



290 North Deeside Road
Cults
Aberdeen
AB15 9SB

3rd February 2012

Mr Gavin Evans
Planning and Infrastructure
St Nicholas House
Broad Street
Aberdeen
AB10 1AR

Dear Mr Evans,

P120033: 265B/267 North Deeside Road, Milltimber AB13 0HD

I am writing on behalf of the Cults, Bielside and Milltimber Community Council (CBMCC) to comment on the above planning application for 'Construction of new One and a half storey detached dwelling house, including formation of vehicular access from driveway to North of No.265(b), construction of a double garage and associated landscaping/boundary treatment'.

CBMCC object to the proposal on the following grounds:

- The size and position of the new building is detrimental to the appearance and amenity of the location, in particular for leisure users of the railway line and for adjacent neighbours.
- The plot for the proposed new house is unusually long and narrow. The size and location of the house is inappropriate for the size and shape of the available ground. It is not a 'successful fit' as claimed.
- The position of the house is forward of the traditional building line increasing the visibility from the railway line.
- There would be a loss of 10 trees that have Tree Preservation Orders.

A number of previous applications have been made to squeeze new development into this location.

Christine McKay, Planning Liaison. 290 North Deeside Road, Cults, AB15 9SB

All have been rejected by ACC and on subsequent appeal to the Scottish Government the decision was upheld. CBMCC urge ACC to maintain this precedent and deny requests to further fragment curtilages and overdevelop this location.

Yours faithfully

Christine McKay
Planning Liaison

Copy to:

Councillor Marie Boulton, Councillor Aileen Malone, Councillor Alan Milne

From: <webmaster@aberdeencity.gov.uk>
 To: <pi@aberdeencity.gov.uk>
 Date: 28/02/2012 17:38
 Subject: Planning Comment for 120033

Comment for Planning Application 120033

Name : Steve Horton
 Address : Woodburn House
 263C North Deeside Road
 Milltimber
 Aberdeen
 AB13 0HD

Telephone
 Email
 type :

Comment : This comment is to confirm the advice I received from Gavin Evans at Aberdeen City Planning and Sustainable Development on 27 February 2012, that my comments sent on 6 February 2012 to Planning and Sustainable Development in response to the first draft of Application Number 120033 which was dated 22 January 2012, will be transferred by Planning and Sustainable Development to the current draft of the Application dated 27 February 2012, and that those representations need not be resubmitted.

I also wish to bring to the attention of Planing and Sustainable Development that in addition to my previous comments, the notices and the application contain further factual errors. The proposed development is not at 265b/267 North Deeside Road; the proposed development is at 265a/267 North Deeside Road. I believe that the proposed development if approved would logically be numbered 265b North Deeside Road, as it would be located on land upon which 265a and 267 North Deeside Road are located.

Furthermore, it is not clear to me which contradictory site boundaries have been adjusted, as some of the drawings which make up the set in the application have been amended in 2012 and some continue to be dated December 2011, for example the Principle Plan dated 19.12.11 Drawing Number 1151/1 Revision C dated 21.12.11.

Thank you.

Steve Horton
 28 February 2012

Aberdeen City Council			
City Development Services - P & S.D.			
Ack	26244		Corp. Dir.
Reply	29 FEB 2012		Assist. Dir.
Imp	Strategy	Build Con	Admin
Action	GE		DM

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 2/6/2012 1:01 pm
Subject: Planning Comment for 120033

Comment for Planning Application 120033

Name : Steve Horton
Address : Woodburn House
263C North Deeside Road
Milltimber
Aberdeen
AB13 0HD

Telephone :

Email :

type :

Comment :

Sir,

I object to Planning Application 120033, notice dated 22 January 2012 for the proposed development at 265b/267 North Deeside Road, Milltimber, Aberdeen, AB13 0HD.

I should also point out that the proposed development appears to be on include land currently part of 265a.

My comments are broken down into three groups, General, Ryden Report Supporting Statement and Scottish Planning Policy.

