



Planning Reception  
Planning and Sustainable Development  
Aberdeen City Council  
Marischal College  
Aberdeen  
AB10 1AB

163 Bon Accord Street  
Aberdeen  
AB11 6UA

27th June 2013

**Planning Application Reference: 130743**

**Proposal for a Mixed Use Building consisting of Serviced Residential Apartments and a Business Unit – Old Mill Lane, Bon Accord Crescent, Aberdeen.**

To the Planning Committee

As Planning Officer for Ferryhill & Ruthrieston Community Council I am writing to lodge an objection against the application for Detailed Planning Permission for the above proposal.

This letter reflects the collective views of the Community Council.

Please note that this is the second objection F & RCC have lodged for this planning application. The previous application Ref # 121633 for this site was refused.

F. & RCC have reviewed this latest application and observe that there is no significant change to the previous design which was refused.

The basis of the objection is similar to the previous application and is as follows:-

- The proposal, if implemented, given the scale and layout of the development would adversely affect the daylighting, amenity and privacy of adjoining residents and the character of the existing residential area.
- The proposal, if implemented, given the scale, height and position of the proposed building would have a significant detrimental impact on the setting of adjoining listed buildings and the character of the wider conservation area.
- The proposal, if implemented, would set an undesirable precedent for future applications of a similar nature





Can it please also be noted that F & RCC are not against re-development of this site as we agree that the site is a bit of an eyesore, but all we would request that the design is more sympathetic to its location.

We would suggest that the height of the new development is lowered, which would reduce the impact that this building would have on the surrounding area.

Yours faithfully



Barbour (Planning Officer: Ferryhill & Ruthrieston Community Council)



C  
Mrs C Dunhill  
44 Albury Road  
Aberdeen AB11 6TL

Development Management  
Enterprise, Planning and Infrastructure  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
Aberdeen AB10 1AB

30 June 2013

Dear Sir / Madam,

**Objection to planning application reference 130743 Local Authority Reference: 000062791-001**

I am writing to object to the planning application mentioned above. There are many reasons for objecting and I have outlined them below:

**Roads / Traffic**

The proposed structure would increase traffic in an area that is already congested with no parking spaces dedicated to the building. Hours of construction and means of getting equipment onto the site and storing equipment would impact on the popular walkway of Oldmill Lane and have a negative effect on the adjacent houses which are very close to the proposed development site. To build would mean that the popular walkway would become closed in so that fewer people would use it; especially as they would not be seen from the windows of houses on Springbank Terrace.

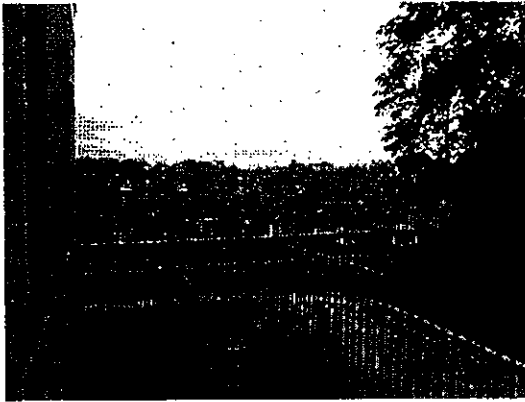
It would have a negative impact on the road safety and the amenities in the area. Already there are many large rubbish bins situated on Willowbank Road / Springbank Terrace and these restrict visibility for people crossing the road. To place more bins there would make it even more difficult to see and would also restrict available parking in an already congested area.

**The Proposed Structure of the Building**

The distance between the homes adjacent will be extremely small and people will go from having a light, bright room to being in darkness; they would also lose their privacy and use of their back gardens as they become unable to see out from their gardens due to the height of the building proposed. The plans to stop people from looking down seem untenable and I would like to see people living in the houses consulted about the comments made in the planning application which appears to suggest they'd gain privacy from having a building within a few metres of their homes.



This open area fits with the area and could enhance it. Local residents could manage the area given the chance. I feel that building a conspicuous, ill fitting, short term accommodation block in an area already well serviced by similar Apartments, Guest Houses, Hotels and Hostels would be a poor utilisation of this land and would not serve the area well.



### The Conspicuous Design

Does not fit in at all with the buildings in the area and would have a negative impact on the end of the crescent. The building might be partially screened by trees for part of the year but these are deciduous trees and it would then be in plain sight for many months.

This importance of the characteristics of this Conservation Area are written about in the Aberdeen City Conservation Area Character Appraisals and Management Plan :

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?ID=49070&SID=2991>). A small part of this document, which details the wealth of architecture and historical interest is quoted below. The proposed structure would not add anything to this area and as the structure, nature, position and materials which are being proposed do not fit the surroundings or fit with detail in the Council's Conservation Area Management Plan.

" This Conservation Area is of a size which means few largely distinct character areas exist; however, the key streets have been grouped together which form areas with a distinctive sense of place – Bon Accord, Crown Street and Springbank." (page 9 of Aberdeen City Conservation Area Character Appraisals and Management Plan | February 2013)

Also the building proposed does not fit the character of the surrounding area at all - as described later in the same document:

"Bon Accord – features the highest majority of commercial business/office premises which create active uses and maintain pedestrian movement during the day-time. This area also features a high proportion of Category B Listed Buildings, covering almost the entirety of Bon-Accord Square, Bon-Accord Crescent and Bon-Accord Street".

I hope that you will consider this letter and look forward to hearing from you.

Yours faithfully,  
Christine Dunhill

(submitted by email)

130743

**MR GORDON SAVILLE**

- 26A, SPRINGBANK TERRACE

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  - ABERDEEN
  - AB11 6JY
  - Phone [REDACTED]
- 

ABERDEEN CITY COUNCIL  
TOWN AND COUNTRY PLANNING  
MARISCHAL COLLEGE  
BROAD STREET  
ABERDEEN.  
AB10 1AB

30<sup>TH</sup> DECEMBER 2012

Dear Sir/Madam,

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**OBJECTION TO THE PLANNING APPLICATION  
NUMBER 100023401 BEHIND NUMMERS 23 to 26  
SPRINGBANK TERRACE**

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*Our opposition to the above plan is as follows*

- (1) Springbank Terrace area is a Residential Conservation Area and therefore it is wrong to build an industrial unit on this site.*
- (2) Environmental Concern: In this area there are about two or three times a year when there is some sewage smell which lasts for sometime. As such*

*building more residential units can only make the situation worse.*

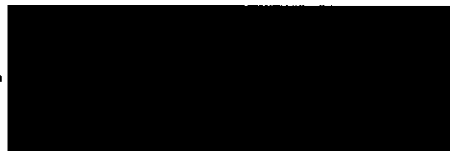
*(3) Drainage: The area suffers from water log. In periods of very heavy rain there is water log on the street at the ABERDEEN CITY COUNCIL'S BON ACCORD TERRACE GARDENS near the dustbin and this lasts for days. Also in the slope the water log makes it unpassable for some days. Building residential units will affect the drainage system and the water log can only get worse.*

*(4) Impact on amenity: The parking here in Springbank Terrace is already congested. Even local residents with parking permits arriving home after 7pm find it hard to get a place to park. Erecting more residential building can only worsen the already bad situation.*

*(5) Plan of the site: The site diagram does not take into account the right of way at the rear of number 26 Springbank Terrace on to Old Mill Road in case of fire. This therefore poses a safety risk to 26 Springbank Terrace.*

*Yours faithfully.*

*MR. GORDON SAVILLE*



## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 29 June 2013 10:34  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : Evan Anthony Roberts  
Address : 76 Bon Accord Street  
Aberdeen  
AB11 6EJ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I have the following objections to planning application 130743:

### 1. Loss of sunlight

Property 76/78 Bon Accord Street has a divided garden and the rear section belongs to 76 Bon Accord Street. This is the section used for vegetables growing. By putting a 5 storey (3 storeys at highest end of slope) this reduces the available sunlight hours at the end of the garden significantly. Even on the 21st June the summer solstice and the longest day the sunlight is lost at 3pm as it heads west and drops toward the horizon. By August the sun is lost by 13:30 in the back section of the garden. Similarly looking at May the sun is lost at 13:30. Since the afternoon is the warmest period of the day and there is a lot of emphasis on sustainable living today which follows on from Archibald Simpson's thinking and design where he had terraces running down in front of his terrace for use as a growing area.

The house is set further back but will also lose the last 2hrs of light each afternoon. This is significant during winter when days are short. This amounts to a loss of a third of the day's sunlight.

### 2. Fitting in with surroundings

The architects claim that having a sharp vertiginous end to Archibald Simpson's terrace is in keeping with Aberdeen reference their statement 'Springbank Terrace; the cliff of granite; The embankment and areas towards Crown street were originally known as Clayhills so there certainly are no cliffs and the 'Strategic overview on Conservation Areas' document section 1.6.2 on topography describes Aberdeen as a gently undulating landscape. The slope from the end of Archibald Simpson's crescent drops in an embankment down to what was the Ferryhill burn; now covered over.

The Archibald Simpson Crescent made use of the slopes by terracing and putting in gardens. The proposal to build a 'high rise' building here certainly does not fit with this philosophy.

