statement also demonstrates that there is no adverse impact on the character of the Albyn Place/Rubislaw Conservation Area.

The application does not give rise to any adverse impact on neighbours and indeed has not attracted any objections from neighbours or amenity societies.

The Local Review Body is accordingly respectfully requested to grant this appeal to allow the applicant to alter his home in a sensitive way in order to meet the changing needs of his family and modern living requirements.



Marischal college Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100027827-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Attic Conversion + Dormer Extension

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="John"/>	Building Number:	<input type="text" value="40"/>
Last Name: *	<input type="text" value="Diak"/>	Address 1 (Street): *	<input type="text" value="Whitehall Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB25 2PR"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="40 WHITEHALL ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB25 2PR"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="806178"/>	Easting	<input type="text" value="392582"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mr John Diak

On behalf of:

Date: 11/10/2016

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr John Diak

Declaration Date: 11/10/2016

Payment Details

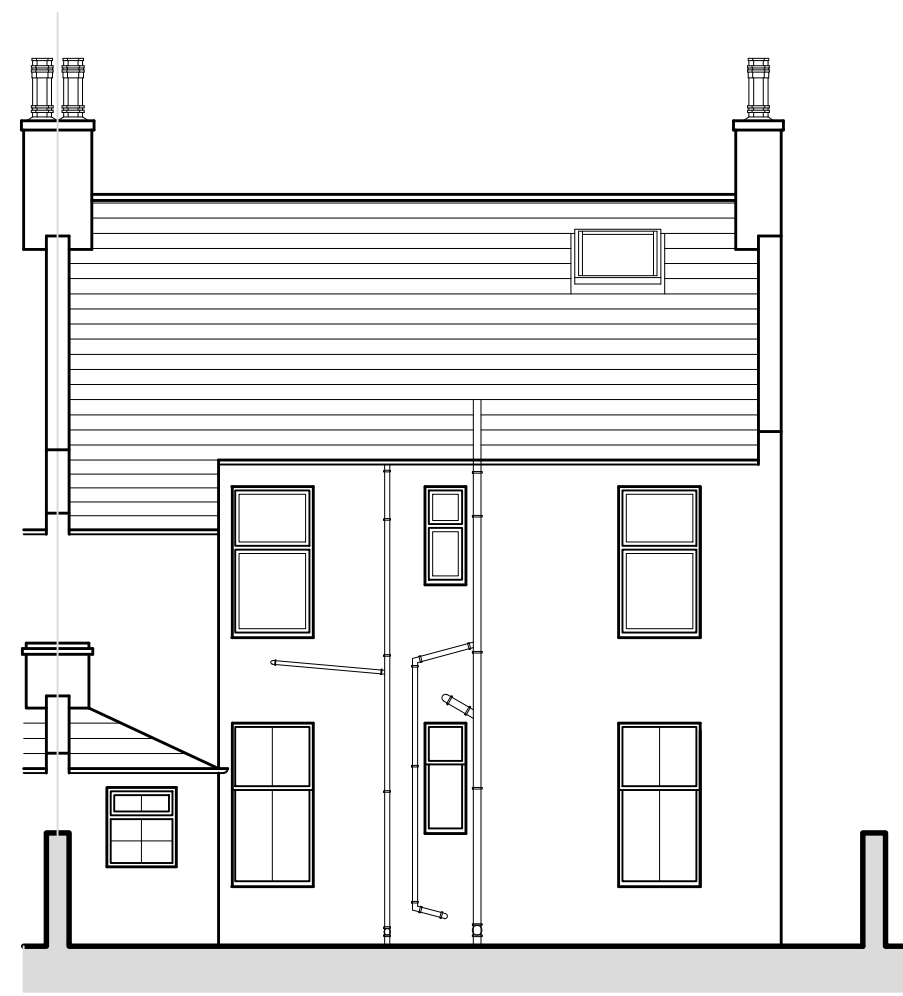
Cheque: Mr J.B. Diak Mrs S. Diack, 022000

