



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

4 October 2013

Dear Mr Williamson,

**Planning Application 131279: Erection of 3 new houses in site adjacent to Middleton Lodge, Pitfodels Station Road**

I am writing on behalf of the Cults Bieldside and Millfimer Community Council (CBMCC) to submit our changed opinion on the proposed building of 3 new houses in the grounds of Middleton Lodge, Pitfodels Station Road, Cults. Residents in the Pitfodels area have made us aware of some of the facts around the planning application, in particular that the owner of Middleton Lodge is not the owner of the land proposed for development nor behind the proposal as was implied by the Planning website entry. Looking again at the details around the application, the Community Council strongly objects to the houses being built on the grounds that;

1. The building is proposed on established greenbelt
2. The land is a designated conservation area.
3. There is a history of applications for development on this land which have all been denied.
4. Potential road safety concerns through increasing construction and residential traffic onto Pitfodels Station Road. To enable access of construction traffic to and from the site would require significant modifications to the road and introduce accident risks.

While each application is reviewed solely on its merits, we are concerned about the setting of precedents for building on greenbelt and conservation area land. We believe that previous applications have been denied for good reasons and see no justification for the current application to be approved.

Yours sincerely,

*Peter Roberts*

Peter Roberts  
Planning Liaison Officer

Copy to: Councillor Marie Boulton, Councillor Aileen Malone, Councillor Tauqeer Malik

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 24 September 2013 17:52  
**To:** PI  
**Subject:** Planning Comment for 131279

Comment for Planning Application 131279

Name : Nicholas Dalgarno  
Address : Daldavie  
Pitfodels Station Road  
Cults  
Aberdeen  
AB15 9PJ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : The proposed site borders the south west edge of our property which we purchased from the Applicant last year. I would object to the application for the following reasons:

- 1) our garden would be overlooked by one building which could impact our amenity (eg loss of sunlight etc) not to mention that of our immediate neighbour on the east side of our property who borders the whole site and would be overlooked by all 3 proposed properties
- 2) the land is currently vacant and can only be accessed from either a) Station Road which is a narrow road over a small bridge with only one lane access at a time and b) the private lane leading from Station Road to our property. We believe that the proposed developmnet would add an unreasonable level of traffic to either access way not to mention likely damage to the lane. It is also worth noting that the access to the lane is close to the junction on to Station Road and that is already a difficult/semi-blind junction so there would be additional safety concerns
- 3) we believe that putting 3 dwelling houses on to the site would be a significant over-development of a relatively small site and would be out of keeping with the other properties in the immediate vicinity
- 4) It is worth noting that when we bought the property from Mr Yule, he indicated that he may wish to build a "small bungalow" on the ground (which he had retained from the previous Daldavie title) for his future use. Depending on the location of such a bungalow on the site and the enforcement of suitable access/repair arrangements we would not necessarily object to such a development.

7<sup>th</sup> September 2013

Aberdeen City Council,  
Planning and Sustainable Development,  
Marishall College,  
Broad Street,  
Aberdeen  
AB10 1AB

Fir Cottage/Silverstone  
Pitfodels Station Road,  
Aberdeen  
AB15 9PJ

**Proposed Development at:**

**Middleton Lodge(Site Adj. To Station Road, Pitfodels, Aberdeen AB15 9PJ**

**Application No: 131279 Notice dated 4<sup>th</sup> September 2013 Applicant: Mr Eric Yule**

**Planning Officer: Paul Williamson**

Dear Sir,

**Proposed : the erection of 3 new detached dwelling houses**


I write in connection with the above planning application. I have examined the proposed plans and know the area well as I have lived 40 years adjacent to the site. I wish to object strongly to the development of these houses in this location and list my objections as follows:

**Pitfodels is a Special Character Area as stated in the Pitfodels Conservation Area Report (2002) (encopies of Conservation area Boundary and maintenance of character) and any development proposals should be considered very carefully as infilling would ruin the character of the area while an estate development would completely overwhelm it and should not be accepted. I would also ask what has happened to the non urban conservation area status?**

The status of the access road onto Pitfodels Station Road also the North Deeside Road and Garthdee Road will have a huge impact on the now overwhelming volume of traffic. I enclose 3.10 noting the existing road network is very constrained . With the large modern development at Garthdee under construction it is unknown what impact this will also have on Pitfodels Station Road. There should be a further independent consultation and risk assessment along with the Police and I would call for a count of the current traffic and speed which has enormously increased since Pitfodels Station Road has been resurfaced in the last six months. This causes an unacceptable risk to all who reside here and also the large number of pedestrians who walk in an already dangerous road which is limited in pavements. As residents who chose to live in the last area of Green Belt and conservation, the whole nature of the Special Character Area will be lost forever.

The application states that these will be New detached dwelling houses of KIT construction and again all the houses in the area have large gardens and are of a multitude of one off buildings ,most being cottage and large old style traditional build to be sympathetic to the area. The proposed houses would be built some five feet from the boundary of a lovely traditional family house swamping the character and open countryside views it now has and has had for over a hundred years. This property was a family home which Mr Eric Yule developed for one of his sons many years ago and sold on whilst he was still residing in Daldavie (House next door), again a large traditional house in which Mr & Mrs Yule reside for over 30 years with his family, which he sold on a year ago and it is currently being developed.