As for pattern, the Bon Accord and Crown Street Conservation Area Character Appraisals and Management Plan talks about uniform housing lower down the embankment (Section 2.2 par 4). On page 23 of the above mentioned document it talks of buildings with pitched naturally slated roofs. It also mentions elegance and rhythm. The proposed building is all square with no pitched roof, simply boxes stacked up with flat top maximising space. It certainly does not follow the rhythm of the houses behind or to the side of it when viewed from SW, a direction commented on as being a key view and vista direction section 3.3 in the Conservation document. It also certainly does not fit in with the 'uniform' aspect. A building with several pitched elements rising up the side of the embankment would far better follow the rhythm of the back drop and would allow a larger overall floor area making up for loss of space due to fewer levels. But if profit is the sole objective then a small floor slab as currently proposed is cheaper.

### 3. Issues around parking:

The developer has attempted to get around this issue by claiming that short stay people would not have vehicles. However even assuming that the apartments will not be sold off at some later stage for long term occupancy, they suggest people could stay for several weeks to months. People staying this long are likely to have cars as it gives them the possibility to get out of town on weekends to explore. There is already a shortage of parking spaces. Of an evening I often end up parking several blocks away, especially when trying to park whilst a function is on at the Ferryhill Community Centre. As such I would suggest that the issue is still unresolved

### 4. Quality of life

The developers talk about Manhattan and tiny rooms, well this is Aberdeen. It is a smaller quieter city with a pleasant character which is why I stay here. I'm able to have a garden and enjoy sitting outside in the evening. This space and feeling of space is remarked upon as being important in 'Global Age-Friendly Cities: A Guide' where having space is seen as something improving quality of life.

### 5. Reflected light

Although the revised design has sought to change the angle of the glass windows so that light does not shine directly into any neighbouring windows, there will still be reflected light as this large area of glass will result in a lot of light being emitted. On a winter evening walking down Willowbank road with all the leaves of the trees you will be confronted with 5 storeys of glowing glass squares which is not in keeping with the surrounding building lighting character.

### 6. Further discussion

This plan has been presented in slightly modified format several times i.e. 1995/2002/2012 and now again with only minimal alteration. Nothing in the area has changed; it is a conservation area and as such a tower block is not in keeping with the area, see previous committee report statement:

'be entirely out of character with the architectural design, integrity and uniformity of Bon Accord Crescent; be incompatible with the existing street scene and highly deleterious to a particularly fine piece of the City's townscape by acting as an obtrusive and unattractive stop to the terrace; be detrimental to the amenity of neighbouring dwellings especially in Springbank Terrace; and represent an overdevelopment of the site.'

The design remains - a pre-fabricated box construction drafted up to be built quickly and cheaply without really making an effort to fit in with the conservation area it would form part of. Its vertical format and structure, blocks light and overlooks neighbours. Surely a revised design that spread out more over the available space and climbed the embankment in steps would be far more fitting. It would remove all these objections. Sloping roofs ending in a gabled end on Oldmill lane would give a superb architectural statement as to what Aberdeen is about and stands for permanence and the future not a prefab drab quicky future.

This is backed up by guidance from the Scottish Planning Policy (paragraph 115):

The Policy recognises that design is an important consideration to ensure that high quality developments are achieved and high quality city centres.

Previous objections and council decisions appear to still be valid; objections are always the same simply reworded see my submission from previous planning application:

I object based on the following:

Planning has already been refused as per:

Application A2/0173 for 'PROPOSED RESIDENTIAL DEVELOPMENT' at OldMill Road, was Refused by Planning Committee on 17/3/2003 for the following reasons:

'the proposal, if implemented, would be contrary to policy 3.3.1 of the



adopted Local Plan, policy H1 of the modified finalised Local Plan and guidance contained in NPPG 3 in that the scale and layout of the development would adversely affect the daylighting, amenity and privacy of adjoining residents and the character of the existing residential area.

the proposal, if implemented, would be contrary to policy 10.2.8 of the adopted Local Plan, policy BE2 of the modified finalised Local Plan and guidance contained in NPPG 18 and Historic Scotland's Memorandum of Guidance in that the scale, height and position of the proposed building would have a significant detrimental impact on the setting of adjoining listed buildings and the character of the wider conservation area.

the proposal, if implemented, would set an undesirable precedent for future applications of a similar nature

The current plans do not appear to be significantly different from the previous application and I don't believe the local conditions have changed and as such this planning request should be rejected again.

This square box structure is definitely not in keeping with the category B listed properties surrounding the site in this conservation area, which have pitch roofs and generally are no more than 3 storeys high. There are a number of clauses in the Aberdeen Local Development Plan supplementary guidance that this design does not reflect. Detailed below are two of the many clauses that have not been taken into account:

Section 3.1 talks about fundamental character and pattern. This proposed building will not fit into the current pattern. There is talk about the vista along Bon Accord Crescent looking south. You will now look straight at a square box structure of glass and aluminium.

In section 4.1

In general the design and external finishes of any new dwellings should complement those of the surrounding area.

This new design with materials such as anodised aluminium does not complement wood and granite.

Impact on amenity

I see no allowance for parking and with 4 homes plus a business in an already busy area where parking is generally full, will be put under further pressure.

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Daylight

The top line of this new building means that at an approximate angle of 15 degrees the sun will not even get into the top dormer windows of the properties along Bon Accord street and the gardens behind these properties. On a day like the 5th of January when the sun never rises more than 15 degrees above the horizon the houses 53/54/56 will never get the sun and the gardens will be in deep shade.

Section 3.1 of the Aberdeen Local Development Plan states that

As a general principle new residential development should not borrow amenity from, or prejudice the development of, adjacent land or adversely affect existing development in terms of privacy, overlooking, daylighting or sunlighting.

This development will have significant effect on the daylighting, for the existing properties and their gardens.

Since this is a residential area and in the modern world there is a lot of attention being focused on sustainability and healthy living this loss of sunlight will mean I will no longer be able to grow vegetables in the back garden

## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 19 June 2013 20:04  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : Mr Colin Simpson  
Address : 74 Bon Accord Street  
Aberdeen  
AB11 6EJ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to several aspects of this building for the reasons noted below:

1. The size and scale of this building is out of keeping with the adjacent listed buildings within this conservation area. The land to the south and west of Bon Accord Crescent can be seen to fall sharply in all directions, creating views of the listed buildings from the Crescent. The building will block public views of this vista.
2. Bon Accord Crescent has a very pleasant character - and is a recognised landmark in the city, to the extent that a large mural of crescent is on the wall within Aberdeen Airport. The size and style of the planned building dominate the view when driving south along Bon Accord Crescent and will be detrimental to the character of this important, historic location.
3. The scale of the building on this land is too large. The land to the South of Bon Accord Crescent falls sharply, and a building of the same height as those on the crescent will look out of keeping with the surrounding listed buildings.
4. The building, located at the Southern end of the Crescent, will significantly affect the daylight on the crescent. It will also significantly impact the privacy of adjacent buildings on both Bon Accord Street and Springbank Terrace.
5. The style of the building proposed, represented mainly with glass frontages, will be out of character with the surrounding listed buildings, and be detrimental to the overall aesthetics of this conservation area.
6. The proposed development has no additional parking. Parking problems are already acute in these streets, with residents already limited to one permit per household. This development will put further strain on parking within the area.
7. The development will increase congestion at the junction of Bon Accord Crescent and Bon Accord Street. This is already a difficult junction. It regularly backs up due to two way traffic trying to pass down what is a very narrow lane.
8. It is noted that the drains on Old Mill Lane regularly back up and have caused flooding within my garage. This development has the potential to further permanent damage the drainage within the area, particularly due to the movement of heavy vehicles during the construction of the building.

24 Springbank Terrace,

Aberdeen AB11 6JY

8<sup>th</sup> June, 2014

Planning and Sustainable Development,

Marischal College Reception

Dear Sir/Madam,

I am writing to register my objection to the new planning application for Oldmill Lane, Aberdeen (Ref 130743). With my partner, I own and occupy the property at 24 Springbank Terrace immediately adjacent to the site. From our perspective, the objections to the recently refused application for this site (Ref 121633) apply equally to this new proposal.

My objections to this new development are:-

Loss of Privacy

The proposed five storey development will be up hill from our house and in very close proximity overlooking our garden and North side. This will remove all privacy in the house, unless we have windows and curtains closed all day, and the garden will lose all privacy. Because the South aspect of this house faces onto the busy street we, like all neighbours, make limited use of the front of the building preferring the peace and privacy at the rear as a consequence such a development will remove the last vestiges of privacy that we have. This invasion of our privacy is exacerbated by the small area of the plot on which building is proposed, the height of the building and the fact that the building is located up hill from our house.

The Design Statement claims that we currently have poor privacy to the rear of the house as we are overlooked by Bon Accord Crescent, yet outside office hours the traffic on the crescent is very light and is far less than the loss that will result from being closely overlooked by a residential building. In addition the buildings on Bob Accord Crescent have a few small windows overlooking Springbank – in contrast to the proposed development.

Aberdeen City Council have supplementary guidance on the “The Sub-division and Redevelopment of Residential Curtilages”, March 2012, here it is considered that privacy would be impinged as the windows of the new property will be ~19m from our windows, the building is at a higher elevation and has five storeys in contrast to our two storeys.

This loss of privacy will be effectively permanent as the proposed building is residential. In addition as the occupants will be transient no understanding will develop between the occupants and residents as to acceptable living. Indeed there is nothing to prevent this accommodation being used to accommodate a series of late night revellers that will be impossible to control.

### Light Pollution

The large window area and proximity of this proposed building means that light pollution could be considerable. Again with the transient nature of the occupants it is unlikely that any mutually tolerable code of light usage and shielding can be reached.

