

STATEMENT OF CASE

on behalf of

MR A STRACHAN AND MRS A STRACHAN

in relation to the

THE PUBLIC LOCAL INQUIRY

under the

ROADS (SCOTLAND) ACT 1984

and

ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947

into the

PROPOSED ABERDEEN WESTERN PERIPHERAL ROUTE

Directorate for Planning and Environmental Appeals  
Reference C620707

Bell Ingram Ltd  
17 Albert Street  
Aberdeen AB25 1XX  
Tel 01224 621300  
Fax 01224 634666

S1677 / S1678 Statement of Case

## 1. Introduction

- 1.1. Mrs A Strachan is proprietor of land at Mains of Charleston (West), Nigg, Aberdeen.
- 1.2. Mr A Strachan is proprietor of land at Mains of Charleston (East), Nigg, Aberdeen.

1.3. Both are statutory objectors to The A90 (Aberdeen Western Peripheral Route) Special Road and The A956 (Aberdeen Western Peripheral Route) Special Road Compulsory Purchase Order 2001]. The objection references are AWP/R/OBJ/10031/11769/11868/11869/4573.

1.4. Mrs Strachan is affected by the proposed acquisition of Plot Numbers 2608, 2609, 2614, 2616, and 2620.

1.5. Mr Strachan is affected by the proposed acquisition of Plot Numbers 2613, 2622, 2633, 2638, 2639, and 2640.

1.6. Mains of Charleston Farm was previously affected by the dualling of the A90(T). In the light of experience gained at that time, Mr Strachan and Mrs Strachan prepared a detailed analysis of their concerns relating to the current AWP/R proposals and submitted it to the Transport Scotland during September 2004. Subsequent discussions with the Managing Agent Team have left issues unresolved.

## 2. The Objections

2.1. The landscape and environmental mitigation proposals indicate the intention to form drainage attenuation ponds at Mains of Charleston. These are intended to discharge to the Loirston Burn. The promoters have not provided information to support the proposed mitigation measures by demonstrating the adequacy of the design of the attenuation ponds to control the run-off resulting from the scheme and the capacity of the Loirston Burn to receive these discharges without adversely affecting the drainage of agricultural land adjoining the Burn. The Environmental Statement is deficient in this regard.

2.2. Mains of Charleston benefits from the existence of massive drystone dykes which provide both secure boundaries and shelter for stock. These dykes are a feature of the local landscape and are of practical benefit to the occupiers of the land. The promoters have indicated that, as part of environmental mitigation, the dykes would be replaced by the 'standard specification' stone dyke, believed to be approximately half as high and half as wide as the existing features. The proposed mitigation is therefore inadequate.

2.3. The alignment of the Hatton Side Road (Plot 2608) falls within Mains of Charleston. The adjacent landowner to the west, Banchory and Leggart Estates, has indicated willingness for this road to be moved to the west to straddle the boundary between the two landholdings thus reducing the land to be acquired from the objectors. The objectors propose the adoption of this alternative alignment.

2.4. The mitigation measures proposed as part of the scheme include the infilling of the existing cutting which provides the link between the A90 and the A956. It is reportedly intended that the land thus reclaimed should be returned to agricultural use. The benefits of this mitigation measure will not be realised whilst the area is land locked. The scheme omits to provide access and services to this area and the scheme should be amended to include these works.

### 3. Evidence and Witnesses

3.1. Negotiations continue with the AWPR Managing Agent in an effort to resolve the outstanding objections noted above. Should satisfactory resolution not be achieved prior to the Inquiry, evidence will be led in support of the unresolved objections.

3.2. Mr A Strachan will speak to the points noted above.

3.3. Legal representation is provisionally proposed to be by Messrs Peterkins, Aberdeen.

### 4. Documents

4.1. In addition to the Core Documents and the promoters' documents, the objectors intend to refer to:

MoC1 An Analysis of Issues Affecting Mains of Charleston, prepared by the Strachan family, July 2004.

4.2. The objectors reserve the right to amend the documents to be referred to in response to evidence and productions submitted by other parties.



Andrew M Robertson  
Director, Bell Ingram Ltd  
Agents for Mrs A Strachan and Mr A Strachan  
23 June 2008