

Altmore,
Murtle Den Road,
Milltimber,
Aberdeen.
AB13 0HS

Aberdeen City Council,
Planning & Sustainable Development,
Marischal College,
Broad Street,
Aberdeen.
AB10 1AB

4th December, 2012

Dear Sirs,

Application No. 120919

Erection of two dwellinghouses at Inchyra, Murtle Den Road, Milltimber, AB13 0HS

I refer to my letter of 10th July, 2012 a copy of which is enclosed for ease of reference. My comments/objections to the application for three dwellinghouses at Murtle Den Road also will apply to the present application which reduces the number of dwellinghouses to be built from three to two.

I have the following extra objections to the application:-

1. I understand that this is the same application but with plans amended and not a new one.
2. I have been served a Notice as the plans are considered a significant change to allow further objection on the proposals.
3. I understand that the Planners made it clear to the Applicants (probably W.C.P. Architects) the Company's Agents that the original application for three houses on the site was considered unsuitable.
4. I understand that the decision to reduce the application to two houses was made by the Applicants and has not been already agreed by the Planners.
5. This application is to be considered by you in terms of the master plan although this particular plot was not included. I therefore wish to object that non compliance with the requirements of the master plan with regard to access from Murtle Den Road the density of the housing, the pastiche design which is not of high quality, and the loss of more trees and I would ask the planning committee to turn down the application wholesale.

I also wish to object on the grounds that housing in this field will cause light pollution and noise.

Yours faithfully,



- 4 DEC 2012

Altmore,
Murtle Den Road,
Milltimber,
Aberdeen.
AB13 0HS

Aberdeen City Council,
Planning & Sustainable Development,
Marischal College,
Broad Street,
Aberdeen.
AB10 1AB

10th July, 2012

Dear Sirs,

Application No. 120919

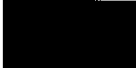
Erection of three dwellinghouses at Inchyra, Murtle Den Road, Milltimber, AB13 0HS

I am extremely saddened by the plans submitted with the above application and feel that I must write to raise the following objections/observations. The Mann family have lived at Altmore, Murtle Den Road for over fifty years, and I have been resident there for most of my life.

This is not the first time that an application has been made to the Council for permission to build on this field/paddock which lies between Altmore to the South and Bonally to the North. The first application was made by Mr. and Mrs. John Sinclair, the present owners of Bonally and was refused many years ago due to inter alia my late parents letter of objection, and the objections lodged by my neighbours. The application at that time was to build one dwellinghouse and the Council adhered to a green belt policy and refused the application.

Since then Old Fold Farm, Milltimber, part of which lies immediately to the west of the site has been designated a strategic development area. It would appear that Mr. and Mrs. John Sinclair have transferred ownership to a Company J. P. R. Services Ltd., which is capitalising on the change in zoning of the neighbouring land from agricultural to residential, yet at no time have I been served with a notice from the Council that this site in question was included in the strategic development area, nor a notice to the effect that this site was to be changed in its zoning. The printed plans from Cala also do not include this site. I therefore ask the Council to adhere to the green belt policy and to reject this application. The green belt reference is GB.28. I have never been served with anything as a neighbouring proprietor that this site is part of the Old Fold Development.

The application in its present form is a complete overdevelopment of the site. To have three dwellinghouses packed into the site goes against the whole character of Murtle Den Road which has five houses on the west and eight houses on the east leading to a dead end at Bonally Cottage. The present application flies in the face of the majority of the residents of Murtle Den Road who have objected to the strategic development area, and have been working very hard to achieve a



buffer zone between the new development at Old Fold Farm and Murtle Den Road. If the present application is passed, Altmore and my neighbours at Sunhoney will be hemmed in by modern houses, yet Altmore, Sunhoney and Bonally were built around 1900 it is therefore entirely out of keeping to have three modern houses packed into this field.

The majority of the houses on Murtle Den Road have substantial gardens/grounds of at least one acre and often much more. This lends itself to the tranquillity of the neighbourhood which is semi-rural. I can see no reason for not leaving the site as it is. Open land has great advantages for wildlife, and in fact deer frequently congregate at the south-eastern corner of the site. The ground was originally envisaged as a paddock for a pony for the owners of the original house at Bonally. To be kept as such contributes to the tranquillity of the neighbourhood. The potential properties to be built on the site will fill it with parking areas, garages, etc., and will have little or no grounds.