### Loss of Daylight

The great height and proximity of this proposed new building will unacceptably reduce our natural daylight. Again, referring to the Supplementary Guidance mentioned above, when standing at the back wall of our house an angle of greater than 25° from the horizontal would be subtended by a line from the roof of the new building to an observer at 2m at the back of our house.

Because of the great relative height of this new building some form of shielding to retain some of our privacy is not feasible as this would need to be of sufficient height to very significantly reduce our daylight and these new trees would form a canopy over much of our garden which goes against the Supplementary Guidance mentioned above.

### Impact on groundwater and induced subsidence

The houses along the north side of Springbank Terrace have suffered from subsidence in the past. Currently this appears to be stable. Constructing a large building immediately uphill of these buildings in an area with known groundwater sources (hence the name Springbank Terrace) will certainly change the groundwater levels and flows under these buildings and it is very likely that subsidence problems will start afresh and may require major structural repair work. This impact was not addressed in the last application, or Planning Department review and has not been covered in this application.

### Overloading Sewage Facilities

The sewers serving Springbank Terrace and Bon Accord Street are poorly mapped or understood and the current capacity struggles to meet current demands. Several years ago we had sewage backing up into our house. Scottish Water were unable to define where our sewage lines ran and the matter was finally resolved when a private sewage expert was able to physically trace where the lines ran and that the problem was congested sewage lines external to our property. Every summer the sewers are worked on and cleaned from the junction in the park adjacent to 27 Springbank Terrace. The addition of flats to this system will overload a failing system.

### Design conflicts with building in the locality

The design of the building is not in keeping with any other building in the locality, which are all grey granite and up to two storeys high. So the proposed five storey block predominantly faced in glass will starkly dominate the locality. The design seems to be based on the style of a 1970s tower block.

The design statement cites four means by which the proposed building will enhance the area, but all of these are based on a consideration of Bon Accord Crescent, which is now all business premises, and no consideration is given to Springbank Terrace and Bon Accord Street. Obviously

the architects, along with the residents, can see no benefit afforded to the existing residential properties. Indeed the architects claim the proposed building will be "subservient" to Bon Accord Crescent a very befitting description of the status of the Springbank Terrace to this proposed development.

Impact on Local Traffic

It is claimed that this development will encourage an environmentally conscious transport arrangements for occupants. Whilst such an ideal is laudable, the implementation simply means that no provision has been made for increased car parking in the area. Some visitors will use their own vehicles and these will take up parking spaces of local residents, who do not have the protection of "Resident Only" parking in the area.

The use of cycles is an appealing idea, but simply labelling a room as Cycle Store will do little to assist visitors in the use of cycles. To encourage cycling, bicycles would have to be provided and maintained, as people travelling on business would find it difficult to bring their own cycles.

In conclusion minor modifications to this design will not make it acceptable and planning permission should not be granted. This land should be put to good use, without negatively impacting the character of the area and consideration should be given to using the area for allotments.

Yours faithfully,

[Redacted Signature]

W Stephenson

Tel: [Redacted]

Email: [Redacted]

PI

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**From:** Esther Reid [REDACTED]  
**Sent:** 16 June 2013 14:39  
**To:** PI  
**Subject:** Planning Application Number 130743  
**Attachments:** Figure 1.doc

Dear Sir/Madam

Please find attached my letter of representation re Planning Application 130743 for the proposed development at Oldmill Lane, Bon Accord Crescent, Aberdeen. Please can receipt be acknowledged by return?

Yours sincerely

Esther M Reid

21 Springbank Terrace  
Aberdeen  
AB11 6JY

June 14 2013

Planning and Sustainable Development Department  
Aberdeen City Council  
Marischal College  
Aberdeen  
AB10 1AB

Dear Sir or Madam:

**Planning Application No: 130743 Proposal for a Mixed Use Building Consisting of Serviced Residential Apartments and a Business Unit at Old Mill Lane, Bon Accord Crescent, Aberdeen**

I wish to object to the granting of approval for the above Planning Application on the following grounds:

- ❖ The proposed building is planned to be sited behind and adjacent to the mid Victorian terrace - Springbank Terrace (North side) between the bottom of Willowbank Road and Bon Accord Street. This terrace forms part of Conservation Area Number 3 and as such requires special consideration.
- ❖ In the determination of any application for planning permission for development affecting a Conservation Area, the planning authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area. Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 Section 64
- ❖ The proposed building is not in keeping with a conservation area in terms of its height, position, and its close proximity to a historically important terrace in the centre of Aberdeen City.
- ❖ The height of the proposed building - 1.5 storeys above the immediately adjacent terrace is increased by the effect of the steep slope on which the proposed site is situated.
- ❖ Historic Scotland Guidance indicates that particular care should be exercised in terms of the scale, design and materials which are proposed for any addition to a Conservation Area.
- ❖ Springbank Terrace is also at risk from damage caused by extensive construction activities

- ❖ A particular concern is the very narrow access routes to the site, which are totally inadequate for vehicular traffic, and which will prevent access for emergency vehicles.
- ❖ Lack of vehicular access will also necessitate excavation and building equipment being delivered on site by heavy lifting equipment, which can cause extensive ground transmission of vibration with potential damage to Springbank Terrace and its water and sewerage systems, which run to the rear of the houses, and of subsidence to the houses, a problem which already affects the area to some extent.

In conclusion I would ask that the application be considered by the full Planning Committee, and request that a site visit should be undertaken, so that the unsuitability of the site for such a project may be seen. I would also like to ask that a copy of my letter be made available to every member of the Planning Committee, prior to the meeting at which this application is to be discussed, so that they may be conversant with the issues.

Sincerely,

Esther M Reid

P&SD Letters of Representation		
Application Number: 130743		
RECEIVED 17 JUN 2013		
Nor	Sou <input checked="" type="checkbox"/>	MAp
Case Officer Initials: SN		
Date Acknowledged: 19/06/13		



**George Milne**

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 10 June 2013 21:28  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : Malri MacLeod Gray  
Address : 80a Bon Accord Street  
Aberdeen  
AB11 6EJ

Telephone :

Email : [REDACTED]

type :

Comment : I object to this application 130743 for the erection of a mixed use building at Oldmill Lane, Aberdeen for the following reasons:

&#8226; The proposed development is situated on land which is identified as Green Space Network in the Aberdeen Local Development Plan 2012 (LDP). The proposal does not comply with Policy NE1 of the Aberdeen Local Development Plan 2012.

&#8226; The proposed development is currently urban green space. It is not zoned for development in the LDP and no alternative urban green space is being proposed. The proposal does not comply with Policy NE3 of the Local Development Plan.

&#8226; The proposed development increases the risk of surface water flooding to the rear of the properties on the north side of Springbank Road. The proposal does not comply with Policy NE6 of the Aberdeen Local Development Plan.

&#8226; The proposed development will generate additional traffic in an already congested area, and will cause a hazard to road users through vehicles entering and exiting the development.

&#8226; The proposed development does not appear to include sufficient car parking for the size of the building, and will therefore lead to additional pressure on car parking in the surrounding streets.

&#8226; The size and design of the proposed development is entirely out of context with the local area, and will impact on important views. The proposal does not comply with Policies D1 and D6 of the Aberdeen Local Development Plan.

&#8226; The proposed development fails to preserve or enhance the character of the conservation area.

&#8226; The proposed development directly impacts on the architecture of Archibald Simpson, by providing such a contrasting building, in conflict with the City Centre Development Framework.

&#8226; The impact on the privacy, residential amenity, daylight and sunlight of the neighbouring properties on Springbank Terrace is not acceptable, given the scale and location of the building, at such a height in comparison to Springbank Terrace.

**2.6** A similar application has been refused by Aberdeen City Council previously. Approval would create an undesirable precedent.

Dealing with each of those in turn:

**1 Green Space Network**

**1.1** The proposed development site falls within land which is zoned as part of the Green Space Network in the LDP. This is shown on the **City Wide Proposals Map: City Centre Detail**. According to Policy NE1 of the LDP, the Green Space Network provides an enhanced setting for development and other land uses and improved opportunities for outdoor recreation, nature conservation and landscape enhancement.

**1.2** The proposed development is an intensive use of the site, which does nothing for outdoor recreation, nature conservation and landscape enhancement.

**1.3** In terms of Policy NE1 of the LDP the City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.

**1.4** Clearly the proposed development will eradicate this part of the Green Space Network. The Council is not given any discretion in terms of Policy NE1. It is quite clear in that it states that such proposals will not be permitted.

**1.5** Although Policy NE1 does provide that master-planning of new developments should determine the nature and location of Green Space Network within the development, that is clearly not applicable here, where the whole of the proposed development is situated within the Green Space Network.

**1.6** The Green Space Network does not have to be open and accessible to the public to be of value. The supplementary guidance on Open Space issued in March 2012 makes reference to the importance of the Green Space Network, and Open Space. These include benefits to biodiversity, climate change, by creating urban green lungs, health and wellbeing, through the absorption of pollution, and pride in the Quality of Place as part of the built environment. These are all impacted upon.

**1.7** The proposed development therefore does not comply with Policy NE1 of the LDP.

**2 Urban Green Space**

**2.1** Policy NE3 of the LDP relates to Urban Green Space. The Proposals Map identifies the larger areas of Urban Green Space, however the policy also applies to smaller areas of urban green space which are not shown on the Proposals Map. The site of the proposed development is not allocated for development on the Proposals Map and therefore constitutes urban green space.

