

8. **LRB 438** – Notice of Review Against Refusal of Planning Permission in Principle for Erection of 4 Dwellinghouses at Ground Adjacent to Blackpots Cottage, Whitehills, Aberdeenshire, AB45 2JN – Reference: APP/2018/2393.

(iii) Further Representations submitted by Objectors to Application.

Whitehills
Aberdeenshire
AB45 2JN

Tel: 01261 861474 / 01888 544828

27 December 2018

Aberdeenshire Council
Business Services
Legal and Governance
Woodhill House
Westburn Road
Aberdeen
AB16 5GB

Dear Sirs

PLANNING APPLICATION REF: APP/2018/2393 – NOTICE OF REVIEW

As the owners and operators of Whitehills Caravan Park and with reference to the above application and subsequent notice of review dated 20 December 2018 (with respect to the planning authority's decision on 27 November 2018), we continue to object strongly to the proposed development. The issues and significant concerns, a number of which relate to road and public safety, set out in our letter dated 15 October 2018 remain and the points discussed below should be read in conjunction with that initial correspondence.

A significant part of the Mantell Ritchie statement which is appended to the review application is founded on the assumption that the risks and concerns raised in connection with the private road access can be overcome through an agreement with the owner. As the owner of the road, the adjacent verge and land down to the shoreline, we have received no correspondence from the sponsor of the development in this regard and we can confirm will not enter into any such agreement.

Our specific points in connection with the Mantell Ritchie statement, most of which were raised in our initial correspondence in October 2018, can be summarised as follows:

1. **Road Capacity and Suitability** - the road capacity and suitability must be considered for both the construction and habitation of the proposed development. On completion of the proposed development, the road will be serving as a public access and right of way along the Red Well road, an access to five dwellings on the Blackpots Cottages land (one existing and the four that are proposed) together with 36 static units on the upper levels of the caravan park. The caravan park is open 7 months per year during which time these caravans are occupied on a frequent basis and therefore the road is already at capacity given its design and geometry. The statement in the Mantell Ritchie document that "any additional housing development (even one) would entail the road being brought up to adoptable standards" is a direct acknowledgement that 5 dwellings will bring the road up to capacity. This statement is made whilst ignoring the traffic that serves the 36 units on the caravan park and the Red Well public right of way and that the road was constructed and maintained by the caravan park owners throughout its 40 year life.

During construction significant truck and construction plant movements will occur and these will have a substantial impact on the road surface and structure, particularly along its edge. As noted previously, the width of the road is such that large vehicles passing will be required to mount the verge causing significant damage to both it and the edge of the road pavement. Figure 1 below illustrates a short section of the road edge where structural damage has previously occurred. With heavy construction traffic accessing the development this type of damage will result along the entire road length leading to full depth reconstruction being required. Our concerns are therefore not related simply to “maintenance” but to the road widening and reconstruction that would be required during and following the completion of the development.



Figure 1
Road width and damage to edge of road carriageway

2. **Visual Impacts** – the Mantell Ritchie document states that “the caravans are in fact orientated to look north-west and not in fact over the proposed development site.” This statement is incorrect. A number of caravans on the park directly overlook the site and the development will be clearly visible from a number of others both on the upper and lower levels. The visibility, including bay and side windows on the caravans means that even those that are not orientated to face the site directly still have a clear line of sight across the area and will therefore see a resulting loss of view and visual impact. The orientation of the caravans relative to the development site is illustrated in Figure 2.



Figure 2
Caravan position and outlook relative to development site

Notwithstanding the above and as noted in the introduction to this letter, the concern, issues and risks raised in our previous correspondence remain. We also wish to reiterate our serious concerns regarding road safety risks, particularly in connection with the construction of a

development on this scale and the strong possibility that these would be in existence for years rather weeks or months.

We are disappointed on the absence of new information or mitigation proposed in the appeal documentation and the lack of acknowledgement and discussion in relation to the points raised previously by ourselves, Whitehills Community Council and the many other objectors. Furthermore statements with regard to agreement being sought and obtained for the maintenance and upkeep of the road are false assumptions which should not be relied upon by the reviewing committee. The road was constructed and has been maintained by the park owners for more than 40 years – it has the capacity to meet the demands of the caravan park traffic and the Red Well through route but cannot be relied upon by the sponsors of the proposed development to provide access as they have assumed in their design statement.

Please acknowledge receipt of this letter and corresponding email by return.

Yours faithfully

Alistair Moore



Planning Application APP/2018/2393

03 January 2019

10:40

Subject	Planning Application APP/2018/2393
From	JOHN BALHARRY
To	Local Review Body Submissions
Cc	boyndietrust@hotmail.com; Frances Brown
Sent	21 December 2018 10:52

Dear Sir/Madam

Review of Planning Application APP/2018/23 366078 N 86572893 Location Grid E

I refer to the above application and once again confirm that Whitehills and District Community Council are wholly against any development of the above detailed ground. The road network is totally unsuitable for a development of this nature, and the specific area of road directly in front of the Caravan Park coming from the West is understood to be private. Access from the East is wholly impractical and any building warrant approvals in this area could create a precedent for further coastal development, which cannot be envisaged. Please acknowledge receipt of this objection by return.

Kind regards,

Ross Balharry

Chairman, Whitehills and District Community Council.

