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To: Councillor Milne, Convener; and Councillors Boulton, Corall, Cormie, Delaney, Finlayson, Grant, Jaffrey, Lawrence, MacGregor, McCaig, Jean Morrison MBE and Thomson.

Town House,
ABERDEEN, 10 July 2013

DEVELOPMENT MANAGEMENT SUB COMMITTEE

The Members of the **DEVELOPMENT MANAGEMENT SUB COMMITTEE** are requested to meet in Committee Room 2 - Town House on **THURSDAY, 18 JULY 2013 at 10.00am.**

JANE G. MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

MINUTES OF PREVIOUS MEETINGS

- 1.1 Minute of Meeting of the Development Management Sub Committee of 13 June 2013 - for approval (Pages 1 - 10)

Members, please note that the additional letters of objection which are not included in the meeting papers are available in the members' library for inspection

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 2.1 ABZ Business Park, Plot A/B Dyce Drive, Land to NE/SE of airport - Approval of matters specified in conditions 4 (travel plan), 6 (SUDS), 7 (lighting), 9 (bird hazard management) and 13 (layout & design) of A6/0566 in relation to erection of one 140 room hotel and one 110 room hotel, and associated car parking and landscaping (Pages 11 - 24)

Reference Number - 121796

- 2.2 Stoneywood Estate, Aberdeen (Areas N3, N46, N5) - Approval of conditions 1, 10 and 14 of Reference P110790 in relation to the erection of 51 detached and 6 semi-detached houses and erection of shared access (Pages 25 - 64)
Reference Number - 121652
- 2.3 Former Hilton Nursery School, Hilton Avenue - Proposed demolition of former school and replacement with new residential accommodation comprising 18 units (semi-detached houses and cottage apartments) with associated parking (Pages 65 - 94)
Reference Number – 130224
- 2.4 249-251 George Street, Aberdeen - Proposed internal alterations and change of use from retail to Turkish baths (Pages 95 - 104)
Reference Number - 130497
- 2.5 Former Donside Paper Mill, Gordon Mills Road, Aberdeen - Amendment of previously approved cafe, 2 No. flats and retail unit to form landlord staff office and public access point (Pages 105 - 126)
Reference Number - 130218
- 2.6 124 North Deeside Road, Peterculter - Erection of temporary sales unit (Pages 127 - 138)
Reference Number - 130362
- 2.7 107 Springfield Road, Aberdeen - Erection of shed and fencing (Pages 139 - 142)
Reference Number - 130689

WHERE THE RECOMMENDATION IS ONE OF REFUSAL

- 3.1 Land at Woodend Farm, Culter House Road, Peterculter - Proposed residential development (Permission in principle) (Pages 143 - 178)
Reference Number - 121581
- 3.2 Land at Deeside Golf Club, Golf Road, Bielside - Erection of residential development (circa 3 houses) and associated works on previously used land (Pages 179 - 202)
Reference Number - 120606

- 3.3 Land to North of Site 13 Denmore Road, Murcar Industrial Estate - Change of use from area of amenity ground to private car park with associated landscaping and new access footpath (Pages 203 - 208)
Reference Number - 130776

OTHER REPORTS

- 4.1 Planning Digest (Pages 209 - 212)
- 4.2 Scottish Government Consultation on Historic Environment Strategy (Pages 213 - 218)
- 4.3 Conservation Area Character Appraisals and Management Plan Interim Advice (Pages 219 - 352)

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DEVELOPMENT MANAGEMENT SUB COMMITTEE

ABERDEEN, 13 June 2013. Minute of Meeting of the DEVELOPMENT MANAGEMENT SUB COMMITTEE. Present:- Councillor Milne, Convener; and Councillors Boulton, Cormie, Donnelly (substituting for Councillor Thomson), Finlayson, Grant, Greig (substituting for Councillor Delaney), Jaffrey, Lawrence, McCaig, Jean Morrison and Samarai (substituting for Councillor MacGregor).

The agenda and reports associated with this minute can be found at:-

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2560&Ver=4>

ANNOUNCEMENT

1. The Sub Committee heard from the Convener who advised that item 2.2 on the agenda (Woodbank House, North Deeside Road) had been withdrawn and would be considered at a future meeting.

MINUTE OF MEETING OF THE DEVELOPMENT MANAGEMENT SUB COMMITTEE OF 16 MAY 2013

2. The Sub Committee had before it the minute of its previous meeting of 16 May 2013.

The Sub Committee resolved:-

to approve the minute.

PLOT 1, ABERDEEN INTERNATIONAL BUSINESS PARK, DYCE DRIVE - 130350

3. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for approval of matters specified in condition 1 (access, design, layout) of A4/1644 in relation to the erection of a four storey office development and ancillary facilities, car parking and landscaping, subject to the following conditions:-

(1) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, laid-out and demarcated in accordance with drawing KD-G(90)XXXX-007(03) of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval; (2) That the development hereby approved shall not be occupied unless the cycle and motorcycle parking scheme detailed on drawings KD-G(90)XXXX-007(03) and KD-G(90)XXXX-011(02) (or such other plan as may subsequently be approved in writing by the planning authority for the purpose) has been installed in complete accordance with the said scheme. Prior to the scheme's implementation further details of the exact specification of the cycle parking and

motorcycle anchor points shall be submitted to and agreed by the planning authority; (3) That the development hereby approved shall not be occupied unless all hard landscaping comprised in the approved scheme of landscaping (drawings 102-L04A, 102-L05A, 102-L06A, 102-L07A, 102-L08A, 102-L09A and 102-L23A or such other plan as may subsequently be approved in writing by the planning authority for the purpose) has been implemented; and (4) That all planting, seeding and turfing comprised in the approved scheme of landscaping (drawings 102-L04A, 102-L05A, 102-L06A, 102-L07A, 102-L08A, 102-L09A and 102-L23A or such other plan as may subsequently be approved in writing by the planning authority for the purpose) shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

The Sub Committee resolved:-

- (i) to note, in relation to the access road from the traffic signal junction with Dyce Drive to the shared surface, that the Council would require the road to be of adoptable standard, however there was no guarantee the Council would adopt it; and
- (ii) otherwise to approve the recommendation.

24-28 BELMONT STREET - 130377

4. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve unconditionally the application in respect of planning permission for a change of use for the building from Class 2 (financial, professional and other services) to a mix of Class 1 (retail) and Class 3 (café/snack bar/chocolate workshop).

The Sub Committee resolved:-

to approve the recommendation.

THE ACADEMY, 40 BELMONT STREET - 130255

5. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for a change of use for the units concerned from Class 1 (retail) to Class 3 (food and drink) to allow the site to be used as two licenced restaurant units, subject to the following conditions:-

- (1) That no unit shall be occupied unless a scheme showing the proposed means of filtering, extraction and dispersal of cooking fumes from the premises for that unit has been submitted to, and approved in writing by, the planning

authority and that the said scheme has been implemented in full and is ready for operation; and (2) That no unit shall be occupied unless a scheme for the provision, within the application site, of refuse storage and disposal for that unit, has been submitted to, and approved in writing by, the planning authority and such scheme has been implemented and operational.

The Sub Committee resolved:-
to approve the recommendation.

UNION TERRACE GARDENS, UNION TERRACE - 130238

6. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for a variation to condition 1 of the original planning permission (planning reference 120427) to allow the temporary café cabin building and seating area to be onsite for a further five years, subject to the following conditions:-

- (1) That the temporary building and associated seats hereby granted planning permission shall be removed from the site on or before the expiry of a final period terminating on 13/06/2018 and shall not remain on the site thereafter; and
- (2) That following the expiry of the five year period hereby granted, the approved development must be removed and the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority within one month of such removal.

The Convener moved, seconded by Councillor Boulton:-

That the application be approved in accordance with the recommendation contained within the report.

Councillor Donnelly moved as an amendment:-

That the application be approved, subject to conditions, on the basis of an extension of one year rather than five years.

Councillor Donnelly's amendment failed to attract a seconder and therefore was not put to the vote.

The Sub Committee resolved:-
to approve the recommendation.

BUCKSBURN PRIMARY SCHOOL, INVERURIE ROAD, BUCKSBURN

7. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the erection of one single storey and one two storey classroom accommodation units, subject to the following conditions:-

(1) That the development shall not be brought into use unless details of arrangements to ensure that the access road is kept clear of parked vehicles during the construction phase are submitted to and approved in writing by the planning authority and subsequently in operation; (2) That the development shall not be brought into use unless there has been provided cycle parking in accordance with a scheme to be submitted to, and approved in writing by, the planning authority; (3) That the development shall not be brought into use unless there has been submitted to, and approved in writing by, the planning authority, a finalised travel plan. The proposals in the travel plan shall be fully implemented, monitored and amendments be made to address any issues arising; and (4) That development shall not take place unless there has been submitted to, and approved in writing by the planning authority, a scheme for surface water drainage for the proposed temporary buildings and associated hard surfaced areas. The development shall not be brought into use unless the plans as agreed have been fully implemented on site.

The Sub Committee resolved:-
to approve the recommendation.

MORNINGSIDE ROAD, MANNOFIELD - 130473

8. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve unconditionally the application in respect of retrospective planning permission for the erection of a cricket scoreboard within the grounds of Aberdeenshire Cricket Club.

The Sub Committee was addressed by Councillor Yuill, one of the local members for the area, who expressed constituents' concerns regarding the application.

The Convener moved, seconded by Councillor Donnelly:-

That the application be approved subject to the following conditions:-

(1) That the scoreboard hereby approved shall not be used unless, within three months of the date of this planning permission, there has been submitted to and approved in writing for the purpose by the planning authority a detailed scheme of landscaping for the southern part of the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. The required planting shall be undertaken in the next available planting season; and (2) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

Councillor Greig moved as an amendment, seconded by Councillor Finlayson:-

That the application be refused on the grounds that the visual impact of the scoreboard was detrimental to the existing residential amenity, which was contrary to policy H1 (Residential Areas) of the Local Development Plan, and to instruct officers to undertake enforcement action accordingly.

On a division, there voted:- for the motion (9) - the Convener; and Councillors Boulton, Cormie, Donnelly, Grant, Lawrence, McCaig, Jean Morrison and Samarai; for the amendment (3) - Councillors Finlayson, Greig and Jaffrey.

The Sub Committee resolved:-

- (i) to adopt the motion; and
- (ii) to instruct the Head of Planning and Sustainable Development to write to Aberdeenshire Cricket Club expressing the Sub Committee's concern regarding the way in which the club had erected the scoreboard without planning permission.

43 CLIFTON LANE - 121644

9. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the demolition of the existing structure and replacement with a two storey building for a proposed sports gym, subject to the following condition:-

- (1) That the development hereby approved shall not be occupied unless the car parking areas and cycle storage facilities hereby granted planning permission have been constructed, laid out, demarcated and provided in accordance with drawing no. 821-01P of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars or storage of bicycles ancillary to the development and use thereby granted approval.

The Sub Committee resolved:-

to approve the recommendation.

UNIT 4A-4B, SITE 48 GREENWELL ROAD, EAST TULLOS INDUSTRIAL ESTATE - 121270

10. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the erection of a workshop extension and recladding works to the existing building, subject to the following conditions:-

- (1) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing no. 13 of the plans

hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval; (2) That no development shall take place unless the long stay cycle parking shown on drawing 01 rec C and motorcycle parking facilities as shown on drawing no. 13 or other such drawing as approved for the purpose in writing by the planning authority for this purpose have been provided; (3) That no development shall take place unless details of the short stay cycle stands as shown in drawing no. 13, or other such drawing as approved in writing by the planning authority for this purpose, has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with the said scheme; and (4) That the development hereby approved shall not be occupied unless a scheme showing pedestrian demarcation leading from the car parking spaces within the rear yard area to the rear access door within the proposed extension hereby granted planning permission has been submitted and approved in writing by the planning authority.

The Sub Committee resolved:-
to approve the recommendation.

SITE 54 BROADFOLD ROAD, BRIDGE OF DON INDUSTRIAL ESTATE - 130521

11. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for alterations to the car park and drive thru lane, the installation of customer order displays, an extension to the restaurant and the creation of a corral area, subject to the following conditions:-

(1) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting; and (2) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

The Sub Committee resolved:-
to approve the recommendation.

PINEWOOD, COUNTESSWELLS ROAD, HAZLEDENE - 130573

12. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee approve the application in respect of planning permission for the erection of a temporary sales pod for the associated residential development, subject to the following conditions:-

(1) That the temporary building hereby granted planning permission shall not remain on the site after a period of two years expiring on 13 June 2015; (2) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with Drawing No. APL - 100 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval; (3) That prior to the commencement of development a detailed scheme shall be submitted to, and approved in writing by the planning authority, which provides details of alterations to the central reservation of the turning area as necessary to allow vehicles to pass stationary buses in a safe manner, these works shall be agreed and implemented prior to the sales pod coming into use; (4) That no development shall take place pursuant to this permission, nor shall the sales complex be occupied, unless a scheme to ensure maintenance of continuous public access to Core Path 65 from Countesswells Avenue, during the construction and operation of the development hereby approved, has been submitted to and approved in writing by the planning authority. Pedestrian access to the core path shall thereafter be maintained in accordance with the approved scheme and any diversionary path works/signage required on adjacent land under the applicant's control shall be installed prior to erection of the sales pod; (5) That no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on/adjacent to the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may have been approved has been implemented; and (6) That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority and no fire shall be lit in a position where the flames could extend to within five metres of foliage, branches or trunks.

The Convener moved, seconded by Councillor Donnelly:-

That the application be approved in accordance with the recommendation contained within the report, subject to condition (4) being on the proviso that the core path had to be reinstated, and an additional condition regarding Sustainable Urban Drainage Systems.

Councillor Greig moved as an amendment:-

That the application be refused on the grounds that the proposal was an unacceptable commercial development on a Greenfield site disrupting the core path network which would result in a loss of amenity.

Councillor Greig's amendment failed to attract a seconder and therefore was not put to the vote.

The Sub Committee resolved:-
to approve the terms of the motion.

BANNERMILL DEVELOPMENT, BANNERMILL PLACE - 130020

13. The Sub Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Sub Committee **refuse** the application in respect of planning permission for the installation of pedestrian and vehicular access gates on the following grounds:-

(1) The proposed development, by restricting access to established routes, would be to the detriment of pedestrian permeability and would discourage sustainable modes of travel, contrary to policies D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation) of the Aberdeen Local Development Plan, the Council's published 'Transport and Accessibility' supplementary guidance and paragraphs 38 and 39 of Scottish Planning Policy. The loss of these convenient, established pedestrian routes is considered to be to the detriment of the existing residential amenity, contrary to policy H1 (Residential Areas) of the Local Development Plan; and (2) The proposed enclosures are of traditional, decorative design and styling that is inconsistent with the contemporary design of the Bannermill development, and fails to demonstrate due regard for its context and make a positive contribution to its setting, as required by policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

The Sub Committee resolved:-
to approve the recommendation.

PLANNING DIGEST - EPI/13/107

14. The Sub Committee had before it a report by the Head of Planning and Sustainable Development which advised members of recent appeal decisions.

The report recommended:-
that the Sub Committee note the outcome of the appeal decisions.

The Sub Committee resolved:-
to approve the recommendation.

PLANNING ENFORCEMENT ACTIVITY - EPI/13/096

15. The Sub Committee had before it a report by the Head of Planning and Sustainable Development which advised members of the planning enforcement work that had been undertaken from 1 October 2012 to 31 March 2013.

The report recommended:-

that the Sub Committee note the content of the report.

The Sub Committee resolved:-

to approve the recommendation.

TRAVEL PLANS - EPI/13/103

16. Reference was made to Article 5 of the minute of its meeting of 17 January 2013, when the Sub Committee requested officers to review the Green Transport Plans requirements, including how effective the plans were and how to implement them. The Sub Committee had before a report by the Head of Planning and Sustainable Development in response to the aforementioned request.

The report recommended:-

that the Sub Committee -

- (a) note the current policy context for Travel Plans;
- (b) note the existing Council processes and expectations for Travel Plans;
- (c) note how effective Travel Plans were when implemented correctly;
- (d) note the current aspects of monitoring and enforcing Travel Plans; and
- (e) note that officers were currently preparing further guidance on Travel Plans as part of the Local Development Plan process.

The Sub Committee resolved:-

to approve the recommendations.

- **RAMSAY MILNE, Convener**.