**2.2** In terms of Policy NE3 of the LDP, permission will not be granted to use or redevelop any... areas of urban green space for any use other than recreation or sport, unless an equivalent and equally convenient and accessible area for public access is laid out and made available in the locality by the applicant for urban green space purposes.

**2.3** No such alternative area is being proposed by the applicant for urban green space purposes.

**2.4** The proposed development will lead to significant loss to the landscape, character and amenity of the site and adjoining areas.

**2.5** The proposed development therefore does not comply with Policy NE3 of the LDP.

### 3 Flood Risk

3.1 The existing site is currently grassland, on a steep slope running from the north-east to the south-west. As the site is undeveloped, it has the ability to absorb any water run-off, either from the site itself, or any additional water from Bon Accord Crescent and Oldmill Lane.

3.2 Given the nature of the development, and the percentage of the proposed development site which is to be taken up by buildings, it is difficult to see how the site can accommodate a suitable Sustainable Urban Drainage Scheme (SUDS) to off-set the loss of water absorption currently available.

3.3 The proposed development does not therefore comply with Policy NE6 of the LDP in that it increases the risk of flooding through the potential for discharge of additional surface water.

3.4 We have not seen whether a Drainage Impact Assessment has been produced, but given the constraints to the south of the site (due to the houses on Springbank Terrace) drainage will undoubtedly have to connect into Oldmill Lane. The height differentials between the development site and the drains within Oldmill Lane would lead to the drainage having to be pumped uphill, which is unsatisfactory for a building of this size. If the drainage system were to fail, the result would likely be an overflow of unsanitary waste in a downward direction into the gardens of the Springbank Terrace properties.

### Transport

4.1 Policy T2 of the LDP requires any development to demonstrate that sufficient measures have been taken to minimise the traffic generated.

4.2 The present application does not appear to include a Transport Statement from the Applicants, and given the size of the proposed development, it is unlikely one will be required.

4.3 As a result, neither we, nor the Council are able to review a statistical analysis of additional traffic movements as a result of the proposed development.

4.4 Bon Accord Crescent is already a very busy road, serving a predominantly commercial community, and terms of staff and clients of the various businesses in the area.

4.5 The fact that the road narrows into a small lane at the south end is already a hazard to traffic, and encourages cars to carry out three-point-turns on Bon Accord Crescent.

Furthermore, the vehicular access into the proposed development appears to be offset, so that it is not visible to vehicles travelling south along Bon Accord Crescent. This would create a significant hazard to vehicles when turning on to Oldmill Lane, to find vehicles manoeuvring into or out of the proposed development.

4.7 It is our client's view that there is insufficient capacity in the current road network to deal with the additional traffic arising as a result of this development. The additional traffic generated by the development, on an already hazardous corner of a busy, narrow road, means that any additional development relying on Bon Accord Crescent and Oldmill Lane for access should be strongly discouraged.

4.8 The proposed development should therefore be refused on the grounds that the existing road network cannot cope with the additional traffic created, and that the proposed entrance into the site is inherently unsafe.

### 5 Car Parking

5.1 Policy T2 also deals with Car Parking, stating that Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility.

5.2 Although some of the offices on Bon Accord Crescent have access to their own car parks, these are generally insufficient to cater for all the staff and customers. There is therefore a significant deficit in the number of available parking spaces in the area during the day.

5.3 The development of additional office and serviced apartment facilities on what is already a densely occupied area will only make the situation worse.

5.4 The plans submitted with the application give very little indication as to the number of available parking spaces intended to serve the development.

5.5 However, it would appear that there is very limited parking within the development, given the size of the development, and the number of people it is intended to serve.

5.6 The Council's Supplementary Guidance on Transport and Accessibility adopted in March 2012 provides maximum car parking requirements for city centre non-residential developments as follows

Offices 1 space per 80 square metres Hotels, etc 0.6 spaces per bedroom

Although these are given as maximum standards, these are designed to discourage car use. However, failure to provide car parking in line with these figures would lead to a significant overspill from the development into the neighbouring streets.

5.7 In the absence of sufficient car parking spaces within the development, the application should be refused on the grounds of the impact on car parking in the surrounding streets.

## 6 Architecture and design

6.1 Although in a different setting the proposed development may be considered architecturally appealing, when situated against the backdrop of Archibald Simpson's 1822 design for Bon Accord Crescent, which has remained unchanged over the intervening years, the proposed development is entirely out of context.

6.2 Policy D1 of the LDP requires that new development must be designed with due consideration for its context and make a positive contribution to its setting. That reflects Scottish Planning Policy, paragraph 77. The site is within the designated Conservation Area 3 as defined by Aberdeen City Council. The objective of the designation is to protect and where possible, enhance the architectural character of the area. The area has been designated specifically because of its special qualities and care is required to protect those.

6.3 The materials used, the density of the development, and the sheer size of the proposed building are all at odds with surrounding development. On that basis, the proposed development can in no way be said to contribute positively to its setting.

6.4 In addition, the policy goes on to state that high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

6.5 There is a significant drop in height between the south end of Bon Accord Crescent and Springbank Terrace. As a result, there is a fine view to the south of the city from virtually the whole length of Bon Accord Terrace. The City

Centre Development Framework makes reference to the fact that the dramatic changes in level offer extensive views south-west.

6.6 Given the architectural importance of Bon Accord Crescent, and the location of the adjacent Bon Accord Gardens, this particular location leads to some of the finest views, and viewpoints in Aberdeen. The proposed development would completely obscure the view to the south from Bon Accord Crescent, when seen by a pedestrian walking south along the pavement.

6.7 Policy D6 also deals with Landscape and Setting, stating that "development will not be acceptable unless it avoids significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct sense of place" which point to being either in or around Aberdeen or a particular part of it.

6.8 Clearly Bon Accord Crescent provides a very distinct sense of place, in an Aberdonian context, which would be significantly affected by the construction of the proposed development, of such architectural contrast to the existing buildings.

6.9 The proposed development is therefore in breach of Policy D1 and D6 of the LDP.

## 7 Development in Conservation Area

7.1 The site forms part of Conservation Area 3 (Bon Accord / Crown Street). In determining the application, the Council must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

7.2 Bon Accord Crescent is a fine example of Aberdeen's Victorian terraced housing, curving gracefully opposite open parkland. Designed by Archibald Simpson in 1822, it was one of the few developments of the period completed according to plan within the city centre.

7.3 The surrounding properties within the Conservation Area are generally substantial traditional properties, each set within relatively large garden grounds. The design of the proposed development is of a very modern appearance, and entirely out of keeping with the historic nature of Bon Accord Crescent, and the houses on Springbank Terrace.

7.4 As such, the proposed development fails to preserve or enhance the character of the conservation area.

## 8 City Centre Development Framework

8.1 The Aberdeen City Centre Development Framework was adopted in February 2012. One of the key aims of this was to "develop clearly defined character areas, reinforcing their identity and ensuring their accessibility and connectivity, to ensure that the right projects will be developed in the right places".

8.2 Section 5.8 relates to the Bon Accord area, and while it recognises the conflict in land use in the area (mainly relating to the Justice Mill Lane area), one of the key objectives is to celebrate the architecture of Archibald Simpson.

8.3 The proposed development does nothing to complement the architecture of Archibald Simpson, and is at odds with the setting of Bon Accord Crescent.

## 9 Impact on Privacy, Residential Amenity, Daylight and Sunlight

9.1 The site of the proposed development forms what may historically have been the residential curtilage of the surrounding buildings. In any event, it is of such a similar nature that some elements of the Supplementary Guidance on the Subdivision and Redevelopment of Residential Curtilages may be relevant when considering the application.

9.2 Paragraph 3.4 establishes criteria for privacy, residential amenity, daylight and sunlight. The proposed development will face directly into the rear windows of the dwellings on Springbank Terrace. Our clients have significant concerns as to the impact on their privacy, residential amenity, daylight and sunlight.

9.3 Paragraph 3.4.3 deals with privacy and provides, as a general guideline, there should be a minimum separation of 18 metres between the windows of existing and proposed habitable rooms. From the plans submitted with the application, it is difficult to identify the location of any windows, or the distances between these, and the existing dwellings on Springbank Terrace. However, the Council must be satisfied that any windows are at least 18 metres from the existing dwellings.

9.4 Paragraphs 3.4.5 and 3.4.6 deal with daylight and sunlight. The proposed development is of a height that is exceptionally intrusive and will affect daylight and sunlight in the rear gardens at Springbank Terrace.

9.5 Paragraph 3.6.3 confirms that tandem or backland development sets an undesirable precedent for future applications of a similar nature, which, if replicated, could result in the creation of a second building line behind existing dwellings and fundamentally erode the character and residential amenity of such areas. There is therefore a general presumption against the construction of new buildings in ground behind existing or proposed dwellings in circumstances where the new dwellings do not front onto a public road. As the name suggests, Oldmill Lane is not intended to be a road, but simply a connecting lane. It is undesirable to set any sort of precedent for development of land behind houses in this area of Aberdeen, being a conservation area.

9.6 The Council's Supplementary Guidance: Householder Development Guide is also relevant here. Although the proposed development is of a commercial nature, it clearly impacts on the residential properties adjacent.

