

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

3 Baillieswells Drive
Bielside
Aberdeen
AB15 9AS
30 May 2016

Dear Sir/Madam,

Re: Application Number PA 160583

11 Baillieswells Road, Bielside: Erection of a 5-bedroom detached house with associated access and landscaping

As indicated in the design statement, there is considerable history to this application. Unfortunately this submission does not change the amenity issues created by the destruction of the trees on the original plot and the proposed plan to build a 5 bedroom house on half the original plot, leaving uncertainty on what will be proposed for the second half of the site.

Some comments relating to the design statement:

Summary

This house lay unoccupied for a number of years and was subsequently demolished and the site cleared in preparation for redevelopment.

Your Planning Guidance states:

6.1 Trees make a valuable contribution to the landscape setting of urban areas and the loss of significant trees can be valid reason for refusal of planning permission. Could this point be applied retrospectively? The developers removed the mature line of 6m high trees, which protected the privacy of our site and indeed protected the privacy of their site too. Having created the privacy problem through their initial actions they should not be rewarded with permission to profit from the site at the expense of its neighbours' privacy. It sets a dangerous precedent to allow developers to detrimentally change the amenity of their sites before they seek planning permission.

New Proposal:

It is proposed that the southern half of the site is developed for a single 5-bedroom detached dwelling house, with integral double garage.

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.

Perhaps a reminder of the 2010 Reporters comments on what was then proposed on this gap site (site A in the comments below).

The concluding remarks of David Buylla (Reporter for PPA-100-2010) . He said:

“...the house proposed for Site A would cause an unacceptable loss of privacy to the rear garden of 4 Baillieswells Drive and would be too close to protected trees on the northern boundary. I do not consider that these problems could be overcome by planning conditions.”

As already stated, I would like to see a development on 11 Baillieswells Road, but this is not an appropriate development for this site. With its size, aspect and location it deserves to have something good put on it. In our view, one large house, with a garden which extends all the way around it would best fit in with other houses and gardens nearby, and would probably meet with little resistance from neighbours. The new residents would then have room to make the most of the sunlight and develop their garden and house in an appropriate way to maximize their privacy needs.

New Proposal:

The area of the site to which this application relates has twice been granted consent for the erection of a single dwelling,

What has been omitted from this point were the stringent qualifications, 12 in total, 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.

Privacy

The rear elevation & garden of 3 Baillieswells Drive is screened visually from the new houses by 3 existing mature Maple trees.

In addition, it is our proposal to provide a row of new evergreen trees on the adjoining ground adjacent to the application site, to provide privacy screening for the garden of 4 Baillieswells Drive.

This proposal is vague on the amenity issues in relation to 3 Baillieswells Drive. It goes on at length on how the amenity for 4 Baillieswells Drive will be considered, as it must be assumed, when an application is made for the now to be created gap site, this amenity issue after 6 years has never been solved. The developer, as clearly illustrated in Appendix I, left 3 Baillieswells Drive with no amenity. With no warning, the barrier of trees was taken down

and the aftermath and total lack of security, never mind amenity can be seen (pictures 4 and 5). Not once has the developer ever tried to make good this breach of security. I had at my own expense to build a fence and plant cover to regain my security. This proposal hides behind the existing trees in 3 Baillieswells Drive, but as I am sure the developers tree expert will be able to confirm, they have no leaves for 6 months of the year and as such there is no protection whatsoever in relation to Amenity or privacy of this proposed 2 story building. This will be compounded by the potential that these trees roots could be damaged in the building of this section of the plot. Unfortunately this development plot has had problems with damaging protected tree roots during the mass tree clearing by the developer. There is mitigation stated, but presumably that was in place previously and it did not work. There is mention of evergreen trees, no height mentioned, to screen number 4 Baillieswells Drive, but nothing in relation to 3 Baillieswells Drive. Refer Appendix I attachment, which illustrates the problem in relation to amenity. Even the 2 trees mentioned, have no given height and are clearly in the plan to facilitate amenity for number 4 Baillieswells Drive. In short, there is no amenity protection for 3 Baillieswells Drive. Given the original site was a bungalow completely hidden by 30-foot trees, that has to be addressed.

Amenity space

The rear garden is a minimum of 15m in length, with existing solid timber panel fences of 1.8m & 2.7m height to the rear.

Does the statement refer to the fence I had to put in after the developer, with no warning, left my boundary as per pictures 4 and 5 in Appendix I? What exactly is the developer proposing to put in place to protect the amenity of 3 Baillieswells Drive, never mind the house they are proposing to build in half the plot? Their emphasis on finally trying to screen 4 Baillieswells Drive is understandable in lieu of a future attempt to develop the gap site they are creating, but they have completely ignored the amenity of the rest of the houses that surround the proposed new development.

Trees and Landscaping:

There are no existing trees within the boundaries of the application site, however there are a number of mature trees around the perimeter. Full details of tree protection measures are provided.

There are no existing trees as the developer took them all down, refer Appendix I, to see the scale of tree felling of the original site. They show the aftermath of the destruction of the area that was a Greenfield site and an enhancement to the community and what has been left, a proposed development site, now that every single tree on the site has been cut down. I applaud the proposed protection measures; I just worry at the developer's previous history of damaging protected trees. If the developer damages the tree roots, there is no barrier for amenity, for even 6 months of the year.

Pedestrian/vehicular safety and car parking

Vehicular & pedestrian access would be via the existing access from Baillieswells Road, which would be widened to meet the requirements of the Building Standards Technical Handbook.

The existing access to the site has good sightlines and visibility for both pedestrians using the footpath, and vehicles exiting the site.

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. You have to live near the road to know how busy Baillieswells Road is. Now Counteswells has started its development of 500 of its proposed 2500 houses, Baillieswells Road becomes busier month on month.

Tree Report

This is a suburban garden, which originally had large forest type coniferous trees growing in it. These trees were felled for safety several years ago.

Refer Appendix I, was every single tree deemed unsafe or was it that, with the trees being removed from the site, this was felt to be key to 2 houses being proposed. There is no doubting the professionalism of the report writer. But who will supervise work when actual digging is proposed around the protected area? What lessons have been learnt from the previous work on this site that led to protected trees being damaged? Where there ever actual tree experts there at that time, and if so how come they damaged protected tree roots? The report takes great interest in the trees surrounding the development plot, it is a pity it did not take the same view of the existing trees on the plot before they were taken down to try and cram 2 houses into what was mature area with great amenity value, refer Appendix I.

So whilst after 6 years, I appreciate that the developer, from starting with no concern on the areas amenity, the resident's amenity nor the council and recorder's issues, has now been forced via refused applications to finally try and actually address some of the long held concerns of the residents, the council and the recorder.

But it does not change the fact, a beautiful Greenfield site with a bungalow within its grounds was destroyed to be replaced with this proposal for a 5 bedroom houses in half the plot. It relies on existing residents screening, that is not relevant for 6 months of the year

whilst providing very little of their own screening. It creates a gap site, it creates uncertainty, and it does not address potential safety issues on future development of the gap site that will create a dangerous junction if allowed to proceed. It simply does nothing to address the amenity issues that have been there since the first submissions. For those reasons I submit my objections for this planning proposal,

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

Yours Faithfully,

Colin and Lynne Kennedy

Enclosed Appendix I.