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Agenda Item 2.1

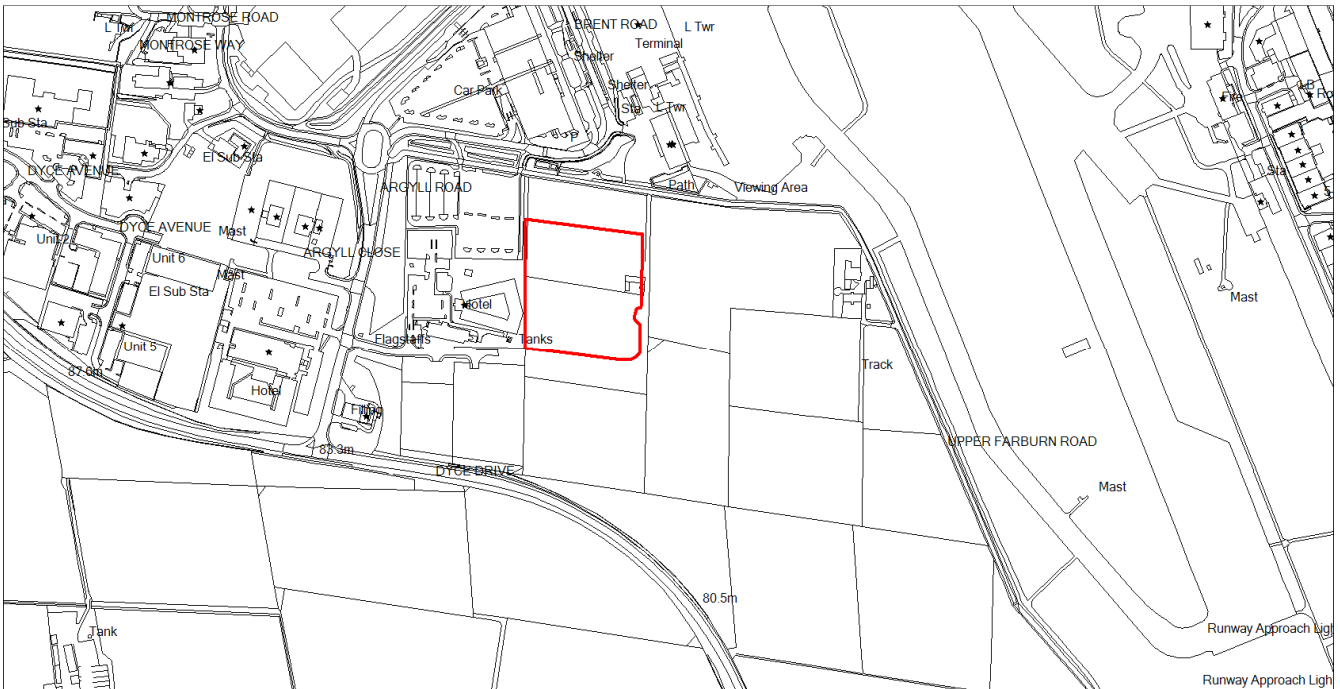
ABZ BUSINESS PARK, PLOT A/B DYCE DRIVE,
LAND TO NE/SE OF AIRPORT

APPROVAL OF MATTERS SPECIFIED IN
CONDITIONS 4 (TRAVEL PLAN), 6 (SUDS), 7
(LIGHTING), 9 (BIRD HAZARD MANAGEMENT)
AND 13 (LAYOUT & DESIGN) OF A6/0566 IN
RELATION TO THE ERECTION OF ONE 140
ROOM HOTEL AND ONE 110 ROOM HOTEL,
ASSOCIATED CAR PARKING AND
LANDSCAPING

For: Prestige Hotel Management Ltd & ABZ Dev.
Ltd

Application Type : Approval of Conditions for
Planning Permission in Principle
Application Ref. : P121796
Application Date: 21/12/2012
Officer: Matthew Easton
Ward : Dyce/Bucksburn/Danestone(B Crockett/G
Lawrence/N MacGregor/G Samarai)

Advert: Section 34 -Proj. Pub. Concern
Advertised on: 23/01/2013
Committee Date: 18 July 2013
Community Council : No response
received



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The site is land forming part of the proposed ABZ Business Park located to the north of Dyce Drive and south of Aberdeen Airport.

Plot A/B (2 and 3 International Gate) comprises 1.85 hectares and is located on the north west corner of the business park. It is currently vacant ground.

To the immediate north of the site is the boundary with Aberdeen International Airport. To the west of the northern portion of the site is the airport car rental car park and to the southern portion the Speedbird Inn Hotel, which is a two storey building set back from the boundary by 4m at its closest point. To the south and east of the site are internal roads within the business park, beyond which are vacant plots.

RELEVANT HISTORY

- Planning permission in principle (A6/0566) was granted on 20th December 2011 for the construction of a business park.
- An application for matters specified in conditions (120316) was approved on 10th August 2012 for strategic matters relating to the overall business park, including drainage, lighting, archaeology, cycle paths and landscaping.

PROPOSAL

Discharge of conditions relating to the construction of two hotels at the site is sought. The development would comprise one 139 room hotel and one 112 room hotel with associated parking, service areas and landscaping.

The specific conditions of A6/0566 sought for discharge insofar as they relate to Plot A/B are condition 4 (green travel plan), condition 6 (Drainage), condition 7 (External Lighting), condition 9 (Bird Hazard Management) and condition 13 (Design and Layout).

Novotel

The larger of the two hotels would be located along the southern boundary of the site on an east / west axis. It would comprise 140 rooms and ancillary spaces spread over six storeys. The building would be rectangular in shape and be 71m long and 33 wide. It would have a flat roof hidden behind a parapet which would achieve an overall height of 25m when the plant enclosure is included.

The front elevation of the building would comprise dark grey aluminium curtain walling with clear and opaque grey glazing. Coloured bands would run horizontally across the curtain walling, which would be framed by aluminium panels in three shades of grey. The rear elevation would feature rectangular windows set in an irregular pattern against a light grey render. Dark blue facing brick would run around the ground floor of the building.

On the ground floor the hotel would feature a reception area, bar / restaurant, 200 cover function room, gym, swimming pool, business break-out area and ancillary back-of-house areas. The hotel would be operated under the 'Novotel' brand.

Ibis

The second hotel would be located along the western boundary of the site on a north / south axis. It would comprise 110 rooms and ancillary space spread over five storeys. The building would be rectangular in shape and be 47m long and 14m wide. It would have a flat roof hidden behind a parapet which would achieve an overall height of 20m when the plant enclosure and air handling units are included.

The design of the building would comprise a regular pattern of dark grey aluminium square windows against an off-white render. Dark blue facing brick and curtain walling would clad the ground floor level. The windows on the third and fourth floor on the front elevation would form a band of dark grey aluminium curtain walling which would include opaque glazing.

On the ground floor the hotel would feature a bar / restaurant, gym and ancillary back-of-house areas. The hotel would be operated under the 'Ibis' brand.

External Works

An entrance road would provide access to the development from the turning circle at the northern end of International Gate. This would lead to a drop-off area for coaches and cars / taxis. A barrier controlled surface car park which would be shared by the two hotels would comprise 251 car parking spaces and cover the northern portion of the site. It would include five accessible spaces and further nine would be provided outside the hotels.

Each building would have its own enclosed service yard.

Soft and hard landscaping would surround the buildings with 60 trees proposed around the car park and building entrances.

A path would be provided in the north west corner of the site which would provide pedestrian access to the airport and steps to Agryll Way to the south would be provided for pedestrians.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?121796>. On accepting the disclaimer enter the application reference quoted on the first page of this report.

In support of the application a noise assessment, drainage assessment, travel plan, bird hazard management plan and planning statement have been submitted.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the development involves construction of a building to a height exceeding 20m. Such developments are specified within Schedule 3 of the Development Management Procedure (Scotland) Regulations 2008 and accordingly the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – No objection to the proposal with comment summarised as follows –

- After amendments the travel plan is considered acceptable.
- Adequate information has been provided to address the drainage of surface water.
- Satisfactory car, bicycle and motorcycle parking has been provided, the swept path analysis shows that an articulated vehicle could enter and exist the yard area and is considered acceptable.

Environmental Health – No observations.

Enterprise, Planning & Infrastructure (Flooding) – No adverse comments on the drainage assessment provided the pre-agreed conditions outlined by ACC regarding drainage for the full development are met.

Community Council – No response received.

Police Scotland (Architectural Liaison Officer) – No objection to the proposal with initial comments summarised as follows –

- The layout generally provides good levels of natural surveillance.
- Care should be taken to ensure the pedestrian routes at the north and south of the site benefit from natural surveillance and consideration should be given to utilising CCTV in these areas.
- It is to be commended that the pedestrian links are lit however it is noted that there appears to be no external lighting to the rear of either hotel therefore it is recommended that consideration be given to external lighting and CCTV in these areas.
- Advice provided on landscaping species selection.

- Cycle parking should be positioned as close to the hotel entrances as possible to ensure natural surveillance.
- Suggested that a planning condition be included requiring the applicant to apply for a Secured by Design award.

Following amendments to the scheme to take account of the above comments, Police Scotland confirm they are satisfied with the proposals.

Aberdeen International Airport – Following amendments to the bird hazard management plan and clarification on points relating to the lighting scheme and drainage, the Safeguarding Manager confirms that there is no objection from the airport to the proposals.

NATS (En-Route) Plc. – In relating to the safeguarding of the Perwinnes radar site, the proposed development has been examined from an en-route navigation infrastructure technical safeguarding perspective and the findings show that it may infringe NERL safeguarding criteria as it would introduce reflections of Perwinnes radar.

REPRESENTATIONS

None received.

PLANNING POLICY

Aberdeen Local Development Plan

Policy D1 - Architecture and Placemaking – To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

Policy D3 – Sustainable and Active Travel – New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order - walking, cycling, public transport, car and other motorised vehicles.

Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation.

Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained through the provision of suitable alternative routes.

Policy D6 – Landscape – Development will not be acceptable unless it avoids:

- i) significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct ‘sense of place’ which point to being either in or around Aberdeen or a particular part of it;
- ii) obstructing important views of the City’s townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;
- iii) disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them;
- iv) sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Development should avoid significant adverse impacts upon existing landscape elements, including linear and boundary features or other components, which contribute to local amenity, and provide opportunities for conserving, restoring or enhancing them.

Further guidance is available in our Supplementary Guidance: Landscape Strategy Part 2 – Landscape Guidelines.

Policy BI1 - Business and Industrial Land – Aberdeen City Council will support the development of the business and industrial land allocations set out in this Plan. Industrial and business uses (Class 4 Business, Class 5 General Industrial and Class 6 Storage or Distribution) in these areas, including already developed land, shall be retained. The expansion of existing concerns and development of new business and industrial uses will be permitted in principle within areas zoned for this purpose.

New business and industrial land proposals shall make provision for areas of recreational and amenity open space, areas of strategic landscaping, areas of wildlife value and footpaths, in accordance with the Council’s Open Space Strategy, Open Space Supplementary Guidance and approved planning briefs/masterplans.

Ancillary facilities that support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's business and industrial land. Such facilities should be aimed primarily at meeting the needs of businesses and employees within the business and industrial area.

Policy BI4 - Aberdeen Airport and Aberdeen Harbour – Due regard will be paid to the safety, amenity impacts on and efficiency of uses in the vicinity of the Airport and Harbour.

Policy R6 - Waste Management Requirements for New Development – Details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste.

Policy T2 – Managing the Transport Impact of Development – New developments will need to demonstrate that sufficient measures have been taken to minimize the traffic generated.

Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail the standards that different types of development should provide.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise

Principle of Development

Planning permission in principle A4/1644 was granted consent in December 2011 and established that a hotel or hotels would be acceptable as part of the ABZ Business Park. Although the land is zoned for business and industrial use a hotel use was considered appropriate given the close proximity to the airport and other existing hotel uses. A limit of 274 rooms was imposed following the transport assessment that was undertaken. The total number of rooms proposed is 250 and therefore from this perspective the proposal is in accordance with the planning permission in principle.

Matters such as traffic mitigation have been dealt with through the planning permission in principle and the conditions and legal agreement attached to it.

Condition 4 (Green Travel Plan)

A green travel plan has been submitted which outlines measures for reducing dependency on the private car, including measures to be implemented, the system of management, monitoring and reporting as well as the duration of the plan. The roads service have considered the GTP and after amendments

consider it to be acceptable and in accordance with Policy D3 (Sustainable and Active Travel).

Condition 6 (Drainage)

A drainage impact layout has been submitted which shows that foul drainage will be connected to the new public sewer system being installed within the business park.

In terms of surface water drainage, a new Sustainable Urban Drainage System (SUDS) has been installed within the business park which will provide two levels of treatment for the whole development. This comprises a series of stone filled filter trenches of differing size of stone.

Water from the building roofs would be collected via downpipes which would connect into a piped system within the site. Gullies and channel drains would collect water from hard surfaces and the car park. Both roof and surface water would then be attenuated by storage cells beneath the car park and then discharged to the new public drainage system within the business park. The required two levels of treatment would be provided by the downstream SUDS measures within the business park.

Both the roads authority and flood prevention team are satisfied with the proposals. Measures for dealing with foul and surface water are considered satisfactory and in accordance with Policy NE6 (Flooding and Drainage) and therefore condition 6 can be discharged insofar as it relates to Plot A/B.

Condition 7 (Lighting)

An external lighting layout has been submitted which shows that there would be nine 8m high columns with flat glass cut-off luminaires mounted horizontally within the car park and hard landscaped areas. A further forty one 5m high columns would illuminate the car park and pedestrian access from Argyll Way.

Aberdeen International Airport has advised that there would be no safeguarding concerns with the proposal, including the lighting scheme, therefore the proposal complies with Policy B14 (Aberdeen Airport).

It is considered that the lighting scheme would have no adverse impact upon surrounding uses or amenity and condition 7 can be discharged insofar as it relates to Plot A/B.

Condition 9 (Bird Hazard Management Plan)

A bird hazard management plan has been submitted by the developer which describes the measures which will be taken to reduce the risk to aircraft through bird strikes. This includes the design of the building, drainage and landscaping scheme, operator behaviour, monitoring regime and methods of dispersal of birds. Aberdeen International Airport has advised that having been amended, the BHMP is acceptable. Therefore it is considered that the proposal complies with

Policy BI4 (Aberdeen Airport) and that condition 9 can be Discharged insofar as it relates to Plot A/B.

Condition 13 (Design and Layout)

Access (i) – Vehicular access into the site would be provided off the turning circle on International Gate. The entrance road would feature coach bays and a terminate with a further roundabout which includes drop-off areas for cars. Swept path analysis shows that articulated vehicles would be able to enter and exit the site in a forward gear, which is considered acceptable to the roads service.

Pedestrian access to the site would be both via International Gate and Argyll Way to the south and pavements would be provided along the entrance road which lead to the car park and hard landscaped area between the hotels. A further pedestrian link would also be created to connect into the existing footpath within the airport boundary. This in turn connects into the covered walkway leading to the main terminal building. This would save pedestrians a 600m walk along Argyll Way, Argyll Road and Brent Road to the main terminal.

Both vehicular and pedestrian access to the site is considered to be acceptable and to comply with Policy D3 (Sustainable and Active Travel).

Layout (ii) – The proposed layout positions the building towards the front of the site so that those arriving by vehicle are presented with the buildings set within landscaping rather than through a large expanse of car parking, which is welcomed.

It is considered therefore that the proposal complies with Policy T2 and D3.

(Design and External Appearance (iii)) – The hotels proposed are aimed at the budget and mid-range markets and their design has taken this into account with the aim of differentiating the two operators whilst complimenting each other. Common materials such as the curtain walling and dark blue cladding bricks would unite the two buildings into one development. The mid-range Novotel would feature coloured bands and more extensive areas of curtain wall glazing and aluminium cladding than the Ibis which is aimed at the budget market. Both buildings are typical of modern hotel developments with regularly positioned windows at upper level and more interest being created at ground floor level. Given their location adjacent to the airport and other similar style buildings it is considered that their scale, massing and design is acceptable and in accordance with Policy D2 (Architecture and Placemaking).

Refuse / Recycling Storage (iv) – Space has been allocated within the service yards of each hotel for recycling and refuse bins. The areas would be enclosed either by timber fencing or dark blue brick walls. The proposal is considered to comply with Policy R6.

Noise (v) – A noise assessment by Hyder Consulting was carried out for the whole business park. Noise Monitoring Point 1 in the assessment is adjacent to the location of plot A/B and requires a reduction of a minimum of 30.1dB for

bedroom use. The developer has advised that the fabric of the building would satisfactorily provide this reduction so that internal noise levels are within those recommended in PAN 1/2011 (Planning and Noise). Environmental Health officers have provided no observations on the proposal.

Plot Enclosures (vi) – The site would be enclosed by post and wire fence. The Novotel service yard would be enclosed by 2.4m high dark brick wall to match that of the ground floor of the building and the Ibis service yard by a 2.4m high timber fence. This is considered acceptable.

Cycle Storage (vii) – Cycle stands with space for twenty bicycles would be located within the pedestrian space between the two buildings. They would be located close to the entrance of the building in order that they benefit from natural surveillance. Eighteen spaces for motorcycles would be provided adjacent to the car park. The number of spaces and their proposed location are acceptable in terms of Policy D3 which aims to encourage use of sustainable modes of transport. A condition has been attached to ensure that the spaces are provided and to confirm exact details.

(Zero and Low Carbon Equipment (viii)) – The proposal would achieve CO2 savings greater than required by the 2010 building standards through building design which includes passive and energy reduction measures. The use of air source heat pumps may be considered for heating and cooling. The proposal complies with Policy R7.