9.7 The Householder Development Guide states that it is appropriate to expect that new development will not adversely affect the daylighting of existing development. Residents should reasonably be able to expect good levels of daylighting within existing and proposed residential property;

9.8 The Householder Development Guide makes reference to the BRE Information Paper on Site Layout Planning for Daylighting which consider the techniques which can be applied as a means of assessing the impact of new development upon daylighting.

9.9 This considers the 25 degree method to be appropriate when assessing windows which directly face the proposed new building. A line should be drawn from the mid-point of the lowest window on the existing houses on Springbank Terrace, to the horizontal, towards the proposed development. Given the proposed building is significantly taller than this line, it is likely to have a substantial effect on the diffuse daylighting of the existing dwellings on Springbank Terrace.

9.10 In addition to daylight, there are also concerns as to sunlight. Overshadowing from the proposed development will be excessive, and substantial areas of garden and windows of the dwellings on Springbank Terrace will be in shade for large parts of the day, resulting in a significant impact on the level of amenity enjoyed by residents.

9.11 Impact is assessed by drawing a line at 45 degrees to the horizontal from a height of 4 metres (given the northern aspect). Although the Council has some discretion in this, the entirety of the gardens of the properties in Springbank Terrace would be affected by this, and therefore discretion is inappropriate. On the Council's own assessment, the whole of the gardens would be overshadowed.

9.12 The proposed development would need to be two to three storeys lower in order to meet this requirement from the north end of the gardens on Springbank Terrace.

9.13 In terms of Privacy, the Householder Development Guide states that New development should not result in significant adverse impact upon the privacy afforded to neighbouring residents, both within dwellings and in any private garden ground/amenity space;

9.14 Common practice is for developments to ensure a separation distance of 18m between windows where

dwellings would be directly opposite one another.

9.15 Screening through trees will do very little to provide any privacy, given the height differentials between the buildings. It is also unlikely any tree-screening will be possible given the steep slope between the proposed development and the properties on Springbank Road.

9.16 The Guide also states that "Windows to habitable rooms should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings". Clearly the windows in the proposed development are going to face directly into the rear gardens of Springbank Terrace.

9.17 The fact that the "habitable rooms" in the proposed development may be for serviced apartments rather than domestic dwellings makes no difference to the impact on the privacy of the residents of Springbank Terrace.

9.18 Finally, it is unclear from the plans whether the proposed development is to incorporate south-facing balconies. However the Guide states that "any proposed balcony which would result in direct overlooking of the private garden/amenity space of a neighbouring dwelling, to the detriment of neighbours' privacy, will not be supported by the planning authority".

9.19 Although the Householder Development Guide is generally aimed at residential developments, the purpose is the protection of existing residential dwellings, and therefore the same principles should apply, whether the proposed development is of a residential or commercial nature. Given the proposed use is as serviced apartments, the same issues arise.

## 10 Undesirable Precedent

10.1 The proposed development would create an undesirable precedent for future applications of a similar nature to develop pockets of ground to the rear of residential properties with high density commercial buildings. If replicated, the residential amenity of the area and character of the conservation area would be eroded.

10.2 Aberdeen City Council has considered a previous application in respect of this site, relating to a "Proposed Residential Development" (A2/0173). This was refused by the Planning Committee on 17th March 2003 for the following reasons:-

"the proposal, if implemented, would be contrary to policy 3.3.1 of the adopted Local Plan, policy H1 of the modified finalised Local Plan and guidance contained in NPPG 3 in that the scale and layout of the development would adversely affect the daylighting, amenity and privacy of adjoining residents and the character of the existing residential area.

"the proposal, if implemented, would be contrary to policy 10.2.8 of the adopted Local Plan, policy BE2 of the modified finalised Local Plan and guidance contained in NPPG 18 and Historic Scotland's Memorandum of Guidance in that the scale, height and position of the proposed building would have a significant detrimental impact on the setting of adjoining listed buildings and the character of the wider conservation area.

"the proposal, if implemented, would set an undesirable precedent for future applications of a similar nature

10.3 The scale of that proposed development was similar to that of the scale of the current proposed development. Although this application is for mixed use, rather than for housing, the same issues, and the impact on the surrounding properties, still apply.

10.4 It remains the case that the scale and layout of the proposed development would adversely affect the daylighting, amenity and privacy of adjoining residents and the character of the existing residential area.

10.5 It also remains the case that the scale, height and position of the proposed building would have a significant detrimental impact on the setting of adjoining listed buildings and the character of the wider conservation area.

11 Conclusion

11.1 Against the above background we would therefore respectfully request that the current application is refused.

Yours  
Mairi MacLeod Gray

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**George Milne**

From: webmaster@aberdeencity.gov.uk  
Sent: 10 June 2013 21:28



Robert Vickers

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From: webmaster@aberdeencity.gov.uk  
Sent: 08 June 2013 18:46  
To: PI  
Subject: Planning Comment for 130743

Comment for Planning Application 130743

Name : Ian Hay  
Address : 27 Springbank Terrace  
Aberdeen

Telephone : [REDACTED]  
Email : [REDACTED]  
type :  
Comment : Ian F. Hay

Landlord  
27 Springbank Terrace  
Aberdeen

Mob [REDACTED]

Dear Sir/Madam  
Mill Lane Application Ref 130743 for the following reasons:

I wish to object to the proposed development at Old

This proposed over development of this small site is of a design that will be totally out of character of the existing buildings that surround the area, it will also have a detrimental impact on this conservation area with all its existing listed buildings.

This proposed building will tower over existing buildings on Springbank Terrace and will adversely affect residents daylight and privacy.

Some of the existing buildings around this area have in the past been affected by subsidence that now seems to have stabilised, however the substantial excavations that would be required for the foundations of a development of this nature and the effect of subsurface water flow may have adverse effects on the foundations of the existing properties.

Existing sewage/drainage facilities are currently overloaded, with blockages and overflows been known in the past.

Yours sincerely

63 Springbank Terrace  
Aberdeen, Scotland

17 June 2013

Town and Country Planning

I am writing to formally object to the planning proposal 130743 for Oldmill Lane/ Bon Accord Crescent Aberdeen.

I am a property owner in Springbank Terrace and am aware that this area is a conservation area. As residents in such an area we are all too aware how stringent the planning application procedures can be for any of our properties. Anything from double glazing to roof repairs are monitored strictly. With this control over all the other properties in the area I find it difficult to see how such a high and unsuitable building can then be placed in the region directly in front of listed buildings.

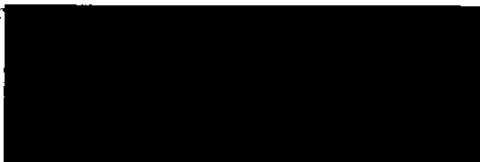
The architects insist that their clients will not be traveling to Aberdeen by car and would instead be arriving to the city by public transport, train, etc. They have even suggested that they will be using bicycles! Our objection is to the further burden on the parking in the area as we are well aware that most of the visitors to Springbank Terrace accommodation arrive in their own cars.

The plot itself is on an elevated site which is not suitable for such a tall and large building.

The services in the area are already challenged by the buildings in the area (sewage).

The intention to bring all the waste bins down onto Springbank Terrace will also add to the parking problems.

Sincerely yours

A large black rectangular redaction box covering the signature of the sender.

## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 08 June 2013 12:33  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : Mike Paterson  
Address : 22 Springbank Terrace  
Aberdeen  
AB11 6JY

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object very strongly to this proposed development.

My main reason for objecting is the loss of privacy for my family if this building were to be constructed.

The 5 storey size of the proposal is completely out of character with the surrounding buildings and the local area.

The building would be of a size completely disproportionate to the size of the plot of land it would be located in.

I feel that it would completely dominate the buildings around it, which are situated within an Aberdeen City Conservation Area.

The building plans are clearly designed to maximise the size of the structure in the relatively small plot area, completely out of proportion to the nearby buildings it will overlook and dominate.

The Ferryhill Area should not be ruined with this inappropriate, oversized development. The site itself will be difficult to access, and I am worried on the impact the building process may have on listed buildings in the area.

## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 01 June 2013 20:48  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : Mrs Patricia Carrol  
Address : 80 Bon Accord Street  
Ferryhill  
Aberdeen  
AB116EJ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I strenuously object to this application for the following reasons:

the proposal, if implemented, would be contrary to policy 3.3.1 of the adopted Local Plan, policy H1 of the modified finalised Local Plan and guidance contained in NPPG 3 in that the scale and layout of the development would adversely affect the daylighting, amenity and privacy of adjoining residents and the character of the existing residential area.

the proposal, if implemented, would be contrary to policy 10.2.8 of the adopted Local Plan, policy BE2 of the modified finalised Local Plan and guidance contained in NPPG 18 and Historic Scotland's Memorandum of Guidance in that the scale, height and position of the proposed building would have a significant detrimental impact on the setting of adjoining listed buildings and the character of the wider conservation area.

the proposal, if implemented, would set an undesirable precedent for future applications of a similar nature

Braeside Guest House,

68 Bon Accord st.,

12 June 2013

Dear Sir,

I am writing to object to the proposed development of the 5 storey apartment block off Oldmill Lane (Ref 130743). I am concerned that parking arrangements in this area are already overloaded and this will further increase the load. This will increase the parking problems of my customers to the detriment of my Bed and Breakfast business.

Yours faithfully

Elizabeth McMenamin



70 Springbank Terrace  
Aberdeen, Scotland

17 June 2013

Town and Country Planning

I am writing to formally object to the planning proposal 130743 for Oldmill Lane/ Bon Accord Crescent Aberdeen.

