

Public Document Pack



To: Councillor Boulton, Convener; and Councillor Donnelly, the Depute Provost, and Councillors Jennifer Stewart and Sandy Stuart.

Town House,
ABERDEEN 01 March 2018

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 **WEDNESDAY, 7 MARCH 2018 at 10.00 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

- 1 Procedure Notice (Pages 7 - 8)

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

MEMBERS PLEASE NOTE THAT THE FOLLOWING LINK WILL TAKE YOU TO THE LOCAL DEVELOPMENT PLAN.

[Local Development Plan](#)

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

PLANNING ADVISER - ANDREW MILLER

2.1 Construction of an additional external chimney on the North West elevation - Inchgarth House, Inchgarth Road Aberdeen - 170929

2.2 Delegated Report, Plans and Decision Notice (Pages 9 - 16)
Members, please note that the relevant plans can be viewed online:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

2.3 Planning policies referred to in documents submitted
Members, the following planning policies are referred to:-

National Planning Policy and Guidance

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

Aberdeen Local Development Plan (2017)

- Policy D1: Quality Placemaking by Design
- Policy D4: Historic Environment
- Policy D5: Our Granite Heritage
- Policy NE2: Green Belt

Other Material Considerations

- Managing Change in the Historic Environment: Guidance note – Roofs

The policies can be viewed at the following link:-

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

2.4 Notice of Review with initial application and supporting information submitted by applicant / agent (Pages 17 - 42)

2.5 Determination - Reasons for decision

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

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

PLANNING ADVISER - ANDREW MILLER

3.1 Erection of single storey extension on the rear (south east) elevation - Murtle Den House Aberdeen - 171007

3.2 Delegated report, plans and decision notice (Pages 43 - 52)

Members please note that the plans associated with this application can be viewed here:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/advancedSearchResults.do?action=firstPage>

3.3 Planning policies referred to in the documents submitted

Members, the following policies are referred to:-

National Planning Policy and Guidance

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

Aberdeen Local Development Plan (2017)

- Policy D1: Quality Placemaking by Design
- Policy D4: Historic Environment
- Policy NE1: Green Space Network
- Policy NE2: Green Belt

Supplementary Guidance and Technical Advice Notes

- Supplementary Guidance: 'The Householder Development Guide'

Other Material Considerations

- Managing Change in the Historic Environment: Extensions

3.4 Notice of Review with initial application and supporting information submitted by applicant / agent (Pages 53 - 86)

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

PLANNING ADVISER - ANDREW MILLER

- 4.1 Variation of Condition 1 (Low and zero carbon buildings) of P140229 for erection of office development with associated car parking and landscaping - Laurie's Motel, Hareness Road Aberdeen - 170950

- 4.2 Delegated report, plans and decision notice (Pages 87 - 100)

Members please note, that plans associated with the application can be viewed here:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/advancedSearchResults.do?action=firstPage>

- 4.3 Planning policies referred to in the documents submitted

Please note the planning policies referred to:-

National Planning Policy and Guidance

Section 72 of The Climate Change (Scotland) Act 2009, requires all local authorities in any local development plan prepared by them, to include policies requiring all developments in the local development plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.

Aberdeen Local Development Plan (2017)

- Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency

Supplementary Guidance and Technical Advice Notes

- Resources for New Development (Part A – Density, Energy Use in New Buildings and Water Use Efficiency)

- 4.4 Notice of Review with initial application and supporting information submitted by applicant / agent (Pages 101 - 126)

- 4.5 Determination - reason for decision

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

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain on lymcbain@aberdeencity.gov.uk / tel 01224 522123

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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.

 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Planning and Sustainable Development Service</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
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Site Address:	Inchgarth House, Inchgarth Road, Aberdeen, AB15 9NX
Application Description:	Construct of an additional external chimney on the North West elevation
Application Reference:	170929/DPP
Application Type	Detailed Planning Permission
Application Date:	4 August 2017
Applicant:	Mr Ian Dunbar
Ward:	Lower Deeside
Community Council	Garthdee
Case Officer:	Sepideh Hajisoltani

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site is located to the south of Inchgarth Road and extends to approximately 1.9 ha. It comprises Inchgarth House, which is a category 'C' listed building, and surrounding land, including mature trees. Access to the site is taken from Inchgarth Road to the east of Inchgarth House via an access, shared with Inchgarth Lodge, which curves around the south of the building. There is also another access to the site, located immediately to the north east of the new extension to the north elevation of the building and which is currently blocked.

The site lies within Pitfodels Conservation area.

Relevant Planning History

921972- Outline Planning Permission for erection of a dwelling-house and garage was refused in 1992.

110529- Detailed planning permission for erection of new flat roofed extension to accommodate new kitchen and utility room was approved unconditionally in July 2011.

111556 & 111557- Listed building consent and detailed planning permission for demolishing existing garage and port, erection of new store, garage block and colonnade, conversion of house and 2 flats back to one main house and refurbishment of all windows were approved conditionally in January 2012.

140684- Detailed planning permission for erection of single storey rear extension was approved conditionally in July 2014.

150523 & 150524- Detailed planning permission and listed building consent for removal of existing block garage and single storey extension to north east elevation. Conversion of house and 2 flats back to one main house, erection of new extensions to north east and North West elevations and refurbishment of all windows was approved conditionally in June 2015. This has been implemented.

160782- Detailed planning permission for erection of 2 storey garage with ancillary space; formation of an opening in the boundary wall to create access gate and a driveway was withdrawn by applicant in September 2016.

170020/DPP- Detailed planning permission for construction of triple garage with ancillary accommodation at upper level was withdrawn by applicant in March 2017.

170115/DPP- Detailed planning permission for formation of new access and driveway with gate, wall, pillars and landscaping at Inchgarth House (part retrospective) was withdrawn by applicant in May 2017.

170610/LBC- Listed building consent for complete demolition of the Steading and Lodge to allow reinstatement of Inchgarth House and Surrounding Landscape was submitted in May 2017 and is yet to be determined.

170921/DPP- Detailed planning permission for formation of new access and driveway with gate, wall and pillars, erection of a two storey detached garage and a single storey storage building and associated landscaping was submitted in August 2017 and is yet to be determined.

170939/LBC & 170944/DPP- Listed building consent and detailed planning permission for installation of lift and infill of door on south east elevation (retrospective) were submitted in August 2017 and were approved unconditionally in October 2017.

170928/LBC- Detailed planning permission for construction of an additional external chimney on the North West elevation was submitted in August 2017 and was refused in November 2017.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for construction of an additional external chimney on the north west elevation of the existing building. The proposed dummy chimney would be for cosmetic purposes only and would be finished in Ranoch Granite to match existing external walls. It should be noted that the works have been implemented after submission of this application and as such the application is considered as retrospective.

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/simpleSearchResults.do?action=firstPage>

CONSULTATIONS

None

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

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.

National Planning Policy and Guidance

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

Aberdeen Local Development Plan (2017)

- Policy D1: Quality Placemaking by Design
- Policy D4: Historic Environment
- Policy D5: Our Granite Heritage
- Policy NE2: Green Belt

Other Material Considerations

- Managing Change in the Historic Environment: Guidance note – Roofs

EVALUATION

Policy D1: Quality Placemaking by Design

All development must ensure high standard of design and have a strong and distinctive sense of place. It is considered that, whilst the principle of adding a dummy chimney to the building may be acceptable, any new feature must be sited to maintain the special architectural and historic interest, integrity and fabric of the building. In this instance a new chimney would need to match the details of the existing kitchen chimney (coming out of the wall head and be flush with the existing wall) to create a visual balance between historic and new features on the building.

The proposed chimney would project out from the gable end and with an overall height of approximately 10.9m would be alien to this elevation which is partially visible from Inchgarth Road. The projecting form of the proposed chimney would also differ from all the other chimneys on the original building as well as the chimneys on the new extension. The new extension looks to replicate the form of the original building. The addition of the projecting chimney undermines this impacting negatively on both the historic and new elements of the building. The proposed materials would match the existing walls and are considered acceptable; however the overall scale and design of the proposed chimney would have a detrimental impact on the appearance and visual amenity of the listed building and surrounding conservation area.

It is considered that the proposal does not fully comply with the provisions of policy D1 due to inappropriate scale and design.

Policy D4: Historic Environment

Scottish Planning Policy (SPP) and Historic Environment Scotland Statement (HESPS) both seek to ensure the special interest of listed buildings and character of conservation areas are preserved or enhanced. The chimney would be partially visible from Inchgarth Road. It is considered that for the reasons explained above, the works would also impact negatively on the character of the conservation area and the setting of the listed building. The proposed works would not contribute to maintain the special architectural interest of the building due to the inappropriate design and scale.

It is considered that the proposal does not accord with SPP, HESPS and policy D4.

Policy D5: Our Granite Heritage

Throughout Aberdeen the Council seeks the retention and appropriate re-use, conversion and adaption of all granite features and buildings. Where the retention and re-use of a granite feature, building or structure, in whole or part, is unviable then the visible re-use of as much of the original granite as is practicably possible as a building material within the development site is required. The proposed work is for an additional external feature (using new granite) and is carried out as part of the renovation and reinstatement of the granite building to a single mansion house.

It is considered that the proposal is in full compliance with policy D5.

Policy NE2: Green Belt

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 uses compatible with an agricultural or natural setting; mineral extraction/ quarry restoration; or landscape renewal.

The following exceptions apply to this policy:

- 1- Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:
 - a) The development is within the boundary of the existing activity;
 - b) The development is small-scale;
 - c) The intensity of activity is not significantly increased; and
 - d) Any proposed built construction is ancillary to what exists.

All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials. All developments in the Green Belt should have regards to other policies of the Local Development Plan in respect of landscape, trees and woodlands, natural heritage and pipelines and control of major accident hazards.

The proposed development complies with the above mentioned criteria, (a) – (d) and can be considered as complying with this exception to Policy NE2. However, it is considered that it does not fully comply with policy NE2 in that it fails to comply with the requirement to “*be of the highest quality in terms of siting, scale, design and materials*”. Whilst it is acknowledged that the materials are of a high quality, the proposal does not meet the expectations of the policy in terms siting, scale and design. A defining characteristic of this part of the green belt, rather than being rural in character, is the Pitfodels Conservation Area and thus an adverse impact on the character of the conservation area, as narrated above, by implication results in an adverse impact on this part of the green belt. The proposal, therefore, fails to comply fully with policy NE2.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed dummy chimney fails to comply with Policies D1 (Quality Placemaking by Design), D4 (Historic Environment) and NE2 (Green Belt) in that the design and scale of the proposal would not maintain the special architectural and historic interest of the listed building and would have a negative impact on the character of the conservation area and on the green belt. There are no material planning considerations that would outweigh the above policy position and warrant approval of the application.

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Technical Department
Kirkwood Homes Ltd
Kirkwood Business Park
Sauchen
Inverurie
United Kingdom
AB51 7LE

on behalf of **Mr Ian Dunbar**

With reference to your application validly received on 4 August 2017 for the following development:-

Construction of an additional external chimney on the North West elevation (retrospective)

at Inchgarth House, Inchgarth Road

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

Drawing Number

Location Plan
Proposed SW - NW Elevations and Plan Chimney
Inchgarth House - Chimney Granite NE-NW-SW Elevation

Drawing Type

1363/P/000/XX/300/-
1363/P/000/XX/302/-
170929/DPP-01

REASON FOR DECISION

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

The proposed dummy chimney fails to comply with Policies D1 (Quality Placemaking by Design), D4 (Historic Environment) and NE2 (Green Belt) in that the design and scale of the proposal would not maintain the special architectural and historic interest

of the listed building and would have a negative impact on the character of the conservation area and on the green belt. There are no material planning considerations that would outweigh the above policy position and warrant approval of the application.

Date of Signing 15 November 2017



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

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

None.

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

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

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

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

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and

cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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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 100083364-001

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:	<input type="text" value="Ryden LLP"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Claire"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Coutts"/>	Building Number:	<input type="text" value="25"/>
Telephone Number: *	<input type="text" value="01224 588866"/>	Address 1 (Street): *	<input type="text" value="Albyn Place"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Aberdeen City"/>
		Postcode: *	<input type="text" value="AB10 1YL"/>
Email Address: *	<input type="text" value="claire.coutts@ryden.co.uk"/>		

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="Kirkwood Homes Ltd"/>
First Name: *	<input type="text" value="Ian"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Dunbar"/>	Address 1 (Street): *	<input type="text" value="Kirkwood Business Park"/>
Company/Organisation	<input type="text" value="c/o Kirkwood Homes Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Sauchen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB51 7LE"/>
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="INCHGARTH HOUSE"/>
Address 2:	<input type="text" value="INCHGARTH ROAD"/>
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 9NX"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="803016"/>	Easting	<input type="text" value="390557"/>
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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)

Detailed Planning Permission for the construction of an additional external chimney on the north west elevation (retrospective)

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 Grounds of Appeal Statement

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

Yes No

If yes, you should explain in the box below, why you are raising 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)

KWH1 - Application for Detailed Planning Permission and Plans KWH2 - Refusal Notice KWH3 - Report of Handing KWH4 - Aberdeen Local Development Plan 2017 (extracts) KWH5 - Scottish Planning Policy (extracts) KWH6 - Historic Environment Scotland Policy Statement 2016 KWH7 - Managing Change in the Historic Environment Guidance Note - Roofs KWH8 - Pitfodels Conservation Area Appraisal KWH9 - Chimney Elevations and Photos

Application Details

Please provide details of the application and decision.

What is the application reference number? *

170929/DPP

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

04/08/2017

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

15/11/2017

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)

It is considered appropriate to see the chimney in the context of the site

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: Mrs Claire Coutts

Declaration Date: 12/02/2018

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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 100052087-004

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.

