

**TCP/11/16(607) – 18/02103/FLL - Extension to
dwellinghouse, The Lodge, Balruddery, Invergowrie,
Dundee, DD2 5LH**

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**TCP/11/16(607) – 18/02103/FLL - Extension to
dwellinghouse, The Lodge, Balruddery, Invergowrie,
Dundee, DD2 5LH**

**PAPERS SUBMITTED
BY THE
APPLICANT**



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.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 100144127-002

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:	ARKTX		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Fraser	Building Name:	
Last Name: *	Middleton	Building Number:	187
Telephone Number: *	01382 831557	Address 1 (Street): *	Strathmartine Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Dundee
Fax Number:		Country: *	Scotland
		Postcode: *	DD3 8BL
Email Address: *	enquiries@arktx.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"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="c/o Richmond & Co"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="26"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Commercial Street"/>
Company/Organisation	<input type="text" value="Jaspar Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Dundee"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="DD1 3EJ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Perth and Kinross Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="THE LODGE"/>
Address 2:	<input type="text" value="BALRUDDERY"/>
Address 3:	<input type="text" value="INVERGOWRIE"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DUNDEE"/>
Post Code:	<input type="text" value="DD2 5LH"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="732598"/>	Easting	<input type="text" value="328961"/>
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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)

Proposed 1.5 storey extension to North elevation

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.

Please refer to the attached 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)

1002-LOCA, 001A, 002, 003, 004B, 005, 006, 007, 008, DECISION NOTICE, HOUSEHOLDER APPLICATION, REPORT OF HANDLING & APPEAL

Application Details

Please provide details of the application and decision.

What is the application reference number? *

18/02103/FLL

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

19/11/2018

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

05/03/2019

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: Mrs Jennifer Middleton

Declaration Date: 03/06/2019

Extension to Dwelling house
The Lodge, Balruddery, Invergowrie, Dundee, DD2 5LH
Application Ref 18/02103/FLL
Jaspar Ltd

Application Refused 5th March 2019

Planning Permission was sought for the construction of a 1.5 storey extension to provide a gymnasium, shower room, sauna and swimming pool with associated plant room at ground floor level and 2 No guest bedrooms, one with an en-suite above. The extension is to the North Elevation of the existing house and will link to the West elevation of the existing garage to connect both buildings.

Reason for Refusal

1. Insufficient details have been submitted to verify that decontamination measures have been implemented of that anything in this regard has been submitted to the Planning Authority in respect of Condition 4 of planning application 13/02219/AML. As a consequence a full complete assessment cannot be undertaken for this current application, against the Local Development Plan, in particular Policy EP12.
2. Insufficient details have been submitted to demonstrate fully that the existing private water supply(s)/infrastructure, which currently serve existing residential properties, would not be adversely affected by the operation of the swimming pool. The proposal therefore has the potential to adversely affect the residential amenity enjoyed by the occupiers(s) of the existing properties by virtue of potentially compromising their private water supply(s). As a consequence a full and complete assessment cannot be undertaken for this current application, against the Local Development Plan, in particular Policy PM1A.

Policy EP12

The Council's first priority will be to prevent the creation of new contamination

Consideration will be given to proposals for the development of contaminated land, as defined under Part 11A, Section 78A(2) of the Environmental Protection Act 1990, where it can be demonstrated to the satisfaction of the Council that appropriate remediation measures can be incorporated in order to ensure the site/land is suitable for the proposed use and in order to ensure that contamination does not adversely affect the integrity of a European designated site(s).

Informal pre-application discussions should take place at the earliest opportunity between the Council and the developer and any other interested parties in order to help identify the nature, extent and type(s) of contamination on site (including any source, pathways, receptor links) and the most appropriate means of remediation. The Council may attach conditions to the granting of planning consent to ensure that these remediation measures have been completed prior to the commencement of any works on site and/or the occupation of any new units. The Council will adopt the "suitable for use" approach as advocated by Scottish Government Statutory Guidance when dealing with proposals for the development of contaminated land.



Policy PM1A

Development must contribute positively, to the quality of the surrounding built and natural environment. All development should be planned and designed with reference to climate change, mitigation and adaptation.

The design, density and siting of development should respect the character and amenity of the place, and should create and improve links within and, where practical, beyond the site. Proposals should also incorporate new landscape and planting works appropriate to the local context and the scale and nature of the development

In response to the Reasons for Refusal;

Reason 1:

Each and every Planning application must by law be treated individually and impartially. This reason for Refusal breaches both of these statutory requirements. The reason for Refusal specifically refers to a separate Approved application (13/02219/AML) and refers to a Condition attached to that Application. This is a separate application and must be treated as such.

The Reason states that a *'full complete assessment cannot be undertaken'* and yet the contamination it is referring to was on a small, very limited, very specific piece of land outwith the proposed area for development. This land had previously had a farm building on it therefore the footprint of the previously, mildly contaminated area was clearly defined. This is outwith the proposed development area. All contamination was removed during the construction process as required by the Condition. (The Contractor is to confirm where this was disposed of). The overall site no longer has any contamination located within it. This was established within the Engineers Any issue regarding contamination of a small, defined area within Application Ref No 13/02219/AML should be referred to and dealt with through that Application. We had received no such correspondence from Perth and Kinross Planning prior to this current application being made. The area of contamination does not relate to the current proposed development. We are currently pursuing the Contractor to formally substantiate the location of discharge of contamination and this will be dealt with through the appropriate application (13/02291/AML) and will be responded to accordingly.

Reason 2:

This reason shows an ignorance to the technical operation of a domestic sized swimming pool, its construction and its ongoing operational process when it refers to *'the potential to adversely affect the residential amenity enjoyed by the occupier(s) of the existing properties by virtue of potentially compromising their water supplies'*. The Applicants house must be included in this and as the Applicant has a very much vested interest in this will undoubtedly seek to protect their own fresh water supply. Once a pool tank has been filled (whether through a carefully monitored input from the water supply or by tanker) the plant only requires a minimal topping up very occasionally. It is interesting to note that although the fire-fighting pond which was required to serve this house exceeds the volume required by the proposed swimming pool no such concern was raised by Planning Service for this mandatory feature. It is much more likely that the fire-fighting pond will require to be topped up

due to evaporation than there is of the swimming pool in its thermally controlled environment requiring a significant replenishment from the water supply. Testing of the water supply had already been established and we would refer to water supply submissions ('High Water' report; dated 11th June 2013) lodged with the Application Ref No 13/02219/AML which clearly states that; *'HighWater undertook a yield test of the borehole in May of 2013 and confirmed the sustainable yield to be approximately 3600litres/hour, amply sufficient for supporting an additional new house'*. We would contend that a supply of 3600litres/hour is indeed amply sufficient for the house and current proposals.