This proposed development is purely for financial gain with no consideration for the now residents or the nature of the area which as keepers of our **special area** we are prepared to stand up and fight for it. Once the **unique area of Pitfodels** is compromised we can never replace it. The overdevelopment of a green field (**not as stated on the plans as Grassed Garden**) which is teeming with wildlife, a family of deer and a family of foxes, bats and other birdlife is currently enjoyed by all in this **conservation area** will be lost forever.

As I will be going on a long holiday in the next week I must ask you to inform me of all information by email  as to when the planning committee will be sitting to decide on what the outcome of our objections will be. I do feel that this compromises my case not being in the country whilst this upsetting development is discussed and only hope I can be kept fully up to date. My fellow residents I am sure will wish to formally attend and speak at any committee meeting to discuss the proposed development and if I am in the country at the time I would wish to speak on my families behalf as owner of Fir Cottage and Silverstone in Station Road, Pitfodels. (My husband's family and I have lived in this area since 1948)

**A Personal note:**

I have known Mr and the late Mrs Yule for over 30 years. I feel that having stood together whilst the controversial Western Peripheral route was fought by all Pitfodels residents on numerous occasions over the years and also the impact of traffic on our family lives, he would be sympathetic to our conservation area. Their family objection to breaking the green belt was so important to them whilst residing here and all the fellow residents are shocked at his particularly ill-considered development application to devastate our lives and our beautiful character green area. I would hope that when considering the proposed application the committee will take into account the community as a whole and not the financial interests of an individual.

Yours faithfully



Lesley Little

### 3 CONSERVATION AREA BOUNDARY AND MAINTENANCE OF CHARACTER

3.1 The statutory definition of the reasons for designating a conservation area given in the introduction, suggests that listed buildings, other distinctive buildings of historic or architectural merit, the wooded policies and grounds in which the buildings sit, and Scheduled Ancient Monuments, are the main features which should be used to define the boundaries.

3.2 There are a number of built elements which it is important to conserve, restore, or enhance - especially the Castle and motte of Pitfodels and the "many imposing small 'country houses' or large mansion style houses, along with their "spacious garden layouts and the generous planting of trees". These comprise a group close to the River Dee - comprising Norwood Hall, Drumgarth and Inchgarth, and another to the north of the North Deeside Road sub-divided into two groups north and south of the narrow, tree lined, Rocklands Road/Airyhall Road. Further to the south-west is a smaller group of buildings comprising Fairview House and St Devenick's Bridge.

3.3 The survey indicated that, in addition to the buildings, it is the theme of structural tree planting between and around them, along driveways and boundaries, and their relationship to the more open spaces which makes the character of the overall area so distinctive.

3.4 By contrast with the denser urban areas east and west of Pitfodels another important element that it highlights is the sense of place that is gained by the available views from the North Deeside Road across undeveloped fields to the wider valley landscape of the River Dee. New buildings within that area might tend to obstruct attractive views of the lower areas near to the river, and of the valley itself, which help to give the area a sense of place.

3.5 Since many open spaces in this area do not have significant tree cover except along some field boundaries new buildings would tend to be very visible until new planting had become established. They would also be unable to mirror the parkland setting for which a large part of the conservation area has become recognised. To users of the North Deeside Road and the Old Deeside Line Walkway development here may

also lead to the physical or visual coalescence of the urban areas on either side of it.

\* 3.6 The 'Landscape Strategy Part 1 - Maintenance of Landscape Setting' report approved by the Policy and Strategic Development Committee in 2001, identifies the area south of the North Deeside Road, and between it and the river, as an area of local landscape significance. It therefore helps to support the existing designation of green belt to the southern part of the Pitfodels area. The green belt policies of the local plan will apply to control development that might otherwise affect landscape setting.

3.7 An area to the south-west has more modern buildings many with little distinctive character. They are more characteristic of and relate to the settlement of Cults, rather than to Pitfodels and may have been originally included in the conservation area more by default than on merit. It is proposed, therefore, that the conservation area boundary be redrawn to omit this area. ✓

3.8 The 'Memorandum of Guidance on Listed Buildings and Conservation Areas' 1993 published by Historic Scotland indicates that development need not be within the curtilage of a listed building or even within the conservation area itself to affect its setting. Developments which can block or restrict important elements or views or generally change the visual setting may also have adverse effects. With this in mind it is not intended to amend the existing conservation area boundaries in other places.