Safeguarding

Radar Safeguarding

Due to the buildings being in excess of 15m in height, the Council were required to consult NATS on the proposal in order to determine if there would be any impact upon the operation of the radar site at Perwiness. The proposal was examined from an en-route navigation infrastructure technical safeguarding perspective and the findings were that the buildings would introduce reflections to the Perwiness radar. Therefore NATS objected to the proposal. Discussions between the Council, NATS and the developer have identified a technical solution which requires the radar software and possibly hardware to be modified in order to take account of the presence of the buildings. The developer has agreed to enter into a legal agreement with NATS and make the necessary payment to have the work carried out to the radar. Therefore the objection has been lifted by NATS and due to the agreement between NATS and the developer there is no requirement for planning conditions in relation to this matter.

Airport Safeguarding

Aberdeen International Airport has been consulted on the proposals in terms of the safeguarding of airport operations. The proposals have been assessed and AIA confirm that there are no physical or technical safeguarding issues with regards to the position or size of the buildings. Therefore in relation to design and layout due consideration has been paid to the safety, amenity impacts on and

efficiency of uses in the vicinity of the Airport as required by Policy BI4 – (Aberdeen Airport and Aberdeen Harbour)

RECOMMENDATION

Approved subject to conditions

REASONS FOR RECOMMENDATION

The submitted information is considered to be sufficient to purify the relevant conditions insofar as they relate to plot A/B. Satisfactory details have been submitted in relation to layout, design, drainage, landscaping, parking, zero carbon equipment, noise and waste storage in accordance with the relevant local plan policies and national guidance.

After an agreement was reached between the developer and NATS the safeguarding of the Perwiness radar system can be secured. There would be no conflict with the safeguarding of Aberdeen Airport subject to the implementation of a bird hazard management plan and approved landscaping and drainage details.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that the development hereby approved shall not be occupied unless the approved bird hazard management plan (or such other plan as may subsequently be approved in writing by the planning authority for the purpose) has been implemented. Thereafter the measures within the plan shall remain in force for the lifetime of the building unless otherwise agreed by the planning authority - in order to safeguard aircraft operations at Aberdeen Airport.

(2) that neither of the buildings hereby approved shall be occupied unless the drainage scheme (Fairhurst drawing 97523/2200A or such other drawing as may subsequently be approved in writing by the planning authority for the purpose) has been installed in complete accordance with the said scheme insofar as it relates to that particular building and external areas - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

(3) that neither of the buildings hereby approved shall be occupied unless the lighting scheme (Wallace Whittle drawing EBE2031(61)44 or such other plan as may subsequently be approved in writing by the planning authority for the purpose) has been installed in complete accordance with the said scheme insofar as it relates to that particular building and external areas - in order to ensure the development is adequately lit, to ensure public safety and the safeguarding of Aberdeen International Airport.

(4) that neither of the buildings hereby approved shall be occupied unless the cycle and motorcycle parking scheme (Aedas drawing LL(90)01H or such other plan as may subsequently be approved in writing by the planning authority for the purpose) has been installed in complete accordance with the said scheme insofar as it relates to that particular building. Prior to the schemes implementation further details of the exact specification of the cycle parking and motorcycle anchor points shall be submitted to and agreed by the planning authority - in order to encourage use of sustainable modes of transport to the development.

(5) that neither of the buildings hereby approved shall be occupied unless all hard landscaping comprised in the approved scheme of landscaping (Aedas drawing LL(90)01H or such other plan as may subsequently be approved in writing by the planning authority for the purpose) has been implemented - in the interests of integrating the development into the surrounding landscape.

(6) that all planting, seeding and turfing comprised in the approved scheme of landscaping (Aedas drawing LL(90)01H or such other plan as may subsequently be approved in writing by the planning authority for the purpose) shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of integrating the development into the surrounding landscape.

INFORMATIVES

(1) Attention is drawn to the requirement within the British Standard Code of Practice for the Safe Use of Cranes (BS7121), specifically section 9.9.3 (Crane Control in the Vicinity of Aerodromes) which requires the responsible person to consult the aerodrome manager for permission to work if a crane is to be used within 6km of an aerodrome and it's height would exceed 10m or that of surrounding trees and structures.

Use of cranes, scaffolding above the height of the proposed development, or other tall construction equipment must be notified to Aberdeen International Airport Safeguarding Manager (safeguarding@aairport.com / 01224 725756) at least one month prior to use. Failure to do so may result in any responsible person being guilty of an offence under Article 137 (Endangering Safety of and Aircraft) of the Air Navigation Order (CAP 393) which states that a person must not recklessly or negligently act in a manner likely to endanger an aircraft.

(2) Developers and applicants are advised to ensure that all permanent lighting, construction lighting, or illuminated signage, within the development site must be of a type which does not cause spillage of light above the horizontal, or include strobe, laser or flashing light.

Failure to do so may result in any responsible person being guilty of an offence under Article 135 (Dangerous Lights) of the Air Navigation Order (CAP 393) which states that a person must not exhibit any light which (i) by reason of its glare is liable to endanger aircraft taking off from or landing at an aerodrome or (ii) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft.

Further information can be obtained from Aberdeen International Airport Safeguarding Manager (safeguarding@aiairport.com / 01224 725756).

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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Agenda Item 2.2

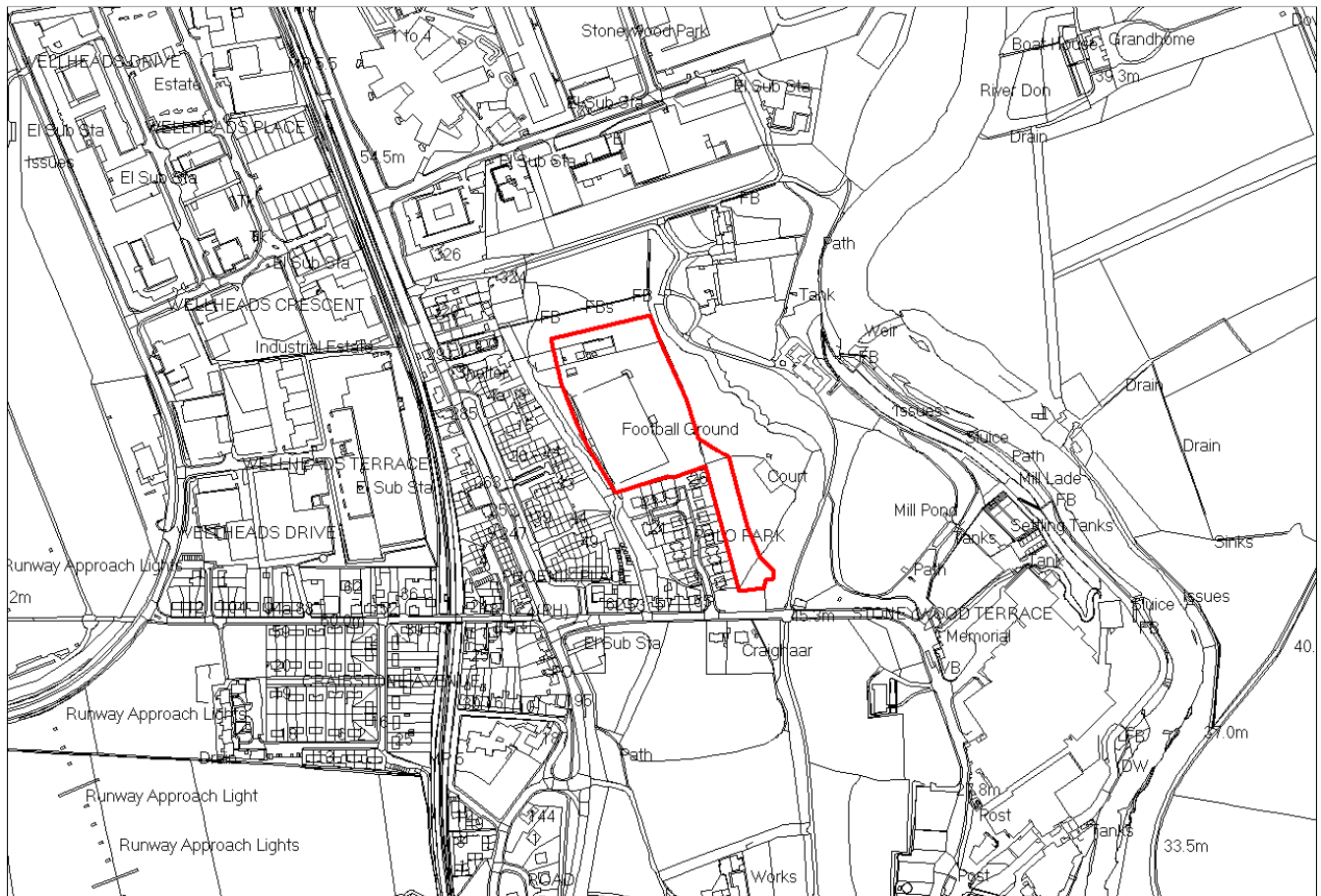
STONEYWOOD ESTATE, (AREAS N3, N46, N5)

APPROVAL OF CONDITIONS 1, 10 & 14 OF REFERENCE P110790 IN RELATION TO THE ERECTION OF 51 DETACHED AND 6 SEMI-DETACHED HOUSES AND ERECTION OF SHARED ACCESS

For: Stoneywood Developments Ltd C/O Dandara

Application Type : Approval of Conditions for Planning Permission in Principle
Application Ref. : P121652
Application Date: 30/11/2012
Officer: Harry Campbell
Ward : Dyce/Bucksburn/Danestone(B Crockett/G Lawrence/N MacGregor/G Samarai)

Advert : Can't notify neighbour(s)
Advertised on: 19/12/2012
Committee Date: 18 July 2013
Community Council : No response received



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site lies generally in the north west corner of the larger Stoneywood Estate site to be developed by Dandara. It abuts the north and east boundaries of Bancon's new housing development at Polo Park, the rear boundaries of residential properties on Stoneywood Road and Polo Gardens, an unnamed track that runs eastwards from adjacent to 322 Stoneywood Road, and internal roads that are presently under construction.

Most of the site is presently occupied by Polo Park, a football ground used by Stoneywood Juniors, and a temporary marketing suite which the developers are using to promote the overall Stoneywood development. The south east part of the site was formerly covered in evergreen trees which have now been felled in accordance with the strategic landscaping proposals contained in the approved Development Framework and Masterplan. Further to the east is woodland which is to be retained.

RELEVANT HISTORY

On 24th May 2011 the Enterprise Planning and Infrastructure Committee approved the Stoneywood Estate Development Framework and Masterplan as interim planning guidance pending adoption of the Aberdeen Local Development Plan. The Local Development Plan was subsequently adopted in February 2012. The Development Framework and Masterplan has therefore now been adopted as supplementary guidance to the Plan.

Planning permission in principle (ref 110790) for for a "proposed residential development of approximately 425 houses with a mix of supporting and ancillary facilities including a neighbourhood centre, landscaping, open space and recreational facilities" was approved by the Development Management Sub-Committee on 2nd May 2012.

PROPOSAL

This is an application for the approval of matters specified in conditions 1 (Means of access, siting, design and landscaping), 10 (SUDS) and 14 (Waste collection etc) attached to planning permission in principle reference 110790.

Condition 1

Design – The proposed layout shows a total of 57 detached and semi-detached houses (10 in area N3, 7 in area N4b and 40 in Area N5). Areas N4b and N5 would be formed around a loop road connecting with an internal road which is presently under construction. This road would be a shared surface. Located centrally in N5 would be a courtyard area enclosed by 9 dwellings. A footpath link leading through to the wider path network would be taken from the east side of this courtyard. Area N3 would front onto the new internal road which would eventually connect through to the east end of Stoneywood Terrace. The rear gardens of these houses would abut the rear gardens of recently completed Bancon houses at Polo Park. All houses would be two storeys in height and have integral garages and driveways. Accommodation would range from 3 to 5 bedrooms. External materials would be white render and dark timber for walls, dark grey roof tiles with slate appearance and dark coloured upvc for windows.

Means of Access - Vehicular access from (i.e. from Stoneywood Terrace) would be taken via the new Bancon development at Polo Park to the south, which is presently a cul de sac, and a new internal road, which already has planning permission, leading from the east end of Stoneywood Terrace. Polo Park would be linked to the internal road by a new spur formed by an extension to its northern end.

Siting – As mentioned in the design section above, the houses in N4b and N5 would be sited around a loop road and central courtyard, while the N3 houses would be sited on the west side of the internal road connecting with the east end of Stoneywood Terrace.

Landscaping – The development would nest within the strategic landscaping already approved for the wider development. Details of the specific landscaping proposals for areas N3, N4b and N5, as well as planting around the SUDS pond, have been submitted. These include beech hedging and 1.8 metre high stone wall boundary enclosures on the frontages throughout the site. Individual native trees would be planted throughout the site adjacent to front gardens and on prominent corners. Around the SUDS pond there would be feature planting and water loving plants (reed, marsh marigold etc) around the pond margins. Bulb planting (bluebells, snow drops, wild daffodil etc) would be spread throughout the site.

Condition 10

SUDS – Sustainable Urban Drainage would be to a SUDS pond located to the east of the site. The SUDS pond already has the benefit of permission by way of strategic SUDS approvals. A Drainage Assessment has been submitted in support of the application.

Condition 14

Waste Collection – Waste would be collected from individual houses via the usual wheelie bin collections.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?121652>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because more than five letters of objection have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – No objections.

Environmental Health – No comments.

Enterprise, Planning & Infrastructure (Flooding) – Satisfied with the details submitted in the Drainage Impact Assessment .
Community Council – No response received.

REPRESENTATIONS

25 letters of objection have been received. The objections raised relate to the following matters –

1. Use of Polo Park as a means of access to the application site and use by construction traffic;
2. Road safety;
3. Removal of trees;
4. Lack of neighbour notification;
5. Environmental concerns relating to loss of trees, effect on wildlife habitat;
6. Drainage;
7. Overlooking and privacy issues;
8. Roads accesses to Dandara sites north of Stoneywood Terrace;
9. Relocation of football pitch;
10. Replacement football pitch does not meet the requirements of the North East Junior Football Association;
11. Breach of planning control at Area N5;
12. Dandara's marketing of their site does not match up with the plans;

PLANNING POLICY

Aberdeen Local Development Plan (ALDP)

The site is allocated for Land Release (LR1) purposes and as part of a larger opportunity site (OP24) in the adopted ALDP.

Supplementary Guidance

The approved Stoneywood Development Framework and Masterplan document is now incorporated into the Supplementary Guidance contained in the ALDP.

EVALUATION

Planning permission in principle (ref. 110790) has already been granted for housing development of approximately on the application site as part of Dandara's wider development at Stoneywood Estate. The site also falls within a Land Release Policy (LR1) Area in the adopted Aberdeen Local Development Plan (ADLP) and is also identified as an Opportunity Site (OP24) in the Plan. OP24 states that the area represents an opportunity for development of 500 houses, subject to a Masterplan being required. A Development Framework and Masterplan was approved by the Enterprise, Planning and Infrastructure Committee in 2011 and it is now incorporated as supplementary guidance in the ADLP. The principle of housing here is therefore not an issue.

The main issues related to the proposal are considered to be:-

- Means of access
- Siting
- Design

- Landscaping
- Sustainable Urban Development (SUDS) drainage details
- Refuse collection arrangements
- Any material considerations raised by the letters of objection
- Whether the proposals generally conform to the approved Development Framework and Masterplan

Taking these issues in turn:-

Means of Access

The proposed means of access via the internal road and via Polo Park is considered acceptable. The approved Masterplan shows a secondary street connecting to the north end of Polo Park, which has always been part of the intended connectivity of the new scheme with existing development. Members may care to note that planning permission ref 120622 granted 24th September 2012, for the erection of 6 houses in area 4a, located at the northern end of the, also permitted a change to the approved Masterplan street structure. A non-material variation to that permission was subsequently granted on 21st May 2013. Both the original permission and the non-material variation show a secondary street linking to Polo Park.

Siting

The proposed layout and siting of the buildings are considered to be acceptable. Areas N4b and N5 would be set around a loop road with central east-west access incorporating a parking court and central space. The development would be set within substantial retained woodland to the north, west and east. A footpath would link the central court with land to the east thus affording greater permeability through the scheme. Area N3 would be aligned along the west side of an estate drive with passing places that has already been approved.

Design

The scale, massing, layout and external materials generally comply with the design brief and masterplan and are considered acceptable.

Landscaping

A Strategic Landscaping Plan was submitted in support of the application and this is considered to be acceptable.

SUDS Details

A Drainage Assessment was submitted in support of the application. The Council's flood prevention officers have been consulted on these details and are satisfied that they are acceptable.