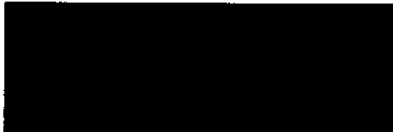
I am a property owner in Springbank Terrace. I feel that the proposal for the plot is totally out of keeping with the conservation area.

As a resident I am concerned about the scale of the building in such a small plot. The height of the building itself would be too tall even for a flat piece of ground but this plot has a steep incline which almost doubles it's final height from the properties of Springbank Terrace.

As this build proposed to go in front of listed buildings it will obscure them from many angles as it does not, as the architects suggest, follow the principles of terracing.

I use the lane most days and would see this build as completely contrary to the ideals of conservation within the city.

Sincerely yours,

A large black rectangular redaction box covering the signature area.

PI

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 05 June 2013 11:23  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : Ian Innes  
 Address : 82A Bon Accord Street  
 Aberdeen  
 AB11 6EJ

Telephone : [REDACTED]  
 Email : [REDACTED]  
 type :

Comment : The modified design of this building is still a tower block and it will have a significant detrimental impact on the adjoining listed buildings on Bon Accord Crescent and the residential buildings on Springbank Terrace and Bon Accord Street.

The architect says he has reduced the height of the building by 17% but it is still far too tall a building. He tries to justify this tower by saying it will act as an "architectural stop" to Bon Accord Crescent. Let's not be taken in by this. The building of a tower here is simply to maximise profit for the property developer.

He takes the parapet of Bon Accord Crescent as a guide to the height of the tower when it will completely dwarf the houses on Springbank Terrace and Bon Accord Street. Any building on this site needs to take its height from the roof line of the houses on Springbank Terrace to "nestle" into this area.

The architect says there will be no overshadowing of residential property and extremely limited shade in terms of garden ground. This is a nonsense. I live in a ground floor flat on Bon Accord Street and the sky to the west of my property will be completely blocked out by this monstrous tower. Similarly the residents in Springbank Terrace will be completely overlooked and their light blocked by the tower from the North.

There will be no parking provided for the occupants of this tower with the architect saying this will encourage them to use car hire ,etc. This goes against the evidence of those using the large number of B&B in this area. Most of these guest houses have no parking for their guests and they already cause extensive parking problems for residents in this area.

The design and especially the height of this building goes completely against Historic Scotland's memorandum of guidance and from a resident of 23 years, I strongly object to this tower for the reasons stated above.

I hope the councillors will see how this tower will have an extremely detrimental affect on the lives of the surrounding residents and the character of this area and not be swayed by a development based on a developer's profit.

66 Bon Accord Street,  
Aberdeen  
14<sup>th</sup> June 2013

Dear Sir,

I am writing to object to the planning application 130743 to build a 5 storey serviced accommodation on unused land off Old Mill rd.

I run a bed and breakfast business at 66 Bon Accord Street and believe that the increased demand on parking will exacerbate an existing problem that my customers currently experience due to the limited pay and display parking available in the area. It is stated that guests in the new development will use public transport, but from my experience of running a bed and breakfast, I know that this is often not the case and many use their own cars.

I think that the new building will be out of keeping and scale with the existing granite housing in the area, some of which are listed buildings, and the height of the new building will dwarf most of these houses. This quiet alley way will no longer be a quiet route to the park and this large building will encroach on Aberdeen's limited green spaces.

Yours faithfully,

A solid black rectangular redaction box covering the signature area.



PI

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**From:** REID GEORGE [REDACTED]  
**Sent:** 18 June 2013 11:41  
**To:** PI  
**Subject:** 21 Springbank Terrace planning letter of objection  
**Attachments:** 21 Springbank Terrace planning letter updated (2).docx

I attach letter of Objection for planning proposal 130743

George Reid

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Aberdeen College, College Administration, Gallowgate, Aberdeen, AB25 1BN. The Board of Management of Aberdeen College is incorporated under the provisions of the Further and Higher Education (Scotland) Acts 1992 and 2005 is recognised as a Scottish Charity No 21174. Telephone 01224 612000. E-mail [REDACTED] Web [REDACTED]

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21 Springbank Terrace  
Aberdeen  
AB11 6JY

15<sup>th</sup> June 2013

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

Dear Sir or Madam,

Planning Application No: 130743 Proposal for a Mixed Use Building Consisting of Serviced Residential Apartments and a Business Unit

Proposed Business Address : 'Bon Accord Serviced Apartments'

Proposed Location : Old Mill Lane Ferryhill Aberdeen

As of a person with a notifiable interest, I have been notified by Aberdeen City Council of the above proposed development, and would wish to submit several observations which are relevant both to my personal situation, and also to that of the wider community.

Springbank Terrace is a long established community, in one of the oldest Victorian Terraces in Aberdeen situated within Aberdeen City Conservation Area 3.

There is no doubt that the site proposed for development could be utilised, but it necessitates a plan more sympathetic to the area situated between Bon Accord Crescent and Springbank Terrace: both of which are important to the heritage of Aberdeen.

The proposed development promotes a building which is dominant in design which is made more so by its position halfway up the steep slope from Springbank Terrace. The proposed building as modified still towers one- and-a half storeys above the ridge of the terrace lower down the slope.

The Reference material supplied by the developers concentrates on references to Bon Accord Crescent but with scant regard to the neighbourhood most closely affected namely the North side of Springbank Terrace ( see photograph A). Previous applications for a building of similar height on this site have been refused following Historic Scotland's Memorandum of Guidance that a building of the scale, height and position would have a significant detrimental impact on the adjoining listed buildings and the wider conservation area.

If this plan is passed as submitted, it will give a precedent to construct more, dominating, inappropriate buildings in inappropriate sites within conservation areas.

1) Accuracy of submitted plans

- a) The proposed development shares a boundary with the terraced houses on the North side of Springbank Terrace, yet none of the submitted drawings includes a perspective of the site or the proposed building from Springbank Terrace or Bon Accord Street. Attached photo 1 shows the steep nature of the site.
- b) The fact that the proposed building plot is on an elevated, steeply sloping site relative to Springbank Terrace is not shown on any of the plans. It seems to me that this omission does not show the dominance of the proposed building over the early 19<sup>th</sup> century terrace, which is part of Conservation Area Number 3 and recognised as part of Aberdeen's Heritage.
- c) Photo 2 shows a view of Springbank Terrace in which the steeply sloping nature of the proposed construction site is visible behind the terraced houses (brightly lit).

2) Possibility of causation of structural damage to existing properties

- a) Springbank Terrace is built at the bottom of a hill, with the proposed construction site on the sloping side of the hill. The back gardens of Springbank Terrace therefore have high retaining walls, which give support and retention to a vast amount of soil from the gardens in Bon Accord Street, which are further up the hill. These retaining walls are also regarded as an important part of Aberdeen's granite heritage.
- b) Although these very old walls are at present safe, the vibrations due to the excavation and construction, and the stresses from supporting a large structure need special consideration.
- c) The existing Victorian sewage and rainwater systems in Springbank Terrace, which are situated to the rear of the existing houses on the North side, is struggling to cope with the present demand. Where is the drainage from the new development to go? There is no plan showing proposed drainage. This old drainage system is also at risk from ground transmitted vibrations during construction.
- d) The developers would require to clearly indemnify the householders on the North side of Springbank Terrace between Bon Accord Street and Willowbank Road, against reinstatement costs of any damage caused to not only the gardens and retaining walls and to the sewerage system, but also to the houses, as there is already a history of subsidence in the houses in Springbank Terrace.

3) Dominance of the site

- a) The height of the development in the application is, in the developers submission compared with that of Bon Accord Crescent, which is now mainly commercial enterprises, and which, at the top of the hill is three storeys higher than the rooftops of adjoining Springbank Terrace, which is only one and a half storeys above street level, and is situated in a valley. The developers should be required to submit detailed reference to the buildings

on the North side of Springbank Terrace including detailed section and perspectives.

- b) Although the plan states that trees will be planted to screen the development from the houses in Springbank Terrace, the site is so small that there will barely be room for trees, let alone ones which will grow large enough to screen the building from the houses. These trees would require to grow very large very quickly, and due to the small size of the gardens in Springbank Terrace, any natural light and ventilation not excluded by the building would be excluded by any such trees.
- c) Anyone who would be looking out at a window of the new development would of necessity be looking straight in at the windows of the existing houses in Springbank Terrace, due to the close proximity of the windows and also due to the line of sight, since the building would be extremely high compared to the houses in Springbank Terrace. This would lead to the residents having no privacy in their bedrooms or bathrooms, or in their small rear gardens, at any time. This can easily be seen from photo 3.

4) Parking, Access and Rights of Way Issues

- a) There is already insufficient parking for the residents of the area. In Springbank Terrace, which is terraced with only parking allowed on the North side of the street, and not the South, there is no back lane or garaging available on the North side. There is also no parking in Bon Accord Street, which has double yellow lines on the area approaching the traffic lights, with residents already having to travel some distance to park their cars

Despite assurances in the developer's proposal they are not in a position to ensure that their clients will not travel by motor vehicle.

