

# Public Document Pack



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

Town House,  
ABERDEEN 24 March 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 **FRIDAY, 31 MARCH 2017 at 10.00 am.**

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 - ANDREW MILLER**

- 2 100 Fountainhall Road - Proposed Single Storey Extension, and Replacement Window to Rear of Dwelling House - 160501
- 3 Delegated Report, Plans, Decision Notice and Letters of Representation (Pages 7 - 42)

Members, please note that the relevant plans can be viewed online at the following link by entering the reference number 160501:-

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

- 4 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

### **National Policy and Guidance**

- Scottish Planning Policy (SPP)
- Historic Environment Scotland Policy Statement (HESPS)

### **Aberdeen Local Development Plan**

- Policy H1– Residential Areas
- Policy D1 – Architecture and Placemaking
- Policy D5 – Built Heritage

### **Supplementary Guidance**

- Householder Development Guide

### **Other Relevant Material Considerations**

- Technical Advice Note (TAN): The Repair and Replacement of Windows and Doors.
- Proposed Aberdeen Development Local Plan.
- Albyn Place / Rubislaw Conservation Area Appraisal.
- Aberdeen City Conservation Area Character appraisal and Management Plan.

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

5 Notice of Review with Initial Application and Supporting Information Submitted by Applicant / Agent (Pages 43 - 76)

6 Determination - Reasons for Decision

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

7 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**

8 2 Colsea Road - Replacement Windows and Door with External Alterations to Door Opening - 161506

9 Delegated Report, Plans, Decision Notice and Letters of Representation (Pages 77 - 96)

Members, please note that the relevant plans can be viewed online at the following link by entering the reference number 161506:-  
<https://publicaccess.aberdeencity.gov.uk/online-applications>

10 Planning Policies Referred to in Documents Submitted

Members, the following planning policies are referred to:-

**National Policy and Guidance**

- Scottish Planning Policy (2014)

**Aberdeen Local Development Plan**

- Policy D1 – Architecture and Placemaking
- Policy D5 – Built Heritage
- Policy H1 – Residential Areas

**Proposed Local Development Plan**

- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment
- Policy H1 – Residential Areas

**Other Relevant Material Considerations**

- Historic Environment Scotland Policy Statement (2016)
- Historic Environment Scotland – Managing Change in the Historic Environment: Windows (2010)
- Historic Environment Scotland – Managing Change in the Historic Environment: Doorways (2010)
- Technical Advice Note: Repair and Replacement of Windows and Doors

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

11 Notice of Review with Initial Application and Supporting Information Submitted by Applicant / Agent (Pages 97 - 102)

12 Determination - Reasons for Decision

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

13 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**

14 Site Adjacent to The Haughs, Clinterty - Change of Use from Agricultural Land to Domestic and Erection of 1.5 Storey Dwelling with Double Garage - 161572

15 Delegated Report, Plans, Decision Notice and Letters of Representation (Pages 103 - 152)

Members, please note that the relevant plans can be viewed online at the following link by entering the reference number 161572:-

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

16 Planning Policies Referred to in Documents Submitted

### **Aberdeen Local Development Plan**

- NE2: Green Belt
- D1: Architecture and Placemaking
- NE6: Flooding and Drainage
- T2: Managing the Transport Impact of Development
- R6: Waste Management Requirements for New Developments

### **Proposed Local Development Plan**

- NE2: Green Belt
- D1: Quality Placemaking by Design
- NE6: Flooding, Drainage and Water Quality
- T2: Managing the Transport Impact of Development
- R6: Waste Man Requirements for New Development

17 Notice of Review with Initial Application and Supporting Information Submitted by Applicant / Agent (Pages 153 - 160)

18 Determination - Reasons for Decision

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

19 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.aberdeency.gov.uk](http://www.aberdeency.gov.uk)

Should you require any further information about this agenda, please contact Mark Masson on [mmasson@aberdeency.gov.uk](mailto:mmasson@aberdeency.gov.uk) tel 01224 522989

## 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

**160501:** Proposed single storey extension, and replacement window to rear of dwelling house at 100 Fountainhall Road, Aberdeen, AB15 4EG

For: Mr and Mrs D C and C M Morton

Application Date:	28 April 2016
Officer:	Sheila Robertson
Ward:	Hazlehead/Ashley/Queens Cross
Community Council:	Rosemount And Mile End
Advertisement:	N/A
Advertised Date:	N/A

**RECOMMENDATION: Refuse**

### SITE DESCRIPTION

The application property is located on the east side of Fountainhall Road, close to the junction with Beechgrove Terrace, and situated within the Albyn Place / Rubislaw Conservation Area. The site comprises a 2.5-storey traditional granite semi-detached dwelling house with an annexe to the rear, 5m in width and projecting 10m along the northern boundary. The first section of the annexe is 2 storeys, mirroring that of the adjoining property. Thereafter the annexe reduces to single storey, containing a kitchen, with a lean to roof, hipped to the eastern elevation, 4.4m in height. The rear building line matches that of the extension to the adjoining property whose roof sits some 1.3m higher. The northern and southern garden walls are delineated by 1.4m high stone walls. Current built site coverage is 24%.

### DESCRIPTION OF PROPOSAL

Planning permission is sought to erect a single storey extension, involving demolition of the existing single storey section of the rear annexe, to provide an enlarged kitchen. The new extension will extend a further 3.65m along the northern boundary, giving a total length of 8.4m from the 2 storey section of annexe; its roof will be lean to, approximately 200mm higher than existing and will terminate in a straight gable. The width will match existing however a centrally located entrance porch will be located to the southern elevation, 3m in width and with a 1m projection. Its roof will be pitched, running at right angles to the extension, and sitting 1.2m lower. A 3.15m high section of the northern wall will be visible above the mutual boundary wall. Finishing materials will include salvaged granite to the northern elevation, the remaining walls to be rendered, and slates to match existing. The south facing elevation, including the porch, will be extensively glazed as would the northern gable. All windows and doors to be framed with white PVCu.

## **APPLICATION REF: 160501**

It is also proposed to replace an existing timber sash and case window to the rear facing elevation of the 2 storey annexe with one of identical style and dimensions but in white PVCu.

### **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](http://www.publicaccess.aberdeencity.gov.uk).

### **CONSULTATIONS**

**Masterplan, Design and Conservation** – Comments received expressing concerns regarding the proposed design.

### **REPRESENTATIONS**

None

### **PLANNING POLICY**

#### **National Policy and Guidance**

- Scottish Planning Policy (SPP)
- Historic Environment Scotland Policy Statement (HESPS)

#### **Aberdeen Local Development Plan (ALDP)**

- Policy H1. Residential Areas
- Policy D1 . Architecture and Placemaking
- Policy D5 . Built Heritage

#### **Supplementary Guidance (SG)**

- Householder Development Guide

#### **Other Relevant Material Considerations**

- Technical Advice Note (TAN): The Repair and Replacement of Windows and Doors.
- Proposed Aberdeen Development Local Plan.
- Albyn Place / Rubislaw Conservation Area Appraisal.
- Aberdeen City Conservation Area Character appraisal and Management Plan.

### **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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas



### **Extension**

#### **Design, Scale and Massing**

The overall objective of the current Supplementary Guidance contained in the Householder Development Guide is to ensure that all extensions and alterations to residential properties should be well designed, with due regard for both their context and the design of the parent building. Such extensions and alterations should make a positive contribution to the design and appearance of a building and maintain the quality and character of the surrounding area.

Several elements of the proposed extension are considered acceptable in terms of the householder development guidance; there will be a net gain in ground floor footprint of approximately 20q.m, representing a 3.5% increase in site coverage, which will maintain a low level of site coverage, acceptable within the context of surrounding properties and more than adequate useable rear garden space will be retained after development. The extension will be subservient to the original dwelling house in terms of footprint and height and its scale, mass and proportions are considered acceptable in relation to both the existing dwelling house and plot size.

The householder guidance relating to extensions to semi-detached dwelling houses limits their projection along a mutual boundary separating a pair of semis to 4m, when measured from the rearmost original part of the main building, excluding any store or outhouse which did not originally contain any internal living accommodation. The existing kitchen is housed in a section of the annexe that would have originally been an outhouse therefore the projection of the extension, some 8.4m from the rear of the main house, does not comply with the guidance. Although calculations indicate the additional projection to be acceptable in terms of residential amenity, since there would be minimum additional impact to all neighbouring properties in terms of light receipt, the additional projection is only acceptable if it also results in an extension of sufficiently high quality design that sits well with and complements the existing dwelling house and preserves or enhances the character of the surrounding Conservation Area.

#### **Impact to Character of Conservation Area**

Additions to historic buildings in conservation areas need to be of good quality design and quality materials and should make a positive contribution to the original building. This applies to all buildings in conservation areas not just the buildings visible from a public viewpoint. Good quality contemporary design that makes a positive contribution to the conservation area is encouraged. The appraisal document for this conservation area includes unsympathetic development that does not reflect or relate to the character of the conservation area as a threat to its special historic character. While the footprint of the extension could potentially be considered acceptable, its design is considered not to be of sufficient quality to make a positive contribution to the special character and setting of the existing historic building and therefore fails to preserve or enhance the character and appearance of the wider Conservation Area, for the following reasons:

- The form of the proposed new extension is that of a standard domestic extension that would be found on an average modern house. There is little attempt to make it in keeping with or complementary to the existing historic

building. The porch detail is inconsistent with the form of the existing historic building and makes the extension completely incongruous with the existing building. A simplified mono-pitch (i.e. removal of the porch) or gable form

- The pattern of glazing to the eastern elevation is not of the standard of design required in a Conservation Area. A simplified approach, possibly concentrating the majority of glazing to the southern elevation and restricting any glazing to the gable to a narrow section extending from floor to ceiling would be more appropriate.
- The northern elevation of the extension presents a blank wall rising some 3.15m above the existing boundary wall, and is clearly visible from Beechgrove Terrace. Finishing materials for this elevation have been changed from render to salvaged granite, which will partially help blend the extension with surrounding properties. However, notwithstanding, this elevation is still considered to be visually intrusive by virtue of its overall height, particularly when viewed juxtaposed to the unsympathetic extension to the adjoining dwelling house, and which will lead to further incremental erosion of the character of the Conservation Area.
- A number of the specified materials are not of the quality expected for an extension in a conservation area. The use of dry dash render should be avoided if possible and higher quality, contemporary materials such as timber or zinc cladding are welcomed as a contrast where exact reproduction of existing materials is not possible. Timber or powder coated aluminium should be used for the doors rather than PVCu. The wallhead details (fascias and soffits) should be substantially reduced or removed, and formed in timber.

The proposed extension generally follows the established pattern of development in the surrounding area, one of long extensions down one side of the feu however the design and materials do not respect the existing character of the dwelling house and annexe, which when combined with the proposed length, serves to overwhelm and detract from the traditional character of the parent building. Several small adjustments have been made to the plans since originally submitted, however they have failed to adequately address the basic issue of unsympathetic design which results in an extension that fails to take its cue from the parent dwelling house and has not been designed with due consideration for the context and character of the surrounding Conservation Area. The areas of concern which have been identified with regard to the proposed design, will cumulatively impact detrimentally on the character of both the dwelling house and the Conservation Area. As such the application would not accord with the objectives of SPP and HESPS with regard to the historic environment and would therefore conflict with local plan policy D5. The proposal would not make a positive contribution to the Conservation Area contrary to the guidance set out in the Aberdeen City Conservation Area Character Appraisal and Management Plan or the Albyn Place/Rubislaw Conservation Area Appraisal.

### **Replacement Window**

The Supplementary Guidance contained in the Technical Advice Note for replacement windows within a conservation area states that the introduction of PVCu as a replacement material is not acceptable on a public elevation, however the window to be replaced is on a secondary elevation, not directly facing any public viewpoint and partially obscured by the neighbour's extension, and given its distance from Beechgrove Terrace and orientation, the use of PVCu would not be readily noticeable and have minimal impact on the character of the Conservation Area. The

existing window pattern and opening mechanism would be replicated and the proposal is therefore acceptable in terms of policy.

**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**

The proposal fails to comply with the relevant policies of Aberdeen Local Development Plan 2012, namely Policies D1 (Architecture and Placemaking) and H1 (Residential Areas), the Council's Supplementary Guidance: Householder Development Guide and with the relevant corresponding policies in the Proposed Aberdeen Local Plan, in that the proposed design respects neither the character and architecture of the existing dwelling house nor of the surrounding area. Approval of the application would be detrimental to and thus neither preserve nor enhance the character of Conservation Area 4 (Albyn Place/ Rubislaw) contrary to the provisions of Scottish Planning Policy, Historic Environment Scotland Policy Statement and thereby with Policy D5 of the Aberdeen Local Development Plan. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations including the Proposed Aberdeen Local Development Plan that would warrant approval of the application.

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## **DECISION NOTICE**

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

### **Detailed Planning Permission**

Thistle Windows & Conservatories Ltd  
Thistle House  
Unit A Woodside Road  
Denmore Industrial Estate  
Aberdeen  
AB23 8EF

on behalf of **Mr And Mrs D C And C M Morton**

With reference to your application validly received on 28 April 2016 for the following development:-

**Proposed single storey extension, and replacement window to rear of dwelling house**  
**at 100 Fountainhall 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:

<b>Drawing Number</b>	<b>Drawing Type</b>
001	Location Plan
201 REV 5	Site Layout (Proposed)
202 REV 5	Building Cross Section
203 REV 5	Building Cross Section
204 REV 5	Building Cross Section
205 REV 5	Building Cross Section
206 REV 5	East Elevation (Proposed)
207 REV 5	South Elevation (Proposed)
206 REV 5	North Elevation (Proposed)

PETE LEONARD  
DIRECTOR

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

The proposal fails to comply with the relevant policies of Aberdeen Local Development Plan 2012, namely Policies D1 (Architecture and Placemaking) and H1 (Residential Areas), the Council's Supplementary Guidance: Householder Development Guide and with the relevant corresponding policies in the Proposed Aberdeen Local Plan, in that the proposed design respects neither the character and architecture of the existing dwelling house nor of the surrounding area. Approval of the application would be detrimental to and thus neither preserve nor enhance the character of Conservation Area 4 (Albyn Place/ Rubislaw) contrary to the provisions of Scottish Planning Policy, Historic Environment Scotland Policy Statement and thereby with Policy D5 of the Aberdeen Local Development Plan. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations - including the Proposed Aberdeen Local Development Plan - that would warrant approval of the application.

**Date of Signing** 14 November 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 ~~A~~ Notice of Review form available from the planning authority or at [www.eplanning.scot](http://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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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 100010408-001

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)

Proposed rear 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

## Agent Details

Please enter Agent details

Company/Organisation:	Thistle Windows and Conservatories Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Jonathan	Building Name:	Unit A
Last Name: *	McRitchie	Building Number:	
Telephone Number: *	01224 701286	Address 1 (Street): *	Woodside Road
Extension Number:		Address 2:	Denmore Industrial Estate
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB23 8EF
Email Address: *	jonathan.mcritchie@thistlewindows.com		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	
First Name: *	D C & C M	Building Number:	100
Last Name: *	Morton	Address 1 (Street): *	Fountainhall Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	AB15 4EG
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

100 FOUNTAINHALL ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB15 4EG

Please identify/describe the location of the site or sites

Northing

806308

Easting

392248

## 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: Jonathan McRitchie

On behalf of: Mr & Mrs D C & C M Morton

Date: 21/04/2016

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 Jonathan McRitchie

Declaration Date: 21/04/2016

**Payment Details**

Cheque: D R & MRS C M MORTON, 001709

Created: 21/04/2016 15:55

**P160501  
RESUBMITTED  
17/10/2016**

Denotes extent of loadbearing framing to face of new wall. To consist of 175x50mm C16 Grade timber posting at 600mm MAX CRS with double bottom & top rails and 2No. rows of dwangs at third points of height

**Ex. two storey extension**

Existing boundary separating wall to be tanked on extension side with 3no. layers of bitumen paint up to a min. height of 1450mm off proposed floor level (to top of existing boundary wall)

Void between existing neighbouring external wall and new extension external wall to be infilled with blockwork (only 1 no. block depth) and finished with dry dash render to match existing

Junction between top of existing boundary wall and proposed kitchen extension wall to be finished with concrete fillet

Boundary line

**1450mm high boundary wall**

Extract fan to be installed to achieved at least:  
30L/sec extraction rate (above the hob)  
60L/sec extraction rate (elsewhere).  
Fan ducted to external.

**Heating & Electrical Legend**

- 13Amp Double Socket
- Television Point
- Light Switch
- Ceiling Downlight
- Ceiling Pendant Light
- External Downlight
- External Light
- Heat Detector
- External Tap (Hot & Cold feeds)

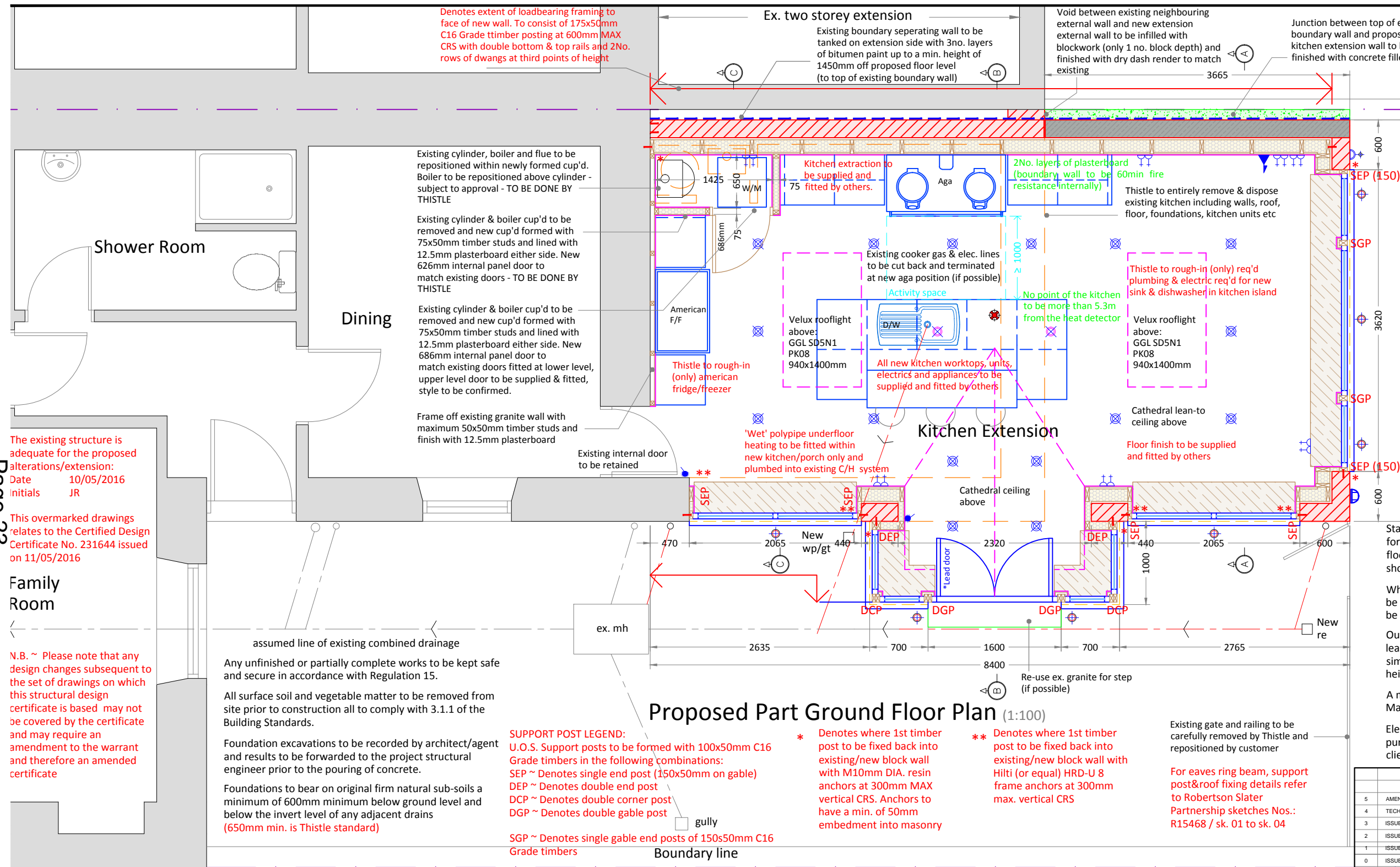
Standard switched or unswitched socket outlets or outlets for other services to be positioned at least 400mm above floor level. Above an obstruction, such as a worktop, fixture, should be at least 150mm above projection surface.

Where socket outlets are concealed, separate switching to be provided in an accessible position to allow appliances to be isolated.

Outlet and controls of electrical fixtures to be positioned at least 350mm from any internal corner, projecting wall or similar obstruction. Light switches to be positioned at a height of between 900mm and 1100mm above floor level.

A minimum of 75% of light fittings to be low energy type. Magaman Luminaires (or equal).

Electrical items shown indicatively for Building Warrant purposes only. Final location to be confirmed on site with client.



**Proposed Part Ground Floor Plan (1:100)**

Any unfinished or partially complete works to be kept safe and secure in accordance with Regulation 15.  
All surface soil and vegetable matter to be removed from site prior to construction all to comply with 3.1.1 of the Building Standards.  
Foundation excavations to be recorded by architect/agent and results to be forwarded to the project structural engineer prior to the pouring of concrete.  
Foundations to bear on original firm natural sub-soils a minimum of 600mm minimum below ground level and below the invert level of any adjacent drains (650mm min. is Thistle standard)

**SUPPORT POST LEGEND:**  
U.O.S. Support posts to be formed with 100x50mm C16 Grade timbers in the following combinations:  
SEP ~ Denotes single end post (150x50mm on gable)  
DEP ~ Denotes double end post  
DCP ~ Denotes double corner post  
DGP ~ Denotes double gable post  
SGP ~ Denotes single gable end posts of 150x50mm C16 Grade timbers

\* Denotes where 1st timber post to be fixed back into existing/new block wall with M10mm DIA. resin anchors at 300mm MAX vertical CRS. Anchors to have a min. of 50mm embedment into masonry  
\*\* Denotes where 1st timber post to be fixed back into existing/new block wall with Hilti (or equal) HRD-U 8 frame anchors at 300mm max. vertical CRS

Existing gate and railing to be carefully removed by Thistle and repositioned by customer  
For eaves ring beam, support post & roof fixing details refer to Robertson Slater Partnership sketches Nos.: R15468 / sk. 01 to sk. 04

.O.S. 225x50mm C24 Grade rafters at 600mm centres. Rafters to be fixed to eaves lintel with Simpson Strong-Tie type TCP50 (unless otherwise stated) fully nailed truss clips.

Wall Connection: 150mm stainless steel flat wall ties at 450mm vertical centres into mortar of walling secured with non-shrink rout. Flexcell board sealed with Expandite (or equal) mastic with proprietary waterproof backing.

Wall Connection Detail: Timber post fixed down to blockwork with Simpson strong-tie reinforced angle brackets, type E2/2.5/7090, fully nailed to bottom of post and fixed into block with a minimum of 2No. Hilti (or equal) HRD-U 8 frame anchors.

Double up members to be spiked together using M4mmØ galvanised nails: 90mm long at 300mm staggered centres.

(Unless otherwise specified) eaves lintel to be 2No. 200x50mm members spiked together (C24) supported on structural posts as marked on plan.

Glass in doors and windows adjacent to be toughened inner panel and laminated outer pane.

New 100mm uPVC drainage to be surrounded with 5-10mm pea gravel. Any drainage passing through walling to be lintelled over.

Any existing drains passing through the extension footprint to be suitably protected, reconstructed or re-routed.

All new drainage to be tested to ensure correct functionality, all to comply with part 3.7.9 of the Building Standards.

Glass in windows and doors to be toughened, designed to resist human impact as set out in BS 6262: Part 4: 2005, where all or part of a pane is: within 800mm of floor level; or part of a door leaf; or within 300mm of a door leaf and within 1.5m of floor level.

4.13.1 to 4.13.4 Windows and doors meet recommendations for physical security in Section 2 of 'Secured by Design' (ACPO, 2009) for 4.13.2, OR PAS 24: 2007 (doors)/ BS7950: 1997 (windows) for 4.13.3.

4.13.4 Windows and doors to be installed in accordance with the general recommendation in BS7412: 2007; openable windows to be fitted with a removable key locking system together with glazing which incorporates toughened glass, use multipoint locking system to BS EN 1303: 2005.

4.13.5 Windows and doors to be installed in accordance with BS8213-4: 2007 or manufacturers written instructions where these meet or exceed the Recommendations of the British Standard

An openable window to have controls for opening, positioned at least 350mm from any corner, projection wall or any obstruction with a height of:

- No more than 1700mm above floor level where access to controls is unobstructed.
- No more than 1500mm above floor where access to control is limited by a fixed obstruction, no more than 900mm high, 600mm max projection.
- No more than 1200mm above floor level, in unobstructed location, within an enhanced apartment or within accessible sanitary accommodation.

New heat detector to be installed in Kitchen & hard-wired to mains and interconnected with existing system in accordance with BS 5446: Part 2:2003 & part 2.11 of the Building Standards.

(CO) Battery powered carbon monoxide detector to be provided within 3 meters (maximum) of the boiler. All to comply with part 3.20.20 of the Building Standards & in accordance with BS EN 50291-1:2010

Neighbouring footpath to be regularly cleaned and kept free of building debris and related materials in accordance with Regulation 14.

All demolition works to be carried out in accordance with regulation 0.10.1 and BS 6187

**GENERAL NOTES**

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SURVEYOR		
SALES ADVISER		
SALES MANAGER		
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4	TECHNICAL OBSERVATIONS ADDED	L.FERNANDEZ	20/05/2016
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LTR	REVISION	DRAWN BY	CHECKED BY

CUSTOMER:  
**MR & MRS MORTON**  
100 FOUNTAINHALL ROAD  
ABERDEEN  
AB15 4EG

PROJECT:  
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**

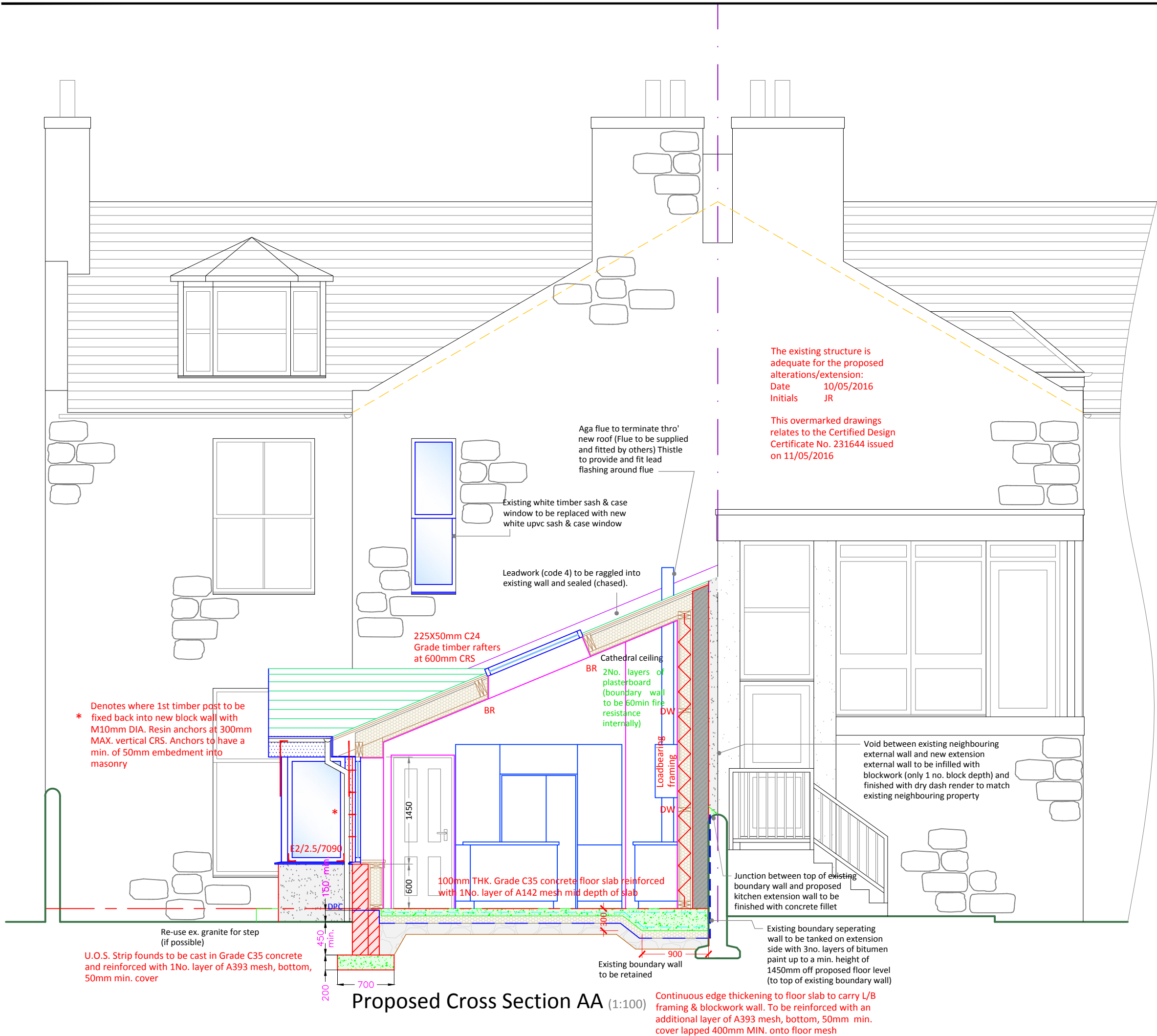
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TEL: +44 (0) 1224 706555 FAX: +44 (0)1224 706444  
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DATE	<b>MAR '16</b>	DRAWING NO:	<b>201</b>
SCALE	1:50		

The existing structure is adequate for the proposed alterations/extension:  
Date 10/05/2016  
Initials JR  
This overmarked drawings relates to the Certified Design Certificate No. 231644 issued on 11/05/2016

Family Room

N.B. ~ Please note that any design changes subsequent to the set of drawings on which this structural design certificate is based may not be covered by the certificate and may require an amendment to the warrant and therefore an amended certificate



External Finishes:

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
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- White FOIL/White FOIL uPVC Casement Windows & Door.
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White/White uPVC windows & doors with clear, Optiwhite, argon filled, low 'E' TRIPLE glazed glass. Trickle vents to be fitted to opening sashes as shown to achieve 10,000mm² ventilation (for kitchen).

Glass in windows & doors to be toughened, designed to resist human impact as set in BS6262 Part 4: 2005.

New 68mmØ uPVC RWP connected into existing surface water drainage system, colour to match existing and 110mmØ half round RWG.

Lighting/electrical items all as per specification and final positions to be agreed on site by customer.

Glass in doors and windows either side of doors to be toughened inner pane and laminated outer pane.