My general comments are as follows:

- * living room and patio of proposed building extends significantly beyond existing building line
- * prior to building of 263a, b and c, all to the east of proposed house, building line was several meters further north, this proposal exacerbates the situation, why compound mistakes of the past
- * I do not have access to scale drawings, but the building seems to extend by 6 or more meters from existing line, perhaps 10 meters from historic line
- * I believe that the site is covered by a Tree Preservation Order, and the trees in the area seem to be healthy
- * the plan suggests 12 mature trees to be felled, several of these may be mature special trees and one is an ancient Cypress tree visible from and enjoyed by adjacent and nearby properties
- * there is the potential for root damage to several more mature trees, adjacent to west side of new driveway
- * I believe that two of the trees which will be subject to potential root damage are huge mature veteran specimen trees
- * the proposed new trees south of the proposed new building would seem to be out of character for area
- * the effect of construction of this new large house, in garden the of a large house already inserted into the garden of the original house, will be two large houses jammed into too small sites
- * the proposed new building will effect evening sunlight at at 263b and 263c to the west
- * the proposed building will impact near neighbours amenity enormously (263b and 265a), dominating the skyline and seriously effecting access to light
- * plans for the new building show 175 sq meters building on 2039 meters site, 8.6%, but approximately 20% or more is narrow driveway; does this meet the 0.8 hectare requirement from the Local Development Plan for the proposed new property, and for the existing 265a property
- * this proposed new building south of existing modern building 265a, will result in two out-of-character buildings on top of each other jammed into a very narrow site between important original large villas
- * the landscape layout plans are misleading in that the east west dimension, the width, is represented as

being much wider than it actually is, suggesting more space

My comments on the Ryden Supporting Statement are as follows:

- * this report is misleading and inaccurate in many respects
- * the proposed house does not fit within the existing pattern of development in the immediate area
- * the site severely impacts the amenity of 263b, 265a and 267
- * the amenity and privacy of 263b and 265a will be severely compromised
- * there is an assertion that the land is underused - this is not the case, this is open garden space of both houses on the site; the children at 267 seem to use this space to play in the evenings and at the weekend
- * there will be significant privacy and screening issues with respect to 263b and 265a North Deeside Road
- * applications A5/1630, 1631 and 1632 in 2005 were withdrawn after significant objections for many reasons including the loss of protected trees and the site being well south of the building line
- * proposal A6/1669 in 2006 and subsequent appeal in 2008 were rejected by Planning; please review these failed applications
- * I believe that the proposal would be contrary to Policy R3 Residential (Lower Deeside) of the adopted Aberdeen District Wide Local Plan (1991) and supplementary guidelines - Splitting of Residential Feus (1990), due to its detrimental impact on protected trees and residential amenity by way of over-development
- * I believe that the proposal would be contrary to Policy 31- Protecting Trees and Woodlands and Policy 36 - Residential Areas of the Finalised Aberdeen Local Plan (2004), due to the detrimental impact upon the existing residential character and amenity and loss of established trees that make a contribution to the setting

My comments on Scottish Planning Policy are as follows:

- * the siting and design of this proposal does not take account of its setting, surrounding landscape, topography, character and appearance
- nor does it create distinct character and identity or promote a well integrated mix of houses - the location, scale and site would actually compromise the sense of unity and coherence
- * I believe the proposal would result in the loss of mature trees covered by a Tree Preservation Order to the detriment of the surrounding landscape and the residential character of the area
- * the guidance specifically includes consideration of loss of amenity of privacy, overlooking, daylighting and sunlighting - there would be significant loss of these factors for 263b and 265a, and sunlighting for 263c in the evening
- * the finish does not appear to complement existing houses in the local area, in particular is roof lines, height, large south facing windows and blank east facing walls
- * the guidance specifically addresses and states that it is undesirable to create a second building line by building to the rear of existing houses as this would fundamentally erode the character and residential amenity of the area
- * the proposal would impact the views from and amenity of 263b, 265a and 267, and it will to some extent effect 263c
- * the proposed building may sit 0.85 meters lower than the adjacent 263b, but it will have to be significantly build up in the south to make the site level and is 1 1/2 stories with high angle eaves and takes away significant amenity
- * the proposed garage is very close to 263b and will severely effect the amenity

Thank you for your consideration of this objection.

Sincerely,

Steve Horton
6 February 2012

Application No.	120033
RECEIVED	06 FEB 2012
Case Officer	GEE
Date Ackn	07/02/12

Bridgestone House,
263b North Deeside Road,
Milltimber
AB13 0HD

Aberdeen City Council,
Planning and Sustainable Development,
Marischal College,
Aberdeen

2nd February 2012

FAO Gavin Evans

Dear Sir,

Planning Application No.120033
265B/267 North Deeside Road, Milltimber

I enclose herewith a formal objection to the granting of planning permission for the proposed development at the above address.