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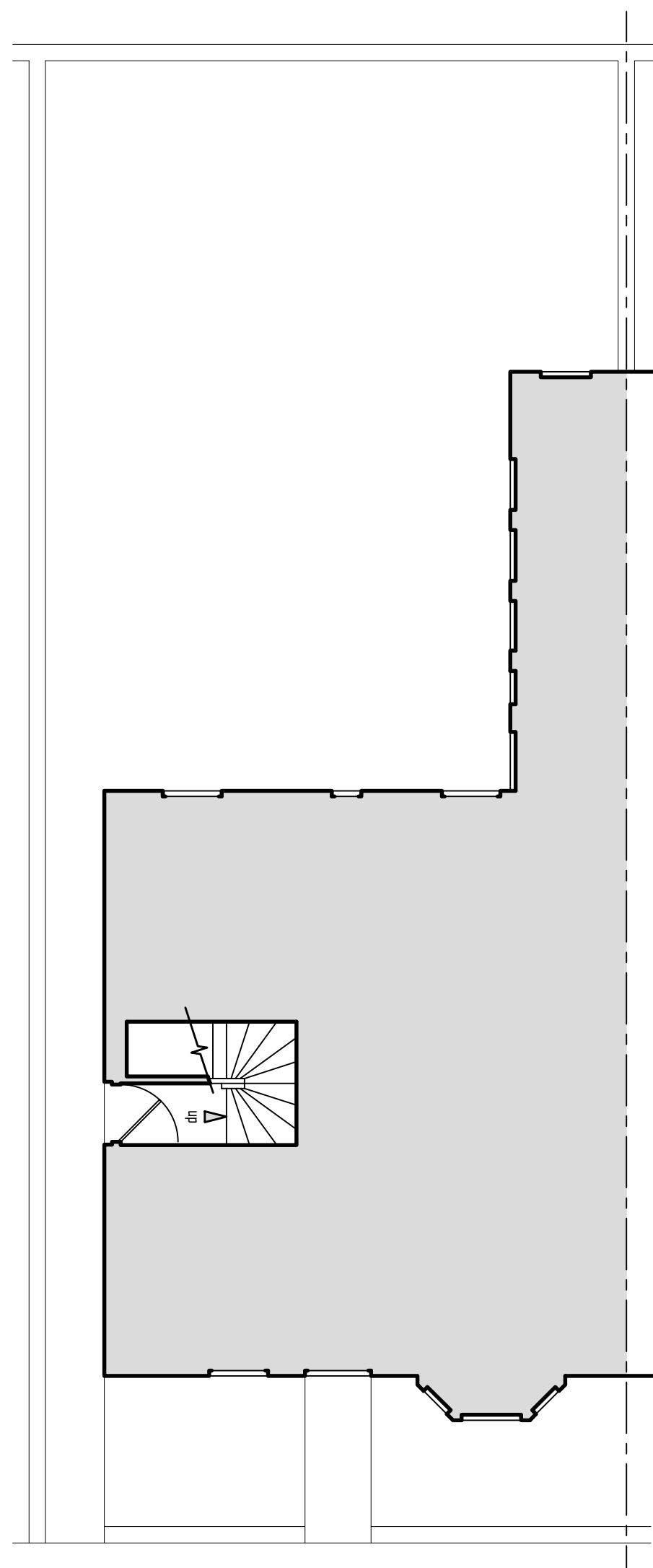
WEST ELEVATION



