

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Refusal of Planning Permission in Principle

Knight Frank LLP
4 Albert Street
Aberdeen
Aberdeen City
AB25 1XQ

on behalf of **Mr Richard McDonald**

With reference to your application validly received on 31 August 2015 for Planning Permission in Principle under the above mentioned Act for the following development, viz:-

DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF 3 NO.DWELLINGHOUSES at Brookfield, Land at, Murtle Den Road, Milltimber

the Council in exercise of their powers under the above mentioned Act hereby REFUSE Planning Permission in Principle for the said development specified in the application form and the plan(s) and documents docketed as relative thereto and numbered as follows:-

Location Plan and Site Plan 320988/01

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

(1) That the site lies within the Green Belt which is defined to protect and enhance the landscape setting and identity of urban areas and in which there is a presumption against most kinds of development with only limited exceptions. The proposed development does not comply with any of the specified exceptions to the presumption against development within the Green Belt and therefore does not comply with Policy NE2, and could erode the character or function of the Green Space Network thus conflicting with Policy NE1 of the Aberdeen Local Development Plan 2012. If permitted, this application would create a precedent for more, similar developments to the further detriment of the objectives of the Green Belt policy. If approved, the necessary road improvements could also result in a significant impact on the character of the area, through the provision of a widened access road, with the potential loss of a number of trees. Furthermore, the proposal is also considered to be contrary to the Supplementary Guidelines relating to the Sub-division and Redevelopment of Residential Curtilages, in that it would result in the creation of a secondary building line in a backland location which would erode the character and residential amenity of the area.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- Location Plan and Site Plan 320988/01

Pete Leonard
Corporate Director

Date of Signing 8 January 2016

A handwritten signature in black ink that reads "Daniel Lewis". The signature is written in a cursive style with a clear, legible font.

Daniel Lewis

Development Management Manager

Pete Leonard
Corporate Director

NB. EXTREMELY IMPORTANT INFORMATION RELATED TO THIS GRANT OF PLANNING PERMISSION IN PRINCIPLE

1. The applicant has the right to have the decision to refuse the application reviewed by the planning authority and further details are given in Form 2 attached below.

2.

Regulation 28(4)(a)

Form 1

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions

3. If the applicant is aggrieved by the decision of the planning authority to –
- a. refuse planning permission for the proposed development;
 - b. to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - 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 <http://eplanning.scotland.gov.uk/>.

Notices of review submitted by post should be sent to –

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

Pete Leonard
Corporate Director

Continuation

If permission to develop land is refused or 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 or 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.

Pete Leonard
Corporate Director