

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW

PLOT 4 PHASE 2, BRENT ROAD, MONTROSE

APPLICATION NO 14/00459/FULL

APPLICANT'S SUBMISSION

- ITEM 1** Notice of Review
- ITEM 2** Application Review Points and Position Statement
- ITEM 3** Application Review – Site Plans



County Buildings Market Street Forfar DD8 3LG

Tel: 01307 461460

Fax: 01307 461 895

Email: plnprocessing@angus.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 000105190-001

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

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Brian"/>
Last Name: *	<input type="text" value="Abel"/>
Company/Organisation:	<input type="text" value="ALL OCEANS Engineering Ltd"/>
Telephone Number: *	<input type="text" value="01224 791001"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text" value="01224 791002"/>
Email Address: *	<input type="text" value="brian@alloceans.co.uk"/>

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

Building Name:	<input type="text" value="Tyrebagger Works,"/>
Building Number:	<input type="text" value="1"/>
Address 1 (Street): *	<input type="text" value="Clinterty"/>
Address 2:	<input type="text" value="Kinellar"/>
Town/City: *	<input type="text" value="Aberdeen"/>
Country: *	<input type="text" value="UK"/>
Postcode: *	<input type="text" value="AB21 0TT"/>

Site Address Details

Planning Authority:

Angus Council

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

Address 1:

PLOT 4 PHASE 2

Address 5:

Address 2:

BRENT AVENUE

Town/City/Settlement:

MONTROSE

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing

760482

Easting

371567

Description of the Proposal

Please provide a description of the 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)

Planning Application Ref; 14/00459/FULL Fabrication workshop with associated welfare facilities located in adjoining lean-tos, and single storey office block to existing vacant site at Plot 4, Phase 2, Brent Avenue Montrose.

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 of 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.

Plot 4 is part of Phase 2 of the Forties Road Development Project. It was marketed and sold (missives exchanged March'14) by Angus Council to ALL OCEANS on the same basis (price and conditions) as all other Phase 2 Plots. Angus Council Planning have applied operating restrictions to Plot 4 but no other Phase 2 plot. Plot 4 is thereby devalued in relative terms and the restrictions limits its proposed use.

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

Yes No

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)

Application Review Points and Position Statement. Application Review - site Plans.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

14/00459/FULL

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

05/06/14

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

24/10/14

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 conducted by 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)

We have prepared a 6 point background written submission (3 pages) in support of the review application which may be of benefit to those involved with the review

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 Brian Abel

Declaration Date: 21/11/2014

Submission Date: 21/11/2014

Planning Application Ref; 14/00459/FULL

Application Approved with Conditions 24th October 2014

Planning Application Review

Proposal Reference 000105190

21st November 2014

Planning Application Title

Fabrication workshop with associated welfare facilities located in adjoining lean-tos, and single storey office block to existing vacant site at Plot 4, Phase 2, Brent Avenue Montrose.

Review Point A

Plot 4 is in Phase 2 of the Forties Road Development Project. It was marketed and sold (missives exchanged March'14) by Angus Council to ALL OCEANS on the same basis (price and conditions) as all other Phase 2 Plots. Angus Council Planning applied operating conditions / restrictions to Plot 4 but to no other Phase 2 plot.

Impact;

1. Plot 4 is devalued in relative terms to other Phase 2 Plots.

It is estimated that the balance sheet value of the proposed developed property will be less, and by an amount well in excess of £100,000.

2. The conditions place productivity restrictions on Plot 4.

Productivity and employment potential will be affected.

3. Customer audits will view the restrictions as limiting vendor capability.

IE; 24/7 working / support is not available from this facility.

Review Point B

Investigation into the origins of the restrictions identified two key points;

Firstly, the need for the restrictions has been exposed as a personal opinion given that the need is not based on any specific Council or National, standard, rule, code or similar.