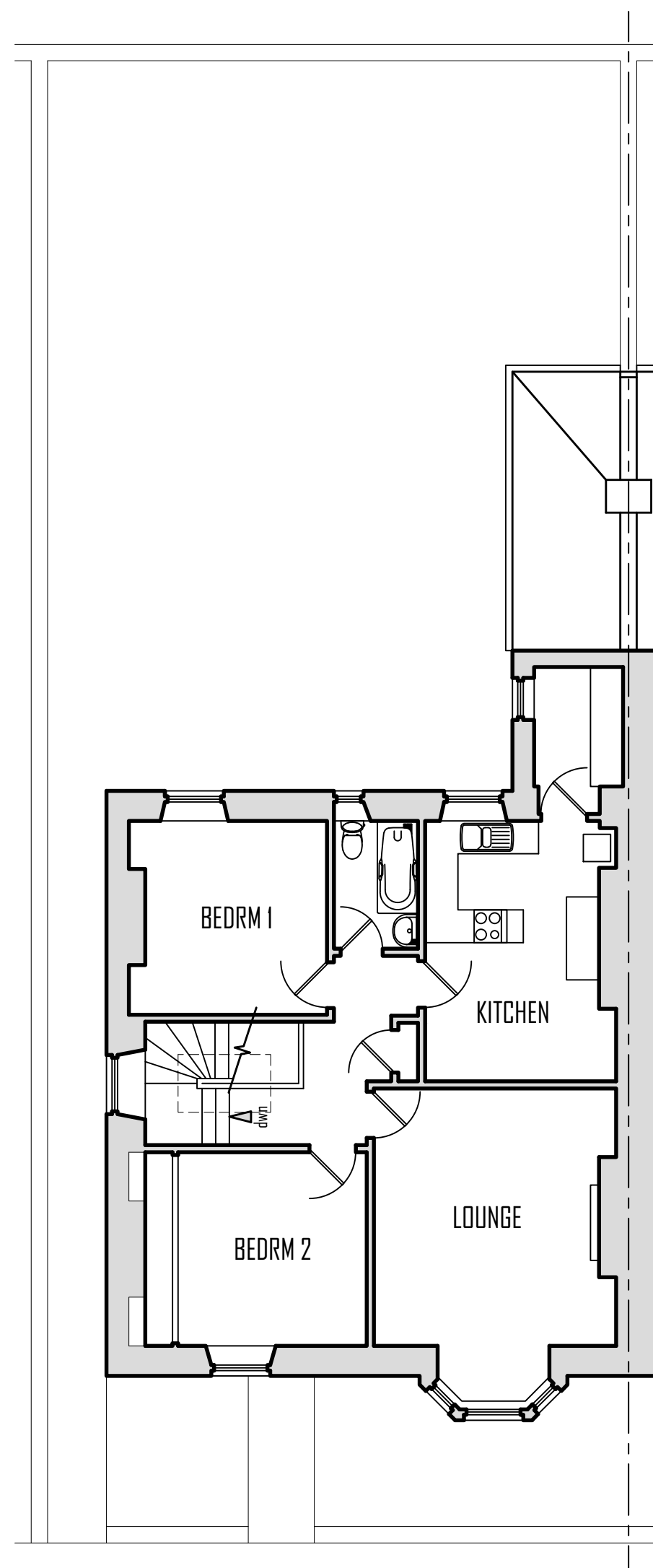
EAST ELEVATION



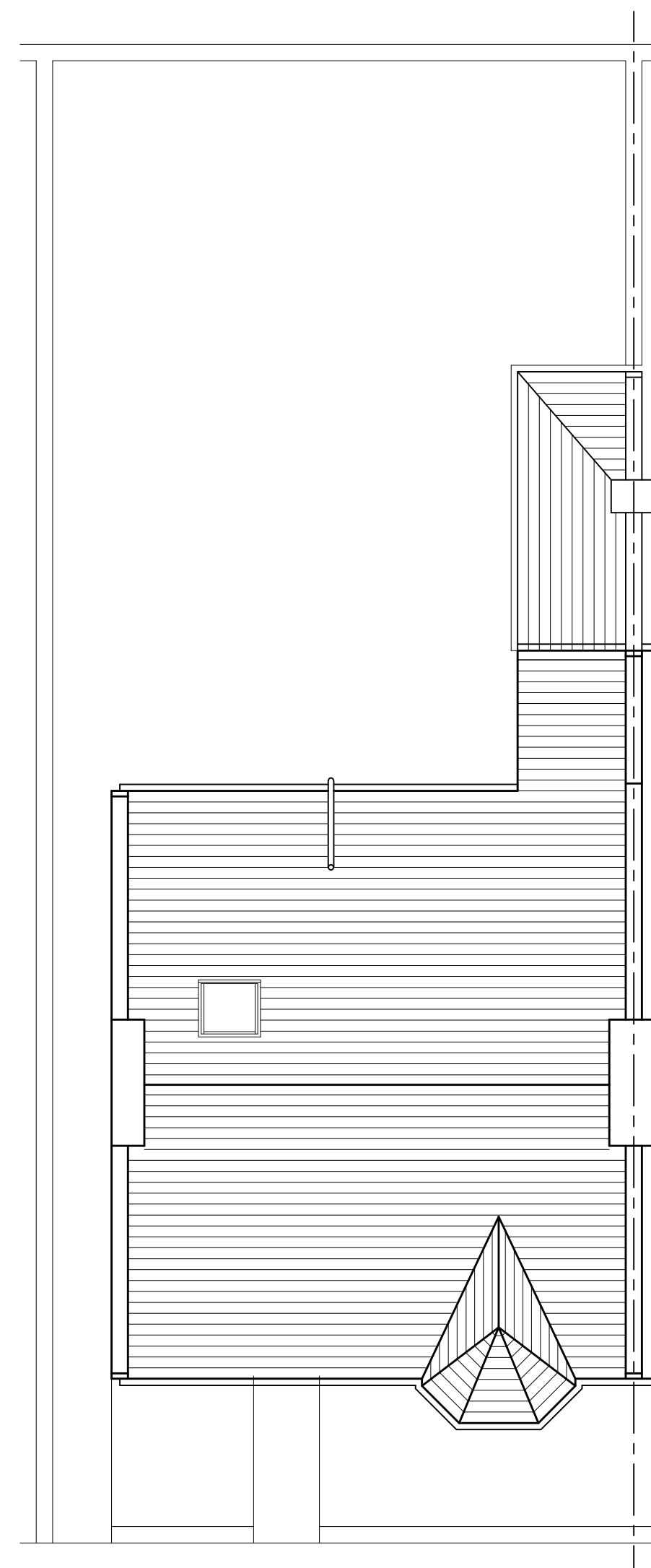
NORTH ELEVATION



PART GROUND FLOOR PLAN



FIRST FLOOR PLAN



ROOF FLOOR PLAN

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Location Plan [scale 1 : 1250]