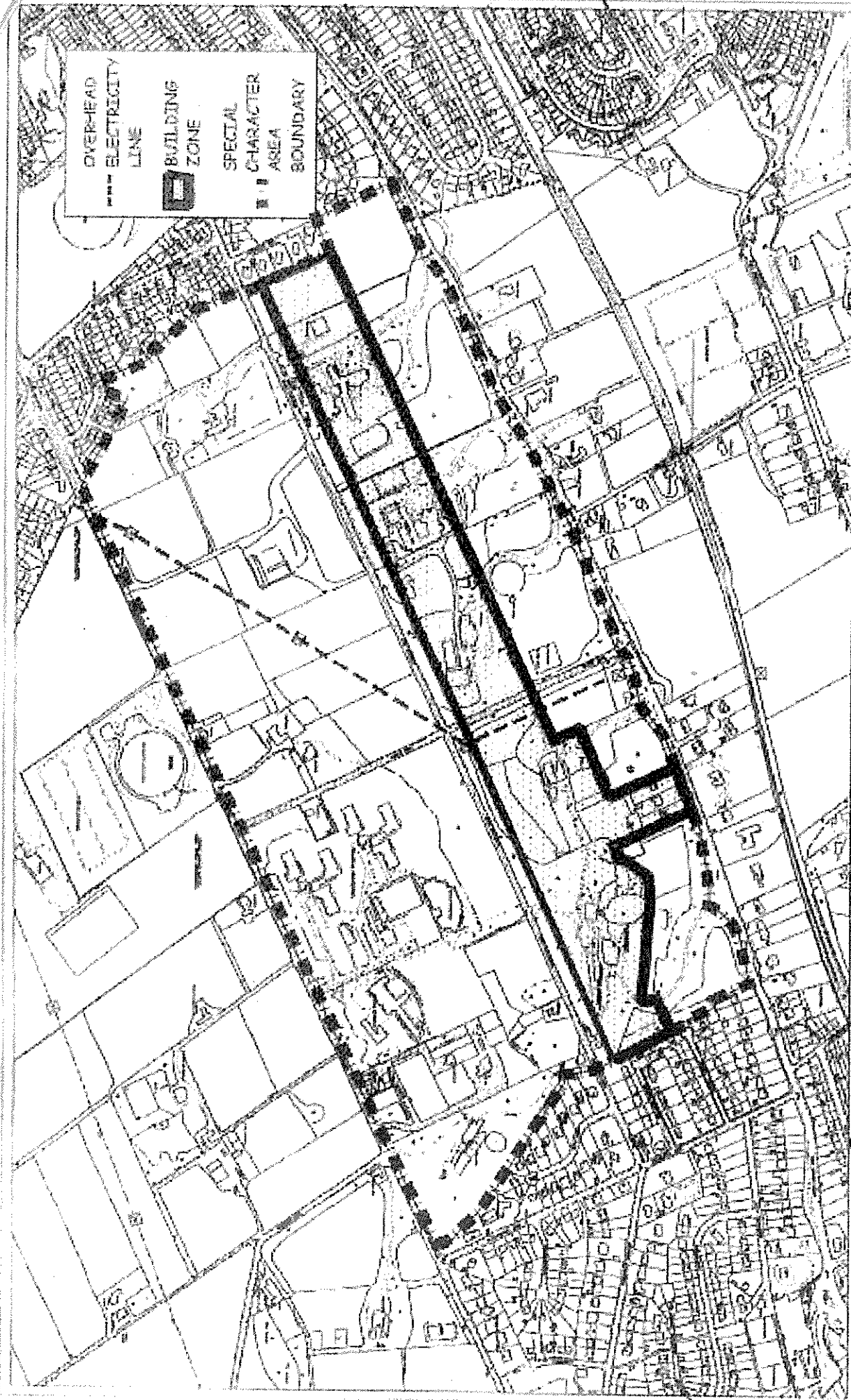
3.9 The boundary of the Pitfodels Conservation Area is amended to that shown on (Fig. 1). Within this area permission will be required for all proposals where the character or appearance of the building, the buildings setting, or the general area may be materially affected. This will include small house extensions, stone cleaning, satellite dishes, replacement doors and windows, demolition of walls and felling or pruning of trees. Staff in the Masterplanning, Design and Conservation team in Planning and Sustainable Development are available to advise on these matters.

3.10 Whilst it is necessary to apply strict controls in order to protect the special landscape character of the area it is appreciated that development should not be completely stifled. Before significant changes are put forward, however, owners and developers should be aware that the requirements listed below will need to be met. In particular it should be noted that the existing road network within the Pitfodels area is very constrained and developments of any significant size may need associated road improvements to be carried out beyond the sites themselves. Assessments will need to be simultaneously carried out to show that they themselves will not have a significant impact on the environmental quality of the conservation area.