On Page 7 of the 'Report of Handling' the Planning Officer admits that: *'Overall I have no concerns over the scale, design or visual amenity of the proposal. The overall building form, layout, finishing materials and existing landscaping is such that the proposal can be satisfactorily absorbed into the existing landscape framework, with no immediate adverse visual impact. Whilst I acknowledge the proposed extension is extensive in footprint, the scale and design recognises and respects the form of the existing building. Furthermore, the proposal is proportionate with the land available and relates to the scale of the overall building group and curtilage'*. We would therefore contend that there are no design issues.

It appears that this sole reason for Refusal has been given over technical details that could easily be Conditioned and 'proved' during the technical design process. During the technical design and Building Warrant process we will be required to substantiate water supply and drainage requirements so there is ample opportunity to address this concern at that time. All matters relating to this building will be dealt with by suitably qualified technical experts at the appropriate time (land and structural engineers/pool plant designers/Scottish Water/SEPA/etc.) and it will be proved once the designs have been completed that the supply would indeed exceed any potential demand. There are no other reasons for Refusal (Reason 1 being related to a previous and separate application). This is a Householder Application for a small domestic scale swimming pool. It is an extension of an existing house and will not compromise the existing amenity/water supply of the applicant or their neighbours.

We request that the Local Review Body supports this Appeal as any concern over water supply will be ably demonstrated by experts during the mandatory Building Warrant process. This information will then subsequently inform the Planning process (we need to inform Planning Service when commencing works on site) and the Applicant has no issue with this being made a formal Condition that requires to be respected prior to any works commencing on site.

Please do not hesitate to contact this office should you require any additional information or wish to discuss this matter further.

Yours Faithfully


Fraser Middleton FRIAS RIBA
MA Town and Country Planning
B. Arch (hons).

PERTH AND KINROSS COUNCIL

Jaspar Ltd
c/o ARKTX
Kylie McColl
187 Strathmartine Road
Dundee
DD3 8BL

Pullar House
35 Kinnoull Street
PERTH
PH1 5GD

Date 5th March 2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT

Application Number: **18/02103/FLL**

I am directed by the Planning Authority under the Town and Country Planning (Scotland) Acts currently in force, to refuse your application registered on 23rd November 2018 for permission for **Extension to dwellinghouse The Lodge Balruddery Invergowrie Dundee DD2 5LH** for the reasons undernoted.

Interim Development Quality Manager

Reasons for Refusal

1. Insufficient details have been submitted to verify that decontamination measures have been implemented or that anything in this regard has been submitted to the Planning Authority in respect of Condition 4 of planning application 13/02219/AML. As a consequence a full and complete assessment cannot be undertaken for this current application, against the Local Development Plan, in particular Policy EP12.
2. Insufficient details have been submitted to demonstrate fully that existing private water supply(s)/infrastructure, which currently serves existing residential properties, would not be adversely affected by the operation of the swimming pool. The proposal therefore has the potential to adversely affect the residential amenity enjoyed by the occupier(s) of the existing properties by virtue of potentially compromising their private water supply(s). As a consequence a full and complete assessment cannot be undertaken for this current application, against the Local Development Plan, in particular Policy PM1A.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

The plans relating to this decision are listed below and are displayed on Perth and Kinross Council's website at www.pkc.gov.uk "Online Planning Applications" page

Plan Reference

18/02103/10

18/02103/11

18/02103/12

18/02103/4

18/02103/5

18/02103/6

18/02103/7

18/02103/8

18/02103/9

REPORT OF HANDLING

DELEGATED REPORT

Ref No	18/02103/FLL	
Ward No	P1- Carse Of Gowrie	
Due Determination Date	22.01.2019	
Case Officer	Gillian Peebles	
Report Issued by		Date
Countersigned by		Date

PROPOSAL: Extension to dwellinghouse

LOCATION: The Lodge Balruddery Invergowrie Dundee
DD2 5LH

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 10 January 2019

SITE PHOTOGRAPHS





BACKGROUND AND DESCRIPTION OF PROPOSAL

The application site relates to a detached dwellinghouse of modern construction on a former farm building site at Redmyre Farm, Invergowrie. The property has an L shaped layout. centrally located within the site occupying an approximate footprint of 305 square metres. It has a separate garage block to the north which forms a courtyard with the dwellinghouse. The dwellinghouse is 1.5 storeys and has a mixture of both traditional and contemporary elements.

Full planning consent is sought to extend the dwellinghouse over 2 levels. The extension will tie into both the dwellinghouse and garage and will provide a gymnasium, shower room, sauna and swimming pool with associated plant room at ground level with 2 guest bedrooms, one with an en-suite, above.

It should be noted at the time of my site visit that garden ground has been extended into adjoining land which was not the subject of 13/02219/AML for the erection of the dwellinghouse and as such requires a change of use.

It was also noted that an outbuilding has been erected within this land for which an application will also be required. The red line site boundaries for this application did not tie up with the 2013 application also, however, these have now been amended. The agent has confirmed a further application will be submitted in due course for the change of use.

Following an initial assessment the agent was recommended to withdraw the application however this has not been forthcoming.

SITE HISTORY

11/00792/IPL	Erection of a dwellinghouse (in principle) (Application Approved)
13/02219/AML	Erection of dwellinghouse and garage (approval of matters specified in conditions) (Application Approved)

PRE-APPLICATION CONSULTATION

Pre application Reference: N/A

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2014 – Adopted February 2014

The Local Development Plan is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy PM1A - Placemaking

Development must contribute positively to the quality of the surrounding built and natural environment, respecting the character and amenity of the place. All development should be planned and designed with reference to climate change mitigation and adaption.

Policy PM1B - Placemaking

All proposals should meet all eight of the placemaking criteria.

Policy EP12 – Contamination Land

The creation of new contamination will be prevented. Consideration will be given to proposals for the development of contaminated land where it can be demonstrated that remediation measures will ensure the site / land is suitable for the proposed use.

Policy NE2B - Forestry, Woodland and Trees

Where there are existing trees on a development site, any application should be accompanied by a tree survey. There is a presumption in favour of protecting woodland resources. In exceptional circumstances where the loss of individual trees or woodland cover is unavoidable, mitigation measures will be required.

Proposed Perth and Kinross Local Development Plan 2 (LDP2)

Perth & Kinross Council is progressing with preparation of a new Local Development Plan to provide up-to-date Development Plan coverage for Perth & Kinross. When adopted, the Perth & Kinross Local Development Plan 2 (LDP2) will replace the current adopted Perth & Kinross Local Development Plan (LDP). The Proposed Local Development Plan 2 (LDP2) was approved at the Special Council meeting on 22 November 2017.