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)

The proposal is to construct an additional external chimney on the North West Elevation. The proposed chimney is a replica of the existing. The approved extensions already feature an extremely high quality pallet of materials and we feel that this addition will only serve to enhance synergy between the old and the new. Property has already received planning approval 150523 and listed buildings 150524

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:	Kirkwood Homes Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Technical	Building Name:	Kirkwood Business Park
Last Name: *	Department	Building Number:	
Telephone Number: *	01330 833595	Address 1 (Street): *	Sauchen
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Inverurie
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB51 7LE
Email Address: *	technical@kirkwood-homes.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:		Building Name:	kirkwood Homes Ltd
First Name: *	Ian	Building Number:	
Last Name: *	Dunbar	Address 1 (Street): *	kirkwood Business Park
Company/Organisation	Care of Kirkwood Homes Ltd	Address 2:	Sauchen
Telephone Number: *		Town/City: *	Inverurie
Extension Number:		Country: *	Aberdeenshire
Mobile Number:		Postcode: *	AB51 7LE
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

INCHGARTH HOUSE

Address 2:

INCHGARTH ROAD

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB15 9NX

Please identify/describe the location of the site or sites

Northing

803016

Easting

390557

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

0.19

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)

Residential Dwelling

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

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)

Bin stance location on site but not applicable to this application

Residential Units Including Conversion

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

Yes No

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

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: Technical Department

On behalf of: Care of Kirkwood Homes Ltd

Date: 03/08/2017

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

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

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

Declare – For Application to Planning Authority

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

Declaration Name: - Technical Department

Declaration Date: 03/08/2017

Payment Details

Online payment: ABSP00001887
Payment date: 03/08/2017 10:20:00

Created: 03/08/2017 10:20

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**KIRKWOOD HOMES LTD ON BEHALF
OF MR IAN DUNBAR**

**Request for Review of the Refusal by
Aberdeen City Council to grant
Detailed Planning Permission for the
Construction of an additional external
chimney on the North West elevation
(retrospective) at Inchgarth House,
Inchgarth Road, Aberdeen**

GROUNDS OF APPEAL STATEMENT

12 February 2018

**Ryden LLP
25 Albyn Place
Aberdeen
AB10 1YL
Tel: 01224 588866
Fax: 01224 589669**

Contents

- 1.0 Introduction**
- 2.0 Description of Site and Proposals**
- 3.0 Development Plan Context**
- 4.0 Material Considerations**
- 5.0 Grounds of Appeal**
- 6.0 Conclusions and Recommendation**

Documents:

- KWH1: Application for Detailed Planning Permission and Plans
- KWH2: Refusal Notice
- KWH3: Aberdeen City Council's Report of Handling
- KWH4: Aberdeen City Local Development Plan 2017 (extracts)
- KWH5: Scottish Planning Policy (extracts)
- KWH6: Historic Environment Scotland Policy Statement June 2016
- KWH7: Managing Change in the Historic Environment Guidance Note: Roofs
- KWH8: Pitfodels Conservation Area Appraisal
- KWH9: Chimney Elevations and Photos

1.0 INTRODUCTION

1.1 This Notice of Review is lodged on behalf of Ian Dunbar under the terms of section 43A(8) of the Town and Country Planning (Scotland) Act 1997 and Regulation 9 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 against the refusal by Aberdeen City Council to grant Detailed Planning Permission for the construction of an additional external chimney (retrospective) on the north-west elevation at Inchgarth House, Inchgarth Road, Aberdeen under the Application Reference: 170929/DPP. The appellants wish the appeal to be determined by Written Submissions and a site visit.

1.2 The application for detailed planning permission (**Document KWH1**) and Listed Building Consent (LBC) was lodged by Kirkwood Homes Ltd, on behalf of Mr Ian Dunbar, on 3 August 2017 and validated on 4 August 2017. The application was refused by delegated powers for the following reason:

“The proposed dummy chimney fails to comply with Policies D1 (Quality Placemaking by Design) and D4 (Historic Environment) and NE2 (Green Belt) in that the design and scale of the proposal would not maintain the special architectural and historic interest of the listed building and would have a negative impact on the character of the conservation area and on the green belt. There are no material planning considerations that would outweigh the above policy position and warrant approval of the application”.

1.3 The formal Refusal Notice for Detailed Planning Permission was issued by Aberdeen City Council on 15 November 2017. A copy of the Refusal Notice is attached at **Document KWH2** and the Council prepared a Report of Handling which is attached at **Document KWH3**. The Listed Building Consent was refused on 9 November 2017 which is being appealed separately to Scottish Ministers.

2.0 DESCRIPTION OF SITE & PROPOSALS

2.1 The appeal site, which extends to approximately 1.9 hectares, is located to the south of Inchgarth Road. It comprises Inchgarth House, a category ‘C’ listed building and the immediate garden ground including a large lawn to the south west. The applicant also owns additional land to the south which comprises wooded areas. The surrounding land is established residential ground, having been utilised as a dwelling since its construction in 1890. It lies within the green belt and the Pitfodels Conservation Area.

2.2 The proposals sought detailed planning permission for the construction of an additional chimney on the north-west elevation of the building. This part of the building was an extension approved under Application Reference: 150523 and 150524. Those applications, approved in January 2015 were

for detailed planning permission and listed building consent for the removal of an existing block garage and single storey extension to the north east elevation; conversion of the house and 2 flats back to one main house, erection of new extensions to north east and north west elevations and refurbishment of all windows.

2.3 These permission have now been implemented and works have been completed to an extremely high standard using Rannoch Granite, cherry cocking coursing, slate roof, handmade hardwood double glazed windows which all seamlessly match the existing Inchgarth House. The applicant was committed to retaining the original features of the House and after significant damage was caused by fire, this was fixed and features restored within the house.

2.4 The proposed dummy chimney was for cosmetic purposes to break up the extensive, north-west elevation on the gable end of the extension as demonstrated in the detailed planning permission plans of the chimney elevation (Document KWH1). It also provides balance and symmetry from the front elevation of the house as shown in **Document KWH 9** which shows the south east elevation both with and without the chimney. High quality Rannoch Granite was used to match the existing external walls and ensure the chimney was in keeping with the high quality extension and original house.

3.0 DEVELOPMENT PLAN CONTEXT

Introduction

3.1 The Development Plan for the area comprises the Aberdeen City and Shire Structure Plan approved by the Scottish Ministers in March 2014 and the Aberdeen Local Development Plan, adopted by the Council in 17 April 2017 (**Document KWH4**).

Aberdeen City Local Development Plan 2017

(<https://www.aberdeencity.gov.uk/services/planning-and-building/local-development-plan/aberdeen-local-development-plan>)

3.2 The Local Development Plan was adopted by Aberdeen City Council on 17 April 2017 in conformity with the approved Strategic Development Plan. The Council's report of handling (**Document KWH3**) refers to the following applicable policies:

3.3 Policy D1: Quality Placemaking by Design requires that all development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, quality architecture, craftsmanship and materials. Paragraph 3.3 states that all development must follow a thorough process of site context and appraisal to arrive at an

appropriate proposal. Context will differ from site to site, however, significant characteristics include: siting, scale, mass, detail, proportion, materials, colour, orientation, and existing building heights. Not all development will be of a scale to make a significant placemaking impact, however, all good design and detail adds to the attractiveness of the built and natural environment.

- 3.4 Policy D4: Historic Environment states that the Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, SHEP and its own Supplementary Guidance and Conservation Area Character Appraisals. High quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings and conservation areas will be supported.
- 3.5 Policy D5: Our Granite Heritage advises that throughout Aberdeen, the Council seeks the retention and appropriate re-use, conversion and adaption of all granite features, structures and buildings, including setted streets, granite kerbs and granite boundary walls. Proposals to demolish any granite building, structure or feature, partially or completely, that is listed or within a conservation area will not be granted planning permission. Where the retention and re-use of a granite feature, building or structure is unviable then the visible re-use of as much of the original granite as is practically possible as a building material within the building site is required.
- 3.6 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/quarry restoration; or landscape renewal. There are exceptions to this policy which state that proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:
- a) The development is within the boundary of the existing activity;
 - b) The development is small-scale;
 - c) The intensity of activity is not significantly increased; and
 - d) Any proposed built construction is ancillary to what exists.

All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials

4.0 MATERIAL CONSIDERATIONS

Scottish Planning Policy

<http://www.scotland.gov.uk/Publications/2010/02/03132605/0>

- 4.1 At a National level, relevant guidance is provided through Scottish Planning Policy (**Document KWH5**). Paragraph 137 states that the planning system

can enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset and ensure its special characteristics are protected, conserved or enhanced.

- 4.2 In relation to listed buildings, paragraph 141 advises that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.

Historic Environment Scotland Policy Statement (HESPS)

www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/historic-environment-scotland-policy-statement/)

- 4.3 Historic Environment Scotland Policy Statement (June 2016) (**Document KWH6**) outlines how Historic Scotland expects others to interpret and implement Scottish Planning Policy. It is a material consideration in the planning system. Chapter 1 states that “**the historic environment has been adapted over time to meet changing needs. Our view of what is important develops and changes**”. The challenge for sustainable management of the historic environment is to identify key characteristics and to establish boundaries within which change can continue so that it enhances historic character (paragraph 1.3). Paragraph 1.5 states that “**the protection of the historic environment is not about preventing change**”.

Managing Change in the Historic Environment: Guidance Note – Roofs

www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=577dd6d3-94cc-4a14-b187-a60b009af4bd)

- 4.4 This guidance note (**Document KWH7**) sets out the principles that apply to altering the roofs of historic buildings. The interest of a historic roof is derived from a number of factors including shape, form, structure, covering materials and associated features (paragraph 3.1). Associated roof features such as chimneys can be of significant value to the overall variety and interest of the roof scape. (paragraph 3.13). Some areas of a roof will generally be more sensitive to change than others. Historic chimneys can make an important contribution to the character of a roof and should be retained (paragraph 4.13).

5.0 GROUNDS OF APPEAL

- 5.1 Section 25 of the Town & Country Planning (Scotland) Act 1997 requires applications to be determined in accordance with the Development Plan

unless material considerations indicate otherwise. At the outset it is important to note that prior to the applicant receiving planning permission to extend the listed building, some historical additions and changes had been made to Inchgarth House. This included a single storey extension to the north east as well as converting the house into three separate units of one main house and two flats. The applicant has sought to bring the house back to its original form as a single dwellinghouse and the quality of the works they have carried out have significantly improved the status and form of the listed building. It is argued that the previous additions were more detrimental to the appearance and setting of the listed building than the dummy chimney which seeks to improve the building further.

- 5.2 The Report of Handling (**Document KWH3**) confirms that the principle of adding a chimney to the building is acceptable and the proposal complies fully with Policy D5: Our Granite Heritage. The reason for refusal is that it fails to comply with Policy D1, Policy D4 and NE2 in that the design and scale of the proposal would not maintain the special architectural and historic interest of the listed building and would have a negative impact on the character of the conservation area and on the green belt. Therefore issues of scale and design and impact on the green belt will be considered in this grounds of appeal statement.
- 5.3 Policy D1: Quality Placemaking by Design of the Local Development Plan deals with design and scale although no specific requirements are outlined. The planning officer states in the Report of Handling that in this instance “**a new chimney would need to match the details of the existing kitchen chimney to create a visual balance between historic and new features of the listed building**”. They conclude that this should come out of the wall head and be flush with the existing wall rather than project out of the gable end as proposed. They consider that such a design is alien to this elevation and the scale and design would have a detrimental impact on the appearance and visual amenity of the listed building.
- 5.4 This is strongly refuted. Policy D1 requires proposals to respond to the site context, scale, massing, colour, proportions and be well planned within high quality design, materials and craftsmanship. It is argued that these issues have been considered and the aim of the dummy chimney was to break up the large expanse of gable wall and to provide interest to this elevation. It also provides balance and symmetry to the front of the house as demonstrated in **Document KWH9** which shows the south-east elevation both with and without the chimney. It is clear from both the elevations and the photographs that the property is far more balanced and symmetrical with the chimney. This ensures the approved and completed extension is integrated with the main house and improves the overall design and appearance of the listed building as a whole. The scale, massing and proportions are appropriate to the scale of the gable wall which is determined by the height of the existing extension. The materials and colour of granite

matches the existing house and extension and the craftsmanship is of high quality, also matching the original house.

- 5.5 The only issue that Aberdeen City Council planners had with the chimney is the projection from the gable end. However, there is nothing in policy that requires the new chimney to match the existing in terms of projection and Policy D1 requires consideration to be given to the importance of the proposal. It is argued that the provision of a dummy chimney at this location is not of a scale to make a significant impact. This is reduced further in that it is not added to the original part of the house, but a completed extension. It is argued that the projection adds to the attractiveness of the built environment, by making more of a feature of this elevation. If the chimney were to be flush with the existing wall, the vast expanse of gable wall would be more obvious on this elevation, detracting from the design and overall appearance of the listed building.
- 5.6 Policy D4: Historic Environment requires the Council to protect, preserve and enhance the historic environment in line with SPP, SHEP and Supplementary Guidance and Conservation Area Character Appraisals. The projection of the chimney would not go against these requirements as the original chimneys will remain unaffected.
- 5.7 In terms of SPP, (**Document KWH5**) it makes reference to the Scottish Historic Environment Policy (SHEP). This has been replaced by Historic Environment Scotland Policy Statement 2016 (**Document KWH6**) and reference will be made to this in due course. SPP also states that the historic environment can accommodate change which is sensitively managed. The layout, design, materials, scale, siting should be appropriate to the character and appearance of the building and setting and it is argued that the chimney meets these requirements. SPP therefore does not prevent changes (or differing chimneys) to the historic environment and the refusal by Aberdeen City Council of the listed building consent (and detailed planning permission) suggests that the small changes proposed are not possible. This is not the aim of SPP in relation to the historic environment.
- 5.8 In this case and as stated already, the dummy chimney is on the approved extension, which is not part of the original house. The design and scale of the dummy chimney is considered appropriate to the appearance and setting of the building. It enhances and provides balance at this location and has been constructed to an extremely high standard taking into account the granite detailing and coursing matching that of the original house. This is largely accepted by Aberdeen City Council, with the only issue being the projection of the chimney. This is not considered to significantly affect the appearance of the building at this location and is a minor part of the proposals considering the high quality extension and chimney that has been constructed.