## PITFODELS CONSERVATION AREA GUIDANCE NOTE I

All development proposals will normally require that -

- a) Supporting information shall be provided in the form of a comprehensive survey and assessment of buildings, walls and other enclosures, materials, pedestrian and vehicular access, traffic generation and parking, ground levels, landscape, trees, other vegetation and open spaces;
- b) Vehicular access shall be by means of existing arrangements. Upgrading may be permitted dependant on any associated environmental impacts being shown to be minimal. No new accesses shall be permitted unless and except where (i) it replaces another substandard one which shall subsequently be permanently closed off, (ii) it conforms to road safety and traffic standards, and (iii) will result in no loss of existing sound trees;
- c) Removal of existing sound trees will not be allowed except in exceptional circumstances with the written approval of the Council, and then only where adequate arrangements can be made for compensatory replacement planting around or in the same place;
- d) No developments shall commence unless a satisfactory landscape and management plan has been submitted and approved by the Council;
- e) Only high quality designs for buildings, materials and external spaces will be acceptable.
- f) Development will only be permitted where service arrangements for gas, electricity, water and other utilities can be made without any permanent loss or damage to existing trees, walls or local amenity.
- g) Boundary enclosures shall comprise good quality walls, fences trees or hedges that correspond with local or traditional character. Larch Lap style fencing will not be permitted.



# PITFODELS CONSERVATION AREA APPRAISAL

Fig. 2

SCALE 0 100 200 300 400 500 METRES

Created by City Engineer, in co-operation with the Department of Planning, License LA62035L/09

PI

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**From:** Grace-Derek\_Bain [REDACTED]  
**Sent:** 23 September 2013 12:14  
**To:** PI  
**Subject:** Planning application No 131279  
**Attachments:** Planning objection Appl. no. 131279.doc

Dear Sir

We wish to object to the erection of three detached houses as detailed in Planning application No 131279 and have listed our reasons in the attached letter.

Please acknowledge receipt of this message and letter of objection. Thank you.

Dr Derek Bain and Mrs Grace Bain



Middleton Steading  
North Deeside Road  
Pitfodels, Cults  
Aberdeen  
AB15 9PL

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

23 September 2013

Dear Sir/Madam

**Planning Application No. 131279**

We write concerning the above application for planning permission as we live at Middleton Steading, close to the proposed development.

Firstly, the notice received stated that it is proposed to erect three detached dwelling houses at a site adjacent to Middleton Lodge and on the plan, the area on which the houses would be erected is described as "grassed garden". This gives the impression that the owners of Middleton Lodge wish houses to be erected on a garden adjacent to their home. This is very misleading as the area concerned is a grassy field, not a garden, and the applicant is not the owner of Middleton Lodge. The notice, therefore, does not describe the application correctly.

We wish to object strongly to this development for several reasons:

- 1) The area on which the development is proposed is located in Green Belt and in the Pitfodels Conservation Area. Part of the Pitfodels Conservation Area has been redesignated a Special Character Area thereby removing restrictions for building, but this area is **north** of the North Deeside Road, whereas the proposed development is **south** of the North Deeside Road and restrictions have not been removed. Consequently, this area is still subject to Green Belt/Conservation Area regulations and no development should be allowed in the proposed area. The erection of three houses would affect the landscape setting of the area, have a negative visual impact and adversely affect the character of the neighbourhood.
- 2) Erection of the house in the south-east corner of the site would entail felling of several very mature trees. In 1999, we applied for permission (Ref. No 99/1132) to erect a garage at Middleton Steading, near to the proposed development and in the Pitfodels Conservation Area. This application was refused because "the development if implemented would adversely affect the health and would likely lead to the loss of the adjacent trees which are protected by tree preservation order No 8 and which make a valuable contribution to the character of Conservation Area 10 (Lower Deeside-Pitfodels) and if damaged, removed or lost would adversely affect the character and amenity of the Conservation Area and \Green Belt which is contrary to the Development Plan." Our proposal did not involve the felling of any trees so clearly the

felling of several mature trees in the proposed development would seriously affect the character and amenity of the Conservation Area and Green Belt. The Strategic Overview and Management Plan published by Aberdeen City Council in 2013 states (page 17) "It is important to retain existing mature trees as they add to the amenity value of the conservation areas".

- 3) As stated (3.10) in Aberdeen City Council's Appraisal of Pitfodels Conservation Area 10 "The existing road network within the Pitfodels area is very constrained." Pitfodels Station Road is a very busy narrow road and access and egress of vehicles from the proposed development via the very narrow lane would be very difficult and dangerous and exacerbate an already difficult road safety situation.

For the above reasons, we hope and trust that this application will be rejected.

Yours faithfully

Dr Derek C Bain and Mrs Grace M Bain

P&SD Letters of Representation		
Application Number: 131279		
RECEIVED 24 SEP 2013		
Nor	Sou ✓	MAp
Case Officer Initials: LAU		
Date Acknowledged: 25/9/13		

Aberdeen City Council  
Planning and Sustainable Development  
Marischal College  
Broad Street  
Aberdeen  
AB101AB

Ardlui  
Pitfodells Station Road  
Aberdeen  
AB159PJ

16 September 2013

*Dear Sir*

**PROPOSED DEVELOPMENT AT MIDDLETON LODGE  
APPLICATION NO. 131279**

With reference to the above application for planning, we wish to object to this proposed development for the following reasons: -

- 1) Our principal concern is one of safety for both pedestrians and vehicular traffic on what is, in effect, a rural road. We have been resident at our current address since 2004 when there was already a significant risk factor because of heavy traffic flows from commuters and super-store shoppers. We worked with the ACC Roads Department and the problem was partially addressed by the installation of traffic calming measures. However, officials recognise that there continues to be significant safety problems with 'sight lines' at house exits on Pitfodells Station Road and at both ends of the road at the North Deeside Road and Garthdee Road.