The representations received on the Proposed LDP2 and the Council's responses to these were considered at the Special Council meeting on 29 August 2018. The unresolved representation to the Proposed Plan after this period is likely to be considered at an Examination by independent Reporter(s) appointed by the Scottish Ministers, later this year. The Reporter(s) will thereafter present their conclusions and recommendations on the plan, which the Council must accept prior to adoption. It is only in exceptional circumstances that the Council can elect not to do this.

The Proposed LDP2 represents Perth & Kinross Council's settled view in relation to land use planning and as such it is a material consideration in the determination of planning applications. It sets out a clear, long-term vision and planning policies for Perth & Kinross to meet the development needs of the area up to 2028 and beyond. The Proposed LDP2 is considered consistent with the Strategic Development Plan (TAYplan) and Scottish Planning Policy (SPP) 2014. However, the outcome of the Examination could potentially result in modifications to the Plan.

As such, currently limited weight can be given to its content where subject of a representation, and the policies and proposals of the plan are only referred to where they would materially alter the recommendation or decision.

OTHER POLICIES

None.

INTERNAL CONSULTATION RESPONSES

Development Negotiations Officer – none required.

Environmental Health (Contaminated Land) - Contaminated Land are unable to comment at this stage as it was identified previously (13/02219/AML) that there was contaminated land present and actions were required. I cannot locate any verification that appropriate actions were undertaken at the time. Once verification is received Contaminated Land would be in position to comment on this planning application.

REPRESENTATIONS

None at time of report.

ADDITIONAL INFORMATION RECEIVED:

Environmental Impact Assessment (EIA)	Not Required
Screening Opinion	Not Required
EIA Report	Not Required
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area comprises the approved TAYplan 2016 and the adopted Perth and Kinross Local Development Plan 2014.

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

Policy Appraisal

Alterations to an existing domestic dwelling are generally considered to be acceptable in principle. Nevertheless, detailed consideration must be given to the specific details of the proposed development within the context of the application site, and whether it would have an adverse impact on visual amenity.

Lack of Information

To enable the full assessment of an application there is a requirement to ensure there is sufficient and accurate information. In this case there is a lack of information which warrants refusal of the application.

- Condition 4 of planning application 13/02219/AML (Erection of dwellinghouse and Garage) states “*The proposed decontamination measures associated with the site (as identified in Environmental Site Investigation Report 11887/GH/115, dated April 2012) shall be fully implemented and verification thereafter submitted, confirming that the proposed mitigation measures have been fully implemented with subsequent written approval from the Planning Authority, prior to the occupation of the dwelling*”. As this condition has been breached the Enforcement Officer has requested this information be submitted and whilst an email has been received from the Agent in an attempt to provide verification in respect of discharging the above condition the information does not meet the threshold of ‘verification’ as required by the condition and as such this proposal cannot be assessed against Policy EP12: Contaminated Land
- Despite attempts to gain information from the Agent in respect of a management plan for the pool in respect of filling it, draining it etc no information has been submitted to demonstrate fully that existing private water supply(s) / infrastructure, which currently serve existing residential properties, would not be adversely affected by the operation of the swimming pool. The proposal therefore has the potential to adversely affect the residential amenity enjoyed by the occupier of the existing properties by virtue of potentially compromising their private water supply(s). As a result of insufficient information the proposal cannot be assessed fully against Policy PM1A.

In addition to the above, SEPA has standing advice on swimming pool drainage, dated September 2016. It specifies the discharge of filter backwash to an existing soakaway is acceptable but only following dechlorination. When emptying the entire pool preference would be to discharge to the foul sewer, however, where this is not possible the pool water could be removed by tanker provided the water is disposed of at a suitably licensed facility. This would, however, be discussed with SEPA’s local Environmental Protection and Improvement team.

Design, Layout and Visual Amenity

The proposal is to extend the property over 2 levels which will provide a gymnasium, swimming pool, sauna, shower room and plant room at ground floor level with 2 guest bedrooms, one with an en-suite above. The extension will tie into both the existing garage and the north elevation of the existing dwellinghouse. The footprint is sizeable measuring approximately 174 square metres which is an increase of approximately 47 per cent on existing (including the garage).

The extension will be of pitched roof construction finished in slates to the roof and the walls finished in roughcast, coloured to match existing natural stone. There are also areas of weatherboarding which will be anthracite in colour. There are areas on the east, south and west elevations where it is unclear if the proposal is to finish these areas in natural stone, therefore, clarification or a condition would be required. I also note that a bank of 16 solar panels is proposed on the southern roofslope of the new extension. The ridge sits at a much lower level than the existing ridge of the dwellinghouse, as do the eaves which allow the extension to read as a subordinate addition.

The south and west elevations are reasonably proportionate to existing. There are large areas of glazing on both of these elevations which tie in with the pattern of glazing on the existing dwellinghouse and the feature gable on the west elevation helps break up the mass and replicates design features used on the main dwellinghouse.

Linking the new extension onto the west elevation of the garage results in an overall length of 30 metres on the north elevation. This would generally be unacceptable on a residential property due to the overbearing nature of the wall, however, in this case given the remote nature of the site and lack of neighbouring properties it will not either be seen or have an impact on residential amenity. The overall length of it is broken up by the gable centrally located and the bank of glazing. These design features help to break up the massing on this overly lengthy elevation.

Overall I have no concerns over the scale, design or visual amenity of the proposal. The overall building form, layout, finishing materials and existing landscaping is such that the proposal can be satisfactorily absorbed into the existing landscape framework, with no immediate adverse visual impact.

Whilst I acknowledge the proposed extension is extensive in footprint, the scale and design recognises and respects the form of the existing building. Furthermore, the proposal is proportionate with the land available and relates to the scale of the overall building group and curtilage.

It should, however, be noted that any future application recommended for approval should look to remove permitted development in line with the original application 13/02219/AML.

Landscape

The application site is located within an Ancient Woodland and is, therefore, surrounded by extensive woodland which provides a natural buffer and enclosure to the development. Additionally, the scale and nature of the proposals do not raise any landscape impact concerns.

Residential Amenity

The proposal sits within an isolated location and as such the proposal will have no detrimental impact on residential amenity.

Roads and Access

I do not have any concerns with roads or access matters.

Drainage and Flooding

It was identified previously (13/02219/AML) that there was contaminated land present and actions were required as a result. As noted under the 'Lack of Information' heading there is a requirement for Condition 4 of planning application 13/02219/AML to be discharged or at the very least verification that the decontamination measures have been implemented. Once verification is received Contaminated Land would be in position to comment on the proposed development.

Policy EP12 confirms that consideration will be given to proposals for the development of contaminated land where it can be demonstrated to the satisfaction of the Council that appropriate remedial measures can be incorporated in order to ensure the site/land is suitable for the proposed use.

Further information as stated above is required in order to assess the proposal against Policy EP12.