- b) Because of the extremely narrow nature of Oldmill Lane, there is no access for construction vehicles without damage to the entrance to the narrow lane. Neither would there be any access once the development is completed for service or emergency vehicles such as Fire Engines, Ambulances or for Refuse Collection vehicles, or space for emptying the Communal Bins ( see photograph 4 )

The dimensions of the lane can be seen from the enclosed photos, which show the access to the site from Springbank Terrace in photo 4, and photos 5 and 6 which show the access at the Bon Accord end of Oldmill Lane. Photo 7 shows a delivery vehicle exiting Bon Accord Crescent, and the narrow lane which would be required as access for construction can be seen to be half that width, and also on a steep slope.

- c) Vehicles egressing from both Oldmill Lane onto Bon Accord Crescent, and from Bon Accord Crescent onto Bon Accord Street at the traffic lights are exiting onto a hill, where visibility is already poor, both for the traffic on Bon Accord Crescent, and for the traffic on Bon Accord Street which is accelerating uphill in an area of poor visibility. This situation can only lead to a potential increase in the accident rate in an already busy residential city centre area, especially at rush hour when children are walking to the nearby primary school.

- d) The previous right of way leading from Oldmill Lane along the backs of the existing houses in Springbank Terrace has been incorporated into the proposed plans. From photograph 8 it can be seen that at least one dwelling (and probably 2) retains the right of way using a gated access onto the proposed site. The occupants will have to cross the development every time they wish to use their back gate, both during and after construction. If construction does take place, will Oldmill Lane itself be closed to allow for construction access? What would be the legal position if that were to occur?

Finally I would ask that a copy of my letter, along with the attached photographs, be made available to each member of the Planning Committee, and would also ask that a site visit be made to verify the unsuitability of the site for the construction of such a dominating, high density building, with no suitable access, either for construction, or for access to the completed structure.

Yours Sincerely,

**George G F Reid**

cc: Ms Sally Wood  
Planning and Sustainable Development Department  
Aberdeen City Council  
Broad Street  
Aberdeen  
AB10 1AB



**Photo A**

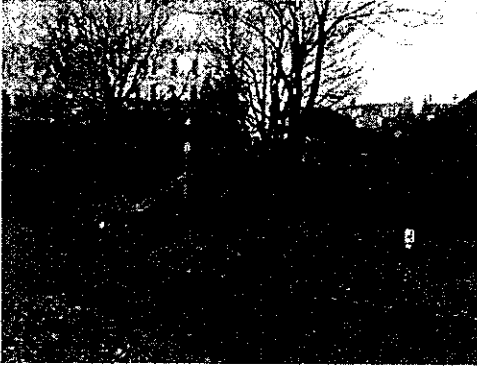


Photo 1



Photo 2



Photo 3



Photo 4



Photo 5

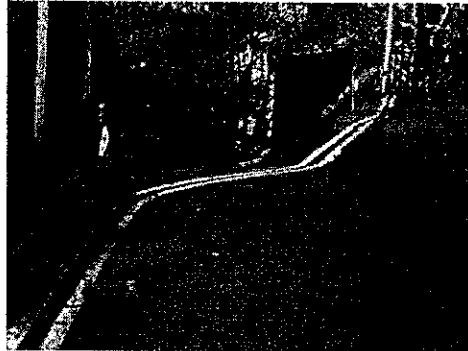


Photo 6



Photo 7



Photo 8

Ms Sally Wood  
Enterprise, Planning and Infrastructure  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

27 June 2013

Ref: gp744/329252

Dear Ms Wood

Planning & Sustainable Development	
Mail ID	
RECEIVED 28 JUN 2013	
REPLY / /	
Section	Officer

**Oldmill Road, Bon Accord Crescent, Aberdeen (application reference 130743)**

I write in support of the above application for the erection of a mixed use building consisting of a serviced residential apartments and a business unit. The reasons for supporting this application are as follows:

Background and Pre-Application Discussions

The application site is currently a derelict, overgrown, unkempt brownfield site (a former slater's yard) in the heart of the city centre. The site has also been identified as an Opportunity Site within the new Conservation Area Appraisal guidance. This guidance was reviewed in early 2013 which indicates that the principle of a development on the site is to be encouraged. The Conservation Area Appraisal states that there are opportunities for, "Infill development for vacant and disused sites, [including] the former slater's yard at the south east corner of Bon Accord Gardens."

The applicant undertook a lengthy process of pre-application discussions with the Planning Service in 2012 which was positive. At this stage, the proposed design of the mixed use building was well received and encouraged by Planning Officers. This led the applicant to take forward the original proposal on the basis of the advice given i.e. that the design approach being taken was one which would ultimately be supported by the Planning Service.

As part of a previous planning application for the site which was refused permission in 1995, Charles Prosser of the Royal Fine Arts Commission for Scotland (now Architecture Design for Scotland) stated, "I personally am disappointed that it has not proved possible this time round to design a satisfactory building for such an interesting site. Perhaps someone will be inspired in the future to try again with a design which answers the objections". We believe that the design solution put forward as part of this new planning application answers these questions, in particular the objections and reasons for the refusal of the previous application (reference 121633) in December 2012, and should be supported by the planning service.

4 Albert Street Aberdeen AB25 1XQ

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### Principle of the Development

The adopted Local Development Plan (LDP) 2012 identifies the site as being within the confines of the city centre; on the cusp of a residential and mixed use or commercial area and on land designated as Green Space Network. The proposed development comprises serviced apartments and a business unit. The apartments are not strictly residential in a traditional sense (i.e. they are occupied on a short-term let basis). However, it is important to remember that hotels and guesthouses are located in residential areas, including this area, and do not cause any conflict with their surroundings. Many offices also exist in residential areas including those situated along Bon Accord Crescent and the wider area. It is clear, therefore, that the principle of this development for serviced apartments and a business unit is acceptable in terms of the LDP on the basis that the proposed use would not conflict with the amenity of the neighbouring residential and mixed use area. The Green Space Network designation is considered to be anomalous on the basis that this is a brownfield site which is in private ownership with no direct public access, and the proposed development would not adversely affect the aims of the Green Space Network policy.

### Layout, Siting and Design

The proposal is for a building, which will include 13no. serviced residential apartments, a business unit measuring 65sqm which would be used for an office (Use Class 3), and associated services including cycle and luggage storage plus a reception area. This new application is for a building which is 10% smaller than the previous building which was refused in March 2013.

The building will be located on the northern corner of the site. The position of the building on site has been adjusted so that it is between 19 and 29 metres from Springbank Terrace, this application is a further 1.3m from the rear of these properties. The building has six sides; it would be similar to an, elongated hexagonal-type footprint. The building would be granite on the lower level with floors above being aluminium, glass, with a solid timber panel structure behind.

The design of the proposed development has been influenced by Bon Accord Terrace. Namely, the parapet of the Crescent has controlled the height of the proposed new building; the horizontal banding of the Crescent has influenced a use of proportion and the curve of the Crescent and site geometry has led to the proposed building being non-reliant on right angles. A contemporary appearance as proposed is considered to be the most appropriate design solution in terms of conservation policy. The use of glass and the overall height and massing is such that the new building would be subservient to those on Bon Accord Terrace.

The building will be no taller than any of the nearest adjacent buildings. Given the changes in levels, it will be no taller than the parapet level of the properties on Bon Accord Crescent. As part of the pre-application discussions on the previous application (reference 121633), the Aberdeen City and Shire Design Review Panel were very supportive of the design. The Panel, which is made up of esteemed architects and planning-related practitioners, stated that the form of the building was acceptable, and the scale and mass were also appropriate. The Panel suggested using balconies to act as a screen to reduce the impact of the development on existing residents' privacy, and this feature has been incorporated into the design by the applicant.

As the application site sits within the Bon Accord Crescent/Crown Street Conservation Area, the architect has taken the utmost care to ensure that the new building will not only preserve but also enhance the character of the surrounding area. A building of this scale comprising wholly granite would appear as a poor imitation adjacent to the grandeur of Bon Accord Terrace. An innovatively shaped building using glass to create a contemporary design is appropriate in terms of the appearance and the use of materials and will complement the surrounding granite buildings in the Conservation Area. In addition, the granite plinth on which the new building would be placed upon will complement the surrounding area.



### Privacy

The Supplementary Guidance on the Sub-Division and Redevelopment of Residential Curtilages states that as a general guide there should be a minimum of 18 metres distance between the windows of existing and proposed habitable rooms. The separation distance between such windows of the proposed building and the rear of the properties on Springbank Terrace is between 20 and 31m which is obviously in excess of the required distance. In addition to this a tree planting scheme is proposed which would provide a screen between the existing properties and the new building. In addition, the long-term retention of newly planted trees would be secured by the fact that the site lies within a Conservation Area and cannot be removed without formal consent from the Planning Authority.

In response to concerns raised about a potential loss of privacy raised as part of the previous application in 2012, the applicant has introduced upper terraces, the detail of which means that residents can only look out of the windows horizontally not down, and as a consequence there will be no loss of privacy. When you consider the new terraces, as well as the tree belt to provide additional screening and the compliant separation distances, it is clear that there will be no significant loss of privacy for existing residents in accordance with Policy H1 of the adopted LDP.

### Outlook

The proposed building will be 19-29 metres from the rear of the properties along Springbank Terrace due to the change in levels. It will be seldom possible to view the building from the private gardens on Springbank Terrace. A Landscaping Strategy for the development has been designed by highly qualified, creative landscape architects. The tree belt will be significantly higher than the existing garden levels and the screening this provides will increase beneficially as the trees mature. The reduction in the mass of the building compared with the previous application in 2012 substantially minimises the impact of the development in terms of the outlook from the properties on Springbank Terrace and, in any case, the loss of a view is not a material planning consideration.

