

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: REV-17-1544 - Planning Application
Date: 27 February 2018 14:29:20
Attachments: [Letter1.pdf](#)
[Letter2.pdf](#)

Dear [REDACTED]

Thank you for your e-mail of 22 February 2018.

We contacted the Service upon receiving your e-mail and highlighted the matter. We were advised that copy of the letter referenced in your e-mail along with the other relevant planning documents are now available online through the following link:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OB0XSBBZG9N00>

We have also attached copies of the two letters dated 20 October 2016 for your quick reference.

Please accept our apologies for any inconvenience and please let us know if you need any further details.

Kind regards
Salomeh

Salomeh Kheyri Rad
Information Compliance Officer

Information Compliance Team
Customer Service
Corporate Governance
Aberdeen City Council
3rd Floor North
Business Hub 17
Marischal College
Broad Street
ABERDEEN AB10 1AQ

foienquiries@aberdeencity.gov.uk

Tel 03000 200 292

*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

www.aberdeencity.gov.uk

Our Ref: 161093/S42
Your Ref
Contact Lucy Greene
Email lgreene@aberdeencity.gov.uk
Direct Dial 01224 522378



20 October 2016

Mark Dellaquaglia
Albyn Architectural Ltd
15 Cranford Road
Aberdeen
UK
AB10 7ND

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 03000 200 292
Fax 01224 523180
Minicom 01224 522381
DX 529452, Aberdeen 9
www.aberdeencity.gov.uk

Dear Mark,

**The Town and Country Planning (Scotland) Act 1997
Detailed Planning Permission,
BOYNE VILLA, Old Stonehaven Road
Change of use from residential to transport depot office and storage/parking of
vehicles. Application Ref: 151878 and
Variation of Condition 1 (transport depot on completion of AWPR) of P151878
to completion of depot with revised safety measures
Application Ref: 161093/S42**

I refer to your our various correspondences to discharge conditions relative to the above consent. I can confirm that in respect of the office use being implemented I have received and agreed all the required information. These conditions are discharged in so far as submissions are required.

Conditions 2, 6, 8 require that certain works are in place on site in order for the use to take place.

Yours faithfully

Daniel Lewis
Development Management Manager

PETE LEONARD
DIRECTOR



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Our Ref: 161093/S42
Your Ref
Contact Lucy Greene
Email lgreene@aberdeencity.gov.uk
Direct Dial 01224 522378



20 October 2016

Mark Dellaquaglia
Albyn Architectural Ltd
15 Cranford Road
Aberdeen
UK
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www.aberdeencity.gov.uk

Dear Sir/Madam

**The Town and Country Planning (Scotland) Act 1997 - Section 42
Section 42 (Variation to Conditions),
Boyne Villa, Old Stonehaven Road
Variation of Condition 1 (transport depot on completion of AWPR) of P151878
to completion of depot with revised safety measures
Application Ref: 161093/S42**

I refer to your correspondence – Drainage Impact Assessment Revision 2 Oct 2016 by Cameron and Ross dated to discharge conditions relative to the above consent. I can confirm that the following conditions are discharged: 8.
It is noted that the DIA follows a phased plan.

Yours faithfully

Daniel Lewis
Development Management Manager

PETE LEONARD
DIRECTOR



From: [Foi Enquiries](#)
To: [REDACTED]
Subject: REV-17-1544 - Planning Application
Date: 15 February 2018 16:08:27
Attachments: [1402261 - Correspondence letter from AWPR - Redacted.pdf](#)

Dear [REDACTED]

Thank you for your emails of 13 February 2018 and 15 February 2018.

After your email of 13 February 2018, we contacted the Planning service to ask if they could confirm that they had provided all information. Unfortunately, they had not. Please see attached and below additional information from the Planning Service in relation to your request.

'Attachment referred to in email of 23.11.16 is a public document.

Attachment referred to in email of 27.10.16 is a public document.

Attachment referred to in email of 17.10.17 and 19.10.16 are public docs (Drainage impact Assessment and comments from Flooding Team)

The remaining attachment relating to foul drainage and letter 230816 I cannot find.'

ACC is unable to provide you with information on **the remaining attachment relating to foul drainage and letter 230816** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

We apologise that you have been inconvenienced by this.

