

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 20 May 2014 21:00  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : Gavin & Tracey Miller

Address : Silverdale

South Avenue,

Cults

Aberdeen

AB15 9LP

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Objections as per letter sent to [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk)

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**Planning Application No. 140568 – Objection**

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

Silverdale, South  
Avenue  
Cults  
Aberdeen  
AB15 9LP

20 May 2014

**Planning Application No. 140568 – Objection**

**Dears Sirs,**

We wish to record our objection to Planning Application No.140568, submitted by CALA Management Limited regarding:

"Demolition of existing dwelling and erection of Four houses and associated infrastructure, including three detached garages (one with studio)"

Yours faithfully,

Gavin Miller

&

Tracey Miller

## **Planning Application No. 140568 – Objection**

### **General Comments:**

Whilst we are not against any development of the site we feel that locating four large dwellings with associated garages and a studio are not compatible with the existing site constraints – in particular the trees located on the site. We feel that two large dwelling houses would be considerably more appropriate.

Our specific comments on the application, relative to the referenced documentation, is as follows:

### **Document: Supporting Planning and Design Statement**

The following comments are made using the original document numbering as follows:

**2.3** There is no mention of the hedgerow and the substantial number of tall, mature trees existing on the northern boundary with Silverdale (compare with Tree Survey document which indicates these trees). The No.3 site is effectively level and only slopes down towards the Railway Line at the site's southern extremity. Also, no site levels are indicated on the existing site plan.

**2.3/2.4 & 2.6** The house numbering is incorrect and causes confusion – eg No.2 is not Silverdale and No.4 is not Glendarroch. Those properties with 'even' numbers are, as is common, located on the opposite side of the street.

**2.5** The statement is incorrect in not mentioning the substantial number of trees to North - as can be seen on the Tree Survey eg numbers 765 to 780.

**2.7** The proposed development does not "respond to the site's constraints" with regard to the requirement to fell a large number of mature and viable trees.

**3.1.3** The site is located within a private garden, and represents a loss in valuable or valued open space with regard to loss of habitat for flora and fauna.

**3.6** Cala's intent is to remove trees and replace with "more native" varieties. A large number of trees to be removed are Scots Pine – are these not considered native?

**4.4** The site does not "slope gently towards the Railway Line" – please see item 2.3 above.

**4.7** The proposed layout does not consider the impact of loss of daylight to Silverdale due to the imposition of the large dwelling (No.4) and the quadruple garage; and therefore ignores the corresponding impacts on solar gain.

**4.15** The development does not minimise the potential disturbance of the more valuable trees.

**4.17** Please see comments on Roads Consultation Response on p4 regarding sightlines and the existing wall/trees. Please note that a continuous 2.4m high wall extends along South Avenue and there is no detail on what will happen to this feature.

## Planning Application No. 140568 – Objection

4.20 The statement from the Lands Tribunal has been misquoted. The Lands Tribunal actually recommended three dwellings would be more suitable – not four. Scottish Lands Tribunal (2014) stated: "...We would be inclined to think that three houses, a density broadly similar to that of the Silverdale site if the entrance area is excluded, might be an appropriate number."

5.1 Four substantial dwellings plus one studio cannot be seen as "proportionate and sensitive" in relation to the site size including the trees.

5.3 Building No.4 and associated quadruple garage will significantly impact the outlook and daylight of Silverdale.

5.5 The statement regarding removal only of unhealthy trees is not correct as a total of 56 trees are noted in the Tree Report as requiring to be removed. A total of 47 are noted as incompatible with the design.

Image No 4 within document is an old image which does not indicate the substantial number of trees on the northern boundary with Silverdale (please refer to tree survey). The image also does not indicate the dormer windows on Silverdale which would be impacted. Please refer to extract of Silverdale, 'south elevation' which faces the No.3 Dunmail site (Appendix A).

### Document: Existing Site Plan

1. The existing site plan does not include the conservatory to Silverdale which will be impacted. The conservatory was erected in 1993.
2. No site levels are indicated.
3. Stated area is 1.25 acres which conflicts with 2.2 of the Planning and Design Statement figure of 1.1 acres.