### Overshadowing

The applicant has provided detailed calculations which show that there would be no adverse impact arising from the new building in relation to the amount of daylight afforded to neighbouring residents. Also, as the proposed building is to be situated on the north side of Springbank Terrace, the impact on the amount of sunlight afforded to neighbouring residents is considered to be non-existent. Taking into account the siting and orientation of the building, the proposed development would not have an adverse impact on the potential loss of sunlight.

### Light Pollution

The issue which was raised as part of the previous planning application in 2012, whereby it was felt that there could be too much light emanating from the new building, has been further addressed through the increase in solidity of the buildings timber structure.

The properties do not have ceiling to floor glass, and this misconception perhaps led to the notion that the building will emit a great deal of light (which it will not). Each property will also be fitted with curtains and blinds to prevent light coming from the building, and the overall reduction in mass of the development will further ensure that there will be no significant levels of light pollution which could potentially impact adversely on residential amenity.

It should be pointed out that in reality internal light will be controlled by a system of blinds and curtains similar to any residential building and that has been detailed as part of the application.

### Access and Road Safety

A car free development of this kind is a really significant, sustainable precedent which should be encouraged. The Council's Roads Department have no objection to the application. The development comprises serviced apartments, and the occupiers of these do not require parking spaces on site given the nature of the residents' stay. The surrounding area is a controlled parking zone which will prevent indiscriminate parking.

The site is ideal in terms of encouraging sustainable modes of transport. Cycle storage is shown on the plans at a level required by the Roads Department. The applicant is agreeable to a planning condition which requires all residents of the apartments to be eligible to join a Car Club during their stay. The site is also extremely convenient for walking to places of employment, the amenities in the city centre, and frequent public transport services nearby.

Servicing details have been provided which are acceptable to the Roads Department. The applicant has agreed to install lighting, a handrail and to resurface parts of Oldmill Lane in granite to enhance safety and security and amenity. The applicant has also agreed to repair the cast iron railings along Bon Accord Terrace which will benefit existing and new residents alike.

### Other Material Considerations

The application site is currently a derelict, overgrown, unkempt brownfield site (a former slater's yard) in the heart of the city centre. The parcel of land is considered an eyesore and receives recurring Amenity Notices concerning *"that the condition of the land adversely affected the amenity of the area."* The site is subjected to regular fly-tipping, and the opportunity to redevelop the site to complement and enhance the character of the Conservation Area must be grasped. The Environmental Strategy is innovative and a worthy precedent to encourage. Upgrading works are also now proposed to Oldmill Lane including resurfacing with granite in order to upgrade the public realm.

Planning policy requires all new buildings to install low and zero-carbon generating technology to reduce the predicated CO<sup>2</sup> emissions. The applicant has provided a Sustainability Statement, and there are sustainable features incorporated within the proposed development such as the installation of a mechanical ventilation system with heat recovery and a ground source heat pump. The building has been designed to meet sustainability level Gold – the highest defined standard of sustainability recognised by the Scottish Government. The proposed building is an important environmental precedent. The use of a cross laminated timber structure as a modern method of construction makes a particularly innovation contribution in carbon savings due to the 'carbon sequestration' potential.

It is also worth noting that, as part of the Development Management Sub-Committee meeting at which the original application reference 121633 was determined, the Head of Planning described this application as being of *"high quality architecture"* and that the planning officer's recommendation was a *"finely balanced decision"* which was *"on a knife edge"*. The Convenor of the Sub-Committee remarked that he felt the original application was *"as good as it gets for this site"*. When you consider how narrowly the original application was refused permission, coupled with the fact that amendments have now been made to the proposed development which addresses the reasons which were cited for previous application's refusal, we do not see how this new application cannot be fully supported by the Planning Service.

### Conclusion

There have been many previous applications in relation to this site, and it is fair to say that if this current application is not approved then there will be further attempts to develop this site in the future given that it is effectively a brownfield gap site in the heart of the city centre. The danger is, however, that if this new application is not supported then the site could fall into the hands of a developer who does not share the

current architect's vision for an exemplar design. The result could be that what gets built on site is of far less quality than what is proposed for the site and this would be a great loss to the city centre in terms of its contribution to the public realm fit for the 21<sup>st</sup> century. We believe that the planning service and local politicians should share the architect's aspiration and vision for this site and approve the application which will ultimately complement and enhance the built environment of the Conservation Area and Aberdeen city centre in general.

The principle of development on the site in the form of serviced apartments with an office use has been accepted. The layout, siting and design have also been accepted and the contemporary nature of the proposed development will preserve and enhance the character of the Conservation Area. The outstanding issues relating to the previous application have been addressed through this new application through the amendments which have been made to the overall size, position and mass of the building.

The new proposal is now considered to be fully compatible with the relevant provisions of the development plan and there are no material considerations which outweigh this. We therefore respectfully request that this application be fully supported by the planning service.

I trust that the points contained herein will be considered as part of your consideration of the application. Should you require clarification on any of the issues raised then please do not hesitate to contact me.

Yours sincerely



Gary Purves  
Senior Planner



T  
M

Cc Bon Accord Serviced Apartments  
David Vardy Architecture

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 13 June 2013 14:52  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : Andrew Gove  
Address : 52 Margaret Place  
Aberdeen  
AB10 7GB

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I write in connection with the above planning application. I am familiar with both the site and the plans and I wish to offer my support to the proposal, for the reasons outlined below.

This is an excellent opportunity for the city to embrace a scheme which demonstrates high quality architecture on a site which is currently an eyesore sorely in need of development. This would demonstrate both a forward thinking & common sense approach to planning.

I am aware of some of the concerns that a piece of modern architecture at this site may damage the character of the area. However, such is the quality of the proposed scheme that I fully believe that the area will be enhanced by its acceptance and inclusion. The architect has clearly been sympathetic to the surroundings in terms of scale, height, orientation etc of the building, but has not attempted to provide a copy of any of the various surrounding styles, but has asked that the new building be judged on its own merits.

As an aside, this scheme will also provide the city with further much needed short stay accommodation.

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**Robert Vickers**

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 01 July 2013 14:15  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : David VILA DOMINI

Address : 6 Ashfield Road

Aberdeen AB15 9QB

Telephone : [REDACTED]

Email : [REDACTED]

Comment : This is a distinctive and high quality design which is bound to make a very positive contribution to the built environment of Aberdeen and serve a group of contributors to the local economy, transient workers. As a clearly contemporary design it is set to make a forward-looking mark, and in some small measure lift the solid but old-fashioned image of the city. And this it will do both boldly and sensitively. It must be approved, or a unique opportunity to develop this remarkable site in a fitting manner will be missed.

Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 01 July 2013 12:39  
**To:** PI  
**Subject:** Planning Comment for 130743

Comment for Planning Application 130743

Name : Graham Edgar  
Address : Marrick Villa,  
Skene, Westhill  
Aberdeenshire  
AB32 6TD

Telephone :

Email [REDACTED]

type :

Comment : Dear Sir/Madam,

I write to give support to this application. Infill sites are exactly the kind of sites that ought to be developed in Aberdeen, and this site is a good opportunity for a well considered architectural intervention. The depth and quality of the proposed design is self-evident and exemplary, and I have every confidence that the building will be an asset to the area. In any other historical city I have visited, whether Dublin, Edinburgh, Amsterdam or Stockholm, the established historical architecture is complemented by contemporary works. This gives each place its vibrancy and quirk, celebrating its past as well as having a vision and acceptance of the present and future. It makes places what they are, and such juxtaposition is overwhelmingly positive.

In Aberdeen we seem to have a rigorous protectionism towards traditional buildings that has, I feel, at times resulted in parts of the city becoming stifled and stuck in a slow steady state of decay. New buildings are often so restricted by an imposed contextualism that they lack a genuine design flair that drives the atmosphere and sense of joy in other cities. I am sure that the presence of high quality design on the project site will not be a negative influence but will complement its surroundings and inject a sense of confidence in property and design spheres in Aberdeen city centre. I recommend that this opportunity is taken and that Architects with vision and talent are encouraged and afforded the trust and respect that is needed to lift Aberdeen into a brighter future.

Regards,

Graham Edgar  
Architect

Robert Vickers

---

From: webmaster@aberdeencity.gov.uk  
Sent: 01 July 2013 13:30  
To: PI  
Subject: Planning Comment for 130743

Comment for Planning Application 130743

Name : Martin Bruce  
Address : Cairnhill  
Esslemont  
Ellon  
AB41 8PL

Telephone :

Email : 

type :

Comment : Dear Sirs,

Oldmill Road/Bon Accord Crescent Aberdeen (application reference 130743)

I refer to the application for mixed use building of serviced residential apartments and a business unit and write in support of the application.

Both the quality of design and the urgent requirement for buildings of this use to support the continued economic development of the area which are of particular merit.

It is apparent that the Design Team has made considerable effort to generate a proposal which is both respectful of its surroundings yet demonstrates innovation vision which will enhance the environment in which it will sit.

From an economic perspective, there is pressing need for quality serviced residential accommodation to support the transient population working within the area's predominant energy sector and this proposed development will provide a welcome alternative to hotels and in doing so demonstrates that Aberdeen continues to be forward thinking and is open for business.

I encourage you to approve this application.

Yours faithfully  
Martin Bruce  
Cairnhill Esslemont  
Ellon  
AB41 8PL