Yours sincerely,

Grant Webster
Information Compliance Officer

FURTHER INFORMATION

If you are not satisfied with the outcome of your request for an internal review, you can apply directly to the Office of the Scottish Information Commissioner (OSIC) for a decision. Generally, OSIC cannot make a decision unless you have been through the ACC's review procedure. To make an application to OSIC, please write or email OSIC at:

The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

www.itspublicknowledge.info

An application to OSIC must be made in writing within six months of receipt of ACC's Review Decision Notice. When applying to OSIC for a decision you should give your name and address for correspondence. Please note that OSIC will not be able to investigate if you have not used your real name to make your information request. You must also specify:

- which request for information your requirement for review relates to
- the reason that you asked ACC to carry out a review of your request
- the reason why you are not satisfied with ACC's review outcome decision

The Commissioner will contact ACC and invite its comments on your application. Thereafter (if no settlement has meantime been reached), the Commissioner must reach a decision within 4 months of receiving your application, or within such other period as is reasonable. You will receive written notice of the outcome of the Commissioner's decision.

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of the decision has been issued.

Information Compliance Team
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Aberdeen City Council
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Business Hub 17
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Tel 03000 200 292

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www.aberdeencity.gov.uk



Our ref: [REDACTED]
Your ref:

**Aberdeen Western Peripheral Route
Construction Joint Venture**

Date: 29th July 2016

Site Offices
Mains of Ury
Stonehaven
Aberdeenshire
AB39 3QA

Burness Paul LLP
Union Plaza, 1 Union Wynd,
Aberdeen
AB10 1DC

Tel: 01224 [REDACTED]

Contact: [REDACTED]

For the attention of: [REDACTED]

Dear Sirs

ABERDEEN WESTERN PERIPHERAL ROUTE / BALMEDIE - TIPPERTY

Traffic Management Proposals A956 / U166K Old Stonehaven Road

We write to advise you that we have undertaken preliminary discussions with our traffic management Consultees (Aberdeen City, Aberdeenshire Council, Bear and Transport Scotland) regarding our proposed temporary traffic management layout at the above location.

Our proposals will maintain the A956 W/B right turn onto the U166K Old Stonehaven Road by utilising a temporary filter.

Our proposals will require the U166K Old Stonehaven Road right turn onto the A956 W/B to be suspended for the duration of our works, as we will be unable to maintain a safe central reserve refuge for right turning vehicles due to the adjacent reconstruction works.

These preliminary consultation have obtained a general agreement in principle to progress as above and are currently finalising our detailed traffic management schemes to go to formal Consultation. We see no reason why our current proposal will be rejected by the Consultees and we propose to implement the above temporary traffic management layout following final sign off and compliance with the necessary notice periods. We currently expect the scheme to be implemented October 2016 and to be retained until the final AWPR junction with signalised layout is implemented in November 2017.

For your information, we attach a marked up sketch showing the diversion route along with outline traffic management phasing drawings for Charleston.

Thank you

Approved for signature on behalf of Burness Paul LLP

Burness Paul LLP
10, Leith Walk
Edinburgh
EH6 9AT
Tel: 0131 551 1000

Burness Paul LLP
10, Leith Walk
Edinburgh
EH6 9AT
Tel: 0131 551 1000

Construction Joint Venture Ltd
2, Forthside Place
Edinburgh
EH6 9AT
Tel: 0131 551 1000

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: REV-17-1544 - Planning Application
Date: 13 February 2018 08:15:00
Attachments: [REV-17-1544 - 1147655-Ack ltr Catch-all With Fee Receipt_Redacted.pdf](#)
[REV-17-1544 - 1401209-Other-Redacted.pdf](#)
[REV-17-1544 - Email of 23.11.16 27.10.16 - ref 161093 S42_Redacted.pdf](#)
[REV-17-1544 - Emails 9.10.11.16_Redacted.pdf](#)
[REV-17-1544 - Emails 17.10.16 - 20.10.16_Redacted.pdf](#)

Dear [REDACTED]

I refer to your email requesting that Aberdeen City Council (ACC) review its handling of your request which was received on 15 January 2018

We contacted the service and asked them to search again for information held that fell within the scope of your request. Please find attached additional information found and please accept our sincere apologies that this was not provided to you in our first response.

Planning Application - ref: P161164 for shed and ref: P151878 for change of use

Can I ask, under the legislation, for the following:

a) All records (phone calls, e-mails, letters etc) between the planning department and the owner, CF Jennings Ltd, BOYNE VILLA, Old Stonehaven Road, Charleston, Nigg.

b) All records (phone calls, e-mails, letters etc) between the planning department and the owners agents Albyn Architectural and Burness Paull LLP

To clarify, the heading to my request refers to Planning Applications ref: P161164 for shed and ref: P151878 for change of use. These were registered with planning August 2016 and December 2015 respectively.