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PROJECT:

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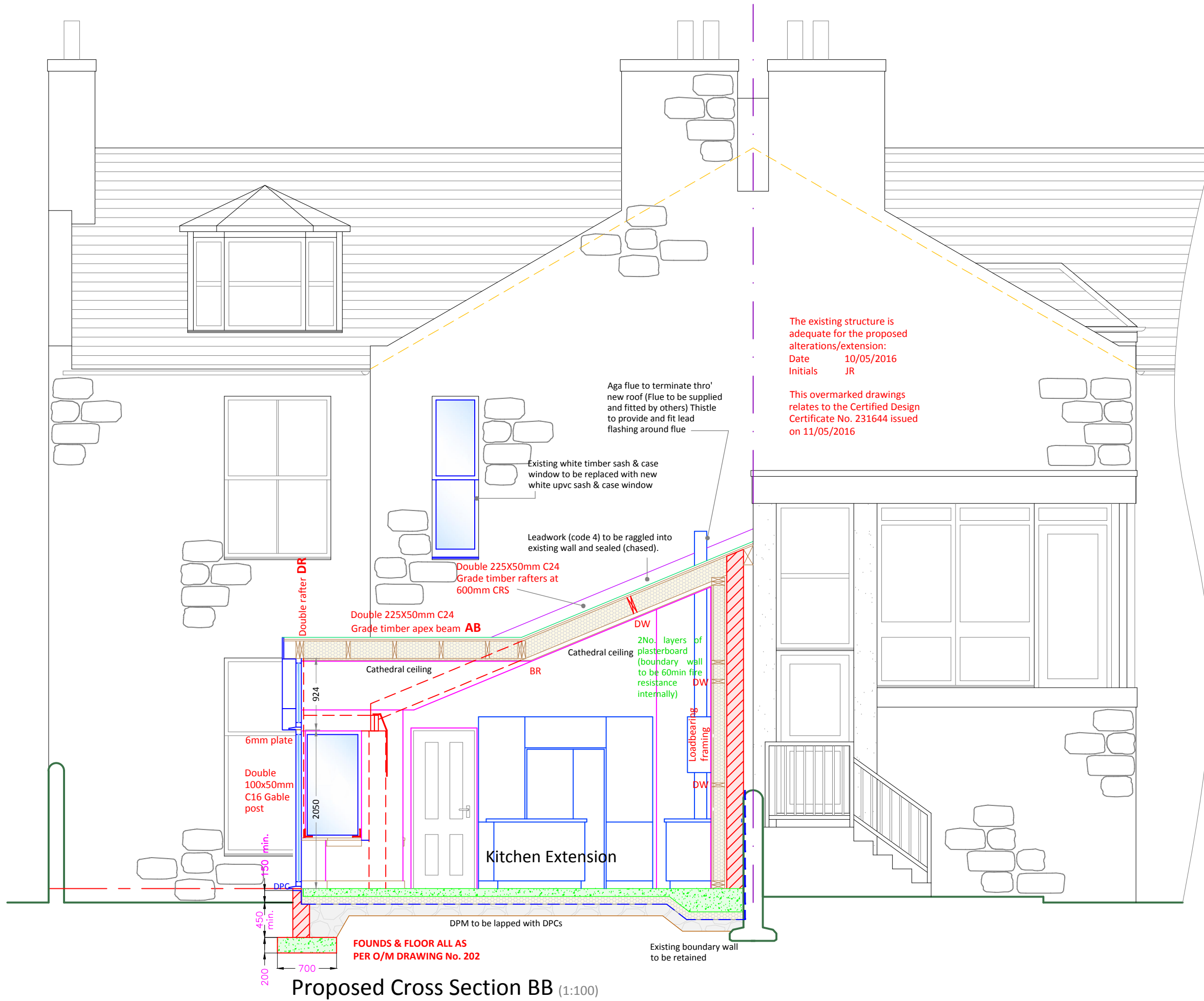
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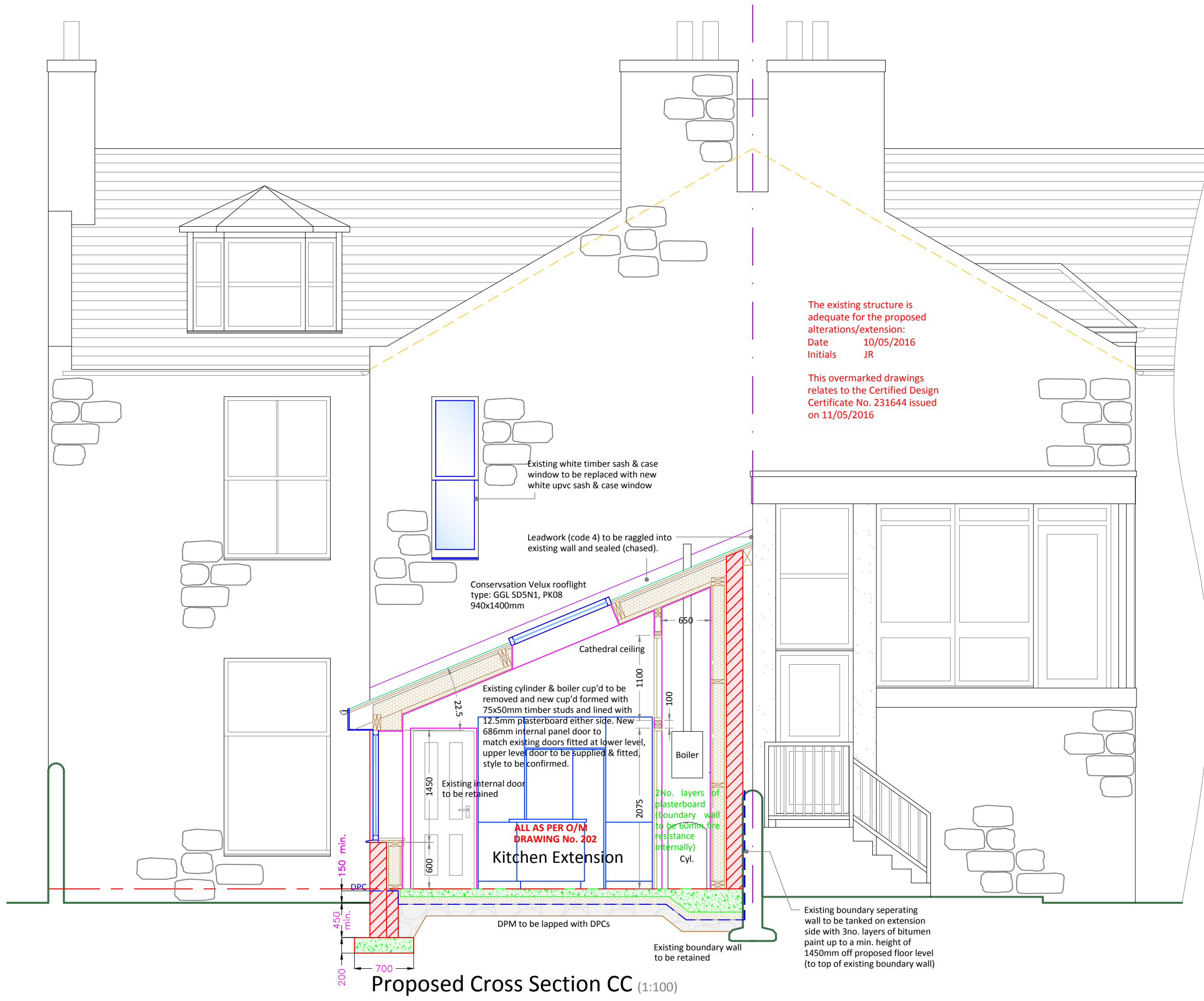
PROJECT:  
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**

**Thistle**  
 windows & conservatories limited

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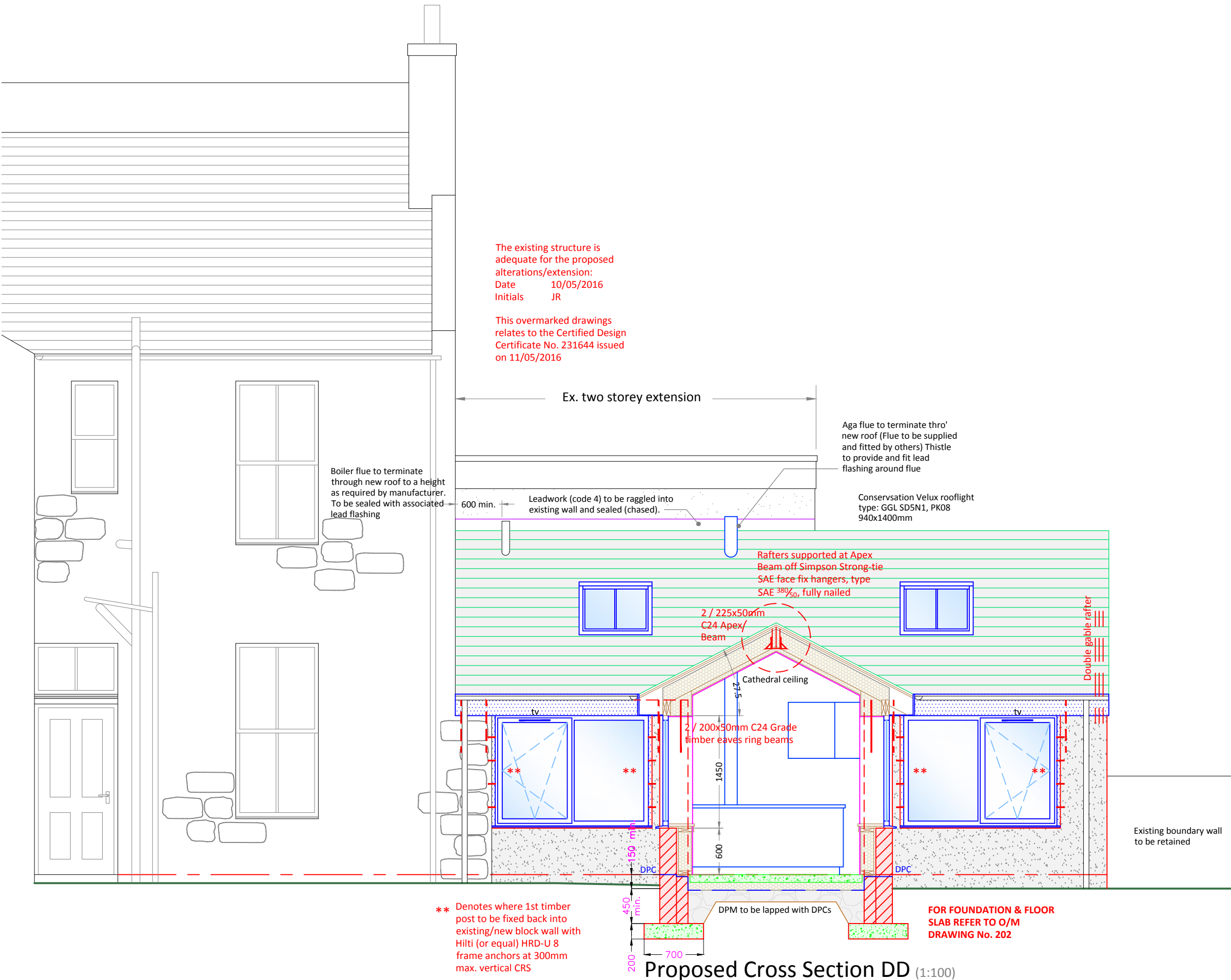
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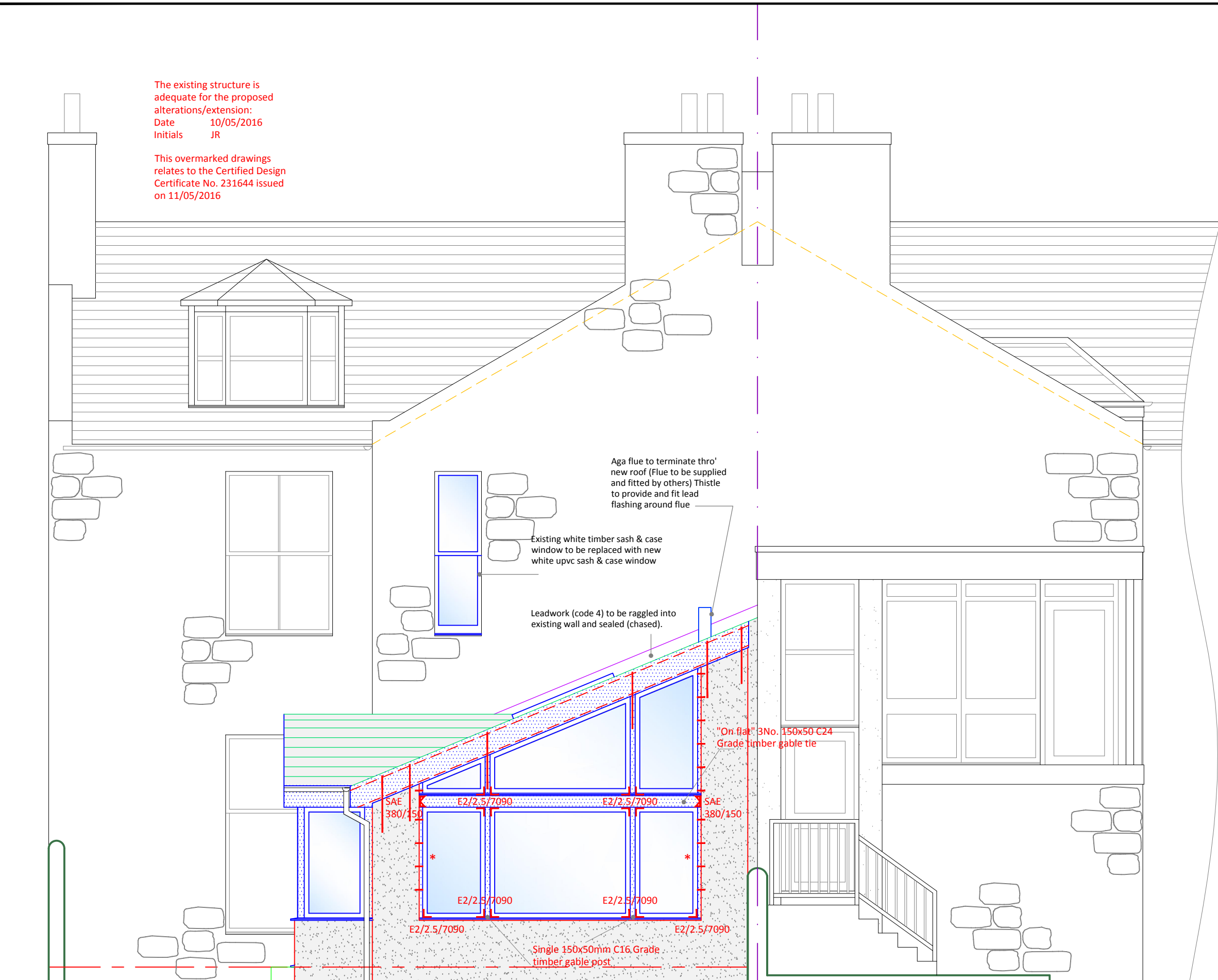


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Re-use ex. granite for step (if possible)

Proposed East Elevation (1:50)

\* Denotes where 1st timber post to be fixed back into existing/new block wall with M10mm DIA. resin anchors at 300mm MAX vertical CRS. Anchors to have a min. of 50mm embedment into masonry

External Finishes:

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SURVEYOR		
SALES ADVISER		
SALES MANAGER		
APPROVAL	DATE	SIGNATURE

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5	AMENDED FOR FINAL PLANNING PROPOSAL	J.McRITCHIE		17/10/2016
4	TECHNICAL OBSERVATIONS ADDED	L.FERNANDEZ		20/05/2016
3	ISSUED FOR PLANNING & BV APPROVAL	L.FERNANDEZ		21/04/2016
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CUSTOMER:

MR & MRS MORTON  
 100 FOUNTAINHALL ROAD  
 ABERDEEN  
 AB15 4EG

PROJECT:

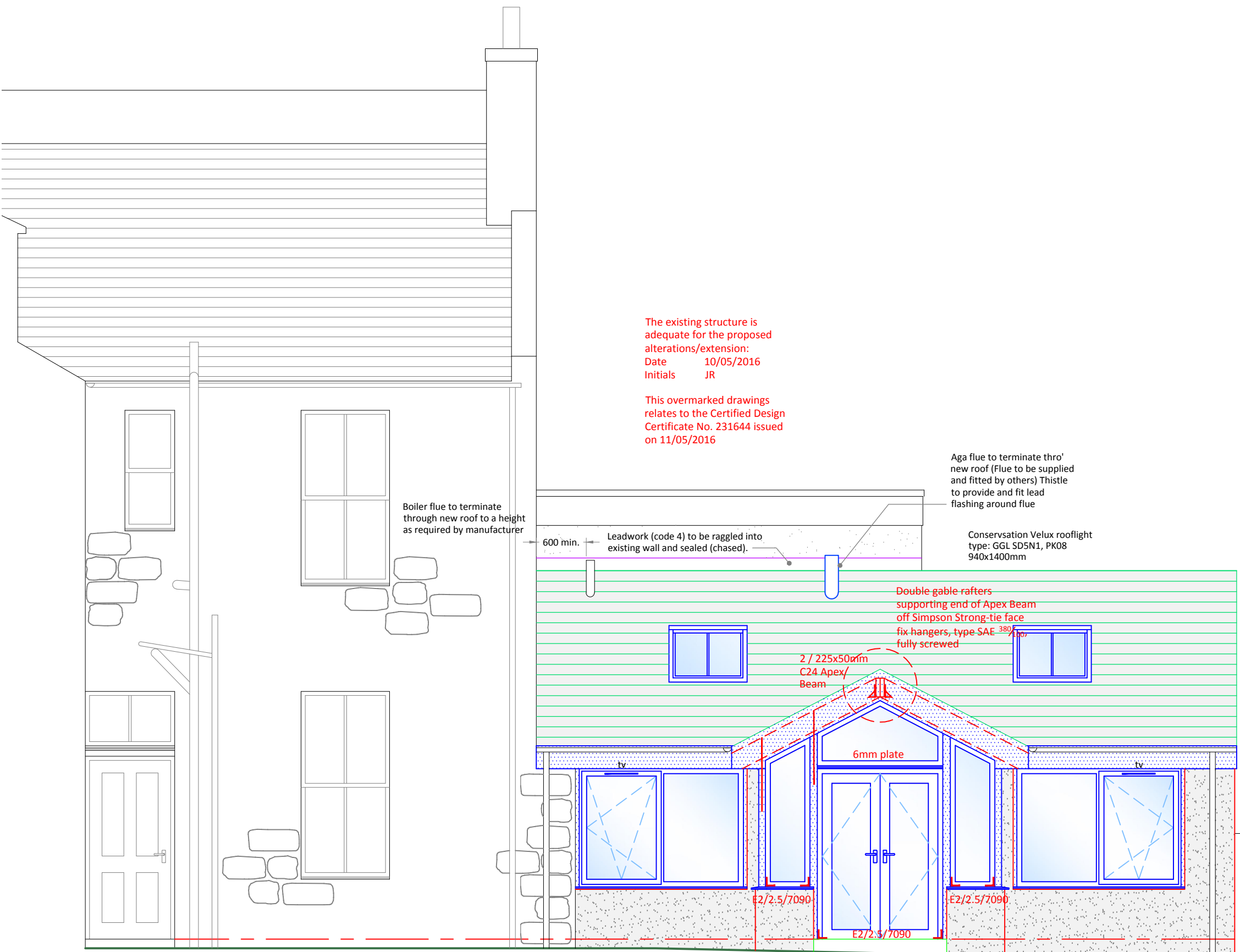
PROPOSED REAR KITCHEN EXTENSION

THISTLE CONTRACT NO: 28053



UNIT A, WOODSIDE ROAD  
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DATE	MAR '16	DRAWING NO:	206
SCALE	1:50		



The existing structure is adequate for the proposed alterations/extension:  
 Date 10/05/2016  
 Initials JR

This overmarked drawings relates to the Certified Design Certificate No. 231644 issued on 11/05/2016

Aga flue to terminate thro' new roof (Flue to be supplied and fitted by others) Thistle to provide and fit lead flashing around flue

Conservation Velux rooflight type: GGL SDSN1, PK08 940x1400mm

Double gable rafters supporting end of Apex Beam off Simpson Strong-tie face fix hangers, type SAE 380 fully screwed

2 / 225x50mm C24 Apex Beam

Boiler flue to terminate through new roof to a height as required by manufacturer

600 min. Leadwork (code 4) to be ragged into existing wall and sealed (chased).

6mm plate

E2/2.5/7090

E2/2.5/7090

E2/2.5/7090

Existing boundary wall to be retained

Proposed South Elevation (1:50)

New french doors and glazed pane either side to have laminated glass outer panes

External Finishes:

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
- Granite Full Height wall to boundary elevation only.
- White FOIL/White FOIL uPVC Casement Windows & Door.
- White uPVC Fascia & Soffit.
- Black uPVC Rainwater Goods.

Any discrepancies or queries regarding any part of the works to be discussed prior to any affected work being carried out.

Drawings not to be scaled and all sizes to be checked on site.

White/White uPVC windows & doors with clear, Optiwhite, argon filled, low 'E' TRIPLE glazed glass. Trickle vents to be fitted to opening sashes as shown to achieve 10,000mm<sup>2</sup> ventilation (for kitchen).

Glass in windows & doors to be toughened, designed to resist human impact as set in BS6262 Part 4: 2005.

New 68mmØ uPVC RWP connected into existing surface water drainage system, colour to match existing and 110mmØ half round RWG.

Lighting/electrical items all as per specification and final positions to be agreed on site by customer.

Glass in doors and windows either side of doors to be toughened inner pane and laminated outer pane.

**GENERAL NOTES**

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LTR	REVISION			

CUSTOMER:  
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 100 FOUNTAINHALL ROAD  
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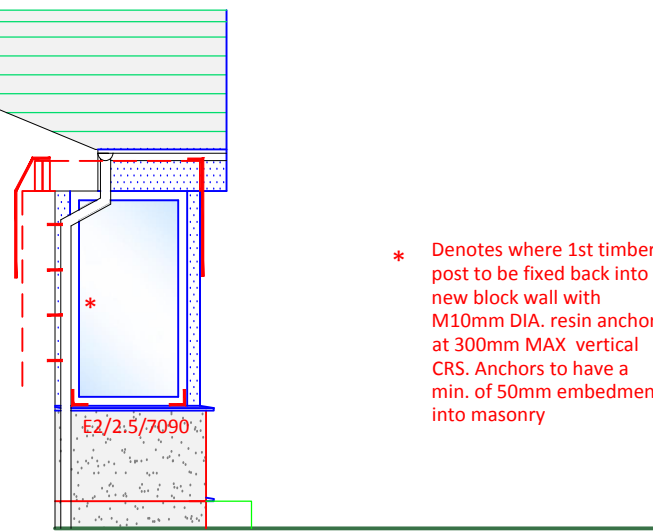
PROJECT:  
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**



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DATE	MAR '16	DRAWING NO:	<b>207</b>
SCALE	1:50		



Proposed West Elevation (1:50)

The existing structure is adequate for the proposed alterations/extension:  
 Date 10/05/2016  
 Initials JR

This overmarked drawings relates to the Certified Design Certificate No. 231644 issued on 11/05/2016

**External Finishes:**

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
- Granite Full Height walls on Boundary Elevation only
- White FOIL/White FOIL uPVC Casement Windows & Door.
- White uPVC Fascia & Soffit.
- Black uPVC Rainwater Goods.

Any discrepancies or queries regarding any part of the works to be discussed prior to any affected work being carried out.

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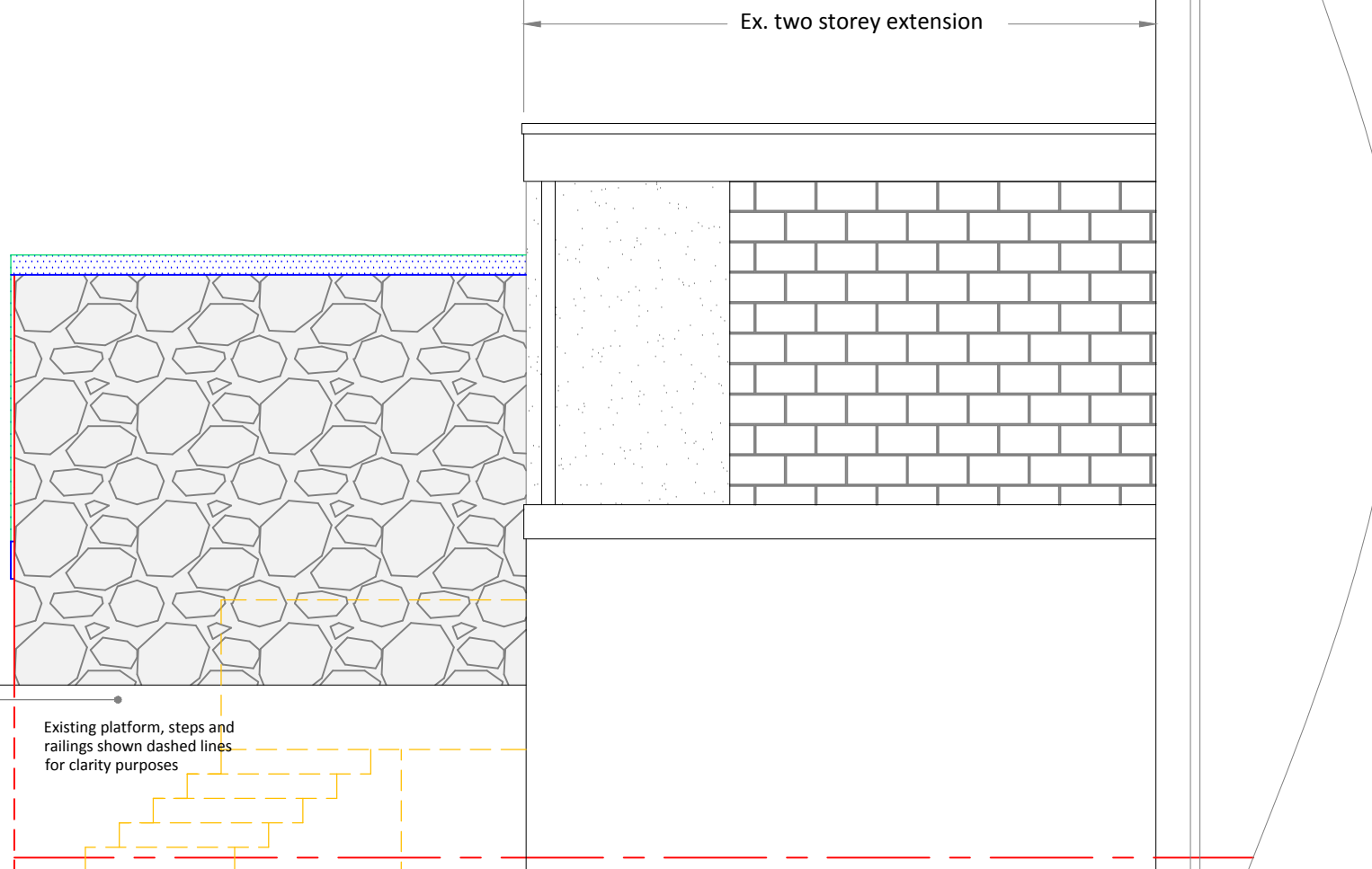
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Glass in windows & doors to be toughened, designed to resist human impact as set in BS6262 Part 4: 2005.

New 68mmØ uPVC RWP connected into existing surface water drainage system, colour to match existing and 110mmØ half round RWG.

Lighting/electrical items all as per specification and final positions to be agreed on site by customer.

Glass in doors and windows either side of doors to be toughened inner pane and laminated outer pane.



Proposed North Elevation (1:50)

**GENERAL NOTES**

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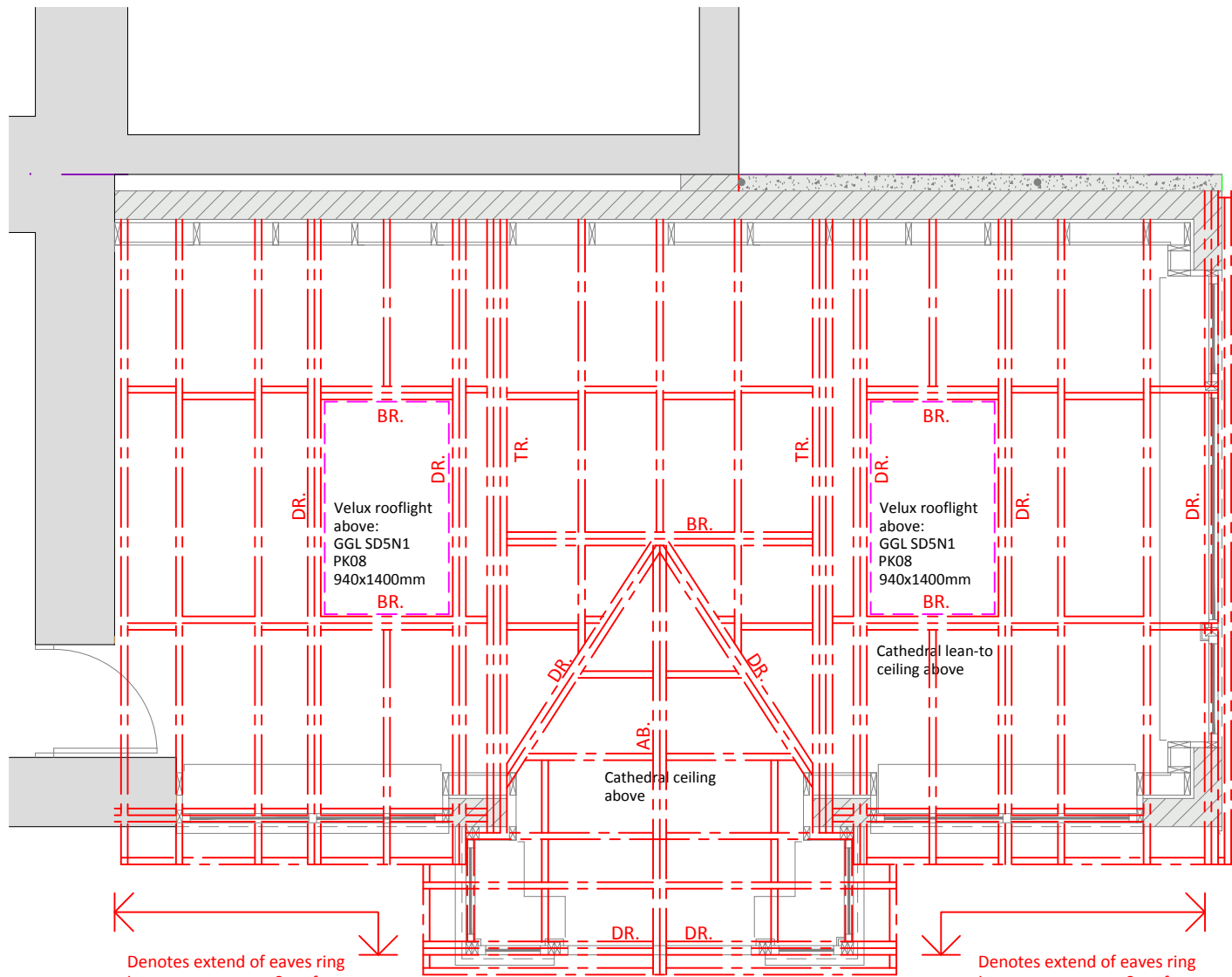
CUSTOMER:  
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**100 FOUNTAINHALL ROAD**  
**ABERDEEN**  
**AB15 4EG**

PROJECT:  
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**

**Thistle**  
 windows & conservatories limited  
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DATE	MAR '16	DRAWING NO:	<b>208</b>
SCALE	1:50		

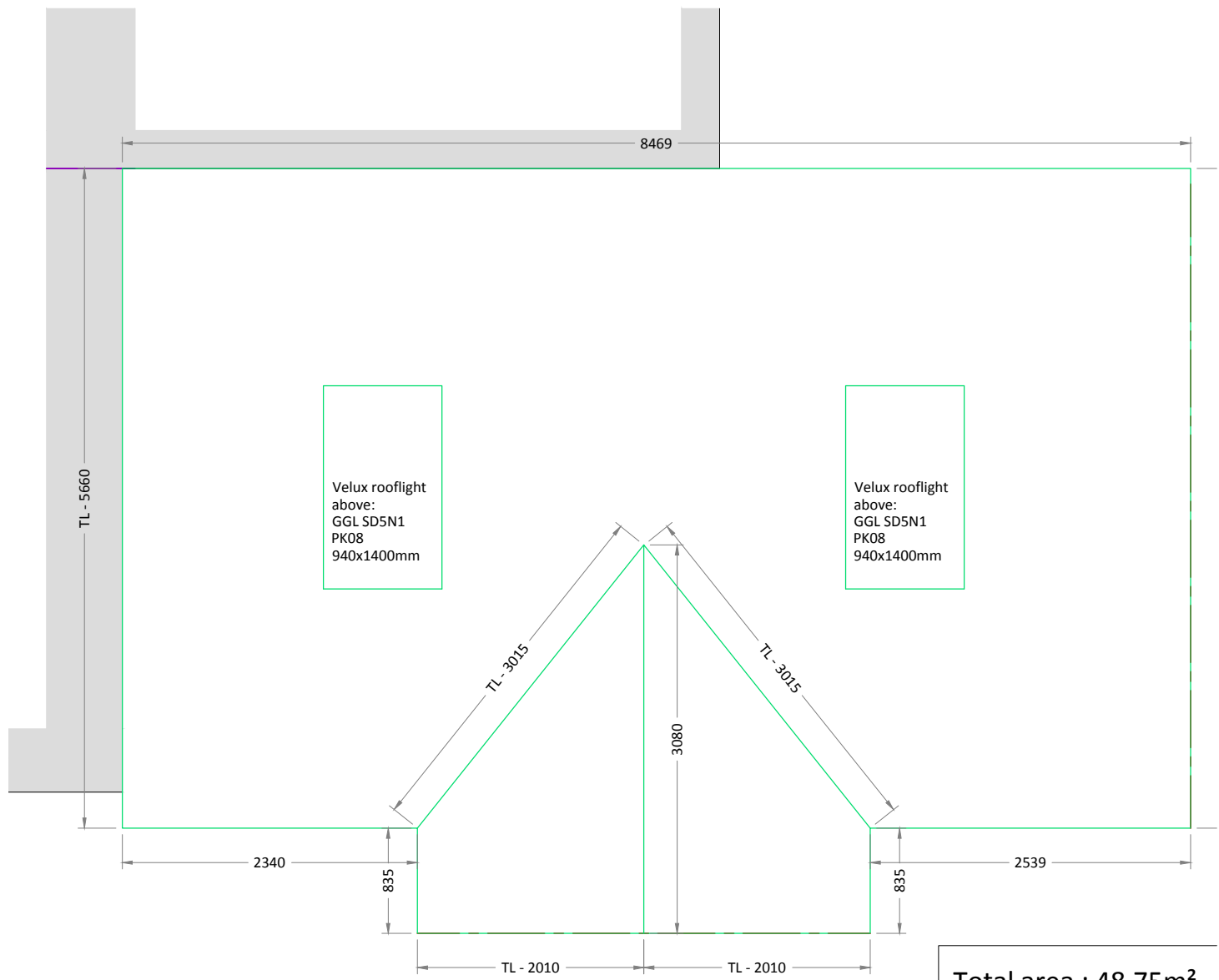


Denotes extend of eaves ring beam, support post & roof fixing details. Refer to Robertson Slater Partnership sketches Nos.: R15468 / sk. 01 to sk. 04

LEGEND:

- TR. Denotes triple 225x50mm C24 Grade timber rafter
- DR. Denotes double 225x50mm C24 Grade timber rafter
- BR. Denotes bridle of 2No. 225x50mm C24 grade timbers. To be supported at ends off Simpson strong-tie SAE face fix hangers, type SAE 500/100 fully nailed
- AB. Denotes apex beam of 2No. 225x50mm C24 grade timbers. To be supported at inner end off SAE face fix hanger, type SAE 500/100, fully nailed.