Refuse Collection Arrangements

Refuse collection would be from householder bins, collected by refuse vehicles

Issues Raised in Letters of Representation

A number of issues have been raised by objectors to the proposal -

- Use of Polo Park as means of access. The approved Development Framework and Masterplan identifies an access to the application site, in the form of a secondary street, being provided. Some adjustments have been made to the wider core street layout on the northern part of the site, but these have proved acceptable to roads officials.
- Road Safety. Again roads officials have not raised any concerns with regard to road safety being compromised by the proposal.
- Removal of Trees. A proposed woodland structure for the whole Dandara site is contained in the Development Framework and Masterplan. This shows the removal of a large block plantation of conifers which was located immediately to the east of the rear gardens of the recently completed properties on Polo Park. That area exhibited the character of a commercial forestry plantation. The plantation has now been removed as envisaged and this would allow block N3 to be constructed and a SUDS pond to be provided further east, also as envisaged in the Framework.
- Neighbour Notification. When the planning application was first submitted on 30th November 2012, some of the houses at Polo Park were occupied, some under construction and some not started. Being a new development, none of the houses at Polo Park appeared on the geographic data base used to automatically generate neighbour notification letters (ie land falling within 20 metres of the application site boundary). However, in cases where land without premises falls within 20 metres of an application site, the proposal is required to be advertised in a local newspaper, which was done on 19th December 2012. Subsequently, the Council received complaints from new residents that they had not been notified of the proposal and it was accepted that, this being an exceptional case, renotification should be undertaken. This was done on 18th April 2013 when notices were delivered by hand to all properties on Polo Park falling within 20 metres of the site boundary. It can also be confirmed that a new system for updating more quickly the geographic data base has now been put in place.
- Environmental Concerns Arising From Loss of Trees. This matter was considered fully at the planning permission in principle stage. That application was supported by an Environmental Assessment that, inter alia, examined the potential impact of development on wildlife.
- Drainage. A Drainage Impact Assessment was submitted in support of the application. This has been assessed by the Council's flood prevention officers and is considered to be acceptable.

- **Overlooking and Privacy Issues.** Objectors residing in Polo Park have expressed concerns about potential overlooking and loss of privacy arising from the development. The window – window distances between the rear elevations on Polo Park and properties in area N3 range from 18 – 25 metres, by no means an unexceptional spatial relationship within the City. Accordingly, it is considered that there would be no unusual or unacceptable privacy issues caused by the development. Some objectors on the east side of Polo Park have raised the issue that the removal of the tree plantation that formerly stood behind their rear gardens will lead to an unacceptable loss of privacy. However, the removal of these trees has always been envisaged by the Development Framework. One related variation from the Framework is proposed, however. The design principles for Area N3 detailed in the Framework presently show a woodland edge being formed at the rear garden boundaries of nos 2 and 4 Polo Park, which are recently completed houses in the adjacent Bancon development, whereas the application being considered here shows a dwellinghouse instead. As mentioned above, the function of the adopted Framework is to guide development and, while condition 15 of the planning permission in principle requires the developer to generally follow the principles of the framework, it does not require absolutely strict adherence. It is considered that the construction of a house to the rear of nos 2 and 4 Polo Park, would not introduce any unacceptable or unusual relationship between these houses and the new development. Such spatial relationships are commonplace within the urban and suburban areas throughout the City. The trees as proposed in the Framework were designed to provide a sense of enclosure and strong containment of space. A sense of visual enclosure to the east would still exist, even with the new house proposed in this location, taking account of the remaining trees and new tree planting that would still be undertaken.
- **Road Access.** Acceptable changes were made to the core street structure by way of planning permission reference 120622 (see under Means of Access section above).
- **Relocation of football pitch.** The football pitch located in Area N5, presently occupied by Stoneywood Juniors to a new facility presently under construction at the west end of Market Street, Stoneywood. Stoneywood Juniors will have the option to move to the new facility when it is completed, which is anticipated to be in August.
- **New Football Pitch Does Not Meet the Requirements of the Scottish Junior Football Association (SJFA).** No requirement was placed on the developer to construct the new facility to SJFA specifications.
- **Breach of Planning Control in Area N5.** It is acknowledged that a breach of control has taken place within Area N5 by reason of the length of secondary street that has been partially constructed to the north of Polo Park. A condition attached to the planning permission in principle requires that no development shall take place within area N5 unless the replacement football pitch on Market Street has been completed and

available for public use. The developer was contacted when the breach was notified to the planning authority and work in N5 has presently ceased. It is not considered expedient to consider enforcement action at present until the application has been determined. If this application is approved and the new football pitch is completed as anticipated, the breach will have been rectified at that point without any enforcement action being necessary.

- Dandara's Marketing of the Site does not match up with the Plans. This is not a material consideration in determining the application. The planning authority has no control over the developer's marketing activities.

Conformity with Development Framework and Masterplan

The proposal generally complies with the approved Development Framework and Masterplan as required by condition 15 of the planning permission in principle. Some changes to the core street network have already been approved and the application complies with these.

Summary

In summary, the proposal is considered acceptable and is in general conformity with both the planning permission in principle and the approved Development Framework and Masterplan. The development will fall within a woodland setting as envisaged and will provide good connectivity for residents both within and outwith the site into the woodland and wider area. The layout, form, design, access and sense of place created by the proposal are all considered acceptable and there would be no unacceptable or unusual impacts on neighbouring properties.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal complies with the terms of planning permission in principle ref 110790, in particular conditions 1, 10 and 14, which are the subject of this application, and generally complies with the requirements of the approved Stoneywood Development Framework and Masterplan, which is contained in supplementary guidance in the adopted Aberdeen Local Development Plan. The proposal also complies with the Aberdeen Local Development Plan. There would be no unacceptable impact on the neighbouring dwellings in terms of amenity and road safety.

CONDITIONS

It is recommended that approval is granted subject to the following conditions:-

1. That no dwelling house within areas N3, N4b and N5 shall be occupied unless the Sustainable Urban Drainage Scheme relative to that house has been implemented and is fully operational. Drainage arrangements shall comply with the document “Drainage Assessment for Area N5, Stoneywood” dated 19th June 2013, a stamped copy of which is attached to this planning permission – to ensure that the site is adequately drained.
2. That no dwelling house within Areas N3, N4b and N5 shall be occupied unless a revised scheme for the Natinal Cycle Path and footpath network to be provided through Area L1, as anotated on approved drawing number MP_101, has been submitted to, and approved in writing for the purpose by, the planning authority – in the interests of sustainable transport and to ensure that there is adequate connectivity between the application site and other parts of the neighbourhood and the wider city area.
3. That the approved scheme as landscaping, as detailed in the document entitled “Stoneywood Estate Landscaping Strategy – Site N5, N3 and N4b”, a stamped copy of which is attached to this planning permission, shall be implemented no later than the first planting season following completion of the the last house in the development approved as part of the this approval of matters specified in conditions – in order to safeguard the amenity of the neighbourhood and to ensure that the landscaping associated with the scheme is completed timeously.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 18/04/2013 22:00
Subject: Planning Comment for 121652

Comment for Planning Application 121652

Name : Malcolm Mackenzie

Address : 18 Polo Park

Bucksburn

AB21 9JW

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : There are a number of issues that have now come with what has been proposed versus what was in the public domain prior to the purchase of the house I am in, which I strongly object. Also notification of change was not issued to the address mentioned above albeit it was put into a paper that is no longer distributed to this ward area. Why was it not in the main papers that cover Aberdeen area ??? Was this to deceive the public...

Prior planning showed a sensible approach to the development of what was a mature woodland area. The woods have now been removed prior to approval being sought or any published revised assessment to the public domain. All prior wildlife has now disappeared, squirrels, roe deer and foxes.

The revised road alignment through what is now Polo Park poses risks to residence and visitors to which is now a busy road with the completion of the estate. I strongly object this proposal. As of the date of this submission the play area is yet to be completed. Even at this stage cars are parked on the road without considering it a throughway for Dandaras development.

The revised road location through the site has changed the previous alignment of the planned houses and the managed woodlands that were detailed prior. This has now resulted in reduced privacy to the houses on Polo Park even without considering the final house design and quantity of floors in the houses.

Taking all of the above into account there is a total lack of control and consideration and duty of care. How is ACC Planning department monitoring the works being carried out against approved planning? Also, how will the unapproved work already carried out be addressed/rectified back to its original state?

Environment and Wildlife.

Planning and building control.

Road and pedestrian risk based on road size and surrounding amenities.

Julie Tumelty
4 Polo Park
Stoneywood
Bucksburn
Aberdeen
AB21 9JW

15/4/13

ATTACHED are -

- 1) DRAFT Environmental Statement
Non-Technical Summary Page I.
- 2) 2 Photographs (Red Squirrels)

Objections/Comments on Planning Application 121652

I want to lodge the following objections/comments regarding Planning Application 121652:

1) Lack of adequate public/neighbour notification

I would like to place a formal complaint that no Neighbour Notification letters were sent to any resident in Polo Park after planning application 121652 was received by the ACC Planning Department on 27/11/2012, thus failing to comply with Neighbour Notification regulation 18 part 4.17, 4.18, 4.19, 4.20, 4.28 (see <http://www.scotland.gov.uk/Publications/2009/07/03153034/7>).

Also, Aberdeen City Council notification in the Aberdeen Citizen rather than the Press & Journal or Evening Express is economical with the spirit of true local/public notification.

I request that future public notification for the Stoneywood Estate Development is placed in the Press & Journal and/or Evening Express considering that the Aberdeen Citizen is no longer distributed in the Dyce/ Bucksburn/ Stoneywood area, and has not been since June 2012. I am aware that the Aberdeen Citizen is an on-line press but not all public may have the equipment or "know how" to access this.

I notified Harry Campbell (ACC Planning Officer) responsible for dealing with application 121652 that neighbour notification letters had not been received. He was reluctant to reopen the public comments stage. It was only after a number of phone conversations and emails, and a reminder of planning regulations, that he decided to reopen the public comments stage and send out neighbour notification letters to Polo Park homeowners so they would be made aware of application 121652 lodged with ACC Planning, and could make their comments. Neighbour notification letters were delivered on 28th March 2013.

2) Environmental Concerns

I have read the Stoneywood Estate Development Framework and Masterplan (May 2011) on the ACC website.

Dandara state in the masterplan (Part 1, p.17) that key assets that need protection and enhancement are:

- Protection of habitats and species as part of development proposals
- Protection and enhancement of established woodland, of landscape, arboriculture or habitat value and enhancing the biodiversity capital on the site.

I see that the masterplan has a section on Woodland Structure and their proposals for it (Part 2, p.21-22).

They state in the masterplan and during planning applications that they will sensitively develop the woodland and landscape, with due regard to environmental considerations (bird nesting season/bats/etc). I was told back in November 2012 during a meeting with Neil MacLeod of Dandara that ecological surveys had been done and he provided me with a DRAFT Environmental Statement Summary (see attached 7532 Non-Technical Summary) and a tree survey.

However, this DRAFT Environmental Statement Summary had no specific details as to what ecological surveys had been done or what they had found (p.4). However, they did state that the mixed woodland habitat was recognised as being of national importance (p.4).

Already areas of woodland that were stated to be retained and managed (see masterplan Part 2, Woodland Structure p.22) have been reduced or removed:

- back of N2 site to the left and right of the woodland path
- W1 area that was to be selectively cleared and thinned has all been removed for the 6 N4a houses that have been built
- nearly all of the woodland area shown as been retained between N4a and N4b sites has been removed, except for a thin tree line of Scot's Pines. This tree line I have serious concerns about regarding its stability during a storm/gale! I discussed this with Ann Smith (Future Forestry) on 10th March 2013 when we were on the N3 site together, and she agreed she had concerns about this as well. She also told me she had raised this with the Director of Dandara the previous week when they were on site.

I want ACC to look into this to ensure health and safety for the public and future homeowners around that site.

In relation to application 121652:

a)

All of the woodland area around G5, and to the right of it, which was to be selectively cleared and thinned to make way for the N4b site has already been totally removed in advance.

The masterplan stated between 4-10 houses were to be on N4a+N4b (Part 2, p.23). N4a has 6 houses approved and built. The actual/proposed houses for N4b is now 10 (see application ref: 130192, ACCPlanning 88280.pdf, received 14/2/13).

This is probably why the whole of that woodland area has been cleared and not selectively cleared and thinned as originally proposed. I have strong objections to the

overdevelopment of area N4b. If 10 houses are approved this will contribute to the traffic concern if Polo Park is approved as the secondary road access route into Dandara sites (which I discuss later).

b)

I realise area W10 was to be removed (masterplan Part 2, Woodland Structure p.21-22). It was removed in March 2013 to make way for N3 development.

However, in March 2013, not only was the W10 area felled but also most of the woodland area (Scots pines and Beech trees) that was stated as being retained and managed behind No.2 and No.4 Polo Park (see Woodland Structure p.22 and application 121652 ACC Planning 83309-1.pdf N3 Design Statement in).

Unfortunately, large chunks of the Northern Stoneywood Estate woodland have now been removed. This has meant large habitat removal for the wildlife that live in and use the area (birds, red squirrel, deer, badger, etc) and a reduction in suitable wildlife corridors for them to move through.

Red squirrels and their dreys are legally protected in Scotland by the Wildlife and Countryside Act 1981 (as amended). This protection was strengthened by the Nature Conservation (Scotland) Act 2004. I know of their existence in the woodland area behind my home (W10, and the core woodland area next to it that was proposed to be retained). Please see attached photographs of red squirrel sightings I made not long after moving into my house in Oct 2012. Tom Simmons (No.2 Polo Park) has also made sightings and has photographs. I made Dandara aware of this in November 2012. I have strong objections that this woodland area was cleared when their existence was known about.

I also have strong objections to the timing of the felling in and around W10 due to nesting and breeding season of wildlife (red squirrels, birds, etc).

I have serious concern and raise objection to the level of felling of mature woodland that Dandara have carried out, and are carrying out, which do not comply with their masterplan statements for the Woodland Structure (p.21-22) or planning applications.

Understandably, grassland areas and areas that previously contained buildings (N5, N2) have been used for housing. However, even though Dandara state that key assets that need protection and enhancement are:

- Protection of habitats and species as part of development proposals
- Protection and enhancement of established woodland, of landscape, arboriculture or habitat value and enhancing the biodiversity capital on the site.

it has become apparent in just a few months of development that their main priority in what were previously woodland areas (N4a, N4b, N3) is to build as many housing units as possible with disregard for the woodland.

I therefore raise objections that Dandara are not sensitively developing woodland, and with regard to wildlife, as they stated they would, and would like confirmation from ACC that they will oversee and guarantee the compliance of these environmental regards from now on. Unfortunately, large chunks of the Northern Estate woodland have now been removed.

c)

In application 121652 the Illustrative Site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf show an area of existing trees to be protected during construction at the north end of Polo Park (to the side of No.26 which is on the right hand side of Polo Park) and to the left of the new Estate Road to be constructed. These trees have already been cut down.

I wish to raise objections that the application 121652's Illustrative Site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf lodged with ACC are not correct, and that Dandara are removing existing trees they state they are going to protect during construction.

3) No. 4 Polo Park Houseowner Concern - Drainage

All tree removal has already taken place at the bottom of the garden of my house. Therefore, there are no trees now to help drain water from this area. This will probably apply to other Polo Park residence (No. 2-26).

I request that Dandara install a land drainage trench down the back of these gardens to help drain the area to guarantee that the gardens do not become waterlogged.

4) No. 4 Polo Park Houseowner Concern - Overlooking and lack of privacy

Application 121652 proposes 10 houses for the N3 site (see Illustrative Site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf shown in application 121652).

I object to the number of houses proposed for the N3 site and their positioning and proximity to Polo Park (No.2-26)

The number, positioning and proximity of the houses proposed will lead to maximum development of a relatively small area that is close to already existing housing which will lead to overlooking and lack of privacy for both Polo Park residence (No. 2-26) as well as the future homeowners of these Dandara houses.

A Hazel House type (see Application 121652, Proposed Layouts and Elevations - Hazel House Type ACC Planning 83319.pdf) is proposed directly at the back of the garden of

my own home. This Hazel House type is numbered 10 on the Illustrative Site N3/N5 Layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf. If you look at the position, proximity, and layout of that house type its French doors, kitchen window on the ground level and bedroom window on the first floor level would coincide with the positioning, and look straight into, my own French doors, kitchen window on the ground level and bedroom window on the first floor level as my house is on an elevated level compared to my garden fence. This would definitely lead to direct overlooking and a total lack of privacy in the downstairs backroom areas and back bedroom, as well as garden, for myself and the future homeowner(s) of that house.

I strongly object to this overlooking and removal of privacy.

I request that the original size of the N3 development site stated in the masterplan be complied with and not extended as Dandara have requested (see application 121652 Illustrative Site N3/N5 Layout ACC Planning 83311.pdf).

I request that the number of house proposed for the N3 site is reduced.

I request that the proposed Hazel House type No. 9 and 10 (see Illustrative Site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf) are removed and the woodland area that was stated would be retained (see application 121652 Design Statement ACC Planning 83309-1.pdf and masterplan Part 3, 4.7 N3 Design Principles, p. 63) be reinstated and re-planted. This would provide a habitat area and a potential wildlife corridor for the future.

On retention and replanting of this area, I request that The Scottish Wildlife Trust representative in Aberdeen be involved in advising of the plant/tree species to be planted.

Please note that Dandara show on their marketing website, for Stoneywood Estate properties, a tree line between Polo Park (No.2-26) and the houses to be built on N3 (see <http://www.dandara.com/new-houses-aberdeen/stoneywood/summary-20285#PhotoSwipe1364810456446>). This shows Dandara making an attempt to prevent overlooking and provide privacy for their future N3 homeowners, as well as Polo Park homeowners (No. 2-26). Please note that they do not have this tree line on application 121652 (see - Illustrative site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site plan ACC Planning 83310.pdf).