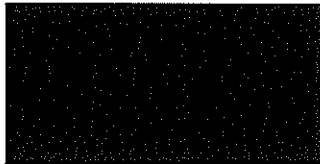

Since 2004, the Robert Gordon University has been relocated to the area and the David Lloyd Sports Centre has been opened. As a result, road and pedestrian traffic has increased significantly. This has been exacerbated by the decision to build the RGU crèche for a large number of children at the western end of the RGU site with its entrance near a dangerous corner, close to the bottom of Pitfodells Station Road. This will be further exacerbated with the development of a large number of dwellings being built in the so-called Den of Pitfodells.

The recent occupation of a single house, namely, Pitfodells Station House, next to us, brought with it four resident cars and associated visitor traffic. Three additional large houses in the proposed development with associated residents' and visitors' vehicles will bring an increased need to access, egress and cross traffic flows on an already busy and potentially dangerous road, using what is, in effect, a single traffic lane for entrance and exit onto Pitfodells Station Road. We would therefore suggest that an independent Risk Assessment be undertaken before any part of this proposal is considered.

- 2) Our second concern relates to the built environment. Pitfodels is an ancient settlement dating back to Pictish times and is wisely designated a non-urban Conservation area. In the last 200 years, it has been developed with a sympathetic understanding of the area and its environment. It typically has individual dwellings set in land, which encourages and supports a large and wide variety of wildlife. The development of three large Stewart Milne-type kit houses would do nothing to enhance the area or benefit the community. Indeed, such a development would substantially detract from and alter forever, the character of the area.

We would both like to attend the Planning Meeting, which deals with this proposal and therefore wish to be kept informed of the date, time and place of this meeting.

Yours faithfully

A large black rectangular redaction box covering the signature of the first individual.A large black rectangular redaction box covering the signature of the second individual.

F and L Hartnett

neil rothnie architects



3120/nar

16<sup>th</sup> September 2013

Planning & Sustainable Development  
Aberdeen City Council  
Business Hub 4  
Ground Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Dear Sir

**Proposed Erection of 3no. Dwellings, Middleton Lodge Site adjacent to Station Road Pitfodels, Aberdeen  
AB15 9PJ  
Ref 131279**

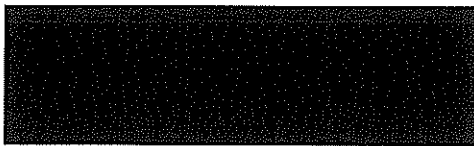
We write to lodge an objection to the above application.

The site is within an area zoned as Green Belt which is covered by Policy NE2. This policy states that 'no development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal'. The policy further identifies 4no. exceptions, none of which these proposals would meet.

This particular policy is well established and we have no knowledge of any other residential development which has been given approval within a Green Belt area.

We also note that no application has been made for this site or area to be re-zoned or to be included in the forthcoming Local development Plan.

Yours faithfully



Neil Rothnie  
Neil Rothnie Architects Ltd.

Cc client

**Paul Williamson**

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**From:** Sylvia Gove [REDACTED]  
**Sent:** 17 September 2013 15:24  
**To:** Paul Williamson  
**Subject:** Application reference 131279

**For the attention of Paul Williamson**

I am writing in connection with the above planning application, I wish to object strongly to the development in this location.

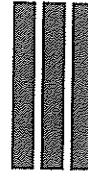
The proposed erection of new 3 detached dwelling houses is within the Pitfodels Conservation Area.

There would also be an impact on wildlife for example deer are often seen in this area.

S Gove

Your ref:

Our ref: KZS.M11019.1001



TODS MURRAY LLP  
SOLICITORS

**Sent by email and Royal Mail**

PaWilliamson@aberdeencity.gov.uk  
Mr Paul Williamson  
Aberdeen City Council  
Ground Floor  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

ACKNOWLEDGED ON  
25 SEP 2013  
VIA EMAIL !

24 September 2013

Dear Mr Williamson

**Objection to Planning Application – 131279 – Middleton Lodge, Station Road,  
Pitfodels, Aberdeen, AB15 9PJ**

**1 Background**

- 1.1 We act for Martin and Ellen McKenzie, ("our client") who own and occupy Middleton Lodge, Pitfodels. Their house is immediately adjoining the site where a proposal has been lodged to obtain planning permission in principle ("PPP), (not full planning permission) for 3 dwelling houses to be built. Whilst the application is for a PPP we are of the view that the development, given the designations and the extent to which it is contrary to local development management policy, requires the highest level of scrutiny at this PPP stage.
- 1.2 The application site is referred to as a "grassed garden" in the application lodged and our client would like it to be noted that in order for it to constitute a garden it implies that the development is somehow linked to the client's existing residence – this is misleading.
- 1.3 The application site is incorrectly referred to as "Middleton Lodge." This incorrect reference has caused to create confusion as lay members of the public will be of the view that it is an application being made by our clients as an addition to the existing residence. That is not the case and this discrepancy resulted in no neighbour notification being served on our client. Whilst this has been remedied in terms of the correct notification subsequently being sent by Aberdeen Council we want to highlight the scope for confusion and flag this site is a "new residential development" in the greenbelt area and not an extension of any existing residential development.