Denotes extend of eaves ring beam, support post & roof fixing details. Refer to Robertson Slater Partnership sketches Nos.: R15468 / sk. 01 to sk. 04



Proposed Roof Plan (1:50)

Total area : 48.75m<sup>2</sup>

Proposed Structural Roof Plan (1:50)

225x50mm C24 Grade rafters at 600mm centres. Rafters to be fixed to eaves lintel with Simpson Strong-Tie type TCP50 (Unless otherwise stated) fully nailed truss clips.

Wall Connection: 150mm stainless steel flat wall ties at 450mm vertical centres into mortar of walling secured with non-shrink grout. Flexcell board sealed with Expandite (or equal) mastic with proprietary waterproof backing.

All doubled up members to be spiked together using M4mmØ galvanised nails: 90mm long at 300mm staggered centres.

(Unless otherwise specified) eaves lintel to be 2No. 200x50mm members spiked together (C24) supported on structural posts as marked on plan.

**GENERAL NOTES**  
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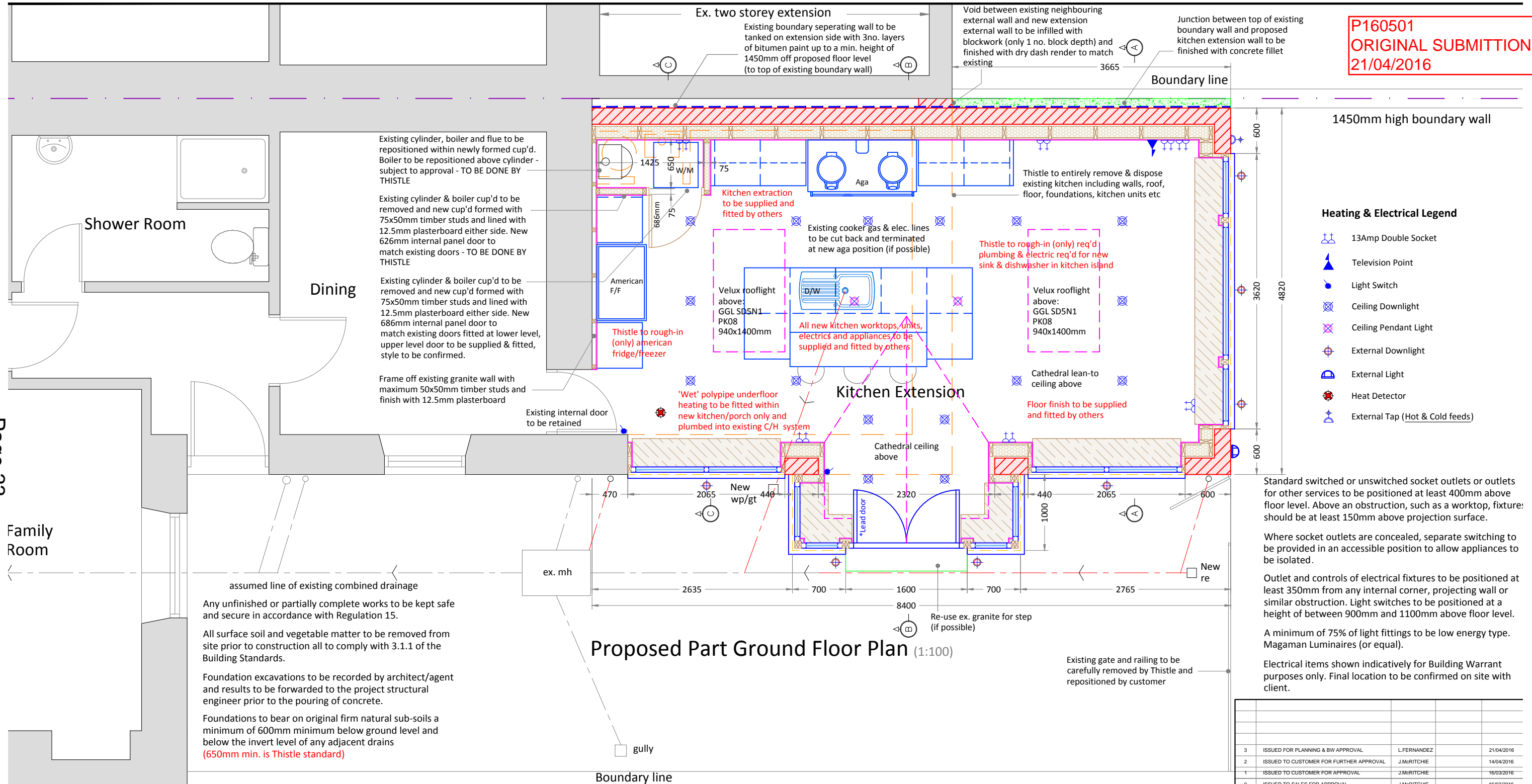


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SCALE	1:50		

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**Heating & Electrical Legend**

- 13Amp Double Socket
- Television Point
- Light Switch
- Ceiling Downlight
- Ceiling Pendant Light
- External Downlight
- External Light
- Heat Detector
- External Tap (Hot & Cold feeds)

25x50mm C16 Grade rafters at 600mm centres. Rafter tie connections to be 2No. 12mmØ bolts. Rafters to be fixed to ring beam with Simpson Strong-Tie type TCP50 (Unless otherwise stated) fully nailed truss clips.

Wall Connection: 150mm stainless steel flat wall ties at 450mm vertical centres into mortar of walling secured with non-shrink rout. Flexcell board sealed with Expandite (or equal) mastic with proprietary waterproof backing.

Wall Connection Detail: Timber post fixed down to blockwork with impsion strong-tie reinforced angle brackets, type E2/2.5/7090, fully nailed to bottom of post and fixed into block with a minimum of 2No. Hilti (or equal) HRD-U 8 frame anchors.

Roofing: Double up members to be spiked together using M4mmØ galvanised nails: 90mm long at 300mm staggered centres.

Eaves: Unless otherwise specified) eaves ring beam to be 2No. 200x50mm members spiked together (C16) supported on structural posts as marked on plan.

Windows: Glass in doors and windows adjacent to be toughened inner pane and laminated outer pane.

Drainage: New 100mm uPVC drainage to be surrounded with 5-10mm pea gravel. Any drainage passing through walling to be lintelled over.

Any existing drains passing through the extension footprint to be suitably protected, reconstructed or re-routed.

All new drainage to be tested to ensure correct functionality, all to comply with part 3.7.9 of the Building Standards.

Glass in windows and doors to be toughened, designed to resist human impact as set out in BS 6262: Part 4: 2005, where all or part of a pane is: within 800mm of floor level; or part of a door leaf; or within 300mm of a door leaf and within 1.5m of floor level.

4.13.1 to 4.13.4  
Windows and doors meet recommendations for physical security in Section 2 of 'Secured by Design' (ACPO, 2009) for 4.13.2, OR PAS 24: 2007 (doors)/ BS7950: 1997 (windows) for 4.13.3.

4.13.4  
Windows and doors to be installed in accordance with the general recommendation in BS7412: 2007; openable windows to be fitted with a removable key locking system together with glazing which incorporates toughened glass, use multipoint locking system to BS EN 1303: 2005.

4.13.5  
Windows and doors to be installed in accordance with BS8213-4: 2007 or manufacturers written instructions where these meet or exceed the Recommendations of the British Standard

An openable window to have controls for opening, positioned at least 350mm from any corner, projection wall or any obstruction with a height of:

- No more than 1700mm above floor level where access to controls is unobstructed.
- No more than 1500mm above floor where access to control is limited by a fixed obstruction, no more than 900mm high, 600mm max projection.
- No more than 1200mm above floor level, in unobstructed location, within an enhanced apartment or within accessible sanitary accommodation.

New heat detector to be installed in Kitchen & hard-wired to mains and interconnected with existing system in accordance with BS 5446: Part 2:2003 & part 2.11 of the Building Standards.

(CO) Battery powered carbon monoxide detector to be provided within 3 meters (maximum) of the boiler. All to comply with part 3.20.20 of the Building Standards & in accordance with BS EN 50291-1:2010

Neighbouring footpath to be regularly cleaned and kept free of building debris and related materials in accordance with Regulation 14.

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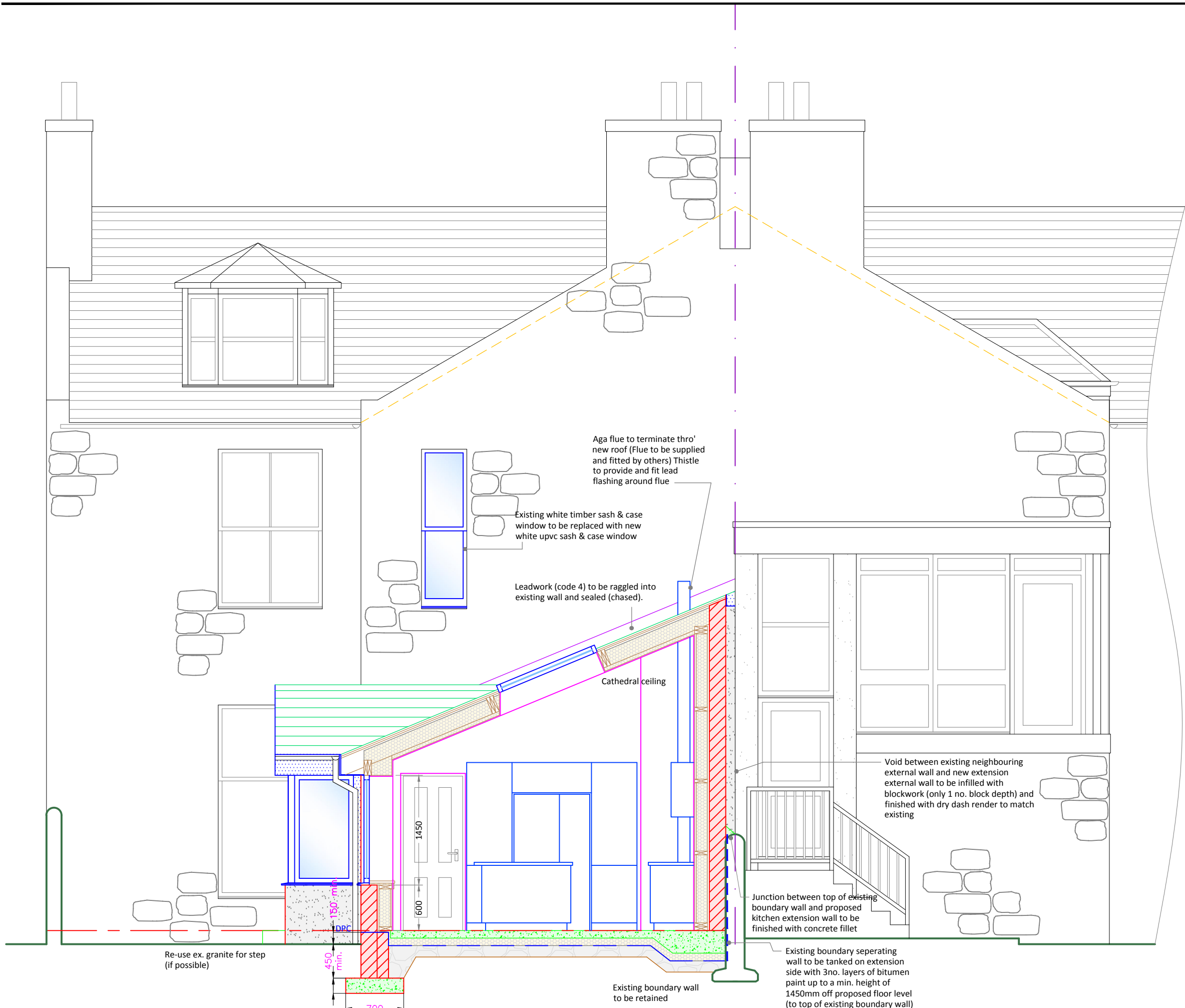
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DATE	MAR '16	DRAWING NO:	<b>201</b>
SCALE	1:50		



Proposed Cross Section AA (1:100)

**External Finishes:**

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
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Glass in windows & doors to be toughened, designed to resist human impact as set in BS6262 Part 4: 2005.

New 68mmØ uPVC RWP connected into existing surface water drainage system, colour to match existing and 110mmØ half round RWG.

Lighting/electrical items all as per specification and final positions to be agreed on site by customer.

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**PROJECT:**

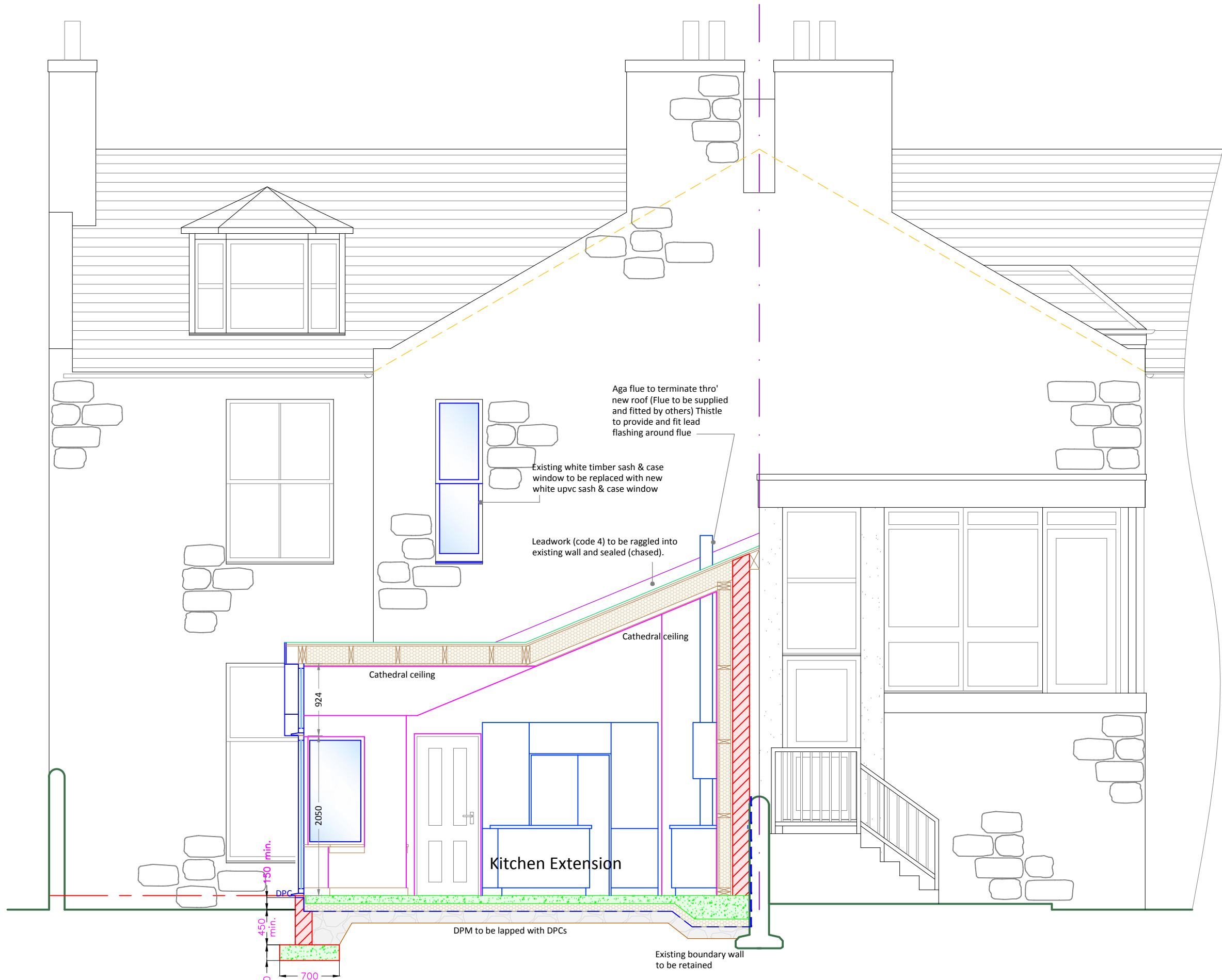
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SCALE	1:50		



Proposed Cross Section BB (1:100)

**External Finishes:**

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- Harled Blockwork Full Height walls To Match Existing.
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**CUSTOMER:**

**MR & MRS MORTON**  
**100 FOUNTAINHALL ROAD**  
**ABERDEEN**  
**AB15 4EG**

**PROJECT:**

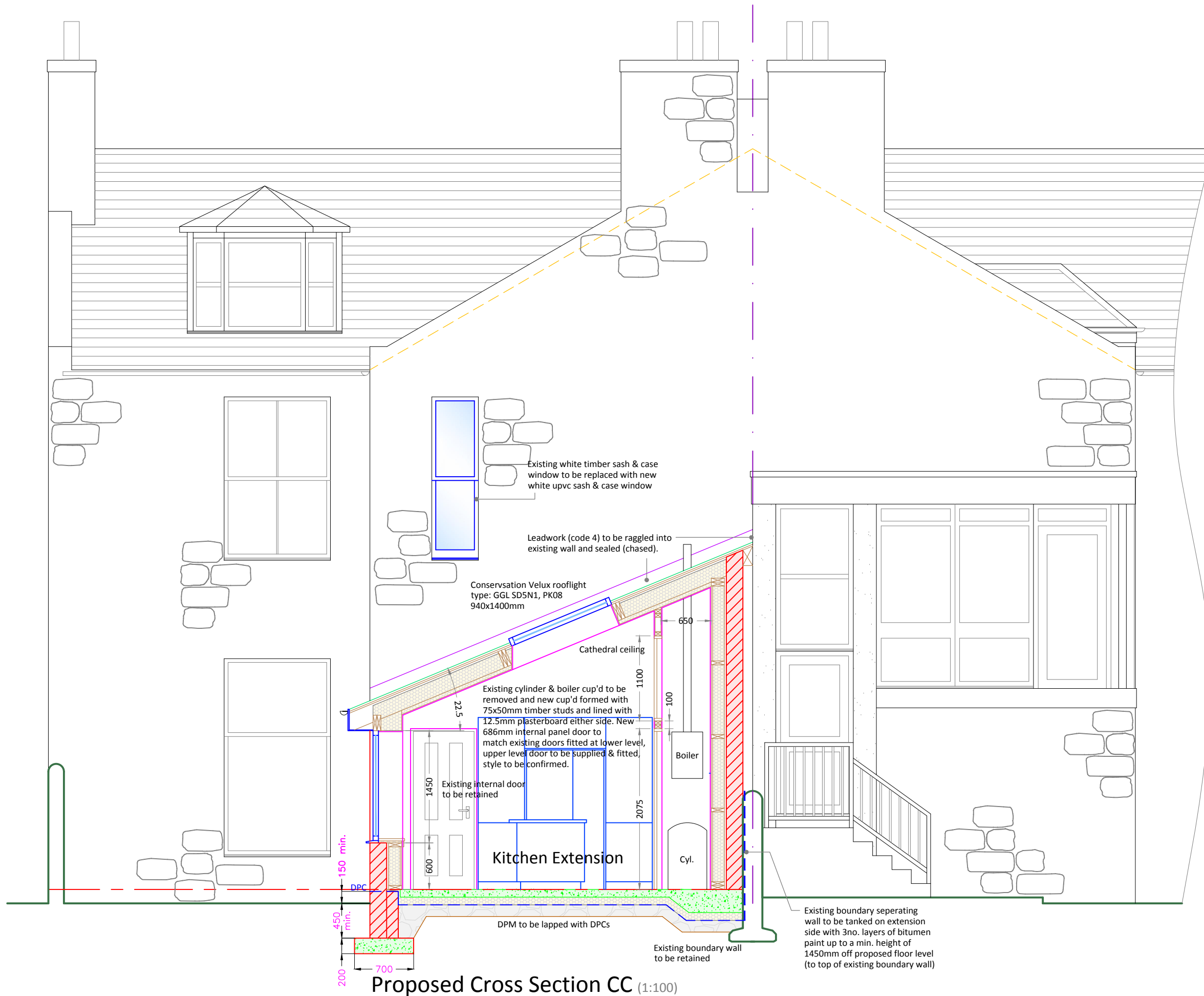
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**



UNIT A, WOODSIDE ROAD  
 DENMORE INDUSTRIAL ESTATE, BRIDGE OF DON  
 ABERDEEN, AB23 8EF  
 TEL: +44 (0) 1224 706555 FAX: +44 (0)1224 706444  
 WWW.THISTLEWINDOWS.COM

DATE	MAR '16	DRAWING NO:	<b>203</b>
SCALE	1:50		



**External Finishes:**

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
- White FOIL/White FOIL uPVC Casement Windows & Door.
- White uPVC Fascia & Soffit.
- Black uPVC Rainwater Goods.

Any discrepancies or queries regarding any part of the works to be discussed prior to any affected work being carried out.

Drawings not to be scaled and all sizes to be checked on site.

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Lighting/electrical items all as per specification and final positions to be agreed on site by customer.

Glass in doors and windows either side of doors to be toughened inner pane and laminated outer pane.

**GENERAL NOTES**

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CUSTOMER APPROVAL			
SURVEYOR			
SALES ADVISER			
SALES MANAGER			
APPROVAL	DATE	SIGNATURE	

LTR	REVISION	DRAWN BY	CHECKED BY	DATE
3	ISSUED FOR PLANNING & BW APPROVAL	L.FERNANDEZ		21/04/2016
2	ISSUED TO CUSTOMER FOR FURTHER APPROVAL	J.McRITCHIE		14/04/2016
1	ISSUED TO CUSTOMER FOR APPROVAL	J.McRITCHIE		16/03/2016
0	ISSUED TO SALES FOR APPROVAL	J.McRITCHIE		16/03/2016

CUSTOMER:  
**MR & MRS MORTON**  
**100 FOUNTAINHALL ROAD**  
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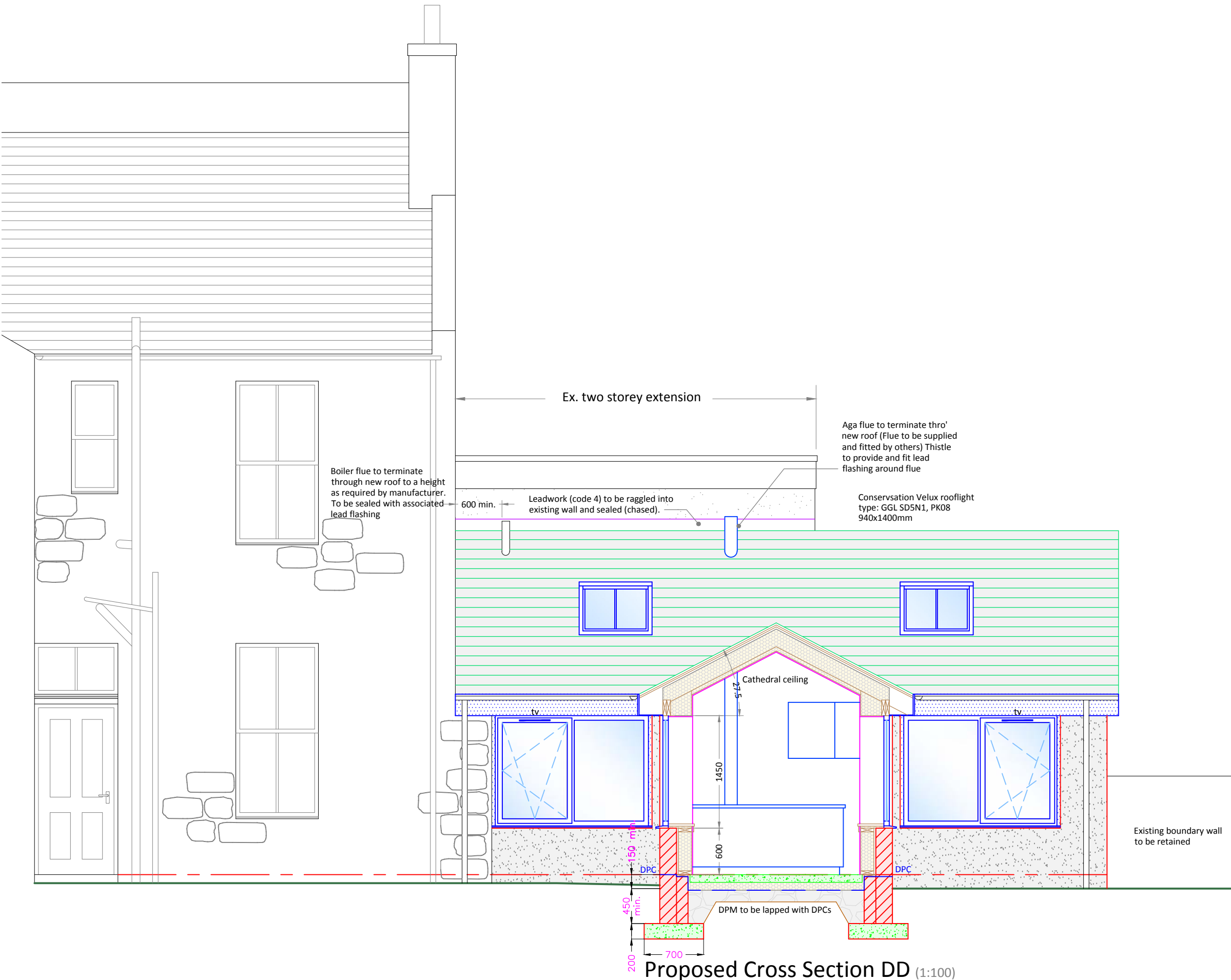
PROJECT:  
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**



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DATE	MAR '16	DRAWING NO:	<b>204</b>
SCALE	1:50		



Proposed Cross Section DD (1:100)

**External Finishes:**

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
- White FOIL/White FOIL uPVC Casement Windows & Door.
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SURVEYOR		
SALES ADVISER		
SALES MANAGER		
APPROVAL	DATE	SIGNATURE

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**CUSTOMER:**

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**100 FOUNTAINHALL ROAD**  
**ABERDEEN**  
**AB15 4EG**

**PROJECT:**

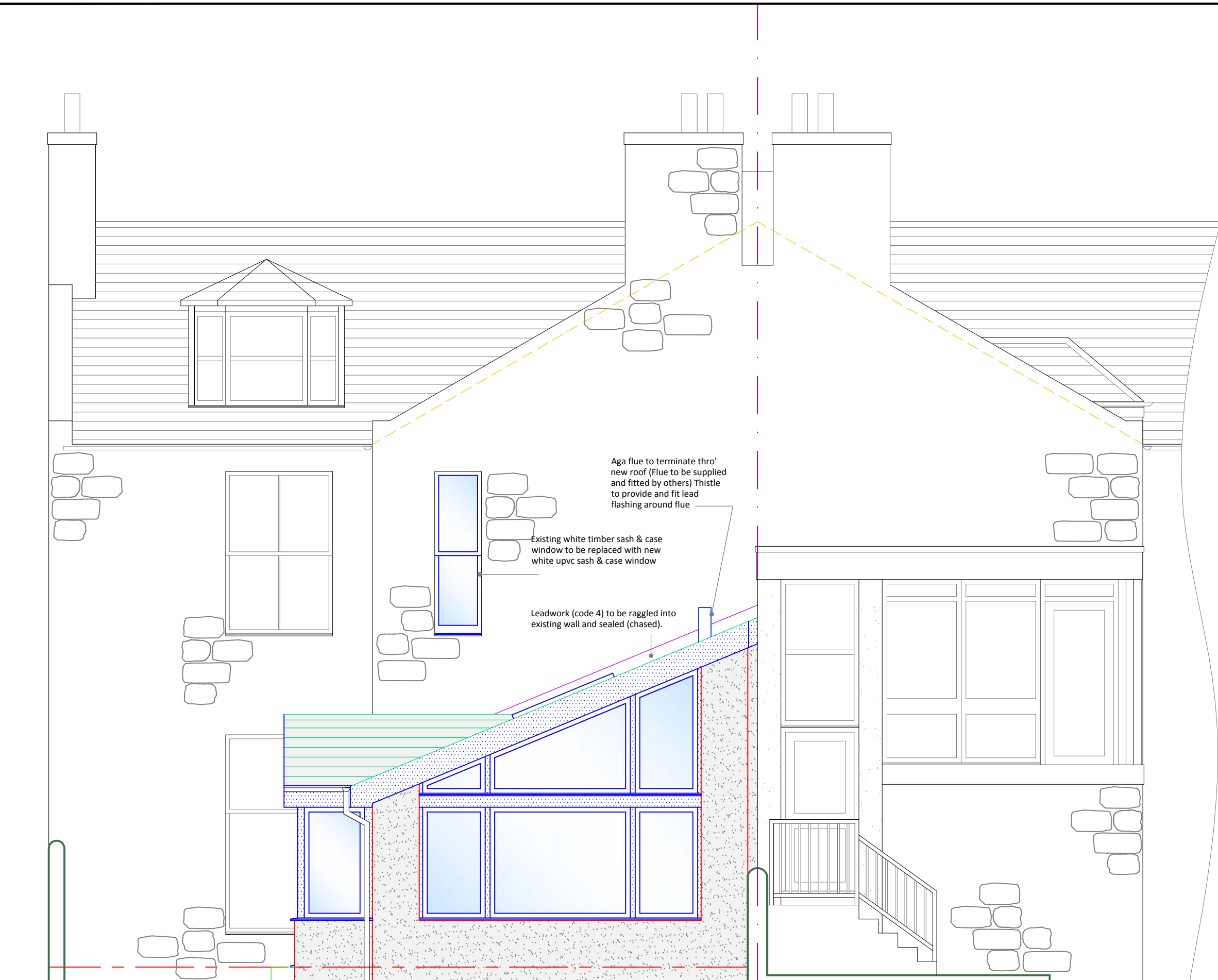
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**



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DATE	<b>MAR '16</b>	DRAWING NO:	<b>205</b>
SCALE	1:50		



Proposed East Elevation (1:50)

**External Finishes:**

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
- White Foil/White Foil uPVC Casement Windows & Door.
- White uPVC Fascia & Soffit.
- Black uPVC Rainwater Goods.