There will be no correspondence prior to these dates that would clarify planning's stated current progress on the implementation of planning conditions with respect to the site of interest.

These would be the start dates for my request.

Aberdeen City Council (ACC) has completed the necessary search for the information requested.

Please see attached.

Please note that third party names and personal details, as well as the names of ACC Officers who are below Head of Service level have been redacted (blacked out) from the attached correspondence. This is because ACC considers that this information is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with Regulation 11(3)(a)(i) – Personal Information - of the EIRs.

In making this decision ACC considered the following points:

ACC is of the opinion that Regulation 11(2) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is not the data subject.

ACC is of the opinion that Regulation 11(3)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully) and second Data Protection Principle (personal information must only be processed for a specific and lawful purpose). ACC Officers who are below Head of Service level and third parties named within the attached document would not expect ACC to release this information about them into the public domain under the EIRs (or the Freedom of Information (Scotland) Act 2002 (FOISA)).

We hope this helps with your request.

Yours sincerely,

Grant Webster
On behalf of Review Panel Clerk

FURTHER INFORMATION

If you are not satisfied with the outcome of your request for an internal review, you can apply directly to the Office of the Scottish Information Commissioner (OSIC) for a decision. Generally, OSIC cannot make a decision unless you have been through the ACC's review procedure. To make an application to OSIC, please write or email OSIC at:

The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
www.itspubliknowledge.info

An application to OSIC must be made in writing within six months of receipt of ACC's Review Decision Notice. When applying to OSIC for a decision you should give your name and address for correspondence. Please note that OSIC will not be able to investigate if you have not used your real name to make your information request. You must also specify:

- which request for information your requirement for review relates to
- the reason that you asked ACC to carry out a review of your request
- the reason why you are not satisfied with ACC's review outcome decision

The Commissioner will contact ACC and invite its comments on your application. Thereafter (if no settlement has meantime been reached), the Commissioner must reach a decision within 4 months of receiving your application, or within such other period as is reasonable. You will receive written notice of the outcome of the Commissioner's decision.

Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of the decision has been issued.

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Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

www.aberdeencity.gov.uk

Our Ref. LCG/P151878[ZAD]
Your Ref.
Contact [REDACTED]
Email pi@aberdeencity.gov.uk
Direct Dial 01224 52 [REDACTED]
Direct Fax 01224 523180



17/12/2015

Ken Mathieson Architectural Design Ltd
Mansard House
15 Oldmeldrum Road
Bucksburn
Aberdeen
AB21 9AD

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

Tel 01224 523470
Fax 01224 523180
Minicom 01224 522381
DX 529452, Aberdeen 9
www.aberdeencity.gov.uk

Dear Sir/Madam

The Town and Country Planning (Scotland) Act 1997
Acknowledgement of application,
BOYNE VILLA, Old Stonehaven Road, Charleston, Nigg
Change of use from residential to transport depot office and storage/parking of
vehicles.
Application Ref: P151878 (to be quoted on all future correspondence)

Your application dated 3 December 2015 was registered as valid on 3 December 2015. The case officer is [REDACTED] who can be contacted on 01224 52 [REDACTED]. If this application required a fee and you have not already received a receipt for £401.00, being the fee paid to this authority for processing, this letter acts as such and should be retained for your records.

Please note that, in terms of Regulation 20 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, it has been found necessary for the Council to advertise the application in the local press for a period of 14 days because it has not been possible for the planning authority to carry out notification of all neighbours because there are no premises situated on neighbouring land to which notification can be sent.

In these circumstances the applicant is responsible for the cost of publishing the notice. I should be grateful therefore if you would forward a fee of £65 to cover the cost of the advertisement. **Please note that the Regulations specify that this fee**

Pete Leonard
DIRECTOR



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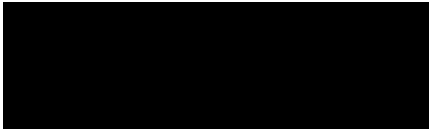
must be paid within 21 days and that the Council cannot determine the application until this sum has been paid.

Cheques should be made payable to Aberdeen City Council

If you have any queries about any fee that may be due or the method of payment then you should contact the Application Support Team on 523470.