I request that if the N3 site is to have 10 houses then a suitable distance is left between the back boundary of Polo Park (No.2-26) and the back boundary of N3 houses so that a tree line can be introduced. Possibly the N3 houses could be moved forward in position. I request that this area is planted with mature trees. This would help to overcome overlooking and privacy issues.

5) No. 4 Polo Park Houseowner Concern - Secondary Road access to north end Dandara sites

I recognise that the masterplan (Part 4, 4.9 N5 Design Principles) suggests Polo Park as a secondary street to provide access from the south to N5 from Stoneywood Terrace.

If you look at the road layout on application 121652, Illustrative Site N3/N5 Layout ACC Planning 83314.pdf my serious concern is that vehicles from not only the N5 site but from the N4a, N4b and N2 sites will potentially also be using Polo Park to gain access and exit.

The reason I say this is that the proposal in application 130192, PAC Report (received 14/2/13) is to amend the access arrangements for the 6 houses at N4a the northern end of the estate and to allow them to use RJ2 (Stoneywood Terrace junction) as their access as opposed to RJ1. The PAC Report conclusion also states that the creation of a new junction at the northern end of Stoneywood Estate (RJ1) cannot be delivered and is not required (p.7).

This raises serious concerns for traffic flow through Polo Park.

Houses to be built on the northern Dandara sites are: N2 (32 houses approved), N4a (6 houses approved), N4b (10 houses app pending), N5 (37 app pending). Considering most homes have 2 cars this could mean between 85-170 vehicles.

This raises serious concerns for traffic flow through Polo Park.

I object to the approval of planning permission for application 130192 whilst application 121652 is being decided upon because if Polo Park is approved to become a secondary access road to the Dandara northern site the proposals made in application 130192 will directly affect us and we should be given an opportunity to make public comment.

Polo Park has not been designed as a Home Zone area and we have no on-street parking areas which would conflict with free movement of vehicles if traffic flow was increased through Polo Park. We have children and pensioners living in the street. A childrens play area is to be built behind Polo Park (No. 1-21). This raises serious concern for their health and safety whilst crossing the street.

Therefore, I have strong objections to Polo Park being a secondary road access into the N5 site (and potentially N4a, N4b, N2 sites as well).

Dandara should provide adequate access through their own existing and approved Estate Roads for their homeowners who will live in sites N3, N5, N4a, N4b, and N2.

I object to them slowly moving towards, through a series of planning applications (see applications 120622 and application 130192), directioning vehicles from their own sites N5, N4a, N4b, N2 towards Polo Park as the main access secondary route for their residential traffic. Just to guarantee quiet roads for their own residents!

In application 121652 it is proposed to integrate the Polo Park road into the Dandara Northern Estate Road system (see Design Statement ACC Planning 83309-1.pdf, 5.1.2 N3 Design Principle diagram and 5.2.1 Access and Connectivity diagram).

This confirms, that if approved, there will be a high possibility that vehicles from the Dandara N4a, N4b, N2 and N5 sites will use Polo Park as an access and exit route if it is a secondary road access.

I object to Polo Park being proposed as an Estate Drive.

If Polo Park is approved as a secondary road access into the N5 site I strongly object to construction traffic using Polo Park to gain access to the N5 site on health and safety grounds. In application 130192 (received 14/2/13) a Health and Safety letter was received from Dandara which asked for RJ3 to be used as a construction access, reducing the impact on the residents of Stoneywood Terrace. I hope that they will show homeowners of Polo Park the same consideration, when developing site N5, and use the existing Estate Road for their construction vehicles as they are doing at the moment.

6) Community Facilities - Relocation of Football pitch

I am concerned about loss of the football pitch on the N5 site .

Dandara stated that a new football pitch to replace the one at the northern end of Stoneywood will be provided by Dandara at Market Street which will provide a replacement playing field and facilities for the pitches lost (masterplan Part 1, p.7).

They also stated that L7 "Market Street Park" will need to be provided at the start of phase 3 prior to starting development at N5, providing a outdoor sports area for the wider community and a replacement facility for the football pitch at Polo Park (Site N5) (masterplan Part 5, Phasing Strategy, 6.4.3 Phase 3, under Landscape Structure, p.103).

I want a guarantee from ACC they will make sure that this community facility will be constructed (and to a good standard) prior to Dandara starting development at N5.

I object to the start of development at N5 before this facility is provided to the community.

7) Breach of planning control in site N5

Harry Campbell (ACC Planning Officer) responsible for dealing with application 121652, as well as Daniel Lewis and Margaret Bouchel, are already aware of this and have received e-mails and photographs of Dandara excavating a deep "trench" and laying sewage pipes. This work has been carried out March -April 2013 before planning permission has been approved.

I want guarantees from ACC that Dandara will not breach planning control in future and any other breach of planning control will be dealt with.

From: Harry Campbell
To: [REDACTED]
Date: 14/03/2013 11:34
Subject: Area N3 - Loss of Trees

Hello Ms Tumelty

Sorry about the delay in getting back to you regarding this matter. I have now had the chance to look at the various documents and can confirm as follows.

The application for the detailed layout for area N3 (as well as areas N4b and N5) is referenced 121652, which was submitted on 30/11/12. I note that you have not submitted a timeous objection to that application and the time period for the receipt of objections expired on 2nd January 2013. However I have noted your concerns and have provided a detailed response below. I understand you have made similar observations on another planning application (130192) and I will respond to that in a further e-mail.

With regards to the N3 layout -

1. The approved masterplan and development framework identifies the various development blocks on the site and the area behind your house is identified as Block N3. Section 3.4.2 of the masterplan describes N3 as containing between 5 and 10 units with the rationale being "to allow sensitive development in cleared woodland area".
2. The Woodland Structure section of the masterplan identifies the woodland behind your house as Woodland area W10. Section 3.3.2 clearly states that the proposal for woodland area W10 is "removal of plantation with some replanting as part of parkland setting". The key diagram also clearly shows W10 as an area of woodland to be removed.
3. The landscape strategy map (Section 3.7) also clearly shows the area behind your house as being a development block.
4. The maps in Sections 4.1.1 and 4.1.2 entitled "Illustrative masterplan - Ground level" and "Illustrative masterplan - Canopy level" of the masterplan do however show a potential new section of beech woodland behind your house.
5. Section 4.7 entitled "N3 Design Principles" shows the proposed housing on N3 as mainly backing onto the rear gardens of Polo Park but with a small section of woodland behind your house. The key design principles detailed in the table in Section 4.7.1 states "development to back onto Bancon Development". The illustration in Section 4.7.2 entitled "Spatial Definition" again shows trees behind your house and states that "beech woodland edge creates strong containment of space".
6. The approved Woodland Management Plan also shows the plantation woodland behind your house being removed.

Please note that the masterplan does **NOT** propose the retention of the existing plantation behind your house. The trees behind your house have always been considered suitable for removal and potentially replaced with beech trees to contain the space for the houses in N3. The developer has not caused a breach of planning control by removing the existing trees.

Planning application 121652, which includes area N3, remains as yet undetermined. The submitted layout proposes a detached house and garden behind your house rather than new beech planting. I have reverted back to the applicants to see if changes can be negotiated so that the proposal more closely follows the masterplan. I am not yet in a position to give you feedback on this. I would add that the approved masterplan and development framework is not cast in stone and there is an element of flexibility built in to allow for changing circumstances over time. Condition 15 attached to the planning permission in principle requires the details of the development to **generally** follow the principles contained in the masterplan.

I hope this e-mail at least explains how we have come to the position we are in. As stated above I have contacted the developer with a view to achieving an amendment to the submitted layout and I will revert to you once I have received a response.

If you have any further queries please do not hesitate to get in touch.

Yours sincerely,

We are committed to improving the quality of the service we provide and would like to know your views on the service you have received.

By clicking on <http://www.aberdeencity.gov.uk/customerfeedbackselecting> Development Management (Planning Applications Team) and filling out the online feedback form, you will be helping us learn what we need to do better.

Harry Campbell
Team Leader (Development Management)
Planning and Sustainable Development
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen
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Fax: 01224 636181
Tel: 08456 08 09 10
www.aberdeencity.gov.uk

PI - Objections to planning application 121652

From: Michelle Allardyce [REDACTED]
To: "pi@aberdeencity.gov.uk" <pi@aberdeencity.gov.uk>
Date: 16/04/2013 22:23
Subject: Objections to planning application 121652
Attachments: Objections App Ref 121652.docx; Clear Down 340.JPG

Please find attached my objections to planning application 121652.
Object is to be made within 21 days from the 28th March 2013, today being the 16th April.
Please can you reply confirming timely delivery and receipt?

Regards
Michelle Allardyce

(2 Polo Park)

Objections/Comments on Planning Application 121652

I want to lodge the following objections/comments regarding Planning Application 121652:

1. Lack of adequate public/neighbour notification

I would like to place a formal complaint that no Neighbour Notification letters were sent to any resident in Polo Park after planning application 121652 was received by the ACC Planning Department on 27/11/2012, thus failing to comply with Neighbour Notification regulation 18 part 4.17, 4.18, 4.19, 4.20, 4.28 (see <http://www.scotland.gov.uk/Publications/2009/07/03153034/7>).

Also, Aberdeen City Council notification in the Aberdeen Citizen rather than the Press & Journal or Evening Express is economical with the spirit of true local/public notification.

I request that future public notification for the Stoneywood Estate Development is placed in the Press & Journal and/or Evening Express considering that the Aberdeen Citizen is no longer distributed in the Dyce/ Bucksburn/ Stoneywood area, and has not been since June 2012. Or better still using the old fashion notices on lamp posts, this is instantly available to the public without their need to seek it out.

Harry Campbell (ACC Planning Officer), the responsible person for dealing with application 121652 was notified that neighbour notification letters had not been received. He was reluctant to reopen the public comments stage. It was only after a number of phone conversations and emails, and a reminder of planning regulations, that he decided to reopen the public comments stage and send out neighbour notification letters to Polo Park home owners so they would be made aware of application 121652 lodged with ACC Planning, and could make their comments. Neighbour notification letters were delivered on 28th March 2013.

2. Environmental Concerns

I have read the Stoneywood Estate Development Framework and Master plan (May 2011) on the ACC website.

Dandara state in the master plan (Part 1, p.17) that key assets that need protection and enhancement are:

- Protection of habitats and species as part of development proposals
- Protection and enhancement of established woodland, of landscape, arboriculture or habitat value and enhancing the biodiversity capital on the site.

I see that the master plan has a section on Woodland Structure and their proposals for it (Part 2, p.21-22).

They state in the master plan and during planning applications that they will sensitively develop the woodland and landscape, with due regard to environmental considerations (bird nesting season/bats/etc). We were told back in November 2012 during a meeting with Neil MacLeod of Dandara that ecological surveys had been done, he provided a DRAFT Environmental Statement Summary and a tree survey.

However, this DRAFT Environmental Statement Summary had no specific details as to what ecological surveys had been done or what they had found (p.4). However, they did state that the mixed woodland habitat was recognised as being of national importance (p.4).

Already areas of woodland that were stated to be retained and managed (see master plan Part 2,

Woodland Structure p.22) have been reduced or removed:

- back of N2 site to the left and right of the woodland path
- W1 area that was to be selectively cleared and thinned has all been removed for the 6 N4a houses that have been built
- nearly all of the woodland area shown as been retained between N4a and N4b sites has been removed, except for a thin tree line of Scot's Pines.

In relation to application 121652:

- a. All of the woodland area around G5, and to the right of it, which was to be selectively cleared and thinned to make way for the N4b site has already been totally removed in advance.

The master plan stated between 4-10 houses were to be on N4a+N4b (Part 2, p.23). N4a has 6 houses approved and built. The actual/proposed number of houses for N4b is now 10 (see application ref: 130192, ACCPlanning 88280.pdf, received 14/2/13).

This is probably why the whole of that woodland area has been cleared and not selectively cleared and thinned as originally proposed. I have strong objections to the overdevelopment of area N4b. If 10 houses are approved this will contribute to the traffic concern if Polo Park is approved as the secondary road access route into Dandara sites (see below).

- b. I realise area W10 was to be removed (master plan Part 2, Woodland Structure p.21-22). It was removed in March 2013 to make way for N3 development.

However, in March 2013, not only was the W10 area felled but also most of the woodland area (Scots pines and Beech trees) that was stated as being retained and managed behind No.2 and No.4 Polo Park (see Woodland Structure p.22 and application 121652 ACC Planning 83309-1.pdf N3 Design Statement in).

Unfortunately, large chunks of the Northern Stoneywood Estate woodland have now been removed. This has meant large habitat removal for the wildlife that live in and use the area (birds, red squirrel, deer, badger, etc) and a reduction in suitable wildlife corridors for them to move through.

Red squirrels and their dreys are legally protected in Scotland by the Wildlife and Countryside Act 1981 (as amended). This protection was strengthened by the Nature Conservation (Scotland) Act 2004. I know of their existence in the woodland area behind my home (W10, and the core woodland area next to it that was proposed to be retained). Please see attached photographs of red squirrel sightings. There is a publicly available registry of red squirrels that records sightings of red squirrels and includes recent sightings. I have strong objections that this woodland area was cleared when their existence was known about.

I also have strong objections to the timing of the felling in and around W10 due to nesting and breeding season of wildlife (red squirrels, birds, etc.).

I have serious concern and raise objection to the level of felling of mature woodland that Dandara have carried out, and are carrying out, which do not comply with their master plan

statements for the Woodland Structure (p.21-22) or planning applications.

Understandably, grassland areas and areas that previously contained buildings (N5, N2) have been used for housing. However, even though Dandara state that key assets that need protection and enhancement are:

- Protection of habitats and species as part of development proposals
- Protection and enhancement of established woodland, of landscape, arboriculture or habitat value and enhancing the biodiversity capital on the site.

It has become apparent in just a few months that their main priority in what were previously woodland areas (N4a, N4b, N3) is to build as many housing units as possible with disregard for the woodland/wildlife, somewhat contrary to awards they like to collect!

I therefore raise objections that Dandara are not sensitively developing woodland, and with regard to wildlife, as they stated they would, and would like confirmation from ACC that they will oversee and guarantee the compliance of these environmental regards from now on. Unfortunately, large chunks of the Northern Estate woodland have now been removed.

- c. In application 121652 the Illustrative Site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf show an area of existing trees to be protected during construction at the north end of Polo Park (to the side of No.26 which is on the right hand side of Polo Park) and to the left of the new Estate Road to be constructed. These trees have already been cut down.

I wish to raise objections that the application 121652's Illustrative Site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf lodged with ACC are not correct, and that Dandara are removing existing trees they state they are going to protect during construction.

3. No. 2 Polo Park Home Owner Concern - Drainage

With the removal of all the trees on N3 and the high ground water content of the local land there is now a greatly reduced take up of water from the land. This will likely Polo Park residences, and will also affect the properties being built by Dandara on N3.

I request that Dandara install a land drainage trench down the back of these gardens to help drain the area to guarantee that the area does not become waterlogged.

4. No. 2 Polo Park Home Owner Concern - Overlooking and lack of privacy

Application 121652 proposes 10 houses for the N3 site (see Illustrative Site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf shown in application 121652).

I object to the number of houses proposed for the N3 site and their positioning and proximity to Polo Park (No.2-26)

The number, positioning and proximity of the houses proposed will lead to maximum development of a relatively small area that is close to already existing housing which will lead to lack of privacy for both Polo Park residences (No. 2-26) as well as the future homeowners of these Dandara houses.

A Hazel House type (see Application 121652, Proposed Layouts and Elevations – Hazel House Type ACC Planning 83319.pdf) is proposed directly at the back of the garden of my own home. This Hazel

House type is numbered 10 on the Illustrative Site N3/N5 Layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf. If you look at the position, proximity, and layout of that house type its French doors, ground level and first floor rear windows will provide them with a direct view into my garden and property, and even more easily me to look straight into their houses because of the elevated nature of my garden/home (specifically Polo Park properties 2 – 6 and the 2 or 3 most Southerly planned houses on N3).

I strongly object to this removal of privacy.

I request that the original size of the N3 development site stated in the master plan be complied with and not extended as Dandara have requested (see application 121652 Illustrative Site N3/N5 Layout ACC Planning 83311.pdf).

I request that the number of house proposed for the N3 site is reduced.

I request that the proposed Hazel House type No. 9 and 10 (see Illustrative Site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site Plan ACC Planning 83310.pdf) are removed and the woodland area that was stated would be retained (see application 121652 Design Statement ACC Planning 83309-1.pdf and master plan Part 3, 4.7 N3 Design Principles, p. 63) be re-planted. This would provide a habitat area and a potential wildlife corridor for the future.

In relation to replanting, I request that The Scottish Wildlife Trust representative in Aberdeen be involved in advising of the plant/tree species to be planted, so as to provide suitable variety of habitat for the range of wildlife in the local area.