- 5.9 The Historic Environment Scotland Policy Statement 2016 (**Document KWH6**) highlights that the historic environment has been adapted over time and our view of what is important develops and changes. Similar to SPP, paragraph 1.5 states that “**the protection of the historic environment is not about preventing change**”. The challenge is to identify key characteristics and establish boundaries within which change can continue so that it enhances rather than diminishes historic character. The existing, historic chimneys on the site are retained and therefore remain unchanged and unaffected. The new, dummy chimney does not affect the setting of these historic chimneys and is contained on the extension of the house. The projection of this chimney is considered to be an appropriate boundary within which change is appropriate and actually enhances the character of the site by providing interest at this elevation. It does not diminish the historic character of the house in any way given that it is on a new part of the house and not affecting any original part of the house.
- 5.10 Aberdeen City Council in their Report of Handling make reference to Managing Change in the Historic Environment Guidance Note on roofs (**Document KWH7**) as a material consideration, however, no reference is made in the actual discussion. This guidance advises that roof features such as chimneys can be of significant value to the overall variety and interest of the roof scape and some areas will be more sensitive to change than others. This guidance does not prevent change and again, it should be highlighted that the historic chimneys on the listed building are retained and remain unchanged in conformity with this guidance.
- 5.11 There is nothing in any guidance preventing changes to new chimneys and the small projection proposed will not affect the historic part of the house. It is argued that, in the absence of any guidance on the creation of new features on a listed building, the provision of the dummy chimney and its impact is entirely subjective. The Report of Handling merely states that the works would impact negatively on the character of the building and would not contribute to maintain the special architectural interest of the building due to the inappropriate design and scale. No further explanation is given and it is not accepted that the design and scale of the chimney would adversely impact the architectural and historic interest of the listed building for reasons already stated.
- 5.12 It is interesting to note that the report of handling (**Document KWH3**) confirms that no consultations or representations were received on the application for the dummy chimney. Historic Scotland were therefore not consulted on the application for listed building consent or were not concerned with the proposals. Given the importance the planning department are placing on the projection of the chimney to the listed building, it would have been expected that they were consulted on the proposals. As such, the impact on the listed building is considered to be negligible given the lack of consultation response.

- 5.13 Policy D4 requires consideration to be given to the Council's Conservation Area Appraisals. Pitfodels Conservation Area Character Appraisal (January 2015) (**Document KWH8**) highlights that this area is the largest Conservation Area in Aberdeen. The predominant use is residential with a large proportion of land being gardens, open spaces, trees and woodland planting. Inchgarth Road is a main route through the Conservation Area with predominantly large plots with buildings set back from the road within a strong landscape setting. There is no reference to chimneys playing a significant part in the importance of the conservation area. The projection of the dummy chimney from the gable end of the newly built extension is again considered minor and would therefore not have a detrimental impact on the conservation area in line with Policy D4.
- 5.14 With regard to the final policy, NE2 (Green Belt), the Report of Handling (**Document KWH3**) confirms that the proposals conform to exception 1 and can be considered as complying with this part of Policy NE2. It is also acknowledged that the materials are of a high quality, however, the proposal "does not meet the expectations of the policy in terms of siting, scale and design". Again, this is strongly refuted and issues of siting, scale and design have been addressed above. The only issue the Council have with the chimney is the projection from the gable end and therefore, siting and scale issues are considered to be acceptable as they are directly related to the chimney which itself is deemed appropriate.
- 5.15 The only issue is the design and the projection from the gable end. The officer's report states that the defining characteristic of this part of the green belt is the Pitfodels Conservation Area and thus the adverse impact on the character of the conservation area by implication results in an adverse impact on the green belt. This is a very tenuous link between conservation area and the impact on the green belt and again no justification is provided as to how this conclusion is reached. It is argued that the projection of the chimney has no impact on the conservation area or the green belt and the proposal complies fully with Policy NE2. It should also be noted that Green Belt Policy was not one of the reasons for refusal of the Listed Building Consent and has been added to this refusal for no apparent reason.

6.0 CONCLUSION AND RECOMMENDATION

- 6.1 To conclude Aberdeen City Council accept that the principle of a chimney at this location is acceptable and the use of high quality materials are appropriate. The only issue appears to be the projection of the chimney from the gable end which is not considered appropriate to them as it does not match the existing chimneys on the building.
- 6.2 It is argued that SPP, Historic Environment Scotland Policy and Managing Change in the Historic Environment Guidance is not about preventing

change. Changes are appropriate if informed and sensitively managed. The small projection is not of a scale to make a significant impact on the site, however, it is argued that the proposals respond to the site context, scale, massing, colour, and proportions and has been designed with quality design, materials and craftsmanship to match the existing house.

- 6.3 It should be noted that the dummy chimney is not on the original part of the house, instead being located on a new gable wall. Its aim is to break up the large expanse of wall, to provide interest, balance and symmetry which improves the overall appearance of the extension and front elevation of the house. It must also be considered in the context of the previous changes to the original house, including a single storey extension and conversion of the house to three separate units. The owner has since restored the house to its original form by completing an extension and renovation to an extremely high standard. The chimney is in keeping with this and goes some way to improving the appearance of the building.
- 6.4 On the basis of all of the foregoing, it is considered that the reasons for refusal by Aberdeen City Council are untenable. They are extremely subjective and it is argued that the chimney has minimal impact on the special architectural and historic interest of the listed building. The high quality design, materials and craftsmanship ensures that it complies fully with Policy D1 and D4 of the Aberdeen Local Development Plan. In addition to this, there is considered to be no impact on the Green Belt and the proposals also complies fully with Policy NE2.
- 6.5 It is therefore respectfully recommended that detailed planning permission should have been granted for the chimney. Accordingly, this appeal should be sustained.
- 6.6 The appellants reserve the right to expand on the above should any additional matter be raised during the course of the Review.

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APPLICATION REF NO. 171007/DPP

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

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

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Matthew Merchant
Matthew W Merchant
Silverbank
North Deeside Road
Banchory
UK
AB31 5YR

on behalf of **Mr & Mrs T. Dreelan**

With reference to your application validly received on 18 August 2017 for the following development:-

**Erection of single storey extension on the rear (south-east) elevation
at Murtle Den House, Murtle Den Road**

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

Drawing Number	Drawing Type
1552-001 Rev A	Location Plan
1552-021 Rev B	Other Floor Plan (Proposed)
1552-012 Rev C	Multiple Elevations (Proposed)
1552-013 Rev C	Multiple Elevations (Proposed)
1552-011 Rev B	Multiple Floor Plans (Proposed)
1552-014 Rev C	Multiple Floor Plans (Proposed)
1552-010 Rev B	Ground Floor Plan (Proposed)

REASON FOR DECISION

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

Whilst there are aspects of this proposal which would comply with the Supplementary Guidance: 'The Householder Development Guide' and Policy D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan in terms of materials, the 6m projection from the southeast elevation would be significant in terms of its scale and massing and would serve to dominate the original form and appearance of the southeast elevation. The proposed extension would therefore not be architecturally compatible with the design and scale of the original building in its setting. The proposal would therefore be contrary to the principles of Scottish Planning Policy; Historic Environment Scotland Policy Statement; Policies D1 - Quality Placemaking by Design and D4 - Historic Environment of the Aberdeen Local Development Plan; the Supplementary Guidance: 'The Householder Development Guide'; and 'Managing Change in the Historic Environment: Extensions'.

Although the proposed extension would comply with (a) - (d) of Policy NE2 - Green Belt of the Aberdeen Local Development Plan, the proposal would thus not be of a scale and design which would be of the highest quality, and which would be suitable to the character and setting of this part of the green belt. The proposal would therefore fail to comply fully with Policy NE2 - Green Belt of the Aberdeen Local Development Plan. There are no material planning considerations which would warrant the approval of planning permission in this instance.

Date of Signing 14 November 2017



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

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

None.

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

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

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

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

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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Site Address:	Murtle Den House, Murtle Den Road, Aberdeen, AB13 0HS
Application Description:	Erection of single storey extension on the rear (south-east) elevation
Application Reference:	171007/DPP
Application Type	Detailed Planning Permission
Application Date:	18 August 2017
Applicant:	Mr & Mrs T. Dreelan
Ward:	Lower Deeside
Community Council	Cults, Bielside And Milltimber
Case Officer:	Roy Brown

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site relates to a three storey detached dwelling, and its associated 1.6 hectares of garden ground. It is B-Listed and was constructed in 1902 in the Arts and Crafts architectural style, and is finished with granite and off-white render walls, white timber frame windows and a natural slate roof.

The dwelling has a footprint of approximately 620m² and is situated towards the west of the application site, with Murtle Den Road further to the west. There are a number of other outbuildings within the site, including a 365m² car garage to the north of the main property. The site has undergone extensive renovation in the last twenty years.

The rear southeast elevation has a three storey tower, with an oriel on the first floor and a large arched window on the ground floor. It also has a conservatory, which was originally a veranda before being enclosed by glazing. The submitted supporting statement notes that the timber windows and columns in this extension were replaced by the applicants in the early 2000s as the structure was previously in a state of disrepair, and the replacement columns and windows are a replica of the previous features. The conservatory extends from the rear of the property by approximately 3m and is approximately 12.4m long, with the sloped roof fringing the first floor windows of the dwelling house. It opens out onto the original raised terrace, which is bordered by a low granite wall and separates the dwelling house from the rear garden, which slopes down towards Murtle Dam to the east.

Relevant Planning History

Application Number	Proposal	Decision Date
171006/LBC	Demolition of existing conservatory and erection of single storey extension with new glazed doors; timber flooring and glazed screen on the rear (south-east) elevation	Pending decision
161072/DPP	Erection of single storey garden room and raised decking	28th September 2016 <i>Approved Unconditionally</i>
160290	Fell 39 trees as dead and replant, works to a further 17 for woodland management.	13th June 2016 <i>Approved Unconditionally</i>
130835	Remove 1 Douglas Fir because of concerns over the safety of the tree.	28th August 2013 <i>Approved Conditionally</i>
100062	Erect new granite boundary wall and re-position existing gates and granite piers	1st March 2010 <i>Approved Conditionally</i>
020366	Alterations to form cloakroom	18th June 2003 <i>Approved Unconditionally</i>
021134	Replacement of existing domestic garage	9th May 2003 <i>Approved Conditionally</i>
001803	Renovation of existing sun lounge	13th July 2001 <i>Approved Unconditionally</i>
000977	Extension to store	4th October 2000 <i>Approved Conditionally</i>
991559	Alterations to burn channel to form fish passes and culverts within woodland	13th January 2000 <i>Approved Conditionally</i>
982047	Erection of new garage and car port	28th July 1999 <i>Approved Conditionally</i>
980249	Extension to house	17th June 1998 <i>Approved Unconditionally</i>
980743	Erection of summer house and fence	3th June 1998 <i>Approved Unconditionally</i>
970521	Alterations to cottage	16th July 1997 <i>Approved Conditionally</i>

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought for a replacement single storey conservatory to the rear of the dwelling house. The projection of the proposed extension would be double that of the existing extension, as it would project approximately 6m from the southeast elevation of the dwelling. It would have a length of approximately 12.4m, would project to the existing terrace wall, with two courses of stone being removed from the section of wall affected. The existing cope would be lowered and the southeast elevation of the extension constructed on top of the cope.

The proposed extension would have a hipped roof, meeting the wall of the original dwelling house just under the windows of the first floor. Due to the larger projection of the proposed conservatory, the roof would replace the existing conservatory roof and the proposed roof would have a shallower pitch, extending across the three storey tower to the northeast in a slightly different location to the existing extension (which would border the top of the closest exposed granite stone of the arch, rather than the bottom of the same stone). Instead of there being a central door on the southeast elevation leading onto the terrace, as existing; the proposal incorporates two doors on the southwest (leading to existing steps to rear garden) and northeast (leading to the remaining section of the original raised terrace) elevations.

The finishing details of the existing conservatory would broadly be replicated in the proposed conservatory, as it would have similar timber columns, timber windows and doors, and the existing slates would be reused and new slates would match the existing tiles. The patterned cast iron rainwater goods on the existing conservatory would be re-used on the proposed extension and similar rainwater goods which have been salvaged from previous works on the property would be incorporated in the proposed extension.

The design of the proposed rear extension has been altered since the original submission following feedback from the Planning Authority (and Historic Environment Scotland in relation to the associated Listed Building Consent application (Ref: 171006/LBC)). The main difference is that the proposed conservatory would no longer project as far to the northeast and therefore would not cover the ground floor arch of the three storey tower.

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/>

The following documents have also been submitted in support of the application –

- Supporting Statement – This document provides an extensive history of the site under the ownership of the applicant over the last twenty years, describing the previous refurbishment and alterations undertaken at the site, and provides justification for the proposed extension.
- Design Statement – This document details and contains photographs of the existing site, and explains the proposed works in detail.

CONSULTATIONS

None

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

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.

National Planning Policy and Guidance

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

Aberdeen Local Development Plan (2017)

- Policy D1: Quality Placemaking by Design
- Policy D4: Historic Environment
- Policy NE1: Green Space Network
- Policy NE2: Green Belt

Supplementary Guidance and Technical Advice Notes

- Supplementary Guidance: 'The Householder Development Guide'

Other Material Considerations

- Managing Change in the Historic Environment: Extensions

EVALUATION

Principle of Development

Although the application site is zoned in the Green Space Network, under Policy NE1 – Green Space Network of the Aberdeen Local Development Plan, the proposal would be constructed on an existing terrace and therefore would not adversely affect the wildlife, access, recreation, ecosystem functions of this space.

The application site is located within the Green Belt, under Policy NE2 – Green Belt of the Aberdeen Local Development Plan, and relates to householder development. The principle of development associated with existing activities in the green belt as in this case would be acceptable subject to (a) it being within the boundary of the existing activity; (b) the development being small scale; (c) the intensity of activity not being increased; and (d) any proposed built construction being ancillary to what exists.