Over the years I have observed that the site floods particularly in the winter months and water pours out of the field in question and down Murtle Den Road. I believe that it will be found to be unsuitable to build on with normal foundations. To the west of the site Cala have a SUDS area on their plan and I am concerned that development of the site will mean either flooding or more water going down the road. As the residents of Murtle Den Road pay for the upkeep of Murtle Den Road, this is a significant concern.

It is well known that there is no public sewer to connect into, and I am fearful that any sewage treatment plant/pumping station serving the new houses may be either smelly, noisy or both.

If the application is granted there will be the potential for a minimum of nine more cars on the road and perhaps many more. Each new house has plans for three garages; this will lead to noise and thereby change the character of the road.

I also wish to object to the position of the access into the site. There is a perfectly formed field access at present, and this should be used. Putting the access nearer my own access only creates more noise and is a potential hazard. I wish to point out that the boundaries of the site are the walls and not the verges along Murtle Den Road which belong to the Trades Widows Fund. A change of access in to the site will therefore need the consent of the Trades Widows Fund. If the existing access is used, no consent will be necessary.

I also wish to object on the grounds of privacy. The window of the games room above the garage on plot 3 looks directly into my property and my privacy will therefore be invaded. Altmore is situated on an elevated site and my garden would likely be at the level of this window.

I would urge the Council to take cognisance of my views and to turn down the application wholesale.

Yours faithfully,

A solid black rectangular box redacting the signature of the sender.

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 25/11/2012 17:23
Subject: Planning Comment for 120919

Comment for Planning Application 120919
Name : Richard Spalding
Address : Russett House
Murtle Den Road

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : This application, plus an anticipated one for a new house at Pinelands Murtle Den Road and the Cala application for 7-9 at the top of Murtle Den as part of the Oldfold development, all seem to ignore the piecemeal incremental increase in road traffic. Murtle Den is already a small and unadopted road and these developments should resolve this and the way that Murtle Den Road is funded - though that is probably not a council issue.

I therefore completely object to this development.

Richard Spalding

From: "The Big House" [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 15/07/2012 18:05
Subject: Application No. 120919: Inchyra, Murtle Den Road

Dear Sirs,

I wish to object to the density and style of the proposed development. As stated in the proposal, the existing properties on Murtle Den Road comprise large residential houses of varying ages all set on plots of around an acre. Some of these have associated outbuildings but the proposed higher density development of Inchyra around a courtyard does not match the local style. A single house at Inchyra would fit with the surrounding properties and be acceptable. A density of three houses would lead to copy-cat infill building on the adjacent plots, exceeding the capacity of the current single track road. This would lead to widening of the road and loss of the unique character of Murtle Den.

Regards,

Dr John Wild,

Owner, The Cottage, Murtle Den Road, Milltimber.

From: Annette Clark [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 12/07/2012 13:43
Subject: Application: 120919

"DENSIDE", MURTLEDEN ROAD, MILLTIMBER, ABERDEEN AB13 0HS
Tel. 01224 861109 E-MAIL: [REDACTED]

14.07.2012
Aberdeen City
Town and Country Planning Department

Application Number: 120919
"Inchyra", Murtle Den Road, AB13 0HS

It is with regret and great surprise I note yet another planning application for the erection of dwelling houses on Murtle Den Road. Having resided at "Denside" for 37 years and observed the amount of water flowing on to the road from the proposed development site I had always assumed this piece of land unsuitable for construction.

Even if drainage can resolve the situation and successfully incorporate septic tanks and overflow systems I am concerned anyone would propose erecting three identical houses on a 1.60 acre and argue it remains in keeping with the existing, individual character of the road as a whole.

Existing residents are currently trying to incorporate and come to terms with the impact on privacy, noise and traffic the proposed Cala development will produce. Should Cala receive permission to build 7-9 houses and Mr. Sinclair a further 3 houses we are looking at almost doubling the residency.

I do hope you will give due consideration to this proposal and weigh up the gradual destruction of what was formerly appreciated and respected as a 'green belt'.

