

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

26 July 2014

Dear Mr Miller,

Planning Application 140940: Proposed curtilage split and erection of new dwelling 11 Baillieswells Road

I am writing on behalf of the Cults Bieldside and Milltimber Community Council (CBMCC) to share our views on the proposed building of a new house in the grounds of 11 Baillieswells Road, Bieldside. The Community Council objects to the house being built for the following reasons;

1. The applicant has submitted applications in the past (131698, 101484, 91403) with a view to building two large houses on a site originally designed for a single house and this has rightly been refused by the Aberdeen Council; planning permission to build a single house was granted after an appeal. This request for planning permission should be refused until an acceptable plan for the development of the overall plot at 11 Baillieswells Road has been submitted.
2. The proposed development of Site A and Site B at 11 Baillieswells Road is essentially a proposed curtilage split which would be contrary to Policies D1 (Architecture and Placemaking) and D2 (Design and Amenity) of the adopted local plan and the Council's Supplementary Planning Guidance on the Subdivision and Redevelopment of Residential Curtilages.
3. The proposed development would have a negative impact on the surrounding area, contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan.
4. Approval of the application would set an undesirable precedent for future applications of a similar nature for the erection of houses in plots in the nearby area.

Please contact me if you have any questions.

Yours sincerely,



Peter Roberts
Planning Liaison Officer

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

PI

From: webmaster@aberdeencity.gov.uk
Sent: 07 August 2014 16:40
To: PI
Subject: Planning Comment for 140940

Comment for Planning Application 140940

Name : Jackie Fleming
Address : 2 Baillieswells Drive
AB15 9AS

Telephone : AB15 9AS

Email : [REDACTED]

type :

Comment : I believe that the proposed building will compromise the privacy of adjoining and nearby plots. Previously, the building on that plot was a bungalow screened by mature trees and shrubs - resulting in a high level of privacy for all neighbours. The trees and shrubs have been removed, leaving a bare site, and the proposal for a two storey building clearly indicates that the property will overlook the adjacent gardens to the rear. This is exacerbated by the elevation of the site. I believe that the most appropriate type of building for the site in question is single storey.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 03 August 2014 20:57
To: PI
Subject: Planning Comment for 140940

Comment for Planning Application 140940

Name : Dr Philip Highton
Address : 4 Baillieswells Drive,
Bielside,
Aberdeen
AB15 9AS

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the planning application because of the unacceptable loss of privacy to my family due to the elevation of the plot in relation to my property. I also object due to the contrast between the planned property and the neighbouring properties. Previously the plot and the adjacent plot were occupied by a single bungalow and such a property would be more in keeping with the surrounding properties and the privacy of the neighbouring properties.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 04 August 2014 09:55
To: PI
Subject: Planning Comment for 140940

Comment for Planning Application 140940

Name : Anna Porter
Address : 7 Baillieswells Road
Bielside
Aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : For four years now we have lived with the local blight of a plot neglected by the owner while contentious attempts are made to secure planning permission for its development.

It is clear from the latest plan that the proposed house is the first of two planned for the plot as a whole. Previous applications have been objected to on the grounds that two large houses would, in local opinion, constitute over-development. Despite this, the proposed new house in this application appears to be possibly even larger than the previous one proposed. If ACC allows this to go ahead, it will set a precedent for its partner house to be built - either that or leave a very lopsided looking development.

There can be no doubt that this plot requires development but the obvious intended outcome here is the eventual erection of two large houses of a scale which would be out of character with their neighbours and the locale in general.

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3 Baillieswells
Drive
Bielside
Aberdeen
AB15 9AS

05 August 2014

Dear Sir/Madam,

Re: Application Number P140940

11 Baillieswells Road, Bielside Proposed New Home.

A bit of history on this site over the past 5 and ½ years:

1st appeal by the developer was for 2 houses, July 2009, rejected by the Aberdeen council, 12/07/2010 rejected by the Scottish recorder.

2nd Appeal for 1 house on half of the plot (Plot B), 09/10/2010, refused by the Aberdeen council

This was accepted **with conditions** by the Scottish recorder, 20/06/2011

No building undertaken during the 3 year window allocated to the build and new submission sent in on the 17th of July 2014

A few comments on the Supporting statement, because as like previous statements for this plot there appears to be a lot of confusion: over what the statement is referring to with constant references to the overall plot rather than the specific part subject to this application.

1.1 Given that Hot Properties stated that "being local to Cults and Bielside they have a genuine interest in ensuring their developments are very much in keeping and enhancing the local area" it is difficult to understand that statement when looking at the photographs attached in **Appendix I**. They show the aftermath of the proposed development site, after every single tree on the site had been cut down. They also show what the original green site looked like before the tree felling and bulldozing.

1.2. The comment on "adverse impact on the amenity of the surrounding properties", clearly is not supported by reading the letters of objection on the previous applications. I lived for 10 years alongside this site and was invited both into the house and gardens of 11 Baillieswells Road many times. The picture painted of the plot by the developer is simply not true. This was a beautiful, well maintained Greenfield site of great importance to the amenity of the area.

1.3 The reporter said 2 houses not 2 large houses

1.4 The road report for July 2014 only refers to one house. Both plots need to be evaluated to ensure a key road into 2 schools has adequate protection from the proposed works.

1.6 Refer 1.4

1.7 Difficult to believe that when considering the stringent qualifications the Reporter applied to this plot which was due to the lack of quality documentation of the submission and all the details it failed to put forward. The following conditions were noted:

“subject to appropriate conditions, including the submission of a satisfactory landscaping scheme to supplement the screening on the boundary with 3 Baillieswells Drive, and measures to **protect trees adjacent to the site.**”

2 Conditions

1. No development shall take place unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of plot boundary enclosures. The house shall not be occupied unless the said scheme has been implemented in its entirety. *Reason: In order to preserve the amenity of the neighbourhood.*
2. No development shall take place unless a scheme of all **drainage works** designed to meet the requirements of Sustainable Drainage Systems has been submitted to and approved in writing by the planning authority, and thereafter the house shall not be occupied unless the drainage has been installed in complete accordance with the said scheme. *Reason: In order to safeguard water quality in nearby watercourses (i.e. the River Dee) and to ensure that the development can be adequately drained.*
3. No development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed. *Reason: In the interests of visual amenity.*
4. No development shall be carried out unless there has been submitted to and approved in writing by the planning authority a detailed scheme of landscaping for the site, which shall **include indications of all existing trees adjacent to the land, together with measures for their protection in the course of the development**, and proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity of planting. *Reason: In the interests of the amenity of the area.*
5. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the planning authority. *Reason: In the interests of the amenity of the area.*
6. **No development shall take place unless a plan showing a scheme for the protection of all trees to be retained adjacent to the site during construction works** has been submitted to, and approved in writing by, the planning authority and any such scheme as may be approved has been implemented. *Reason: In order to ensure adequate protection for trees adjacent to the site*

during the construction of the development.