Secondly, the only qualification offered for applying noise restrictions to Plot 4 is that it is "closer to" residential property than other plots, yet this same qualification has not been applied to Plot 2 which is closer to other residential property than Plot 4. (Ref; 12/00672/FULL)

Review Point C

Angus Council were advised of the proposed building position on Plot 4 in November 2011. They were also advised that it is an existing building with an internal gantry crane. They are further aware of the intended building use and that desire that nothing should preclude or limit 24/7 use. There is extensive correspondence on this last specific point and the outcome is reflected in the sale Offer as accepted 3rd March 2014.

POSITION STATEMENT

The proposed layout, maximises site utilisation, has good site appeal on entry and provides for the long, narrow and secluded yard space that is most suited to the type of work which ALL OCEANS do.

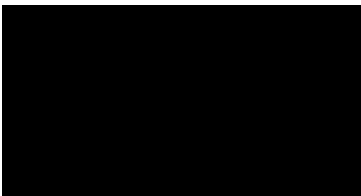
The workshop building has gable access both ends, welfare provision both ends and full access along one side. This layout, including the single storey office building, represents the best use of the site aligned to our needs.

By contrast, the building position (alternative site plan) proposed by Planning as guaranteeing the removal of the restrictions significantly compromises our yard space needs, results in a less appealing entrance and only allows access to one side of the building. This limited access will severely limit the options for an efficient through put of work. Any building on of welfare space will further detract from access to the one accessible wall and options for efficient work throughput will be further reduced. The yard in this instance will be a front yard as opposed to a back yard and have no privacy.

There is little point in pursuing the alternative layout any further. IE; developing welfare spaces, a separate office unit, parking, lorry access and turning, parking space etc.

The utilisation, operational and aesthetic compromises would overwhelm the benefit of having the restrictions removed. It would make more sense to live with the restrictions and put the proposed development on the open market for sale or rent and take the ALL OCEANS business expansion elsewhere.

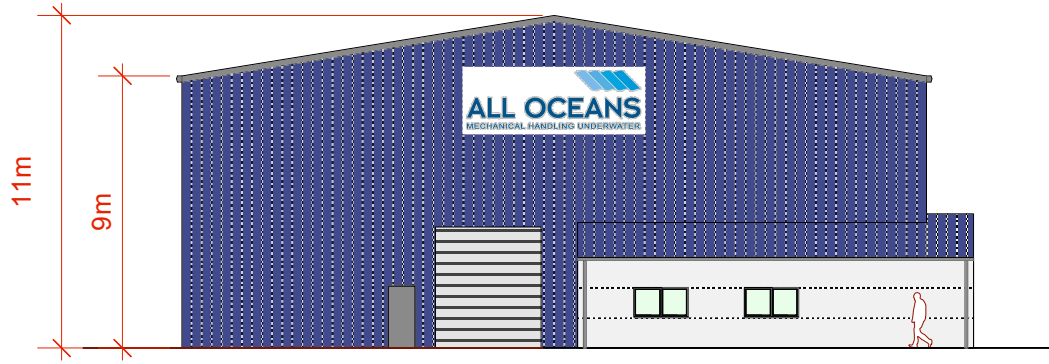
ALL OCEANS Engineering Ltd., appeal to Angus Council to remove the restrictions.