Yours Sincerely,

Annette Clark

From: "Richard Spalding" [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 16/07/2012 16:27
Subject: Objection to proposal for 3 Dwelling Houses on Murtle Den Road

Dear Sir/Madam

As residents of Murtle Den Road (Russett House), we wish to object to the plan to build 3 houses at Inchyra, AB13 0HS.

Having seen the plans, we believe that this proposal for 3 large houses is too dense and not in keeping with the rest of the road.

It would also result in increased traffic pressure on this small single lane road. There are plans to build further 7 - 9 houses at the top of the road and together the impact will be substantial.

Yours faithfully

Nicola and Richard Spalding

Last House Right
Muntle Den Road
Wotton-under-Edge
Gloucestershire
AS130HS.

Dear Sirs

Re Planning Application
No 120919
by J.P.R. Services Ltd

I strongly object to the erection of
3 new dwelling houses at the site of
Inchra - Muntle Den Road.

My objections are exactly the same as

[REDACTED] and all other objectors

In as much as M.D. Rd. cannot sustain
all the extra traffic etc that this development
would entail.

Yours faithfully
[REDACTED]

Tommy & Siobhan Dreelan
Murtle Den House, Murtle Den Road, Milltimber
Aberdeen AB13 0HS

Tel; [REDACTED] Mobile; [REDACTED]
Email; [REDACTED]

14 Dec 2012

To Aberdeen City Council Planning Reception

Dear Sirs

Subject- Planning Application No- 120919

We refer to the subject Neighbour Notification Notice and we wish to comment as follows-

1-See attached our letter to you dated 15 July 2012, all points covered remain valid.

2-We are still of the opinion that this site would be better suited to one large high value property and taking into consideration the design of neighbouring properties in particular ours, Murtle Den House.

3-We do have concerns the dense trees on the east boundary are retained for our privacy in particular opposite the entrance to Murtle Den House which is a listed property.

4-We feel that with the Cala application to build houses 7 to 9 houses at the North of Murtle Den Road that the traffic volume will exceed what MDR is capable of handling.

Based on our outlined concerns we ask that you consider all our concerns prior to the grant of any application and as always we are willing to meet with you and the Sinclairs if so required prior to any planning being granted.

Yours Faithfully

[REDACTED]
Tommy Dreelan

[REDACTED]
Siobhan Dreelan

Siobhan & Tommy Dreelan

Murtle Den House, Murtle Den Road, Milltimber, ABERDEEN AB13 0HS • Phone: [REDACTED]
E-Mail [REDACTED]



Aberdeen City Council Planning Reception
Planning & Sustainable Development
Marischal College
Broad Street
ABERDEEN AB10 1AB

15 July 2012

Dear Sirs

Subject: Application No - 120919 (copy attached)

We refer to receipt of the subject Neighbour Notification Notice and wish to comment as follows

1. Our response is not an objection for the sake of objection but as an important listed neighbouring property we have some concerns and therefore would want to ensure the development complied with the standard of the surrounding properties.
2. We understand the Sinclair's wish to develop this piece of land and maximize their return. We accept the development of this land, if done to respect the Murtle Den Road existing properties, in particular our own.
3. We feel the current proposal for 3 properties is an over development and is not in line with blending in with neighbours properties.
4. To blend in with the other properties we feel that this site is only large enough for one exclusive property ie. We would rather see one £3m property than three £1m properties.
5. In comparison the proposed Cala development at the top of Murtle Den Road where the intension is to build exclusive high value properties on individual 1 acre sites.
6. As the development is opposite our property, in particular our entrance gate, we would want assurance that our privacy is respected by not removing the dense trees that currently screen the site on the east side onto Murtle Den Road. To us this is a critical factor for us accepting the site development and retaining our privacy and we would welcome a TPO being placed on the trees on this boundary to ensure they are not removed in the future.
7. We spend a lot of time coordinating the maintenance and up keep of Murtle Den Road, which is a single track road, on behalf of the neighbours. Due to the current traffic load we end up with damage to the grass verges which is normally caused by delivery vans and visitors as opposed to the residents. The proposed development and Cala's plans will add congestion and potential for additional issues and damages.

As always we are happy to meet with the Sinclair's (which we have already proposed to them prior to the sending of this letter) or yourselves so we can discuss our concerns and seek assurances to the above points prior to planning being granted.