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SURVEYOR		
SALES ADVISER		
SALES MANAGER		
APPROVAL	DATE	SIGNATURE

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LTR	REVISION	DRAWN BY	CHECKED BY

**CUSTOMER:**

**MR & MRS MORTON**  
**100 FOUNTAINHALL ROAD**  
**ABERDEEN**  
**AB15 4EG**

**PROJECT:**

**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**



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DATE	<b>MAR '16</b>	DRAWING NO:	<b>206</b>
SCALE	1:50		



Proposed South Elevation (1:50) New french doors and glazed pane either side to have laminated glass outer panes

**External Finishes:**

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
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SURVEYOR		
SALES ADVISER		
SALES MANAGER		
APPROVAL	DATE	SIGNATURE

NO	REVISION	DATE	DRAWN BY	CHECKED BY
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1	ISSUED TO CUSTOMER FOR APPROVAL	16/03/2016	J.McRITCHIE	
0	ISSUED TO SALES FOR APPROVAL	16/03/2016	J.McRITCHIE	
LTR	REVISION		DRAWN BY	CHECKED BY

CUSTOMER:  
**MR & MRS MORTON**  
**100 FOUNTAINHALL ROAD**  
**ABERDEEN**  
**AB15 4EG**

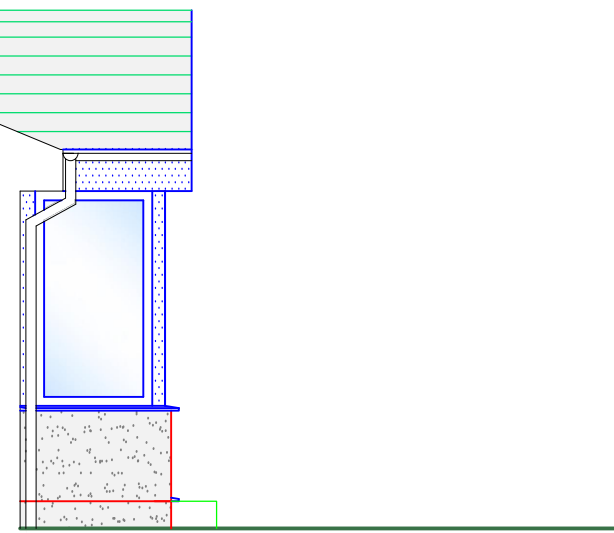
PROJECT:  
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**



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WWW.THISTLEWINDOWS.COM

DATE	MAR '16	DRAWING NO:	<b>207</b>
SCALE	1:50		



Proposed West Elevation (1:50)

**External Finishes:**

- Roof Slates To Match Existing. (as near as possible)
- Harled Blockwork Base To Match Existing.
- Harled Blockwork Dado Walls To Match Existing.
- Harled Blockwork Full Height walls To Match Existing.
- White FOIL/White FOIL uPVC Casement Windows & Door.
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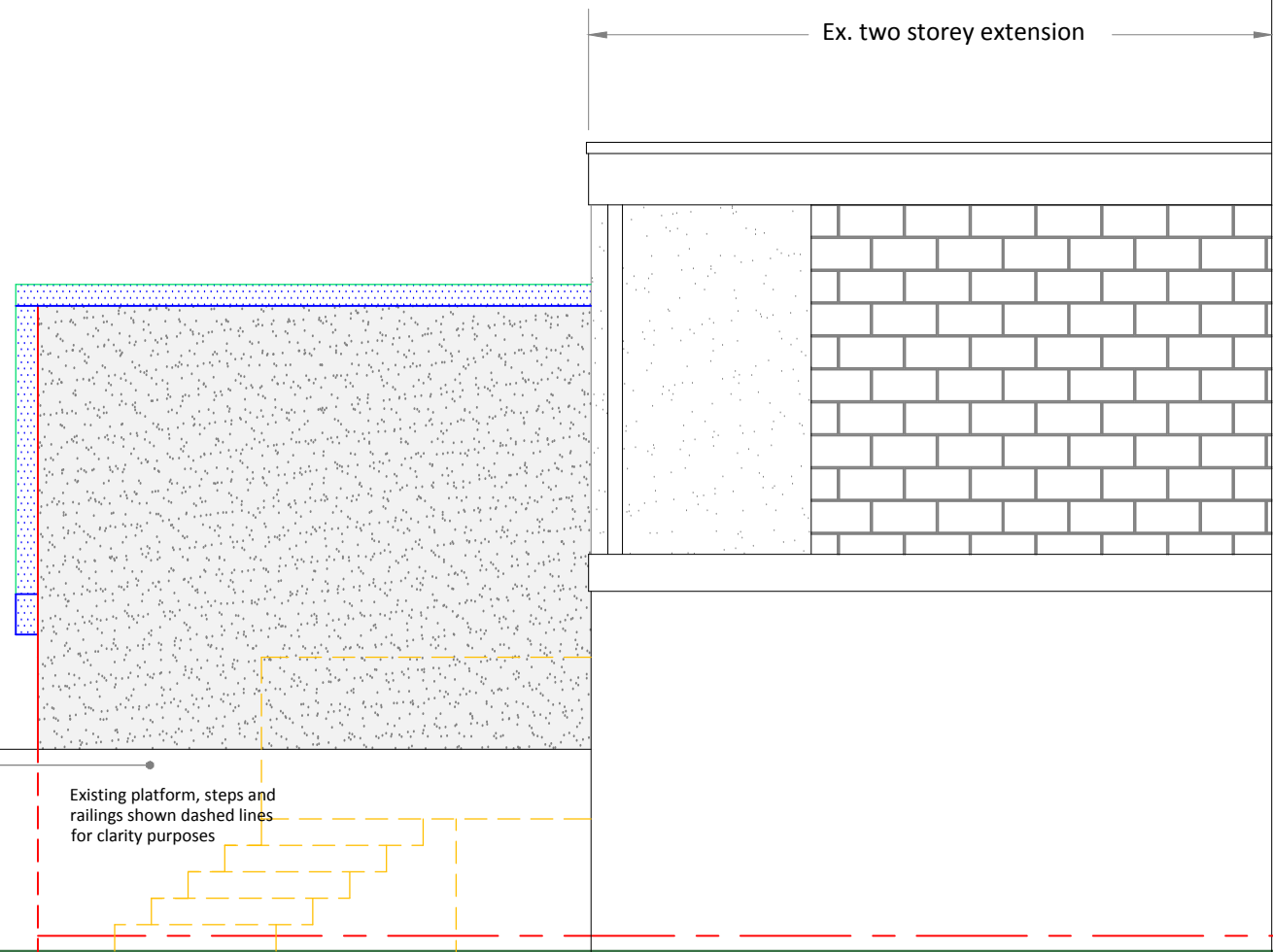
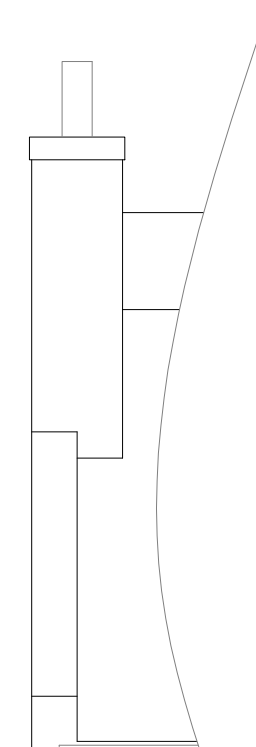
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Proposed North Elevation (1:50)

**GENERAL NOTES**

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SALES ADVISER		
SALES MANAGER		
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LTR	REVISION	DRAWN BY	CHECKED BY	DATE

CUSTOMER:  
**MR & MRS MORTON**  
**100 FOUNTAINHALL ROAD**  
**ABERDEEN**  
**AB15 4EG**

PROJECT:  
**PROPOSED REAR KITCHEN EXTENSION**

THISTLE CONTRACT NO: **28053**

  
**Thistle**  
 windows & conservatories limited

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 ABERDEEN, AB23 8EF  
 TEL: +44 (0) 1224 706555 FAX: +44 (0)1224 706444  
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DATE	MAR '16	DRAWING NO:	<b>208</b>
SCALE	1:50		



**From:** Ross Wilson  
**Sent:** 19 September 2016 17:40  
**To:** Garfield Prentice  
**Cc:** Sandy Beattie; Nigel McDowell  
**Subject:** 100 Fountainhall Road (160501)

Garfield,

**100 Fountainhall Road (160501)**

Further to our discussion this afternoon please see my comments below.

The principle of extending the building to the rear is acceptable as is the scale of the proposed extension. The issue is with the design and should not be supported in its current form. New additions to historic buildings in conservation areas need to be of good design, good quality materials and make a positive contribution to the original building and the wider conservation area. The application needs to address the following points.

**Form**

The form of the extension should either be a simple gable or mono pitch form. The porch on the current proposal (south elevation) should be removed.

**North Elevation**

The north elevation is currently specified as harled block work. This would leave a large blank rendered wall which would not be a suitable addition to the Conservation Area. As discussed using the granite from the existing extension (that is proposed to be demolished) on this elevation would be welcome. It would be far more in-keeping with the surrounding buildings and reduce the impact of the proposed new extension on the wider conservation area.

**Glazing Arrangement**

The current glazing arrangement of the east elevation (gable end) is not of the standard of design that is required in a conservation area. Glazing a section of the gable from floor to roof with suitable good quality fenestration may be acceptable.

**Wallhead Detailing**

The boxing out detail at the wallheads is not of a sufficient quality of design in a conservation area and should be removed from the proposal. The roof should meet the wallhead.

**Alternative Design Solution**

An alternative design solution that would be worth exploring would be to remove the porch and boxing out details, glaze the entire south elevation, have no openings on the east elevation and clad it with zinc or powder coated aluminium or something similar. As mentioned above glazing a section of the gable from floor to roof with suitable good quality fenestration may be acceptable as well.

I would be happy to meet with the applicant and or the agent and discuss these points.

Kind Regards  
Ross

**Ross Wilson**, Senior Planner –Conservation,  
**Masterplanning, Design & Conservation Team, Delivering Quality Places**  
Communities, Housing and Infrastructure, Aberdeen City Council

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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 100010408-006

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

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Thistle Windows and Conservatories Ltd"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Jonathan"/>	Building Name:	<input type="text" value="Thistle House"/>
Last Name: *	<input type="text" value="McRitchie"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="01224 701286"/>	Address 1 (Street): *	<input type="text" value="Woodside Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Bridge of Don"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="AB23 8EF"/>
Email Address: *	<input type="text" value="jonathan.mcritchie@thistlewindows.com"/>		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr &amp; Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="D"/>	Building Number:	<input type="text" value="100"/>
Last Name: *	<input type="text" value="Morton"/>	Address 1 (Street): *	<input type="text" value="Fountainhall Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB15 4EG"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## 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="100 FOUNTAINHALL 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="AB15 4EG"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="806308"/>	Easting	<input type="text" value="392248"/>
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## 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 Rear Extension

## 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.

This appeal is based on inconsistencies in recent Planning decisions made, Inconsistencies within the Planning Department over the acceptability of this design and its impact. We view this design as having far less of an impact than other recently approved applications as demonstrated herein, Inordinate pontification with the Planning Department resulting in a 200+ day process, Out of 22 neighbours not one objected, Generally a lack of leadership in the Planning Department

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)

- Aberdeen City Council – ‘Aberdeen City Conservation Area Character Appraisals and Management Plan; Albyn Place and Rubislaw; July 2013’ • Decision Notice of Application P160501 • Report of Handling of Detailed Planning Permission for P160501, dated 28.04.2016 • Planning Application Reference P160501; along with ORIGINAL & REVISED design proposals

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

P160501

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

21/04/2016

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

14/11/2016

## 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

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Site visit is vital to inspect the existing property against the neighbouring eyesore as noted in the appeal documents

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)

## 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 Jonathan McRitchie

Declaration Date: 06/02/2017

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Thistle House  
 Woodside Road  
 Bridge of Don  
 ABERDEEN AB23 8EF

Tel: 01224 706555  
 Fax: 01224 706444

## **APPEAL STATEMENT**

### **FOR PLANNING APPLICATION: P160501**

PROPOSED SINGLE STOREY EXTENSION TO REAR OF DWELLING HOUSE  
 AT 100 FOUNTAINHALL ROAD, ABERDEEN, AB15 4EG

#### **SUMMARY**

This appeal is based on the following key points:

- General inconsistencies in recent planning decisions made in the conservation area adjacent to this property
- Inconsistencies within the Planning Department over the acceptability of this design and its impact on the conservation area
- Inconsistencies within the Planning Department to propose solutions on making the design acceptable
- We view this design as having far less of an impact on the conservation area than the other recently approved builds as demonstrated by the evidence we have produced herein
- The inordinate pontification within the planning department over this design resulting in a 200+ day process to reach any conclusion
- Out of the 22 neighbours that were notified during the application process not one objected
- There appears to be generally a lack of leadership in the Planning Department as demonstrated by all of the above

#### **SUPPORTING INFORMATION**

This supporting document is to be read in conjunction with Planning Application P160501 and Thistle Window & Conservatory Drawing Nos. 28053-001 Rev 3, 28053-101 Rev 3, 28053-201 Rev 5, 28053-202 Rev 5, 28053-203 Rev 5, 28053-204 Rev 5, 28053-205 Rev 5, 28053-206 Rev 5, 28053-207 Rev 5 & 28053-208 Rev 3; initially submitted to Aberdeen City Council on 21<sup>st</sup> April 2016 proposing a single storey extension and replacement window to the rear of the existing dwelling house at 100 Fountainhall Road, Aberdeen, AB15 4EG. The Planning Application for the proposed works was refused by Aberdeen City Council on the 14<sup>th</sup> November 2016; on the grounds that the proposal failed to comply with the relevant policies of Aberdeen Local Development Plan 2012 (Policies D1 & H1), and approval of the application would be detrimental to the character of Conservation Area 4 (Albyn Place / Rubislaw) contrary to the provisions of Scottish Planning Policy, Historic Environment Scotland Policy Statement and with Policy D5 of the Aberdeen Local Development Plan.

Documents to support this appeal are as follows:

- Aberdeen City Council – ‘Aberdeen City Conservation Area Character Appraisals and Management Plan; Albyn Place and Rubislaw; July 2013’
- Decision Notice of Application P160501
- Report of Handling of Detailed Planning Permission for P160501, dated 28.04.2016
- Planning Application Reference P160501; along with ORIGINAL & REVISED design proposals

This appeal is based on the inconsistencies in determining Planning Approval decisions in regards to the Aberdeen Local Development Plan 2012 Policies D1, H1 & D5 as noted in the Planning Decision Notice for P160501; using other Planning applications within the same Conservation Area (Albyn Place / Rubislaw) that were also submitted approximately at the same time and approved under these Policies for comparison.

## EXISTING SITE



EXISTING LOCATION PLAN (N.T.S.)

The existing semi-detached property, built in 1888 according to the date stone visible on the North Face of No. 102 Fountainhall Road is of traditional Aberdeen granite construction and would be classed as a significant example of architectural style for the area. It is located on the corner of Fountainhall Road and Beechgrove Terrace and is placed within the ‘Albyn Place / Rubislaw’ Conservation Area of Aberdeen (Classed as Conservation Area 4 under the Aberdeen Local Development Plan 2012). The property is not directly facing Beechgrove Terrace (adjoining No. 102

Fountainhall Road & No. 77 Beechgrove Terrace faces this street elevation). The property is set back from the boundary wall of Beechgrove Terrace by 14m; traditional stone boundary wall is of a height of 1.85m off street pavement level and is at a significantly lower level than Beechgrove Terrace which helps to hide North face elevation.

The neighboring building (No. 102 Fountainhall Road & No. 77 Beechgrove Terrace) has an existing two storey extension, which has no Planning, Conservation or Building Warrant approvals according to the Planning & Building Warrant registers on Aberdeen City Council's website, and the design is deemed to be "un-characteristic" within the 'Albyn Place / Rubislaw' Conservation Area, especially with its prominent placement on the site and is clearly visible from pavement level. It is noted, that although this has been erected without obtaining approvals; any development that may have obtained "approval" prior to the introduction of the current supplementary guidance would not be considered by the Planning authority prior to the justification for a development proposal which would otherwise fail to comply with the guidance set. The guidance is intended to improve the quality of design and efficiently raise the design standards and ground rules on which the proposals are to be measured for any future development. However we feel it is important to note that the planned extension at 100 Fountainhall Road would actually enhance the overall view.

Please refer to APPENDIX A – showing photographs of the EXISTING dwelling house along with its placement viewable from Beechgrove Terrace.

## PROPOSAL



Our customer, Mr & Mrs Morton, approached Thistle Windows & Conservatories to provide a design to demolish an older kitchen extension which was extremely cold and dark, and in its place provide a larger gable lean-to extension which our customer felt the property merited, creating an open Kitchen / Dining area along with additional glazing to obtain maximum light - once the proposals were satisfactory the Planning Application was submitted to Aberdeen City Council on the 21<sup>st</sup> April 2016, and validated on the 28<sup>th</sup> April 2016. The design had to be sympathetic to the existing two storey extension that was erected on the site of No. 102 Fountainhall Road / 77 Beechgrove Terrace and to fit within the constraints of a Conservation Area.

During a site meeting by the appointed Planning Officer, Shelia Robertson, taken on the 3<sup>rd</sup> June 2016, a discussion with the customer did occur in regards to the proposals in which at that time the Planner could not foresee any concerns on the design. In an email dated the 13<sup>th</sup> June 2016 to Thistle Windows & Conservatories, the Planner noted that while the principal of the extension was deemed acceptable they would be looking for some "minor" modifications to the roof design in order to allow approval for the proposals. During the next few months, discussions between Thistle Windows & Conservatories and the Planner were made to find an amicable solution that would please all parties, we suggested several ways of screening the proposed North elevation wall which included trellising and foliage, however the proposal of replacing the finishing material on the North Facing wall from a dry-dash render; to using reclaimed granite blocks taken from the demolition of the existing Kitchen extension was finally proposed and this was agreed a more favourable design to help blend the elevation with the surrounding area.

During this time, the Conservation Area officer from Aberdeen City Council Lucy Greene attended a meeting on the 12<sup>th</sup> September 2016 arranged by the customer along with Local Councillor Jennifer Stewart who had visited the site several times, the Planner Shelia Robertson and Planning Team Leader Development Management Garfield Prentice to discuss the proposals and their impact on the site. Contact was made to Councillor Stewart by our customer, who had noted their frustration on

the excessive time being taken to review the proposal who in turn arranged the meeting with the planners on behalf of our customer. On the 29<sup>th</sup> September 2016 an email from Lucy Greene was received, noting that the principal of extending the building to the rear of the existing property was acceptable; amending the wall material on the North Wall to reclaimed granite was deemed acceptable and was adopted by Thistle and amended. Now the focus and attention was instead diverted onto the proposed 'porch' to the South Elevation, something that the Conservation Area representatives deemed that the removal would be beneficial to "an agreeable solution", i.e. compensating for allowing the North Elevation wall even though the porch was previously deemed acceptable with the Planner.

On the 17<sup>th</sup> October 2016, Thistle Windows & Conservatories returned the revised drawings to Aberdeen City Council, noting that the amendments to the North Facing wall (and facing Beechgrove Terrace) was amended to reclaimed granite as per the Planning and Conservation recommendations; however the 'porch' to the South Elevation that has no direct public views (due to the extension itself to the North, a 1.8m approx. high wall to the south and no street elevations), was to remain in-situ as shown on the plans. The design in general was considered of a "good design", and not having an adverse impact on the current Conservation Area (given the unappealing, unapproved neighbouring extension). Along with this submission; a list of applications that were previously approved and which in our view has a bigger impact within the Albyn / Rubislaw Conservation Area were forwarded.

The decision notice for the proposals was given on the 14<sup>th</sup> November 2016 (over 200 days from the validation date of the 28<sup>th</sup> April 2016); to REFUSE PLANNING PERMISSION for the proposals given that the proposal failed to comply with "relevant" policies of Aberdeen Local Development Plan 2012; namely Policy D1 (Architecture & Placemaking), H1 (Residential Areas) along with the failure to "enhance" the character of Conservation Area 4 (Albyn Place / Rubislaw) to the provisions of Policy D5 (Built Heritage). We received no explanation to the justification of the decision versus other applications which have been recently approved and believe the challenge has simply been ignored.

Our customer wishes to appeal on the basis, given various inconstancies present within the Planning and Conservation departments of Aberdeen City Council in their deliberation on reaching a 'refusal' decision; along with a lack of communication both internally within the Council and externally with Thistle Windows & Conservatoires and third parties for information on the status of the application during its consulting period. The proposal for our customer was considered to be of a "good-design" based on the current site restrictions and was deemed not to have an adverse impact on the Conservation Area due to its location and surroundings. Our proposal is sympathetic to the neighbouring extension previously missed by both the Planning and Conservation Authorities along with Building Control; amendments to our design were made to the finish of the high level wall from render to reclaimed granite on the advice of the Conservation Officer; which in turn is far superior to the very visible 'modern'; Fyfestone finish. Although the neighbouring extension is very prominent from the street view we feel that even this was constructed prior to any "supplementary guidance of 'good design'" it should not had been unfairly subtracted from the final decision for the application at 100 Fountainhall Road

The appeal will be looking at each policy in general, and how the proposals for 100 Fountainhall Road we feel satisfies these We also include details of other Planning applications within this same area, submitted around the same timeframe – that we feel are more impacting on the Conservation Area than our application.

**PROPOSAL VISUALS**

**View 1**



**EXISTING**



**PROPOSED**

**View 2**



**EXISTING**



**PROPOSED**

**View 3**



**EXISTING**



**PROPOSED**



**View 4**



**EXISTING**



**PROPOSED**

## POLICY D1 – ARCHITECTURE AND PLACEMAKING

*“To ensure high standards of design, new development must 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 street squares, open space, landscaping and boundary treatments, will be considered in accessing that contribution.*

*To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Master planning Process Supplementary Guidance will be applied.*

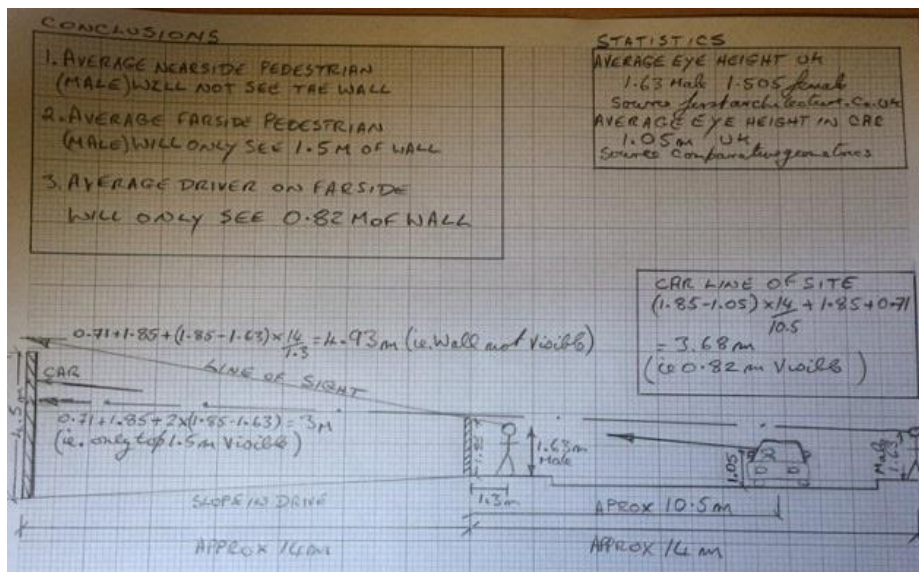
*The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.*

*Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City’s skyline and aim to preserve or enhance important views. “*

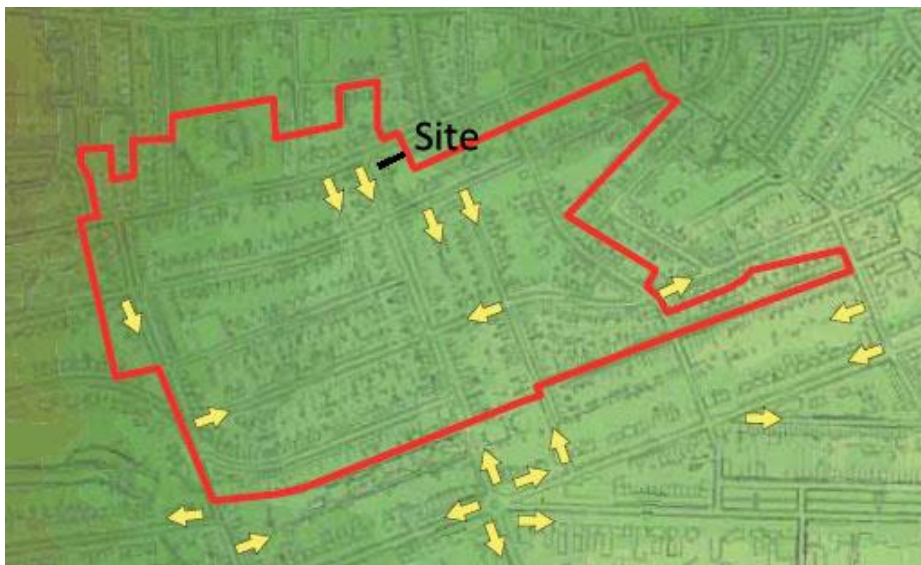


The above photograph was presented by the planning department during discussions as evidence on how visible the back of the house at 100 Fountainhall Road is from Beechgrove Terrace. But this gives a false impression as it clearly looks down on the wall and has been taken from a higher elevation above what any pedestrian or vehicle driver would see, you might say this view is from a ‘Google’ street view camera positioned on top of a vehicle. Note the height of the vehicle turning into Fountainhall Road.

Please note also the following diagram provided -



The proposals were for a demolition of an existing rear extension; and the construction of a new mono-pitched extension, which has no visible views from the main Fountainhall Street View. The only “public” views would be from the North, over a 1.85m high boundary wall from the pavement and adjacent neighbour of 77 Beechgrove Terrace, and surrounding neighbours. The extension itself does not affect any of the existing Views as notified on the ‘Aberdeen City Conservation Area Character Appraisals and Management Plan; Albyn Place and Rubislaw’ guidance notes, given the main view is taken down the streetscape of Fountainhall road to the prominent roundabout at Queen’s Cross. Although as part of a semi-detached property on the corner of Fountainhall Road and Beechgrove Terrace, these can be classed as “focal points” as notes on page 37 of the Guidance Notes; however this can be determined as No 102 Fountainhall Road, and not No 100. The only “public” viewing point for the proposal would be on Beechgrove Terrace as you approach the junction of Fountainhall Road.



Character Area 'C'; Townscape Analysis – VIEWS/VISTAS/GLIMPSES

Through discussions with Thistle Windows & Conservatories and the Planning and Conservation Officer; the main and only objection initially was in terms of material use on the North Wall finish, and this was amended as per the recommendations made by the Conservation Officer. The drawings had been amended to reflect this and returned. Throughout the deliberation procedure, this was the only material change in which had been discussed or notified by Aberdeen City Council. This differs from the Planner's Handling report in which there are inconsistencies, details in regards to the window material choice and glazing pattern were never mentioned in the initial discussions and only came to the table latterly once agreement was made on the finish to the Proposed North Wall.

The report also refers the proposals to a "standard domestic extension that would be found on an average modern house", this we feel is untrue and an unjustified statement. We have kept the design as a 'traditional' lean-to outbuilding style; but have modernised its design with glazing. The Porch is a feature of this extension, creating another modern design to a traditional building. This again is not seen from the main street view off Fountainhall Road or over the garden walls of Beechgrove Terrace. The concept is to create a clear definition between 'old' and 'new'; but by keeping the majority of materials i.e. the reclaimed granite wall to the north and slated roofs as a traditional build as part of the design will complement the new Kitchen/Dining space in which the customer desires.

## **POLICY H1 – RESIDENTIAL AREAS**

*“Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential development and householder development will be approved in principal 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 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 of Curtilage Splits; and*
5. *Complies with Supplementary Guidance on House Extensions*

*Within the existing residential areas, proposals for non-residential uses will be refused unless:*

1. *They are considered complementary to residential use; or*
2. *It can be demonstrated that the use would cause no conflict with, or any nuisance to the enjoyment of existing residential amenity “*

According to the Handling Report for the application; several elements were considered acceptable in terms of the householder development guidance; the additional net gain to the overall ground floor is noted to be acceptable within the context of the surrounding properties and still retain adequate usable rear garden space on completion of the works. The extension would be “subservient to the original dwelling house in terms of footprint and height and its scale, mass and proportions are considered acceptable in relation to both the existing dwelling and plot size”.