Any queries about the progress of the application and the likely recommendation or time periods should be directed to the case officer at the telephone number at the top of this letter.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Development Management Manager

Our Ref: 161164/DPP
Your Ref
Contact [REDACTED]
Email [REDACTED]@aberdeencity.gov.uk
Direct Dial 01224 52 [REDACTED]



19 August 2016

[REDACTED]
Albyn Architectural Ltd
15 Cranford Road
Aberdeen
UK
AB10 7ND

Planning and Sustainable
Development
**Communities, Housing and
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Aberdeen City Council
Business Hub 4
Ground Floor North
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Tel 03000 200 292
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DX 529452, Aberdeen 9
www.aberdeencity.gov.uk

Dear Sir/Madam

**The Town and Country Planning (Scotland) Act 1997
Acknowledgement of Detailed Planning Permission,
Boyne Villa, Charleston
Erection of storage shed with associated car parking
Application Ref: 161164/DPP (to be quoted on all future correspondence)**

Your application dated 9 August 2016 was registered as valid on 11 August 2016. The case officer is [REDACTED] who can be contacted on 01224 52 [REDACTED]. If you have not already received a receipt for £2807, being the fee paid to this authority for processing the application, this letter acts as such and should be retained for your records.

Please note that, in terms of Regulation 20(2)(a) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, it has been found necessary for the Council to advertise the application in the local press for a period of 14 days because it has not been possible for the planning authority to carry out notification of all neighbours because there are no premises situated on neighbouring land to which notification can be sent.

In these circumstances the applicant is responsible for the cost of publishing the notice and is required to forward a fee of £65 to cover the cost of the advertisement. **Please note that the Regulations specify that this fee must be paid within 21**

PETE LEONARD
DIRECTOR



days and that the Council cannot determine the application until this sum has been paid.

Any queries on the method of payment of any fee due can be directed to the Application Support Team on 01224 523470. Please make cheques payable to Aberdeen City Council.

If you have not received the formal decision notice by 10 October 2016 and have not agreed, in writing, to extend the decision period; you may appeal a non-determination of the application within a further 3 months of 10 October 2016, unless the planning authority has referred the application to the Scottish Ministers.

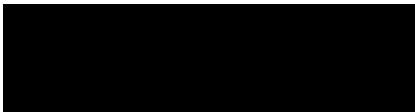
Appeals for non determination can be made to either:

- The Local Review Body of Aberdeen City Council - if the application is to be determined under Delegated Powers;
- or**
- The Scottish Government Directorate of Planning and Environmental Appeals - if the application is to be determined by the Planning Development Management Committee of Aberdeen City Council.

All appeals can be made via www.eplanning.scot. Please contact the case officer to establish which appeal route should be taken.

Any queries about the progress of the application and the likely recommendation or time periods should be directed to the case officer.

Yours faithfully



Development Management Manager

From: [REDACTED] [mailto:[REDACTED]@albynarchitectural.com]

Sent: 23 November 2016 10:47

To: [REDACTED]

Cc: [REDACTED]

Subject: 161093/S42 - Boyne Villa, Charleston

Morning [REDACTED]

Re. D016 – Proposed Change of Use, Boyne Villa, Charleston – Planning ref 161093/S42

Please see attached completion notice for the works pertaining to phase 1 of the works, specifically those required by the conditions to be completed to enable use of the site as an office.

Those conditions, as per your letter to the client dated 27/07/16, were approval of details in relation to landscaping, trees, cycle and motorcycle parking, surface water drainage and a green transport plan.

In addition, in your letter to me on 20/10/2016, you also confirmed that conditions 2, 6 and 8 required certain works to be completed on site – pedestrian access (2), cycle parking (6) and the surface water drainage (8), and I would add that condition 8 would be phase 1 in relation to office use only. I have attached photos from the client regarding each, these can be inspected on site.

I would be grateful if you could confirm acceptance in writing in order that the client may instruct the lawyers that they can commence with completion of the site purchase deal.

If there are any issues which you require clarified in advance of issuing a letter, please advise at your earliest opportunity.

Kind regards

[REDACTED]



ALBYN ARCHITECTURAL LTD
DESIGN · BUILD · MANAGE

15 Cranford Road · Aberdeen · AB10 7ND · T: [REDACTED]

Registered in Scotland SC523291

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PLEASE SAVE PAPER!