### Document: Tree Survey

- 1.2 The site development plans are referenced as an Appendix to the Tree Survey report. This establishes that the development plans took precedence over the Tree Survey – hence the plans did not take into account the existing site constraints – the reverse is true.
- 3.2 The Current Tree Stock does not note the hedgerow to the northern boundary of the site.
- 3.2 The Current Tree Stock does not note the numerous trees located within the verges on South Avenue.
- 4.3 The Tree Survey refers to "stability of the south elevation bank". This confirms our statement in 2.3 and 4.4 regarding the design statement noting that the main drop in elevation of the site is to the southern end only.

## **Planning Application No. 140568 – Objection**

**5.2.2** The “no dig” permeable surfaces suggested here are not indicated within the proposed hard landscaping proposals. Lockblock is proposed. Again this illustrates that the tree survey was completed after the development plans were drawn.

**5.3.3** Bats are common along the northern boundary within the trees and hedgerow at Silverdale. No bat survey seems to have taken place.

### **Drawing “Tree protection Plan” :**

This shows a grossly incorrect representation – the image is a substantially smaller footprint of Silverdale, thereby giving the impression of a lesser impact of the development. This conflicts with the Tree Constraints Plan.

### **Drawing “Tree Constraints Plan”:**

Tree numbers 765 to 771 are indicated on the plan as incompatible – however no corresponding comments are recorded on Appendix C.

### **Document: Roads Projects Memo**

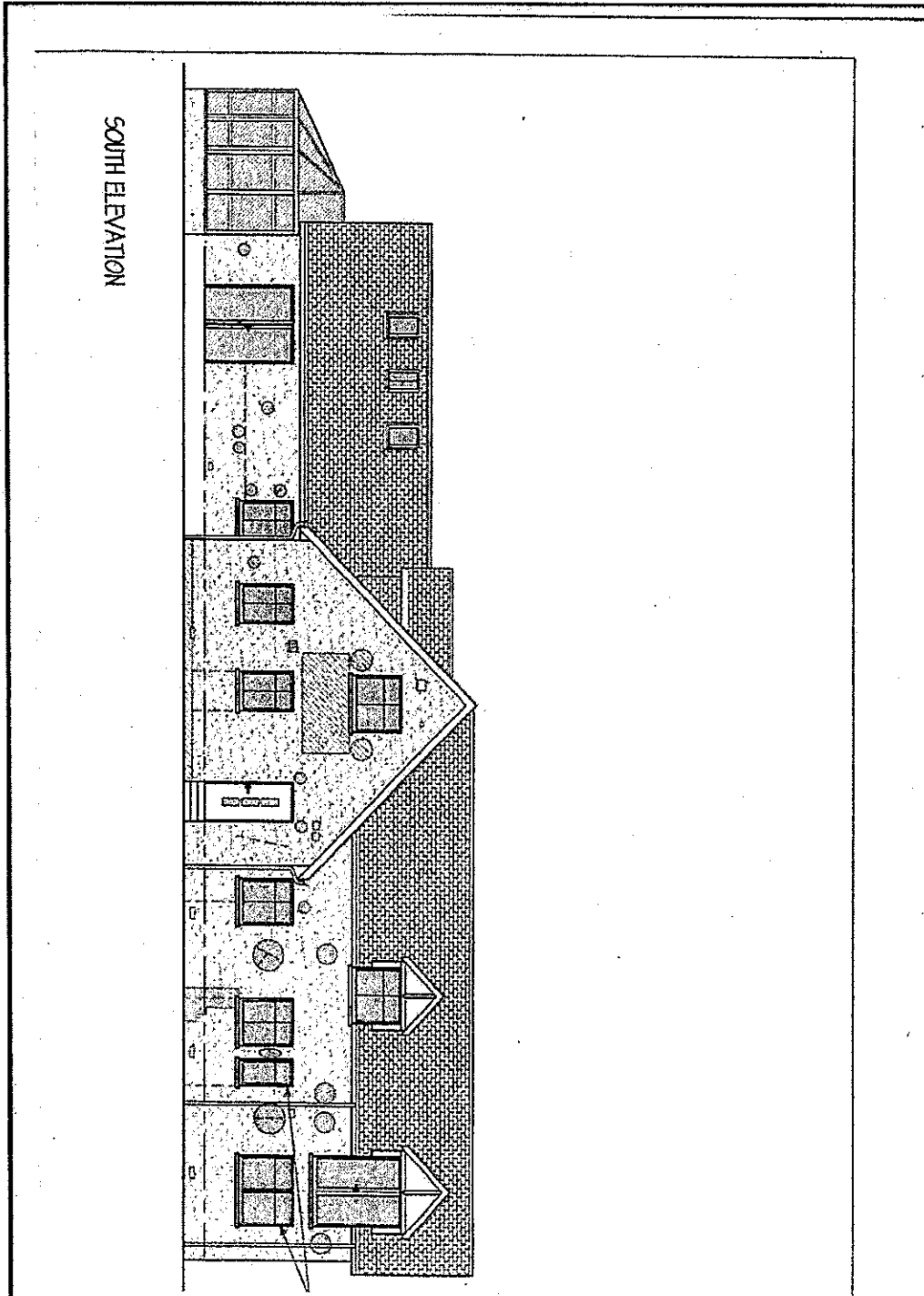
**3.4** It is unclear how the 2.4m high granite wall running along South Avenue and the street trees on South Avenue will permit the required visibility splay thus allowing safe access/egress and protection to other road users and pedestrians.