Yours Faithfully

[REDACTED]
TOMMY DREELAN

[REDACTED]
SIOBHAN DREELAN

From: Bea Holden [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 23/07/2012 15:05
Subject: FOA Matthew Easton P120919

Ms B Holden
18 Main Street
Straiton
South Ayrshire KA19 7NF
Dear Mr Easton, I would like to register my strong objection to the planning application for 3 houses at the area south of Inchyra, Murtle Den Road, Milltimber. I am objecting for the following reasons: 1. Houses in this area would adversely affect this privacy of my property (land adjacent to Sunhoney). 2. The noise and disruption in building 3 houses plus garages would be considerable. 3. 3 houses in a relatively small area is completely out of keeping with the character of the road. 4. The increase in traffic from an additional 3 houses, each of which would probably have at least 2 cars, is unacceptable on a single track road. 5. The effect on wildlife would be damaging. As far as I am aware no survey has been carried out to determine what species of flora and fauna inhabit this area. I know that there are deer and hedgehogs and there most likely many other species. 6. Although separate, the building of 500 houses nearby makes it imperative that the agreed buffer zone between Murtle Den Road and Milltimber be protected. I would urge the Planning Department to reject this application for the reasons expressed above. I was unable to respond earlier as I was on holiday, however I notice from your website that you state "It is normal practice for us to allow an extra three days for receipt of written comments." As this is a written comment I trust it will be accepted. With kind regards,
Bea Holden

Pinelands,
Murtle Den Road,
Milltimber,
Aberdeen,
AB130HS

ie

Aberdeen City Council
Planning & Sustainable Development,
Marischall College,
Broad Street,
Aberdeen,
AB10 1AB

17 July 2012

Dear Sirs,

Application No. 120919

Erection of three dwellinghouses at Inchyra, Murtle Den Road, Milltimber. AB13 OHS

Although the applicant's site does not form part of the Masterplan prepared by Cala Homes for the Oldfold Development, the vast majority of residents of Murtle Den Road quite reasonably expect that the same conditions should apply to any development on this part of Opportunity Site OP62. In a number of particulars these proposals clearly ignore the principles included in the Masterplan to protect the amenity of the large residences which are accessed directly from Murtle Den Road. My main concerns are as listed below:

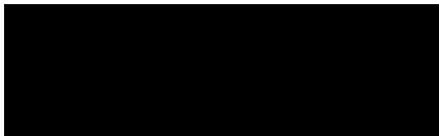
1. From the consultations between Cala Homes and the residents of Murtle Den there was general agreement that the houses proposed for the North of the site and accessed from a continuation of Murtle Den Road should reflect the density, character and quality of the existing 13 residencies. A total of 7-9 houses are indicated in this area (see page 55, Block Q) which amounts to 4.70 hectares (11.51 acres) or thereby resulting in a density of approximately 2 units per hectare or over one acre per unit, which is not untypical for the existing plots. By contrast, the three houses on a site of 0.65 hectares (1.60 acres) gives a density of 5 houses per hectare or approximately half an acre per unit.
2. On page 87 the section "Design Principles for Murtle Den" stipulates that the new "large detached homes should be located within large gardens and accessed via *individual drives* off Murtle Den Road". These proposals (using shared driveways) would not meet this basic criteria.
3. Murtle Den is a very special place, with abundant wild life and natural habitat and the Masterplan acknowledges the value, perhaps the necessity, of the buffer zone to protect this asset and refers to the concerns of the residents about retaining the high quality setting and privacy with no access through the private gardens or links to the existing driveway. The statement that "access to Murtle Den should remain from Murtle Den Road and separate from any proposed access to the Oldfold site" is welcomed by the vast majority of

the residents of Murtle Den Road - but these proposals would actually allow the much higher development densities of the Oldfold site to encroach directly on to Murtle Den Road.

4. In the Supporting Statement the applicants seek to make a virtue out of the space created, (by crowding 3 large houses on a relatively modest site) and suggesting that this arrangement has merit sufficient to justify the assertion that "the proposed houses are formed around a courtyard with individual plots separated by beech hedging". In other words it is an untidy arrangement of three driveways leading to front gardens which are really just landscaped parking areas which will dominate the space between the buildings.
5. The arrangement of three plots being accessed from one drive linked to Murtle Den Road could, sometime in the future, be cited as a precedent to access other plots to allow "backyard developments" where new driveways would not be possible for legal or topographical reasons. In this manner it can be seen that the amenity of all the existing and proposed properties on Murtle Den Road could be in jeopardy from over-development.