In regards to the overall projection of the proposal, the extension projects 8.4m from the original line of the dwelling house given that the householder guidance limits the projection along a separating pair of semis along the boundary to 4m – it was determined according to the handling document, calculations would indicate that the additional project would be acceptable in terms of residential amenity since there would be “minimum additional impact to all neighbouring properties in terms of light receipt, the additional projection is only acceptable if it also results in an extension of sufficiently high quality design that sits well with and complements the existing dwelling house and preserves or enhances the character of the surrounding Conservation Area.” Thistle Windows & Conservatories maintained correspondence throughout the deliberating period with both Planning and the Conservation Officer, to determine a satisfactory agreement of finishes of the proposed extension; especially the finish of the North facing wall that adjoins the existing two storey extension. What was proposed and discussed with both the Planning and Conservation Officer to change the finish from a dry-dash render to reclaimed granite was deemed a more favourable finish; the drawings were amended to reflect this. Even adjacent to the neighbouring extension, this was deemed more sympathetic.

## **POLICY D5 – BUILT HERITAGE**

*“Proposals affecting Conservation area or Listed Buildings will only be permitted if they comply with Scottish Planning Policy. In relation development affecting archaeological resources further details are set out in Supplementary Guidance on Archaeology and Planning.*

*Planning permission for development that would have an adverse effect on the character or setting of a site listed in the inventory of gardens and design landscapes in Scotland or in any addition to the inventory will be refused unless:*

1. *The objectives of designation and the overall integrity and character of the designated area will not be compromised; or*
2. *Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, economic and strategic benefit if national importance.*

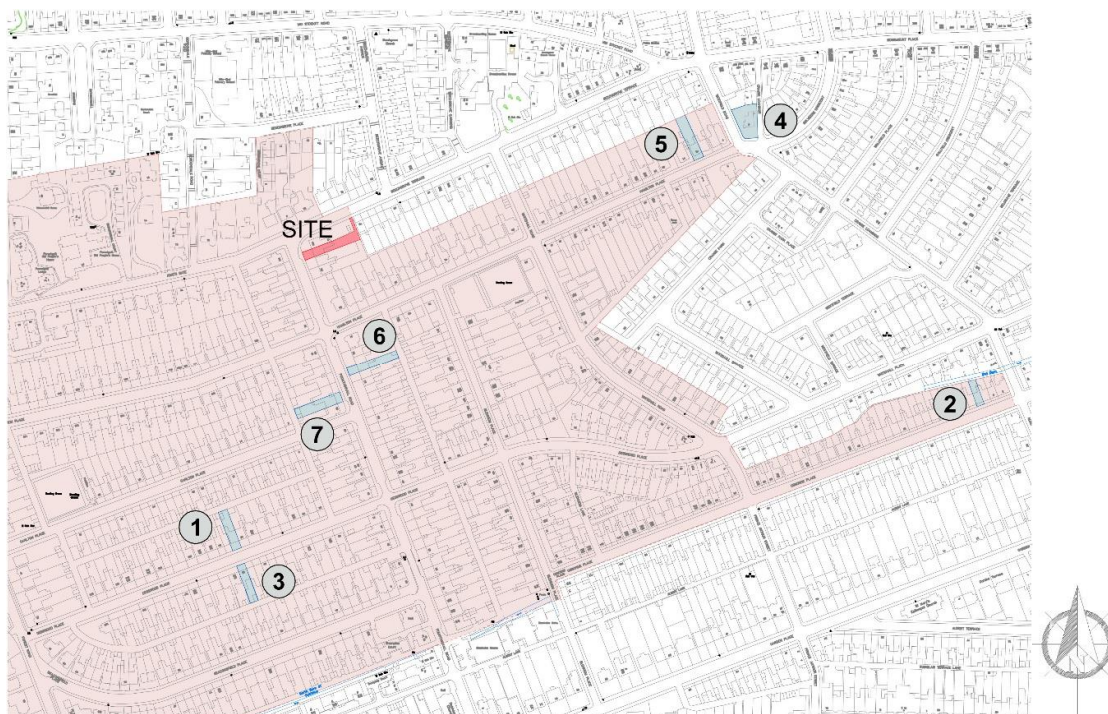
*In both cases mitigation and appropriate measures shall be taken to conserve and enhance the essential characteristics, aesthetics, archaeological and historical value and setting of the site. “*

The proposal put forward to Aberdeen City Council was deemed to be of a ‘good design’ of both use of the materials of the extension, along with the design that complemented the site, original building and the needs of the customer. It is to note, that the existing dwelling has no building listing; however the proposed design is to complement the existing; but not to an effect make a “modern” feature. The finalised design is far more superior than the neighbouring “unflattering” extension. Although, throughout the deliberation procedure, this was not included in the final decision as it was built before the current guidelines; and actually missed by the Planning and Conservation Authorities and Building Control in having no approvals for the build, given this would still remain the main focal element on the approach to the Fountainhall junction. It is noted within the Handling Report made by the Planner, that the elevation to the North is ‘Visually Intrusive by virtue of its overall height, particularly when viewed juxtaposed to the unsympathetic extension to the adjoin dwelling house, and which will lead to further incremental erosion of the character of the Conservation Area’ – this is an unfair and harsh statement, given the neighbouring extension has no local authority approvals towards it, the proposals for 100 Fountainhall Road are hindered regardless of design.

We respectfully ask at this point whether our design proposal will lead to more of an ‘incremental erosion’ to the conservation area more so than the examples of previous approved applications that we note and so on Appendix B?

During the deliberation period, Thistle Windows & Conservatories looked at applications within the Conservation Area 4 (Albyn Place / Rubislaw) catchment area, and we would like to present a number of applications on which we would like to highlight the different interpretation of what is classed as a “GOOD DESIGN” on which these applications have been given approval. We provide our findings below and showing their locations in reference to our site.

Please refer to **APPENDIX B** – for details of the plans & elevations for each highlighted application noted for reference.



- 1 PLANNING REFERENCE: P151061 86 DESSWOOD PLACE**  
*Validated: 01.07.2016      Approved: 19.08.2016*  
 Planning Application shows an ‘L’ shaped pitched roof extension with a large glazed gable offset frontage located at the rear of the property. This has significantly more glazing proposed. Glazed ‘eyebrow’ shown on the roof section; detracting from a “simple” roof design.
- 2 PLANNING REFERENCE: P151530 8 OSBORNE PLACE**  
*Validated: 18.09.2015      Approved: 01.02.2016*  
 Planning Application shows a ‘crown-top’ extension, velux with upstand, Fyfestone walls and ‘questionable’ glazing configuration to the rear of the property. How is this to be considered “less of an impact” to the Conservation Area and in keeping with the existing dwelling house?
- 3 PLANNING REFERENCE: P160238 95 DESSWOOD PLACE**  
*Validated: 02.03.2016      Approved: 26.04.2016*  
 Planning Application shows a double level flat roof trapezium shape with an “interesting” glazed design to the rear of the property. Again how is this considered “less of an impact” to the Conservation Area and in keeping with the existing dwelling house?

**4 PLANNING REFERENCE: P160790 2 HAMILTON PLACE***Validated: 16.06.2016 Approved: 26.08.2016*

This is located just out-with Conservation Area 4 (Albyn Place / Rubislaw) catchment area; however this Planning Application shows a mono-pitch roof extension with lead surrounds attached to a Listed Building to the side elevation. Again how is this considered “less of an impact” to the Conservation Area and in keeping with the existing Listed graded dwelling house?

**5 PLANNING REFERENCE: P160424 – 10 HAMILTON PLACE***Validated: 15.04.2016 Approved: 29.06.16*

Planning Application shows a double hipped roof with a bay projection extension – not too dissimilar to our overall profile footprint; i.e. rectangular box with a small projection at the rear of the property. This has been approved based on “good design”?

**6 PLANNING REFERENCE: P160545 82 FOUNTAINHALL ROAD***Validated: 03.05.16 Approved: 12.08.2016*

Planning Application shows an extension to the garage outbuildings to the rear of the site – the extension would be visible from the main Craigie Loanings Road – We definitely argue that this proposal would have more of an impact on the neighbouring properties with regards to overlooking their rear gardens. Again, this has been approved based on “good design”?

**7 PLANNING REFERENCE: P160686 71 FOUNTAINHALL ROAD***Validated: 31.05.2016 Approved: 12.08.2016*

Planning Application shows a large flat roof extension with granite walls to the rear of the property. No mention of using alternative “modern” materials to provide a “good design”.

With the above noted approved applications we would make the point that several designs, shapes and materials have been used and interpreted as being of a “good design” and adding to the character of the conservation area, please explain how our design proposal differ from these?



## CONCLUSION

It is our contention that the refusal of this application is unfair, unreasonable and inconsistent with other recent planning decisions in the area. We base this view on the following:

- General inconsistencies in recent planning decisions made in the conservation area adjacent to this property
- Inconsistencies within the Planning Department over the acceptability of this design and its impact on the conservation area
- Inconsistencies within the Planning Department to propose solutions on making the design acceptable
- We view this design as having far less of an impact on the conservation area than the other recently approved builds as demonstrated by the evidence we have produced herein
- The inordinate pontification within the planning department over this design resulting in a 200+ day process to reach any conclusion
- Out of the 22 neighbours that were notified during the application process not one objected
- There appears to be generally a lack of leadership in the Planning Department as demonstrated by all of the above

In the later stages of 2015, Mr & Mrs Morton made the decision to extend their existing property rather than moving and approached Thistle Windows to undertake the project. They, for the most part, enjoy living in their property however the existing Kitchen has always been an issue due to the fact that it is situated within the existing former outhouse which is extremely cold and dark and does not provide much inspiration. They have a vision of providing a new large, light kitchen and dining space which they feel the existing property requires and merits. They will be investing a large amount and using local suppliers to create the proposed space, however, with the project cost being at the top end of both their set budget and also the top end of adding value to the property, the addition of the more 'modern' materials would not be justifiable nor do we agree this would enhance the design.

Mr & Mrs Morton from the beginning have understood the reasoning of trying to improve the local conservation area and agree with this principle, however, they feel that the design they are proposing is of a 'good design' and would not have an adverse impact on the existing dwelling and of the conservation area, in fact it would enhance it. They understand that the existing neighbouring two storey extension was built without the required planning & warrant approval however it is setting a huge precedent that shouldn't and can't be ignored, we believe we are actually improving the visual impact on Beechgrove Terrace. We have highlighted several previously approved applications within the conservation area and argue that our design is at least as sympathetic as all of these approved designs.

We have witnessed consistent inconsistencies throughout this planning application, the designated planner from the outset indicating the only issue being the North wall, to eventually the senior planner totally disagreeing with this, reinstating the full height North Wall (in Granite) but compensating this by not allowing the south elevational porch and changes to the East Elevation materials which have led to a 'cloudy' unfair refusal decision.

We want to reiterate that we are not trying to be unreasonable but feel that due to the several inconsistencies of not only our application but those applications that have been previously approved it would appear that the decision to refuse our application is completely unfair.

We respectfully request that approval for our design be granted.

**APPENDIX A:**

**EXISTING PHOTOGRAPHS:**

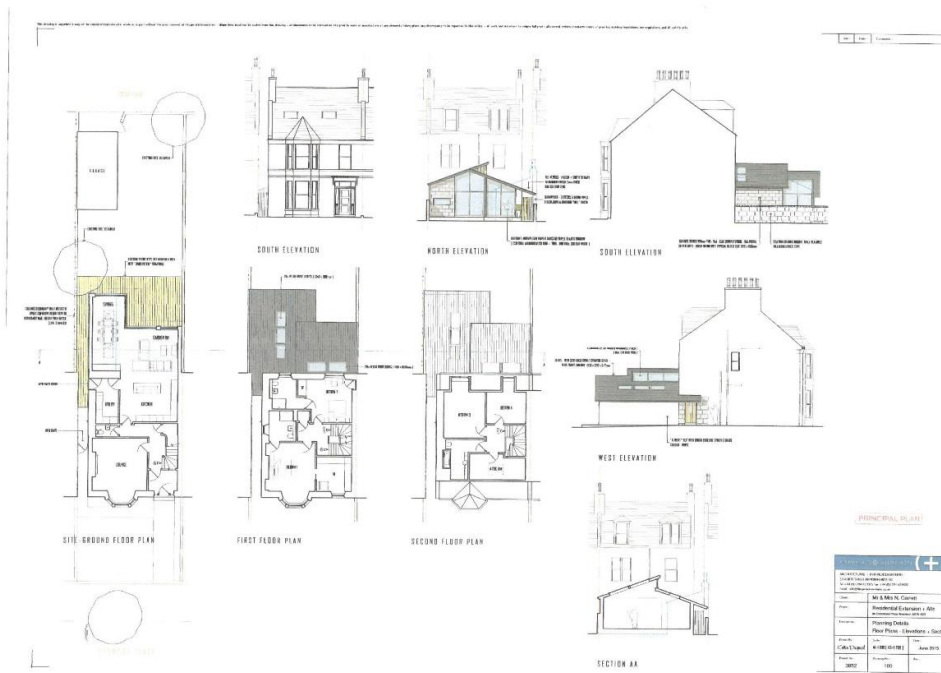






# APPENDIX B:

## PLANNING REFERENCE: P151061 86 DESSWOOD PLACE

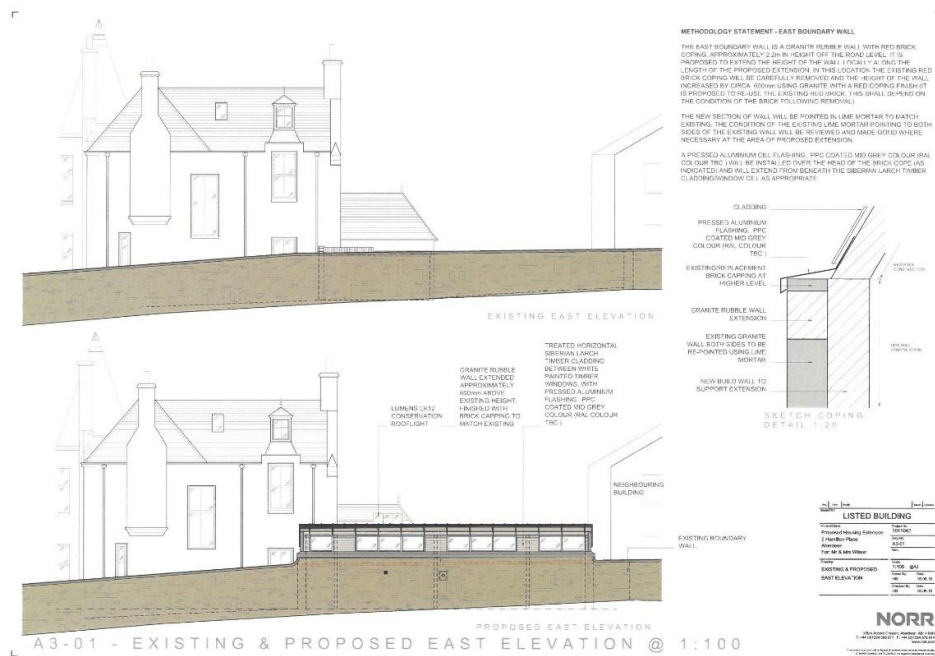




**PLANNING REFERENCE: P160238 95 DESSWOOD PLACE**

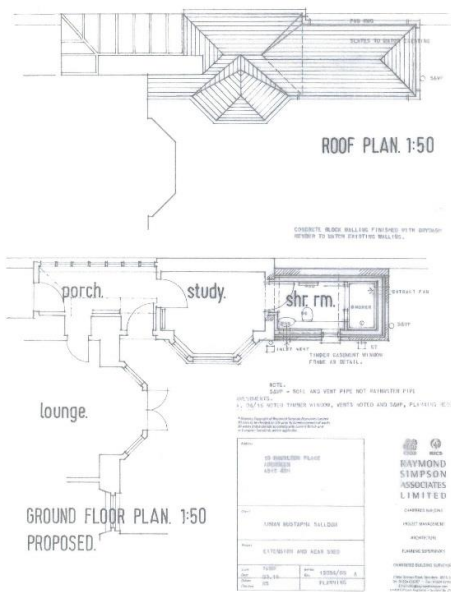
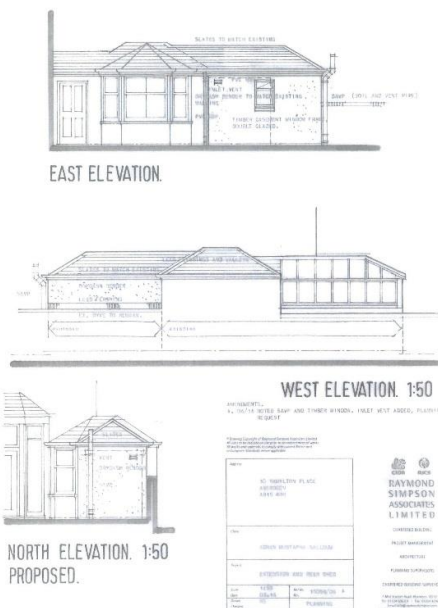


PLANNING REFERENCE: P160790 2 HAMILTON PLACE

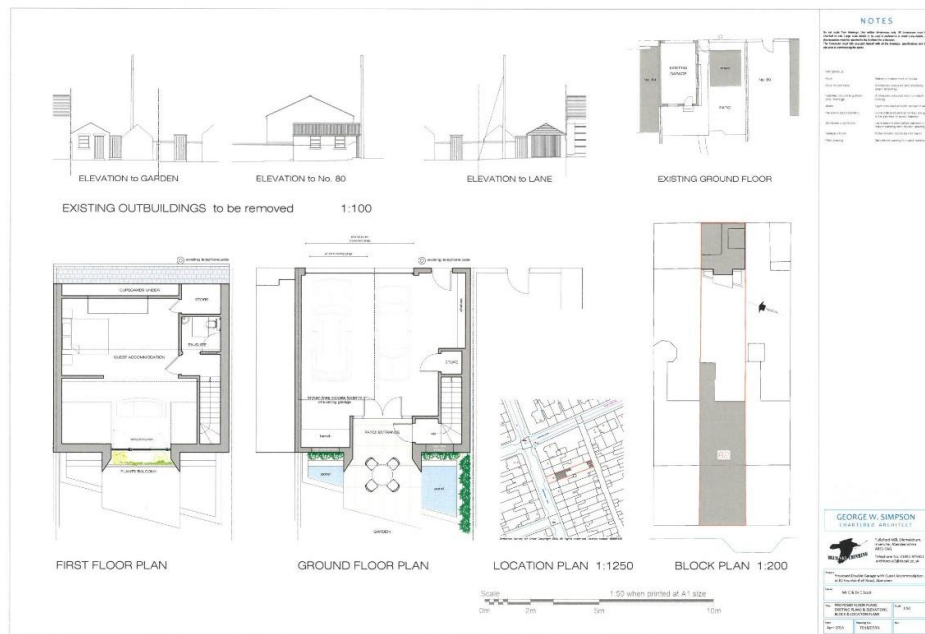




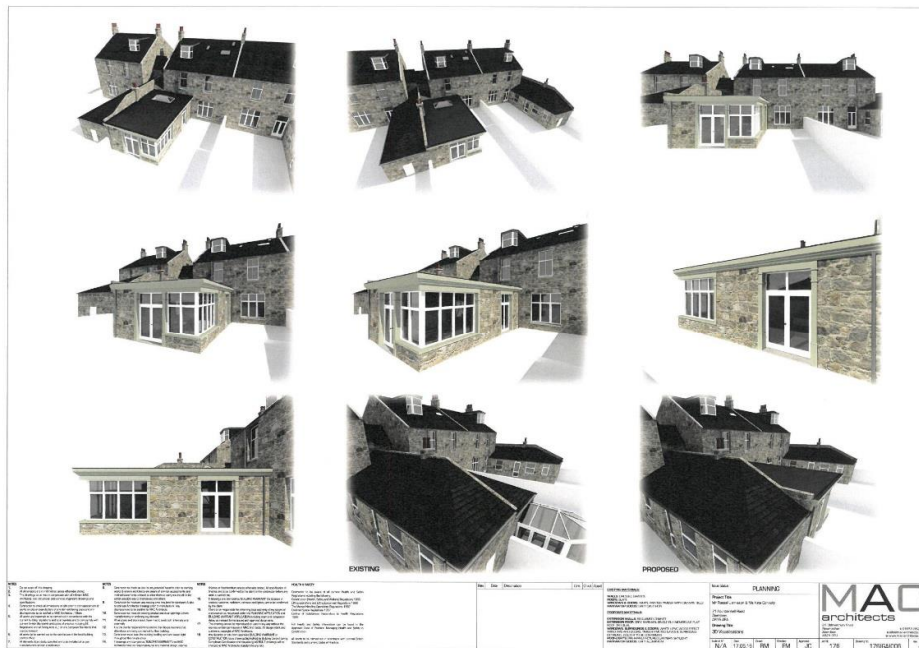
**PLANNING REFERENCE: P160424 – 10 HAMILTON PLACE**

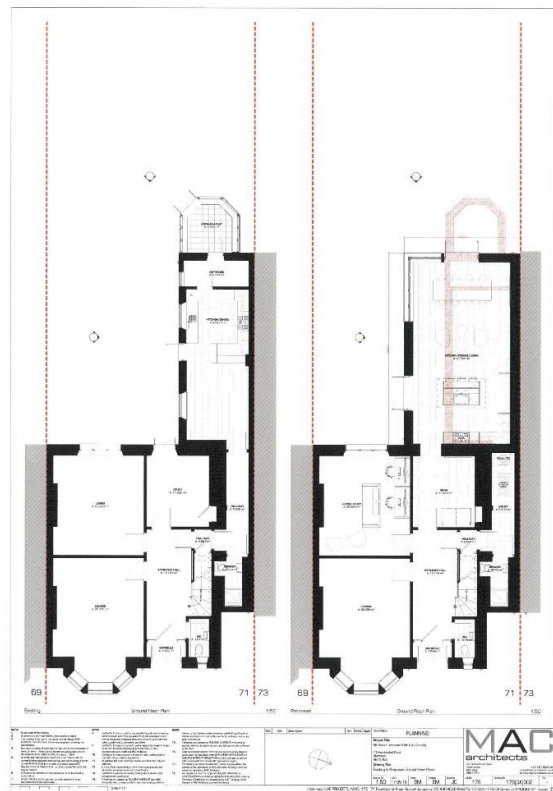


**PLANNING REFERENCE: P160545 82 FOUNTAINHALL ROAD**



PLANNING REFERENCE: P160686 71 FOUNTAINHALL ROAD





## Report of Handling Detailed Planning Permission

**161506/DPP:** Replacement windows and door with external alterations to door opening at 2 Colsea Road, Aberdeen, AB12 3NB.

For: Mr J Ellis

Application Date:	21 October 2016
Officer:	Karla Mann
Ward:	Kincorth/Nigg/Cove
Community Council:	Cove and Altens
Advertisement:	Aberdeen Citizen – S60/65 – Development affecting a Listed Building or Conservation Area
Advertised Date:	02.11.2016 – 23.11.2016

**RECOMMENDATION: Refuse**

### SITE DESCRIPTION

The site relates to a detached, single storey traditional cottage property, located on the southern corner of Colsea Road and Colsea Terrace. The street is characterised by a row of terraced, single storey cottages. The property in question is surrounded to the north, east and south by Listed Buildings. It features non-original brown casement timber windows and front door and a single storey extension to the rear. The site is identified as a 'Residential Area' within the Adopted Aberdeen Local Development Plan. It is also within the Cove Bay Conservation Area.

### DESCRIPTION OF PROPOSAL

Detailed planning permission is sought for the replacement of the rear extension's windows and doors, alterations to the size of the rear extensions door opening, and to replace the front elevations' brown timber windows with white PVCu and brown timber front door with a black composite door, and PVCu door frame.

### RELEVANT HISTORY

Application Number	Proposal	Decision Date
012031	Replacement Windows	11.01.2002

Status: Approve

### SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at <https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OF793NBZH5000>

## **CONSULTATIONS**

<b>Consultee</b>	<b>Date of Comments</b>	<b>Summary of Comments</b>
Community Council – Cove and Altens	18.11.2016	The Community Council expect that any work done will be in-keeping with the site's situation in a Conservation Area.

## **REPRESENTATIONS**

None

## **PLANNING POLICY**

### **Scottish Planning Policy (2014)**

#### **Adopted Aberdeen Local Development Plan**

Policy D1 – Architecture and Placemaking

Policy D5 – Built Heritage

Policy H1 – Residential Areas

#### **Proposed Local Development Plan**

Policy D1 – Quality Placemaking by Design

Policy D4 – Historic Environment

Policy H1 – Residential Areas

## **OTHER RELEVANT MATERIAL CONSIDERATIONS**

Historic Environment Scotland Policy Statement (2016)

Historic Environment Scotland – Managing Change in the Historic Environment: Windows (2010)

Historic Environment Scotland – Managing Change in the Historic Environment: Doorways (2010)

Technical Advice Note: Repair and Replacement of Windows and Doors

## **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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

With regard to the proposed alterations to the rear extension's door opening size and replacement of the rear windows and doors, it is considered that as these would be situated on a non-public elevation of a modern extension, the proposed changes would be acceptable, as they would not cause a detrimental impact on the character of the Conservation Area or on the residential amenity of the surrounding area.

With regard to the public elevation's proposed changes, the replacement of the timber windows with PVCu and the introduction of a composite door with fan light

would be contrary to planning policy. As these changes would be readily visible from the public street frontage, 'The Repair and Replacement of Windows and Doors' Technical Advice Note (TAN) is of relevance, stating that on "*public elevations of unlisted buildings in Conservation Areas, the introduction of PVCu windows as a replacement material is not acceptable.*" In addition, guidance for replacement windows, created by Historic Environment Scotland (HES), within 'Managing Change in the Historic Environment: Windows' states that "*Some windows may have been replaced in the past using inappropriate designs or materials. Any new replacement proposals should seek to improve the situation through designs and materials that are in keeping with the character of the building*". Even though the windows are not original, the proposal to replace the current timber material (which is sympathetic to the Conservation Area) with white PVCu would not be supported.

Furthermore, HES also has specific guidance on doors and doorways within 'Managing Change in the Historic Environment: Doorways' which states "*in instances where historic doors have previously been replaced using inappropriate designs or materials...Any new replacement proposals must seek to improve the situation through designs and materials that are sympathetic to the character of the building*". As the proposed replacement door would be a composite door rather than a traditionally designed timber door, it is not considered that this would be a sympathetic or appropriate material, nor would it be an improvement to the Conservation Area and thus this would also be contrary to guidance.

Overall, it is considered that allowing such unsympathetic replacements, to the windows and door of the public elevation, would risk progressive and cumulative erosion of the character of the Conservation Area, and would undermine the policy position set out at both the national and local level. As the proposal does not seek to maintain the character of the Conservation Area by faithfully reproducing traditional windows or front door, it is considered that the proposal would not comply with material guidance of the TAN or HES, nor would it comply with Local Development Plan Policies, D1, D5 or H1 as the introduction of PVCu and a composite door would significantly affect the character of the Conservation Area, and affect the visual amenity of the residential street.

#### 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.

**APPLICATION REF: 161506/DPP**

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

In relation to this particular application, the relevant policies of the adopted ALDP (Policies D1, H1 and D5) substantively reiterate those of the proposed ALDP and therefore raise no additional material considerations.

**RECOMMENDATION: Refuse**

**REASONS FOR RECOMMENDATION**

The proposed changes to the rear extension would be acceptable as these would not materially affect the character of the Conservation Area, however the proposed changes to the public elevation, by way of introducing PVCu and a composite front door would not comply with Local Development Plan Policies D1 (Architecture and Placemaking), D5 (Built Heritage) and H1 (residential Areas) nor would it comply with the Technical Advice Note created by Aberdeen City Council or guidance set by Historic Environment Scotland, as these changes would significantly affect the character of the Conservation Area and the residential and visual amenity of the street.



## **DECISION NOTICE**

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

#### **Detailed Planning Permission**

John Gordon  
John Gordon Associates Ltd  
3 Dean Acres  
Comrie  
Dunfermline  
Scotland  
KY12 9XS

on behalf of **Mr J Ellis**

With reference to your application validly received on 21 October 2016 for the following development:-

**Replacement windows and door with external alterations to door opening at 2 Colsea 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>
SN4176AWLP	Location Plan
SN4176AW2	Multiple Elevations (Proposed)

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

The proposed changes to the rear extension would be acceptable as these would not materially affect the character of the Conservation Area, however the proposed changes to the public elevation, by way of introducing PVCu and a composite front door would not comply with Local Development Plan Policies D1 (Architecture and Placemaking), D5 (Built Heritage) and H1 (residential Areas) nor would it comply with

PETE LEONARD  
DIRECTOR

the Technical Advice Note created by Aberdeen City Council or guidance set by Historic Environment Scotland, as these changes would significantly affect the character of the Conservation Area and the residential and visual amenity of the street.

**Date of Signing** 21 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](http://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.



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        100028428-001

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)

Installation of replacement doors & windows

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:	John Gordon Associates Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	<input type="text"/>
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:	<input type="text"/>	Address 2:	Comrie
Mobile Number:	<input type="text"/>	Town/City: *	Dunfermline
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		

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:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	J	Building Number:	2
Last Name: *	Ellis	Address 1 (Street): *	Colsea Road
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Aberdeen
Extension Number:	<input type="text"/>	Country: *	UK
Mobile Number:	<input type="text"/>	Postcode: *	AB12 3NB
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

2 COLSEA ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB12 3NB

Please identify/describe the location of the site or sites

Northing

800908

Easting

395317

## 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: John Gordon

On behalf of: Mr J Ellis

Date: 17/10/2016

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 Gordon

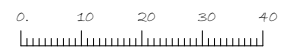
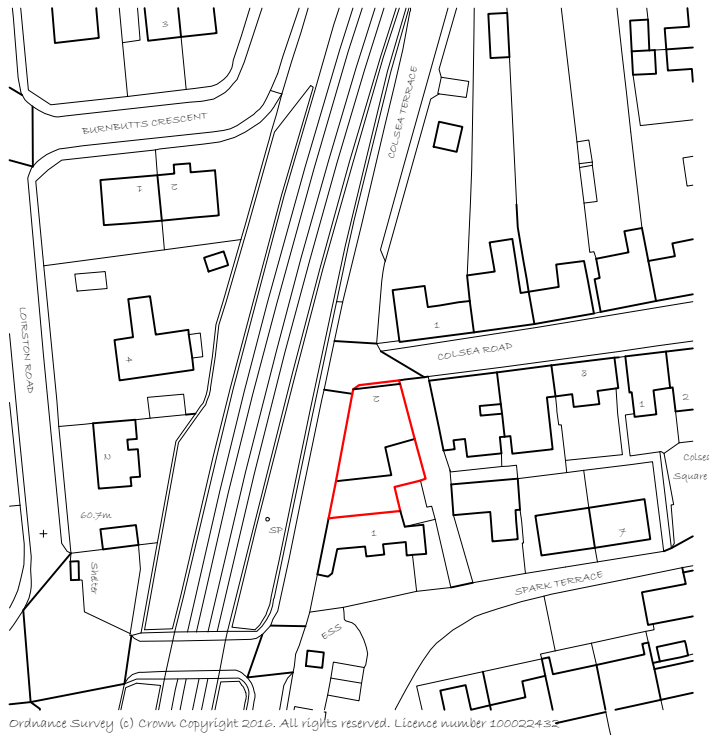
Declaration Date: 17/10/2016

**Payment Details**

Cheque: EVEREST LIMITED, 657560

Created: 17/10/2016 16:45





Scale Bar (m) 1:1250

Mr. J. Ellis,  
2 Colsea Road, Cove Bay,  
Aberdeen. AB12 3NB.