From: [REDACTED] [mailto:[REDACTED]@albynarchitectural.com]
Sent: 27 October 2016 14:43
To: [REDACTED]
Subject: P161093 - Boyne Villa - Initiation of Development

Hi [REDACTED]
Re: P161093 - Boyne Villa - Initiation of Development

Just when we thought it was all over...

The lawyers now state they require a completion certificate covering the change of use, in order to satisfy Revenue Scotland that the land deal will be completed under a commercial use banner (ie just the office part of the approval).

Therefore, please find attached notice of initiation of development for your records. I would expect it's not technically required, however once [REDACTED] has the stage one drainage in place I will then submit a completion form stating that the works required to purify the conditions relating to stage one (office use only) have been completed.

I would appreciate you clarifying whether any follow up confirmation from ACC is issued thereafter, ie do you issue a completion certificate, and also whether you think there are any issues with submitting a partial completion for an interim stage.

Note this is also relevant to application P151878, please let me know if you require an additional form with that reference number or whether P161093 fully supersedes that approval doc.

Kind regards

[REDACTED]



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Registered in Scotland SC523291

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From: [REDACTED]
Sent: 10 Nov 2016 09:26:47 +0000
To: [REDACTED]; [REDACTED] ([REDACTED]@albynarchitectural.com)
Subject: RE: Boyne Villa 161164/DPP

[REDACTED], [REDACTED],

This is where things stand on a quick overview:

- a) Comments from Roads Team awaited – I will chase. I note that parking numbers have reduced by 8no spaces, although note the overspill. I am unsure how this sits with the parking standards.
- b) Comments from Flooding Team are online – information required
- c) No comments from AWPR Team nor Trunk Roads Team
- d) Landscaping should be indicated along the northern boundary of the site, especially as the carparking is to be relocated. Although this could be conditioned, the plans should indicate that this is possible given the layout.
- e) Landscaping to be indicated to extend up to and around the detention basin, in order to provide screening of the site from Old Stonehaven Road
- f) In order to fully assess the visual impact of the shed, please could you provide a plan showing levels of the ffl of the shed and road level ?
- g) Dependent on the above, consideration of colours of shed, muted greens are suggested, in particular. However, I'd like to reserve judgement until I see the levels.

Happy to discuss

[REDACTED]

Senior Planner(Development Management)

Direct Dial: 01224 52 [REDACTED]

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

Customer Contact Line: 03000 200 292

[mailto:\[REDACTED\]@aberdeencity.gov.uk](mailto:[REDACTED]@aberdeencity.gov.uk)

Website: www.aberdeencity.gov.uk/planningapplications

Please provide feedback: <http://www.aberdeencity.gov.uk/customerfeedback>

From: [REDACTED] [mailto:[REDACTED]@burnesspaull.com]

Sent: 09 November 2016 12:43

To: [REDACTED]

Subject: Boyne Villa

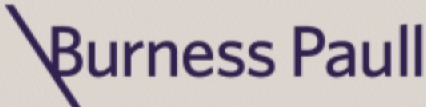


Hi [REDACTED],

I was just wondering if you were able to give us an update on how things are going with determining the warehouse application for Boyne Villa. [REDACTED] was expecting a determination round about now and has asked me to check that things are still on track.

Thanks.

Director
Burness Paull LLP

Direct Dial: +44 (0)1224
Mobile: +44 (0)
Email: @burnesspaull.com

	<p>Aberdeen Edinburgh Glasgow</p> <p>Burness Paull LLP Union Plaza, 1 Union Wynd, Aberdeen AB10 1J 50 Lothian Road, Festival Square, Edinburgh E1 120 Bothwell Street, Glasgow G2 7JL T +44 (0)1224 222222 www.burnesspaull.com</p>		 <p>Official Leg to Scottish</p>
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From: [REDACTED]
Sent: 20 October 2016 08:41
To: [REDACTED]
Cc: [REDACTED]; [REDACTED]
Subject: RE: Idox EDRMS: Document 1416021

Hi [REDACTED],
I'll give [REDACTED] a call today.
[REDACTED]

From: [REDACTED] [[mailto:\[REDACTED\]@albynarchitectural.com](mailto:[REDACTED]@albynarchitectural.com)]
Sent: 19 October 2016 14:44
To: [REDACTED]
Subject: Re: Idox EDRMS: Document 1416021

Hi [REDACTED]
This is the staged plan, as per our email discussion.
I'm on holiday at the moment, but as far as I know this has not been discussed with [REDACTED].