- It should be noted that children are regular users of South Avenue which is used as a school route to Cults schools; and also the Scout Hall which is located approximately 50m further west.
- In addition the access point is very close to the tee-junction of Dunmail Avenue and South Avenue. Although, there is no mention of this important fact in the report.

**6.2** The proposed refuse bin area is located over a 30m distance and out of sight from the proposed 4 villas, however this would be directly visible from Silverdale's conservatory and rear patio area.

Planning Application No. 140568 – Objection

Appendix A – Silverdale South Elevation – Indicating Extent of Windows to South Elevation



## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 02 May 2014 12:03  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : Michael Lindley  
Address : 20 South Avenue,  
Cults,  
Aberdeen,  
AB159LP

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the plans on the grounds of overshadowing - specifically the two storey height of the 'Roxburgh' property. The sun barely clears the horizon mid- winter - it rises 10degrees then in Aberdeen. Whilst we're a little higher than the site in question, we only get direct sun, mid-winter, for a brief period due to the height of features around us. This mid winter direct sun is exactly where the 'Roxburgh' property's roof void will be. In other words, the SSE position (relative to 20 South Ave') and two clear storey height of 'Roxburgh' will cut out the warming effect of the sun for a considerable period of late morning in winter. Naturally, this effect will be much greater for 'Silverdale'.

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PI

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**From:** Eduardo Prato Jaén [REDACTED]  
**Sent:** 22 May 2014 16:04  
**To:** PI  
**Subject:** Objection to Planning Application No. 140568

Dear Sir or Madam,

Objection to Planning Application No. 140568

●  
Summary

CALA Management Limited have lodged a planning application to demolish the villa, Dunmail, at 3, South Avenue, Cults and erect four large detached dwelling houses, and three large detached garages; namely a quadruple garage, a triple garage and a two storey double garage with accommodation above. In order to maximize the development and build to the very edges of the plot CALA propose to remove 51 of the 65 mature trees on the site.

We believe that applying Aberdeen City Council's Guidelines for Curtilage Splitting, with particular regard to the issues of precedence and the loss of amenity, garden ground and trees would indicate that any development at Dunmail should be refused or significantly reduced in scale, compared to CALA's proposal. There are two large, high-quality housing schemes under construction in the area (830 houses). This means that there is no basis for the removal of 51 protected trees on the site to facilitate a development for which there is no justification in terms of local housing provision requirements.

1. The plans break a condition of Dunmail's Title Conditions, recently updated by the Lands Tribunal for Scotland. These prohibit the construction of single storey ancillary buildings over 5m in height in protected strips on the Northern boundary with Silverdale and at the Western boundary with Glendarroch.

2. CALA have also shown scant regard for the Aberdeen Local Development Plan with respect to its guidelines on trees.

- ♣ They have not fulfilled the requirement to carry out a tree survey before creating a development plan.