7. No materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted **within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority**, and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks. *Reason: In order to ensure adequate protection for trees adjacent to the site during the construction of the development.*

8. **Any tree work which appears to be necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority**; any damage caused to trees growing on land adjacent to the site shall be remedied in accordance with British Standard 3998: 1989 'Recommendation for Tree Works' before the buildings hereby approved are first occupied. *Reason: In order to preserve the character and visual amenity of the area.*

9. Before the development commences on site, details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SEM calculations, shall be submitted to and approved by the planning authority, and the completed development shall not be occupied unless the equipment has been installed in accordance with those approved details. *Reason: To ensure this development complies with the on-site carbon emissions objectives outlined in the Scottish Planning Policy (SPP) and the City Council's relevant published Supplementary Planning Guidance 'Reducing Carbon Emissions in New Development'.*

10. The development shall not be occupied unless the driveway hereby granted planning permission has been constructed, drained and laid out in accordance with the plans hereby approved, or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such area shall not thereafter be used for any purpose other than the purpose of the parking/turning of vehicles ancillary to the development and use thereby granted approval. *Reason: In the interests of public safety and the free flow of traffic.*

11. Notwithstanding the provisions of Article 3 and Schedule 1, Parts 1, 2 and 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) no extensions, alterations or improvements which materially affect the external appearance of the dwelling house, nor any means of enclosure shall be erected or carried out either on, or in the curtilage of, the dwelling house hereby permitted without a further grant of planning permission from the planning authority. *Reason: In the interests of visual amenity.*

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), no doors shall be inserted at first floor level in the rear elevation of the house hereby permitted. The proposed handrail around the perimeter of the roof over the ground floor breakfast room shall be omitted. *Reason: To prevent the roof from being used as a balcony, which would be to the detriment of the privacy of the properties to the rear."*

1.10 The balance of the site has been under an application for 5 years, the latest application is Application Number 131698, which was submitted last year and as with previous submissions, the quality of the submission is not clear on its intent and thus has created a gap site.

2.1 How is the amenity protected?

2.2 As a neighbour that is simply not true, a secluded bungalow is being turned into a treeless plot with houses that dwarf the neighbours.

2.3 And what privacy is afforded by the bedroom windows? Or by the scaling in a treeless plot that towers over the neighbours gardens.

2.6 But vastly greater than the original single story bungalow.

2.7 If the developer had a look at the neighbourhood they would see this is not true with the 2 bungalows on one side of the plot and the bungalow opposite.

I have had the opportunity to review the proposal and would like to object to it on the following grounds:

1. The total lack of clarity on how the site as a whole will be developed. Five and half years after developer created a brownfield site out of a beautiful secluded area bordering a single storey house. The developer, having been rejected in their previous Planning application 091403 for the two house split feu submission, by both Aberdeen council and the Scottish Recorder, then submitted another application for one house on half the original plot, this was rejected by the council. The recorder overturned that decision with a number of qualifications. 3 years after the approval was given the developer has not been able to develop the site, and now is applying for the 3rd time.
2. Given this proposal is to redevelop part of the site, the applicant should have at least blue lined the remainder of the site to indicate clearly to the committee that it is still in the control or ownership of the applicant. This would ensure that the whole site would be properly redeveloped from the outset. All issues on road access, safety, amenity, house numbers including number, location and size to be located on the site could then be addressed in their entirety. As it stands, the current proposal leaves the appearance of a future "gap site". Gap sites are generally not created by design and should not be "visually created" by the planning authority issuing consent to this proposal.

This proposal would be detrimental to the character and amenity of the area by virtue of its design and uncomfortable position on the site giving the appearance of a future gap site.

2 Loss of Amenity

The proposed relationship of a house, that is multi story, will severely affect our privacy and amenity. This is exacerbated by the intrusions of both multiple windows, a balcony and a breakfast room

Given the height of this proposed house is not clear and given the developer has been witness to the unfortunate damaging of protected tree roots of an existing neighbor, leading to 3 protected trees having to be taken down. The proposal has no feasible details on how the tree

roots from 3 Baillieswells Drive's trees will be protected. Until this is in the proposal , I respectively suggest that it cannot be complete and therefore cannot be passed.

- 3 Building Line – the proposed new building is wholly out of line with the existing row of single story houses and would adversely affect the ambience of the neighbourhood.
- 4 Precedent – were this proposal to be granted, it would create a precedent for subdividing feus and felling existing mature trees to create high density housing which would have a significant negative effect on the ambience of this community.

5 Road Safety

The road safety issues can only be assessed when all details of the development site have been put forward. The current proposal replaces a 3 bedroom bungalow with a 5 bedroom, 2 story house in only part of the development plot. The volume of cars using a significantly larger house in part of the plot, can only lead to safety issues on a main route into 2 schools. The council road department have not seen the full plans for site, this application only covers part of the feu. 1.10 states a further application is to follow. Until the details of this application are submitted, and given the proximity to Cairnlee Terrace, and this being a main route into a primary and secondary school, an objective safety view cannot be given for this development plot.

You have to live near the road to know how busy Baillieswells Road is. Safety must be everyone's priority.

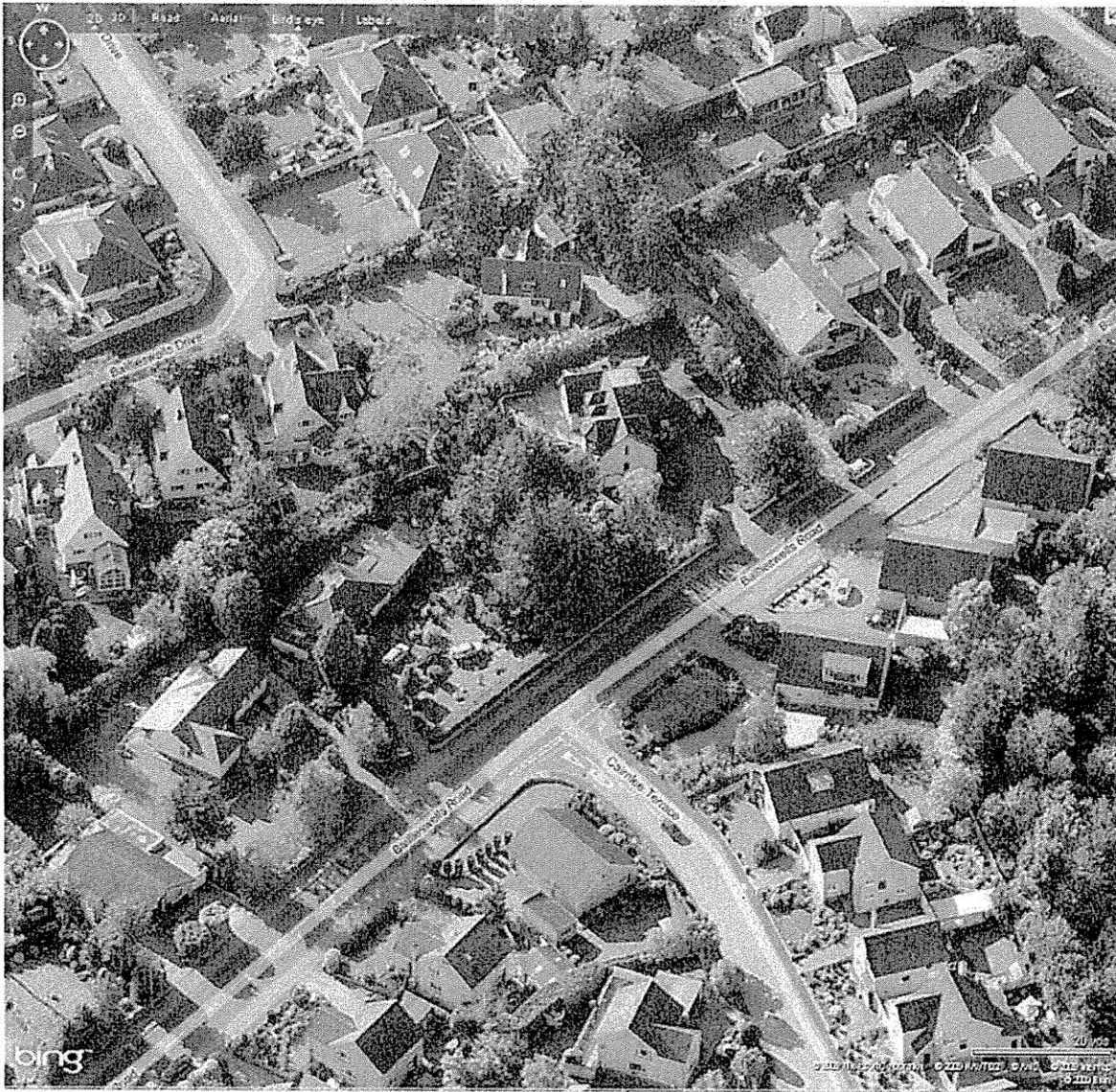
For the above reasons I object to the splitting of the feu and the erection of a new dwelling house at 11 Baillieswells Road, Bieldside.