No flooding issues are anticipated as a result of this proposal.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

The economic impact of the proposal is likely to be minimal and limited to the construction phase of the development.

Conclusion

In conclusion, the application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the approved TAYplan 2016 and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has not been made within the statutory determination period due to an error in the validation process.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

- 1 Insufficient details have been submitted to verify that decontamination measures have been implemented or that anything in this regard has been submitted to the Planning Authority in respect of Condition 4 of planning application 13/02219/AML. As a consequence a full and complete assessment cannot be undertaken for this current application, against the Local Development Plan, in particular Policy EP12.
- 2 Insufficient details have been submitted to demonstrate fully that existing private water supply(s)/infrastructure, which currently serves existing residential properties, would not be adversely affected by the operation of the swimming pool. The proposal therefore has the potential to adversely affect the residential amenity enjoyed by the occupier(s) of the existing properties by virtue of potentially compromising their private water supply(s). As a consequence a full and complete assessment cannot be undertaken for this current application, against the Local Development Plan, in particular Policy PM1A.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan

Informatives

N/A

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

18/02103/4
18/02103/5
18/02103/6
18/02103/7
18/02103/8
18/02103/9
18/02103/10
18/02103/11
18/02103/12

Date of Report 4 March 2019



Pullar House 35 Kinnoull Street Perth PH1 5GD Tel: 01738 475300 Fax: 01738 475310 Email: onlineapps@pkc.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 100144127-001

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)

Proposed 1 1/2 storey extension to North Elevation

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:	ARKTX		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Kylle	Building Name:	
Last Name: *	McColl	Building Number:	187
Telephone Number: *	01382 831557	Address 1 (Street): *	Strathmartine Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Dundee
Fax Number:		Country: *	Scotland
		Postcode: *	DD3 8BL
Email Address: *	enquiries@arktx.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	26
Last Name: *		Address 1 (Street): *	Commercial Street
Company/Organisation	Jaspar Ltd	Address 2:	
Telephone Number: *		Town/City: *	Dundee
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	DD1 3EJ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Perth and Kinross Council

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

Address 1:

THE LODGE

Address 2:

BALRUDDERY

Address 3:

INVERGOWRIE

Address 4:

Address 5:

Town/City/Settlement:

DUNDEE

Post Code:

DD2 5LH

Please identify/describe the location of the site or sites

Northing

732598

Easting

328961

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

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: Kylie McColl

On behalf of: Jaspar Ltd

Date: 19/11/2018

☒ 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.

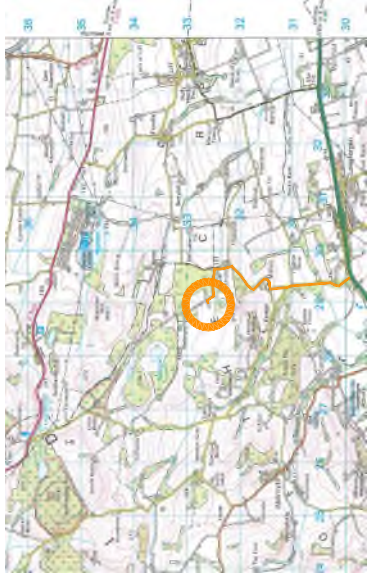
Declaration Name: Mrs Jennifer Middleton