Following the above comments I respectfully ask the Council to consider my views and turn down the application.

Yours faithfully,



Ian Lakin

Mr & Mrs I Lakin
Pinelands,
Murtle Den Road,
Milltimber
Aberdeen AB13 0HS

14th
xxth December 2012

Mathew Easton
Planning and Sustainable Development
Aberdeen City Council
Marischal College
Broad Street
Aberdeen AB10 1AB

Dear Mr. Easton,

OBJECTION TO PLANNING APPLICATION Ref:120919

**Detailed Planning Permission for Erection of 2 No. Dwelling Houses at Inchyra,
Murtle Den Road, Milltimber, Aberdeen, AB13 0HS**

We write, both as adjoining owners and members of MDRRA (Murtle Den Road Residents Association), to register our objections to the above application.

In the Aberdeen LDP the application site is part of the Opportunity Site OP62 but is not included in the Development Framework and Masterplan prepared by Cala Homes for the Oldfold Development. In effect the site is cast adrift from the Oldfold Development behind the buffer zone of woodland planting provided to protect the amenity of the existing houses on MDR.

Nevertheless the Masterplan includes very detailed requirements for seven to nine houses which are to be accessed from the top of MDR (Murtle Den Road) and with no vehicular links to the Oldfold Development. For practical purposes these policies and guidelines form a sub-section to the Masterplan for all the plots on MDR including the application site, and we understand that Cala and the Seven Incorporated Trades of Aberdeen Trades Widows' Fund support this approach.

On this basis our concerns are measured against this sub-section and fall into 4 categories as:

- Housing density and plot size.

Following consultations with Cala and TWF (Seven Incorporated Trades of Aberdeen Trades Widows' Fund) the MDRA understands that any development on the vacant plots on Murtle Den Road should be limited to one house per plot and this is consistent with the Masterplan objectives to protect the amenity and the character of the neighbourhood. Whereas the nine houses at the top of MDR average just over one acre per unit, two houses on this site would give a density of 0.8 acres per unit which falls well short of the Masterplan requirements.

- Concerns of precedent.

If planning approval were to be granted on these two plots, which are smaller than those prescribed in the Masterplan, this might encourage further developments on the principle of curtilage splitting. This may well be appropriate in other locations but in Murtle Den it would, in our opinion, represent the serious erosion of its amenity and character and would not comply with sections 3.01 and 5.01 of the Supplementary Guidance: The Sub-division and Redevelopment of Residential Curtilages.

- Design concerns.

Murtle Den Road is acknowledged to be an area of exceptional landscape value with a very distinct "sense of space". Largely this is due to the mature woodland setting with a variety of dwelling houses of different sizes and styles. All of the houses are built to a high standard and none are ostentatious; in fact most present an almost demure appearance when seen from MDR. The proposed houses on the other hand, designed as pastiche Victorian villas will be a very insensitive intrusion in this visually harmonious location; firstly, these are relatively large two- storey houses placed closer together than is the norm for MDR and inevitably they will be seen as a pair which will exaggerate their presence and secondly, the designs are so similar, although there are variations in detail and the plans might be said to be mirrored, that the result might be taken as phase one of a typical estate of volume housing crammed onto a site without any consideration for the "sense of place". In fact from some angles the two houses seen together will have a visual impact much greater than that of Murtle Den House which is at present the largest residence and is of a traditional quality unsurpassed in the area.

- Removal of Mature Trees

Policy NE5 of the Local Development Plan states:

'There is a presumption against all activities and development that will result in the loss of or damage to, established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.'

The tree report dated 13th November 2012 identifies the trees which are to be removed as part of this application. Obviously we are not tree experts but the numbers to be felled for the development, access, services, safety and woodland management seems excessive and we might have expected some mention of remedial action such as pollarding or coppicing in an attempt to reduce the loss of habitat for a number of diverse species. Certainly the provision of two entrances increases the number of trees which must be removed.