In this case, the development would be within the boundary of the existing activity, and the intensity of activity would not be significantly increased. The development would be small scale on the basis that it is an extension to a dwelling. Given the significant built footprint of the original dwelling and the grounds, as extended, the dwelling would not be double that of the original dwelling, and there would still be less than 50% of the rear curtilage covered by development, in compliance with 'The Householder Development Guide, the built construction would be ancillary to what is a large dwelling within a large site. The proposed development complies with the above mentioned criteria, (a) – (d) and can be considered as complying with these aspects of Policy NE2.

However, this policy also states that all proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials. The quality of the siting, scale, design and materials of the proposed extension are assessed in the below evaluation.

Design, Scale, Siting and Materials

The much greater 6m projection of the proposed extension than the approximate 3m projection of the existing conservatory would dominate the southeast elevation, and would be significant in terms of size, scale and massing in the context of the original design of the dwelling and as result of its projection, the original form of the veranda would be replaced with a much shallower elongated roof pitch. The extensive projection beyond the three storey tower would serve to dominate the tower. Managing Change in the Historic Environment: Extensions' states that extensions should be modestly scaled. In this case, the 6m projection would not be a modestly scaled addition to the southeast elevation.

It is recognised that there are aspects of the proposed extension which would be correspond with the design of the original dwelling. Much of the original finishing materials would be re-used and the new materials of the roof and walls of the proposed extension and the design of the windows would correspond with those on the original dwelling and the existing conservatory. The siting of the extension on a non-public rear elevation would not in itself significantly adversely affect the architectural integrity of the original dwelling or the surrounding area.

Whilst the southeast elevation is the rear elevation, it contains unique architectural features of an Arts and Crafts architectural style. The proposed extension would dominate this elevation, would be significant in terms of scale and massing and would adversely affect the visual amenity offered by this elevation to its setting. The proposed single storey extension would therefore not be architecturally compatible with the design and scale of the original B-Listed building in its setting of expansive grounds. It would therefore fail to comply with the principles of Scottish Planning Policy; Historic Environment Scotland Policy Statement; Policies D1 – Quality Placemaking by Design, and D4 – Historic Environment of the Aberdeen Local Development Plan; the Supplementary Guidance: 'The Householder Development Guide'; and 'Managing Change in the Historic Environment: Extensions'.

The proposed development would comply with the above mentioned criteria, (a) – (d) of Policy NE2 – Green Belt of the Aberdeen Local Development Plan. However, it is considered that it would not fully comply with Policy NE2 in that it would fail to comply with the requirement to "*be of the highest quality in terms of siting, scale, design and materials*". Whilst it is acknowledged that the materials would be of a high quality, the proposal would not meet the expectations of the policy in terms of scale and design. A defining characteristic of this part of the green belt, rather than being rural in character, is this substantial historic dwelling in its setting of expansive grounds, and thus as the proposal would not be architecturally compatible with the design and scale of the original building in its setting, as narrated above, it would by implication result in an adverse impact on this part of the green belt. The proposal would, therefore, fail to comply fully with Policy NE2.

Amenity

Given the significant distance from any neighbouring properties, in addition to screening, the proposed single storey extension would necessarily adversely affect the level of amenity of any surrounding property by way of adversely affecting privacy, sunlight, and daylight.

Conclusion

Whilst there are aspects of this proposal which comply with the Supplementary Guidance: 'The Householder Development Guide' and Policy D1 – Quality Placemaking by Design, in terms materials, the 6m projection from the southeast elevation would be significant in terms of its scale and massing, which would serve to dominate the original form and appearance of the southeast elevation. The proposed extension would therefore not be architecturally compatible with the

design and scale of the original building in its setting of expansive grounds. The proposal would therefore be contrary to the principles Scottish Planning Policy; Historic Environment Scotland Policy Statement; Policies D1 – Quality Placemaking by Design and D4 – Historic Environment of the Aberdeen Local Development Plan; the Supplementary Guidance: 'The Householder Development Guide'; and 'Managing Change in the Historic Environment: Extensions'.

Although the proposed development would comply with (a) – (d) of Policy NE2 – Green Belt of the Aberdeen Local Development Plan, the proposal would not be of a scale and design which is of the highest quality. A defining characteristic of this part of the green belt, rather than being rural in character, is this substantial historic dwelling in its setting of expansive grounds, and thus as the proposal would not be architecturally compatible with the design and scale of the original building in its setting, as narrated above, it would by implication result in an adverse impact on this part of the green belt. The proposal would, therefore, fail to comply fully with Policy NE2.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

Whilst there are aspects of this proposal which would comply with the Supplementary Guidance: 'The Householder Development Guide' and Policy D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan in terms of materials, the 6m projection from the southeast elevation would be significant in terms of its scale and massing and would serve to dominate the original form and appearance of the southeast elevation. The proposed extension would therefore not be architecturally compatible with the design and scale of the original building in its setting. The proposal would therefore be contrary to the principles of Scottish Planning Policy; Historic Environment Scotland Policy Statement; Policies D1 - Quality Placemaking by Design and D4 - Historic Environment of the Aberdeen Local Development Plan; the Supplementary Guidance: 'The Householder Development Guide'; and 'Managing Change in the Historic Environment: Extensions'.

Although the proposed extension would comply with (a) - (d) of Policy NE2 - Green Belt of the Aberdeen Local Development Plan, the proposal would thus not be of a scale and design which would be of the highest quality, and which would be suitable to the character and setting of this part of the green belt. The proposal would therefore fail to comply fully with Policy NE2 - Green Belt of the Aberdeen Local Development Plan. There are no material planning considerations which would warrant the approval of planning permission in this instance.



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 100080609-002

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Matthew W Merchant"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Matthew"/>	Building Name:	<input type="text" value="Silverbank"/>
Last Name: *	<input type="text" value="Merchant"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="01330 825665"/>	Address 1 (Street): *	<input type="text" value="North Deeside Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Banchory"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
		Postcode: *	<input type="text" value="AB31 5YR"/>
Email Address: *	<input type="text" value="info@matthew-w-merchant.co.uk"/>		

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 & Mrs"/>	Building Name:	<input type="text" value="Murtle Den House"/>
First Name: *	<input type="text" value="T"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Dreelan"/>	Address 1 (Street): *	<input type="text" value="Murtle Den Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Milltimber"/>
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="AB13 0HS"/>
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="MURTLE DEN HOUSE"/>
Address 2:	<input type="text" value="MURTLE DEN ROAD"/>
Address 3:	<input type="text" value="ABERDEEN"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="MILLTIMBER"/>
Post Code:	<input type="text" value="AB13 0HS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="802585"/>	Easting	<input type="text" value="386704"/>
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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)

The proposal is to alter and extend the existing lean-to garden room to provide an enlarged lean-to garden room of better and more usable proportions with a lower sill level to allow better views into the garden.

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 decision making process was influenced by comments from Historic Environment Scotland who by their own admission acknowledged that the Application did not raise environmental issues of National concern. Additional drawing no 1552-035 provides comparison views of existing and proposed. please refer to: 1552-LRB-2018-01-30-Reasons for Lodging application for review.

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)

please refer to, 1552-List of all documents-2018-01-30.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

171007 DPP

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

18/08/2017

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

14/11/2017

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 *

Further written submissions on specific matters

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)

The decision making process was influenced by comments from Historic Environment Scotland who by their own admission acknowledged that the Application did not raise environmental issues of National concern. Additional drawing no 1552-035 provides comparison views between existing and proposed.

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)

There is a secure gate entry system to the property. Site access can only be arranged through ourselves. Contact details are as set out above in Agent details.

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 Matthew Merchant

Declaration Date: 01/02/2018

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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 100063120-001

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)

The proposal is therefore to alter and extend the existing Garden Room to provide and enlarged Garden Room of better and more usable proportions with a lower cill line to allow better views in to the garden.

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:	Matthew W Merchant		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Matthew	Building Name:	Silverbank
Last Name: *	Merchant	Building Number:	
Telephone Number: *	01330 825665	Address 1 (Street): *	North Deeside Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Banchory
Fax Number:		Country: *	UK
		Postcode: *	AB31 5YR
Email Address: *	info@matthew-w-merchant.co.uk		

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:	Murtle Den House
First Name: *	T	Building Number:	
Last Name: *	Dreelan	Address 1 (Street): *	Murtle Den Road
Company/Organisation		Address 2:	Milltimber
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB13 0HS
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

MURTL DEN HOUSE

Address 2:

MURTL DEN ROAD

Address 3:

ABERDEEN

Address 4:

Address 5:

Town/City/Settlement:

MILLTIMBER

Post Code:

AB13 0HS

Please identify/describe the location of the site or sites

Northing

802585

Easting

386704

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

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

Asked for existing materials to be incorporated as much as possible in the new extension. Existing details to be carried through into proposed design, detailed drawings or proposed design and statement outlining and understanding the historical significance of the building.

Title:

Mrs

Other title:

First Name:

Siobhan

Last Name:

Wolverson

Correspondence Reference Number:

37104

Date (dd/mm/yyyy):

05/07/2017

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

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: Matthew Merchant

On behalf of: Mr & Mrs T Dreelan

Date: 17/08/2017

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 Matthew Merchant

Declaration Date: 17/08/2017

Payment Details

Online payment: ABSP00001943
Payment date: 18/08/2017 10:26:00

Created: 18/08/2017 10:26

30 January 2018

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

Dear Sirs,

**MR AND MRS T DREELAN, MURTL DEN HOUSE, MILLTMBER, ABERDEEN AB13 0HS
ALTERATIONS AND EXTENSION TO HOUSE,
PLANNING REFERENCE -171007 DPP
REASONS FOR REQUESTING REVIEW OF APPLICATION**

We refer to the above and now apply to the Local Review Board for a review of the Decision to refuse the application. Our reasons are as follows:-

PRE-APPLICATION ENQUIRY:

Proposal drawings were submitted to Aberdeen City Council as a formal pre-application enquiry on 17 June 2017. These drawings were already at a detailed stage of design and the submission led to a site visit which was attended by ourselves, the Council Planning Officer and the Council Historic Planning Officer.

SITE VISIT:

The visit was informative and the Officer's e mail response of 5 July 2017 following the site visit was positive and supportive. Their views were in accord with our own and highlighted areas which merited special attention as being the junction between new and existing, re-use of materials and components including slates, rainwater goods and detail design of doors and windows and internal walls. Particular attention was directed towards incorporating the existing timber arched windows with swept mullions into the proposed lead clad vaulted east end of the extension.

APPLICATION FOR PLANNING CONSENT AND LISTED BUILDING CONSENT:

Proposal drawings and supporting documentation were finalised taking into account and reinforcing all the Officer comments and the completed documentation and drawings were submitted to the Council on 18 August 2017 as Applications for Full Planning Consent and for Listed Building Consent.

The Council have not requested additional information or detail on the proposal.

As part of the application process the Council consulted Historic Environment Scotland as a Statutory Consultee and their detailed response ref: 1552-r-papp-2017-08-31-LBC CAC Consultation stated inter alia that "the proposals do not raise historic environmental issues of national significance and therefore we do not object".

We were advised of the HES comments and submitted to the council computer generated images and a response letter ref: 1552-papp-2017-09-18-HS Response. The CGI's submitted at that time and numbering 1552-030 rev A and 031 rev A show views of the proposal and the letter is a very detailed study of the subjects from date of acquisition by Mrs and Mrs Dreelan through to current day user need detailing the restoration and reconstruction works carried out to the property.

In addition to previously submitted CGI's and response letter we add the following:-

Drawing no 1552-035 rev A, this drawing shows views of the house from South West and contains:-

1. Original John Carter Coates hand drawn design perspective
2. CGI of existing.
3. CGI of proposed.

These comparison views show that the proposal is not an "over-dominant extension detracting from a principal original garden elevation" as suggested by HES in their letter referenced above.

SUMMARY:

Aberdeen City Council reasons for refusal are considered to be an unrealistic overreaction to comments from Historic Environment Scotland who advise in their response that "the proposals do not raise historic environmental issues of national significance and therefore we do not object".

We therefore respectfully request that Aberdeen City Council stand by their own initial response and grant our appeal.

Yours faithfully,

Matthew W Merchant

18 September 2017

**Aberdeen City Council.
E Planning**

FAO: Siobhan Wolverson

Dear Sir/Madam

**Murtle Den House, Milltimber, Aberdeen AB13 0HS
Proposed Alterations and Extensions To Form Extended Garden Room
Online Reference: 100063120-001**

We refer to our previous meetings and discussions and to Historic Scotland consultee response to the above application and submit the following as supporting information.

INTRODUCTION:

Murtle Den House was commissioned by William Freeman in 1902, designed by John Carter Coates and built by John Morgan.

Our clients, Mr and Mrs T Dreelan bought Murtle Den House and grounds in September 1996. Their purchase consisted of the main house and gardens together with various outbuildings, woodlands, watercourses and a dam with the whole grounds extending to about 80 acres in total. At the time of purchase, the house had been unofficially split into four flats plus owners accommodation with each having their own external access door. These flats were rented out on separate tenancies with the owner retaining occupation of part of the building. Not included within the sale was the West Wing which had been split off from the main house, converted to an independent dwelling house and was under separate ownership. Also not included were the tennis court and the squash court lying to the west of the site between the garden grounds and Murtle Den Road, again, these had been split from the main house and were under separate ownership.

In effect Mr and Mrs Dreelan had acquired a semi-detached block of flats on a large site.

After moving in to the house and following many months of negotiation with the neighbouring owner they bought the West Wing. They also subsequently acquired the adjacent Tennis Court and Squash Court which then brought all the separate subjects back under one ownership.

THE PROPERTY:

Internally, the building was in a very poor state of repair, plaster had cracked and fallen from walls and ceilings in several rooms throughout the house, (in particular the Snooker Room and Dining Room), door openings had been knocked through walls to provide access to the various Flats, cornice work was missing, skirtings and facings were in parts missing and windows were rotting and draughty. The heating system was not functioning properly, the plumbing installation leaked in

several areas, drains were broken and some were blocked by tree roots and the foul water treatment system needed replacement. Only one feature light fitting remained in the house, all the others had been removed and all rooms except one had been fitted with white bakelite bulb holders and white flex, the majority did not even have a light bulb.