- ♣ They have not discussed the protection of trees with the Council's tree experts before submitting an application.



3. The plan does not appear to comply with security requirements as there is no fence or wall between the development and No. 5 South Avenue.

4. Aberdeen City Council has Guidelines for Splitting Residential Curtilages<sup>1</sup>. There are many aspects of these guidelines that CALA have failed to recognize as important;

- The protection of large garden grounds
- The character and amenity of the area

- The setting of a precedence – which we have discovered is a real threat as CALA has been approached by other residents of South Avenue interested in selling large garden ground for development.

5. A Tree Protection Order (TPO 159) is in force at Dunmail

- CALA assumes that incompatibility with their proposed development is a justification to remove 42 mature viable trees.

- The Tree survey indicates that 9 trees warrant removal as a result of poor condition. They conclude that 42 other trees cannot be retained if CALA's development plan is implemented. The survey indicated 12 trees with definite bat roost potential and 2 with limited bat roost potential, all of which are targeted for removal.

- The TPO requires that mature viable trees be retained or replaced on a 2 for 1 basis. CALA has not incorporated this in their plan.

6. Some aspects of the Tree Survey carried out on CALA's behalf by Enviro Centre are incomplete and contravene Aberdeen City Council's policies on tree conservation and protection. Their report, which was filed after the planning application, is concerned more with accommodating the development plan than tree protection. They have omitted the trees within 12m of the boundaries of plot, these should be included in the survey. They seem to have recommended less than the required protection for an important veteran tree at the entrance to the site.

7. At the public consultations prior to the ongoing Friarsfield development there was a general concern of over-development and a concern Cults that did not need 280 more houses. Since then planning permission in principle has been granted for a further 550 new houses in Milltimber. The proposed development of 4 houses in a prime location in Cults serves only to pass a premium for the unique site to the developer, and is negligible in terms of housing provision in the area.

8. CALA's assumptions with respect to development density do not properly consider that the South side of South Avenue consists predominantly of granite built Villas in large mature gardens, lined with mature trees. These trees en-masse provide a considerable amenity to the village of Cults and are visible from neighbouring streets, from uphill within Cults and from across the river Dee. Setting a precedent in allowing this development, and the removal of mature trees to facilitate it, will ultimately result in the removal of this wealth of trees from Cults.

9. The contribution that large garden grounds make to the community has been overlooked in CALA's application. These gardens contain and attract a more diverse population of flora and fauna than is found, or tolerated in small enclosed modern gardens.

10. CALA's planning application makes no mention of connection to foul and storm water sewers. At the moment the drains from Dunmail run into a Buchan trap in the grounds of 5, South. This system is not

sufficient to serve 5 houses, and in any case crosses a neighbour's property.

11. CALA's application contravenes the terms of the Title Conditions for Dunmail. Under these conditions there are 2 strips at the northern and western boundaries within which only single storey buildings less than 5m high may be built. The quadruple and triple garages have roof heights of 5.4m and 5.2m as read from the elevations. CALA's reference to the Land's Tribunal report (Appendix A) and the original Title Conditions are inaccurate.

12. No mention of hazardous substances is made in the application. We are concerned given the age of Dunmail that there may be asbestos in the building, as this was only banned as a building material in 1999. There is no indication that a demolition survey has been carried to verify the presence or otherwise of asbestos.

13. No site sections have been provided with the planning application. The application mentions a

possible need to stabilise bank at the southern end of the plot. We take this to mean that CALA are thinking of raising the ground level that currently dips to the South towards the river Dee. The garden ground has already banked up against the granite Victorian boundary wall that separates the Dunmail plot from the Deeside railway pathway to the South. We are concerned that raising the ground level will;

- Result in roof ridges which are too high, as the datum should be the surrounding sloping ground level not the level of any built-up bank.
- Be out of keeping with the South facing houses on the North side of the Dee. These benefit from the open outlook provided their position on a southerly slope towards to the river. Each line of houses looks over the roofs of the houses below.