Please note that Dandara show on their marketing website, for Stoneywood Estate properties, a tree line between Polo Park (No.2-26) and the houses to be built on N3 (see <http://www.dandara.com/new-houses-aberdeen/stoneywood/summary-20285#PhotoSwipe1364810456446>). This shows Dandara making an attempt to prevent overlooking and provide privacy for their future N3 home owners, as well as Polo Park home owners (No. 2-26). Please note that they do **not** have this tree line on application 121652 (see – Illustrative site N3/N5 layout ACC Planning 83314.pdf and Illustrative Site plan ACC Planning 83310.pdf).

I request that the N3 site should have a suitable distance left between the back boundary of Polo Park (No.2-26) and the back boundary of N3 houses so that a tree line can be introduced. Possibly the N3 houses could be moved forward in position. I request that this area is planted with mature trees. This would help to overcome overlooking and privacy issues.

5. No. 4 Polo Park Home Owner Concern – Secondary Road access to north end Dandara sites

I recognise that the master plan (Part 4, 4.9 N5 Design Principles) suggests Polo Park as a secondary street to provide access from the south to N5 from Stoneywood Terrace.

If you look at the road layout on application 121652, Illustrative Site N3/N5 Layout ACC Planning 83314.pdf my serious concern is that vehicles from not only the N5 site but from the N4a, N4b and N2 sites will use Polo Park to gain access and exit.

The reason I say this is that the proposal in application 130192, PAC Report (received 14/2/13) is to amend the access arrangements for the 6 houses at N4a the northern end of the estate and to allow them to use RJ2 (Stoneywood Terrace junction) as their access as opposed to RJ1. The PAC Report conclusion also states that the creation of a new junction at the northern end of Stoneywood Estate (RJ1) cannot be delivered and is not required (p.7).

This raises serious concerns for traffic flow through Polo Park.

Houses to be built on the northern Dandara sites are: N2 (32 houses approved), N4a (6 houses approved), N4b (10 houses app pending), N5 (37 app pending). Considering most homes have 2 cars this could mean between 85-170 vehicles.

This raises serious concerns for traffic flow through Polo Park.

I object to the approval of planning permission for application 130192 whilst application 121652 is being decided upon because if Polo Park is approved to become a secondary access road to the Dandara northern site the proposals made in application 130192 will directly affect us and we should be given an opportunity to make public comment.

Polo Park has not been designed as a Home Zone area and we have no on-street parking areas which would conflict with free movement of vehicles if traffic flow was increased through Polo Park. We have children and pensioners living in the street. A children's play area is to be built behind Polo Park (No. 1-21). This raises serious concern for their health and safety, the children will not only be from the Bancon development, but all phases of Dandara's development to the North of Stoneywood Terrace – it is the nearest play area.

Therefore, I have strong objections to Polo Park being a secondary road access into the N5 site (and potentially N4a, N4b, N2 sites as well).

Dandara should provide adequate access through their own existing and approved Estate Roads for their homeowners who will live in sites N3, N5, N4a, N4b, and N2.

I object to them slowly moving towards, through a series of planning applications (see applications 120622 and application 130192), directing vehicles from their own sites N5, N4a, N4b, N2 towards Polo Park as the main access secondary route for their residential traffic. Just to guarantee quiet roads for their own residents!

In application 121652 it is proposed to integrate the Polo Park road into the Dandara Northern Estate Road system (see Design Statement ACC Planning 83309-1.pdf, 5.1.2 N3 Design Principle diagram and 5.2.1 Access and Connectivity diagram).

This confirms, that if approved, there will be a high possibility that vehicles from the Dandara N4a, N4b, N2 and N5 sites will use Polo Park as an access and exit route if it is a secondary road access.

I object to Polo Park being proposed as an Estate Drive.

If Polo Park is approved as a secondary road access into the N5 site I strongly object to construction traffic using Polo Park to gain access to the N5 site on health and safety grounds. In application 130192 (received 14/2/13) a Health and Safety letter was received from Dandara which asked for RJ3 to be used as a construction access, reducing the impact on the residents of Stoneywood Terrace. I hope that they will show homeowners of Polo Park the same consideration, when developing site N5, and use the existing Estate Road for their construction vehicles as they are doing at the moment.

6. Community Facilities – Relocation of Football pitch

I am concerned about loss of the football pitch on the N5 site.

Dandara stated that a new football pitch to replace the one at the northern end of Stoneywood will be provided by Dandara at Market Street which will provide a replacement playing field and facilities for the pitches lost (master plan Part 1, p.7).

They also stated that L7 "Market Street Park" will need to be provided at the start of phase 3 prior

to starting development at N5, providing a outdoor sports area for the wider community and a replacement facility for the football pitch at Polo Park (Site N5) (master plan Part 5, Phasing Strategy, 6.4.3 Phase 3, under Landscape Structure, p.103).

I want a guarantee from ACC they will make sure that this community facility will be constructed (and to a good standard) prior to Dandara starting development at N5.

I object to the start of development at N5 before this facility is provided to the community.

We have received email communication from the Chairman of the football grounds indicating that Dandara seem to be trying to get out of their original agreement regarding the football pitch:

- 1. Originally Dandara said they would gift the land to the club, then it went to a 99 year lease, now it is down to a 25 year lease!
- 2. No storage facility for groundskeeper equipment (tractor, roller, line painter etc)
- 3. No shop facility
- 4. No spectator toilets
- 5. No Dugouts
- 6. No goals and equipment

If points 2, 3 & 4 above are not supplied by Dandara the club will have to pay to get these installed. It is estimated the above would cost in the region of £30,000 if the club had to build it post takeover, but only around £17,000 if Dandara integrated it into the main building. This is down to having to excavate and lay new foundations and run in services! Of course there is no way the club could afford this and we may not be able to play in the Junior Premier League as the facilities would not meet the minimum requirements!

It also seems that Dandara originally erected their show home on the training pitch without first applying for planning permission.

7. Breach of planning control in site N5

Harry Campbell (ACC Planning Officer) responsible for dealing with application 121652, as well as Daniel Lewis and Margaret Bouchel, are already aware of this and have received e-mails and photographs of Dandara excavating a deep "trench" and laying sewage pipes. This work has been carried out March -April 2013 before planning permission has been approved.

I want guarantees from ACC that Dandara will not breach planning control in future and any other breach of planning control will be dealt with.

Harry Campbell has replied to Julie Tumelty saying that no action will be taken for this breaking of the law because the planning application will more than likely be granted in the near future anyway!

P&SD Letters of Representation		
Application Number: 121652		
RECEIVED 17 APR 2013		
Nor	✓	Sou
Case Officer initials: HAC		
Date Acknowledged: 22/4/13		

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 17/04/2013 07:53
Subject: Planning Comment for 121652

Comment for Planning Application 121652
Name : Jill Barclay
Address : 17 Polo Park
Aberdeen

Telephone : [REDACTED]
Email : [REDACTED]
type :

Comment : I Object: Firstly, there was no neighbour notification given when Planning application was first received by the Council and to put ONLY one ad in the Citizen, utter rubbish. Not everyone reads a paper or that particular paper! Dandara have plans to use Polo Park as secondary road to access the N5 site. My concern here is that vehicles from NOT only the N5 site but from the other sites - N4a, N4b and N2 will potentially be using Polo Park to gain access and exit. I understand this is because the council have rejected Dandara use of the North Estate Road - can you advise why? This raises serious concerns for traffic flow taking into consideration most homes have 2 cars this could mean up to another 170 vehicles using Polo Park road, considering there are children and elderly people living in Polo Park! I noticed Dandara have cut down and removed the tree line that was backing their 10 houses on N3 site to nos 2-26 Polo Park? Dandara's website for marketing the properties shows the treeline - any reason for the change? I presume Dandara will be replacing the mature trees they have cut down along with the other woodland they have been cutting down that still retain on their planning application?

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 16/04/2013 21:13
Subject: Planning Comment for 121652

Comment for Planning Application 121652
Name : Jill Barclay
Address : 17 polo park
stoneywood
AB219JW

Telephone : [REDACTED]
Email : [REDACTED]

type :
Comment : I object to the fact we didnt receive Neighbour notification when planning Application 121652 was first received by the council.

I object to Dandarra Construction traffic using Polo Park for access due to the dangers involved for current road users and high voloume of traffic involved.

I Object to Dandarra using Polo Park for access to sites on completion due to high volume of cars that will frequent our street. Polloution and noise being a major factor.

I object to the position of some of the houses proposed for N3 site would cause an invasion of privacy through our street.

I object to the differences from Dandarras Marketing site plan differs from what actually has been cut down and not replanted.. enviromental impact and green areas have vanished which is terrible.

Retention and replanting of crucial wildlife areas need to be retained. too many trees are being needlessly cut down which has differed from dandaras Planning Aplication 121652. masterplan shown in marketing suite also differs from application.

11 Polo Park
Stoneywood
15th April 2013

Objection and comments to Planning Application 121652.

Since I lodged my first complaint on this subject on 10th April, I have become aware of further developments.

It has become apparent that Dandara are continuing to change the plans to suit their own agenda.

I have seen the plans that link Polo Park into their road system with our road being the outlet from there N2, N4a, N4b, N5 sites, (85 houses) so we could have up to a 170 extra cars using Polo Park.

I was not informed that Polo Park was a through road, the first I heard about it was the week we moved into the house; at that time I had never seen a Dandara drawing of the area showing the layout of the houses and roads, but having stayed locally for over 30 years I knew the Stoneywood estate had two entrances and assumed they would be used for the Dandara houses.

But now having looked at their drawings I can see Dandara is doing everything to make sure their houses have a minimum of traffic passing there.

I object to being treated as the **poor relations** in this matter, and as I have stated there are two other outlets they can use.

I can't understand how they are allowed to change the plan after it has been approved, is there no control over them?

I have also become aware of a problem with the relocation of the football park that Stoneywood FC. Again changing the rules to suite their own agenda.

Who in the ACC have a say in this? Are they aware of all the changes and why are they not doing anything about it?

Derek Craig


ALREADY HANDLED IN 10 APRIL, 13
NO RECEIPT

11 Polo Park
Stoneywood
Aberdeen, AB21 9JW
10 April, 2013

**Attention ; Aberdeen City Council Planning Dept.
Re Dandara sites at Stoneywood**

I object to the following listed below regarding Dandara :

Was not notified re Planning Application 121652 first received by the Council.

Reject Dandara construction traffic using Polo Park.

Reject access to Dandara sites via Polo Park.

There would be overlooking and invasion of privacy for Polo Park homes No.2 – 26 regarding Dandara housing proposed for N3 site on application 121652.

A tree barrier could be created between these Polo Park homes and Dandara N3 site (suggested on Dandara marketing site plan).

They have pre-empted there change to original drawings getting the go-ahead for this by cutting down all trees in this area.

I was under the impression that a survey on all trees had been carried out with all the trees being tagged; how does this tally with the carnage that had been carried out with the wooded areas.

Retention and replanting of the "Core Woodland" areas that have been removed with mature trees.

This would help to retain the crucial "Wildlife Corridors" that were stated in the Masterplan.

Replace with mature trees those cut down by Dandara which they stated they were still retaining on their Planning Application.

Very concerned if traffic can enter Polo Park to get to other homes Dandara will build as there are children and pensioners staying in Polo Park.

I get the impression they are going to have cars running through Polo Park so as to keep the traffic away from Dandara houses.

They could use the two existing entrances to the estate.

Hope this is all taken into consideration!!!

Derek Craig


From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 18/04/2013 06:51
Subject: Planning Comment for 121652

Comment for Planning Application 121652

Name : Julie Tumelty
Address : 4 Polo Park
Bucksburn
Aberdeen
AB21 9JW

Telephone : [REDACTED]
Email : [REDACTED]
type :

Comment : I have been told by email the Planning Officer responsible for application 121652 that the approved drawings of the Estate Driveway (application 120622) shows the northern third of the road as an Estate Driveway and the southern two thirds as a Secondary Street.

The specifications for these two types of street can be found in section 3.6.4 of the masterplan, which can be viewed on the council's website. The core streets key on page 28 shows the section of road behind your house as an estate driveway at its southern end, branching off a secondary street at its northern end.

Certain adjustments have had to be made to the masterplan road layout to the north of Stoneywood Terrace to take account of the fact that, due to land ownership issues, a junction could no longer be provided, as originally proposed, onto the Stoneywood Road at the north west corner of the Dandara site. The planning authority did not consider that this change fundamentally altered the development concept or the intentions of the masterplan and found the proposals acceptable.

It was always previously planned in the masterplan for a secondary road to run from Stoneywood Terrace up through the northern end of Stoneywood Estate then becoming a single track road in the last third northern part near site N4a.

My query is why is the road running in front of the N3 site now a single track road with passing places (see application 121652 Illustrative Site N3/N5 layout ACC Planning 83314.pdf)? Especially when it was always proposed that the last 2/3 of the woodland estate drive was supposed to be secondary in nature to the estate drive leading in front of Stoneywood House.

Having the estate drive in front of N3 as a Secondary Road makes more sense because Dandara are then providing adequate access through their own Estate for their homeowners who will live in sites N3, N5, N4a, N4b, and N2.

I realise that it was proposed that northern drive leading passed N4a onto Stoneywood Road was proposed to be just an emergency access but why has the southern end of the road running in front of the N3 site now become single track and passing places?

I object to this because this directions traffic from N4a, N4b, N2 down through Polo Park as the wider secondary road and therefore creating traffic issues for us!

From: Alfie McRobb [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 16/04/2013 21:24
Subject: Application Ref-121652

Dear Sir / Madam,

I write to lodge my objections the the aforementioned Application 121652.

A) Neighbour notification was not given when Planning Application 121652 was lodged with the council.

B) The privacy of homes on Polo Park, nos. 2-26 has been taken away by the amount of trees that have been cut down to make way for the houses to be built on site N3.

C) The increased volume of traffic that could potentially be using Polo Park for access to sites N5 & N4b. Are we also going to see the residents from N2 & N4a as well?

D) Why has planning permission been granted for these homes without proper road infrastructure being put in place to cope with the potential increase of traffic flow? It's not as though the residents will have a choice, their only other option is the single track road in N3, surely that is not sufficient? Or has this option become the short straw for the residents of Polo Park because Dandara initially thought that would have access to the main A947 road via the North Estate Road? Why was this denied?

E) Polo Park's road sign states, no through road and that, as far as I am concerned, is how it should stay. To increase the traffic flow to that extent on, what is, a quiet cul-de-sac, would certainly increase potential safety issues for all residents, their children and cars.

I trust these points will be taken into consideration!

Regards

Alfie McRobb
15 Polo Park
Stoneywood
Aberdeen
AB219JW

Sent from my iPad

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 16/04/2013 21:11
Subject: Planning Comment for 121652

Comment for Planning Application 121652

Name : leon grant
Address : 17 polo park
stoneymood

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the fact we didnt receive Neighbour notification when planning Application 121652 was first received by the council.

I object to Dandarra Construction traffic using Polo Park for access due to the dangers involved for current road users and high voloume of traffic involved.

I Object to Dandarra using Polo Park for access to sites on completion due to high volume of cars that will frequent our street. Polloution and noise being a major factor.

I object to the position of some of the houses proposed for N3 site would cause an invasion of privacy through our street.

I object to the differences from Dandarras Marketing site plan differs from what actually has been cut down and not replanted. enviromental impact and green areas have vanished which is terrible.

Retention and replanting of crucial wildlife areas need to be retained. too many trees are being needlessly cut down which has differed from dandaras Planning Aplication 121652. masterplan shown in marketing suite also differs from application.

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 15/04/2013 12:12
Subject: Planning Comment for 121652

Comment for Planning Application 121652
Name : Raymond Collins
Address : FC Stoneywood
c/o 101 Craigiebuckler Avenue
Aberdeen AB15 8PB

Telephone : [REDACTED]
Email : [REDACTED]
type :

Comment : Dandara are not providing a like for like facility for FC Stoneywood Junior football club in the relocation of the football pitch to Market Street. For example, in their proposal there are no provisions for storage of Groundskeepers equipment, public toilets and a snack shop. All these are required under the rules of the North Region Junior Football Association of which FC Stoneywood is a member. Also, Dandara are not providing any basic equipment for the football pitch, i.e. No goals, dugouts etc. If these items are not supplied by Dandara the club will have to pay to get these installed to meet the NRJFA rules. It is estimated the above would cost in the region of £30,000 if the club had to build it post takeover. The club can in no way afford this sum of money and its very future would be in doubt.
They are also limiting the lease of the ground to 25 years, when originally the land was to be gifted to the football club under the proviso it would only be used as a football facility!

Regards
Raymond Collins
Chairman FC Stoneywood Football Club

From: <webmaster@aberdeencity.gov.uk>
To: <pl@aberdeencity.gov.uk>
Date: 16/04/2013 19:02
Subject: Planning Comment for 121652

Comment for Planning Application 121652

Name : Jacqueline Mackay
Address : 19 Polo Park
Bucksburn
Aberdeen
AB21 9JW

Telephone :

Email :

type :

Comment : Sir/Madam

I am writing to object to the planning application and proposals submitted by Dandara in relation to the Stoneywood Estate Development.

My principal objection is to the proposed use of Polo Park as an access road to the N5 site and potentially other sites in the vicinity. There are a number of children and families living in Polo Park whose safety and outdoor freedom will be compromised by the increased volume of traffic. My family specifically chose to purchase a property on Polo Park due to its closed-end "cul de sac" nature, for the safety and peace that this provides for a recognised number of homes. This should not be compromised due to another housebuilders inadequate access provisions.