Grounds close to the house consisted mainly of very poor quality areas of grass lands with occasional blocks of rhododendron bushes and sporadic trees of no particular merit. There were excessively large Spruce trees close to the house and these occasionally dropped large branches much to the danger of the residents and visitors to the house. Masonry walls on two sides of the so-called walled garden had been partially demolished and removed from site, the remaining two walls were in a very poor state of repair and the top soil had actually been sold and removed off site.

The outbuildings (large sheds) were in a poor state of repair, fences were broken and had been partially removed and gates were missing.

The estate grounds were littered with fallen trees and it was obvious no planned scheme of management and maintenance and replacement had ever been considered or implemented.

REPAIRS AND REFURBISHMENTS:

Following acquisition, Mr and Mrs Dreelan embarked on a thorough scheme of repairs, reinstatements and improvements to the property to transform it into a home to be proud of.

All unnecessary doors, passageways and openings formed or erected to create the flatted arrangements were removed. The West Wing was completely stripped out back to bare walls, refurbished and integrated back into the house and is now used as a large lounge.

The timber windows and columns in the Garden Room were completely rotten with the whole structure on the point of collapse. These were replaced in their entirety in a design to match what existed. When the columns and windows were being replaced it was noted that there was floating timber floor in the room. Closer inspection revealed sight of a tiled floor. The floating floor was removed to reveal a very dilapidated and tired mosaic ceramic tiled floor hidden below. Specialist contractors (we had to go to England to get those with appropriate experience in restoring mosaic tiles) were engaged to restore and polish the tiles. The floor today is highly treasured feature of the house.

Joinery works included repair, refurbishment and replacement of the large signature timber skirtings and decorative facings and also works to the oak wall and ceiling timber panelling with all works being carried out to match the original joinery finishes.

A dumb waiter was uncovered behind some panelling. The previous owners did not even know it existed. This was kept in position, made accessible, and refurbished.

Unknown to all, many rooms (including the Dining Room) had been fitted with suspended timber and plasterboard ceilings and this was only discovered when repairs were being carried out. All ceilings were then investigated and all suspended ceilings were removed to expose original

ceilings. Some of the originals had decorated timber strapping and plaster or timber corncing, some hadn't, all were generally in a poor state of repair with plaster having cracked and fallen but all have been restored to their original or better form.

At first floor level it was noted doors were of flush ply with a painted finish and standard ironmongery. Following closer inspection, plywood was stripped off and it was found that the original oak ledged and braced and lined doors remained below the ply. The refurbishment of every door was then carried out by removing the plywood and ironmongery, hand dressing the door back to bare wood. Replacement ironmongery which closely matched the original ironmongery of the ground floor was eventually found and fitted to the doors. The change of ironmongery meant sections of the door frame had to be carefully repaired and reinstated following removal of the recent ironmongery and the fitting of the original style keepers.

Most fireplaces in the house at all floor levels had been boarded over but fortunately most remained intact. The restoration process meant that all were exposed and restored including refurbishment of flues, chimneys and cans. The dining room was the only room where the fireplace had been removed.

PLUMBING AND HEATING:

The house had partial oil fired central heating with radiators on the ground floor and upper floors had a combination of electric storage and panel heaters. The oil fired boiler was in a very poor state of repair and it together with all asbestos insulation and cladding within the boiler room was professionally removed from site. A new gas supply was taken into the house and a new commercial size gas boiler was installed together with all necessary controls, valves, pumps and insulated pipework and the central heating installation extended throughout the house. In order to keep the ambience of the house new cast iron radiators were incorporated to complete the installation.

ELECTRICS:

All electrics within the house had been tampered with over the years and in was in a very dangerous state. All existing wiring and fittings were stripped out and the whole house was completely rewired and the work included upgrading of main incoming supplies, distribution boards and circuit breakers.

PAINTING AND DECORATION:

The house was a disaster zone and the redecoration alone was a five year programme. All woodwork that had been painted was stripped back to bare wood by hand, no chemicals were involved in the process. All walls were stripped of paper, plaster repairs were carried out and completed with either specialist hand applied paint finish or wall paper according to room need.

Original cast iron radiators were all dismantled, taken off site, shot blasted and powder coated and returned to position and all exposed heating pipework was been rubbed down by hand and either painted or polished.

Each room is finished off with appropriately scaled chandelier light fittings together with soft furnishings to provide quality and occasion to the spaces. The whole house is at an astonishing level of refurbishment and decoration.

Two rooms however demand singular attention. These are the Dining Room and the Snooker Room

DINING ROOM:

In the Dining Room the suspended ceiling was removed exposing a very dilapidated original plaster ceiling with decorative wooden strapping. Plaster to both walls and ceiling was severely cracked, friable and spalling. The refurbishment work to this room involved replacement of all plaster. All decorative oak panelling and fretwork, skirtings facings and cornices were refurbished by hand back to bare and original wood and missing and broken areas replaced with new wood to match.

In removing plasterboard from the walls it was found that the original fireplace had been removed. An original fireplace appropriate to and dated to the Arts and Crafts period was sourced and installed into the stone wall fire recess.

To complete the room specialist craftsmen were commissioned and for two years two artists worked tirelessly to create the scenes of the travels of the Knights of the Templars on the upper frieze. Historic Scotland recognise the quality of this work and refer to it as being an important part of the Arts and Craft features of the house.

SNOOKER ROOM:

The snooker room remained largely untouched with snooker table, cue racks and cues in place and windows and doors complete with all ironmongery in place though the plaster walls were badly in need of repair. The room came complete with small framed photographs which we think were taken by William Freeman who commissioned and had the house designed and built. These photos were in a poor state of repair and were removed, refurbished and replaced in their wooden frames in their original position.

In order to set off the ambience and occasion of the room, the same specialist artists from the Dining Room were commissioned to create wall murals at upper frieze level. This process took two people nine months to complete with some of the ships in the frieze created from the original Freeman photos. Historic Scotland recognise the quality of this work as being of particular merit in the Arts and Crafts features of the house.

CLOAKROOM EXTENSION:

Further indication of my clients' passion for their home is the extension at the Main Entrance to form a new Cloak Room. Consent for the extension was granted following an appeal to Scottish Government. Externally, the walling of the extension consists of large random granite block pieces that match the original stonework, the new window in traditional detailing matches the adjacent original window and the decorative cast iron gutters and supporting brackets all match the original. Internally, wall finishings were carried out by local craftsmen and consists of oak panelling and fret work up to frieze height with boot and shoe storage under cushioned fitted seating. This

much admired room compliments the quality and theme of the original oak panelling and fretwork in the Reception Hall.

FAMILY ROOM EXTENSION:

As with many older properties daylight and sunlight was rarely a priority in the design. MDH was no different and the Kitchen was most definitely not of a standard befitting modern living. In order to create a suitable space to provide for Family Living a square plan extension with pyramid roof was built. This extension, built with a vaulted roof internally to reflect the pyramid roof is fully glazed on two sides, has granite walling below cill line and a slated roof capped with a large lead finial to reflect the original roof features of the main house. Original stone walling remains exposed internally.

EXTERNAL WORKS:

ENTRANCE WALLS AND GATES:

The main entrance to the estate was reconstructed with new coursed granite frontage walls and entrance piers topped with Georgian Style copper capped gas flame lanterns. New wrought iron gates provide an entrance gateway of appropriate scale and new driveway surfaces edged with granite setts lead to the entrance courtyard and house.

GARDENS:

The garden grounds were reinstated and improved with appropriate schemes of re-grading, drainage, planting and landscaping. Masonry walls were rebuilt and top soil was imported into the walled garden and an extended network of footpaths, ponds, waterfalls and bridges were created to meander through the grounds and terraces in close proximity to the house.

SUMMER HOUSE:

A new Summer House was built adjacent to the new ponds. Looking directly into the waterfalls, this circular building has a battered stonework base and originally had a heather roof which has subsequently been replaced with slate. It is fully glazed providing panoramic views into and around the garden grounds and on the glazing incorporates acid etched images of animals and birds which are resident within the estate grounds.

TREE SCULPTURE:

A multi stemmed Cypress tree close to the house was showing signs of reaching the end of its lifespan. Rather than remove the tree completely, the trunks were reduced to varying heights of between three and five meters above ground level and a world champion tree sculptor was engaged to create a nature scene on the trunks. As with the Summer House, the animals, mammals and birds carved into the trunks can be found resident on the estate.

ESTATE GROUNDS:

In the larger estate grounds the timber gates and post and wire fences were replaced and the whole estate had major tree planting undertaken with management and maintenance programmes implemented to provide for continuity of tree cover for the ensuing years. The Murtle Dam was stripped of weeds and stocked with trout. Imposing overhead electric cables were undergrounded and redundant poles removed all contributing to enhanced amenity and ambience around the property.

GARAGES:

The dilapidated concrete block and roughcast outbuildings of various scales were demolished and new garages with granite stonework and slated roofs were built. The building has a central two storey tower incorporating an oriole window inset with a commissioned stained glass family coat of arms. The tower is topped off with a large lead finial of similar scale and prominence to those on the original house.

THE CURRENT PROPOSAL TO EXTEND THE GARDEN ROOM:

The Garden Room started off life as a lean-to Verandah open to the front terrace. In subsequent years and prior to my client acquiring the property the lean-to was closed in with timber framed windows and doors and central heating was extended from the house into the space. Existing granite, stone and roughcast walls were retained as internal features to the room and the floor had been given a glazed mosaic tile finish. The current arrangement is such that both the room and the terrace are too narrow to be functionally useable and the terrace wall blocks views into the garden from the Garden Room, Dining Room and Lounge. As part of the necessary maintenance and refurbishment works my client has already replaced the original timber columns and windows of the Garden Room.

The current proposal is to extend the Garden Room to create a room of useable proportion and at the same time open up views towards and into the garden, towards the dam and towards the water features built into the garden. This will be achieved by lowering the coping stone of the existing wall edging the terrace and extend the room out towards the wall line and across the front of the existing Lounge. The existing Lounge window will be removed and steps from the Lounge into the Garden Room will be formed using the existing granite cill.

The work will be carried out with the same care and attention to detail already lavished on the other parts of the house. The timber glazing will be similar in design to the existing with the new frames being glazed to cill level to afford better views into the garden. The curved top windows in the vaulted section will replicate the design and detail of the existing curved top window including the swept astragal detail. Internally existing granite, random stonework and roughcast walls will be retained as a feature. The existing glazed mosaic tiled floor will be retained and the new floor areas of the extended floor will be given oak strip hardwood flooring as has been used elsewhere in the house.

The Historic Scotland suggestion of using a reduced scale extension to the Garden Room size will not address the functionality of the room nor will it address the restricted outward view from the rooms towards and into the garden grounds and dam. Their comment on the East Tower on the garden front is noted but we respectfully state the lead clad vaulted barrel roof together with the

arch topped windows recognise and compliment the impact and importance of the tower and the overall effect will not be detrimental to the statement made by the existing tower. Being clad in lead the vaulted roof and curved top windows will in themselves be an important feature of the garden elevation and will afford the opportunity to create a statement of craftsmanship within the lead and joinery work details.

SUMMARY

Bearing in mind the work we have already carried out on the property and bearing in mind our own and our clients commitment to the well-being of the house I can firmly state that I have no reservations whatsoever that the end result of this extension work will be to the same upholding standard as has been adopted and achieved throughout all the works that have been carried out on the property.

Cognisance and respect needs to be taken of the energies invested in the property firstly in acquisition of the main house and policies, then assembling the separate parts and then refurbishing, repairing and replacing together with areas of new work and all implemented to such a high standard that Historic Scotland makes positive comment on the works reflecting on their importance to the property. That in itself is recognition of the quality of work carried out thus far. Had it not been for the enthusiasm and dedication of my clients, Murtle Den House would have continued to wither into a state of disrepair many years ago. Equally even if others had acquired the property it is highly unlikely that the same enthusiasm and energy would have been invested in the property. You will note in all the above documentation that there has been no mention made of the considerable cost expended by my client on this property thus far. I can state all works have been carried out with the primary consideration always the wellbeing of the building.

All works carried out have been backed up by a photographic record and you are very welcome to visit the house to view and enjoy the experience first hand. Equally, a visit will afford you to see for yourself the reasons why the extension is required.

In conclusion we firmly state our clients' wish to carry out the work involved in the extension to the Garden Room in order to allow them to continue to enjoy their home and environs on which they have worked so tirelessly and selflessly to achieve. Their aims, aspirations and commitments to their home should be reflected in the total support not only by the Council as Planning Authority but also by Historic Scotland and the current application should therefore be approved. Had it not been for them, Murtle Den House would not be there for future generations to enjoy, we now look for your support.

If further information is required, please do not hesitate to contact me.

Yours faithfully,

Matthew W Merchant.



By email to:
swolverson@aberdeencity.gov.uk

Aberdeen City Council
Planning & Sustainable Development
Business Hub 4, Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our ref: HGG/A/GA/335
Our case ID: 300022893
Your ref: 171006/LBC
30 August 2017

Dear Sir/Madam

Planning (Listed Building Consent and Conservation Area Consent Procedure)
(Scotland) Regulations 2015

Murtle Den House Murtle Den Road Aberdeen - Demolition of existing conservatory and erection of single storey extension with new glazed doors; timber flooring and glazed screen on the rear (south-east) elevation

Thank you for your consultation which we received on 18 August 2017. The proposals affect the following:

Ref	Name	Designation Type
LB15692	MURTLEDEN, INCHYRA ROAD	Listed Building

Our Advice

Although the statutory list description for the above B listed building is very brief, there is a more detailed description in Pevsner and MacWilliam's Buildings of Scotland book for 'Aberdeenshire: South and Aberdeen', published 2015. This describes the building as a 'very good Arts and Crafts house of 1902, by English architect J.Coates Carter', and includes a copy of the original perspective drawing and plan. It mentions the south elevation large veranda, as 'now glazed in' which suggests that the existing conservatory, subject of the proposed demolition, is a later addition. No heritage statement appears to be provided with the submitted application to help clarify this.