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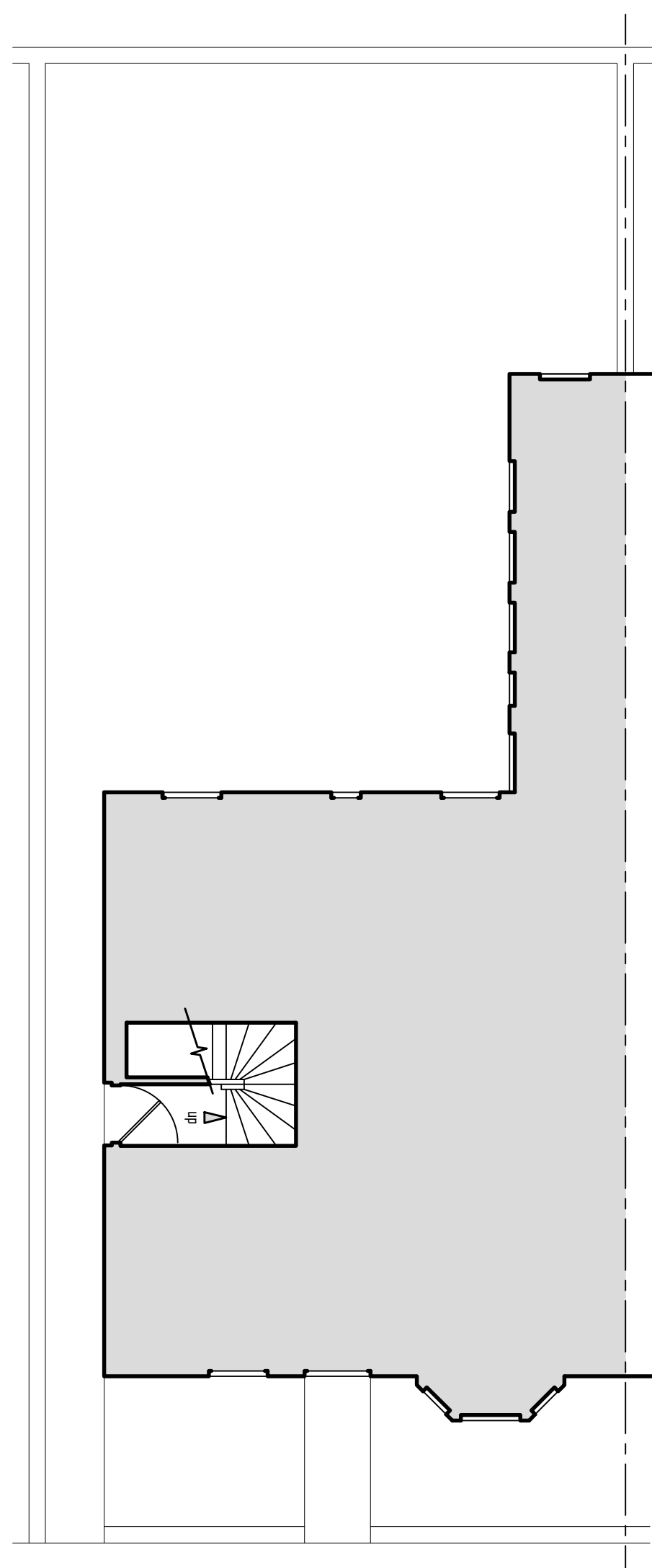
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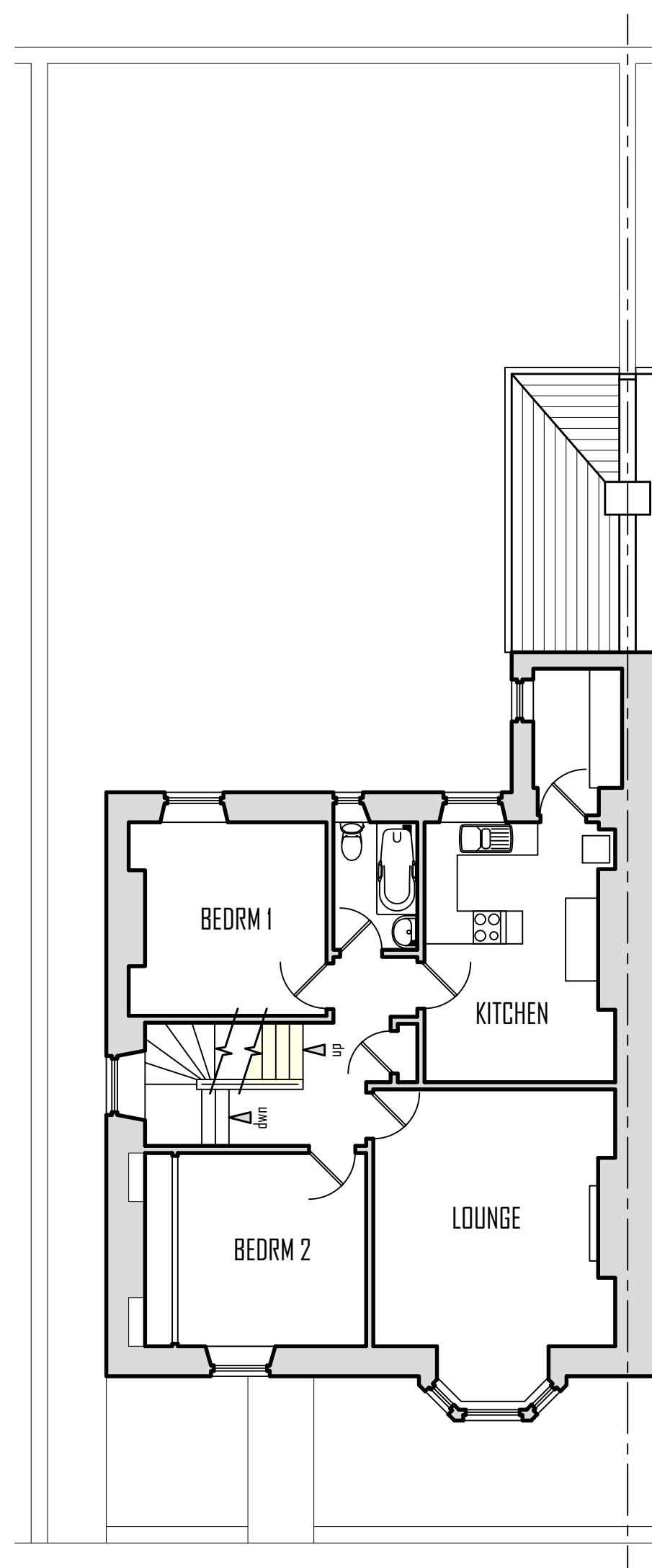