Declaration Date: 19/11/2018

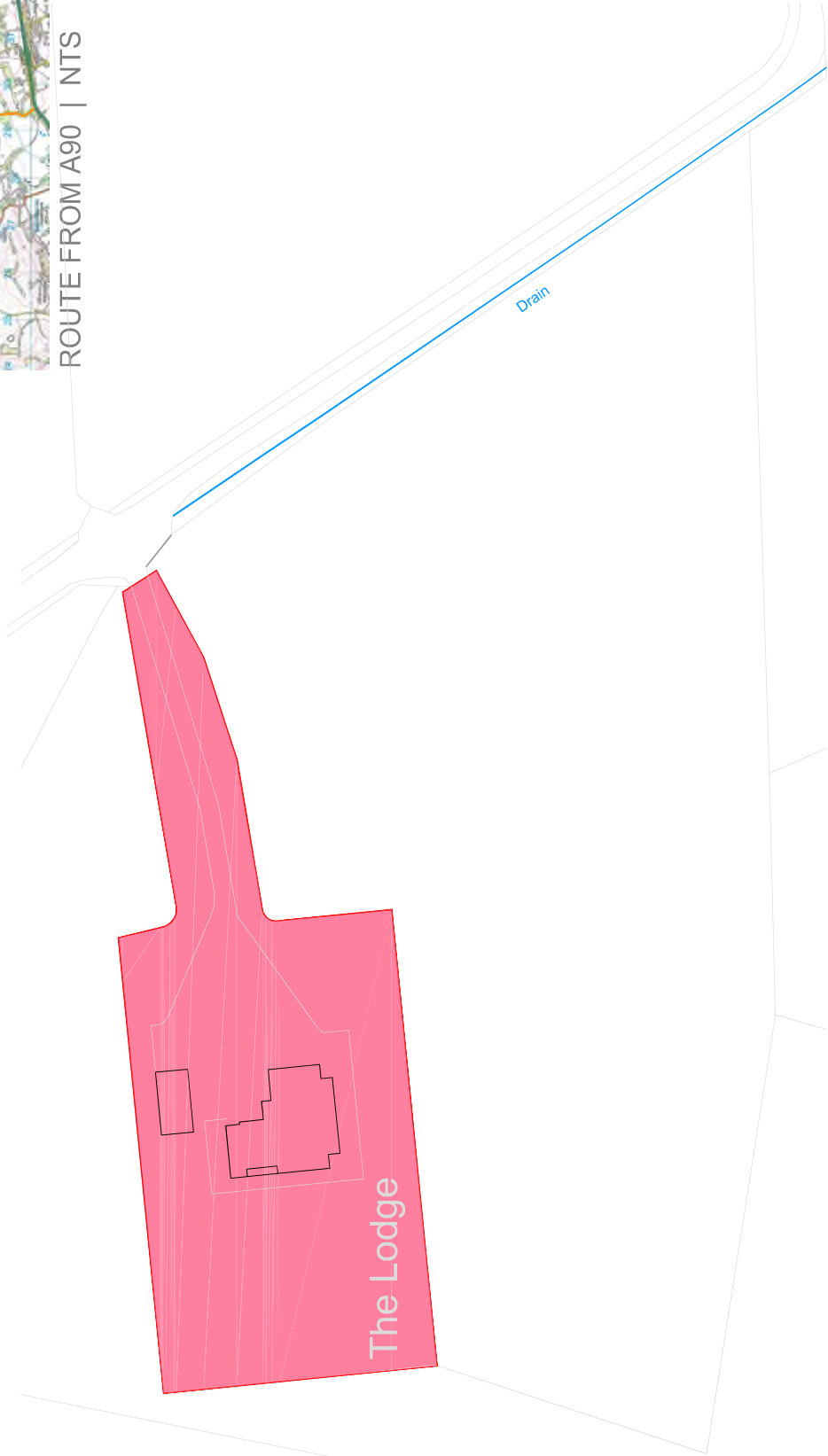
Payment Details

Cheque: FOR AND ON BEHALF OF JASPAR LIMITED, 000105

Created: 19/11/2018 16:15



ROUTE FROM A90 | NTS



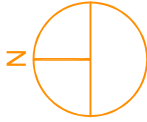
621



LOC_LOCATION PLAN | A4 | 1:1250

Project No	Drawing No	Rev
1002	LOC	A

Rev	Date	By	Description
A	2023	NTS	ATTENTION TO SITE BOUNDARY



DRAWING TO BE READ IN CONJUNCTION WITH
STRUCTURAL ENGINEERS DETAILS AND
ELECTRICAL ENGINEERS DETAILS TO TAKE
PRECEDENCE.
CONTRACTOR TO VERIFY ALL DIMENSIONS ON
SITE.
ALL DIMENSIONS IN MILLIMETRES UNLESS
STATED OTHERWISE.
CONTRACTOR NOT TO SCALE DIMENSIONS
FROM DRAWINGS REFER TO ARCHITECT FOR
DIMENSIONS IF NOT INDICATED ON THE
DRAWING.



187 Seafarmer Road, Dundee, DD3 8BL
10 Dundee City Centre
e: enquiries@arktx.co.uk

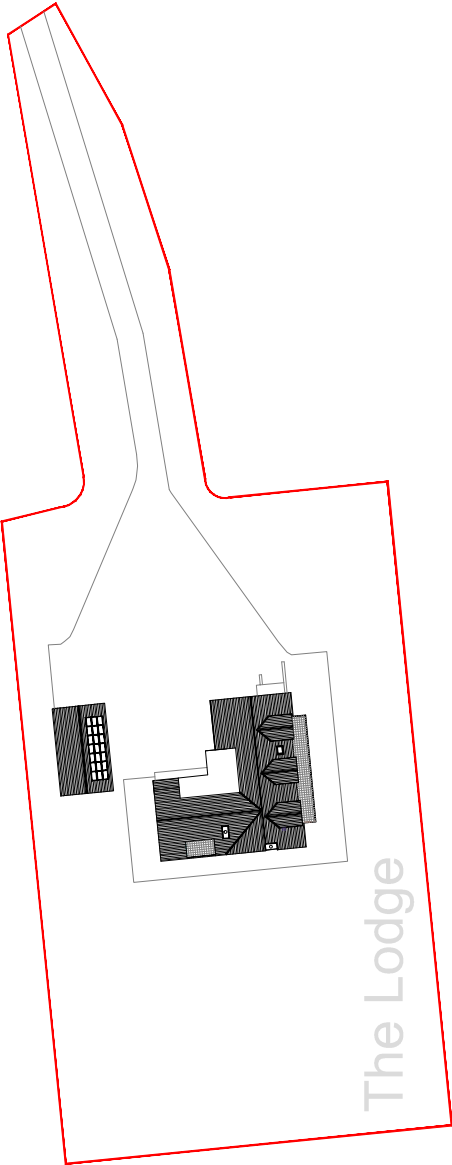
PROPOSED EXTENSION
THE LODGE, MARLBOROUGH
POWELL
JANISMA LTD

Drawn by
LOC232241 PLAN

Rev	Date	By	Description
A	2023	NTS	ATTENTION TO SITE BOUNDARY

187 Seafarmer Road, Dundee, DD3 8BL
10 Dundee City Centre
e: enquiries@arktx.co.uk

Drawing No.	Drawing No.	Rev.
1002	001	A
Rev Date	Approval	
A JAN 19	ALTERATION TO SITE BOUNDARY	



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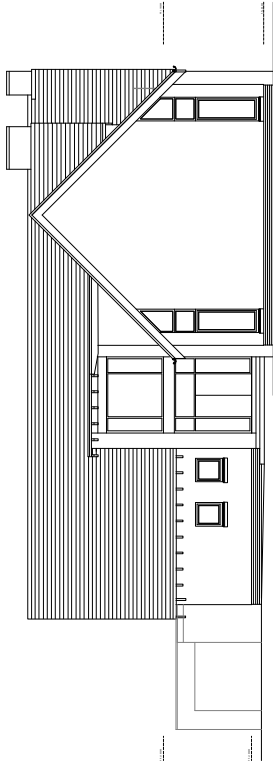
187 Strathmarine Road, Dundee DD3 8BL
t : 01382 831557 f : 01382 831558
e : enquiries@arktx.co.uk

PROPOSED EXTENSION
THE LODGE BUILDING
FOR
JASPER LTD

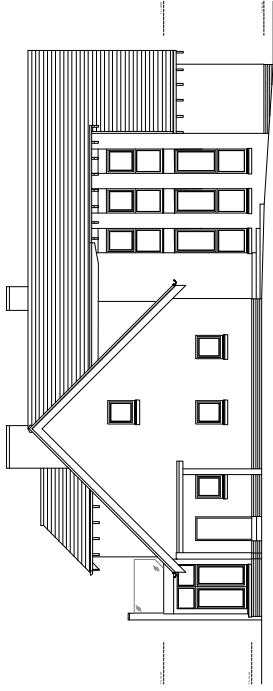
EXISTING SITE PLAN

Drawn By:	Drawn By:	CAD Ref:
Scale:	Scale:	EXTENSION
1:500 B/A2	1:500 P	Rev:
1002	001	A
Drawing No.	Drawing No.	
1002	001	