We consider that the proposals would result in an over-dominant extension, detracting from a principal original garden elevation. The existing verandah/conservatory would be replaced by a much larger conservatory (more than double the size in footprint) which would significantly alter the original 1902 plan, by extending to the full depth of the open garden terrace and to almost the full width of the south elevation. This would include



extending across the front of the projecting harled east tower, effectively obscuring it at ground level, including the existing lounge/drawing room large arched window, which would also lose its glazing. This would significantly disturb the original composition of the tower and diminish its primacy as a key architectural feature of the south elevation. Both the statutory list and Buildings of Scotland descriptions mention the south elevation east tower, the prominence of which is clearly shown in the original perspective drawing. We do not consider that the proposed replication of the large arched windows in the SE and NW elevations of the conservatory extension would mitigate the loss of original character.

We therefore recommend that your Council resists the current proposals, in the interests of safeguarding the special architectural and historic character of this Arts and Crafts house.

We do however consider there is scope for amended proposals to enlarge the conservatory and improve views to the garden (addressing submitted design statement proposal, page 5) without adversely affecting the building's special character. The verandah /conservatory could be extended slightly, without projecting across the full depth of the terrace or extending across the tower, and include re-use / adaptation of the existing verandah pillars, other structural elements, and roofing. Any additional roofing and other elements could match that of the existing verandah. The conservatory glazing could also be lowered to plinth level to improve views into the garden. We suggest that such amended proposals be sought, and would be happy to discuss further

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building consent, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

Please contact us if you have any questions about this response. The officer managing this case is Michael Scott who can be contacted by phone on 0131 668 8913 or by email on Michael.Scott@hes.scot.

Yours faithfully

Historic Environment Scotland

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

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Matthew W Merchant

From: Siobhan Wolverson <SWolverson@aberdeencity.gov.uk>
Sent: 05 July 2017 13:51
To: 'Matthew W Merchant'
Cc: PI
Subject: Enquiry 37104: 1552-Murtle Den House, Milltimber-Garden Room

Dear Matt,

Thank you for showing Ross and myself around Murtle Den House on Monday and providing further detail on the plans for a rear extension.

In regards to a future application, the following information is advised to be submitted:

- A Heritage Statement outlining an understanding of the historic significance of the building, the proposed works and how they are sympathetic to the character and fabric of the building;
- The arched window appears to be original and contributes to the special character of the building. This should be retained and reused in the proposed new extension. The window could be incorporated into the proposed arch on the south elevation. If this is not possible then a robust explanation must be given for this;
- The existing slate on the roof should be reused where possible. If it cannot be reused then a robust explanation must be given for this;
- Detail of all proposed materials including new slate and decorative rainwater goods. These should match the existing;
- 1 to 10 scale drawing of the curved opening once the window has been removed. Detailing how it will be finished;
- 1 to 10 scale drawing of the curved lead clad element of the building including detail of how this will abut the listed building;
- Vertical and horizontal sectional drawings of all proposed windows and doors;
- Vertical and horizontal sectional drawing of the glazed and timber panelled walls of the proposed new garden room;
- Detail of works to the wall being incorporated into the new extension.

If you have any further questions, please do not hesitate to contact me.

Kind Regards,

Siobhan

Siobhan Wolverson
Planning Technician (Development Management)

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

A link to our customer survey is posted below:

<https://www.surveymonkey.co.uk/r/PlanningDM>

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20 June 2017

Aberdeen City Council, Planning.

Dear Sirs,

**Murtle Den House, Milltimber, Aberdeen AB13 0HS
Proposed Alterations and Extensions to form Extended Garden Room**

We refer our recent discussion and now attach for your attention the following:-

1552-102 rev A-Ground Floor Plan-Existing
1552-103 rev A-Elevations-North and South
1552-104 rev A-Elevations-East and West
1552-105 rev A-Ground Floor Plan-proposed
1552-106 rev A-Elevations-North and South-Proposed
1552-107 rev A-Elevations-East and West-Proposed
1552-108 rev A-Part Ground Floor Plan

Note the following:-

The proposal is to demolish the existing Garden Room and rebuild it to very similar lines but with an increased floor area.

The timber glazed frontage will replicate that already there.

The slated roof will replicate the existing slated roof.

The west end of the garden room will be finished with glazed screen and doors similar to the existing.

The east end of the garden room will terminate in a lead faced vaulted feature to reflect the existing curved top window on the gable wall. The lead finish will respect the many lead features on the existing house.

The curved screen and doors on the east end will be very similar in design to the existing curved screen and doors.

Your initial thoughts on the proposal would be appreciated prior to us proceeding with the preparation of a planning application in the very near future.

If clarification is needed on any aspect, do not hesitate to contact us.

If a site visit is need this should be arranged via ourselves.

Yours faithfully,

Matthew W Merchant.

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Matthew W Merchant

From: Roy Brown <RoyBrown@aberdeencity.gov.uk>
Sent: 09 November 2017 13:29
To: 'Matthew Merchant'
Subject: Comments from the Planning Authority - Murtle Den House (Ref: 171006/LBC; 171007/DPP)

Matthew,

I am writing in relation to the above application to provide comments on the amended plans, and provide the final position of the Planning Authority with regards to these applications.

The alterations to the proposal are a significant improvement on the initial proposal as it would not cover the tower of the southeast elevation. However, the depth of the conservatory extension and projection from the southeast elevation would still serve to dominate the elevation, which would be to the detriment of the historic interest of this B-Listed Building. The revised proposal does not unfortunately address the previous comments and the concerns which have been raised by Historic Environment Scotland.

At this stage, the Planning Authority will proceed to determine the application based on the revised drawings which have been submitted. Should the application be refused, there will be the option to submit a notice of review to the Local Review Body of Aberdeen City Council for the application for Detailed Planning Permission and an appeal to Scottish Ministers for the Listed Building Consent.

Should you require further assistance, please do not hesitate to contact me.

Kind regards,

Roy Brown
Planning Technician (Development Management)

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

Direct Dial: 01224 522453
Development Management: 01224 523470

We are always trying to improve the quality of customer service that we provide and would like to know your views on the service you have received to help us learn what we need to do better. We would very much appreciate you taking a few moments to fill in our short feedback form by clicking on <https://www.surveymonkey.co.uk/r/PlanningDM>
Many thanks in advance.

IMPORTANT NOTICE: This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.

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Matthew W Merchant

From: Siobhan Wolverson <SWolverson@aberdeencity.gov.uk>
Sent: 31 August 2017 09:09
To: 'Matthew W Merchant'
Subject: Murtle Den House, Murtle Den Road (171006/LBC); HES response
Attachments: LBC CAC Consultation.pdf

Good Morning Matthew,

We've received the attached consultation response from Historic Environment Scotland who do not support the application in its current form. They have proposed an amendment as you will see when reading the document.

Please let me know your / the applicants thoughts on this.

Kind Regards,

Siobhan


Siobhan Wolverson
Planning Technician (Development Management)

Planning and Sustainable Development | Communities, Housing and Infrastructure | Aberdeen City Council
| Business Hub 4 | Ground Floor North | Marischal College | Broad Street | Aberdeen | AB10 1AB
Tel: +44(0) 1224 522542 | Email: swolverson@aberdeencity.gov.uk | Web: www.aberdeencity.gov.uk

A link to our customer survey is posted below:
<https://www.surveymonkey.co.uk/r/PlanningDM>

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 ABERDEEN CITY COUNCIL	<h2 style="margin: 0;">Planning and Sustainable Development Service</h2>
Report of Handling	

Site Address:	Laurie's Motel, Hareness Road, Aberdeen, AB12 3LE
Application Description:	Variation of condition 1 (low and zero carbon buildings) of P140229 for erection of office development with associated car parking and landscaping
Application Reference:	170950/S42
Application Type	Section 42 (Variation to Conditions)
Application Date:	10 August 2017
Applicant:	Robertson Property
Ward:	Kincorth/Nigg/Cove
Community Council	Cove and Altens
Case Officer:	Matthew Easton

RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site extends to 0.83 hectares and occupies a prominent, elevated position at the junction of Wellington Road and Hareness Road. The site comprises the former Laurie's Motel, which currently lies vacant. The motel buildings are single storey and are located on the eastern half of the site with car parking along the eastern frontage and to the rear. Access is taken from the east via the access adjacent to Altens Lorry Park. There is some landscaping along the Hareness Road elevation and to the rear along the southern boundary. There is a grassed embankment rising up from Wellington Road and an extensive grassed areas stretching eastwards for approximately 75m, which acts as a feature at the entrance to Altens Industrial Estate. On the opposite corner, on the northern side of Hareness Road is a three storey crescent shaped office block, which is set back from its junction and is set at a lower level. The south-east boundary of the site is delineated by the rear elevations of industrial units at Altens Lorry Park. The south-west boundary is delineated by a landscaping strip which provides some screening between the site and the adjacent Loirston House, a two storey office block.

Relevant Planning History

- Outline planning permission (Ref: A4/1770) was approved in September 2005 for an office development with associated car parking. The permission was not implemented and expired in 2010.

- Detailed planning permission (Ref A6/2138) was approved in February 2007 for the erection of an office and associated car parking facilities. A further application (Ref: 120129) was approved in March 2012 for a Section 42 Variation to the five year time condition imposed by the previous approval. This permission was not implemented and expired in March 2015.
- Detailed planning permission (140229) for an office, car parking and landscaping was approved by delegated powers in September 2014. This permission has not been implemented and expired on 22 September 2017.

APPLICATION DESCRIPTION

Description of Proposal

The application is submitted under the provisions of Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended) and seeks a modification to condition 1 of planning permission P140229. Condition 1 currently states –

“that the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.”

The applicant has not provided a preferred re-drafting of the condition however it has been confirmed that they would like the condition to now refer to the newly adopted supplementary guidance relating to low and zero carbon requirements.

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=documents&keyVal=OUBIX3BZMPM00>

CONSULTATIONS

None

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

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 42 of the Town and Country Planning (Scotland) Act 1997 requires the planning authority in determining the application only to consider the question of the condition subject to which the previous planning permission should be granted. The planning authority has the option to approve the permission subject to new or amended conditions or to approve planning permission unconditionally. Alternatively the planning authority can refuse the application, which would result in the conditions on the original application remaining.

National Planning Policy and Guidance

Section 72 of The Climate Change (Scotland) Act 2009, requires all local authorities in any local development plan prepared by them, to include policies requiring all developments in the local development plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.

Aberdeen Local Development Plan (2017)

- Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency

Supplementary Guidance and Technical Advice Notes

- Resources for New Development (Part A – Density, Energy Use in New Buildings and Water Use Efficiency)

EVALUATION

Principle of Development

At the time of the granting of planning permission in September 2014, the 2012 Local Development Plan (LDP) was in place. It had a requirement in Policy R7 (Low and Zero Carbon Buildings) that all new buildings, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below the 2007 building standards requirements. In the now adopted 2017 plan, Policy R7 (Low and Zero Carbon Building, and Water Efficiency) covers the same matter, although it now requires that all new buildings must meet at least 20% of the new building regulations carbon dioxide emissions reduction target through the installation of low and zero carbon generating technology. Similarly the associated supplementary guidance has been revised.

The applicant has requested that the condition be revised to refer to the new supplementary guidance. The policies in each plan are in place to meet the requirements of the Climate Change (Scotland) Act 2009 and essentially require the applicant to carry out the same action, although the supplementary guidance is now more onerous with a requirement to reduce emissions by 20% rather than 15%. The applicant's willingness to meet the increased requirements is welcomed. The same policy aims will be achieved and the change would not affect compliance with the LDP. Therefore it is considered acceptable to amend the condition to refer to the new guidance.

Other Considerations

A payment for core path improvements required under the original application has already been made by an upfront payment. There is therefore no legal agreement which requires revision to take account of this new consent.

Time Limit Direction

Where a section 42 variation application is being approved, it would be normal practice to limit the time period for implementation of consent so that it matches the expiry date of the original consent. In this case, the section 42 application was submitted on 10 August 2017, with the existing consent expiring on 22 September 2017, during the life of the application. Given the expiry of the original consent, a reasonable amount of time needs to be given for the applicant to implement the consent before it again expires. This time period should not be unreasonably long however, as the opportunity for a full review of the consent through a new planning application still needs to be maintained. Should the applicant wish to proceed with implementation, it is considered that a period of six months would be a reasonable time period for implementation of the consent.

With the above in mind, a period of six months within which development should begin has been set by direction.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The policy aims of the relevant policy across the 2012 and 2017 Local Development Plans are the same. The applicant's willingness to meet the more onerous requirements in the new supplementary guidance is welcomed.

In order to give a realistic amount of time for the applicant to implement the consent before it again expires and allow the consent to be reviewed fully at a reasonable point in time since the original grant of consent, a period of six months within which the consent must be commenced has been set by direction.

CONDITIONS

(01) that the building hereby approved shall not be occupied unless a scheme detailing compliance with the low and zero carbon element of the Council's 'Resources for New Development (Part A – Density, Energy Use in New Buildings and Water Use Efficiency)' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements of Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency.

(02) That no development shall take place unless a scheme of all drainage works (including calculations as necessary) designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority. Thereafter no

part of the office building shall be occupied unless the drainage has been installed in complete accordance with the said scheme, unless a written variation has been granted by the planning authority – in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(03) that no development (other than site preparation and ground works) shall take place unless a scheme of all external finishing materials to the roof and walls of the development hereby approved has been submitted to and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed - in the interests of the visual amenity of the area.

(04) That no development (other than site preparation and ground works) shall take place until details of all boundary treatments have been submitted to, and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed – in the interests of visual amenity of the area.

(05) That no development (other than site preparation and ground works) shall take place until a scheme of all external finishing/ planting to the walls of the decked car park hereby approved has been submitted to, and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed – in the interests of the visual amenity of the area.

(06) That no development shall take place until a Construction Method Statement (CMS) has been submitted to, and approved in writing by the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved CMS unless otherwise agreed in writing with the Planning Authority – in order to minimise the impacts of necessary demolition/ construction works on the environment.