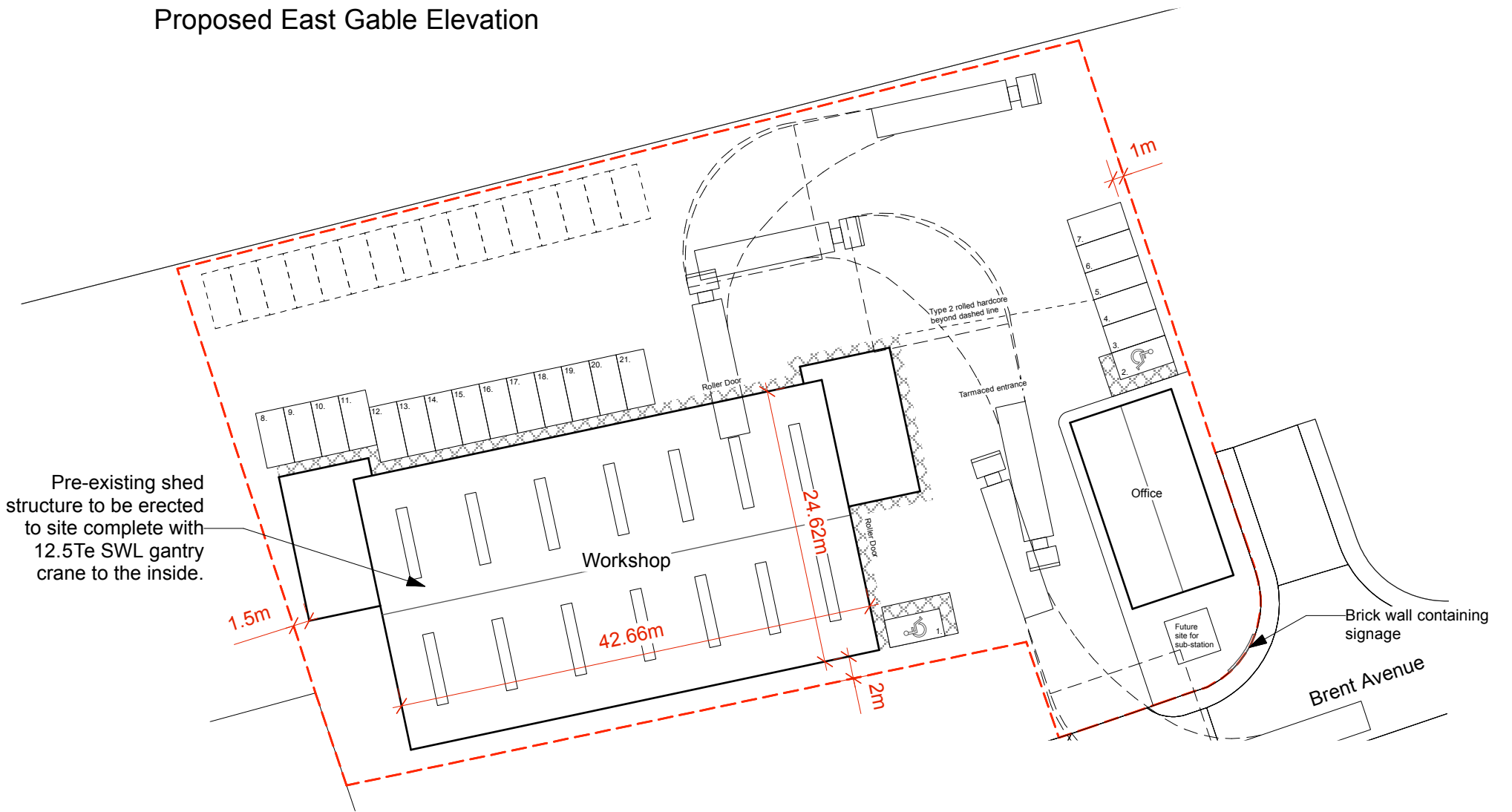
Brian Abel

Managing Director

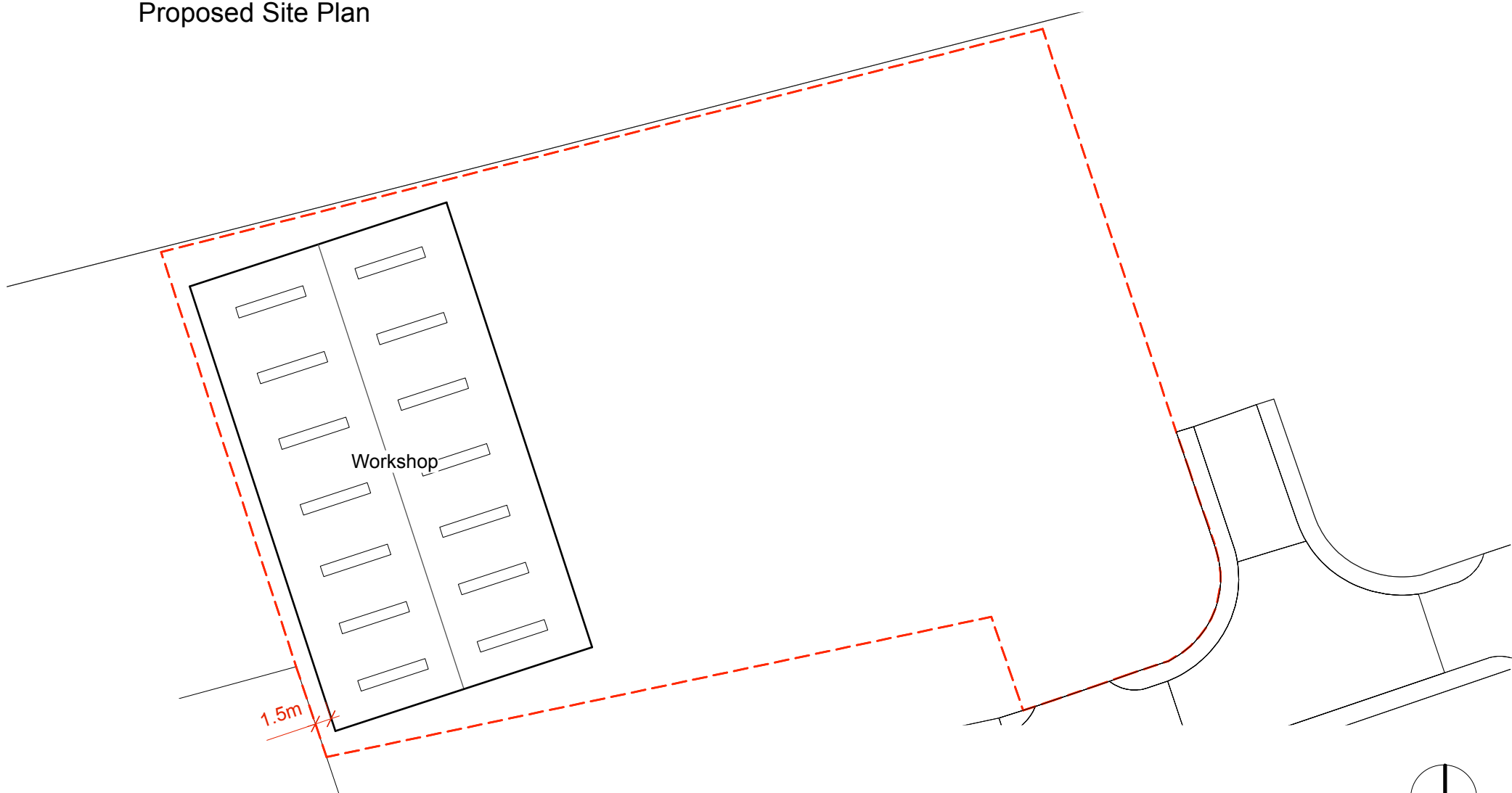
All Oceans Engineering Ltd & AC-CESS Co Uk Ltd



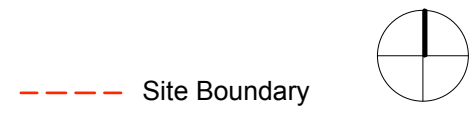
Proposed East Gable Elevation



Proposed Site Plan



Alternative Site Plan



Rev.	Date	Changes

kerry smith architects
 Studio Four 4 John Street Montrose Angus DD10 8LY Tel: 01674 660516 info@kerrysmitharchitects.co.uk

Project: Proposed Workshop	Address: Plot 4, Brent Ave. Montrose	Client: Mr B. Abel	Drawing Title: Site Plan Comparison	Job No. / Stage / Dwg. No. 199/SK/10
Scale: 1:500 @A3	Date: Nov. 2014	Drawn by: E.H.	Checked by: K.S.	Revision:

This drawing is the copyright of kerry smith architects. This drawing is to be read in conjunction with the consultant's drawings, any discrepancies must be referred to the architect. Do not scale off these drawings