Edinburgh Quay 133 Fountainbridge Edinburgh EH3 9AG

Tel [REDACTED] Fax [REDACTED] DX ED58

Also at: 33 Bothwell Street Glasgow G2 6NL Tel [REDACTED] Fax [REDACTED] Glasgow Central

Email [REDACTED]

www.[REDACTED]

- 1.4 As part of the neighbour notification process our client would like to take this opportunity to make their grounds of objection known and to highlight many issues making this proposed development contrary to planning policy within the development management system.

## 2 Greenbelt/ Greenfield Area Designation

- 2.1 The Landscape Strategy Part 1 – Maintenance of Landscape Setting identifies the area south of the North Deeside Road, and between it and the river, as an area of local landscape significance. It therefore helps to support the existing designation of green belt to the southern part of the Pitfodels area. The green belt policies of the local plan will therefore apply to control development that might otherwise affect landscape setting.
- 2.2 As the area falls within the designated green belt area rather than being zoned for housing development the proposed application cannot be approved. The local development and Scottish Planning Policy, ("SPP") is clear on the aims of having such area designation.
- 2.3 At paragraph 3.65 of the Aberdeen City Local Plan it is stipulated that the aim of the green belt is to maintain the identity of Aberdeen and the communities within and around the city by defining their physical boundaries clearly, avoiding coalescence and urban sprawl, maintaining the landscape setting and providing access to open space.
- 2.4 SPP at paragraph 159 clearly states that green belt designation should provide clarity and certainty on where development will and will not take place. The green belt policy in terms of development plan and SPP works in that it directs planned growth to the most appropriate location, supports regeneration and creates certainty. To grant permission for the proposed development would be contrary to a leading concept within the development management system.
- 2.5 Whilst Policy NE2 within the Aberdeen Local Development Plan does permit some limited development within greenbelt area there is clear criteria of which **all** must be satisfied. We are of the view that many of the criteria are not satisfied such as the development failing to meet the objective of being small scale, being ancillary to what already exists ( based on fact there is no existing building), and the intensity of activity not being significantly increased. In terms of the increase in activity, our client has major reservations in terms of the additional vehicular access to be taken on to Pitfodels Station Road as there will be sight visibility issues which must be of concern to the roads department. Such issues cannot be overcome unless original feature walls are removed – such removal being contrary to planning policy given the area designation.

## 3 Conservation Area Designation

- 3.1 The proposed development does not respect the fact that the site is located within a recognised conservation area. Policy D5 within the Aberdeen Local Development Plan is clear that any proposals affecting conservation areas will only be permitted if such proposals comply with SPP. There is no



discretion in this regard and where a proposed development does not accord with SPP the application must be refused. The proposed development fails in many respects to accord with SPP as highlighted throughout this correspondence.

- 3.2 Policy D5 within the Aberdeen Local Development Plan goes on to state that planning permission for development that would have an adverse effect on the character or setting of a site will be refused unless the objectives of designation and the overall integrity and character of the designated area will not be compromised or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, economic and strategic benefit of national importance. Neither of these conditions is satisfied to allow therefore the application must be refused.
- 3.3 It should be considered that the original physical features at the site such as original walls require to be maintained in such a conservation area. The proposed development will not allow such original features to be retained therefore the application must be refused.

#### 4 Open Space

- 4.1 Within policy H1 of the Aberdeen Local Development Plan where existing residential areas and new residential development are being discussed (rather than green belt area as is the case for this proposed residential development) regard to open space is considered as high priority in assessing whether additional development can take place. The policy states amongst other pre requisites that development shall only be permitted if it does not have an unacceptable impact on the character or the amenity of the surrounding area and where it does not result in the loss of valuable and valued areas of open space.
- 4.2 In terms of the Pitfodels, Conservation Area 10 Appraisal, specifically section 3 there is further reference made to the importance of open space as follows - "that in addition to existing buildings, it is the theme of structural tree planting between and around them, along driveways and boundaries, and their relationship to the open spaces and the views they create across existing undeveloped fields which makes the character of the overall area so distinctive. This is an important element that establishes Pitfodels as having a "sense of place."
- 4.3 It is also recognised that new buildings within the area might tend to obstruct views which help to give the area its sense of place. We are of the view that the proposed development falls foul of these policies.
- 4.4 Many open spaces in the Pitfodels area do not have significant tree cover except along some field boundaries. New buildings would tend to be very visible. New planting would be unable to mirror the parkland setting for which

a large part of the conservation area has become recognised, leading to physical or visual coalescence with the urban areas on either side.