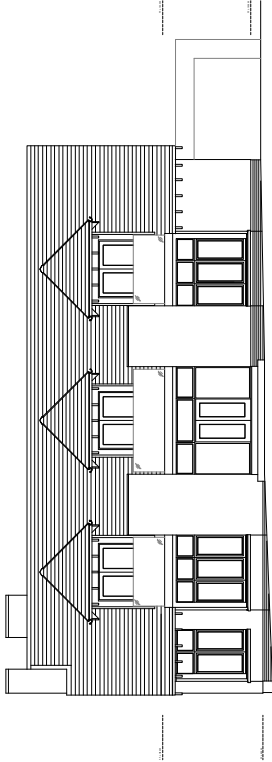




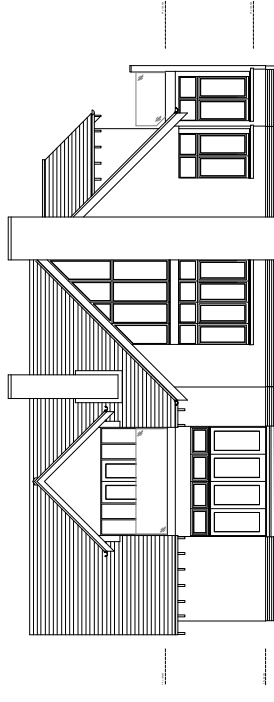
NORTH ELEVATION | 1:100



EAST ELEVATION | 1:100



SOUTH ELEVATION | 1:100



WEST ELEVATION | 1:100



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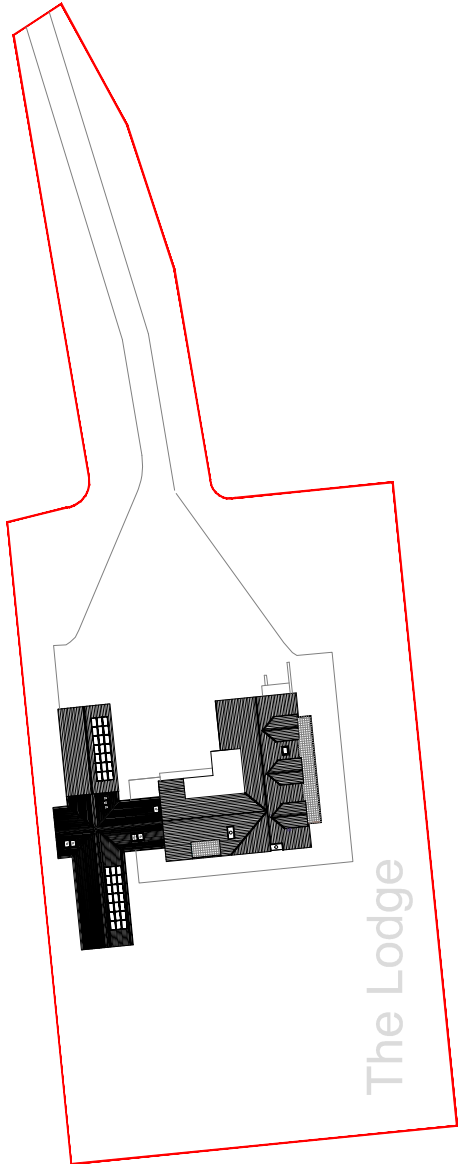
PROPOSED EXTENSION
AT
LODGE BANLUDEERY
INVERGOWRIE
JANSPARK LTD

EXISTING
EXISTING ELEVATIONS

Drawn By OCT-18	Drawn By MM
Scale @ A1	Scale @ A1
Project No. 1002	Project No. 001
Type P	Type P
Drawn No. 001	Drawn No. 001
Rev N/A	Rev N/A

Drawing No.		Drawing No.	
1002	004	1002	004
Rev. Date		Rev. Date	
A NOV '18		A NOV '18	
B JAN '19		B JAN '19	

Architect		Architect	
ARKTX CHARTERED ARCHITECTS		ARKTX CHARTERED ARCHITECTS	
EXTENSION, PHOTOFACTS TO PROPOSED		EXTENSION, PHOTOFACTS TO PROPOSED	
ADJUNCTION TO SITE BOUNDARY		ADJUNCTION TO SITE BOUNDARY	



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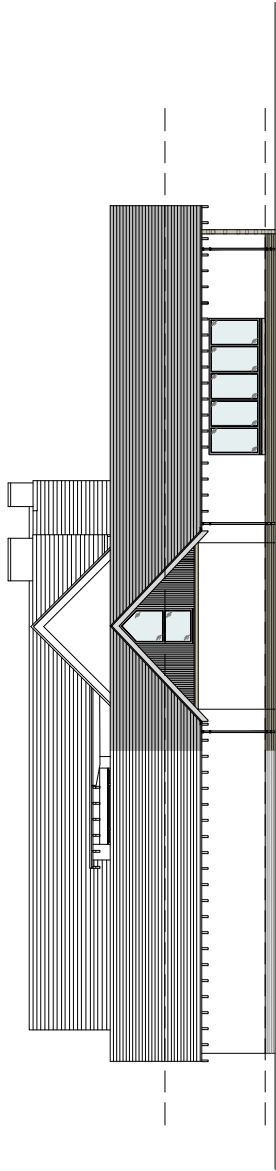
187 Strathmartine Road, Dundee DD3 8BL
t : 01382 831 557 f : 01382 831 558
e : enquiries@arktx.co.uk

PROPOSED EXTENSION
THE LODGE BUILDING
FOR
JASPER LTD

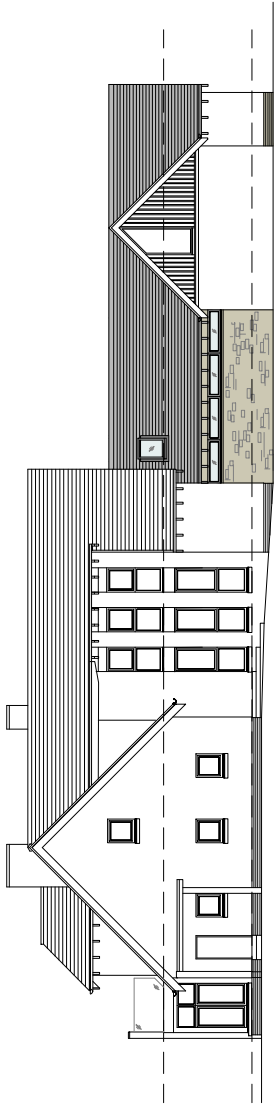
PROPOSED SITE PLAN

Drawing No.		Drawing No.	
1002	004	1002	004
Rev. Date		Rev. Date	
A NOV '18		A NOV '18	
B JAN '19		B JAN '19	