14. It is our feeling that specifying roof heights similar to surrounding buildings is meaningless unless the slope of the land is considered, so that if the land South of the current building line is raised then the roof heights should be dropped. In this way it is the height above the original ground level that should be related to



the neighbouring ridges. Alternatively if new buildings were to be kept in line with No's 1 and 5, South Avenue, similar roof lines would be reasonable.

15. Removing the trees on the site of Dunmail and raising ground levels (both of which are required to maximize the number of buildings on the plot) would completely change the character of the area, where currently houses are screened from the surrounding streets. If this type of development were to be continued along South Avenue and beyond the precedent would be set for removal of large areas of mature trees and gardens all over Deeside, in conflict with the Council's aim of increasing tree cover in Aberdeen.

16. The issue of precedence is a real concern in this case. Some South Avenue residents have already approached CALA with a view to selling their properties and large garden ground. Setting a precedent will create a domino effect as the owners of nearby large gardens sell up; not only to profit from the prices that developers are willing to pay but also because their

personal amenity is being eroded by new adjacent developments.

Yours sincerely,

Eduardo Prato

44 Hillview Crescent  
Cults  
Aberdeen AB25 2YH

P&SD Letters of Representation		
Application Number: 140568		
RECEIVED 23 MAY 2014		
Nor	Sou	MAP
Case Officer Initials: GAC		
Date Acknowledged: 21-5-14		

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 21 May 2014 11:35  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : Madina Kurmanbaeva

Address : Birchwood house, 1 South Avenue, Cults, Aberdeen, AB15 9LP

Telephone :

Email : [REDACTED]

type :

Comment : 1. The proposed development of additional houses with garages will unfortunately have certain damaging effects on the traditional character of the area. The plot of land is adjacent to the old Victorian Railway track, which is regarded as historical and natural beauty of Aberdeen. Trees are framing the railway track all along from Gathdee to Peterculter. There are a lot visitors all year round, who are coming specially to this quiet path to enjoy the nature, local animals, frogs, birds, beautiful views and looks of graceful old Victorian houses and gardens.

2. To our knowledge, the trees on the plot of land are covered by tree preservation order TPO 159. We have adjacent eastern wall with this plot of land. Anyone will notice that those tall and well-groomed trees along the eastern wall comprise a natural beautiful border between our properties. Unfortunately, the proposed removal of trees will bring the loss of privacy and lead to unnecessary exposure.

3. The permission to remove the preservation order will create a precedent. To our knowledge, there have been few applications to remove certain trees from existing preservation order in neighboring properties. Those proposals have been rightfully refused, however, if this application is satisfied, then further tree removal applications will be difficult to reject, given this possible precedent which is based simply on the grounds of incompatibility of design.

Thank you for considering the above points.

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1140568

PI

**From:** madina kurmanbaeva [REDACTED]  
**Sent:** 21 May 2014 11:29  
**To:** PI  
**Subject:** Re planning application, Dunmail, 3 South Avenue

Dear Sir/ Madam,

Please accept my objections to the proposed planning application to building additional houses with garages on Dunmail, South Avenue 3.

1. The proposed development will unfortunately have certain damaging effects on the traditional character of the area. The plot of land is adjacent to the old Victorian Railway track, which is regarded as historical and natural beauty of Aberdeen. Trees are framing the railway track all along from Gathdee to PeterCulter. There are a lot visitors all year round, who are coming specially to this quiet path to enjoy the nature, local animals, frogs, birds, beautiful views and looks of graceful old Victorian houses and gardens.
2. To our knowledge, the trees on the plot of land are covered by tree preservation order TPO 159. We have adjacent eastern wall with this plot of land. Anyone will notice that those tall and well-groomed trees along the eastern wall comprise a natural beautiful border between our properties. Unfortunately, the proposed removal of trees will bring the loss of privacy and lead to unnecessary exposure.
3. The permission to remove the preservation order will create a *precedent*. To our knowledge, there have been few applications to remove certain trees from existing preservation order in neighboring properties. Those proposals have been rightfully refused, however, if this application is satisfied, then further tree removal applications will be difficult to reject, given this possible precedent which is based simply on the grounds of incompatibility of design.