I've got the lawyer chasing me again today, how long do you think it might take to get this condition discharged? (This is the final condition stopping use as an office - as per your letter to [REDACTED] on 17/7).

Thanks again for your help sorting this out!

Best regards
[REDACTED]

[REDACTED] | Design:Build:Manage | Albyn Architectural | t: 01224 [REDACTED] / 07469
[REDACTED]

On 19 Oct 2016, at 04:16, [REDACTED] <[\[REDACTED\]@cameronross.co.uk](mailto:[REDACTED]@cameronross.co.uk)> wrote:

[REDACTED],

Following your e-mail on the 17/10/16 regarding the drainage at the above site, please find attached a copy of our revised DIA and see our responses to your comments below.

- Discharge rate of 5l/s has been made reference to in the report as requested.
- We have revised sections 6 and 7 for more clarity.
- We have included a section on overland flow within the report and revised the drawing to suit.
- The surface water proposals section within the report has been revised to clarify each stage of treatment for the site.

We hope the above is now satisfactory and can be progressed, however if you have any queries or comments please do not hesitate to contact us.

Kind Regards,

██████████.
Civil Engineering Project Technician

<image001.jpg>

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From: ██████████@aberdeencity.gov.uk [mailto:██████████@aberdeencity.gov.uk]
Sent: Monday, October 17, 2016 3:33 PM
To: ██████████@albynarchitectural.com
Cc: ██████████ ██████████@cameronross.co.uk>
Subject: Idox EDRMS: Document 1416021

██████████, ██████████,
Please find attached, comments from the Flooding team. If you would like to speak direct to ██████████ ██████████, the Team Leader he is available on: office number is 01224 522 ██████████ if he is not logged on then it should go direct to his mobile but if not ██████████.
██████████

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<DIA Rev 2.pdf>

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-1544 - Planning Application
Date: 21 December 2017 08:32:37
Attachments: [Further Information - Right to Review & Appeal.pdf](#)
[EIR-17-1544 Email 1 Redacted.pdf](#)
[EIR-17-1544 Email 2 Redacted.pdf](#)
[EIR-17-1544 Email 3 Redacted.pdf](#)
[EIR-17-1544 Email 4 Redacted.pdf](#)
[EIR-17-1544 Email 5 Redacted.pdf](#)
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[EIR-17-1544 Email 33 Redacted.pdf](#)
[EIR-17-1544 Email 34 Redacted.pdf](#)

Dear [REDACTED]

Thank you for your information request of 25 October 2017, extension granted on 17 November 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

Planning Application - ref: P161164 for shed and ref: P151878 for change of use

Can I ask, under the legislation, for the following:

a) All records (phone calls, e-mails, letters etc) between the planning department and the owner, CF Jennings Ltd, BOYNE VILLA, Old Stonehaven Road, Charleston, Nigg.

b) All records (phone calls, e-mails, letters etc) between the planning department and the owners agents Albyn Architectural and Burness Paull LLP

To clarify, the heading to my request refers to Planning Applications ref: P161164 for shed and ref: P151878 for change of use. These were registered with planning August 2016 and December 2015 respectively.

There will be no correspondence prior to these dates that would clarify planning's stated current progress on the implementation of planning conditions with respect to the site of interest.

These would be the start dates for my request.

Please see attached. There are 72 emails in total which fall within the scope of your request. As such, I will send them to you in multiple emails.

Please note that third party names and personal details, as well as the names of ACC Officers who are below Head of Service level have been redacted (blacked out) from the attached correspondence. This is because ACC considers that this information is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with Regulation 11(3)(a)(i) – Personal Information - of the EIRs.

In making this decision ACC considered the following points:

ACC is of the opinion that Regulation 11(2) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is not the data subject.

ACC is of the opinion that Regulation 11(3)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully) and second Data Protection Principle (personal information must only be processed for a specific and lawful purpose). ACC Officers who are below Head of Service level and third parties named within the attached document would not expect ACC to release this information about them into the public domain under the EIRs (or the Freedom of Information (Scotland) Act 2002 (FOISA)).

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

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*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

www.aberdeencity.gov.uk

We wish to advise you that the information which was released with this response is too large to be uploaded to our disclosure log. If you are interested in viewing the attachment, please contact us at foienquiries@aberdeencity.gov.uk, quoting the appropriate reference number, and we will provide you with a copy.