(07) that no part of the office building shall be occupied unless there has been submitted to and approved in writing a detailed occupier specific green travel plan which (a) shall be in general accordance with the travel plan framework included within the Travel Plan and Transport Statement (May 2014 – Revision B (b) must outline sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets - in order to encourage more sustainable forms of travel to the development.

(08) that no development (other than site preparation and ground works) shall take place unless a further detailed scheme for the landscaping for the site (which shall include (i) indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, (ii) tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting and (iii) the proposed materials to be used to surface areas of hard landscaping) has been submitted to and approved in writing by the planning authority - in order to satisfactorily integrate the development into it's surroundings and maintain the visual amenity of the area.

(09) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in order to satisfactorily integrate the development into it's surroundings and maintain the visual amenity of the area.

(10) that no part of the office building hereby approved shall be occupied unless the vehicular parking, motorcycle parking and cycle parking has been constructed, drained, laid-out and demarcated in accordance with drawing A1-01-02 (Revision A), or such other drawings as may subsequently be approved in writing the planning authority. Thereafter such areas shall not be used for any purpose other than the parking of vehicles, cycles and motorcycles ancillary to the approved office development - in order to provide a suitable level of vehicle parking for the proposed office building, ensure the free flow of traffic in surrounding streets and encourage more sustainable modes of transport.

ADVISORY NOTES FOR APPLICANT

(01) HOURS OF DEMOLITION AND CONSTRUCTION WORK

Unless otherwise agreed in writing with Aberdeen City Council Environmental Health Service (poll@aberdeencity.gov.uk / 03000 200 292), demolition or construction work associated with the proposed development should not take place out with the hours of 07:00 to 19:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays. No noisy work should be audible at the site boundary on Sundays.

Where complaints are received and contractors fail to adhere to the above restrictions, enforcement action may be initiated under the Control of Pollution Act 1974.

DIRECTION UNDER SECTION 58 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

In accordance with the power granted to it under section 58 of the Town and Country Planning (Scotland) Act 1997, the planning authority hereby direct that section 58(2) shall apply in respect to this planning permission, with the substitution of the period of 3 years with that of 6 months.

This planning permission therefore lapses on the expiration of a period of 6 months, beginning with the date on which the permission is granted, unless the development to which the permission relates is begun before that expiration.

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997 - Section 42

Section 42 (Variation to Conditions)

NORR
3 Bon Accord Crescent
Aberdeen
Aberdeenshire
AB116XH

on behalf of **Robertson Property**

With reference to your application validly received on 10 August 2017 for the following development:-

Variation of condition 1 (low and zero carbon buildings) of P140229 for erection of office development with associated car parking and landscaping at Laurie's Motel, Hareness Road

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

Drawing Number	Drawing Type
A0-00-01	Location Plan
A1-01-01 (Rev A)	Location Plan
A1-01-02 (Rev A)	Site Layout (Proposed)
A2-01-01 (Rev A)	Multiple Floor Plans (Proposed)
A2-01-02 (Rev A)	Multiple Floor Plans (Proposed)
A2-01-03 (Rev A)	Multiple Floor Plans (Proposed)
A3-01-01 (Rev A)	Multiple Elevations (Proposed)
A3-01-02 (Rev A)	Multiple Elevations (Proposed)
A4-01-01 (Rev A)	Building Cross Section
A4-01-02	Building Cross Section
A7-01-01 (Rev A)	3D Visualisation

A7-01-02 (Rev A)	3D Visualisation
A7-01-03 (Rev A)	3D Visualisation
A7-01-04 (Rev A)	3D Visualisation
P901. (Rev 1)	Construction Detail
P902. (Rev 1)	Site Layout (Drainage)
P903	Site Layout (Other)
G5186-102 (Rev 02)	Site Layout (Landscaping)
Design and Access Statement	Design Statement
Travel Plan and Transport Statement (Revision B)	Travel Plan
Landscape Concept (Rev 01)	Other Supporting Statement
G5186 700 D 02 Visual Appraisal	Other Supporting Statement
G5186 500 D 01 Outline Specification	Other Supporting Statement
Drainage Impact Assessment (Revision B)	Drainage Assessment

REASON FOR DECISION

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

The policy aims of the relevant policy across the 2012 and 2017 Local Development Plans are the same. The applicant's willingness to meet the more onerous requirements in the new supplementary guidance is welcomed.

In order to give a realistic amount of time for the applicant to implement the consent before it again expires and allow the consent to be reviewed fully at a reasonable point in time since the original grant of consent, a period of six months within which the consent must be commenced has been set by direction.

CONDITIONS

This permission is granted subject to the following conditions:-

(01) that the building hereby approved shall not be occupied unless a scheme detailing compliance with the low and zero carbon element of the Council's 'Resources for New Development (Part A - Density, Energy Use in New Buildings and Water Use Efficiency)' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements of Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency.

(02) That no development shall take place unless a scheme of all drainage works (including calculations as necessary) designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority. Thereafter no part of the office building shall be occupied unless the drainage has been installed in complete accordance with the said scheme, unless a written variation has been granted by the planning authority – in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(03) that no development (other than site preparation and ground works) shall take place unless a scheme of all external finishing materials to the roof and walls of the development hereby approved has been submitted to and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed - in the interests of the visual amenity of the area.

(04) That no development (other than site preparation and ground works) shall take place until details of all boundary treatments have been submitted to, and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed – in the interests of visual amenity of the area.

(05) That no development (other than site preparation and ground works) shall take place until a scheme of all external finishing/ planting to the walls of the decked car park hereby approved has been submitted to, and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed – in the interests of the visual amenity of the area.

(06) That no development shall take place until a Construction Method Statement (CMS) has been submitted to, and approved in writing by the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved CMS unless otherwise agreed in writing with the Planning Authority – in order to minimise the impacts of necessary demolition/ construction works on the environment.

(07) that no part of the office building shall be occupied unless there has been submitted to and approved in writing a detailed occupier specific green travel plan which (a) shall be in general accordance with the travel plan framework included within the Travel Plan and Transport Statement (May 2014 – Revision B (b) must outline sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets - in order to encourage more sustainable forms of travel to the development.

(08) that no development (other than site preparation and ground works) shall take place unless a further detailed scheme for the landscaping for the site (which shall include (i) indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, (ii) tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting and (iii) the proposed materials to be used to surface areas of hard landscaping) has been submitted to and approved in writing by the planning authority - in order to satisfactorily integrate the development into it's surroundings and maintain the visual amenity of the area.

(09) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in order to satisfactorily integrate the development into its surroundings and maintain the visual amenity of the area.

(10) that no part of the office building hereby approved shall be occupied unless the vehicular parking, motorcycle parking and cycle parking has been constructed, drained, laid-out and demarcated in accordance with drawing A1-01-02 (Revision A), or such other drawings as may subsequently be approved in writing the planning authority. Thereafter such areas shall not be used for any purpose other than the parking of vehicles, cycles and motorcycles ancillary to the approved office development - in order to provide a suitable level of vehicle parking for the proposed office building, ensure the free flow of traffic in surrounding streets and encourage more sustainable modes of transport.

Date of Signing: 1 December 2017



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS PERMISSION

DIRECTION UNDER SECTION 58 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

In accordance with the power granted to it under section 58 of the Town and Country Planning (Scotland) Act 1997, the planning authority hereby direct that section 58(2) shall apply in respect to this planning permission, with the substitution of the period of 3 years with that of 6 months.

This planning permission therefore lapses on the expiration of a period of 6 months, beginning with the date on which the permission is granted, unless the development to which the permission relates is begun before that expiration.

COMMENCEMENT AND COMPLETION OF DEVELOPMENT

A person who has been granted planning permission under the terms of the foregoing notice and intends to start work to implement this planning approval must, once they have decided the date they will start work on the development, inform the Council in writing of that date as soon as is practicable, but in all circumstances prior to work commencing. Failure to do so is a breach of planning control under section

123(1) of the 1997 Planning Act. The Council should be informed of the start date and other required information on the **Notice of Initiation of Development** form attached below.

A person who completes the development for which planning permission has been granted by the foregoing notice must, as soon as is practicable after doing so, give notice of completion to the Council on the **Notice of Completion of Development** form attached below. In common with the failure to submit an notice of initiation of development, the Council may take enforcement action if a notice of completion is not given.

ADVISORY NOTES FOR THE APPLICANT

This permission does not carry with it any necessary approval under the Building Standards Regulations. Please ensure that this permission is compatible with any building warrant obtained. **The Planning Service does not cross check approvals in detail.**

HOURS OF DEMOLITION AND CONSTRUCTION WORK

Unless otherwise agreed in writing with Aberdeen City Council Environmental Health Service (poll@aberdeencity.gov.uk / 03000 200 292), demolition or construction work associated with the proposed development should not take place out with the hours of 07:00 to 19:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays. No noisy work should be audible at the site boundary on Sundays.

Where complaints are received and contractors fail to adhere to the above restrictions, enforcement action may be initiated under the Control of Pollution Act 1974.

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

None.

RIGHT OF APPEAL

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission for the proposed development;
- b) to refuse approval, consent or agreement require by a condition imposed on a grant of planning permissions;
- c) to grant planning permission or approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

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

If permission to develop land is granted subject to conditions 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 which has been 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.

NOTICE OF INITIATION OF DEVELOPMENT

The Town and Country Planning (Scotland) Act 1997 - Section 42

The Planning (Development Management Procedure) (Scotland) Regulations 2013

Notice under sections 27A, 27B and 27C of the above Act and Regulations 37 and 28, regarding the initiation (start) of work for which planning permission has been granted.

Application reference number: **170950/S42**

Date of issue: 1 December 2017

Address of site to which permission applies: Laurie's Motel, Hareness Road

I hereby give notice that it is intended to start the above development on the following date:

dd / mm / yyyy

Name, Address and Phone Number of Person Intending to Carry Out Development	
Name, Address and Phone Number of Landowner of Site (if different)	
Name, Address and Phone Number of Site Agent appointed for development	

Date of Submission of Notice

dd / mm / yyyy

IMPORTANT

It is important that this form is completed and returned to Planning and Sustainable Development when you propose to start work as failure to do so may result in enforcement action being taken. Please complete and return this form to pi@aberdeencity.gov.uk or the address at the top of this decision notice.

Data Protection Act 1998 – For the purposes of processing this information Aberdeen City Council is the Data Controller. The information on this form will be recorded on computer and also stored and processed automatically for planning purposes. Information will be disclosed only in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997, as amended, or otherwise as required by law, including disclosure to other agencies.

NOTICE OF COMPLETION OF DEVELOPMENT

The Town and Country Planning (Scotland) Act 1997 - Section 42

The Planning (Development Management Procedure) (Scotland) Regulations 2013

Notice under section 27B of the above Act, regarding the completion of work for which planning permission has been granted.

Application reference number: 170950/S42

Date of issue: 1 December 2017

Address of site to which permission applies: Laurie's Motel, Hareness Road

I hereby give notice that the development was completed on the following date:

dd / mm / yyyy

Name, Address and Phone Number of Person Intending to Carry Out Development	
Name, Address and Phone Number of Landowner of Site (if different)	
Name, Address and Phone Number of Site Agent appointed for development	

Date of Submission of Notice

dd / mm / yyyy

IMPORTANT

It is important that this form is completed and returned to Planning and Sustainable Development as soon as possible following completion of works as failure to do so may result in enforcement action being taken. Please complete and return this form to pi@aberdeencity.gov.uk or the address at the top of this decision notice.

Data Protection Act 1998 – For the purposes of processing this information Aberdeen City Council is the Data Controller. The information on this form will be recorded on computer and also stored and processed automatically for planning purposes. Information will be disclosed only in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997, as amended, or otherwise as required by law, including disclosure to other agencies.



Review Statement

Laurie's Hotel, Hareness Road

IAAB17-0098

Robertson Property

25 January 2018

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1 Introduction

This Review Statement has been prepared on behalf of Robertson Property to seek a review of the time condition imposed by Direction on Planning Permission 170950/S42 for Variation of condition 1 (low and zero carbon buildings) of P140229 for erection of office development with associated car parking and landscaping at Laurie's Hotel, Hareness Road.

The application was submitted under section 42 of the Town and County Planning (Scotland) Act 1997 that determines applications to develop land without compliance with conditions previously attached. The application made requested that the consent was granted with conditions differing from those subject to which the previous permission was granted (Document LAU3.28).

Permission was granted under delegated powers by the planning authority. Granting a permission under section 42 of the Act represents a new permission and in accordance with Section 58 a planning permission lapses on the expiration of a period of 3 years unless the authority specify a longer or shorter period. In the approval of this application a Direction has been made specifying a period of 6 months to implement the consent from the date of approval (1 December 2017) (Document LAU1.1).

Although directions specifying shorter or longer periods are not strictly a condition subject to which the planning permission has been granted, in instances where an alternative time period has been specified it has to be treated as such. Circular 3/2013 Paragraph 4.106 (Document LAU2.1) states that "The planning authority may in granting planning permission direct that a longer or shorter period than 3 years may apply. Although these time periods are not a condition to the planning permission, it is open to the applicant to appeal to Scottish Ministers against, or seek a local review by the planning authority of, the 3 year time period, or any different period directed by the planning authority, as if it were such a condition."

This review seeks agreement of the Local Review Body to agree to an extended time period for the approval. It is requested that the direction is removed and the statutory period of 3 years is used.

2 Background and Proposal

The site is located at the junction of Wellington Road and Hareness Road on the edge of the Alterns Industrial Estate to the south of the city. To the north is a three Storey office block, to the south east Alterns Lorry Park, to the south west Loirston House office building and to the west is Wellington Road dual carriageway.

There have been a series of approvals for office development on the site as listed within the Report of Handling (Document LAU1.2). Most recently Detailed Planning Permission (140229) was approved for an office, car parking and landscaping. The planning permission subject to this Review represents the same proposal as approved by this application, with amended conditions. The approved plans have been submitted with this review (Documents LAU 3.2 to 3.23).