- 4.5 In summary the proposal will remove forever, a significant "open space" from the Conservation Area. Any development will further detract from the "character" of the area, encouraging additional development within the adjacent open areas leading to in an urban merger between Mannofield and Cults.
- 4.6 The proposed development will undermine the guidance within the current Policy where the council have recognised the need to maintain boundaries and limit development within the Conservation Area. Any granting of permission within the area for residential dwellings would set a precedent for future development and this would be firmly against established planning policy

## 5 Traffic Management Issues

- 5.1 The proposed development is located adjacent to Station Road, Pitfodels where traffic has increased over the recent years to become the busiest minor road connecting the North Deeside Road with Garthdee and developments South East of Pitfodels.
- 5.2 It is highlighted in the Pitfodels Conservation Area 10 Appraisal the existing road network within the Pitfodels area is very constrained and developments of any significant size may need associated road improvements to be carried out beyond the sites themselves. Assessments will need to be simultaneously carried out to show that they themselves will not have a significant impact on the environmental quality of the conservation area. There is no demonstration that any such impacts have been assessed and the roads department would presumably have some comment to make in this regard.
- 5.3 We would like to flag that our client is concerned that vehicular access is proposed via the service road that currently provides access to 4 other properties (both vehicular & pedestrian). This will place additional congestion and traffic risk on an access point that has extremely poor visibility and has no pedestrian walkway. A full risk assessment of the current volume of traffic and pedestrian use would be appropriate, and indeed necessarily must be completed to ensure that any proposed development observes road safety and traffic standards.
- 5.4 Recent road modifications, (i.e. the installation of traffic lights & calming measures) have had a negative effect on the overall safety of the road with "transitory users" focusing on the status of the "green lights" rather than

checking speed and watching for the emergence of local residents either in vehicles or on foot from residence access points.

- 5.5 The site requires access via an existing service road where visibility is hindered by existing walls and hedges. The applicant is aware of the issues, having previously installed mirrors when a resident of Pitfodels, to enable sight of vehicles and pedestrians that could not be seen from the service road entrance.

## 6 Environmental Considerations

- 6.1 As already flagged the proposed site is in a conservation area and is also designated as Green Belt. Additionally, it is adjacent to a recognised Green Space Network and this leads to other policies within the Aberdeen Local Development Plan being applicable. In this regards Policy NE1 – Green Space Network states that the 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.*
- 6.2 Our client would like to highlight there is significant wildlife in the area including a family of deer (a fawn born within the site itself in 2013), foxes, pheasants, buzzards, rabbits and bats. As an example, bats traverse the site in the evening at an elevation as low as a few feet and any proposed dwellings will have an adverse impact on the ability to breed unhindered.
- 6.3 The proposal will result in the removal of mature trees and replaced with new buildings with no obvious tree replacement plan. Current policy is "Removal of existing sound trees will not be allowed except in exceptional circumstances". Whilst we appreciate that this is an application relating to a PPP given the designations and the special setting and character of the development site it is a concern that no landscape and management plan has been considered.
- 6.4 The SPP at paragraph 126 refers to "a strategic approach to natural heritage in which wildlife sites and corridors, landscape features, watercourses, and areas of open space are linked together in integrated habitat networks can make an important contribution the maintenance and enhancement of biodiversity". The proposed development will have a significant impact on the current wildlife and landscape environment within the area. Green space policy encourages the linkage of recognised greenspace networks with existing green belt to ensure that wildlife corridors are maintained and encouraged. Based on environmental considerations as contained within SPP the application should be refused.

## 7 Local Development Precedent

7.1 A review of historical planning applications in the Deeside area demonstrates the Aberdeen Planning Department's stance regarding the type of planning approved versus those refused. Of those applications listed in the planning website, a total of 64 applications were refused within the Lower Deeside area from 1984 to 2013. Overall the applications refused were for the following reasons:

- a) Change of land use to residential;
- b) Requests to build a new house within an existing garden;
- c) Replacement houses that were not in keeping with existing character.

7.2 More specifically, refusals of note that pertain to this application are:

a) **Previous application for development on same site as the applicant.**

Application: 842676, Denis Christie, 55 Fountainhall Road, Aberdeen, Dec 1984.

Request: To erect 2 dwellinghouses within a site lying between north Deeside road and the disused Deeside railway line.

Refused: No information available from website, believed to be Green belt and access issues.

b) **Application by a neighbour on an adjacent site.**

Application: 991087, Mr & Mrs D. Bain, Middleton Steading, July 1999.

Request: to replace an existing garage.

Refused: Refused on the basis of possible damage to tree root system.

7.3 There is no known case of a similar planning application being approved anywhere in the Lower Deeside area, with applications within the Pitfodels Conservation area being assessed against a more stringent planning policy.