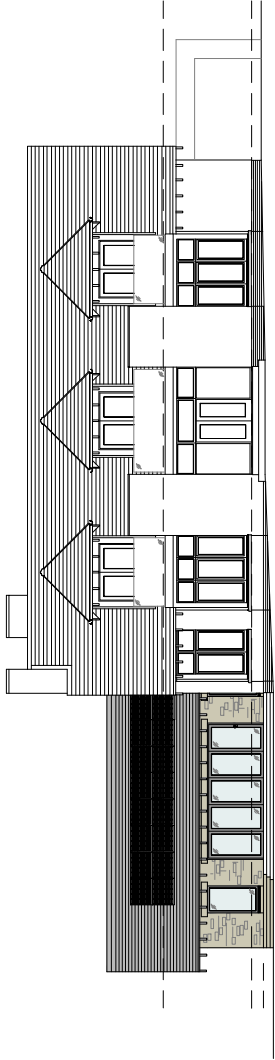




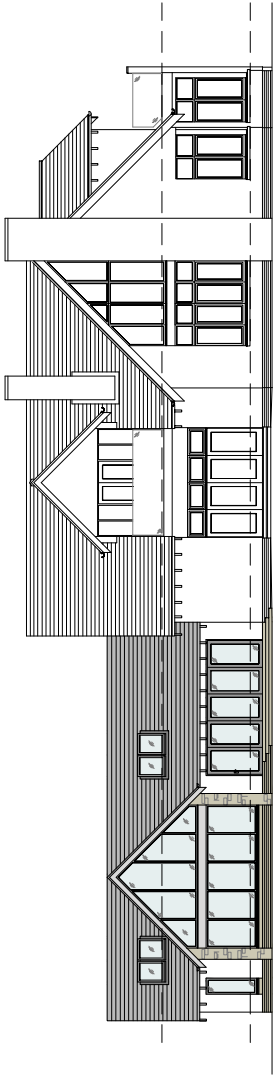
NORTH ELEVATION | 1:100



EAST ELEVATION | 1:100



SOUTH ELEVATION | 1:100



WEST ELEVATION | 1:100

007_PROPOSED ELEVATIONS | A1

MATERIAL DESCRIPTION

- ROOF
SLATE TO MATCH EXISTING DWELLING.
OUTRIGGERS
TO MATCH EXISTING DWELLING.
EXTERNAL WALLS
ROUGHCAST COLOUR TO MATCH EXISTING.
WEATHERBOARD (COLOUR: ANTHRACITE);
WINDOWS & DOORS
DOUBLE GLAZED ALU/CAD FRAMED
(COLOUR: ANTHRACITE).
GUTTERS & DOWNPIPES
UPVC (COLOUR: BLACK) TO MATCH EXISTING.



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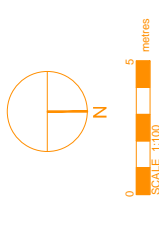
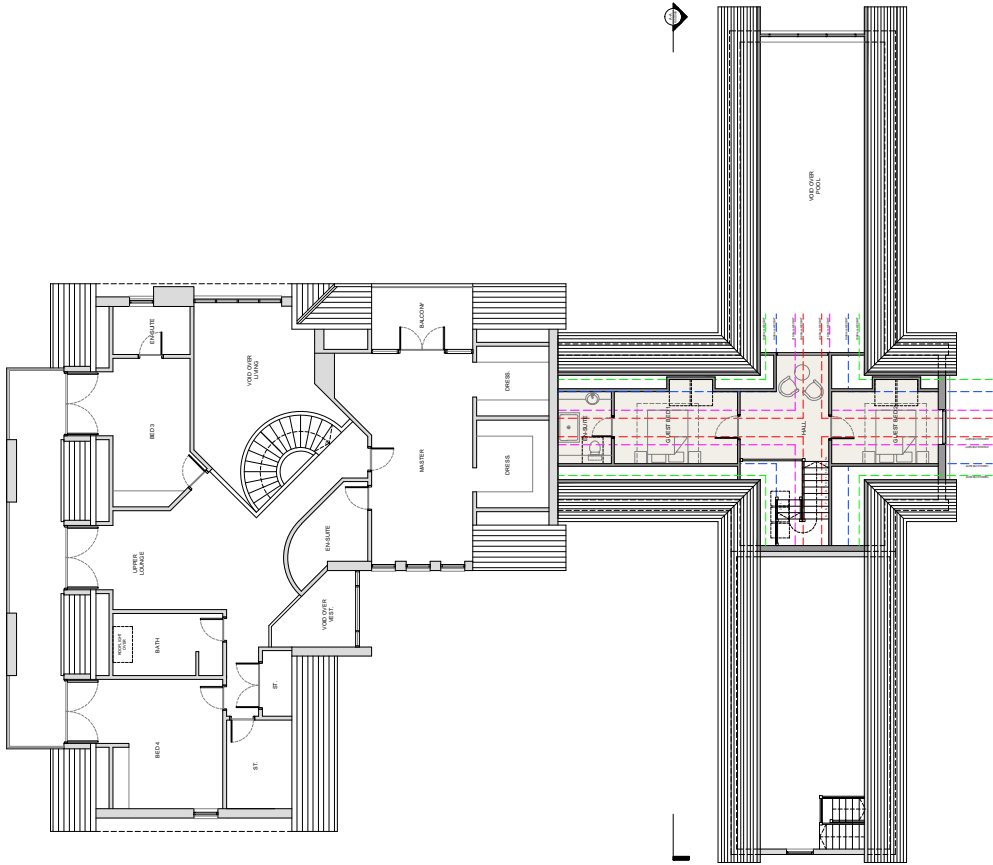
187 Southmarine Road, Dundee, DD3 8BL
01382 651555
e : enquiries@arktx.co.uk

PROPOSED EXTENSION
AT
LOOSE BALDREY
INTERGRANT
JAN 2017

EXISTING PROPOSED ELEVATIONS

Rev	Drawn By
007	AM
Scale	CAD File
Project No	1002
Type	p
Drawing No	007
Rev	N/A

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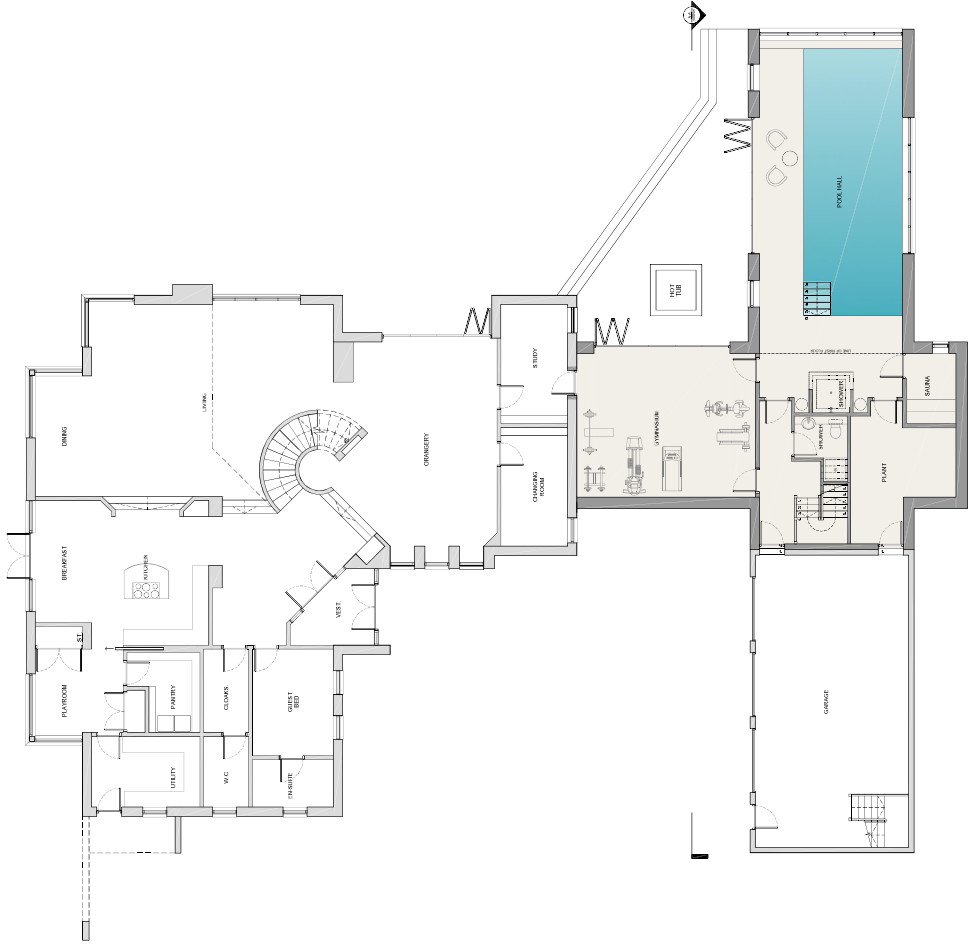
187 Strathmartine Road, Dundee, DD3 8BL
01382 651555
e : enquiries@arktx.co.uk

