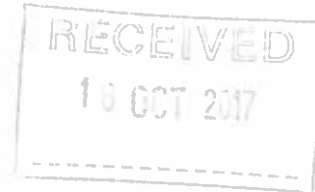


Ms. Kate Johnstone,
Aberdeen City Council,
Legal Department,
DX 529450,
ABERDEEN 9.

Ref: RSW/KMB/42655.1
Your Ref: C1883/TPO250/2017
Date: 13 October 2017




Dear Ms. Johnstone,

Mr and Mrs Stephen Cordiner
Pineacres, 47 Contlaw Road, Milltimber, Aberdeen, AB13 0EJ
Your Ref: C1883/TPO250/2017

We wrote to you on behalf of our clients on 25th July, 2017 in response to the issue of a TPO No. 239 and have not had any response from you. Our clients have now received notice of TPO 250 which seems to completely ignore our clients' representations which are repeated in respect of the latest TPO. We enclose a copy of our letter of 25th July for ease of reference.

Can you please come back to us and confirm that you will give our clients' representations due weight and exercise some of the options that we have set out in our letter of 25th July.

Yours faithfully,


Ronald S. Wadsworth, LLB, NP,
Consultant Solicitor, Ledingham Chalmers LLP.

c.c. Mr J. Stephen Cordiner

Encs.

Ledingham Chalmers LLP, Solicitors

Johnstone House 52-54 Rose Street Aberdeen AB10 1HA (Registered Office) DX: AB15 Aberdeen LP-39 Aberdeen-1

Tel: 01224 408408 Direct Dial: 01224 408687 Fax: 01224 408407

Email: ron.wadsworth@ledinghamchalmers.com www.ledinghamchalmers.com

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A list of members is available for inspection at the above address

COPY

Ms. Kate Johnstone,
Aberdeen City Council,
Legal Department,
DX 529450,
ABERDEEN 9.

Ref: RSW/KMB/42655.1
Your Ref: C1883/TPO239/2017
Date: 25 July 2017

Dear Ms. Johnstone,

Mr and Mrs Stephen Cordiner
Pineacres, 47 Contlaw Road, Milltimber, Aberdeen, AB13 0EJ
Your Ref: C1883/TPO239/2017

We act for Mr and Mrs Stephen Cordiner of the above address. They have only within the last few days returned from holiday and have found the intimation regarding the Tree Preservation Order for Contlaw Road which includes their property. Mr Cordiner and our Mr Wadsworth had a meeting this morning with Kevin Wright from the Planning Department who indicated that we should set out our clients' objections to the TPO insofar as it affects their property.

To put the matter in context, we have outlined our clients' property in yellow. The area to the north is believed to be Opportunity Site OP112 in the Local Development Plan (see the enclosed extract from the Local Development Plan). The woodland area to the west of Pineacres is believed to be owned by Culter House Estates.

While our clients' appreciate the rationale behind the imposition of a TPO in light of the envisaged development of OP112 but frankly think that the inclusion of their site is an overzealous use of this procedure. My clients have the following objections:-

1. You will see that their site is excluded from OP112 and there are no development proposals for it and therefore the desire to protect against a developer's wish to maximise the site by building close to the boundary is ill founded.
2. Inclusion is an overzealous use of your TPO powers.
3. If our clients' site is included in the TPO it will be the only house in Contlaw Road covered by a TPO.
4. The imposition of the TPO is unduly restrictive on our clients' rights to enjoy their property. This is a domestic dwellinghouse and the practical outcome of the TPO is that they are restricted from trimming any trees within their boundary without seeking permission. While it is acknowledged that our clients could apply for

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permission to carry out normal/routine forestry husbandry for the wooded part of the site, this seems unduly burdensome in relation to the rest of the site.

5. The nature of the forest to the west of Pineacres is entirely different from that in Pineacres. The former consists of Sitka Spruce whereas our clients' site consists of mature Scots Pine at the rear with self-seeded trees of indifferent value elsewhere.