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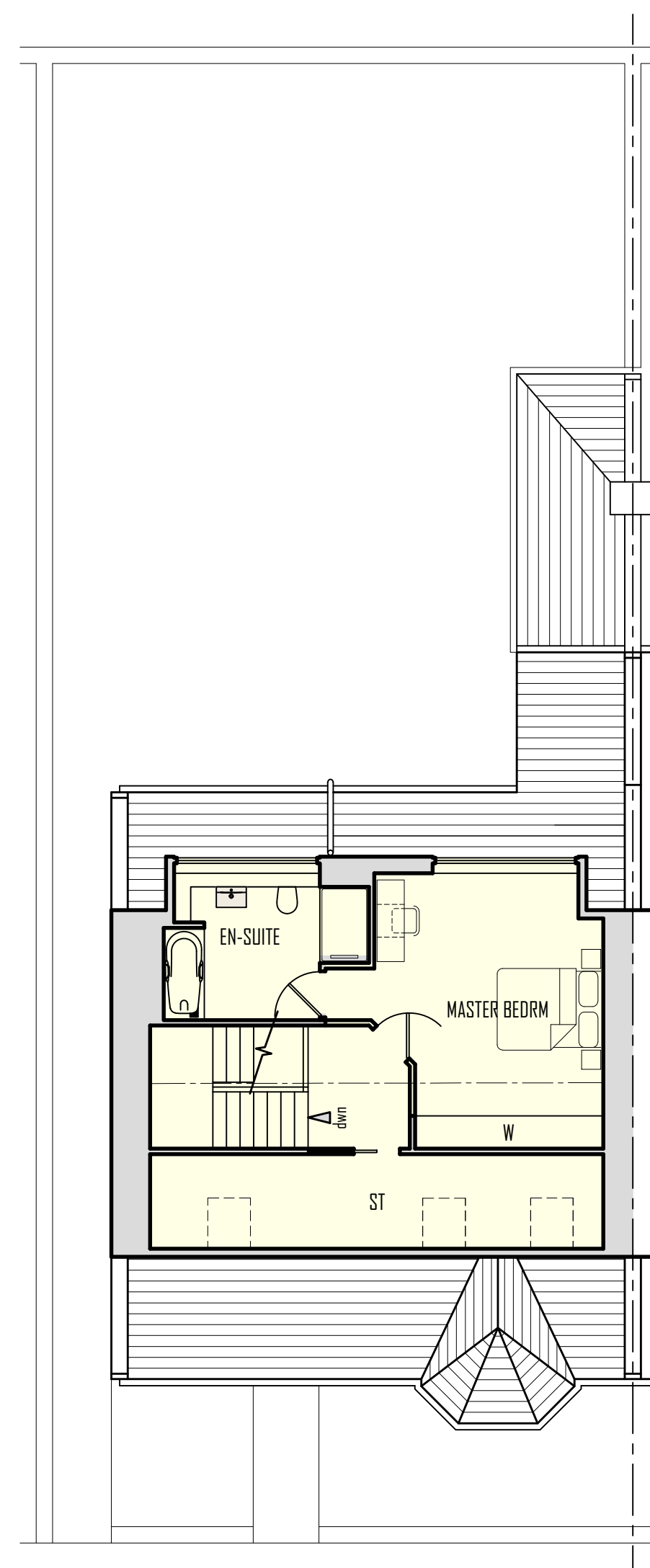
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