## 8 Design/ Amenity

8.1 Whilst we are firmly of the view that the current proposal should be refused planning permission based on the reasoning provided above, namely due to current designations, setting of the site, former precedence and environmental considerations we would highlight policies D2 within the Aberdeen Local Development Plan as further reasons why the proposed development should not be granted PPP. This is further reiterated as one of the core principles within paragraph 8 of the SPP as follows "There should be a clear focus on the quality of outcomes, with due attention given to the

sustainable use of land, good design and the protection and enhancement of the built and natural environment."

9 Suspected unauthorised development

- 9.1 We would also flag as a matter of importance that there is various development of sheds at the proposed site which our client informs us does not have the benefit of planning permission. Can you confirm that the planning authority is aware of such development and shall be taking enforcement action under the Town & Country Planning (Scotland) Act 1997?
- 9.2 Please inform Tods Murray (acting on behalf of the client) of any progress with this application including any proposed alterations to the scheme as this proposal shall have a detrimental impact on our client.

PP.



**Kishwar Sarwar**  
**Senior Associate - Planning and Environmental**  
**Tods Murray LLP**

Direct Dial:

Email



Cc: -

Councillor Marie Boulton  
Depute Leader of the Council



Councillor M Tauqeer Malik



Councillor Aileen Malone



**Robert Vickers**

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**From:** Lynne Parkinson [REDACTED]  
**Sent:** 16 September 2013 16:09  
**To:** PI  
**Subject:** Proposed development at Middleton Lodge

P131279

Dear Sir/Madam,

I am writing with regards to the proposed development of 3 new detached dwelling houses on the grounds of Middleton Lodge, Pitfodels Station road.

I have strong objections and serious concerns regarding the proposed development.

My first area of concern regards the infrastructure of the area surrounding Pitfodels Station Road. As a resident on Pitfodels Station Road I am only too aware of the existing strain placed upon the road as it struggles to cope with the current flow of traffic. In the absence of increased infrastructure, this issue is shortly set to become exacerbated by the development of 'Pitfodels Den', adding an additional 15 or so homes to the area. I firmly believe that Pitfodels Station Road, which is in constant need of repair, can not cope with the erection of further homes such as that proposed on Middleton Lodge.

My second area of concern regards the extensive wildlife seen around Pitfodels Station Road. This is an area of natural beauty and home to a large variety of wildlife including red squirrels, foxes and numerous deer all of which inhabit the surrounding area. Concerning red squirrels in particular, recent sightings of this animal is an encouraging suggestion of the return of Scotland's endangered native squirrel to the Cults area. Building additional residence on the site of Middleton Lodge could jeopardise this revival and will reduce the territory available to the abundant wildlife that make the Pitfodels area so special.

Best regards

Lynne and Robin Parkinson  
Laurebank  
Pitfodels Station Road  
AB15 9RX

**Robert Vickers**

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**From:** Sheena Wallace [REDACTED]  
**Sent:** 25 September 2013 12:15  
**To:** PI  
**Subject:** PLANNING APPLICATION NUMBER 131279 - OBJECTION  
**Attachments:** Planning Application No 131279 Objection.pdf

**Importance:** High

Dear Sirs

Please find attached a letter of objection to Planning Application Number 131279.

I would be grateful if you would confirm receipt of this email.

Yours faithfully  
S Wallace  
Middleton of Pitfodells, North Deeside Road, Aberdeen AB15 9PL  
Telephone: [REDACTED]

Middleton of Pitfodels  
North Deeside Road  
ABERDEEN  
AB15 9PL

23 September 2013

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

Dear Sirs

Application Number	131279
Proposed Development at	Middleton Lodge (site adj. to, Station Road, Pitfodels, Aberdeen AB15 9PJ
Description of proposal	Erection of 3 new detached dwelling houses
Applicant details	Mr Eric Yule

We wish to object to the above planning application for the following reasons:

'Significant detrimental change to the character of the area', which is Green Belt within a conservation area, ie. The Pitfodels Special Character Area would be detrimentally affected. Scottish Historic Environment Policy quotes conservation areas as "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance."

Architecturally 'kit houses' do not fit with the character of the area, the properties in the area being individual in their appearance and construction.

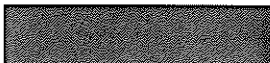
The speed and volume of traffic on Pitfodels Station Road has increased significantly in recent years and speed bumps have not helped the situation with many drivers simply ignoring them.

Another consideration is the detrimental effect that allowing more traffic on to Pitfodels Station Road will have and the additional risk created at the junctions with Garthdee Road and North Deeside Road. Perhaps a re-analysis of traffic volumes on Pitfodels Station Road should be undertaken?

In a letter, signed by Dr Margaret Bochel, Head of Planning and Sustainable Development, dated 24 September 2012 granting an application for a shed on this site it stated as one of the reasons for approval that "The development will barely be visible from a public road and will not have a negative impact on the setting of the Conservation Area or the Green Belt." The same cannot be said for this development of three large detached houses. It should also be pointed out that the land is not, and never has been, a garden as noted on the plan submitted by Mr Yule.

We would appreciate being advised on the date and time of the planning committee meeting so that we can be present.

Yours faithfully



Mr and Mrs S Wallace