

17/12/2018



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

Dear Sir / Madam,

CAO352 - Proposed Change-of-Use from Amenity Ground to Form Driveway at
6 Craighaar Gables, Stoneywood, AB219HU.
Your Ref: 181329

Further to the above Planning Permission Refusal dated 28th Sep 2018, please find enclosed revised drawing CAO352-01A and a three page extract from Scotland's land information service.

The applicant is aggrieved by the decision to refuse the application on the following grounds:

Reason for Refusal 1 *"the proposed change of use would result in the loss of valuable communal open space to the public and fragment the wider area of open space around Craighaar Gables and result in an irregular domestic boundary by resulting in an isolated domestic curtilage within the wider open space".*

This reason for refusal is inaccurate. The application site is in fact a small remaining piece of communal open space sandwiched between two private gardens which were purchased from Aberdeen City Council by the owners of No's 5 and 9 Craighaar Gables in 2001 and 1999 respectively. See pages 2 and 3 of the enclosed extract from Scotland's land information service which clearly shows the areas of ground to the North and South of the application site as privately owned ground, not communal open space. The area of ground to the North of the application site (No.9 Craighaar Gables) is now surrounded by a block wall and is in no way available for use by the public. Although these facts were passed on to the case officer, we were told "there appears to be no record of planning permission having been granted under current policies and guidance for the change of use of amenity land to garden ground".

PTO.

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Reason for Refusal 2 *"the proposal would result in an increase in the rate of surface water run-off from the site and would therefore potentially increase the risk of surface water flooding outwith the site".*

At no point was this communicated to us during the Planning process. The first we knew of this was when the refusal document was issued. We have therefore taken advice from a civil engineer and have added a new surface water filter trench to act as SUDS / attenuation to prevent increase in surface water run-off before discharging into the existing house surface water drainage system. All shown highlighted yellow on revised drawing CAO352-O1A.

Reason for Refusal 3 *"if planning permission was granted it would likely set a precedent for the incremental erosion of the wider amenity open space".*

As discussed under Reason for Refusal 1 above, the precedent was already set when Aberdeen City Council sold off sections of the amenity open space to the owners of No's 5 and 9 Craighaar Gable in 2001 and 1999. The wider amenity open space referred to does, in reality, not exist.

We trust the above information is taken into account and hope common sense prevails by overturning the decision to refuse this Planning Application under the Notice of Review process. We look forward to hearing from you but should you have any queries or require any further information, please do not hesitate to contact our office on 01467 672411.

Yours faithfully,

Martin Cobban