Our clients' wish and their formal request to the Council is that:-

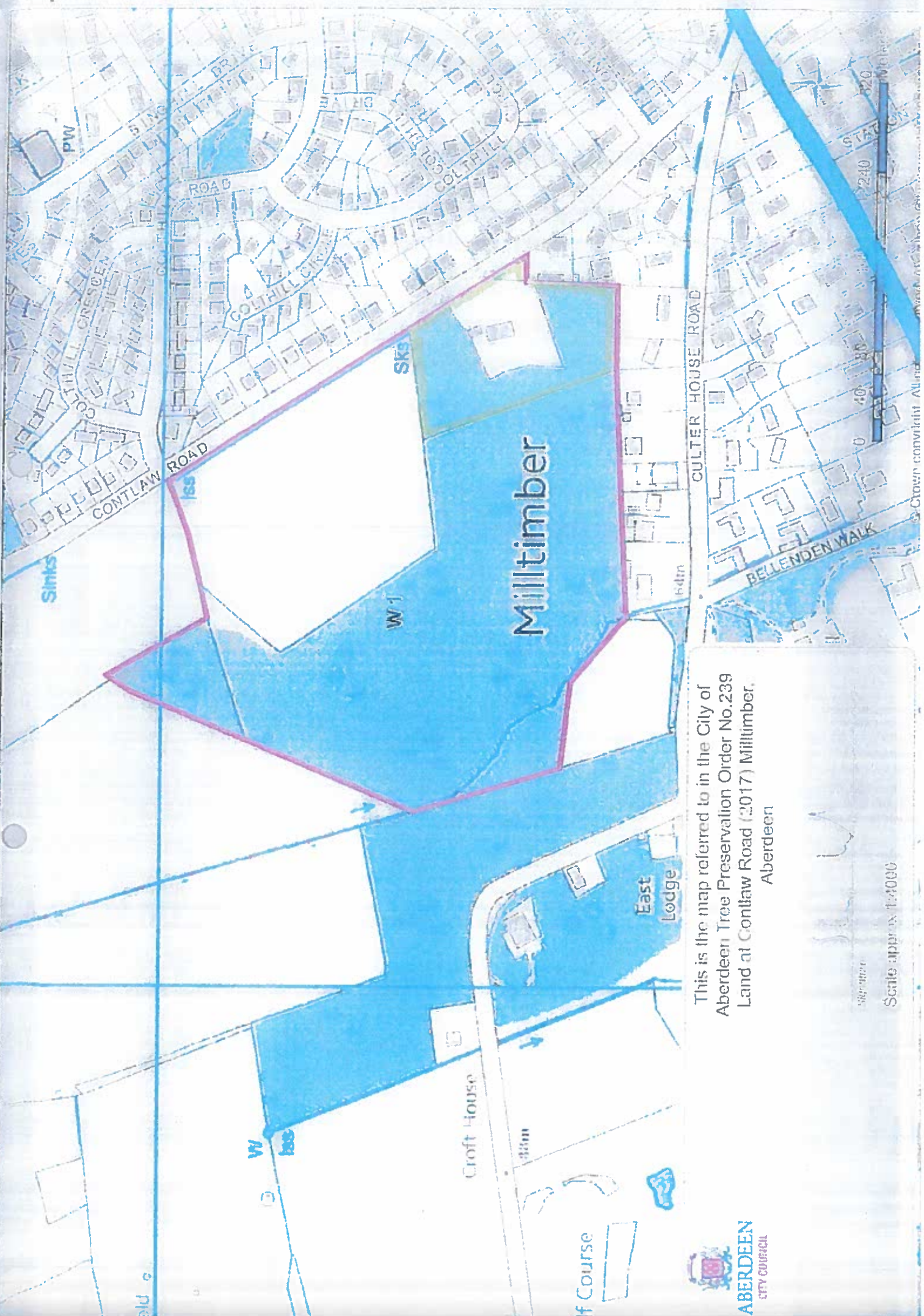
- (a) As a matter of first choice their whole site be excluded from the TPO.
- (b) Failing (a) a narrow safety strip along the north boundary separating Pineacres from OP112 would prevent building in close proximity to the boundary be included and the rest of the site excluded.
- (c) Failing (a) and (b) the area coloured blue on the plan be the only part subject to a TPO. This would allow the normal gardening operations within our clients' remaining site without the burden of having to apply for permission.

We look forward to receiving your comments and a final view from the Council in light of these representations.

Yours faithfully,

**Ronald S. Wadsworth, LLB, NP,
Consultant Solicitor, Ledingham Chalmers LLP.**

Encs.



This is the map referred to in the City of
 Aberdeen Tree Preservation Order No.239
 Land at Contlaw Road (2017) Milltimber,
 Aberdeen



Signature
 Scale approx 1:4000