Not signed as this was sent as part of an attachment to an e mail.

Yours Sincerely

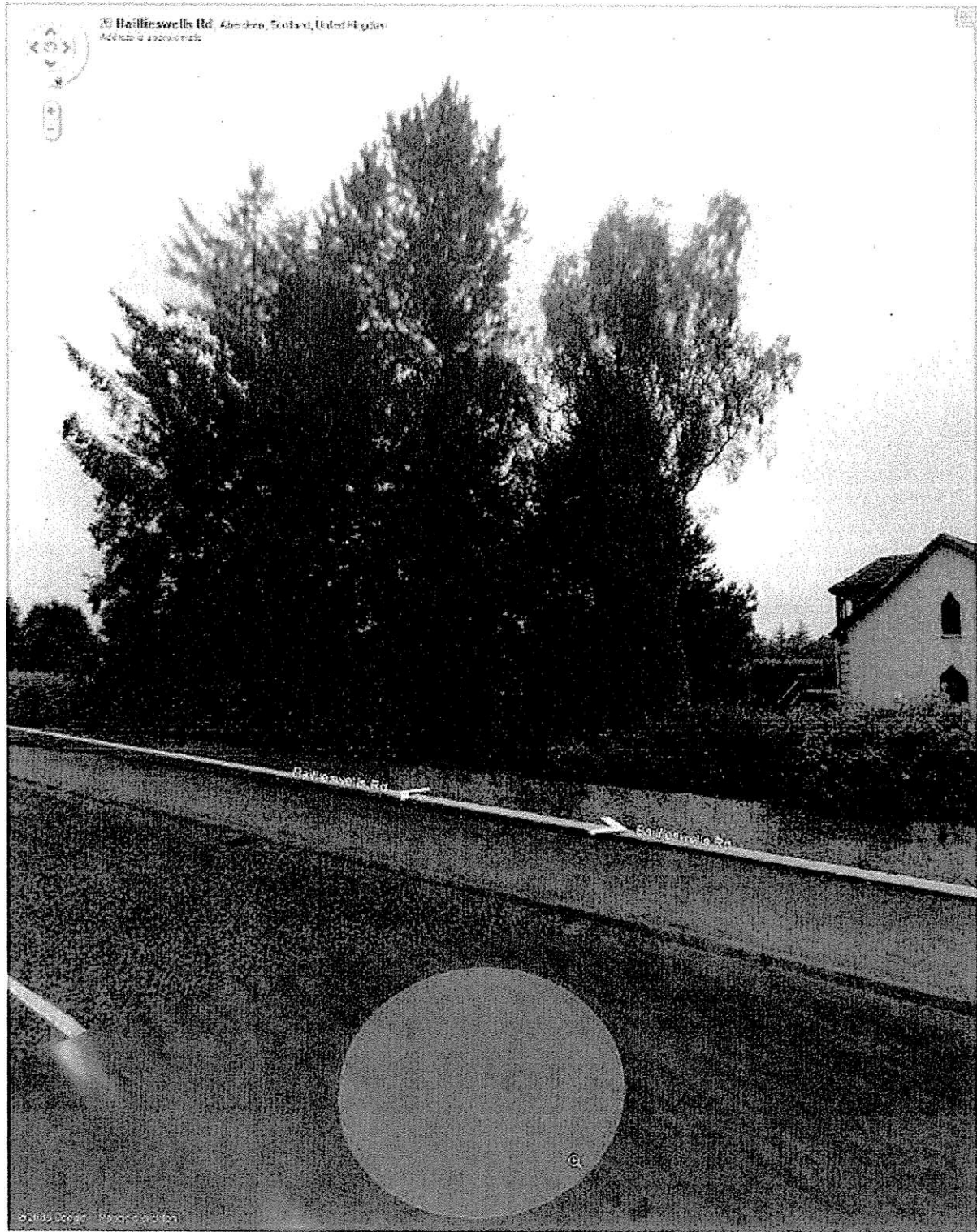
Colin and Lynne Kennedy

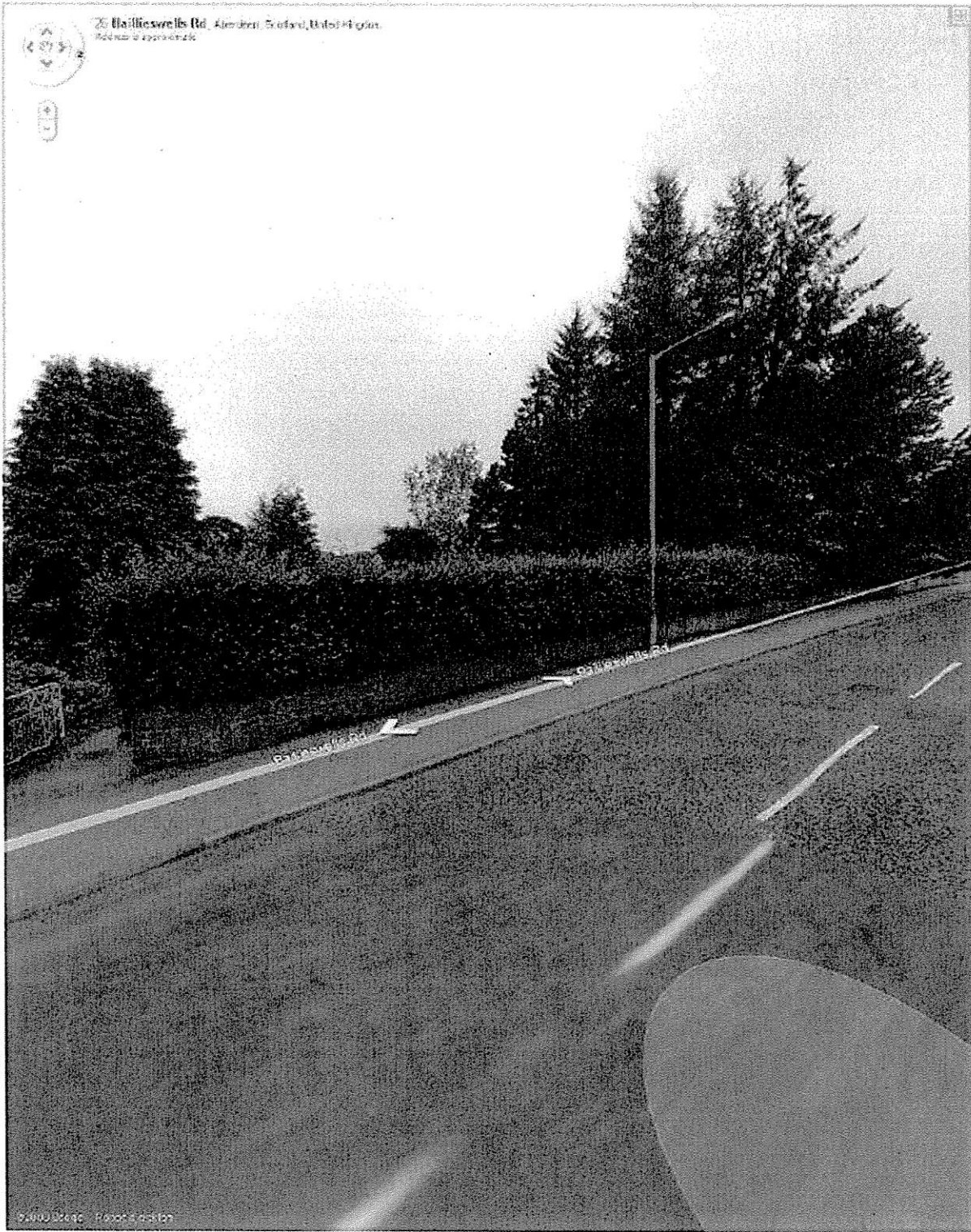
Enclosed Appendix I.