PROPOSED EXTENSION
AT
FLOODE BALLOCHERY
INTERGOVINE
JANISAR LTD

Drawn:
PROPOSED FIRST FLOOR PLAN

Drawn By: DM	Drawn By: DM
Scale: @ A1	CAD File: 006.dwg
Project No: 1002	Type: p
Drawing No: 006	Drawn No: N/A
Rev: N/A	Rev: N/A

Project No 005	Drawing No 005	Rev 001
New Data		Amendment



0 5 metres
SCALE 1:100

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e : enquiries@arktx.co.uk

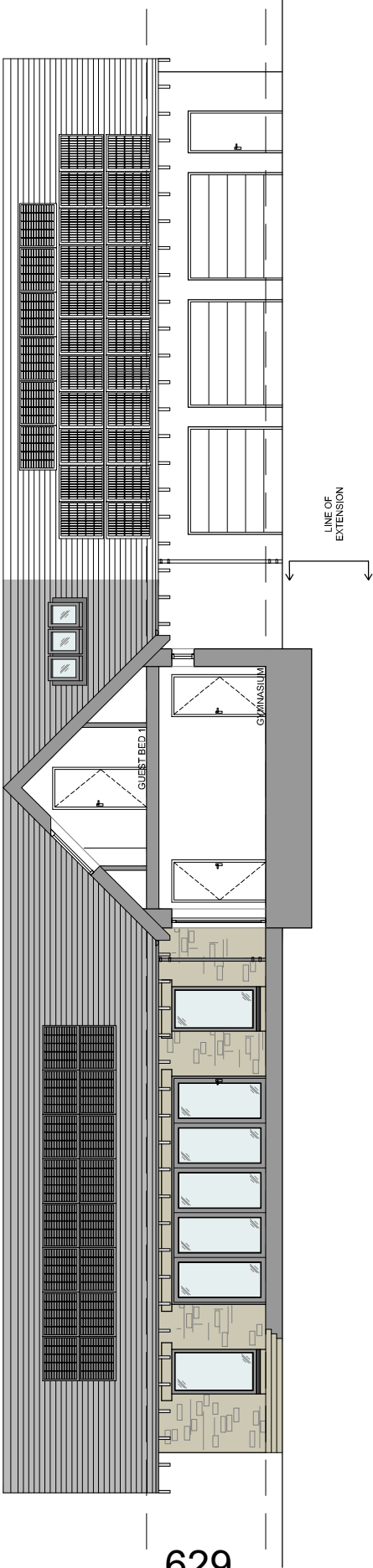
PROJECT NO
005
PROJECT NAME
AT LUGG, JAMBLEUR
INTERCONTINENTAL
JANISER LTD

EXTENSION
PROPOSED GROUND FLOOR PLAN

Drawn By JAM	Drawn By JAM
Scale A1	Scale A1
Project No 005	Project No 005
Type P	Type P
Drawn No 005	Drawn No 005
Rev 001	Rev 001

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Drawing No.		Drawing No.	Revision
008	001	001	001
Rev. Date		Approved	



629

DRAWING TO BE READ IN CONJUNCTION WITH
STRUCTURAL ENGINEERS DETAILS AND
MECHANICAL ENGINEERS DETAILS TO TAKE
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187 Southampton Road, Dundee, DD9 8BL
t : 01382 831557 f : 01382 831555
e : enquiries@arktx.co.uk

PROPOSED EXTENSION
THE LODGE BALLOCHERRY
FOR KENNEDY
JASPAR LTD

PROPOSED SECTIONS

Date	Drawn By	Scale	Ext. No.	Ext. No.	Ext. No.	Ext. No.	Ext. No.	Ext. No.	Ext. No.
17/08/23	001	1:100	001	001	001	001	001	001	001
17/08/23	001	1:100	001	001	001	001	001	001	001
17/08/23	001	1:100	001	001	001	001	001	001	001
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17/08/23	001	1:100	001	001	001	001	001	001	001
17/08/23	001	1:100	001	001	001	001	001	001	001
17/08/23	001	1:100	001	001	001	001	001	001	001



<p>TCP/11/16(607) – 18/02103/FLL - Extension to dwellinghouse, The Lodge, Balruddery, Invergowrie, Dundee, DD2 5LH</p>

PLANNING DECISION NOTICE *(included in applicant's submission, pages 603-604)*

REPORT OF HANDLING *(included in applicant's submission, pages 605-614)*

REFERENCE DOCUMENTS *(included in applicant's submission, pages 621-629)*

**TCP/11/16(607) – 18/02103/FLL - Extension to
dwellinghouse, The Lodge, Balruddery, Invergowrie,
Dundee, DD2 5LH**

REPRESENTATIONS

Comments to the Development Quality Manager on a Planning Application

Planning Application ref.	18/02103/FLL	Comments provided by	Euan McLaughlin
Service/Section	Strategy & Policy	Contact Details	Development Negotiations Officer: Euan McLaughlin
Description of Proposal	Extension to dwellinghouse		
Address of site	The Lodge, Balruddery, Invergowrie, Dundee, DD2 5LH		
Comments on the proposal	I have no comments to make on this proposal in terms of the Developer Contributions and Affordable Housing Supplementary Guidance.		
Recommended planning condition(s)			
Recommended informative(s) for applicant			
Date comments returned	11 January 2019		