- Ratification of the Masterplan

We understand that the final report on the amended Masterplan will be discussed at a committee meeting on the 22nd January 2013 and it is expected to be approved. Furthermore there are on-going discussion with the MDRRA and the Trades with regard to the future ownership of MDR and the required improvements of the road, including additional passing places for the extra (doubling) traffic expected as a direct result of the proposed development announced by Cala at the top of the road. In these circumstances, because even minor changes could influence the outcome of this application and MDRRA discussions with the Trades, we feel that any decision should be deferred until the Masterplan is ratified by the Scottish Government, expected to be sometime in February 2013.

For all the reasons stated above we urge the Planning Authority to refuse this application and we reserve the right to supplement this objection and to respond further to any relevant information received from the applicants after the period for making comments has elapsed.

We request that the Enterprise, Planning and Infrastructure Planning Committee should arrange a formal site visit prior to determining this application and should the application be considered to be a Departure from the Development Plan Mr. Lakin would wish to address the Committee at the appropriate meeting.

Yours sincerely,

 e 
Mr. Ian & Mrs. Christine Lakin

Please accept the undersigned as an additional objector to Planning Application Ref: 120919 for the detailed Planning Permission for erection of 2 (two) dwelling houses at Inchrya Muckle Den Road Aberdeen
Edward Matheson
AB13 0HS last Right, Muckle Den Road
AB13 0H

Sunhoney
Mistle Den Road
Milltimber
Aberdeen
AB13 0HS

Aberdeen City Council
Planning & Sustainable Development
Marshall College
Broad Street
Aberdeen
AB10 1AB

18th July, 2012

Dear Sirs,

Application No. 120919
Erection of three dwellinghouses at Inchyra
Mistle Den Rd. AB13 0HS

I wish to object to the proposal to build three houses in the small paddock of Bonally. Mr John Sinclair applied previously to erect a building here and my husband and I objected then on the grounds of green belt policy and the unsuitability of the very marshy ground which would cause drainage and cess pit problems.

To erect three large houses in this area now, where there is no public sewer to connect to, may create problems with sewage and smell.

The small untarred road leading to Sunhoney and Almore is already wet.

with water draining from the field, the beech hedge which was formerly kept trimmed and low has never been cut since Mr Sinclair bought the property. This overgrowth also keeps the road permanently shaded.

Murtle Den Road has changed over the fifty-seven years that I have lived here - a few new houses have gone up, but the character of the road remains fundamentally a country road, single track, without obtrusive street lighting, and at the moment the road is adequate for the number of cars using it. The printed plans from Cala show that 7 or 9 new houses are to be built at the top of Murtle Den Road. Traffic from these and the cars from the three proposed houses - each garaging three cars, will double the number of cars using our road.

The residents of Murtle Den Road have elected a road committee and have succeeded in securing a buffer zone between Old Fold Farm and Murtle Den Road. To have three new

houses built in our midst is deplorable. Individually the houses may be pleasant but they are not in keeping with this area of traditional houses sitting within large gardens.

I should not object to one house being erected on this site provided adequate drainage can be arranged. This may be easier at the top of the paddock. This would also allow space for a garden and allow some privacy for both the house and for Altmore and Sunhoney.

I urge the Council to turn down the application for the three houses

Yours faithfully,



From: "Bob Mclean" [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 20/07/2012 14:15
Subject: Objection to planning application120919 Inchyra, Murtle Den Road, Milltimber AB13 OHS
Attachments: Planning Application Inchyra, Murtle Den Road, Milltimber.pdf

Dear Sir/Madam,

We would like to formally object to the planning application detailed above.

In our opinion the development is not in keeping with the character of the street as 3 houses with triple garages are proposed in an area that would be smaller than the average plot occupied by the existing individual houses.

It would also lead to an increase in cars/traffic and on top of the proposed Cala development would clearly be overdeveloping the street/area.

Bob & Wendy McLean

Brookden

Murtle Den Road

Milltimber

Aberdeen

AB13 OHS

E: [REDACTED]
T: [REDACTED]
F: [REDACTED]
Peregrine Road, Westhill Business Park, Aberdeen. AB32 6JL

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This e-mail message has been scanned for Viruses and Content and cleared by MailMarshal

Wrae Farmhouse
Turriff
Aberdeenshire
AB53 4RB

Planning & Sustainable Development
Aberdeen City Council
Marischal College
Broad Street
Aberdeen AB10 1AB

Wed 18th July, 2012

Dear Sirs,

Ref: Application Number 120919.

