



**Braeside and Mannofield
Community Council**

Planning Officer

Aberdeen
AB15 7UD

Dr. M. Bochel
Head of Planning and Sustainable Development
Aberdeen City Council
Marischal College
ABERDEEN
AB10 1 AB

9 JULY 2012

Dear Dr. Bochel , Woodbank House Pitfodels AB15 9PN REF.NO 120791
We wish to object to the above application in respect of the proposed entrance and exit for the four detached houses onto Airyhall Road .
As you are aware both Airyhall Rd and Rocklands Rd are designated RIGHTS OF WAY and are part of the Council,s CORE NETWORK .
Therefore any approval of vehicles using Airyhall Rd will result in the current Walking pathway being subjected to vehicle usage resulting in safety issues , for pedestrians and animals and the desecration of this special conservation area .

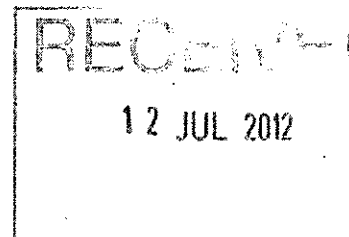
It may be the aim of some persons to tarmac the whole length of Airyhall Rd. This is based on the probability that the MARCLIFFE HOTEL and other adjacent developers may wish to change the use of this country path into a full blown road with street lighting ,double pavements and speed bumps .

There is already a suitable road system within Woodbank plus an excellent bus Service on North Deeside Road for the proposed residents of this complex .

Therefore we wish to object to the use of Airyhall Rd being used as entrance to the Woodbank complex .

Yours sincerely ,

S. E. MACINNES



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

Our Ref: JF/SC

Your Ref:

28 June 2012

Dear Sirs

**APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE FOR PROPOSED
DEMOLITION OF FORMER MANAGER'S ACCOMMODATION / TRAINING
CENTRE & REDEVELOPMENT OF SITE TO PROVIDE FOR THE ERECTION OF
FOUR DETACHED DWELLINGHOUSES WITH ASSOCIATED ACCESS,
GARAGES & LANDSCAPING IMPROVEMENTS
APPLICATION REFERENCE: 120791**

Edinburgh

Glasgow

Leeds

Dundee

Inverness

I write on behalf of the Marcliffe Hotel Ltd to formally object to the above proposals.

The Marcliffe Hotel & Spa is a 5 star luxury hotel and Aberdeen's premier venue for weddings and business functions. Set within its own extensive grounds, the Hotel enjoys a secluded location yet within easy reach of the City Centre. It compliments the immediately adjoining uses and currently operates un-impeded by any complaints from neighbouring uses.

However, the Marcliffe Hotel Ltd is concerned that its continued operation could be seriously prejudiced by the erection of four detached houses in such close proximity to the Hotel. Whilst not a significant generator of noise, the Hotel is incompatible with the residential use proposed. Were complaints to arise from the proposed residential properties, it could seriously impinge on the operation of the Hotel and, in particular, its function suite.

An existing house occupies the proposal site, this is tied to the Shell Club and has, in the past, provided managers, accommodation. It has also been utilised as a training centre. The nature of such use is entirely different from that of four private residential properties.

The objection on behalf of the Marcliffe Hotel Ltd relates to the following issues.

Potential Noise & Odour Nuisance

The Hotel is set back from the A93, North Deeside Road, enjoying an elevated position to the north west of its feu. Its courtyard function room, grand ballroom and kitchens lie on the western boundary of its feu, immediately adjacent to the proposal site. Smoking areas serving the grand ballroom, courtyard function room and the Invery Room all open out adjacent to the mutual boundary. As a consequence, guests gather in these areas and noise inevitably emanates both from the guests and the premises when the doors are opened and closed. Although this is carefully managed by the Hotel, this has the potential to create nuisance for the adjoining residential properties.

Bands playing at the hotel also unload and load their equipment, often very late at night or early morning, immediately adjacent to the mutual boundary. The area is also floodlit for health and safety reasons and light pollution inevitably spills over to the adjoining site.

The location of the kitchens and their extraction equipment on the mutual boundary also has the potential to create odour nuisance. Noise also arises from the equipment and air conditioning units on the west elevation are clearly audible from within the proposal site. The kitchens, and indeed the wider Hotel, are also serviced from the north west corner of the site adjacent to the proposed housing. Further nuisance could, therefore, arise as a consequence of delivery vehicles visiting the Hotel in the early morning. Waste and recycled bottles are also collected twice weekly from this area potentially creating further nuisance.

Planning permission is in place for a major extension to the Hotel. This has not yet been implemented, but importantly, it will not change the configuration of the existing function accommodation. The issues, other than in relation to service access, will therefore remain.

Local Development Plan Policy

Although identified as a residential area where Policy H1 applies, development proposals must satisfy all relevant Development Plan Policies. As a consequence of the issues highlighted above, reservations must be expressed as to whether the site provides an appropriate level of residential amenity. The development is, in effect, sandwiched between the Marcliffe Hotel and the Shell Club / Woodbank House, which itself provides guest accommodation and leisure and recreation facilities for Shell UK employees. Nuisance from noise and odour are every bit as likely to emanate from these premises as they are from the Marcliffe. The service areas for that facility also immediately abut the proposal site.