Application 170950/S42 was validated on 10 August 2017 for the variation of condition 1 (low and zero carbon buildings) of P140229 for erection of office development with associated car parking and landscaping. The application was approved subject to conditions on 01 December 2017.

3 Planning Application

In consultation on application 170950/S42 there were no consultation responses or representations received. The application was considered to be acceptable following regard to the provisions of the Development Plan (Document LAU1.2).

In approving the application a Direction under section 58 of the Act has been made and within the decision (Document LAU1.1) providing approval for a period of 6 months only following the date of the decision. The following reason was provided within the report of handling (Document LAU1.2):

"Where a section 42 variation application is being approved, it would be normal practice to limit the time period for implementation of consent so that it matches the expiry date of the original consent. In this case, the section 42 application was submitted on 10 August 2017, with the existing consent expiring on 22 September 2017, during the life of the application. Given the expiry of the original consent, a reasonable amount of time needs to be given for the applicant to implement the consent before it again expires. This time period should not be unreasonably long however, as the opportunity for a full review of the consent through a new planning application still needs to be maintained. Should the applicant wish to proceed with implementation, it is considered that a period of six months would be a reasonable time period for implementation of the consent."

"With the above in mind, a period of six months within which development should begin has been set by direction."

4 Restricted Time Period

Without direction under section 58 being applied the application would have been granted for a period of 3 years from the date of approval 1 December 2017. In reaching decisions on the time periods on duration of planning permission Circular 3/2013 (Document LAU1.2) advises that "planning authorities should consider carefully the nature of the development and issues such as the prevailing economic climate and reach a view on whether the statutory default time limits are appropriate in the circumstances of the case or whether they should specify a different period" It is the decision of the planning authority what the most appropriate time period is depending on the circumstances.

During the process of determining the application there was not the opportunity to discuss the most appropriate time limit and this notice of review is submitted to seek agreement to a longer time period for consent. In the current economic climate the period of 6 months would not be sufficient to allow for implementation of the consent.

5 Reasons for Longer Time Period

The statutory period is set at 3 years as it is considered that it represents a reasonable period within which development can commence taking into account the further steps required, for example organisation of finance, but is not so long that it creates uncertainty.

The consent was granted with a time period of 6 months thought to be a reasonable period of time in which to provide for the development to be implemented. There are two pre-commencement conditions that require to be purified and agreed with prior to making a start of development. These are conditions 2 and 6 of the approval (Document LAU1.1). Prior to development there are additional statutory consents that are required including a building warrant and roads construction consent and the period of 6 months would not provide adequate time to secure these consents. Given the uncertainties in the office market at present this work would not be progressed until there is an identified occupier for the office.

There has been investment from both the developer and the Council in securing a detailed planning permission for this development and this approval provides an opportunity to extend the consent for a longer time period to accommodate future changes in the market.

The Local Development Plan was adopted in 2017 and, in accordance with current legislation, is to be reviewed on a 5 yearly cycle. Therefore, the plan is likely to last in its current form until at least 2022. The site is currently zoned as business and industry (Document LAU2.3) and the proposed office development was deemed to be compliant with the Local Development Plan at the time of approval in 2014. There has been no change that would affect the acceptability of the proposals since the adoption of the 2017 Local Development Plan, with the exception of increased energy requirements under Policy R7, which has been amended through this application.

The issues considered within the original application are set out within the report of handling (Document LAU3.1) within the section on Evaluation. The issues considered within that report have been listed in the table below and this identifies the policies considered and any changes made within the 2017 Local Development Plan (Document LAU2.2) in comparison to the 2012 Local Development Plan (Document LAU2.4).

	Issue Considered	2012 Policy	Current Policy	Differences
1	Principle of Development	Policy BI1	Policy B1	No Change to policy
2	Surrounding amenity	Considered on the context of the area		There has been no material change to the context of the area that would alter the assessment in 2014.
3	Design and Layout	Policy D1 Architecture and Placemaking Policy BI1	Policy D1 Quality Placemaking by Design	Policy rewritten to focus on high quality design. The Report of handling (Document LAU1.2) considered that "The design and materials proposed to finish the building would be of a good design, being typical of modern office developments found within the city and throughout the UK. The use of smooth and buff render, along with a large amount of glazing would result in a good quality exterior. The corner feature also acts as a bold statement on one of the main routes into Altens Industrial Estate; this is welcomed and adds additional character to the appearance of the building." The policy expectation has remained such that good design is essential and there has been no change to the proposals that would alter the consideration.

4	Skyline	Policy D1 Policy D6 Landscape	Policy D2 Landscape	<p>Policy D2 requires quality landscape proposals as a part of development proposals. Within the report of handling (Document LAU1.2) it was considered that: "The proposed landscaping scheme would provide sufficient levels of planting within the application site, and along Hareness Road. A condition has been attached requiring a detailed scheme including species to be included."</p> <p>The effect that the development has on the surrounding landscape and views was considered to be acceptable.</p> <p>Policy D1 has been amended and a new Policy D3 deals with Big Buildings. This policy does not apply to employment land, industrial areas and established health or educational campuses and is not relevant in this instance.</p>
5	Access and Transportation	Policy T2 Managing the transport impact Supplementary Guidance: Transport and Accessibility	Policy T2 Managing the transport impact Supplementary Guidance: Transport and Accessibility	<p>Increased emphasis for sustainable modes of travel and an increase in local services and employment opportunities that are within close proximity to new communities. The proposal is within walking distance of residential areas and covered by regular public transport and it was considered within the report of handling (Document LAU1.2) that it is "possible to reach the site by a variety of transport modes".</p> <p>The parking maximum for business development of 1 per 30sqm applied at the time of the application remains the standard within current guidance (Document LAU2.6). Cycle parking, motorcycle parking and disabled parking provision were all deemed to be acceptable.</p>
6	Developers Contributions	I1 Infrastructure Delivery and Developer Contributions	I1 Infrastructure Delivery and Planning Obligations	<p>No Change. At the time of the application the assessment identified that the extended ground floor area was lower than that which would trigger a Strategic Transportation contribution, and contributions would be required</p>

				towards core path improvements. The payment towards core path network were paid in advance of the issue of consent.
7	Drainage	NE6 Flooding and Drainage	NE6 Flooding Drainage and Water Quality	DIA requirements are now specified in the new policy. A DIA was submitted with the application and a condition remains on the approval to ensure that additional details are agreed prior to development progressing.
8	Low and Zero Carbon Buildings	Policy R7 Low and Zero Carbon Buildings	Policy R7 Low and Zero Carbon Buildings and Water Efficiency	Increased energy saving identified within policy. The amended condition attached to the approval is in accordance with the new policy.
9	Waste Management	Policy R6 Waste Management Requirements for New Development	Policy R6 Waste Management Requirements for New Development	Policy now includes reference to Site Waste Management Plan where there are potential savings on construction or demolition materials for recycling or reuse. The site has now been cleared and there is not the potential to recycle or reuse existing materials on-site.
10	Community Council Comment: Site is too small	Deemed acceptable in relation to Policy D1		See comments on 3.
11	Community Council Comment: Scale of building is out of proportion	Deemed acceptable in relation to Policy D1		See comments on 3.
12	Community Council Comment: The proposal is not set far enough back from Hareness and Wellington Road	The proposal has been moved further into the site (now 10m), this is considered to be an acceptable distance, the proposed impact on Loirston house has been considered compliant with policy D1.		See comments on 3.

13	Community Council Comment: The height and position to boundary would over dominate the area	Deemed acceptable Policy D1		See comments on 3.
14	Community Council Comment: There is a shortfall of 24 parking spaces	the level of parking provided is deemed acceptable; Policy T2 and Supplementary Guidance: Transport and Accessibility.		See comments on 5.
15	Community Council Comment: Cumulative traffic is unacceptable	The transport statement and impact of the new build on the surrounding road network has been assessed in detail and deemed acceptable in accordance with Policy T2.		See comments on 5.
16	Community Council Comment: Query the viability of the Travel Plan	The travel plan is considered competent, and a condition has been inserted to the consent to ensure the submission of a detailed occupier specific green travel plan.		The condition remains on the new approval.

The development remains acceptable against the considerations of the Local Development Plan and in extending the life of the consent to the statutory period of 3 years it would remain within the life of the 2017 Local Development Plan (Document LAU 2.2 and 2.3). Therefore, providing a break in the permission that would necessitate a full review prior to any change in Local Development Plan Policy.

6 Conclusions

Extending the period in which this permission can be implemented to 3 years provides a reasonable period in which the development could progress, particularly when considering the office market in Aberdeen, which exhibits both a lack of demand and oversupply. The consent as issued would expire within a period of 6 months, or by 1 June 2018. There remain detailed conditions to be purified, and other statutory consents secured prior to commencement of development, and it will not be possible to implement the consent within the specified 6 month time frame.

The proposed development remains in conformity with the Local Development Plan as set out within this statement. With a recently approved local development plan (2017) there will not be any material change to the policy circumstances affecting the acceptability of this proposal that would necessitate the need for a review of the application within 6 months.

It is not possible to implement this application within the restricted period of 6 months from the date of planning approval and as such this represents an unreasonable condition on the development and is unduly restrictive. A period of 3 years, in accordance with statutory provisions, has been set as a reasonable period in which to allow for developments to proceed. It is, therefore, requested that the Local Review Body of Aberdeen City Council remove the section 58 Direction to allow for adequate time for the purification of conditions, to achieve all other statutory consents and allow the implementation of the development.

7 List of Documents

1. 170950/S42 Documents

- LAU1.1 Decision Notice 170950/S42
- LAU1.2 Report of Handling Application 170950/S42
- LAU1.3 Location Plan
- LAU1.4 Application Form

2. Policy Documents

- LAU2.1 Circular 3/2013: Development Management Procedures
- LAU2.2 2017 Aberdeen Local Development Plan Written Statement
- LAU2.3 2017 Aberdeen Local Development Plan Proposals Map
- LAU2.4 2012 Aberdeen Local Development Plan Written Statement
- LAU2.5 2012 Aberdeen Local Development Plan Proposals Map
- LAU2.6 Supplementary Guidance – Transport and Accessibility

3. 140229 Application Documents

- LAU3.1 Report of Handling
- LAU3.2 A2-01-01 (Rev A)
- LAU3.3 A2-01-02 (Rev A)
- LAU3.4 A2-01-03 (Rev A)
- LAU3.5 A3-01-01 (Rev A)
- LAU3.6 A1-01-01 (Rev A)
- LAU3.7 A1-01-02 (Rev A)
- LAU3.8 A3-01-02 (Rev A)
- LAU3.9 A4-01-02
- LAU3.10 A4-01-01 (Rev A)
- LAU3.11 A7-01-01 (Rev A)
- LAU3.12 A7-01-02 (Rev A)
- LAU3.13 A7-01-03 (Rev A)
- LAU3.14 A7-01-04 (Rev A)
- LAU3.15 P901. (Rev 1)
- LAU3.16 P902. (Rev 1)
- LAU3.17 P903
- LAU3.18 G5186-102 (Rev 02)
- LAU3.19 Design and Access Statement
- LAU3.20 Travel Plan and Transport Statement (Revision B)
- LAU3.21 G5186 700 D 02 Visual Appraisal
- LAU3.22 G5186 500 D 01 Outline Specification
- LAU3.23 Drainage Impact Assessment (Revision B)
- LAU3.24 Roads Development Management Response 12/03/2014
- LAU3.25 Roads Development Management Response 29/05/2014
- LAU3.26 Roads Development Management Response 19/06/2014
- LAU3.27 Roads Development Management Response 18/06/2014
- LAU3.28 Decision Notice

End of Report
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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 100053326-003

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: NORR

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

First Name: * Daniel Building Name:

Last Name: * Harrington Building Number: 3

Telephone Number: * 01224586277 Address 1 (Street): * Bon Accord Crescent

Extension Number: Address 2:

Mobile Number: Town/City: * Aberdeen

Fax Number: Country: * Aberdeenshire

Postcode: * AB116XH

Email Address: * daniel.harrington@norr.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"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Robertson House"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Castle Business Park"/>
Company/Organisation	<input type="text" value="Robertson Property"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Stirling"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="FK9 4TZ"/>
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="LAURIE'S MOTEL"/>
Address 2:	<input type="text" value="HARENESS ROAD"/>
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 3LE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="802874"/>	Easting	<input type="text" value="394848"/>
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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)

Variation of condition 1 (low and zero carbon buildings) of P140229 for erection of office development with associated car parking and landscaping at Laurie's Motel, Hareness Road

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.

Reasons are set out within an attached Statement of Review.

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)

List of supporting documents is set out within an attached Statement of Review.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

170950/S42

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

07/08/2017

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

01/12/2017

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 Daniel Harrington

Declaration Date: 25/01/2018

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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 100058975-002

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

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.

Please give the application reference no. of the previous application and date when permission was granted.

Application Reference No: *

140229

Date (dd/mm/yyyy): *

22/09/2014

Description of Proposal

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

Variation of condition 1 (low and zero carbon buildings) of planning permission 140229 in line with the Council's new Supplementary Guidance Resources for New Development.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

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:	NORR		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Daniel	Building Name:	
Last Name: *	Harrington	Building Number:	3
Telephone Number: *	01224586277	Address 1 (Street): *	Bon Accord Crescent
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Aberdeenshire
		Postcode: *	AB116XH
Email Address: *	daniel.harrington@norr.com		

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:	Robertson House
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	Castle Business Park
Company/Organisation	Robertson Property	Address 2:	
Telephone Number: *		Town/City: *	Stirling
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	FK9 4TZ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

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

Address 1:

LAURIE'S MOTEL

Address 2:

HARENESS ROAD

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB12 3LE

Please identify/describe the location of the site or sites

Northing

802874

Easting

394848

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

8308.00

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)

Class 7 Hotel

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

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.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 4 Business (Office/Light Industry)

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

7157

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

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

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: Daniel Harrington

On behalf of: Robertson Property

Date: 07/08/2017

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

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

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr Daniel Harrington

Declaration Date: 18/07/2017

Payment Details

Cheque: tbc, tbc

Created: 07/08/2017 14:56

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