We are looking forward to your decision,

Best regards,

Madina Kurmanbaeva,  
Birchwood house, 1 South Avenue,  
Cults, Aberdeen, AB15 9LP

[REDACTED]

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 17 May 2014 15:30  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : Jo Gibson  
Address : 2 Kirkbrae View  
Cults  
AB15 9RU

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I wish to object to the proposed development at &#8220;Dunmail&#8221;, No 3 South Avenue, Cults, Planning Application No.140568.

The proposed development does not comply with a number of local and national planning policies:

1. The Aberdeen Local Development Plan Policy H1 Residential Areas states that within existing residential areas, proposals for new residential development will be acceptable in principle, provided it:  
&#8226; does not constitute over-development; &#8226; does not have an unacceptable impact on the character or amenity of the surrounding area; &#8226; complies with supplementary guidance on curtilage splits.

The proposed density of development for each plot varies between 31% and 33%. Whilst this is in just within the supplementary guidance figure of 33%, it does not take into account the low density of the surrounding long-established housing and therefore should be considered over-development of the site.

South Avenue is characterized by detached houses set within large plots in mature woodlands. The proposed development will result in loss of garden ground and therefore have a significant negative impact on the neighbourhood&#8217;s character.

The Council&#8217;s Supplementary Guidance on &#8216;The Sub-division and Redevelopment of Residential Curtilages&#8217; states that windows to habitable rooms should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings. The CALA plans show that the proposed properties would have windows in the elevations overlooking private gardens.

The Council&#8217;s supplementary guidance also states that the need to avoid setting a precedent is a material consideration when determining planning applications. Given the desirability of Lower Deeside, which has high house prices and low densities of residential development, developers will seek out opportunities for the splitting of curtilages / redevelopment as the greatest returns can be made on investment, and therefore this proposal would set an unwelcome precedent for speculative development that would be highly detrimental to the area, eroding its character and amenity.

2. The Aberdeen Local Development Plan Policy NE5: Trees and Woodlands states that there is a presumption against all activities and development that will result in the loss of, or damage to, established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

The proposed development requires the removal of 51 no. trees that are subject to Tree Protection Order no. 159. Whilst the tree survey carried out on behalf of CALA indicates that 9 no. trees warrant removal as a result of poor condition, it also concludes that 42 no. other trees cannot be retained if CALA's development plan is implemented. The survey indicated 12 trees with definite bat roost potential and 2 with limited bat roost potential which are targeted for removal.

It is clear that the proposed development would result in the loss of a substantial number of trees which collectively make a significant contribution to local landscape character. The proposals for replacement planting would not adequately mitigate for the loss of these trees. Such extensive tree loss is not consistent with the aims of Policy NE5 Trees and Woodlands of the Aberdeen Local Development Plan.

3. The site is not identified in the Aberdeen Local Development Plan as a development site.

Given that there is a substantial number of new homes in the Cults / Milltimber area either under construction (Friarsfield initial phase of 80 large detached homes) or in advanced stages of planning (Friarsfield additional 200 large detached homes, Oldfold Farm mixed development of 550 homes) or initial stages of planning (proposed Countesswells development), there is no justification for this proposed development in terms of meeting local housing provision requirements.

I therefore object on the grounds that the proposal is contrary to the Aberdeen Local Development Plan and supplementary planning guidance in terms of:

• The proposal represents significant overdevelopment of the site • The proposal would adversely impact on the character and amenity of the surrounding area • The proposal would have a very significant detrimental impact on protected trees, and particular would result in the loss of established trees which make a contribution to their setting • The proposal would adversely impact upon the privacy of neighbouring properties • The proposal would set an undesirable and unwelcome precedent for speculative development that would have consequences for the character of Cults and of other Deeside villages • The proposal site is not identified in the Aberdeen Local Development Plan as a development site, and is not justified in terms of meeting local housing provision requirements

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 18 May 2014 22:32  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : Shona Harris  
Address : 410 North Deeside Road  
Cults

Telephone :

Email : [REDACTED]

type :

Comment :

Once again it seems there are plans that will ebb away at the character of Cults - this proposal is out of keeping with the area and does not take into account low density of appeal and character of Cults. This is not a new-build satellite town such as Kingswells where houses are crammed in as close as possible. Cults is an established village setting and all new developments should be sympathetic to this individual character.

