

7. **LRB 434** – Notice of Review Against Refusal of Full Planning Permission for Change of Use from Business (Class 4) to Flat (Sui Generis) at 5 Muirskie Grange, Banchory, Aberdeenshire, AB31 6EB – Reference: APP/2018/2093.

(iii) Further Representation submitted by Objectors to Application.

Re: LRB 434 - Notice of Review - APP/2018/2093.

20 November 2018

08:57

Subject	Re: LRB 434 - Notice of Review - APP/2018/2093.
From	Brian Martin
To	Local Review Body Submissions; Frances Brown
Sent	19 November 2018 18:04

Dear Frances

Many thanks for your email and notice of the appeal on refusal of change of use for unit 5 Muirskie Grange.

I have read the documents submitted by the sellers agent and at no point does it address our concerns of privacy. Whereas we also agree with our neighbours on the ongoing viability of the unit as a business facility and the probable impact on property values with the creation of a pseudo bed-sit, it is privacy on our property that has priority. In case you have not been made fully aware the velux windows overlooking our property are full view windows, they overlook and look into both our daughters bedrooms and their bathroom. We know this to be true as the owner granted us access to assess the view. It's clear sight and is of grave concern.

Please take this ongoing objection with the seriousness it deserves.

Please acknowledge this email and your understanding of it's content

Regards

Brian & Lorraine Martin

Sent from my Brian's iPad Pro

Fwd: LRB 434 - Notice of Review - APP/2018/2093.

29 November 2018

20:22

Subject	Fwd: LRB 434 - Notice of Review - APP/2018/2093.
From	Roland Willmott
To	Frances Brown
Cc	Louise Smith; Linda Mobile
Sent	29 November 2018 19:18
Attachments	<<LRB 434 - Letter Consultees and IPs.pdf>>

Frances,

Please accept my apologies for e-mailing you directly regarding this planning appeal but I was unable to post my comments on the Aberdeenshire planning website. Before commenting on the appeal I would just like to comment that the document prepared by the planning officer was a professional piece of work considering all the issues relating to conversion of a commercial property that is sited right in the middle of the Muirskie Grange development.

We live directly opposite The Muirskie Grange Office and this potential conversion has unfortunately been hanging over us for some years. The appeal documentation that has been submitted contains inaccuracies and in our view mistruths.

It is stated that there has been no interest in The Office since it was put on the market in 2010. This is not correct because we made two offers on The Office in December 2012 and March 2013. Prior to making any offer we had the property valued by J&E Shepards and the first offer was made at 40k which was below the valuation, this was rejected. The second was made at 60K which was 10K above the valuation, it was rejected. At that time the Sellers Solicitor indicated the seller wanted a figure around 95K because this is what he paid for the property. I have all records on file if they are required.

Our own experience of trying to purchase this property from the current owner is that it has consistently been marketed way above it's valuation from the time of putting it on the market in 2010. It seems likely the current owner paid above the property valuation near the peak of the Aberdeen market expecting the property value to rise.

This planning application seems to be based solely on the current owner recovering at least his original purchase price. I would contend that the property could have been sold if it had been marketed somewhere near its valuation at any point. The high price it has been marketed at for now 8 years has simply deterred small businesses even before the market downturn. Paying twice the property value is unlikely to make sense for any small business. We did look again at purchasing The Office in 2018 and converting it into garaging, the property value had obviously fallen, it remained significantly over valued and it would make poor garaging. **Please note that we no longer have any interest in buying this property because we are in the process of relocating our main home within Aberdeen.**

In summary the reason for this planning proposal is clearly commercially driven so the current owner can recover funds from what was probably in hindsight a poor commercial

decision at purchase. We do not see why this should be an acceptable basis for granting the planning permission requested.

I have shared the above information as background simply to show the inaccuracies in the planning appeal documentation. The reasons for refusing the planning application remain succinctly stated in the planning officers report.

Regards

Roland Willmott

Planning - 2018/2093 4 Muirskie Grange

04 December 2018

08:16

Subject	Planning - 2018/2093 4 Muirskie Grange
From	[REDACTED]
To	Frances Brown
Cc	Caroline Clark
Sent	03 December 2018 00:26

Dear Frances,

Regarding 2018/2093 4 Muirskie Grange.

Basically our previous response on this matter still stands.

There have been further drawings added to the application since we first responded and one of these seems to be showing that the south facing window on the proposed office will not overlook the front of our house or garden. Since we can plainly see the part of the roof where the window is planned to be from the front of our house and from our garden our previous comments on that stand. We believe we would be overlooked.

We have reviewed the previous planning applications for this property and this raised some queries. We note that in 2015 (2015/3602) it was listed as class 2 'office' and now appears to be class 4 'business'. We didn't see any documents relating to this change. Also wondering about the numbering of the property - we understand it to be number 4 Muirskie Grange and in the current application it is number 5. There is not a 5th property at Muirskie Grange and the previous application which refers to number 4 is the same property.

Current economic conditions and the current asking price may be the reason the office has not sold. We have not seen a for sale sign since we moved here in 2016. There are many residential properties for sale across Aberdeenshire with a selection of new build and older properties available with prices starting around £90k and it seems unlikely that this property will be marketed below that level given the current asking price for it as an office.

Regarding the possibility of the building falling into disrepair, presumably the owner and the owners of the garages under the loft remain responsible for ensuring that the building remains in a reasonable state of repair?

Best regards,

Cathy Simpson and Caroline Clark, 3 Muirskie Grange, Durris, Banchory.