Location Plan

Scale: 1:1250

8/10/16

Ref: Everest SN4176AW/LP



3 DEAN ACRES  
COMRIE  
FIFE KY12 9XS  
Tel/Fax: 01383 850 134  
E-mail: gordonassociates  
@sky.com

JOHN GORDON ASSOCIATES LTD

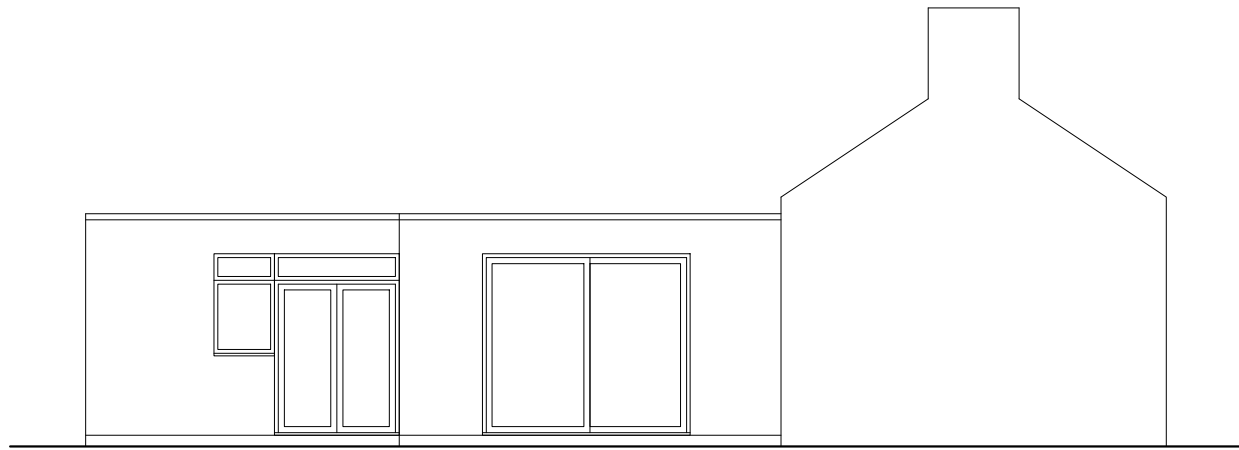
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Dated:

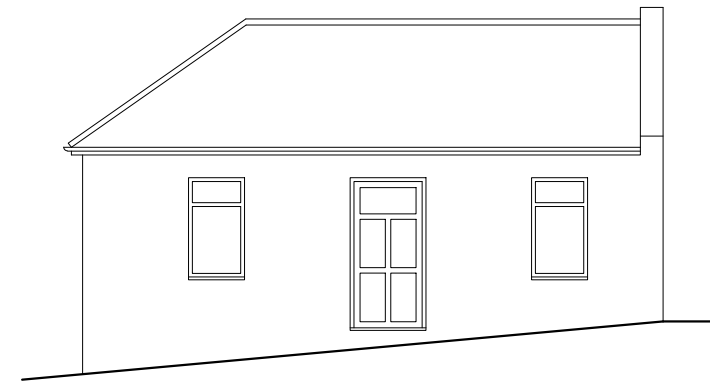
Signed: John Gordon

Copyright of this drawing, and all other associated drawings, is owned by John Gordon Associates Ltd at the above address.

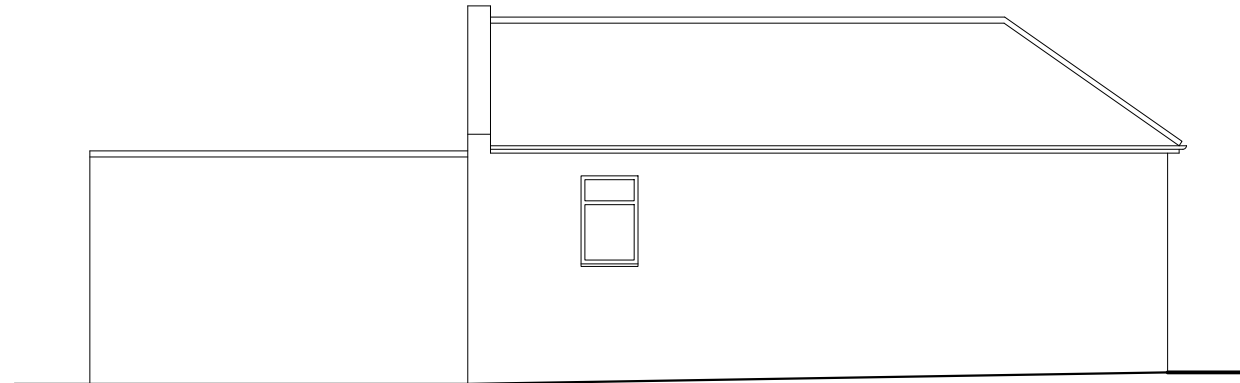
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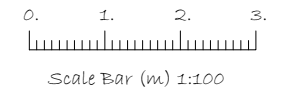
South Elevation



North Elevation



East Elevation



Mr. J. Ellis,  
2 Colsea Road, Cove Bay,  
Aberdeen. AB12 3NB.

As Existing

Scale: 1:100 8/10/16

Ref: Everest SN4176AW/1



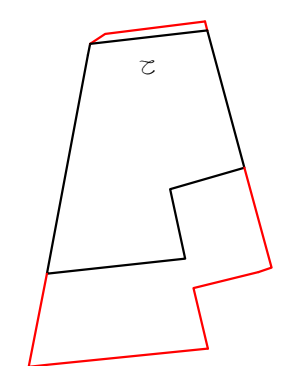
3 DEAN ACRES  
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FIFE KY12 9XS  
Tel/Fax: 01383 850 134  
E-mail: gordonassociates  
@sry.com

JOHN GORDON ASSOCIATES LTD

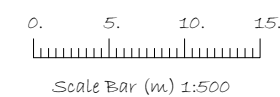
This is a true copy of the plan referred to in our application.

Dated: Signed: *John Gordon*

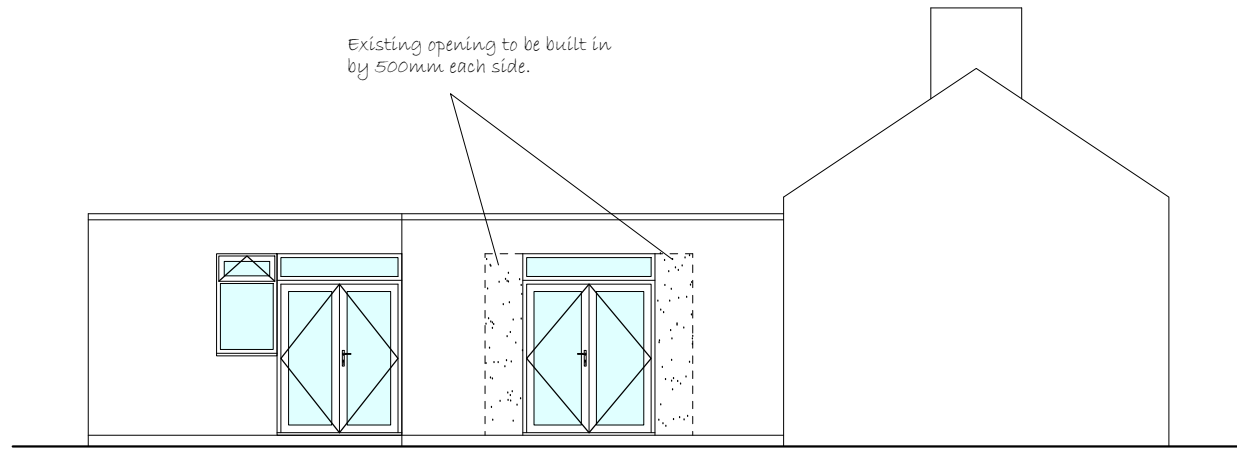
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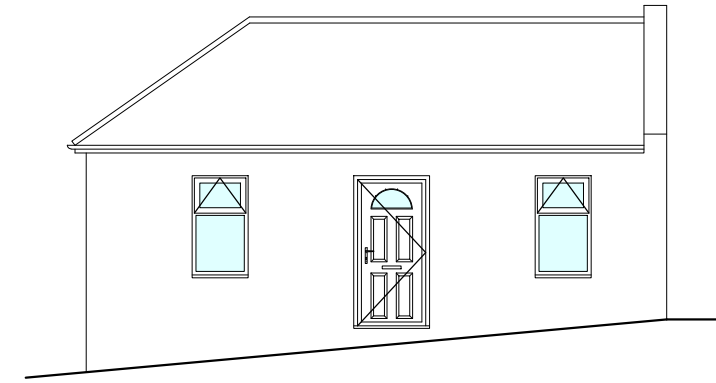
Site Plan  
1:500



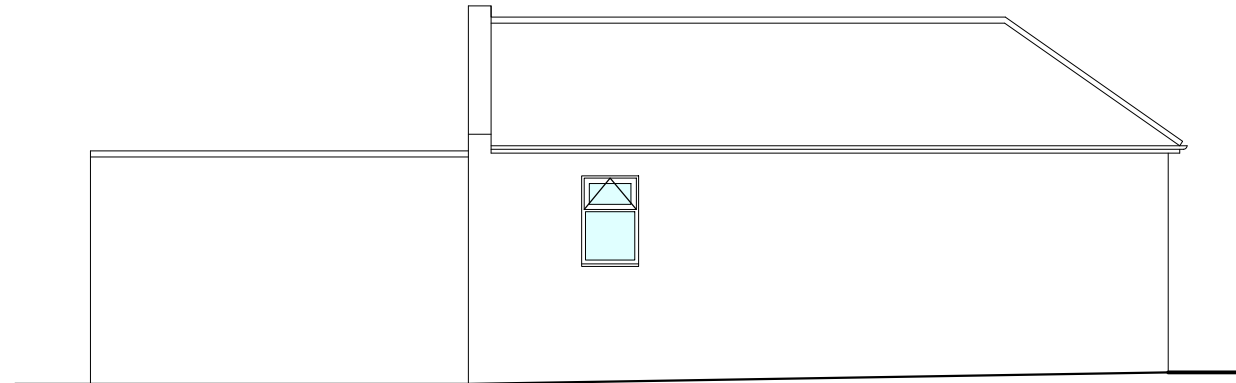
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South Elevation



North Elevation



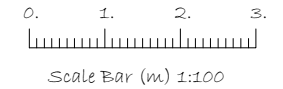
East Elevation

4 windows & 3 door sets to be replaced in total.

Existing windows & doors are brown timber. Rear french doors are white timber. Windows are casement style.

Proposed windows & doors are white PVCU double glazed, toughened sealed units. Windows are casement style.

Proposed front door is black out, white in. GRP door leaf with a PVCU frame.



Mr. J. Ellis,  
2 Colsea Road, Cove Bay,  
Aberdeen. AB12 3NB.

Proposed Alterations

Scale: 1:100

8/10/16

Ref: Everest SN4176AU/2



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Tel/Fax: 01383 850 134  
E-mail: gordonassociates  
@skj.com

JOHN GORDON ASSOCIATES LTD

This is a true copy of the plan referred to in our application.

Dated:

Signed: *John Gordon*

Copyright of this drawing, and all other associated drawings, is owned by John Gordon Associates Ltd at the above address.

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# Comments for Planning Application 161506/DPP

## Application Summary

Application Number: 161506/DPP

Address: 2 Colsea Road Aberdeen AB12 3NB

Proposal: Replacement windows and door with external alterations to door opening

Case Officer: Karla Mann

## Customer Details

Name: Mrs Michele McPartlin

Address: 14 Langdykes Way, Aberdeen AB12 3HG

## Comment Details

Commenter Type: Community Councillor

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Cove and Altens Community Council expect that any work done will be in keeping with the site's situation in a conservation area.

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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 100028428-004

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

## Agent Details

Please enter Agent details

Company/Organisation:	John Gordon Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:		Address 2:	Comrie
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		

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

Individual  Organisation/Corporate entity

## 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="J"/>	Building Number:	<input type="text" value="2"/>
Last Name: *	<input type="text" value="Ellis"/>	Address 1 (Street): *	<input type="text" value="Colsea Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Cove Bay"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB12 3NB"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## 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="2 COLSEA 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="AB12 3NB"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="800908"/>	Easting	<input type="text" value="395317"/>
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## 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)

ALTERATIONS TO INSTALL REPLACEMENT WINDOWS & DOORS

## 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.

THE APPLICATION WAS REFUSED FOR PROPOSED PVCU WINDOWS & TRADITIONAL GRP DOOR ON THE FRONT OF THE DWELLING. THIS COULD HAVE BEEN A CONDITIONAL CONSENT AT THE VERY LEAST SINCE THE WORK TO THE REAR WAS ACCEPTABLE. THIS REVIEW IS BEING SUBMITTED BECAUSE THERE ARE ALREADY EXAMPLES OF PVCU IN COLSEA ROAD AND SOME OF THE SURROUNDING STREETS SO THE APPLICANT FEELS THERE IS A PRECEDANCE IN THE AREA AND THE ADDITION OF A FEW MORE WINDOWS IS NOT GOING TO DIMINISH THE AREA ANY MORE THAN

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)

PP APPLICATION PP REFUSAL APPLICATION DRAWINGS

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

161506/DPP

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

17/10/2016

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

21/12/2016

## 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

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

SITE VISIT REQUESTED TO VIEW EXAMPLES OF PVCU WINDOWS IN NEIGHBOURING PROPERTIES.

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 Gordon

Declaration Date: 10/02/2017

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## Report of Handling Detailed Planning Permission

**161572/DPP:** Change of use from agricultural land to domestic and erection of 1.5 storey dwelling with double garage at Site Adjacent to: The Haughs, Clinterty, Kinellar, Aberdeen

For: T A Bisset & Son

Application Date:	2 November 2016
Officer:	Dineke Brasier
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Dyce And Stoneywood
Advertisement:	Neighbour notification
Advertised Date:	9 November 2016

### **RECOMMENDATION: Refuse**

#### **SITE DESCRIPTION**

The site comprises part of a field located some 500m north-west from the B979 Westhill-Tyrebagger Road. It is accessed off a narrow track from the minor road running north-south between the B979 and the A96 Clinterty roundabout. To the south, across a minor road, is a small grouping of three dwellings. A distance to the west are farm buildings associated with the agricultural holding related to the application. Approximately 100m to the north is the Clinterty Campus of the North East of the Scotland College, whilst approximately 300m to the east is the farm complex of Meikle Clinterty. The site is relatively flat with post and wire fencing defining the larger field of which it forms part.

#### **DESCRIPTION OF PROPOSAL**

Detailed planning permission is sought for the change of use of agricultural land to residential curtilage and the erection of a one and a half storey dwelling and double garage therein. The house would be for a person engaged in the agricultural business of the applicant.

The proposed plot is roughly rectangular and would extend to approximately 1200m<sup>2</sup>. The dwelling would have an L-shape, and would measure approximately 14m by 8m with a rear projection measuring approximately 6m in length by a width of 7.5m, resulting in a building with an overall footprint of nearly 160m<sup>2</sup>. The walls would be partly clad in render and partly in stone, with a fully pitched slated roof. Design features include a west facing balcony and large sections of glazing on the south and west elevation serving the main living areas.

The double garage would be finished in stone with a fully pitched slated roof. It would have a square floorplan and would measure 7.8m by 7.8m and have a ridge height of 6.5m.

**RELEVANT HISTORY**

**P151870** saw planning permission in principle refused in January 2016 for a similarly described proposal on the same site, as it was not considered to be proven that the house was essential for the running of the farm, and the principle of the development was therefore considered contrary to policy NE2 (Green Belt). In addition, the siting and size of the dwelling was considered to have a detrimental impact on the surrounding area, and, finally, approval would result in an undesirable precedent for similar applications.

**SUPPORTING DOCUMENTS**

All drawings and supporting documents listed below can be viewed on the Council's website at [www.publicaccess.aberdeencity.gov.uk](http://www.publicaccess.aberdeencity.gov.uk).

- Design Statement by John Wink Design dated October 2016;
- Drainage Statement by Wright Associates dated 4 January 2016;
- Labour Requirement Report by SAC Consulting dated December 2014; and
- Supporting Statement by John Wink Design dated 18 October 2016.

**CONSULTATIONS**

Consultee	Date of Comments	Summary of Comments
ACC - Roads Development Management Team	24/11/2016	No observations
ACC - Flooding and Coastal Protection	08/11/2016	Additional information requested in relation to drainage and confirmation of flood risk area
ACC - Environmental Health	04/11/2016	No observations
ACC – Contaminated Land Unit	04/11/2016	No objection, but would request an informative setting out that if any contamination is found, the local planning authority should be notified.
Scottish Environment Protection Agency	17/11/2016	Initially objected, due to a lack of information on waste water drainage. Advise that if scheme altered to direct foul water into the public sewer system, objection would be withdrawn without need for further consultation.  Applicant has since confirmed (25/11/2016) that foul water would now be directed to foul water sewer system. Thus there is no SEPA objection.



## REPRESENTATIONS

1 letter of objection was received raising the following matters:

- Proposed new building would be unnecessarily close to, look directly over and block views from Meadowfold Lodge.

## PLANNING POLICY

Aberdeen Local Development Plan

NE2: Green Belt

D1: Architecture and Placemaking

NE6: Flooding and Drainage

T2: Managing the Transport Impact of Development

R6: Waste Management Requirements for New Developments

Proposed Local Development Plan

NE2: Green Belt

D1: Quality Placemaking by Design

NE6: Flooding, Drainage and Water Quality

T2: Managing the Transport Impact of Development

R6: Waste Man Requirements for New Development

## 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 proposal is located in the Green Belt and therefore policy NE2 (Green Belt) applies. NE2 sets out that no development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal.

In response the applicant has submitted a Supporting Statement and Labour Requirement Report, all seeking to demonstrate that the dwelling is essential to the running of the farm.

This information is particularly important given the background that application 151890, seeking planning permission in principle for essentially the same proposal, was refused consent in January 2016 - as it was not adequately demonstrated that the dwelling was necessary for the running of Haughs of Clinterty.

Looking at the Labour Requirement Report presented, it is noted this is essentially the same as that submitted with the earlier 151890 application. Although that report generally focused on the labour requirement for the overall farm, without providing

specific detail as to why it was essential to have a dwelling at this particular site within that wider and dispersed holding. This lack of site specific reasoning for the location, rather than anywhere else, was one of the main reasons for refusal. Following the previous refusal, this locational issue was discussed with the applicant, thus an additional Supporting Statement has been submitted. The Statement includes more information with regards to this part of the overall farm holding, and specifies that the 200 cattle housed at Haughs of Clinterty would require 1800 man hours per year, roughly equating to one full time farm worker. It also specifies that commuting to Blackburn or other established communities would not be practicable as there is currently no space to do paperwork or eat at Haughs of Clinterty, and that adverse weather conditions could make daily access to the animals difficult. However, there is little further explanation as to why the dwelling is sited detached from and some distance from the related cattle sheds, which are some 130m to the west across the field and around 200m along the minor road to the south. As such it remains that the location for the dwelling is considered insufficiently justified.

Notwithstanding the siting issue, although the stated 1800 hours required to care for the animals would equate to a full time position, and this is accepted. It is still not accepted that it would be essential for the worker to live on this particular site, distant from the cattle to be overseen. Given the distance of separation, it is considered that access to the farm on a daily basis could be achieved from any existing dwelling in the locality, including the farm house at Bishopston as is currently the case. No justification has been provided as to why this current situation is so unacceptable that it needs to be changed. As an alternative a small cabin or similar could be installed in proximity to or within one of the cattle sheds, to be used for matters such as security, oversight, bunkhouse, paperwork and/or lunch. This in itself would not warrant the need for the construction of a substantial dwelling on the distant site promoted.

Taken together, and based on both the information available both at the time of the previous application and the additional supporting statement accompanying this submission, it is considered that the case has not been satisfactorily made that the proposed dwelling would be essential for the purposes of the agricultural operation, and the principle of the proposal would therefore be contrary to policy NE2 (Green Belt) of the Aberdeen Local Development Plan.

### Siting

The location, at a distance of some 130m, as the crow flies, from the nearest associated farm building. It would also be to the north of a single track leading to a small group of dwellings and Meikle Clinterty further to the east. This small grouping of three dwellings to the south is clustered around an existing business, presumably agricultural related, and are predominantly orientated to relate to the central 'shed' buildings, forming some sort of loose courtyard arrangement.

The dwelling proposed is in the same position as previously refused. As indicated above, it is felt that this positioning is detached from both the Haughs of Clinterty farm buildings, and the grouping of houses to the south. All such that it would appear a relatively isolated, independent and prominent feature, unrelated to any existing development or groupings. In this position, it would degrade and erode the quality

and character of this part of the green belt, and the established and more organic pattern of development which sees groupings of associated buildings.

The applicant has stated that positioning the dwelling nearer the farm buildings would impede any future expansion of the farm complex. However, this open statement is not evidenced or obvious, and notwithstanding the potential for future expansion is not a material planning consideration in itself. Additionally, locating the dwelling next to the existing farm buildings would in itself not take up a significant amount of space, allowing a significant area for future expansion. Furthermore, as a true farm workers dwelling, a close locational relationship to the existing farm buildings (within the grouping or immediately adjacent) is the norm and would be expected and required to provide a close link between the dwelling and the operation of such a business. The reasoning for the distance of detachment from the agricultural operation is therefore questioned.

The applicant has stated that a second potential site halfway between the current site and the farm buildings was explored, but was not considered viable, as it contained a dam and therefore could not be constructed on. However, again, there is a significant distance between the chosen site and the farm buildings, and there would be other locations nearer the farm buildings that could be suitable, but have not been explored. Neither have overriding material considerations been presented to rule out a closer siting arrangement. Overall there are no valid reasons obvious to accept the proposed location of the dwelling, and thus the previous concerns over the location remain.

Design and massing:

The proposed dwelling would have a footprint of 160m<sup>2</sup>. It would be set on an L-plan, with a rear wing. The roof would be fully pitched, and would contain two dormer windows in the south elevation. The gable of the west elevation would contain a balcony. Accommodation would comprise of a very large open plan kitchen/ dining/ lounge area, study, utility room and bedroom with accessible shower room. The first floor: two large bedrooms, two bathrooms and a large games room. Proposed finishes are not specified, although drawings indicate that the walls would predominantly be clad in render with feature sections of stone work; dormers would be clad in timber linings; and the roof slated. The design is quite traditional. However, the size, level and type of accommodation and massing is considered significant for the needs of a farm workers dwelling. This proposed building would have three large bedrooms plus a very large games room, making it excessively large, and it would not resemble a traditional more modest farm workers dwelling. This again would increase the adverse impact of the proposal, by being out of context with the surrounding property - from which it is isolated from, on the character and the appearance of the green belt.

The site layout also includes a double garage with a fully pitched roof. This building in itself has a footprint measuring 7m by 7m, with an overall ridge height of 6.5m. All constructed of stone with a slated or tiled roof. The massing, design and proposed materials are again out of context with the need and location, as well as the traditional arrangements for this type of proposal in the open countryside.

Taking these factors together, due to its location, scale, design and massing the dwelling and garage are considered to have an adverse impact on the character and appearance of this part of the Green Belt, as they are considered to significantly increase the built-up appearance of this part of the green belt to the detriment of the open nature and landscape setting. The proposal would therefore be contrary to policies NE2 (Green Belt) and D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

Impact on residential amenities:

The distance between the proposed dwelling and the nearest neighbouring residential property to the south (Meadowfold Lodge) would be over 35m, well in excess of guidelines setting out that to ensure a proposal would not result in a loss of privacy or unacceptable levels of overlooking. Thus the proposal would not have an unacceptable adverse impact on the residential amenities of Meadowfold Lodge, nor would the building be located unnecessarily close to this property.

A loss of views is not a material planning consideration.

Impact on local highway conditions, especially parking and access:

The site would be accessed from the existing single lane track running up to Meikle Clinterty. At present, there is an agricultural field access onto this track from the proposed site. The proposed access arrangements could be considered acceptable, subject to upgrading.

The site layout includes a double garage with space in front for additional parking and turning. The Council's Transport and Accessibility Supplementary Planning Guidance (SPG) sets out that a three bedroom dwelling in this location should have two parking spaces. This could be more than sufficiently provided on this large plot.

Flooding, Drainage and Foul Water Treatment

The application form sets out that private drainage arrangements are proposed for the development. SEPA lodged an objection on this basis, as a public sewer system is located nearby. In their objection, they also state that if the applicant chooses to use this public sewer system instead of the private drainage arrangements, their objection can be withdrawn without further consultation. Following discussion with the applicant, they confirmed in an email that they would now connect to the public sewer system. As such, the objection from SEPA can be considered as withdrawn and the proposed drainage arrangements acceptable.

Part of the site is near a 1:200 flood risk area, related to a burn running on the other side of the track. In this regard the application is accompanied by a Drainage Statement, notwithstanding the Flood Team requests further information with regards to drainage and flood risk. Given that the extent of the flood risk area is just the southern boundary of the site and is sufficiently far removed from the proposed dwelling and garage itself, this could be dealt with through a suitable condition.

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 by the Full Council at their 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**

1. It has not been proven that the proposed dwelling would be essential for the running of the farm complex at the Haughs of Clinterty, or that the existing farmhouse at Bishopston is insufficient for the agricultural needs of the farm. In that its extent and positioning is respectively excessive and significantly detached from the associated agricultural buildings. The proposal would therefore not comply with the criteria as set out in policy NE2 (Green Belt) of the Aberdeen Local Development Plan and policy NE2 (Green Belt) of the Proposed Local Development Plan as it would undermine the principles of controlling development and preventing the construction of additional unjustified housing in the Green Belt, leading to the erosion of the character and landscape qualities of the surrounding areas.
2. Due to its positioning, scale, design and massing the dwelling and garage are considered to have an adverse impact on the character and appearance of this open field and wider area of the Green Belt, as it would be considered to significantly increase the built-up appearance of this part of the green belt to the detriment of its open character and the landscape setting of the City. The proposal is therefore contrary to policies NE2 (Green Belt) and D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan and policies NE2 (Green Belt) and D1 (Quality Placemaking by Design) of the Proposed Local Development Plan.
3. The proposed location of the dwelling and its associated residential curtilage would not be clearly connected to either the farm buildings to the west or the existing dwellings to the south. It would therefore appear detached and unrelated to any existing dwelling or grouping, and would thus have an unacceptable impact on the character and appearance of the immediate surrounding area, and

as such would be contrary to the requirements of policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan and policy D1 (Quality Placemaking by Design) of the Proposed Local Development Plan.

## **DECISION NOTICE**

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

#### **Detailed Planning Permission**

John Wink  
John Wink Design  
Midtown of Foudland  
Glens of Foudland  
Huntly  
Scotland  
AB54 6AR

on behalf of **T A Bisset & Son**

With reference to your application validly received on 2 November 2016 for the following development:-

**Change of use from agricultural land to domestic and erection of 1.5 storey dwelling with double garage at Site Adjacent The Haughs, Clinterty**

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>
1136-120	Elevations and Floor Plans
1136-121	Other Drawing or Plan

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

1. It has not been proven that the proposed dwelling would be essential for the running of the farm complex at the Haughs of Clinterty, or that the existing farmhouse at Bishopston is insufficient for the agricultural needs of the farm. In that its extent and positioning is respectively excessive and significantly detached from the

PETE LEONARD  
DIRECTOR

associated agricultural buildings. The proposal would therefore not comply with the criteria as set out in policy NE2 (Green Belt) of the Aberdeen Local Development Plan and policy NE2 (Green Belt) of the Proposed Local Development Plan as it would undermine the principles of controlling development and preventing the construction of additional unjustified housing in the Green Belt, leading to the erosion of the character and landscape qualities of the surrounding areas.

2. Due to its positioning, scale, design and massing the dwelling and garage are considered to have an adverse impact on the character and appearance of this open field and wider area of the Green Belt, as it would be considered to significantly increase the built-up appearance of this part of the green belt to the detriment of its open character and the landscape setting of the City. The proposal is therefore contrary to policies NE2 (Green Belt) and D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan and policies NE2 (Green Belt) and D1 (Quality Placemaking by Design) of the Proposed Local Development Plan.

3. The proposed location of the dwelling and its associated residential curtilage would not be clearly connected to either the farm buildings to the west or the existing dwellings to the south. It would therefore appear detached and unrelated to any existing dwelling or grouping, and would thus have an unacceptable impact on the character and appearance of the immediate surrounding area, and as such would be contrary to the requirements of policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan and policy D1 (Quality Placemaking by Design) of the Proposed Local Development Plan.

**Date of Signing** 20 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](http://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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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 100029720-001

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 from agricultural land to domestic. Erection of storey and a half dwelling with detached double garage

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:	John Wink Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	Midtown of Foudland
Last Name: *	Wink	Building Number:	
Telephone Number: *	01464841113	Address 1 (Street): *	Glens of Foudland
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Huntly
Fax Number:		Country: *	Scotland
		Postcode: *	AB54 6AR
Email Address: *	planning@johnwinkdesign.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Bishopton
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	Kinellar
Company/Organisation	T A Bisset & Son	Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB21 0TX
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

Site adjacent The Haughs

Address 2:

Clinterty

Address 3:

Kinellar

Address 4:

Address 5:

Town/City/Settlement:

Aberdeen

Post Code:

Please identify/describe the location of the site or sites

Northing

811048

Easting

383447

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

1344.00

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)

Agricultural land

## 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?

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)? \*

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

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

New/Altered septic tank.

Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).

Other private drainage arrangement (such as chemical toilets or composting toilets).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

Foul water to be discharged through sewage treatment plant and partial soakaway to existing watercourse as per drainage appraisal.

Do your proposals make provision for sustainable drainage of surface water?? \*  Yes  No  
(e.g. SUDS arrangements) \*

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)

An area of hard standing will be provided beside the garage to store and aid in the collection of waste and recycling.

## Residential Units Including Conversion

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

Yes  No

How many units do you propose in total? \*

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## 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

Do you have any agricultural tenants? \*

Yes  No

## Certificate Required

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

Certificate E

## Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant 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/the applicant 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.

Name:

Address:

Date of Service of Notice: \*



(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and \*have/has been unable to do so –

Signed: John Wink

On behalf of: T A Bisset & Son

Date: 01/11/2016

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 checked="" type="checkbox"/> Yes | <input 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 checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| Drainage/SUDS layout. *  | <input checked="" type="checkbox"/> Yes | <input 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 John Wink

Declaration Date: 01/11/2016

## Payment Details

Online payment: ABSP00001098  
Payment date: 01/11/2016 10:24:00

Created: 01/11/2016 10:24

Planning & Infrastructure  
Aberdeenshire Council  
Viewmount  
Arduthie Road  
Stonehaven  
AB39 2DQ

18<sup>th</sup> October 2016

Our ref: 1136  
Online ref:

Dear Sir/Madam,

**Proposed Farm Workers House**  
Site at The Haughs, Clinterty, Aberdeen

## Supporting Statement

### Context

Full Planning Permission is being sought for the construction of a farm workers dwelling house at The Haughs, Clinterty. Currently, there is no house on the farm at The Haughs and we write to provide the following information to substantiate our application.

### Principle of Development

The site is located within the Green Belt and Policy NE2 – Green Belt states that *'no development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal.'*

We believe that the proposed dwelling is essential for agricultural purposes for the following reasons.

Firstly, our client has commissioned SAC Consulting to carry out a labour requirement report for the farming business of T. A. Bisset & Son. Using current cropping and livestock data a labour unit requirement of 2.31 has been calculated. With only one dwelling under the ownership of the farming enterprise this clearly identifies that there is definitely scope to construct a new dwelling, allowing a farm worker, or in this case the farmer's son, to live onsite.