Where will this stop? - why doesn't everyone in Cults with a large plot develop their garden and make a quick buck at the cost of their neighbours privacy and to the detriment of the area?

This side of Cults is continuing to develop and the traffic congestion is worsening. South Avenue is a narrow and busy street already without adding to the problem. Not to mention the road leading down to Garthdee with is positively dangerous already and this will add yet more traffic.

How is it possible to think it is acceptable to remove 58 mature trees in a so called leafy suburb? I bet the planners artists will make good use of the 7 remaining trees in the drawings of the plan for selling purposes. People like trees..... they do not grow overnight..... they are good for the environment.....It is hard to comprehend that anyone who is not thinking only of financial gain would even consider this. I understand the trees have tree preservation orders on them? If so, are you making a mockery of this system by allowing this proposal? What about the 2 for 1 planting rule that 'ordinary' people have to adhere to?

Who actually checks that the owners of new properties maintain the new trees anyway? We have in the past been given assurances by the planning dept which have not been kept.

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PI

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 21 May 2014 13:48  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : kath whitcombe  
Address : 11 Kirkbrae Avenue  
Cults  
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : If CALA are allowed to proceed with this development the door will be open to redevelop all large garden grounds in Cults and remove almost all the mature trees on site.

The houses and mature gardens south of the North Deeside road towards Allan Park and the Dee contribute hugely to the green space and leafy environment in Cults. Losing these mature trees to be replaced by small garden trees with will not screen the developments will affect the views to the South all over Cults.

are two large, high-quality housing schemes under construction or in the planning stage in Cults and Milltimber (830 houses). This means that there is no basis for the removal of 51 protected trees on the site to facilitate a development for which there is no justification in terms of local housing provision requirements.

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PI

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 20 May 2014 18:22  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : colin m'cartney  
Address : Birchwood house,Ground floor flat  
1 south avenue  
Cults  
AB15 9LP

Telephone : [REDACTED]

Email : [REDACTED]

type :

- Comment : 1. The plans are not compatible with the tree survey: there is no justification to remove co many mature trees which is a major feature of this and adjacent sites.
2. The number of houses in the plan is about maximising densitit and not about preserving the unique charater of this low density area which is why many of us chose the earea in the first place.
3. If this plan should go ahead we reluctantly become coerced by events to follow the same path to exploit our own territory and remove more trees and build yet more high density housing. This i suggest is an undesirable consequence of a poor planning decision.
4. Tree preservation orders should be respected by our council representatives and this plan is a flagrant attempt to cast aside these council responsibilities.
5. There has been previous planning requests which have turned down requests for high density development and this new proposal does not have any redeeming featur to justify such a development.Two properties would appear to be the maximum which can be constructed and still maintain the character of this part of South avenue.
6. The current infrastructure of this part of South avenue would probably be oversubscribed causing unpredictable problems which will require urgent and expensive remedies to be put in place ( sewage); electric and gas.
7. We were refused the right to offer comment at the recent land tribunal so this is our only opportunity to receive some protection is via the planning process.
8. An approval of this scheme in its present form will inevitable degrade the natural fauna, local wildlife: bats; hedgehogs, owls, woodpeckers bats, deer, foxes all of which we have seen in our garden and next door since 2002 when we moved to our address.

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PI

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**From:** wilkinson allan [REDACTED]  
**Sent:** 21 May 2014 10:38  
**To:** PI  
**Subject:** Fwd: Planning application 140568

Begin forwarded message:

**From:** wilkinson allan [REDACTED]  
**Date:** 21 May 2014 08:40:42 BST  
**To:** [REDACTED]  
**Subject:** Fwd: Planning application 140568

Begin forwarded message:

**From:** wilkinson allan [REDACTED]  
**Date:** 21 May 2014 08:40:05 BST  
**To:** [REDACTED]  
**Subject:** Planning application 140568

I would like to lodge my objection to the above planning application.