Kindly acknowledge receipt of same.

Yours faithfully


David A. Henderson

Objection to Planning application No 120033

As the immediately adjoining neighbour, at 263b, to the proposed development at 265b I wish to make formal objection to the granting of planning permission for the erection of a new house on this site.

Before dealing with the grounds for my objection I wish to bring to your attention the inaccuracies contained in the report prepared by Ryden LLP.

It is extremely misleading and confusing for those, who are unfamiliar with the neighbourhood in Milltimber, to grasp that the ground in which this new house is proposed to be sited is in the grounds of 265a/267 North Deeside Road and not in the grounds of 265b/267 as referred to throughout the complete report. The proposed new house, if built, would have the number 265b. The applicant currently resides in 265a.

Secondly in paragraph 5.4 of the report it is stated that "A 2m wide path is retained along the boundary with 263b and 265(b), this should be 265a, which retains access to the Old Deeside Railway line for these properties". This is not the case. 263b has never had access to the railway line and indeed that 2m strip lies within the boundary of No 263b.

My formal objection is made on the following grounds:


1. The houses in this neighbourhood all benefit from having a substantial area of ground all round about them. This planning application, if successful, would result in a fairly large family home being squeezed into a small area of ground which is totally out of character with the surrounding properties. There is a minimal area of ground on either side of the proposed building and the distance between 265a and 265b will be 25m. Looking at Figure 3 on the site plan shows that the nearest property to 263b is 265a and this is at a distance of 30m. Neighbouring properties have considerably more ground between them. The proposed new garage will be directly outside the kitchen window of 263b at a distance of 8.8m. The new house will be directly outside the sun lounge of 263b at a distance of 8.3m.
2. Figure 1 of paragraph 2.2 shows the sighting of the house in the 2006 application and I would contend that Figure 3 of paragraph 5.4 in this application shows a very similar sighting proposal.
3. Planning permission has already been refused in 2007 as mentioned in paragraphs 2.3, 2.5 and 2.6 of the Ryden report on the grounds of both the impact of removing trees and also the close proximity of existing buildings eg 6m and 15m. This proposed development I would contend falls into the same category as that proposal which has already been refused.
4. The local development plan as outlined in the local press identifies the possible erection of some 550 houses in the Milltimber area approximately a half mile from this proposed development. This will be a substantial development on one site and I would contend that a one off piece meal development is undesirable.
5. The trees in the district are covered by a TPO. From examination of the site plan it would appear that at least ten trees will be required to be felled. While a few trees may be diseased the others appeared in good foliage during the summer and their removal would be detrimental to the local wildlife. The proposal is to remove five small trees to allow the

erection of the house and garage but these are to be replaced on a two for one basis which would mean that for 263b we would be subjected to a house and garage in very close proximity to our house plus ten trees in addition resulting in a huge loss of light into our premises.

6. Planning permission for a development in the grounds of No 267 North Deeside Road has already been refused partly on the grounds that trees would be required to be removed as already stated in objection 2.
7. The proposed positioning of the house and garage in the site would cause serious loss of light into my home. As already mentioned in paragraph 2, the garage, with a height of 5.1m, and a solid wall, would be positioned immediately outside my kitchen window at a distance of 8.8m. At the moment I look onto the open countryside and enjoy the trees in the neighbouring gardens. Similarly the house, again with a solid wall to a height of 8.5m from ground level, is proposed to be sited 8m from my sun lounge window with the result that the loss of sunlight and light in general would be considerable. My wife and I greatly enjoy the use of our sun lounge throughout the year and the loss of privacy and light would have a consequent detrimental effect on our general wellbeing.
8. The contours of the ground on this site require that there will be the necessity to build up the front of the site with many tons of hardcore to enable the house to sit in a level position. This will mean that the apex at the front of the house will be in the region of 1.5m from the natural level of the surrounding ground making the front of the house 8.5m above ground level.
9. In general this area of the city has been enjoyed by the local residents, the applicant included, for its peace and tranquillity and the open countryside around it. The building of a new property in such a confined space would be detrimental to the ambience and enjoyment of the neighbourhood as a whole.

For these reasons I feel that this application should be refused.

Yours faithfully,


David A. Henderson
263b North Deeside Road,
Milltimber