In the Report of Handling for application 151870, it is noted by the planner that a large proportion of this labour if required for growing crops. However, from the report it is clear that a significantly larger amount of man hours are required for looking after livestock – some 3150 man hours compared with only 1231.13 for works associated with crop production – more than double.

Furthermore, it is also stated that approximately 200 head of cattle will be housed at Clinterty. This accounts for 1800 man hours, which as you will see is almost 1 labour unit – almost a full time job for 1 person. Therefore, it is logical that the business would be looking to provide a further dwelling

where the majority of the cattle are housed and a significant part of the farming enterprise is located – at Clinterty.

It should also be noted that whilst it mentions in the report that the cattle are grazed during the summer and then housed during the winter, the period of time that the cattle are actually inside could span from as early as September through to April / May. Cattle are brought inside dependant on the weather and as it is not uncommon for the north east of Scotland to experience wet / cold summers the cattle are brought inside long before it reaches it winter, therefore being housed for 8 – 9 months. Thus being almost three quarters of the year and demanding a large amount of labour each day.

Furthermore, whilst we acknowledge that when cattle are being grazed they do require less labour input, it must be remembered that they are still checked upon daily and often receive additional feed to supplement their diet which still requires a certain amount of labour each day.

## **Location**

The location of the dwelling is such for a number of reasons. Firstly, by locating the dwelling where we have this will allow for the potential further development of the farm steading. As noted in the SAC report the farm has grown since 2007, and by locating the house where we have will allow more farm buildings to be built, allowing for further expansion of the business. Due to the main road passing by to the west of the current steading and the location of Aberdeen College to the north this means the only available site for potential development would be to the east and therefore this is why it is necessary to keep this area clear.

Furthermore, we had looked at locating the dwelling closer to the farm, about the midpoint between the farm and where we have it located now, however there is an old dam here and therefore this site would be unsuitable for building on. This site also does not relate to any surrounding buildings, whilst the site we have proposed relates to a cluster of buildings to the south. Due to the linear nature of the current group of buildings the natural development would be to continue the linear grouping to the north – hence the location of our proposed dwelling. We have ensured the site matches the width of the site to the south, and with the house to the south being extended the footprint of the proposed house is now similar.

Finally, the planner, in the Report of handling for application 151870, has suggested that commuting from the village of Blackburn would be a feasible option, however there are a number of reasons why we do not believe this to be the case.

Firstly, the proposed site is within walking distance of the farm steading, whereas Blackburn is 2 miles away and definitely not within walking distance due to the fact the worker would be required to cross the very busy A96. Surely it is much more sustainable to locate the house nearby to negate the need to drive to the farm.

Furthermore, due to the fact that farm steadings no longer have a 'bothy' on site, the farmer / farm worker is required to go home to have their lunch and their tea as well as carry out paper work etc, with the office also usually located within the house. This would mean numerous journeys from the farm to their home throughout the day and this is simply not practical. It should also be noted that the above scenario of commuting from Blackburn would be best case – having to travel only a couple of miles. However, should the farm worker have to commute from Inverurie, Kintore, Aberdeen or further afield the commuting distance considerably increases.

Secondly, by having the house off site this could potentially have a detrimental effect on the welfare of the cattle – particularly during the winter. It is absolutely critical that these animals are fed, bedded and monitored for illness everyday, no matter what the weather may be and with ice or snow on the roads the ability to reach the farm may be jeopardised. With budgets being cut for

snow ploughing and gritting the roads, driving conditions, particularly on country roads can sometimes become treacherous or simply impassable. Often we hear the police issue warnings for people to stay at home as the roads are in a dangerous condition however this is simply not an option for farm workers. By not having the house nearby the cattle, not only could this have welfare implications – it could also risk human life.

For the above reasons, we believe a farm workers house at the Haughs, Clinterty is essential for the safe and efficient operation of the farming enterprise and in particular with reference to the cattle which are housed at Clinterty for much of the year. For the business having a house and worker near to the cattle is very much a necessity as opposed to a luxury.

We trust you find the above and enclosed in order. Should you have any queries please get in touch.

Yours sincerely,

John Wink Design

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# john wink design

## Design Statement

Proposed Erection of Agricultural Workers House  
The Haughs, Clinterty  
Kinellar

October 2016

Contents

02 | Context to Application

Site Analysis  
Site Description and Microclimate

03 | Design Solution

Form, plan and sustainability

04 | Design Solution

Materials  
Site and Access  
Future Considerations



## Context to Application

This application is being made in reference to the planning policy 'NE2 - Green Belt' which states;

*'No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal.'*

The proposed dwelling is for a farm worker essential to the operation of the farming enterprise. A report prepared by SAC Consulting has been submitted in support of this application and clearly demonstrates that there is a labour requirement of 2.2 units. There is currently only one house associated with the farm business and we are therefore proposing to erect one dwelling house to meet with the farms requirements.

## Site Analysis

### Site Description and Microclimate

The site can be accessed by an existing unclassified running between the A96 and the B979. The site is surrounded by agricultural land on the north, east and west boundaries with an existing road creating the southern boundary. To the south of the site is a group of dwellings with the farm located approximately 100m from the proposed dwelling.

The site sits on a gradual slope with the land falling away to the south. This allows the dwelling to have uninterrupted views of the countryside to the west and south west.

The prevailing wind comes from the south west with cold secondary winds blowing in from the north.



Fig 1 | Site Location Plan



Fig 2 | View of site



Fig 3 | Buildings to south of site



Fig 4 | View of farm to west



# Design Solution

## Form, Plan and Sustainability

Recognising the vernacular forms of the farmhouses and steadings in the area, we have proposed a traditionally proportioned, 1 and a half storey house relating to the site and the surrounding area. Careful consideration of the layout of the house will allow us to take advantage of the orientation and layout of the site and in particular the south and west facing aspects.

In terms of the site location we have tried to echo the cluster of buildings to the south, allowing the proposed dwelling to sit better within the landscape.

The primary living area, which includes the kitchen / living / dining area, will have dual aspect and feature large areas of glazing facing south to maximise solar gain and reduce reliance on the heating system. These rooms will also be afforded good views to the east, west and south.

To further improve the thermal performance of the house it will be highly insulated and very air tight which will reduce the houses reliance on the primary heating system.

The house will also feature a wood burning stove which will provide additional heat to the lounge area when required. The use of this renewable technology in conjunction with the solar gains from the highly glazed south elevation will again minimise the use of the houses primary heating system.

We have also taken a sustainable approach to the drainage system, proposing that the surface and foul water will be disposed to two separate soakaways; a system that allows water to disperse naturally back into the water table.



Fig 5 | Ground floor plan

# Design Solution

## Materials

We have chosen to render the majority of the house using an off-white, wet-harl, render. This has been selected because it is a quality, traditional finish that is abundant throughout the countryside surrounding Aberdeen. We have also selected natural stone to be used to break up the mass of the overall house. This will also help the dwelling tie in with the traditional buildings that can be seen round about and on the farm itself.

We have selected natural slate for the roof. This has been inspired by the use of these materials on many of the surrounding houses and farm buildings.

## Site and Access

When designing houses, capturing solar gain is of primary importance and the position of the house on the site has a large part to play in maximising the buildings exposure to the sun. We have placed the house on the site to allow for a large, south facing garden and a west facing patio area which will receive evening sun. We have utilised the east for parking and vehicular access ensuring vehicles do not obstruct the views from the main living areas.

## Future considerations

Should an occupant of the house become permanently or occasionally less mobile we have provided an easy access to the main entrance door. The route to this door will incline at a gradient in excess of 1:20 ensuring a gradual rise up to finished floor level that can be easily negotiated. We have also designed in bedrooms on the ground floor, an accessible bathroom and kept all of the essential living accommodation on one level so that no changes would require to be made should the occupant's capabilities change.

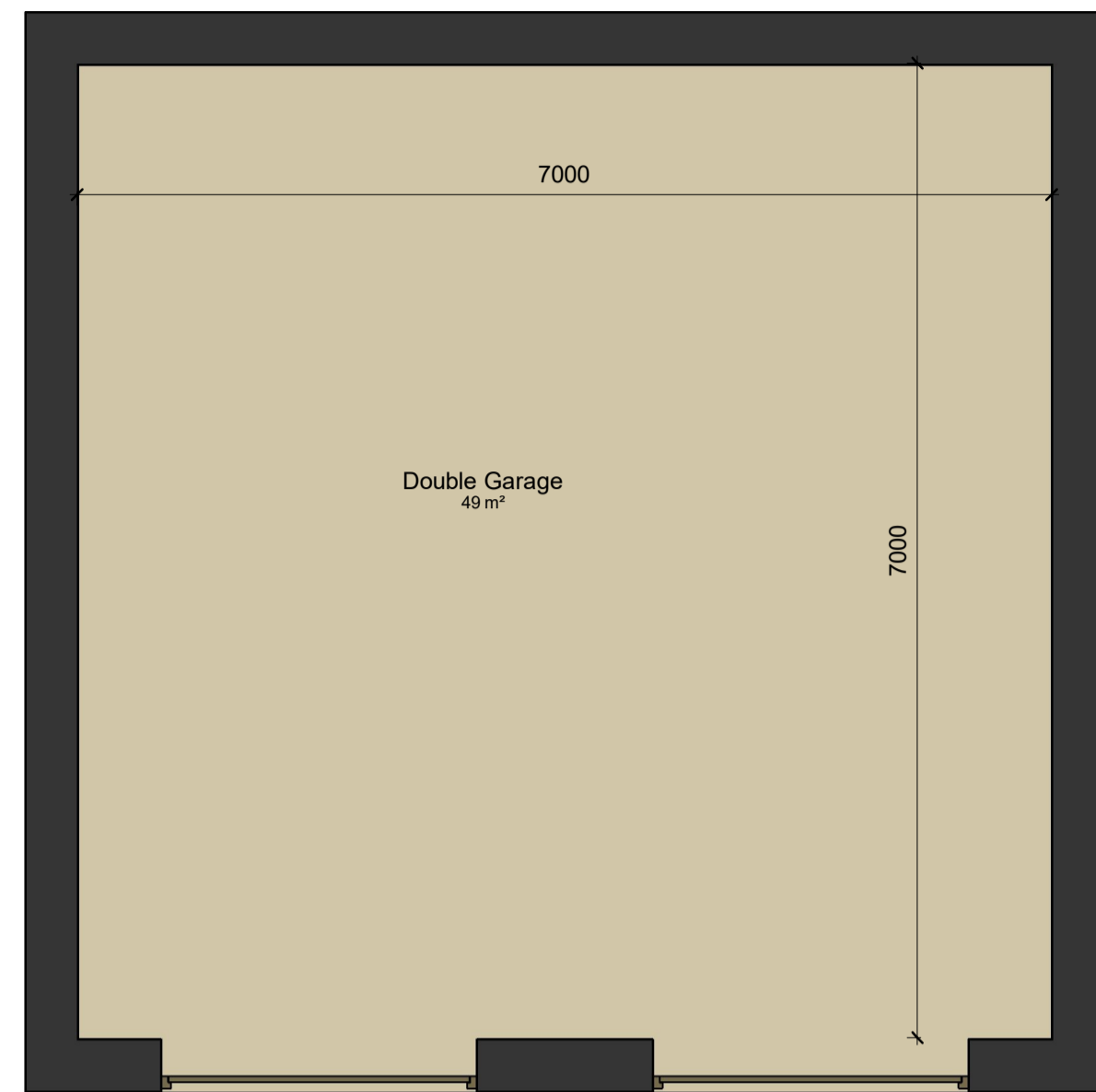


Fig 6 | South Elevation

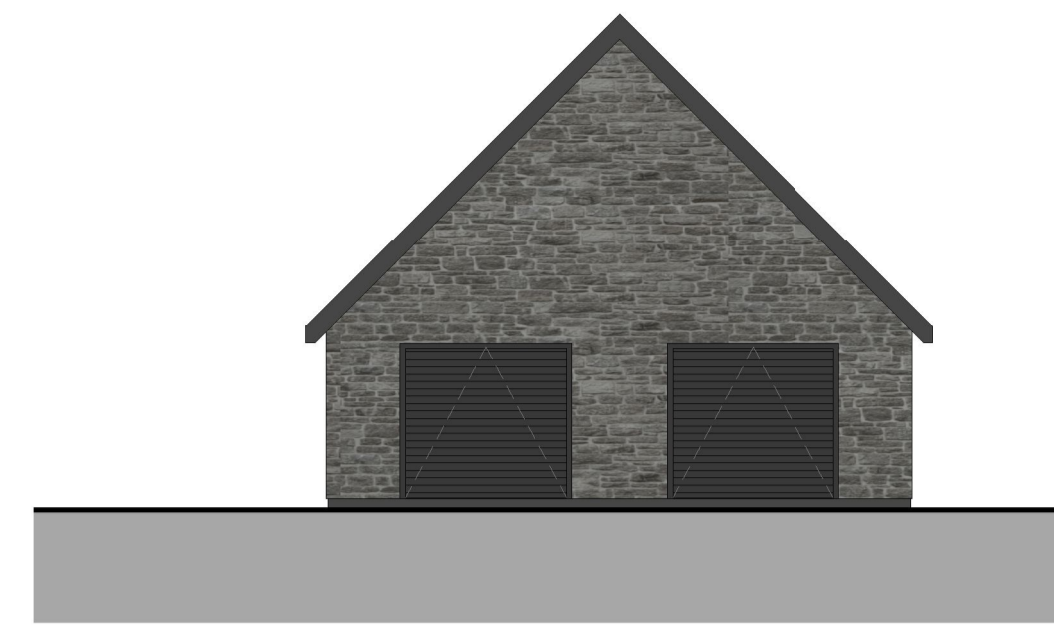


Fig 7 | East Elevation

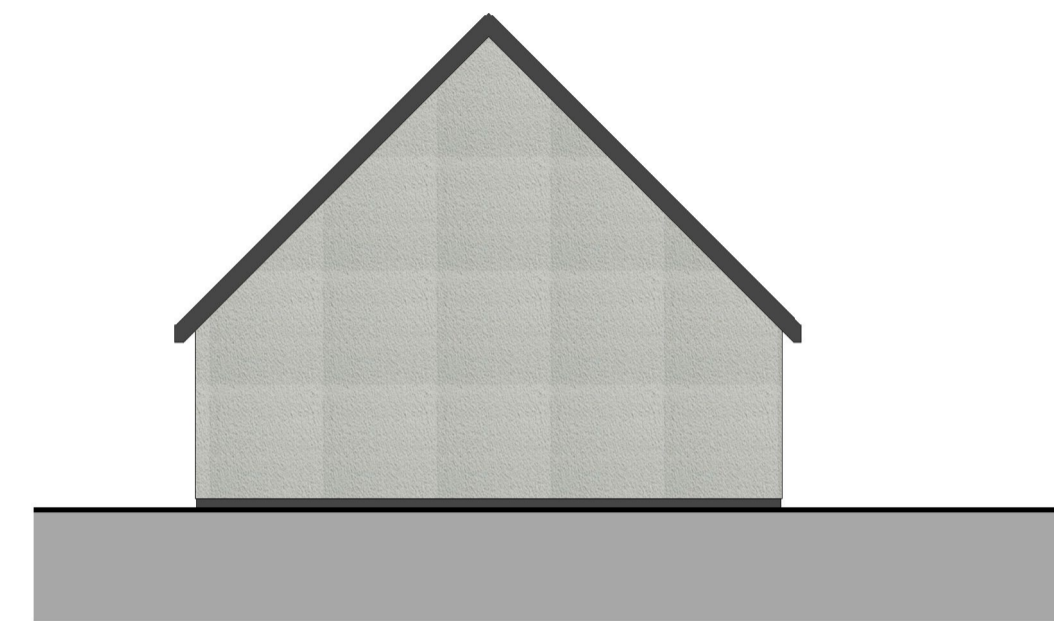
NOTE:  
 Dimensions must not be scaled from this drawing. If in any doubt - ask! All dimensions to be checked prior to work commencing or prior to any components being manufactured. Any discrepancy to be reported. All work and material to comply fully with all current British Standards Codes of Practice, Building Regulations, IEE regulations and all HSE acts.



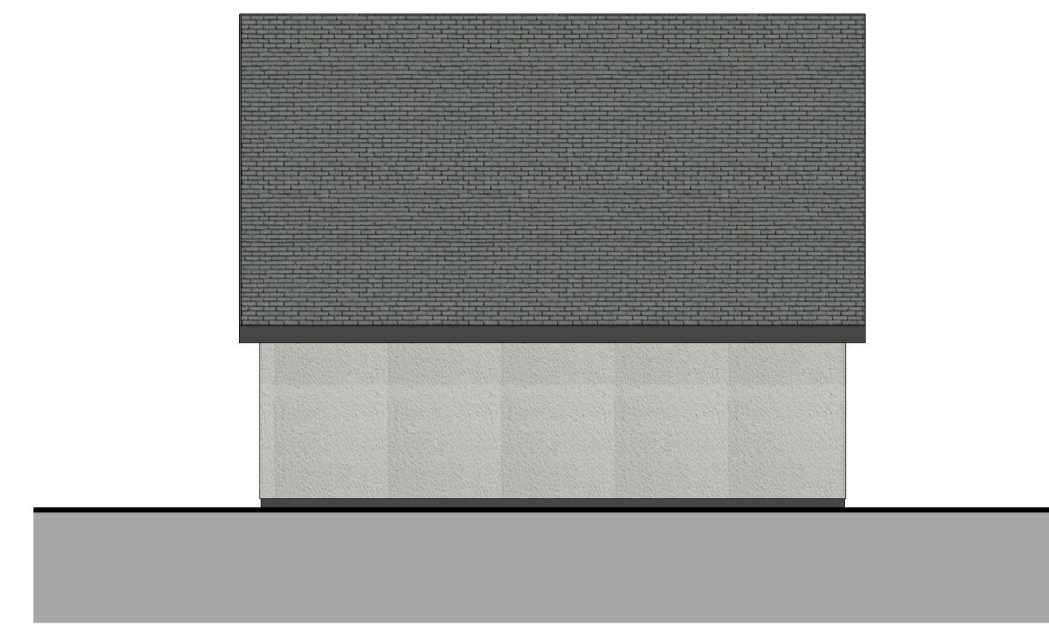
**Garage Floor Plan**  
 1 : 50



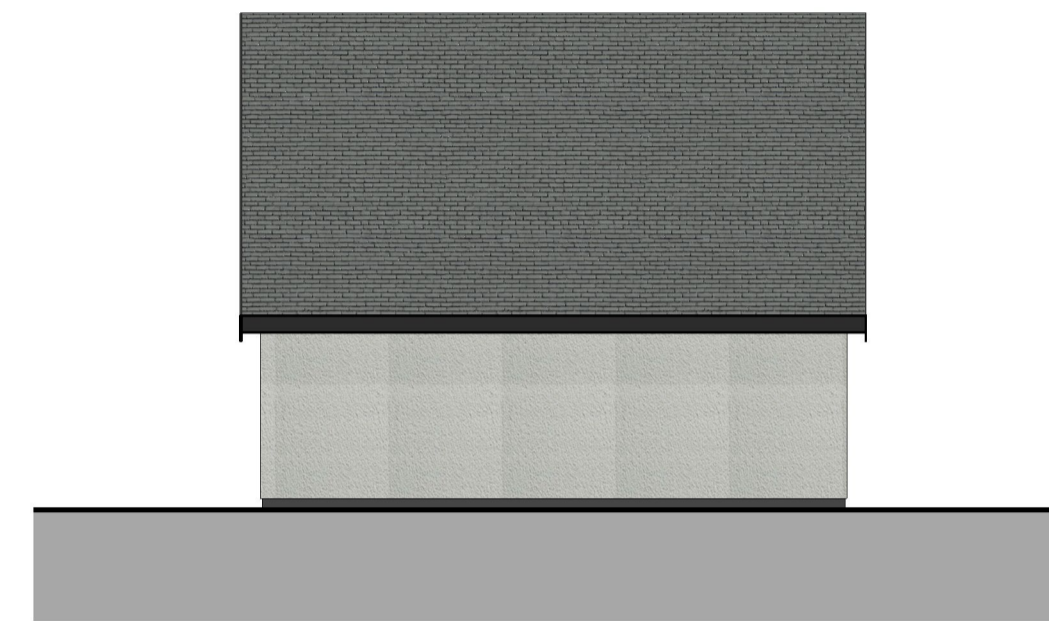
**South Elevation**  
 1 : 100



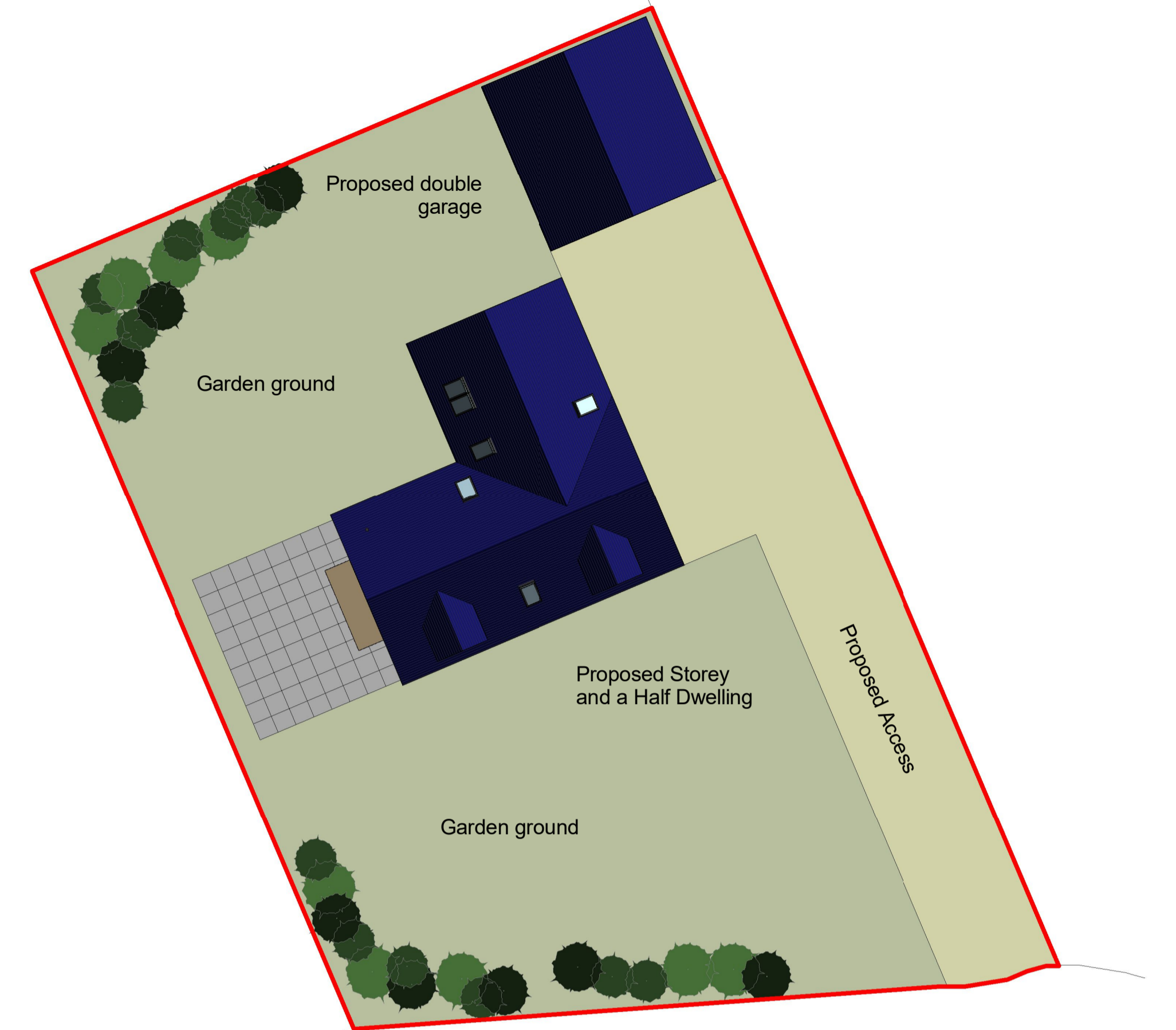
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 1 : 100



**East Elevation**  
 1 : 100



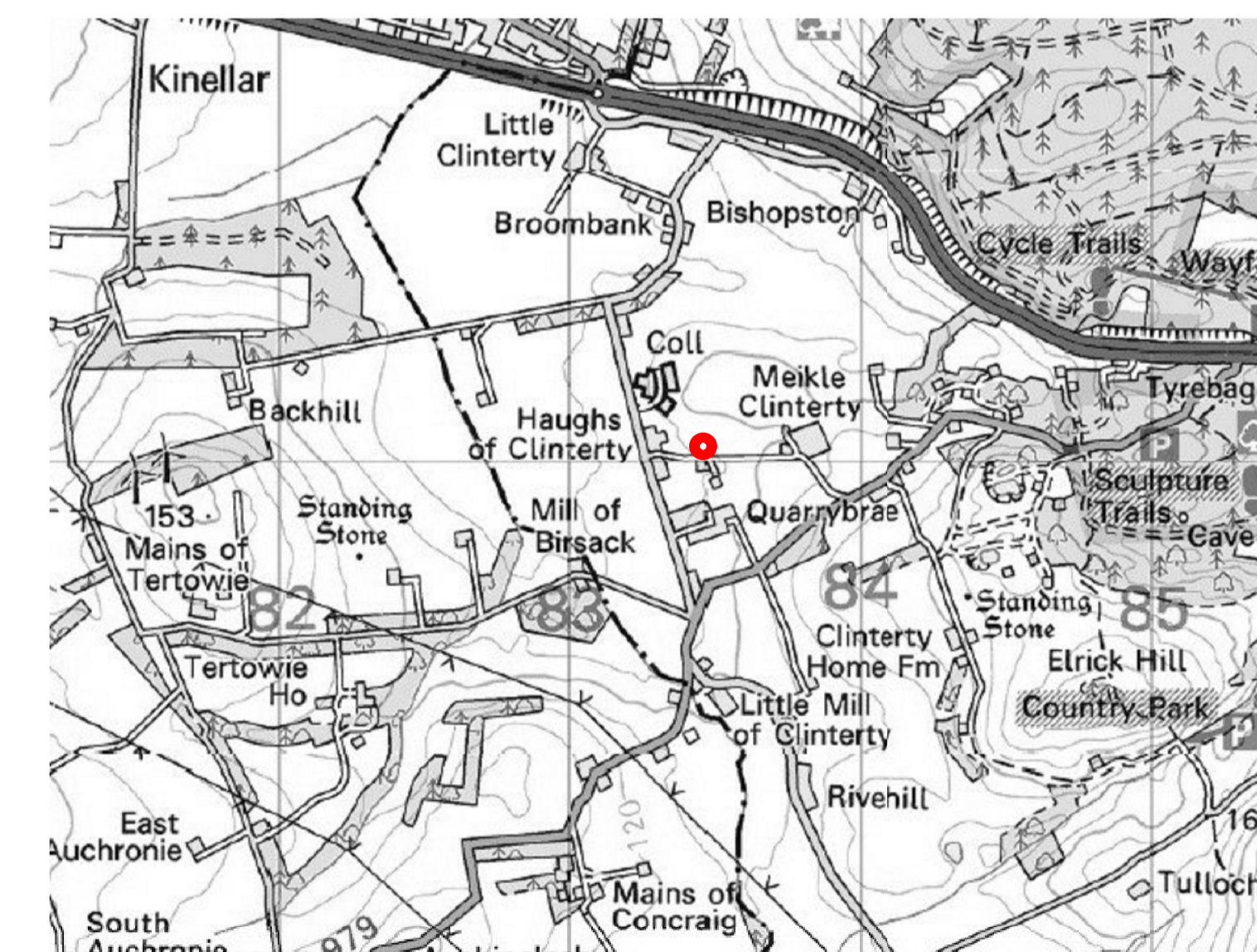
**West Elevation**  
 1 : 100



**Site Plan**  
 1 : 200



**Site Location Plan**  
 1 : 1000



**Location Plan**  
 NTS

**john wink design**  
 www.johnwinkdesign.co.uk

Millburn of Foudland, Glass of Foudland, Huntly, Aberdeenshire, AB34 6AR  
 Tel: 01463 841113 w: office@johnwinkdesign.co.uk

Project: Proposed Farm Workers House  
 At: Site Adjacent to The Haughs, Clinterty, Aberdeenshire, AB21 0TZ

For: Mr Steven Bisset  
 Drawing: Garage and Site Plans  
 Scale @ A1: As indicated Date: October 2016  
 Revision:                      Dig No: 1136 - 121

This drawing is copyright of John Wink Design. ©

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NOTE:  
Dimensions must not be scaled from this drawing. If in any doubt - ask! All dimensions to be checked prior to work commencing or prior to any components being manufactured. Any discrepancy to be reported. All work and material to comply fully with all current British Standards Codes of Practice, Building Regulations, IEE regulations and all HSE acts.



**South Elevation**  
1 : 100



**East Elevation**  
1 : 100



**North Elevation**  
1 : 100



**West Elevation**  
1 : 100



**Ground Floor Plan**  
1 : 50



**First Floor Plan**  
1 : 50

**john wink design**  
www.johnwinkdesign.co.uk

Millton of Foudland, Clere of Foudland, Hamly, Aberdeenshire, AB24 6AR  
Tel: 01464 841113 e: office@johnwinkdesign.co.uk

Project  
Proposed Farm Workers House

At: Site Adjacent to The Haughs, Clinterty,  
Aberdeenshire, AB21 0TZ

For: Mr Steven Bisset

Drawing  
Plans & Elevations

Scale @ A1  
As indicated Date October 2016

Revision  
- Dwg No. 1136 - 120

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Steven Bisset  
Bishopton Farm  
Kinellar  
Aberdeen  
AB21 0TX

- 6 Crown Terrace  
Aberdeen AB11 6HE
- Tel (01224) 212555  
Fax (01224) 213749
- E-mail: [info@wright-associates.co.uk](mailto:info@wright-associates.co.uk)  
Web: [www.wright-associates.co.uk](http://www.wright-associates.co.uk)

A5483/RAML

04 January 2012

Dear Mr Bisset,

**Proposed New House, Haughs of Clinterty, Kinellar, Aberdeen**  
**Drainage Appraisal**

Trial pits were excavated, for percolation and soil infiltration rate purposes, at the above location, on 06 December 2011. Due to the impermeable nature of the ground it was not possible to carry out successful tests. We can, therefore, conclude that the ground is not suitable for a full sub-surface soakaway.