In relation to this I would seek to object to any use of Polo Park by Dandara construction traffic. This will present significant dangers to residents on what is a compact, residential site nearing its own completion. We are already inconvenienced by Dandara construction traffic on Stoneywood Terrace, but to face the possibility of regular movement of construction vehicles on Polo Park would be unacceptable.

I would also object to the further removal by Dandara of mature trees and woodland and would request that Dandara be required to replace what has been removed to date. Dandara have already removed mature trees that they stated in their application they would retain. This is not in line with the wildlife corridors that have been identified in the Stoneywood Estate masterplan.

The Dandara application is not in line with their marketing material and this provides a false impression of privacy for both current Polo Park residents and future Dandara residents. As per the Dandara marketing site plan on their website, a tree barrier should be created between the Polo Park homes numbers 2 to 26 and the Dandara N3 site. This would further contribute to the required wildlife corridors in the Stoneywood Estate masterplan.

I would also like to register my disappointment that it took campaigning and persuasion by Polo Park neighbours to have the planning comments period opened up. The City Council made a commitment to notify Polo Park residents when this application was made and this commitment was not adhered to. I am however grateful now to have the opportunity to register objections to the Dandara application.

PI - Planning Application 121652

From: Marie Leslie [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 14/04/2013 17:49
Subject: Planning Application 121652

26 Polo Park
Bucksburn
Aberdeen
AB21 9JW

Dear Sir/ Madam

I have recently purchased my new property at the above address and have been approached by my new neighbours with a Neighbourhood Notification Letter, with regards to Dandaras planning application 121652.

I have serious concerns with some of the terms of planning application 121652 my main objection being the flow of traffic through Polo Park, I feel that this would increase substantially due to the fact that there is only a single track road available other than polo park for the vehicles from the occupants of the homes from their N5, N4A, N4B and N4C sites would use Polo Park as their main route. I would like to propose that there be no access to these sites from Polo Park.

I also would like to raise an objection with regards to the 10 Houses Dandara plan to build on their N3 site they are closely backing on to my property and I feel that this would cause overlooking and invasion of privacy for my property, on Dandaras marketing site plan they have suggested a tree barrier between the N3 site and my property but this is not shown on the current plans?

I would also like to object to any of Dandaras construction traffic using Polo Park to gain access when building the proposed sites, this has not happened as yet but my main concern is that in my missives I as part owner of 26 Polo Park is responsible for the maintenance and upkeep of the piece of road in pink lock block outside my property, I would be concerned that the heavy construction traffic would damage this piece of road and I would have considerable financial outlay to repair this with no fault of my own.

I look forward to being kept updated in any further information regarding the above.

Kind Regards

Marie Leslie

11 Polo Park
Stoneywood
Aberdeen, AB21 9JW
10 April,2013

**Attention ; Aberdeen City Council Planning Dept.
Re Dandara sites at Stoneywood**

I object to the following listed below regarding Dandara :

Was not notified re Planning Application 121652 first received by the Council.

Reject Dandara construction traffic using Polo Park.

Reject access to Dandara sites via Polo Park.

There would be overlooking and invasion of privacy for Polo Park homes No.2 – 26 regarding Dandara housing proposed for N3 site on application 121652.

A tree barrier could be created between these Polo Park homes and Dandara N3 site (suggested on Dandara marketing site plan).

They have pre-empted there change to original drawings getting the go-ahead for this by cutting down all the trees in this area.

I was under the impression that a survey on all the trees had been carried out with all the trees being tagged; how does this tally with the carnage that been carried out with the wooded areas.

Retention and replanting of the "Core Woodland" areas that have been removed with mature trees.

This would help to retain the crucial "Wildlife Corridors" that were stated in the Masterplan.

Replace with mature trees those cut down by Dandara which they stated they were still retaining on their Planning Application.

Very concerned if traffic can enter Polo Park to get to other homes Dandara will build as there are children and pensioners staying in Polo Park.

I get the impression they are going to have cars running through Polo Park so as to keep the traffic away from the Dandara houses.

They could use the two existing entrances' to the estate.

Hope this is all taken into consideration!!!

Derek Craig



14th April 2013,

[REDACTED]
1, Polo Park
Stoneywood
Aberdeen
AB21 9JW
Phone no. [REDACTED]

Objections to Planning Application 121652

I am a pensioner (70yrs)
The Planning applications and Diagrams show
that the main secondary Road Route
through the Dandara sites is down through
Polo Park.

I am really worried about this as because of
the heavier volume of traffic that this
would lead to flowing through Polo Park, I am
concerned for the safety for myself and
especially for my grandchildren.

One of my grandchildren attends Stoneywood
Primary School and he is here everyday I am
worried about him and my other grandchildren
who also visit regularly and play in the street with
other children.

This is why I object to Polo Park being the only
secondary Road access route. Why is Dandara
not building a secondary road through their own
estate attaching onto Stoneywood Terrace?
Why is the road in front of N3 a single width
Road with passing places

[REDACTED]

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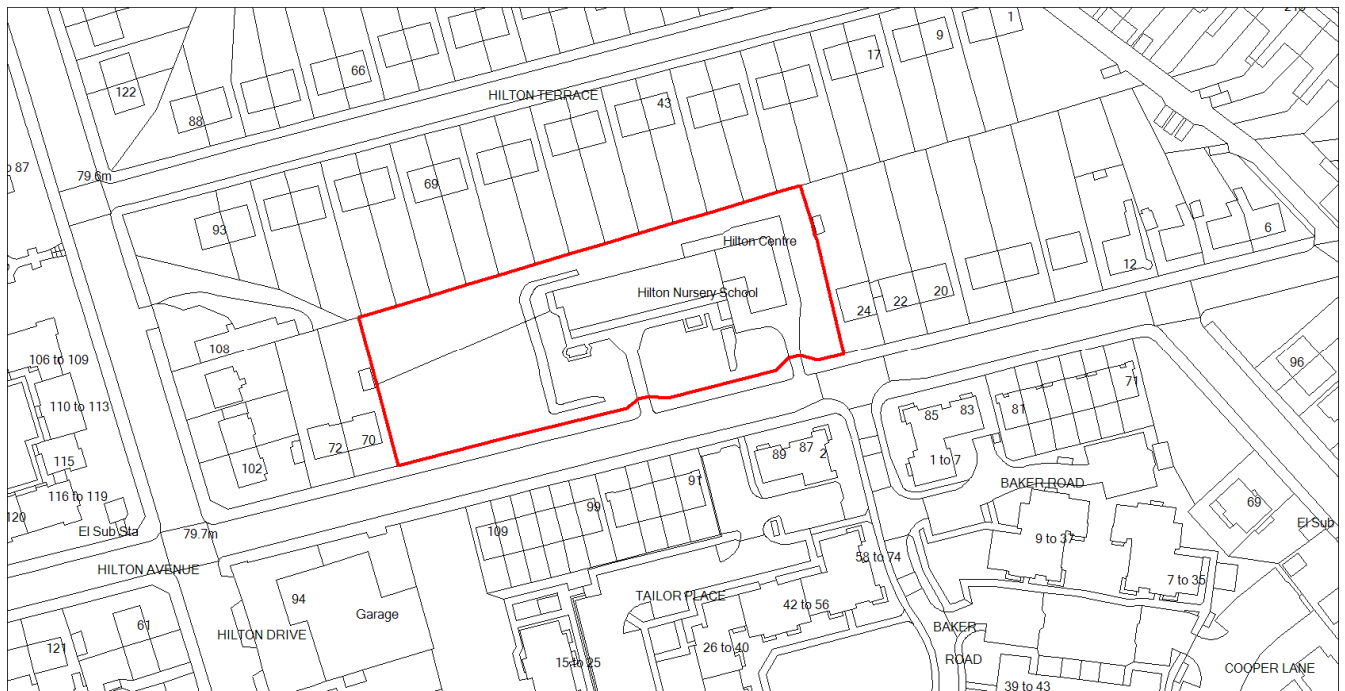
FORMER HILTON NURSERY SCHOOL,
HILTON AVENUE, ABERDEEN

PROPOSED DEMOLITION OF FORMER
NURSERY SCHOOL TO BE REPLACED WITH
NEW RESIDENTIAL ACCOMMODATION
COMPRISING OF 18 UNITS OFFERING A MIX
OF SEMI-DETACHED HOUSES AND COTTAGE
APARTMENTS WITH ASSOCIATED PARKING

For: CALA Homes (East) Ltd

Application Type : Detailed Planning Permission
Application Ref. : P130224
Application Date: 21/02/2013
Officer: Matthew Easton
Ward : Hilton/Woodside/Stockethill (G Adam/K
Blackman/L Dunbar)

Advert :
Advertised on:
Committee Date: 18 July 2013
Community Council : No response
received



RECOMMENDATION:

- (a) Willingness to approve subject to conditions, but to withhold the issue of the consent document until either the applicant has entered into a section 75 legal agreement with the Council to secure the identified developer contributions; or payment of the identified developer contributions has been made.
- (b) To instruct officers to utilise powers under Section 160(1) of the Town and Country Planning (Scotland) Act 1997 to make a tree preservation order to cover (i) the trees to be retained within the application site and (ii) those trees which also form part of the same group which are located along the boundary of 6-24 Hilton Avenue and 1-31 Hilton Terrace.

DESCRIPTION

The site comprises the former Hilton Nursery site situated on the north side of Hilton Avenue, opposite the junction with Baker Road which forms part of the recently completed Campus Development by CALA Homes.

The site extends to 0.61 hectares and is rectangular in shape. It has a frontage 130m long onto Hilton Avenue and is between 43m and 49m wide. The site slopes with Hilton Avenue from east to west with a difference of nearly 7m between either end.

The building dates from the 1950's, is single storey and constructed in granite and harled walls under a pitched tile roof. It is located towards the north east portion of the site and situated parallel to the street and rear boundaries. The west end of the site comprises overgrown grass.

The site is enclosed by a low granite wall along the street frontage and post and wire and timber fencing around the remainder. There is two vehicular accesses to the site, both from Hilton Avenue which are approximately 113m apart.

Surrounding Context

Beyond the eastern boundary is 24 Hilton Avenue, a traditional 1½ storey granite built detached dwellinghouse. The boundary comprises a hedge approximately 2m high and there is a timber fence in parts. There is a single storey garage just over the boundary of the north east corner of the application site.

To the north of the site is the rear gardens of 'four-in-a-block' dwellings at 29 – 79 Hilton Terrace, which themselves are around 25m away from the site boundary, which largely comprises of a metal railing fence approximately 1.5m high.

To the west is 70 Hilton Avenue which is a traditional 1½ storey granite semi-detached dwellinghouse, typical of the Hilton area. The boundary is a timber fence approximately 1.8m high. There are garages and sheds on the opposite side of the boundary.

To the south, across Hilton Avenue, are 3 storey townhouses and two storey flats which form part of CALA's Campus Development which were completed approximately 5 years ago.

Trees

There are sixty trees present on the site, many of which are of a significant height. They are comprised predominately of following species – whitebeam, elm, beech, ash, and sycamore. Cherry, lime and golden holly are also present in smaller numbers.

Along the eastern boundary are ten mature and semi-mature trees (numbers 1-10 in the tree report) which vary in height between 7m and 18m. They are

categorised as a mixture of high, moderate and low quality with several being identified as being in such a condition that they cannot realistically be retained as living trees within the context of the proposed land use.

The northern boundary features nineteen mature deciduous trees (no.11-29), varying in height between 14m and 20m high with most being around 18-19m. Again the trees are in a variety of conditions with most being either of high or moderate quality, but several being either poor quality or suffering from health problems.

There are eleven trees (no. 30-41) at the western end of the site. These are considerably smaller than others on the site and vary in height between 6m and 10m. Seven of these trees are considered to be in poor condition with the remainder moderate.

Along the street frontage there are 19 largely semi-mature trees (no.41-59), varying between 6m and 9m in height, with most being 8m. They are generally in poor or moderate condition with a couple of high quality examples. There is an avenue of six golden hollies (7m) from the street to the main entrance of the building.

There are four Council maintained street trees on Hilton Avenue outside the site boundary.

RELEVANT HISTORY

Once a nursery school, the building was last occupied by the Great Northern Partnership and NHS Grampian for use as a dental clinic. It was declared surplus to requirements by the Council's Education, Culture and Sport Committee in November 2010. Thereafter officers within the Asset Management Service were instructed to market the site to developers as an opportunity for residential development.

PROPOSAL

It is proposed to demolish the existing building on site and erect a residential development of twelve flats and six semi-detached dwellinghouses.

Flats

The twelve flats would be split between two blocks, one at each end of the development. Both would be arranged in an L-shape and accommodate six flats each.

The design features and materials proposed would be similar to buildings within the nearby Campus Development, which consists of grey Fyfestone Elite split blockwork, textured buttermilk render, grey concrete roof tiles and timber cladding. Windows would be Anthracite grey (RAL 7016) uPVC and rainwater goods would be black uPVC.

The blocks would be 19.5m long and 22m wide. The blocks would be two storeys high with a pitched roof (35°) achieving an overall height of 9m. There would be a two storey flat roofed wrap around feature on the outward facing corners which would be finished in timber cladding. They would feature galvanized metal balconies at first floor level which would be supported by metal legs below. A further balcony would be included on each block overlooking the car park access.

The flats would each be accessed independently from each other either through a door directly into the flat at ground level or via a private internal stair to flats on the second floor. Each flat would feature a hall, living room, kitchen, bathroom and two bedrooms, one of which would be en-suite. Two of the flats in each block would include a third bedroom/study.

Ten parking spaces (including two accessible spaces) would be provided at the rear of each block and would be accessed from private access roads into the development which would be 25m long.

Townhouses

Three sets of semi-detached townhouses (six units) would be constructed between the two blocks of flats. They would be set back from the street by 10m and have a public face to the street and rear face to a private garden. They would be two storeys high with a pitched roof (35°) achieving an overall height of 9m. Each house would feature an integral garage, hall, living room, kitchen, dining room, toilet and utility room at ground floor and four bedrooms (one en-suite) and a bathroom at first floor level. The houses would be finished in the same materials as the flats.

Each house would have a driveway 10m long which could accommodate two vehicles and a private back garden of between 24m and 26m in length and 11m wide.

Trees

It is proposed to fell a total of 45 trees, 33 in order to accommodate development and a further 12 for health and safety reasons. The trees to be felled are –

- Two whitebeam (7m tall) on the eastern boundary alongside 24 Hilton Avenue and close to the road would be removed to create vehicular access into the block B.
- An elm (14m) and beech (18m) adjacent to the east boundary would be removed to accommodate the car park access for block B. An elm (13m) would be felled for safety due to a substantial lean.
- A beech (17m), elm (8m), ash (17m) and sycamore (14m) in the north east corner would be felled for health and safety reasons either due to the trees already dying, experiencing basal rot or being in general poor condition.

- Two sycamores (15m and 18m) located along the northern boundary would be felled for health and safety reasons due to the presence of rot and dead wood.
- A group of four beech (15m and 16m) located in the north west corner would be felled. One tree is showing signs of canopy dieback and some physiological problems and therefore would be felled for health and safety. The remaining trees appear healthy however would be felled to allow the car park for block B to be constructed.
- Six trees (sycamores and a cherry between 6m and 10m) would be felled along the west boundary to allow access into the block A car park.
- Twenty one trees (17 for development and 4 for health and safety) along the front of the site would be felled to allow for development. These trees are smaller than those at the back of the site and are between 7m and 10m in height.
- Three trees (18m, 19m and 8m) within the middle of the site would be felled for development.

Nine of the trees which it is proposed to fell are of high quality, thirteen of moderate quality and eighteen are poor quality. The remainder are dead, have serious structural defects or are in serious decline.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130224>. On accepting the disclaimer enter the application reference quoted on the first page of this report.

A tree survey and bat survey have been submitted in support of the application.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because (a) more than five letters of objection have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team –

- In accordance with the Council's parking guidelines, two and three bedroom flats should provide two car parking spaces per flat. It is noted that there is a slight shortfall of parking on this site; however this is acceptable on this occasion.

- A condition should be attached to any consent requiring cycle and motorcycle parking to be provided.
- Parking adhering to the parking guidelines is provided at each of the houses.
- The access points to the two blocks of flats will require to be constructed to adoptable standards.
- Visibility splays of 2.4m x 25m in the horizontal plane should be shown at each access and each driveway. Within the vertical plane the visibility splay extends from a point 1.05m above the carriageway at the driveway and access, to a point 0.26m above the carriageway at either end of the horizontal plane. Within this space there should be no obstruction. These visibility splays are not shown on the current drawings, however drawings have been seen showing them, and it is noted that they can be achieved. A condition requiring their submission is requested.
- Each driveway will require a footway crossing. I note that at each access point there are two driveways together. The combined width of this must not exceed 6m. The new footway crossing must be constructed by a contractor appointed by Aberdeen City Council and at the applicants cost. The disused access points will require to be reinstated as footway by a contractor appointed by Aberdeen City Council and at the applicant's expense.
- I note and accept the location of the bin stores for the flats.
- As the proposed development is within an area allocated for residential use within the Aberdeen City Local Development Plan a contribution will be required to the Strategic Transport Fund (STF). The granting of planning approval should be conditional on an appropriate legal agreement with the applicant being in place with regard to the payment of the STF contribution.
- A drainage impact assessment should be submitted.