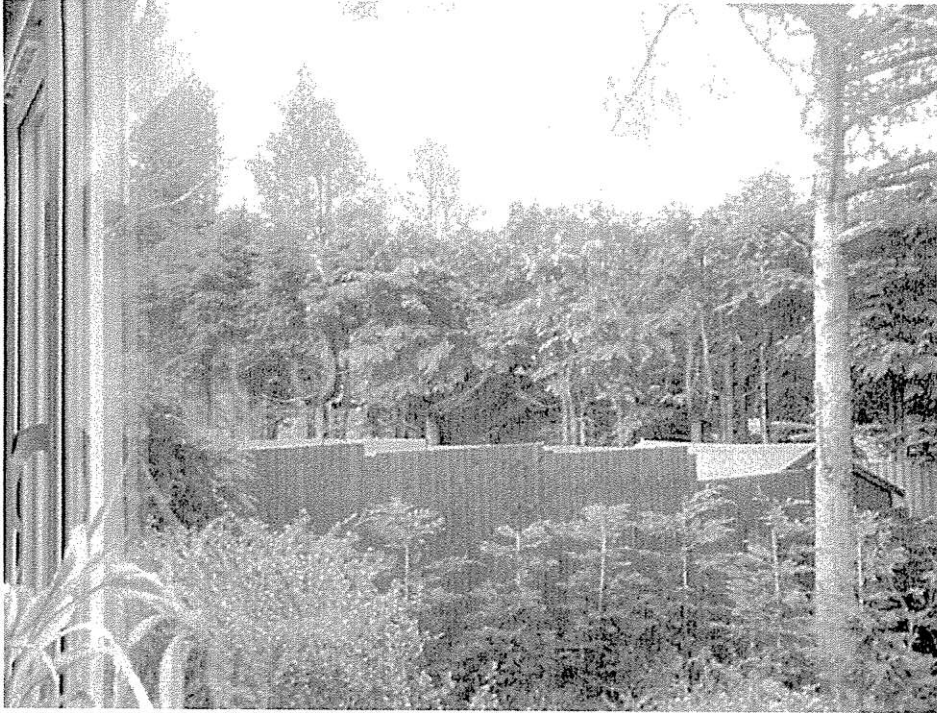
Picture 1 above illustrates the original Green field and the amenity it afforded to surrounding properties. It shows the site site opposite Cairnlee Terrace prior to the developer taking down all the trees and the single story bungalow.

Pictures 2 and 3 below show the original frontage to the plot from Baillieswells Road.

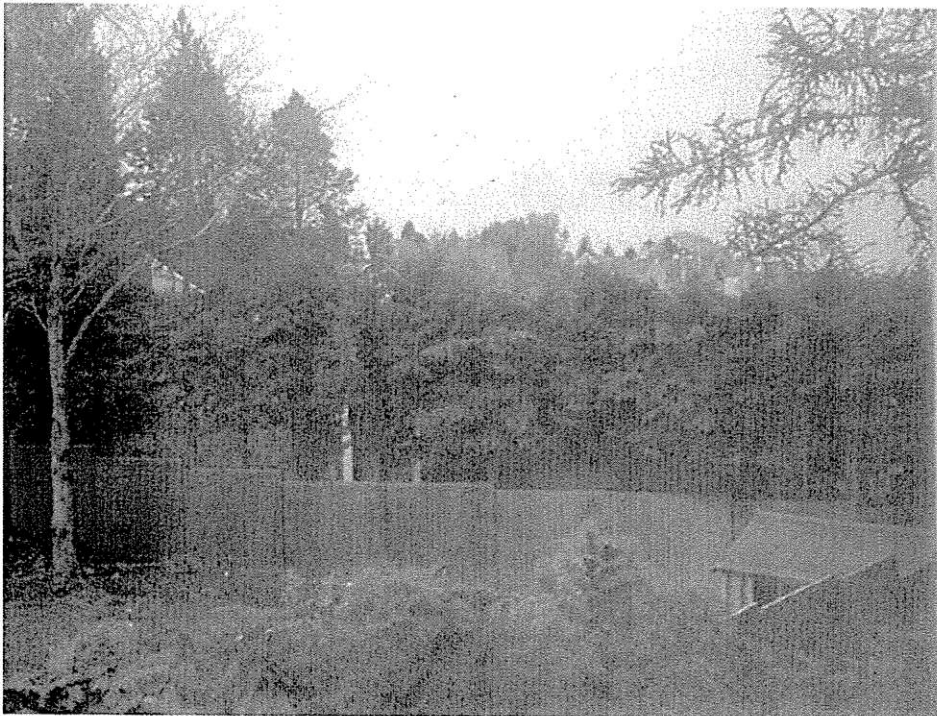




Picture 4 below original view and amenity from 3 Bailliswells Drive



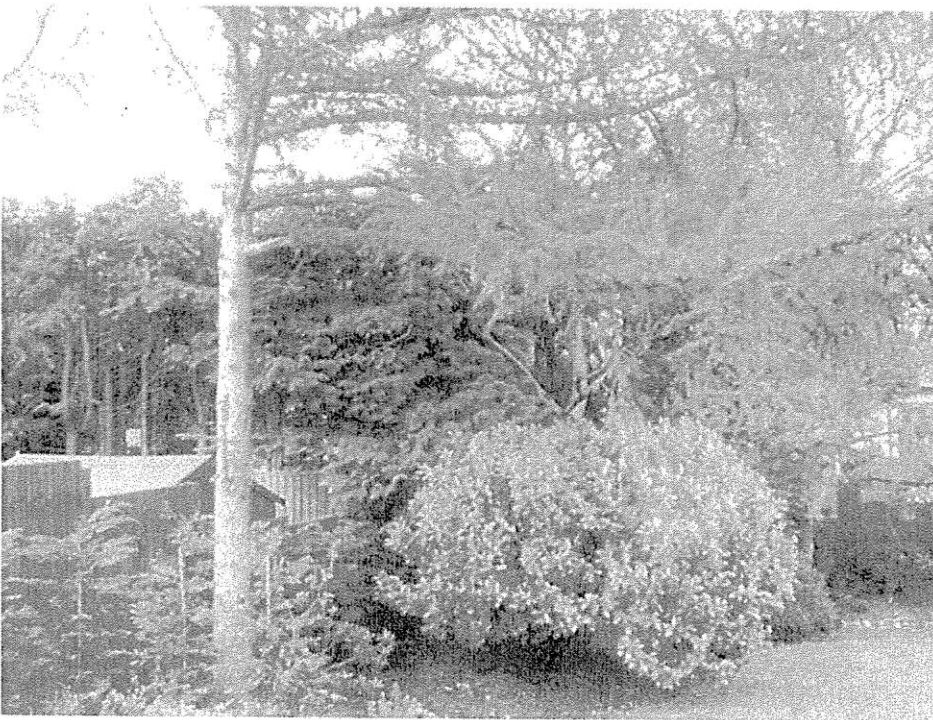
Picture 5 above from 3 Baillieswells Drive, overlooking number 4 Baillieswells Drive