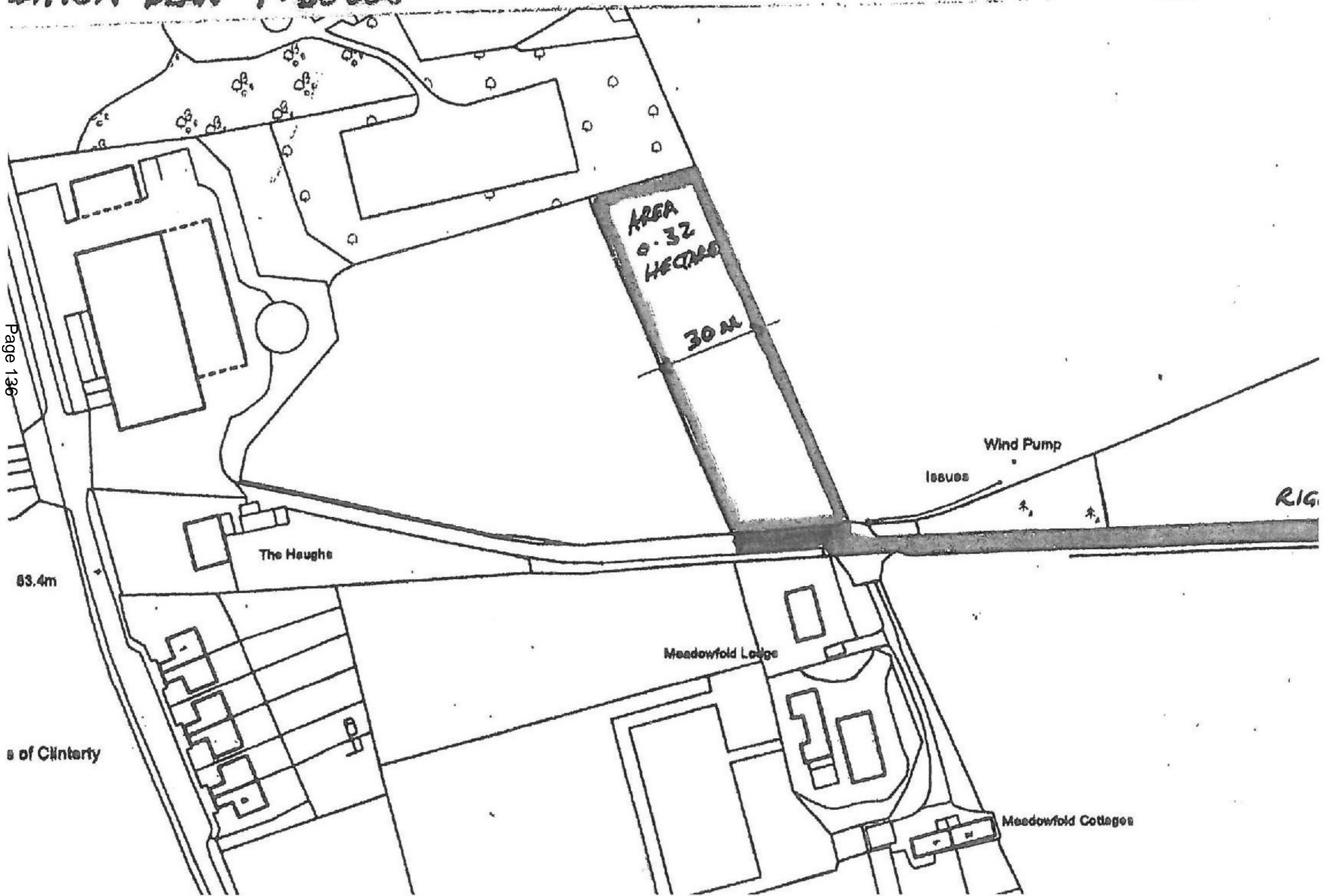
We propose to resolve this situation by recommending the use of sewage treatment plants (Balmoral Hydroclear 12 – or equal approved) with a partial soakaway for 3.6 x population equivalent [28.8sqm for a 4 bedroom house] all in accordance with SEPA recommendations. The overflow, from the partial soakaway, will discharge via an underground drainage system to the existing watercourse, at the south site boundary. Rainwater drainage can also be discharged to the same watercourse, all as shown on attached Drawing Numbers A5483-D1 and D2.

We trust that the enclosed information is suitable for your purposes and a true reflection of your requirements. We look forward to being of further assistance as necessary. Meantime if you require any further clarification please contact the undersigned.

Yours faithfully

**Roderick A MacLeod**  
**Wright Associates**

Enc



83.4m

of Clinterty

AREA  
0.32  
HECTARE

30 M

The Haughs

Meadowfold Lodge

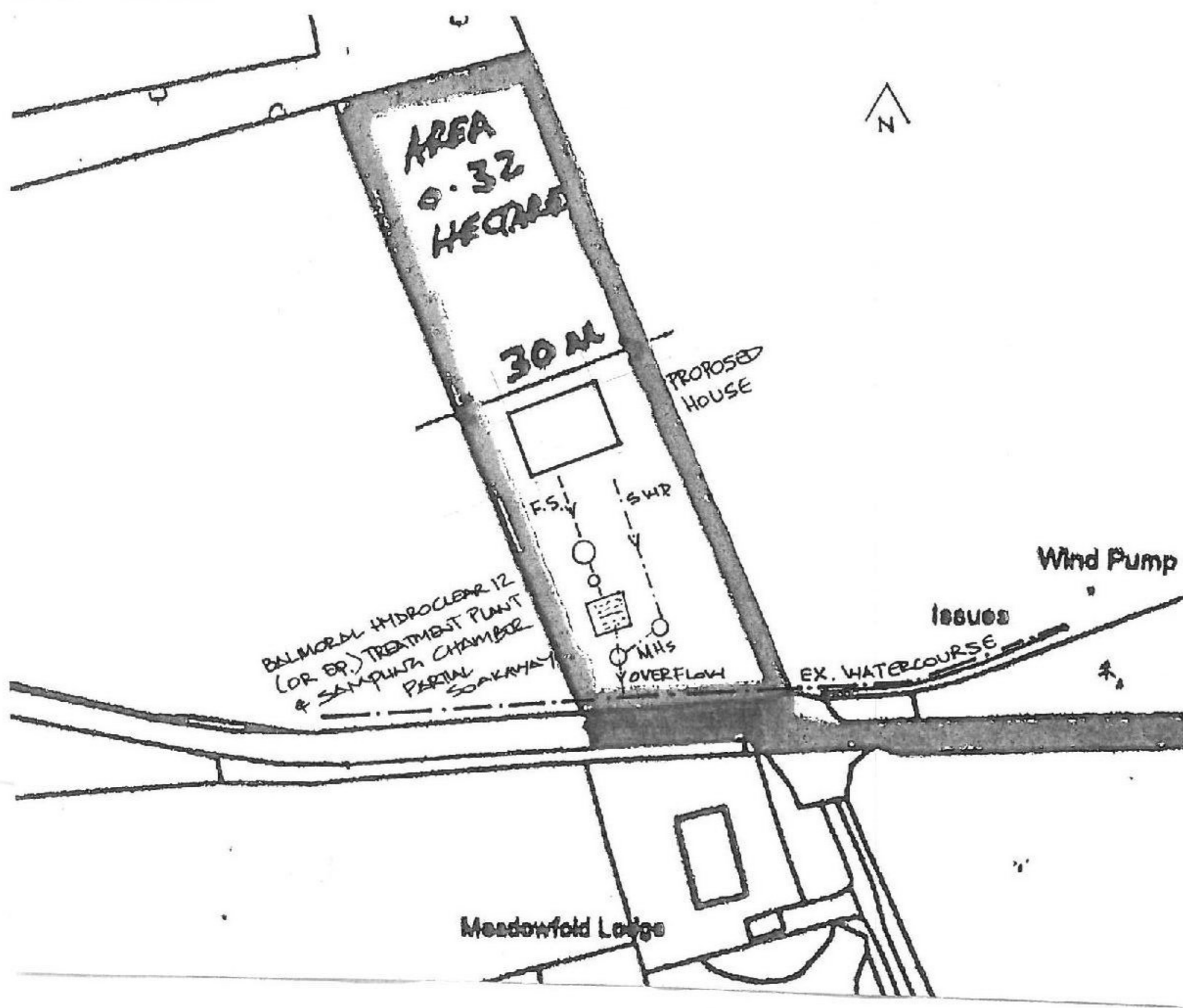
Wind Pump

Issues

RIG

Meadowfold Cottages





Rev	Date	By	Comment

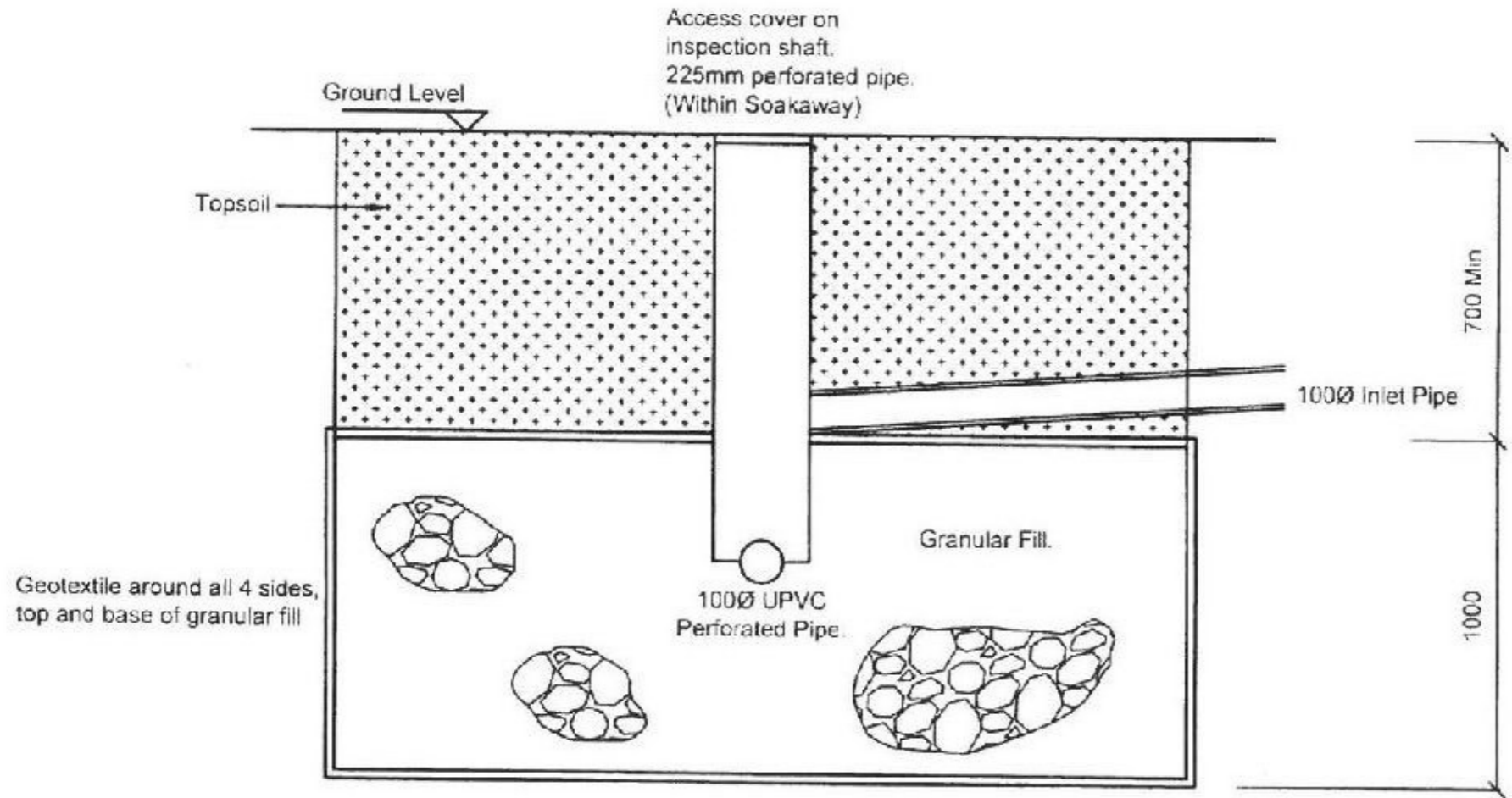
**W** WRIGHT ASSOCIATES  
 Consulting Engineers  
 6 Crown Terrace Aberdeen  
 AB11 5HE  
 (01224) 212555  
 (01224) 213749  
 info@wright-associates.co.uk

NEW HOUSE  
 HAUGHS OF CLINTERTY  
 KINELLAR

Description		DRAINAGE LAYOUT		Dwg No		A5483-D1	
Drawn By		GM		Date		04.01.12	
Checked By		RM		Scale		NTS	

**FoulWater- Partial Soakaway Specification**

5.5M Wide x 5.5m Long x 1.0m Deep Soakaway pit lined on all four sides, top and base with TERRAM 1000 membrane (or equal), filled with 25-50mm clean granular fill material. 500mm topsoil to be separated from granular fill with 1000G Poly. Sheet. Perforated pipe to be installed inside soakaway and solid pipe installed externally.



Typical Soakaway Cross Section.

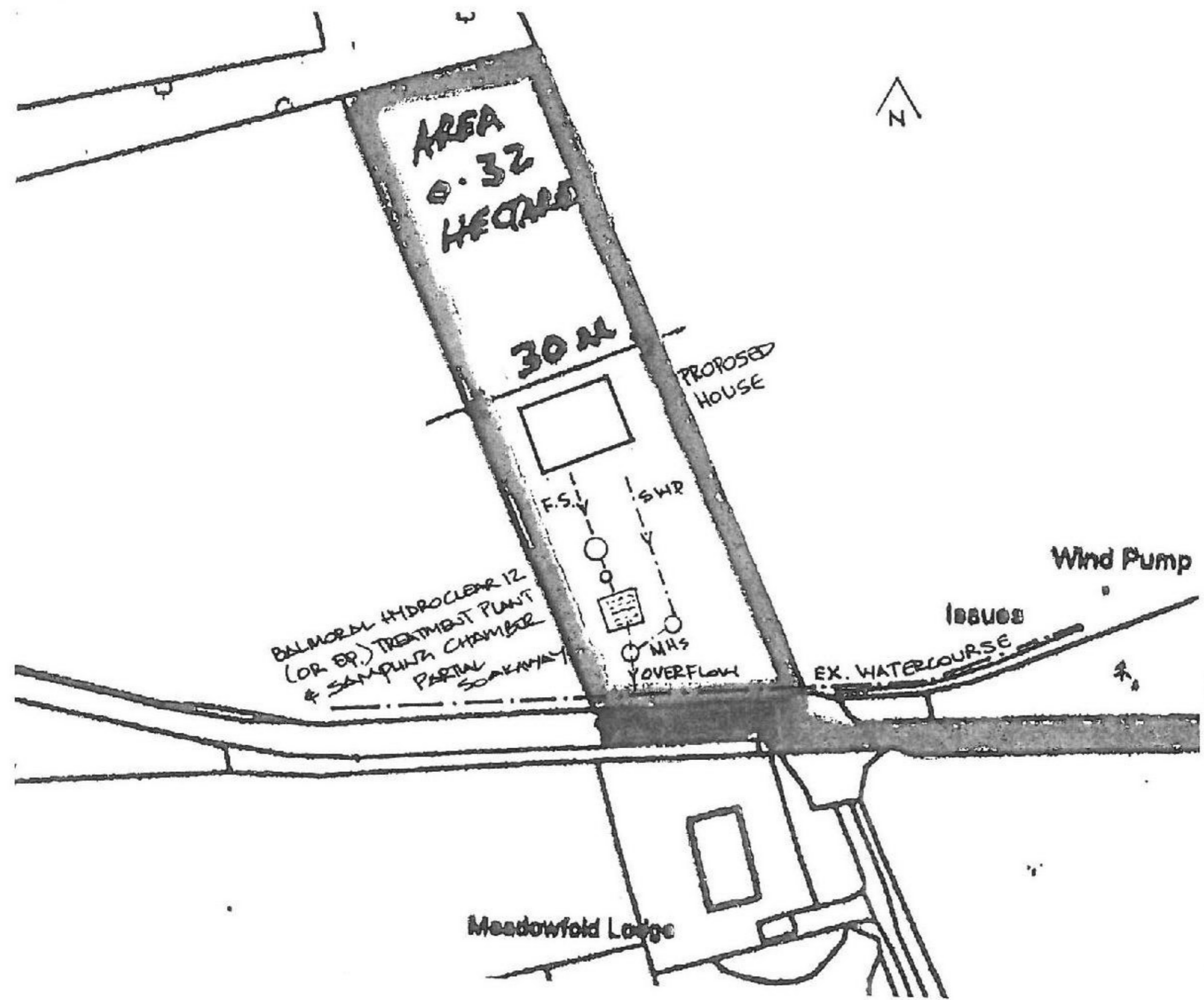
Rev	Date	By	Comment
A	xx.xx.xx	xx	xxx



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 (01224) 213749  
 info@wright-associates.co.uk

**NEW HOUSE  
 HAUGHS OF CLINTERTY  
 KINELLAR**

Description		Dwg No	
PARTIAL SOAKAWAY FOR FOUL DRAINAGE		A5483-D2	
Revision		Scale	
Drawn By	GM	Date	04.01.12
Checked By	RM		NTS



Rev	Date	By	Comment

**W** **WRIGHT ASSOCIATES**  
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 AB11 5HE  
 (01224) 212555  
 (01224) 213749  
 info@wright-associates.co.uk

**NEW HOUSE  
 HAUGHS OF CLINTERTY  
 KINELLAR**

Description <b>DRAINAGE LAYOUT</b>		Dwg No <b>A5483-D1</b>	
Drawn By <b>GM</b>		Date <b>04.01.12</b>	
Checked By <b>RM</b>		Scale <b>NTS</b>	
		Revision	

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Our ref: PCS/149949  
Your ref: 161572/DPP

If telephoning ask for:  
Zoe Griffin

17 November 2016

Dineke Brasier  
Aberdeen City Council  
Planning and Sustainable Developmen  
Business Hub 4, Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

By email only to: [dbrasier@aberdeencity.gov.uk](mailto:dbrasier@aberdeencity.gov.uk)

Dear Ms Brasier

**Town and Country Planning (Scotland) Acts**  
**Planning application: 161572/DPP**  
**Change of use from agricultural land to domestic and erection of 1.5 storey dwelling with double garage**  
**Site Adjacent The Haughs Clinterty Kinellar Aberdeen**

Thank you for your consultation email which SEPA received on 09 November 2016 specifically requesting our advice on waste water drainage. We assume this is because the application proposes a private waste water drainage system within an area which appears to be served by a public foul sewer.

Having reviewed the information submitted with this planning application we **object** on the grounds of a **lack of information** relating to waste water drainage. We will review this objection if the issues detailed below in Section 1 are adequately addressed.

Please note: If the applicant modifies the proposal to direct foul water drainage to the public foul sewer system we would have no objection and therefore no further need for re-consultation as the planning application would fall within the threshold for our standing advice for small-scale local development which is available at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx).

**Advice for the planning authority**

**1. Waste Water Drainage**

- 1.1 This application is for the proposed development of 1 dwelling within the area of Clinterty, Kinellar. The application form and drainage appraisal (dated 4 January 2012) confirms that a private waste water drainage system is proposed for the site.



Chairman  
Bob Downes

Chief Executive  
Terry A'Hearn

**SEPA Aberdeen Office**

Inverdee House, Baxter Street  
Torry, Aberdeen AB11 9QA  
tel 01224 266600 fax 01224 896657

[www.sepa.org.uk](http://www.sepa.org.uk) • customer enquiries 03000 99 66 99

- 1.2 In accordance with PAN 79, Policy SG Developer Contributions 3 of the Aberdeenshire Council Local Development Plan (which relates to waste water drainage infrastructure) and Policy RD1 Providing suitable services in the Proposed Aberdeenshire Local Development Plan 2015 the first consideration for any development should be connection to the public foul sewer. Only where it is demonstrated that this is not feasible, should a private treatment system be proposed.
- 1.3 Where there is a public sewerage system available, foul drainage from development within (or on the outskirts of) the settlement envelope served by that system should be directed to that system, as the same level of environmental protection is unlikely to be achieved if individual privately owned drainage schemes are set up within, or on the outskirts of, towns and villages.
- 1.4 It appears from our mapping systems that there is a public foul sewer in close proximity to the site served by a public waste water treatment plant (WWTP) at Clinterty. It is not clear from the information submitted with the planning application why the development cannot connect to the public foul sewer.
- 1.3 In light of the above, we **object** to the planning application until the development is **modified** to include a connection to the public foul sewer or adequate **justification**, supported by appropriate evidence, is provided as to why a connection is not feasible (further advice is given to the applicant in Section 3 below). In the case of the latter, sufficient information would also be required to demonstrate that a private waste water drainage system would be environmentally acceptable.
- 1.6 The following documents set out our policy and guidance on waste water drainage and are available on our website: [Policy and supporting guidance on provision of waste water drainage in settlements](#) (WAT-PS-06-08) and SEPA Guidance Note 19: [Planning advice on waste water drainage](#).

## 2. Other issues

- 2.1 The planning application falls below the threshold for developments of this type that we provide site specific advice on. Therefore we have only provided site specific advice on the environmental issues highlighted – foul drainage. For all other issues we refer you to our standing advice for small-scale local development which is available at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx).

### Detailed advice for the applicant

## 3. Waste water drainage

- 3.1 Please note that we have lodged an objection to this application on foul drainage grounds. As highlighted above, this objection could be removed if the development is modified to direct waste water drainage to the foul public sewer system.
- 3.2 If connection to the public foul sewer is not considered to be feasible, adequate justification would be required, supported by appropriate evidence, including evidence of discussions with Scottish Water. In particular, consideration of the following points would be required:
  - Evidence that a connection has been sought and any subsequent correspondence from Scottish Water including refusal of connection, details of technical difficulties, any capacity issues and cost of connection;

- Full costings for the private foul drainage proposal (verses connection to public sewer) and whether it is currently proposed to be built to adoptable standards;
- Investigation of the possibility of combining with other developments to fund a connection to the public sewerage system;
- The location and level of existing public sewerage provision within the settlement
- Any other cost and/or practicability issues for example distance to the sewer, will way leave to cross land be granted, costs of land sewer will have to cross, pumping costs dependant on gradient to sewer

3.3 In addition to the above, it would also need to be demonstrated that a private waste water treatment system is environmentally acceptable in this location.

### **Regulatory advice for the applicant**

#### **4. Regulatory requirements**

4.1 Private waste water drainage proposals require authorisation from SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) as amended). Details of regulatory requirements and good practice advice for the applicant can be found on our website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at: Inverdee House, Baxter Street, Torry, Aberdeen, AB11 9QA, Tel: 01224 266600.

If you have any queries relating to this letter, please contact me by telephone on 01224 266636 or e-mail at [planning.aberdeen@sepa.org.uk](mailto:planning.aberdeen@sepa.org.uk).

Yours sincerely

Zoe Griffin  
Senior Planning Officer  
Planning Service

ECopy to: John Wink, John Wink Design, [planning@johnwinkdesign.co.uk](mailto:planning@johnwinkdesign.co.uk);

#### *Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).*

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# MEMO



ABERDEEN  
CITY COUNCIL

To	D Brasier Planning & Infrastructure	Date	08/11/2016
		Your Ref.	<b>161572</b>
		Our Ref.	
From	Flooding		
Email	<a href="mailto:pa.flooding@aberdeencity.gov.uk">pa.flooding@aberdeencity.gov.uk</a>		
Dial	01224 53 2387		
Fax			

Flooding  
**Communities, Housing and Infrastructure**  
Aberdeen City Council  
Business Hub 11 ,  
2<sup>nd</sup> Floor West,  
Marischal College  
Broad Street  
Aberdeen AB10 1AB

## Planning application no. 161572

Upon a review of the information supplied the ACC Flood Team request the following information;

- Confirmation that the information from 2012 is still accurate and relevant to the site; **Reason Flood Risk**
- Confirmation of the flow rate of drainage system: **Reason Flood Risk**
- Confirmation from SEPA regarding the soakaway & septic discharge: **Reason Flood Risk**

This information would need to be supplied as part of the approval process.

We would wish the applicant to be aware that the area is prone to surface water flooding and would recommend the use of rainwater attenuation such as water butts and permeable materials be used for any hard landscaping. However this not a condition to be met prior to approval being granted.

Regards  
Katy Joy Goodall- Flooding & Coastal

Pete Leonard

Corporate Director

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# MEMO



ABERDEEN  
CITY COUNCIL

To	D Brasier Planning & Infrastructure	Date	16/12/16
		Your Ref.	<b>161572</b>
		Our Ref.	
From	Flooding		
Email	<a href="mailto:pa.flooding@aberdeencity.gov.uk">pa.flooding@aberdeencity.gov.uk</a>		
Dial	01224 53 2387		
Fax			

Flooding  
**Communities, Housing and Infrastructure**  
Aberdeen City Council  
Business Hub 11 ,  
2<sup>nd</sup> Floor West,  
Marischal College  
Broad Street  
Aberdeen AB10 1AB

## **Planning application no.161572**

Upon information received ACC Flood team find the conditions met and have no further objections or conditions for this application.

Regards  
Katy Joy Goodall - Flooding & Coastal

Pete Leonard  
Corporate Director

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# Comments for Planning Application 161572/DPP

## Application Summary

Application Number: 161572/DPP

Address: Site Adjacent The Haughs Clinterty Kinellar Aberdeen

Proposal: Change of use from agricultural land to domestic and erection of 1.5 storey dwelling with double garage

Case Officer: Dineke Brasier

## Customer Details

Name: Ms Clare Horton

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

## Comment Details

Commenter Type: Council Employee

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment:MEMO

Protective Services

Planning and Sustainable Development

Business Hub 15, 3rd Floor South, Marischal College, Aberdeen.

To Dineke Brasier

Planning & Sustainable Development

From Clare Horton, Environmental Health & Trading Standards

Email

chorton@aberdeencity.gov.uk Date 23/02/2016

Tel. 01224 523822

Fax. 01224 523887 Your Ref. 161572

Planning Reference: 161572

Address: Site Adjacent to The Haughs, Clinterty, Kinellar, Aberdeen

Description: Change of use from agricultural land to domestic and erection of 1.5 storey dwelling with double garage

Applicant: T A Bisset & Son

We have no objection to the approval of this application. However, although we do not believe the potential for risk is sufficient to justify the attachment of conditions, the applicant is advised that should any contamination of the ground be discovered during development the Planning Authority should be notified immediately. The extent and nature of the contamination should be investigated

and a suitable scheme for the mitigation of any risks arising from the contamination should be agreed and implemented to the satisfaction of the Planning Authority.

- reason: to ensure that the site is suitable for use and fit for human occupation

# Comments for Planning Application 161572/DPP

## Application Summary

Application Number: 161572/DPP

Address: Site Adjacent The Haughs Clinterty Kinellar Aberdeen

Proposal: Change of use from agricultural land to domestic and erection of 1.5 storey dwelling with double garage

Case Officer: Dineke Brasier

## Customer Details

Name: Mrs Helen Geddes

Address: Meadowfold Lodge Kinellar Abedeen

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are objecting to the application based on its location. As the applicant owns the entire field we find the location of the proposed new build unnecessarily close to our property towards the south.

The site analysis states "the land sits on a gradual slope with the land falling away to the south." It appears that the property is planned towards the section of the field that falls away to the south towards our property. The view would be directly into our property, therefore not uninterrupted as stated in the report. We feel this is imposing on our views to the north.

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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            100040032-001

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

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:  You must enter a Building Name or Number, or both: \*

First Name: \*  Building Name:

Last Name: \*  Building Number:

Telephone Number: \*  Address 1 (Street): \*

Extension Number:  Address 2:

Mobile Number:  Town/City: \*

Fax Number:  Country: \*

Postcode: \*

Email Address: \*

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

Individual  Organisation/Corporate entity

## 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" value="-"/>
First Name: *	<input type="text" value="Steven"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Bisset"/>	Address 1 (Street): *	<input type="text" value="Bishopston"/>
Company/Organisation	<input type="text" value="T A Bisset &amp; Son"/>	Address 2:	<input type="text" value="Kinellar"/>
Telephone Number: *	<input type="text"/>	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="AB21 0TX"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

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

Address 1:	<input type="text"/>
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"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Site South East of Aberdeen College, Clinterty, Kinellar, Aberdeen City, AB21 0TZ"/>
--

Northing	<input type="text" value="811047"/>	Easting	<input type="text" value="383463"/>
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## 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 Farm Workers House including Change of Use of land from Agricultural to Domestic

## 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.

See 'Statement of Reasons for Seeking a Review' document in supporting documents

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)

Architectural Drawings (1136 - 120 & 121), Design Statement, Supporting Statement, Labour Requirement Report, Statement of Reasons for Seeking a Review

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

161572/DPP

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

02/11/2016

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

20/12/2016

## 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 Wink

Declaration Date: 16/02/2017

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PL Ref: 161572/DPP  
Our Ref: 1136

15<sup>th</sup> February 2017

## **Planning Permission for erection of Farm Workers House and Detached Garage**

Site Adjacent to The Haughs, Clinterty, Kinellar, Aberdeen, AB21 0TZ

### **Statement of Reasons for Seeking a Review**

The above application for Full Planning Permission was refused because the planning officer believes that it has not been proven that a dwelling on the farm is essential, the scale, design and massing of the dwelling and garage would have an adverse impact on the character of the area and the location of the dwelling would be disconnected from the farm buildings and the dwellings to the south.

The planning officer has commented that *'there is little further explanation as to why the dwelling is sited detached from and some distance from the related cattle sheds, which are some 130m to the west across the field and around 200m along the minor road to the south. As such it remains that the location for the dwelling is considered insufficiently justified.'*

In our supporting statement we expanded further on this by stating that locating the house where we have, it will allow expansion of the farm in the future, allowing for further expansion of the business. Due to the main road passing by to the west of the current steading and the location of Aberdeen College to the north this means the only available site for potential development would be to the east and therefore this is why it is necessary to keep this area clear.

Further comments on the siting of the proposed dwelling include *'it would appear a relatively isolated, independent and prominent feature, unrelated to any existing development or groupings.'* We feel this is an unfair assessment as the proposed house is sited approximately 35m from the existing dwelling to the south, linking it with the group of buildings to the south of the road.

The report continues saying *'it is still not accepted that it would be essential for the worker to live on this particular site, distant from the cattle to be overseen. Given the distance of separation, it is considered that access to the farm on a daily basis could be achieved from any existing dwelling in the locality, including the farm house at Bishopston as is currently the case.'*

The existing farm house at Bishopston is over 1.1 kilometres away as the crow flies making the direct overseeing of the cattle housed at the Haughs of Clinterty impossible. The submitted supporting statement goes into detail on the importance of siting the dwelling where it has been proposed. The dwelling is close enough to the farm during the winter months where the cattle will be housed for 8 – 9 months to perform day-to-day activities without the need to drive. It is also close enough to observe the cattle while they are outside in the summer months, grazing in the field to the west of the site. Should any cattle require immediate attention, the worker can attend to the situation immediately. Adding to this, the submitted LRR states that there is the need for 2 labour units (i.e. 2 full time workers). The farm house at Bishopston houses one of these workers. The proposed house is to accommodate the other. It is not practical or feasible to have the applicant move into the existing farm house to assist in the running of the farm. This would mean that the applicant would either end up sharing a small premises with his family and his fathers, or

his father's family would be forced to relocate. It is obviously more practical to have one house at one unit (Bishopston) and one house at the other unit (Clinterty). Furthermore, the applicants father, who the applicant helps run the farm, is getting older and as such the contribution the applicant makes to the running of the farm is increasing rapidly. This makes it even more necessary to have to applicant relocate to Clinterty.

Relating to the design of the proposed dwelling, the planning officer has commented stated *'the size, level and type of accommodation and massing is considered significant for the needs of a farm workers dwelling'*. We have proposed a one and a half storey building with dormer windows to the main façade as it is with almost every other traditional farmhouse on the north-east. The scale of the building is to ensure that the applicant has suitable space to raise a family, without the need to extend the building, leading to the erosion of the character of the area. This building will not be used simply as 'farm workers accommodation' for use on a Monday morning until a Friday night. This is to be a family home for the farm worker. To say that the proposals are significant for the needs of a farmworkers dwelling is insulting.

We are very disappointed that this application has been recommended for refusal, even after providing a suitable justification for all elements of the design and principle of the application. We therefore seek to appeal the decision to hopefully gain support for the application.

John Wink Design