This application is totally out of keeping with the area - soon Cults will have no historic buildings as ACC continue to give planning permission to demolish these and totally erode the face of Cults

This will add to the road congestion which is already terrible

This will set a precedent for similar money gaining developments in the area

The trees which will be removed for this development will alter the character of the area

Surely there are enough new houses being built in Cults and surrounding areas and there is not a need to develop sites such as this

Allan Wilkinson



PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 21 May 2014 00:37  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : Mr Willem E van Es  
Address : 20 St. Devenicks Place

Telephone :

Email : [REDACTED]

type :

Comment : To whom it may concern,

The proposed development impacts upon the tranquility of our properties and gardens to an extent beyond that which neighbours should be expected to tolerate. Whilst the proposals can be argued to fall well within the LDP, it is noted that the title deeds had a condition prohibiting the construction of more than two dwellings on this site. We note information presented that the Lands Tribunal has reviewed this and decided that four dwellings would be more suitable, but without any consultations with affected parties.

We have to date already lost significant green belt on Kirkbrae and this development further erodes the very essence that makes Cults a sought after location.

Yours Sincerely,

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**From:** [REDACTED]  
**Sent:** 19 May 2014 11:49  
**To:** PI  
**Subject:** Objection to CALA development at 3, South Avenue Planning Application 140568

I wish to lodge an objection to the above application.

Basis for objection.

1. Contrary to the guidance set out in ACC supplement to the Local Development Plan (LDP) "Sub-division and Redevelopment of Residential Curtilages" In terms of

- privacy and overlooking, windows look into private amenity space of neighbours.
- context (out of keeping with the area)
- density ( does not take into account low density of surrounding dwellings)
- does not make a positive contribution to its setting.
- will add to traffic congestion in an already narrow and busy street.
- will set a precedent whereby owners of nearby large gardens sell up; not only to profit from the prices that developers are willing to pay but also because their personal amenity is being eroded by new adjacent developments.

2. Contrary to Trees and Wood land supplement of the LDP

- would result in removal of all but 7 of the 65 protected trees and 1 hedgerow
- Tree Protection Order (159) in place at the site.
- replanting of 26 small garden trees is not in line with the 2 for 1 policy of ACC.
- removal of trees would have a negative effect on the landscape character and local amenity.

3. The site is not identified in the LDP as a development site, There are 880 houses in construction or in the planning phase at the Friarsfield site in Cults and at Oldfold Farm in Milltimber, so there is no justification for these additional 4 houses in terms of housing provision for the area.

Susan McGinty  
4 Westerton Place  
Cul  
Aberdeen



PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 20 May 2014 22:21  
**To:** PI  
**Subject:** Planning Comment for 140568

Comment for Planning Application 140568

Name : stuart hicks  
Address : birchwood house  
1 south avenue  
cults  
Aberdeen  
ab15 9lp

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Planning Application 140568 - 'Dunmail' 3 South Ave, Cults, Aberdeen

We ask that Aberdeen City Council Planning and Developments group take cognizance of the following points regarding the proposed development by CALA of the residential fue above and as a result, reject the current planning application

1. Whilst we do not object to redevelopment of the Dunmail fue in principal we are strongly opposed to the positional aspect of houses numbered 3 and 4 on the overview submitted by Mssrs CALA. Should these two houses be built as per the submitted plan, all privacy for the proprietors of Birchwood House would be lost. The rear elevations of the new villas would look directly into the gardens, living room and two bedrooms of the northern section of Birchwood. These rooms and garden are our principle living and recreational spaces.
2. We feel that the proximity of the new villas could cause loss of natural daylight for us in Birchwood - especially in the early evening when the sun begins to drop to the west of Dunmail
3. The submission by CALA does not show the actual building plan of Birchwood House. A substantial living room extension, built facing west toward Dunmail, is omitted and should have been taken into consideration by the CALA planning engineers.
4. Removal of 47 trees is of considerable concern to us in Birchwood. We appreciate that the row of sycamores and maples running N-S between Dunmail and Birchwood is in dire need of proper maintenance ( correct pollarding would be a start ) but we do not fully understand from CALA's plan which trees are to be removed. We do not condone removal of substantial trees so that villas can be built.

Thank you  
S.Hicks and J.McFarlane  
Birchwood House

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[REDACTED]