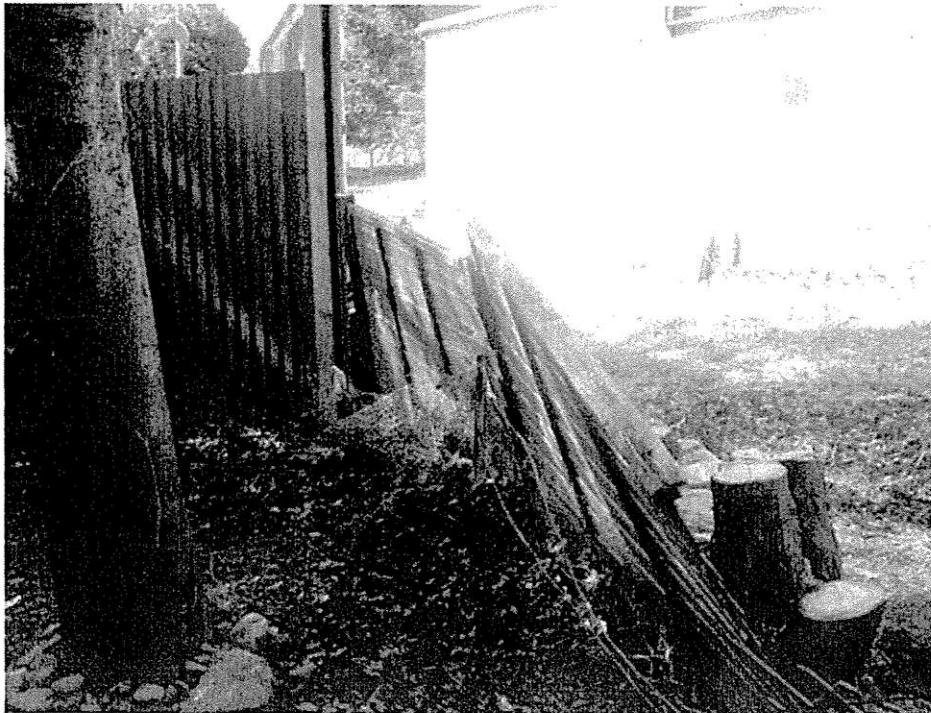
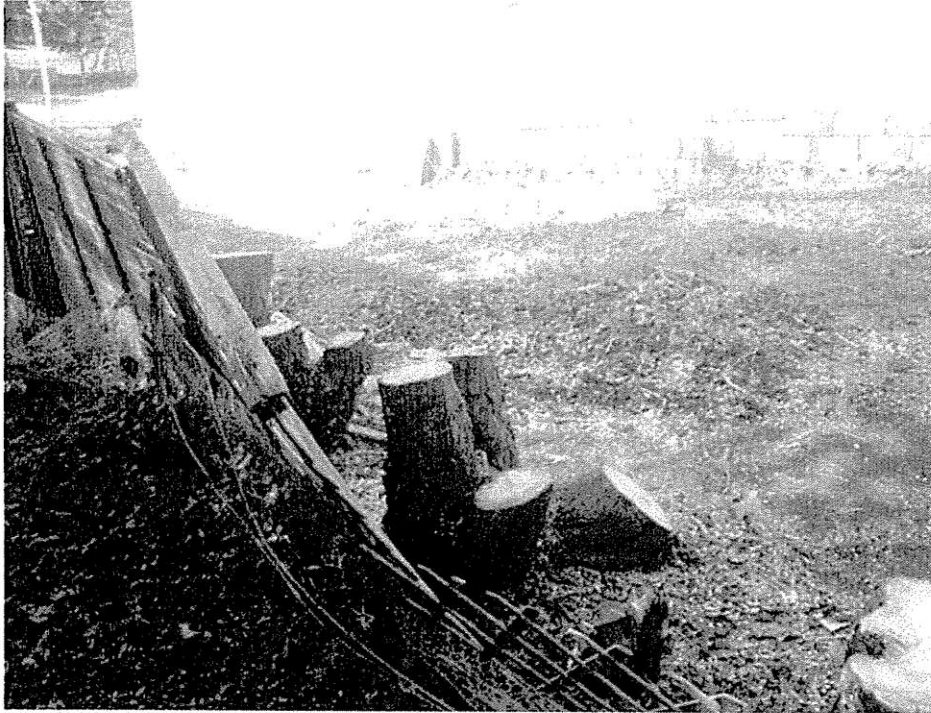
Picture 6 below What is left from the site pictured below.



Picture 7 below Original amenity and barrier between 11 Baillieswells Road and 3 Baillieswells Drive



Pictures 8 and 9 below how the developer, with no warning, chose to leave no amenity or barrier in place when taking down the trees adjacent to 3 Baillieswells Drive.



P&SD Letter to ...		
Application Number:		
RECEIVED - 6 AUG 2014		
For	See	MAP
Case Officer: Initials		
Date Acknowledged		

PI

From: andrew macaulay [REDACTED]
Sent: 30 July 2014 10:40
To: PI
Subject: P140940 Planning Objection (11 Baillieswells Road)
Attachments: P140940 planning objection.pdf

Importance: High

Sirs,

Please find attached my objection to the planning application P140940 relating to 11 Baillieswells Road

Please acknowledge receipt at your convenience.

Regards,
A.Macaulay

encl.

15 Baillieswells Road
Bieldside
ABERDEEN
AB15 9BB

29th July 2014

Aberdeen City Council
Planning & Infrastructure
Marischal College
Broad Street
ABERDEEN

Dear Sirs,

OBJECTION TO PLANNING APPLICATION No. 140940 (11 BAILLIESWELLS ROAD)

I wish to object to the above planning application and request that it be rejected by the Planning and Infrastructure Department.

I have studied the proposals with care and object on several grounds. I note that the '*Supporting Statement*' is inaccurate and is misleading in several respects.

Lack of a Holistic Plan for the Site

The application makes references to a previous decision by the Reporter. This decision dates back several years and has since lapsed. Conditions set out in the decision were not met. The justification that a planning application be made for only part of the site '*on commercial grounds rather than to delay the development of the entire site*' (1.10) does not withstand scrutiny given that the site has remained undeveloped for over three years since the Reporter's decision. It is over five years since the demolition of the bungalow that occupied the site and the felling of the trees in the garden. There is therefore no reason for supporting a planning application that addresses only part of the site.