Three dwelling houses at Inchyra (Bonally), Murtle Den Road, Milltimber, AB13 0HS.

As an owner of the land surrounding Sunhoney, Murtle Den Road, I wish to object to this application.

It would appear from the latest master plan for the Oldfold development proposal that this site is now included as part of this development. I, nor my siblings who jointly own the land at Sunhoney, nor my Mother who resides at Sunhoney nor, to my knowledge, the other residents at Altmore, Pinelands and Murtle Den House have been served with notification that this is the case, or that this site is to be included as part of the Aberdeen City Strategic Development Plan.

As a member of a Murtle Den Road residents committee set up to resolve issues and concerns with Oldfold Farm developers Cala Homes, a buffer zone has been agreed, protecting existing properties on Murtle Den Road from such a large development. There is no indication of any buffer zone on the proposed plans and indeed, with the buffer zone in place, I doubt if there would be space for three large houses as shown.

A previous application to erect a single property on this site was refused following objections by my late father and our neighbours, the Mann family.

Personally, I would have fewer objections to a single dwelling house on this site, which would be in keeping with the character of Murtle Den Road. Of the thirteen properties on the road, each is unique and most are set in grounds of an acre or more. To construct three large properties, each with triple garages, would be a complete overdevelopment of this site and not in character with the rest of the road. I am also aware that there is an agreement with the Trades Widows Fund, who own Murtle Den Road, for access to a single property only.

Murtle Den Road is a single-track, private country road with two passing places and the residents are committed to maintaining the integrity of our road. There are seven new homes planned at the north end of the road, which will lead to a significant increase in the amount of traffic using the road. The proposed Inchyra site with three garages per house will increase traffic even further, not to mention the noise and damage caused by large commercial vehicles during the construction of the proposed properties.

I also have concerns regarding the suitability of the ground within this paddock for three properties. Water collects here from the higher surrounding land and there is very poor drainage. Attempts to remedy this will undoubtedly result in more water running down Murtle Den Road and the very real danger of flooding properties which are situated on lower ground on the east side of the road. There is no mains sewer on Murtle Den Road so whatever sewage treatment planned for three properties would inevitably produce unpleasant smells and also noise if pumping was involved.

I also have grave concerns over the adverse impact to wildlife this development will have. A small herd of deer (usually around six) regularly cross this paddock and gather just to the south side of the existing gate. Red squirrels still inhabit the wooded areas of the site, as do many other species of animals and birds of interest. The 550 homes planned for the surrounding fields of Oldfold Farm is more reason to retain the last bits of open space allowing nature the chance to enjoy Murtle Den Road alongside its residents.

I urge the Council to reject this application on the grounds outlined above.

Yours faithfully,

Neil Haston

PLANNING APPLICATION REFERENCE: 120919

ERECTION OF 3 NO. DWELLING HOUSES ON LAND AT INCHYRA, MURTL DEN ROAD, ABERDEEN AB13 0HS

We act for The Trustees for the Managers of the Widows Fund of the Seven Incorporated Trades of Aberdeen ("the Trades Widows"), having a place of business at Trinity Hall, Holburn Street, Aberdeen.

Our clients object to the application which has been submitted by JPR Services Limited for the erection of 3 no. dwelling houses on land at Inchyra, Murtie Den Road, Aberdeen for the following reasons:

- The proposed development is premature in light of Development Framework and Masterplan
- The proposed development is incapable of providing the required infrastructure in terms of the Local Development Plan, and
- The proposed development is not capable of implementation

Dealing with each of those in turn:

1. Local Development Plan

- 1.1 The site of the proposed development falls within the area zoned as OP62 in the Aberdeen City Local Development Plan (LDP) adopted on 29 February 2012.
- 1.2 OP62 was the only major development site along the Deeside corridor to be allocated in the LDP.
- 1.3 The LDP recognises that there are significant transport and educational capacity infrastructure constraints in the area which restrict the scale of future development.
- 1.4 OP62 provides for 400 homes in the period from 2007 to 2016 with a further 150 homes in the period from 2017 to 2023. In addition, it provides for 5 hectares of employment land in the period from 2007 to 2023.
- 1.5 Table 9 of the LPD notes that a Masterplan is required for the development of OP62.
- 1.6 Appendix 4 of the LDP makes reference to the requirement for a new major junction connecting the development at Oldfold to the A93.
- 1.7 Appendix 4 of the LDP also makes reference to the requirement for a new Primary School within OP62, as well as an extension to Peterculter Health Centre to accommodate one additional GP and two additional dental chairs, in addition to a new community pharmacy.