The proposal site also lies within a designated conservation area and sits adjacent Woodbank House which is a category C(s) listed building. The character of the area is one of large detached commercial and leisure properties set within generous feus. The proposal to replace a single house with four large detached residential properties would be out of character with the scale and density of other development in the area.

Also of relevance is the Council's Supplementary Guidance on the Sub-division and Redevelopment of Residential Curtilages. Published in March 2012, this advises that, as a general principle, new residential development should not prejudice the development of adjacent land or adversely affect existing development. It further advises that the redevelopment of a site that results in dwellings that do not front onto a public road, constitutes a form of development that is alien to the established density, character and pattern of development.

It specifically seeks to avoid the use of rear lanes for shared pedestrian or vehicular access to dwellings and rear gardens as it creates a pedestrian safety hazard. It concludes that approval of "tandem" or back land development of the type proposed 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 of the area. Presently, as highlighted above, the character of the area is very much one of a large leisure and commercial premises set back from North Deeside Road and enjoying spacious, wooded feus. To permit residential development unrelated to those uses, and of the scale proposed, would set a precedent for similar development throughout the area.

Whilst the guidance makes provision for the redevelopment of exceptionally large sites, that development is not permitted if, as in this case, it is alien to the general pattern, density and character of dwellings in the area.

Importantly, the guidance advises that the need to avoid setting a precedent is a material consideration when determining Planning Applications. In this case, contrary to the guidance, it would create a precedent whereby it would be difficult to resist similar developments, the cumulative impact of which would have a harmful affect on the character and amenity of the immediate area.

Access

The proposal utilises the access serving the existing house but which appears to have been unused for many years. This takes access from Fox Lane (continuation of Airyhall Road), which is an unadopted private road. It is in poor condition, with no pedestrian footways or street lighting and is incapable of serving the scale of development proposed. It is understood that the applicants have no ownership rights over Fox Lane and are not in a position to upgrade it to adoptable standards.

The guidance highlighted above specifically advises that there should be safe and convenient pedestrian and vehicular access from dwellings to the public road and pavement, avoiding contrived solutions. It advises that it will not normally be acceptable for pedestrian access to be shared with vehicles, "eg. where pedestrians have to walk on the carriageway of rear lanes or public roads to gain access to the development". Whilst a footpath connection is proposed through Woodbank to link the site with North Deeside Road, this will not address the potential conflict with existing users. The lane is popular with pedestrians and dog walkers and its intensification of use by motor vehicles will create a hazard for those existing users as well as the potential occupiers of the proposed houses.

Conclusions

The Marcliffe Hotel Ltd is extremely concerned, for the reasons highlighted above, that the proposed erection of four detached dwellinghouses on the adjoining land could seriously prejudice the future operation of the Hotel. The proposals will adversely impact on the character of the area and set a precedent for similar development to the detriment of the area.

25 June 2012

5

All of the issues highlighted above will be clearly evident from a site visit and no decision should be taken on this application until such a visit has taken place. The Marcliffe Hotel Ltd would be pleased to facilitate access to the hotel and their service areas to enable an appropriate assessment of the above issues.

The proposals are considered contrary to the Local Development Plan and published Supplementary Guidance. As such, it is respectfully requested, that planning permission be refused.

Yours faithfully



Partner

cc: Mr Stewart Spence, The Marcliffe Hotel Ltd
Mr Grant MacKenzie, Stronachs, Solicitors

8 Northcote Crescent
ABERDEEN
AB15 7 TJ

9 July 2012

Dr Margaret Bochel
Head of Planning and Sustainable Development
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Dear Dr.Bochel

Proposals Affecting the Setting of Listed Buildings or the Character of Conservation Areas (Sections 60 and 65 of the Listed Buildings and Conservation Areas Act 1997)

Address: Woodbank House North Deeside Road Cults
Aberdeen AB15 9PN

Proposal: Application for Planning Permission in Principle for proposed Demolition of former manager's accommodation/ training centre and Redevelopment of the site to provide for the erection of four detached Dwelling houses with associated access, garages and landscaping improvements

Applicant: Shell Property Company Ltd

Ref No: 120791

I refer to the above Planning Application and submit an objection to the proposals.

I understand the proposal is that the entrance/ exit for the 4 houses would be onto the extension to Airyhall Road (known locally as Fox's Lane).

This Lane is narrow, not made up and unlit without any pavement and to use it as a road would undoubtedly be a safety hazard.

I understand that the Council terms it a CORE PATH. It is used by people walking their dogs and walkers.

Yours sincerely

Fred [REDACTED]

Copy: [REDACTED]

Mr [REDACTED] - Braeside/ Mannofield Community Council.

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 24/06/2012 16:10
Subject: Planning Comment for 120791

Comment for Planning Application 120791

Name : Stanley Fraser
Address : 232 North Deeside Road
Cults
AB15 9PB

Telephone [REDACTED]

Email : [REDACTED]

type :

Comment : Will Shell or whoever does the building, if permission is granted, be asked to Tarmacadam Airyhall Road, as this is shown as the Main Access, from the entrance to Airyhall House to Bairds Brae and at least the bottom half of Bairds Brae???