It would not be appropriate to consider the application for development of only half of the site until proposals for the whole site have been put forward. The developer has not been able to put forward proposals for two houses on the site that meet planning requirements. Fundamental planning issues such as tree protection and road safety issues associated with opening a second driveway so close to the junction with Cairnlee Terrace remain unresolved and it remains unclear how a second house could be built on the site. The assertion that the previous application and appeal process established that the site '*is capable of accommodating two large detached houses*' (1.3) has not been borne out.

If the decision is taken that the site is not suitable for sub-division, then the proposed house would appear unbalanced in being sited so close to the southerly perimeter of the site.

The whole of the no.11 site should be considered as a single site for planning purposes. It would appear to me that the site remains suitable for only one house.

Inappropriate Scale and Massing

The scale and massing of the development is out of proportion with the surrounding neighbourhood. The Supporting Statement (2.7) is misleading in its description of the surrounding properties. All of the properties leading up to the proposed development are cottage or bungalow style houses and are significantly smaller than the proposed house. A house referred as of '*three stories*' is in fact of two stories with a low level garage and is set back from the road in a large, well planted plot.

I am unable to reconcile the statement in the Supporting Statement (2.6) that 'less than one quarter (24%) of the overall site area' is to be built upon with the 'Proposed Site' drawing which appears to show that the property would occupy a figure over 33% of the site and that over 50% of the plot would be built over by the building, driveway and paths.

The building line of the street would be disrupted by the development. There is no accurate illustration of the relationship between the proposed buildings and the adjoining properties. The document entitled 'Visual' gives a wholly inaccurate representation of the building line by failing to show the bungalow adjacent to it that would be dominated by the proposed building. It also shows a green space adjacent to the proposed building which contradicts separate lapsed planning applications that show that the intention of the developer is to build a second house on this green space immediately adjacent to the proposed house.

Loss of Urban Green Space

The Supporting Statement is incorrect in its description of the site prior to its acquisition (1.2). The site was occupied previously by a modest bungalow that was well maintained. Mature trees occupied the northern part of the garden. The 'Existing Site / Topographical Survey' is also inaccurate in that it omits the mature trees that occupied the northern part of the garden. 'Bing maps' illustrates this: <http://binged.it/1o9VJSS>. The garden was well tended and was significant as urban green space.

The trees in particular had a positive impact on the neighbourhood. It is regrettable that they were felled seemingly in presumption of gaining planning consent to split and redevelop the plot and that damage was caused to neighbouring trees which then had to be felled for safety reasons. It is important that this urban green space is reinstated. The planning application as proposed will not achieve this due to overdevelopment of the site with little space remaining for re-planting.

The 'Proposed Site Showing Boundary and Tree Protection Treatment' diagram shows the existing beech hedge as being retained yet previous planning applications submitted for a second house on the same site show the beech hedge being largely removed to make way for a second driveway onto Baillieswells Road. This is a one of several contradictions caused by the pursuit of separate uncoordinated planning applications for two houses on the one site.

Road Safety Concerns

I do not believe that road safety issues associated with the application have been resolved. As is evident from the plans included within the application, the turning area available has been greatly reduced when compared with the turning area in front of the house that occupied the site previously. The scaled drawings suggest that there will not be adequate room provided for turning. The garages proposed appear to be too small to be used for parking. It would be expected therefore that two cars would ordinarily be parked on the driveway. When two cars of typical size are overlaid on the proposed turning area it is clear that it will be necessary to reverse out onto the main road to exit the property. This would be dangerous given the speed and density of traffic on the road and the use of the pavement at this point by school children crossing to/from Cults Primary and Secondary Schools. Furthermore, were two houses to be built on the site it remains unclear how safe vehicle access would be provided for the second house. Would the second house have to share the driveway shown on this planning application for example? The road has become busier since 2013 with the recent development of offices in Westhill and Kingswells and there has been much concern voiced by residents around the volume and speed of traffic on Baillieswells Road.

For the above reasons, I respectfully ask the Planning and Infrastructure Department to reject this planning application.

Yours faithfully,


Andrew Wraclaw

P&SD Letters of Representation		
Application Number: P140940		
RECEIVED 31 JUL 2014		
Nor	Sou <input checked="" type="checkbox"/>	MAP
Case Officer Initials: AMI		
Date Acknowledged: 06/08/14		

PI

From: Keith Smith [REDACTED]
Sent: 04 August 2014 17:01
To: PI
Subject: Objection to Planning Application 140940
Attachments: Planning Application 140940 - letter of objection.pdf

Dear Sirs,

Please find attached my letter of objection to the aforementioned Planning Application.

Please acknowledge receipt of this e-mail and its attachment.

thanks & regards,
Keith H Smith

3rd August 2014

28 Baillieswells Road
Bielside
Aberdeen
AB15 9BB

Aberdeen City Council
Planning and Infrastructure
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sirs,

Objection to Planning Application Number 140940 – 11 Baillieswells Road, Bielside Aberdeen.

I have been informed of the above named planning application by a neighbour. I did not receive formal notification of this planning application which is not consistent with prior planning applications submitted in relation to said address.

I wish to object to the planning application for the reasons set out below and so I request that it is rejected by the Planning and Infrastructure Department. I have reviewed the drawings and the Supporting Statement and I will refer to this planning application as applying to Site B. A prior application (No. 131698) was made in respect of Site A by Hot Property Developments Ltd.

Firstly, with regard to the Memo from Roads Projects, clearly this application has been considered in total isolation of the application for Site A. If the applications for Sites A and B were to be considered by the Roads Project together, the Roads Project may not arrive at the same conclusion. Baillieswells Road is an extremely busy road, even moreso following the recent development at Kingswells and the further industrial development at Westhills. The road is frequently used (perhaps inappropriately) by heavy goods vehicles. The layout of the driveway suggests that there will not be turning space for a vehicle which entered the driveway forwards and it will be extremely dangerous for a vehicle to have to reverse into Baillieswells Road from the property, particularly so close to a road junction.

I contend there is a risk that by considering this application in isolation, solely on its own merits, may result in an inappropriate conclusion, and not only from the perspective of the Roads Project. I cannot see any reason for supporting a planning application which addresses only part of the site. The original application by Hot Property Developments relating to both Sites A and B was the subject of much local objection for various reasons. Later the Applicant submitted a planning application for half of the site (Site B) and that went through a due process of objections, refusal, appeal and ultimately the Reporter granted planning permission. The Reporter's opinion was however founded upon an application for part of the whole site. The Applicant now relies on the opinion of the Reporter in Supporting Statement 1.10 in this planning application. The two-stage application process which has been followed by the Applicant appears to be a cynical attempt by the Applicant to circumvent the objections in principle by local neighbours to allow the residential curtilage to be split and to build two large houses. The entire site (A+B) was originally occupied by a single 'low level' bungalow which was not intrusive to any of the immediately neighbouring properties. I note with dismay that the applicant makes a disparaging reference (Supporting Statement 1.2) to the prior large single


house and garden which occupied the site. I think that the owner of said former property would be properly offended by the comment. In complete contrast, the proposed developments (and specifically the proposed development which is the subject of this application) overlook, dominate and will almost certainly invade the privacy of all immediately neighbouring properties.

With reference to Supporting Statement 1.1, I have to disagree with the comment that "the applicants have a genuine interest in ensuring that their developments make a positive contribution to the surrounding area", this is a secondary consideration; the comment at 1.10 probably captures the true intent of the application being "commercial grounds" (positive cash flow is more attractive to the developer than positive contribution to the surrounding area).