2. Requirement for Masterplan

- 2.1 The LDP required a Masterplan to be put in place in respect of OP62, in order to co-ordinate planning and delivery of associated infrastructure requirements.
- 2.2 A Development Framework and Masterplan was submitted in relation to the majority of the OP62 site submitted to the Council in January 2012. The present application site does not form part of the area covered by the Development Framework and Masterplan.
- 2.3 Any development within the OP62 site should comply with the Masterplan requirements in terms of phasing, as well as obligations in respect of infrastructure requirements.
- 2.4 The Masterplan has not yet been approved by Scottish Ministers. Therefore changes may be made to the Masterplan before it is finally adopted.
- 2.5 Approval of the present application would therefore be premature without the confirmation of final approval of the Masterplan.

3. Site incapable of providing necessary infrastructure

- 3.1 It is clear from the references to OP62 in the Local Development Plan that the infrastructure constraints in respect of OP62 could only be remedied through the creation of a Masterplan. It is development in line with the Masterplan, and the delivery of infrastructure in line with the Masterplan, which will enable the wider OP62 site to be developed effectively, and in accordance with the Council's requirements for mitigating the infrastructure constraints.
- 3.2 Given the infrastructure constraints in respect of the site, in terms of primary schooling, healthcare and transport/access, it is our clients' view that no development should take place on the proposed development site, and no applications should be approved until such time as the major development situated to the west, has been approved and commenced. Any further developments falling outwith the Development Framework can then be assessed on their own merits in line with the level of infrastructure and capacity at that time.

4. Development not Capable of Implementation

- 4.1 The owners of the proposed development site do not have adequate rights in order to access or service the proposed development. Murtle Den Road, together with the verge adjacent to the roadway, is privately owned by our clients, and has not been adopted by the local authority.
- 4.2 When our clients sold the plot which now forms the proposed development site in 1903, the only servitude rights of access which were granted were in favour of a single dwelling house. The applicants are not entitled to increase the burden on the road beyond this.
- 4.3 In addition, the owners of the proposed development site have no ability to comply with any requirements which may be imposed as part of any planning permission or statutory consents in relation to Murtle Den Road. The applicants have no rights to resurface the road, widen the road, or comply

with any visibility splay requirements in respect of any areas falling outwith their ownership. This would affect their ability to create an acceptable access into the proposed development site itself, or any other requirements which the local authority may seek to impose in relation to the junction of Murtle Den Road and the A93 (North Deeside Road).

- 4.4 Paragraph 3.3 of the supporting statement submitted by Ryden on behalf of the applicants as part of the application specifically refers to the fact that the "existing site entrance is to be ...widened..."
- 4.5 Further, my clients view is that the applicants have no rights over Murtle Den Road in relation to any other statutory connections which may be required in respect of the proposed development. This would include water, sewers, electricity, phone connections, etc. Again, it is clearly the applicant's intention to locate services within Murtle Den Road, as the said supporting statement makes reference a Paragraph 3.4 to the felling to trees at the entrance to the site to enable improved access, and enable services to enter the proposed development. No such rights exist.
- 4.6 While the matters referred to above are generally property related issues, which could conceivably be dealt with by negative or suspensive conditions in any planning consent, my clients would be concerned if any such planning permission was granted, which was clearly unable to be implemented. This may have an impact of the number of units which may be approved in the remainder of Site OP62, thus impacting on the requirements under the Structure Plan to deliver the appropriate number of new houses within the City.

5. Conclusion

- 5.1 It is our view that this application is (a) premature, prior to the Development Framework being approved by Scottish Ministers, (b) incapable of providing the infrastructure needed in terms of the requirements of the Local Development Plan and obligations under the Development Framework and Masterplan, and (c) incapable of being developed due to fundamental constraints in terms of access and servicing.
- 5.2 We would respectfully ask that these objections are taken into account when considering the application.

Ledingham Chalmers LLP

Agents for the Trades Widows Fund

25 July 2012