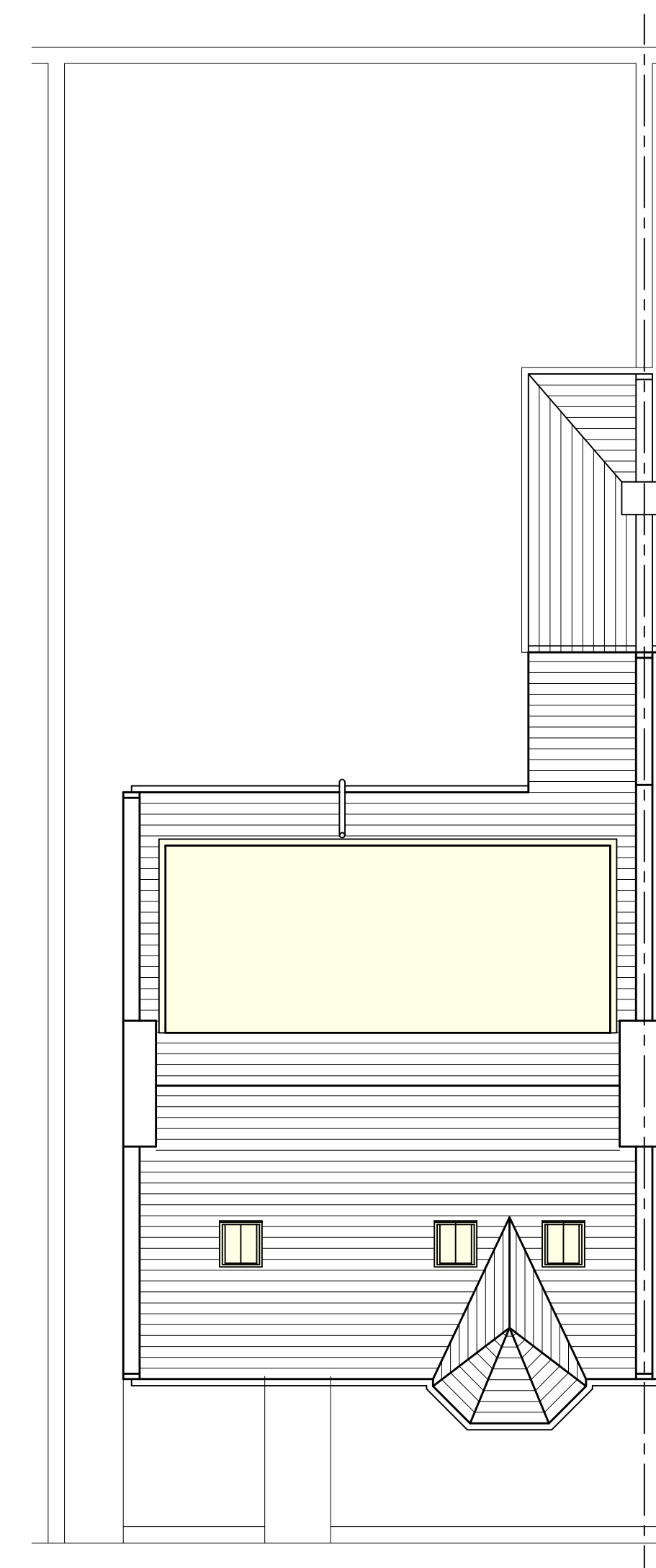
PART GROUND FLOOR PLAN



FIRST FLOOR PLAN



FIRST FLOOR PLAN



ROOF FLOOR PLAN

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