I question the accuracy of the Supporting Statement 2.6 that less than one quarter (24%) of the overall site area is to be built upon, this is not consistent with the drawings submitted. Supporting Statement 2.7 is quite misleading as a description of the surrounding properties. The house referred to as being three storeys is arguably a two storey house at street level with a low level garage.

For all of the forgoing reasons I respectfully request that the Planning and Infrastructure Department rejects this planning application.

Yours faithfully,



Keith H Smith

PI

From: webmaster@aberdeencity.gov.uk
Sent: 05 August 2014 09:40
To: PI
Subject: Planning Comment for 140940

Comment for Planning Application 140940

Name : Mike Tuckwell
Address : 9 Baillieswells Road
Bielside
Aberdeen
AB15 9BB

Telephone : [REDACTED]
Email : [REDACTED]
type :
Comment : 9 Baillieswells Road
Bielside
Aberdeen
AB15 9BB

5th August 2014

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

Dear Sir/Madam,
Re: Application Number 140940

Proposed development at Strathisla, 11 Baillieswells Road, Bielside, Aberdeen AB15 9BB

We write to object to the proposed new house by Hot Property Developments Ltd.
Given the history of the original planning applications for 2 houses on this piece of land, we believe that the developer is attempting to continue his intention to erect 2 houses by stealth on the whole plot by submitting one application at a time. It is obvious from the plans that the remaining half of the land will in time be developed in a similar manner to this application.

We therefore contend that this is a disingenuous approach to a planning application, which, should this proposal be successful, will:

• Lead to wholly unreasonable over-domination of adjacent houses due to the sheer scale, height and massing of the proposed building.

• Set an unwanted and undesired precedent leading to the deterioration of the existing character and amenity of the area.

• Provide a precedent for building a second property on the other half of the site on an equally large scale, thereby leading to even greater over-domination of the site over its neighbours.

• Cause the proposed development to have a negative impact on the surrounding area, contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan.

The request for planning permission should therefore be refused until an acceptable plan for the development of the overall plot at 11 Baillieswells Road has been submitted in keeping with the original plot and the surrounding area. Moreover, approval of this application would set an undesirable precedent for future applications of a similar nature for the erection of houses in plots in the nearby area.

With reference specifically to the document entitled “Proposed Site Plan Showing Landscaping, Boundary Treatment and Tree Protection treatment,” the drawing shows that there will be a 1.8m high fence separating 9 and 11 Baillieswells Road, running from the rear of the property and which will stop at the existing beech hedge.

We wish to point out that the existing fence (which belongs to 9 Baillieswells Road) ran the full length of the property and did not stop at the beech hedge. A number of sections of the existing fence have been blown down due to the fence being damaged and weakened when the original property at 11 Baillieswells Road was demolished. We therefore object to the proposal to stop the fence at the beech hedge and ask that the original fence of a similar type and quality be replaced and reinstated to its full length.

Turning to the points made in Hot Property’s supporting documents to 11 Baillieswells Road with respect to their previous application, number 131698, we would like to point out that the following points were made and these still remain valid:

1.2 refers to previous house on 11 Baillieswells Road as being, “...badly located to the rear of the site.” This is a matter of opinion rather than fact and indeed, before Hot Property demolished the original house on the plot at No.11, both No. 9 and No.11 complemented each other by being set well back from the main road. This proposal completely ignores the fact that the house that previously occupied the site was a single-storey house and that as it was set back from the road in line with my property at No.9, there were no privacy issues as its scale, height and massing were comparable with No.9, allowing a simple, standard wooden fence to provide privacy to each other. Hot Property’s development proposal is of a completely different scale, removing any semblance of privacy. Refer Appendix A.

2.7 states that, “...The scale and massing of the proposed houses at two storeys is very much in keeping with near neighbours (one of which actually extends to three storeys).”

We would contend that this is wishful thinking on Hot Property’s part. The original house on the site was a single storey property and as stated above, complemented our property at No.9. There are also numerous single storey properties in the immediate area. What is not the norm in the vicinity, however, are properties that are over-dominant due to their height, scale and massing as exemplified and proposed in this planning application.

In relation to the supporting documents claims:

2 Design Proposals

2.1 The proposals have been designed to:

• Ensure privacy for adjacent properties and the proposed new house • Have a public face to the street and a private face to an enclosed garden • Provide residents with access to an attractive garden • Make the most of the opportunities for views and sunlight

2.2 The proposed development does not prejudice the development of adjacent land or adversely affect existing development.

2.4 Due to the generous size of the proposed plots it has been possible to locate the house in a way which does not prejudice sunlight or daylight penetration to adjacent properties.

The above is not correct, the development will have serious and detrimental impact on our property and quality of life, namely: by virtue of the development’s sheer scale, height and massing it would over-dominate the surrounding properties causing intrusion to privacy, lead to a serious loss of light and cause a potential and significant increase in noise pollution, particularly with regard to 9 Baillieswells Road. Hot Property omit to make any reference to the detrimental impact their development would have to the front and side of No.9 both in terms of privacy, loss of light and potential increase in noise due to the over-dominance of their proposed building.

Road Safety

In the Background and Project Brief it states:

“1.7 The Reporter also dismissed the concerns expressed in the second reason for refusal in relation to the creation of a public road safety hazard and adopted the position of the Council’s own roads officer in expressing no concerns in respect of road safety.” A totally dismissive statement based on a report that is now over 4 years old. The developer has to take accountability for the safety of their proposed buildings. Creating in effect a 4 way junction on Baillieswells Road at a time when the road is so busy with the increase in office developments in the city. The Cairnlee Terrace entrance is a main road to a primary and secondary school. This is completely unacceptable on the basis of safety. Refer Appendix A.

In concluding, we would contend that Hot Property’s proposal once again totally fails to address the reasonable and justified objections from objectors and officers of Aberdeen City Council over the last 4 years.

As stated earlier, this seems like a simple attempt to get both houses from the original rejected application through by submitting them one at a time. This is backed up by references to both plots throughout the original proposals.

For these reasons we object in the strongest possible terms to this proposal.

Yours faithfully,

Mike and Morag Tuckwell

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9 Baillieswells Road

Bielside

Aberdeen

AB15 9BB

5th August 2014

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Aberdeen City Council
Business Hub 4
Marischal College
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Aberdeen
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A totally dismissive statement based on a report that is now over 4 years old. The developer has to take accountability for the safety of their proposed buildings. Creating in effect a 4 way junction on Baillieswells Road at a time when the road is so busy with the increase in office developments in the city. The Cairnlee Terrace entrance is a main road to a primary and secondary school. This is completely unacceptable on the basis of safety. Refer Appendix A.

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Yours faithfully,

Mike and Morag Tuckwell

From: Lisa WOOD [REDACTED]
Sent: 06 August 2014 17:09
To: PI
Cc: [REDACTED]
Subject: 140940 Planning Objection
Attachments: 140940 appeal objection LW 060814.docx

Please find attached an objection letter to the proposed development at 11 Baillieswells Road, Bieldside

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Registered Office 33 Cavendish Square, London W1G 0PW
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Mr & Mrs M Wood

24 Baillieswells Road
Bielside
Aberdeen
AB15 9BB

6th August 2014

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

Dear Sir/Madam,

Re: Application Number 140940

Proposed development at 11 Baillieswells Road, Bielside

We are writing in order to object to the above referenced planning application and to request that the application be rejected.

