

**STATEMENT OF CASE**

**on behalf of**

**JRM Grant Esq**

**and**

**Mrs LM Grant**

**in relation to**

**THE ABERDEEN WESTERN PERIPHERAL ROUTE**

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**Plots: 1610, 1614, 1615, 1616, 1701 and 1710**

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**ROADS (SCOTLAND) ACT 1984**  
**ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947**

**STATEMENT OF CASE**

on behalf of

**JRM GRANT ESQ**

and

**MRS L M GRANT**

in relation to

**THE ABERDEEN WESTERN PERIPHERAL ROUTE (“AWPR”)**

**Plots: 1610, 1614, 1615, 1616, 1701 and 1710**

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1. **Background**
    - 1.1 Draft orders in relation to the proposed compulsory purchase of land for the AWPR were served on JRM Grant Esq and Mrs L M Grant (“the Objectors”) by Transport Scotland on behalf of the Scottish Ministers (“the Promoter”). The Objectors are the owners of plots 1610, 1614, 1615, 1616, 1701 and 1710.
    - 1.2 A draft order in relation to the A90 (Western Peripheral Route) Special Road (Side Roads) Order 2000 [...] was served on the Objectors on 11 September 2007 and re-served on 12 October 2007. The Objectors are the owners of plot 610.
  2. **Grounds of Objection**
    - 2.1 The Objectors shall lead evidence challenging the need for the AWPR. Evidence will also be led demonstrating that the necessary assessments have not been undertaken in respect of the proposed route.
    - 2.2 The Objectors shall lead evidence that the proposed route of the AWPR (referred to as the Netherley – Milltimber Brae route) is not an appropriate route for the AWPR. Evidence will be led to demonstrate that, should it be established that the AWPR is required, the Murtle Route is the more appropriate route.

- 2.3 Evidence will be led demonstrating that the proposed AWPR will have a materially diverse impact on the Objectors and their property. It will be demonstrated that the impact on the amenity of their property will be significant and incapable of being mitigated to an acceptable level. It will be shown that the Objectors' property will be rendered unusable by the AWPR. The Promoter shall be called upon to provide detailed evidence that the compensation payable to the Objectors has been included in the costings of the scheme.
- 2.4 Evidence will be led demonstrating that the proposed route of the AWPR will sever the Objectors' land. It will be demonstrated that the severance of land will render it incapable of continuing to be used as a working farm.
- 2.5 The AWPR proposes the destruction of the existing access to the Objector's property, Cairnpark. The access is an exclusive access to the property which has been in use for over 100 years and is lined by mature trees and bordered by a stream. It contributes to the setting of the property. The proposed alternative access would be a shared access of a relatively poor standard. Evidence will be led demonstrating that the proposed alternative access is not an acceptable alternative.

### 3. **Witnesses/Representation**

- 3.1 It is currently envisaged that the following witnesses will represent the Objectors will lead witnesses to deal with the following issues:-
- Need for and proposed route of the AWPR;
  - Impact on Objectors' property, with specific reference to noise, air quality, ecology and landscape and visual impact;
  - Impact on use of farm.
- 3.2 The Objectors' reserve the right to add to or amend the list of witnesses.
- 3.3 The Objectors shall be represented by Maclay Murray and Spens LLP.
- 3.4 It is anticipated the Objectors' case will take approximately one day to present subject to the extent of cross-examination. The Objectors shall seek to liaise with other objectors (including RoadSense) with a view to minimising duplication of evidence.