As a general point, we do not feel that the revised plans sufficiently address the concerns we have raised in previous objection letters. In fact even the tone of the objective of the supporting statement continues to be dismissive of the nature of the buildings in the neighbourhood and the continuing disregard for the feelings of the community is evident in the lack of changes being made in consideration of our concerns and in direct contradiction to their claim to be "ensuring that their developments make a positive contribution to the surrounding area".

Our objection to the plan falls into three main categories

1. Amenity of Area

The developer has continued to ignore the concerns of the local residents about the plans being out of keeping with the local area in terms of density and scale. The manner in which the developer insults the design and quality of surrounding houses only serves to highlight his disregard for the sensitivities of the community. In several places reference is made to the semi-derelict and overgrown condition of the property at 11 Baillieswells Road. In fact the property was very well-maintained by the long-term previous owners, and only fell into dereliction when it passed to the developer's ownership. The scale and density of the site will be completely out of keeping with the rest of the properties in the area.

2. Road Safety –

Whilst this has been previously dismissed, road safety continues to be a real concern for residents in the area that have children who walk or cycle to school – something that Health Authorities are trying to encourage for the health of our future generations. Residents continue to drive their children to school though they live within easy walking distance for fear that they will be seriously injured crossing Baillieswells Road at this particular junction. My own children are drilled continually on staying clear of the junction as much as possible, to walk past it quickly and the stay close to the boundary walls to protect themselves. A larger house with more cars and an additional residence at the junction to Cairnlee Avenue will increase the risk of accidents at the junction which is already very busy at school drop-off and pick-up times. Road safety has become an increasing concern with higher traffic volumes and speeds that are only likely to worsen with the new high capacity offices being built in Westhill and Kingswells.

3. Trees –

The developer has shown complete disregard for the protection of the green spaces in the area and in particular the mature trees that are such a key feature of the neighbourhood. Protected trees were felled without consultation and prior to any planning permission for the demolition carried out on the site. Remaining trees had to be felled for safety reasons. It appears highly unlikely that the existing trees on the site can be adequately protected from root damage that will lead to their being felled also. Even the beautiful established beech hedge has been neglected since the planning application process began.

In summary, the revised plans fail to take consideration of the concerns of residents whose amenity is affected by the development. The residents are uniformly of the opinion that the development is neither in keeping with the local style, nor being conducted in a way that demonstrates respect either for the environment, the community or for due process. For the above reasons I object to the erection of the new dwelling houses at 11 Baillieswells Road, Bielside.

Yours Faithfully,

Not signed as submitted electronically

Lisa Wood
Resident, 24 Baillieswells Road

P&SD Letters of Representation		
Application Number:	P140940	
RECEIVED	- 7 AUG 2014	
Nor	Soj <input checked="" type="checkbox"/>	MAP
Case Officer Initials:	AMI	
Date Acknowledged:	11/08/2014	

PI

From: James Buckley [REDACTED]
Sent: 07 August 2014 00:11
To: PI
Subject: Letter of Representation - Planning Application 140940
Attachments: 140940 Representation.docx

Dear Sir,

Please find attached my Letter of Representation regarding Planning Application 140940 - 11 Baillieswells Road, Bieldside.

I would be grateful if you would acknowledge receipt of this letter. Thanks.

Best Regards,
James W. Buckley

Westwinds,
13, Baillieswells Road,
Bielside,
Aberdeen
AB15 9BB

3rd August 2014.

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

**Ref : Application Number 140940 – 11 Baillieswells Road, Bielside
Proposed new house and Sub-division of Residential Curtilage**

Dear Sir,

I have reviewed the above application which is a proposal to sub-divide a single residential plot at 11 Baillieswells Road, with a proposal for a new house on one half.

1. Incomplete application for sub-division of plot

I contend that a proposal to sub-divide a residential plot cannot be properly considered unless the plans for both halves are proposed under a single application.

This current application is for 'plot B' on the southern side of the existing single plot. A planning application that included development on the balance of the plot on the northern side, 'plot A', was submitted in 2009 and refused by the local planning authority, and also refused upon appeal to the Scottish Government. In the years since, the developer seems to have been unable to submit a viable plan for this plot A. A recent application was made in November 2013, this is still pending, but makes minimal compromise on the previous grounds for refusal made by both authorities. That is on grounds of proximity to protected trees, over-development and privacy.

I recognise that the application under discussion here is 'plot B', however while resolution on any development on 'plot A' remains open, we continue to run the risk of a long-term non-viable unkempt gap between houses. The possibility of this cannot be allowed.

Upon appeal in 2011 the Government Reporter approved development on plot B, the approval for which has now lapsed. In doing so, reporter Mr Timothy Brian expressed several concerns about the viability of plot A, substantiating earlier reasons for refusal made by the local planning authority, and also Government Reporter Mr David Buylla who had rejected an appeal for the same reasons. Given the passage of time and the non-development of plot B in the meantime, any reason to split the application now seems to lack credibility, it would not apparently be on the 'commercial grounds' as stated in the first application for plot B alone made in 2010.

2. Sub-division of Residential Curtilage and proposed density of development

The fact remains that when the property at 11 Baillieswells Road was bought by the developer, the site contained several mature conifer trees, which were quickly felled. In addition, damage was sustained to protected trees at a neighbouring site, which then had to be felled for safety reasons. Supplementary planning guidance states that "...With this in mind there will be a presumption in favour of retaining semi-mature and mature trees either within the site or immediately adjacent to it regardless of whether they are protected by a Tree Preservation Order or sited in a Conservation Area".

With regard to the application, I maintain that the nature of the site before the removal activity should be considered. It is regretful that the trees are now gone, but a suitable re-planting process could be put in place.

I maintain that the Density of the overall building area is excessive in relation to the surrounding area.

3. Road Safety

This application is for a single property, but of course road safety issues must be assessed on the basis of an application for two houses. Both proposed houses would allow for significantly greater person occupancy than the one they replace, and have density of building that reduces the potential parking/turning space within each plot.

Large detached 'executive' houses such as these generally attract occupants with multiple vehicles. As a consequence, due to the inadequate parking/turning space within each of two sites, there is an increased risk that unsafe manoeuvres will be attempted on to Baillieswells Road, up an incline and potentially in reverse gear. Given that Baillieswells Road is a busy one generally and increasingly so over the last couple of years, and that the Cairnlee Terrace route is a common one for school traffic and school children, such a manoeuvre at the proposed exit would be highly dangerous. I know the road well as I have lived here for many years and have children crossing the road daily to school.

The other likely consequence of inadequate parking/turning space within each site will be that vehicles are more likely to be parked on Baillieswells Road itself. Currently, you rarely see vehicles parked on Baillieswells Road, at any point. Most residents, like myself, would encourage (even short-term) visitors to park in the driveway for safety reasons. This is due to the steepness of Baillieswells Road and the speed that traffic travels along it. A parked vehicle on this road presents a hazard to passing vehicles, that can often only safely be negotiated by one vehicle yielding. If vehicles are parked on the road outside the proposed sites this would force northbound traffic into the middle of the road at a dangerous point opposite the mentioned junction with Cairnlee Terrace.

These safety issues can be resolved by retention of a single development with appropriate turning/parking space within it.

I do not object to the replacement of the previously existing property, but contend that it is better replaced with a single dwelling located appropriately within a single plot.

Yours Faithfully,

James Buckley