Environmental Health – No response received.

Developer Contributions Team – The developer should make contributions towards –

- affordable housing in the form of a commuted sum payment;
- improvements to community, sports and recreation facilities such as Hilton Community Centre, Westburn Park, Stewart Park and Hilton Outdoor Sports Centre;
- the library at Woodside; and
- the core path network.

Kittybrewster Primary School and St. Machar Academy are both operating within capacity and therefore no education contributions are required.

Enterprise, Planning & Infrastructure (Flooding) – Full surface water drainage proposals for the development, outlining in full detail the proposed method of discharge of surface water. Any proposed SUDS facilities should include design calculations and drawings to be submitted for approval.

REPRESENTATIONS

Eleven of letters of representation have been received. These are predominately from occupiers of surrounding residential properties. In summary the following matters are raised –

Trees

- Established trees along the north, east and west boundaries should be retained.
- New planting within front gardens should be proposed to compensate for the loss of trees there at present.
- Street trees should be retained.

Design

- The design is not site specific
- The flats are too high and should be restricted to 1.5 storeys.
- The materials are inappropriate.
- Corner blocks not appropriate for the site
- Bungalows should be considered.

Amenity

- Overlooking of 24 and 70 Hilton Avenue
- Overshadowing and loss of daylight for 24 and 70 Hilton Avenue.
- Loss of privacy for 24 and 70 Hilton Avenue
- Loss of privacy to back and front gardens of 22 Hilton Avenue.

Transportation

- The applicant should re-surface Hilton Avenue.
- The position of the access to plots 13-18 is hazardous due to the proximity of the opposite junction.

Other

- The site is being over developed.
- Loss of a sea view from 70 Hilton Avenue.
- Measures should be taken to compensate neighbouring properties for disruption during construction (dust).
- The hedge between the site and 24 Hilton Avenue should be maintained.

PLANNING POLICY

Aberdeen Local Development Plan 2012

The ALDP identifies the site as Opportunity Site 106 (OP106) which is considered suitable for residential development.

Policy I1 (Infrastructure Delivery and Developer Contributions) – Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed.

Policy T2 (Managing the Transport Impact of Development) – New developments will need to demonstrate that sufficient measures have been taken to minimize the traffic generated.

Policy D1 (Architecture and Placemaking) To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution

Policy D2 (Design and Amenity) – In order to ensure the provision of appropriate levels of amenity the following principles will be applied: Privacy shall be designed into higher density housing; residential development shall have a public face to a street and a private face to an enclosed garden or court; all residents shall have access to sitting-out areas, this can be provided by balconies, private gardens, terraces or communal gardens or other means acceptable to the Council; when it is necessary to accommodate car parking within a private court, the parking must not dominate the space: as a guideline no more than 50% of any court should be taken up by parking spaces and access roads; individual flats or houses within a development shall be designed to make the most of opportunities offered by the site for views and sunlight. Repeated standard units laid out with no regard for location or orientation are not acceptable; development proposals shall include measures to design out crime and design in safety; and external lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

Policy D3 (Sustainable and Active Transport) – New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order - walking, cycling, public transport, car and other motorised vehicles. Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary

Guidance on Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation.

Policy H1 (Residential Areas) Within existing residential areas (H1 on the proposals maps) and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

- does not constitute over development;
- does not have an unacceptable impact on the character or amenity of the surrounding area;
- does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010;
- complies with Supplementary Guidance on Curtilage Splits; and
- complies with Supplementary Guidance on House Extensions.

Policy H5 (Affordable Housing) – Housing developments of 5 units or more are required to contribute no less than 25% of the total number of units as affordable housing.

Policy NE4 (Open Space Provision in New Development) – The City Council will require the provision of at least 2.8 hectares per 1000 people of meaningful and useful public open space in new residential development. The nature of the provision is set out in Supplementary Guidance on Open Space. Communal or public open space should be provided in all residential developments, including those on brownfield sites.

Policy NE5 - Trees and Woodlands – There is a presumption against all activities and development that will result in the loss of, or damage to, established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

Appropriate measures should be taken for the protection and long term management of existing trees and new planting both during and after construction. Buildings and services should be sited so as to minimise adverse impacts on existing and future trees and tree cover.

Native trees and woodlands should be planted in new development.

Where trees are affected by a development proposal the City Council may make Tree Preservation Orders.

A tree protection plan for the long term retention of trees should be submitted and agreed with the Council before development commences on site.

Policy NE6 (Flooding and Drainage) – Surface water drainage associated with development must be the most appropriate available in terms of SUDS; and avoid flooding and pollution both during and after construction. Connection to the public sewer will be a pre-requisite of all development where this is not already provided.

Policy NE8 (Natural Heritage) – Applicants should submit supporting evidence for any development that may have an adverse effect on a protected species demonstrating both the need for the development and that a full range of possible alternative courses of action has been properly examined and none found to acceptably meet the need identified.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Principle of the Proposed Use

The site is within an area zoned for residential use where Policy H1 (Residential Areas) applies. The immediate surroundings and wider area is dominated by residential use, with the recent Campus development by CALA Homes reinforcing this character. Therefore in principle it is accepted that the site would be suitable for residential development and that such as use would not generally adversely affect the surrounding area.

Policy H1 also requires development not to constitute overdevelopment, have an unacceptable impact upon the character and amenity of the surrounding area and comply with relevant supplementary guidance. These matters are examined in the following sections.

Layout and Design

The proposed layout presents a public face to the street and a private face to either back gardens or enclosed outdoor space for the flats, which is typical of the surrounding area.

There is an existing building line at this part of Hilton Avenue which is approximately 7m back from the pavement on the north side of the site and 9m back on the south side. On initial submission, the closest part of the proposed blocks of flats was to be 3m back from the rear of the pavement. Given that the flats would be more substantial structures than the neighbouring 1½ storey dwellings, concern was raised that this would have an adverse impact upon the character of the streetscape and that the flats would be unduly prominent, especially when travelling up Hilton Avenue in a westerly direction. Efforts were therefore made by the developer to look at adjusting the layout in order to allow the blocks to be pushed back into the site, but at the same time ensuring that important trees at the back of the site remained unaffected. By reducing the number of car parking spaces associated with each block by two, the car parks were rearranged which allowed the blocks to be pushed back by a further 2.5m. Therefore the closest part of the blocks of flats are now proposed to be 6.5m back from the rear of the pavement, with the feature corners being 7.26m back,

which is still beyond the existing building. However, this is considered to broadly align with the building line along this part of Hilton Avenue and would maintain the character of the streetscape.

The layout of the townhouses is considered acceptable, with gardens of between 24m and 26m in length and 11m wide which is generous for modern housing developments but fairly typical of the area.

Each of the blocks of flats would have a useable outside space of around 10m x 12m at the rear of the buildings which would be sheltered and private, but would be unlikely to receive much sunlight. Each of the first floor flats would also have a small balcony. The amenity of future occupiers within two of the ground floor flats in block A would be somewhat compromised due to the close proximity of the access road into the car park, which would be within 1m of the windows and doors of these flats. The small area of useable private outdoor space and tight layout of the blocks of flats are indicative of a proposal which is approaching overdevelopment. In this instance however it is considered not to be of such significance to indicate a recommendation of refusal.

The design features and appearance of the buildings would match those within the existing CALA Campus Development on the opposite side of the road. The Campus is a substantial development which has altered the character of this section of Hilton Avenue. Therefore although the buildings directly on each side of the site boundaries are traditional granite dwellings, it is considered that the use of more modern materials and design features would not be incongruous with the character of the street. Indeed their use would help to integrate the Campus Development into the wider area.

The proposed layout and design is considered to acceptable and complement the surrounding area. Although the potential amenity of residents of the flats would be compromised somewhat due to the tight layout it is not considered to be of significant concern. The proposed design and materials are considered acceptable for the area and the proposal has taken account of the provisions of Policies D1 (Architecture and Placemaking) and D2 (Design and Amenity).

Amenity

Concern has been raised by the occupiers of neighbouring properties in terms of the impact upon amenity in terms of privacy, daylight and overshadowing.

With regards to available daylight and the potential for overshadowing, due to the distance of new buildings from the boundaries of all surrounding properties and their orientation in relation to each other, there would be no impact upon existing properties in terms of loss of daylight or overshadowing.

In relation to implications for privacy, each of the surrounding properties are taken in turn –

- Beyond the eastern boundary is 24 Hilton Avenue, a traditional 1½ storey granite built detached dwellinghouse. The boundary comprises a hedge approximately 2m high and there is a timber fence in parts. There is a single storey garage just over the boundary of the north east corner of the

application site. There would be windows and a small balcony on block B of the flats which would be 11m away from the boundary with 24 Hilton Avenue and looking towards the rear garden ground associated with the property. There are existing trees and a hedge along the boundary. The occupiers have indicated their desire for the hedge along the boundary to be retained and the developer has advised that it is the intention to keep the hedge. The developer has also confirmed that they will plant additional planting to ensure privacy is maintained. A condition has been attached requiring this planting and it the expectation is that such planting will be of a suitable height when planted to ensure privacy is maintained by the time the development is occupied. This will be agreed a landscaping scheme approved by through a condition.

Overlooking of front gardens is not regarded as being a significant issue given that front gardens are by their nature generally open to the street and public view.

22 Hilton Avenue is to the east, beyond 24 Hilton Avenue. However it is of sufficient distance away for there to be no unreasonable impact upon privacy.

- To the west is 70 Hilton Avenue which is a traditional 1½ storey granite semi-detached dwellinghouse. The boundary is a timber fence approximately 1.8m high. There are garages and sheds on the opposite side of the boundary. Windows associated with block A would be 10m away from the boundary with 70 Hilton Avenue and looking towards the rear garden. With suitable planting privacy would be maintained.

The potential loss of a sea view from the property is not a material planning consideration.

- To the north are the 'four-in-a-block' dwellings at 29-79 Hilton Terrace which are around 25m away from the rear boundary of the site. Although there would be windows within the new buildings facing towards Hilton Terrace, these windows would be 50m away from the closest window opposite, well in excess of the 18-20m recommended to ensure adequate privacy.
- Similarly the flats and town houses which form part of the CALA Campus Development are of a sufficient distance (24m at their closest) across Hilton Avenue to ensure privacy is maintained.

In accordance with Policy H1 (Residential Areas) the impact upon the amenity of surrounding properties is considered to be minimal and can be maintained through the use of additional planting which is proposed as part of the development.

Access, Traffic and Car Parking

There is a slight shortfall in the parking to be provided for the flats when compared to the adopted parking guidelines (20 spaces rather than 24). However on this occasion this has been accepted by the Roads Projects Team. The surrounding streets are capable of accommodating on-street parking so any

overspill can be accommodated. Satisfactory parking has been provided for the townhouses.

Concern has been raised with the proposed access to the car park of block B due to its proximity with the junction at between Hilton Avenue and Baker Avenue. The car park would attract a low number of movements and provided that 'give way' markings are provided at the junction the Roads Projects Team do not have an issue with this aspect of the proposal.

The position of refuse store for the flats has been agreed by the roads service and Council's Waste Strategy Manager. A condition has been attached requiring details of the enclosure to be submitted prior to work commencing.

Trees

The site accommodates several mature trees, with the largest trees concentrated along the rear boundary of the site. Smaller trees are located towards the front of the site. It is proposed to fell 33 trees in order to accommodate development and a further 12 for health and safety reasons, bringing the total to 45.

The removal of the smaller trees at the front of the site is inevitable if the site is to be development in this manner. Whilst their removal is something which ideally would be avoided, it would be difficult to create a satisfactory layout or provide the necessary access into the site if they were retained. One street tree would be removed to allow access into the eastern most town house.

What is considered to more important is the retention of the larger mature trees at the rear of the site. They provide a green backdrop for the area and create a boundary between the site and the residential properties beyond. Several trees would however be removed in the north west and east corners to allow car parking to be constructed. Due to the ground levels within the site it is not possible to retain many of these trees. Whilst it is regrettable that several large trees would be removed, a sufficient number would remain to maintain the green corridor which runs from west to east along the mutual boundaries of Hilton Avenue and Hilton Terrace.

It is unfortunate that mature trees need to be removed and there is clearly tension with Policy NE5 (Trees and Woodland) which has a presumption against development that will lead to the loss of established trees. However tree removal has been kept to a minimum to allow a development of a reasonable scale to be implemented. The majority of trees would be removed for health and safety and tree management reasons rather than directly for development.

New planting would be proposed within the communal grounds around the flats and within the gardens of the townhouses. Replacement planting is normally expected on a 2 for 1 basis to assist in the Council's aim of doubling tree cover in the city. The site is tight and it is likely that the level of planting expected could not be fully accommodated on site. Indicative planting is shown on the layout plans and it is thought around 30 trees could be planted on site. The remaining

replacement trees which cannot be accommodated on site could be planted either on Council owned land in the vicinity or at the nearby CALA Campus development. Conditions have been attached requiring detailed schemes to be submitted and agreed prior to development commencing.

Tree Preservation Order

The Council as planning authority has a duty when granting planning permission to consider making a tree preservation order (TPO) in order to protect trees which may exist on a site. The existing site is Council owned and therefore once ownership is relinquished there would be no protection for the trees which are to be retained on site. There is the risk that future home owners remove the trees or that trees are removed during construction without consent.

The trees make a valuable contribution to visual amenity and provide a wildlife corridor through the area. Therefore in order to ensure retention of the trees into the future it is recommended that a TPO is made to cover the trees which are to be retained on the site and the trees which are located to the east and form part of the same group and are between the mutual boundaries of 6-24 Hilton Avenue and 1-31 Hilton Terrace. The effect of the TPO would be to make it an offence for any person to cut down, uproot, wilfully destroy a tree or wilfully damage, top or lop a tree in such manner as to be likely to destroy it without the consent of the planning authority.

Once the TPO has been made the TPO would be published and interested parties notified and representations invited. A future report to the Development Management Sub-Committee would recommend whether the TPO should be confirmed.

Protected Species (Bats)

Bats are a European protected species under the Conservation (Natural Habitats, &c.) Regulations 1994 and as such it is illegal to amongst other things either deliberately or recklessly capture, injure or kill a wild bat or deny it the use of its roost.

A bat survey of the trees within the site has been undertaken the conclusion of which was that none of the trees which are to be felled showed signs of being used as a bat habitat.

Although there was no evidence of bats using the trees with cavities there still remains a possibility that these trees could be used by bats. Due to this possibility, trees will be soft felled to avoid disturbance to bats. A Bat Surveyor will be present during the felling. The trees will have each cavity inspected before felling, using a torch or an endoscope when necessary. Branches with cracks, which are unable to be accessed, will be lowered to the ground with ropes. Bat boxes will be positioned in neighbouring retained trees, and if any bats are found, they will be relocated to these roosting areas.

This is considered acceptable and in accordance with the Policy NE8 (Natural Heritage) 'Bats and Development' Supplementary Guidance no further action is required.

Affordable Housing / Developer Contributions

In accordance with Policy H5 and I1 the developer has confirmed that contributions will be made towards affordable housing, improvements to community, sports and recreation facilities, library provision, the core path network and strategic transport fund.

Kittybrewster Primary School and St. Machar Academy are both operating within capacity and therefore no education contributions are required.

Relevant Planning Matters Raised in Written Representations

Matters relating to design, impact upon residential amenity, trees, access, traffic and car parking have been addressed in the relevant sections earlier in this report. Other matters raised in letters of representation are addressed below –

- It has been suggested that measures should be taken to compensate neighbouring properties for disruption during construction, with particular reference to dust nuisance. There is no mechanism through this planning application to allow neighbouring residents to be compensated for disruption during construction work. Should dust be a particular problem then the Council's Environmental Health service have powers to address the matter through control of pollution legislation.
- The current condition of the road surface on Hilton Avenue is not a matter which can be addressed through this planning application as suggested in a letter of representation. The maintenance of what is an adopted road is the responsibility of the Council as roads authority, rather than the responsibility of the applicant.

RECOMMENDATION

- (a) Willingness to approve subject to conditions, but to withhold the issue of the consent document until either the applicant has entered into a section 75 legal agreement with the Council to secure the identified developer contributions; or payment of the identified developer contributions has been made.**
- (b) To instruct officers to utilise powers under Section 160(1) of the Town and Country Planning (Scotland) Act 1997 to make a tree preservation order to cover (i) the trees to be retained within the application site and (ii) those trees which also form part of the same group which are located along the boundary of 6-24 Hilton Avenue and 1-31 Hilton Terrace.**

REASONS FOR RECOMMENDATION

In principle it is accepted that the site would be suitable for residential development and that such a use would not generally adversely affect the surrounding area, in accordance with Policy H1 (Residential Areas).

The proposed layout and design is considered to be generally acceptable and complement the surrounding area. Although the potential amenity of residents of the flats would be compromised somewhat due to the tight layout it is not considered to be of significant concern. The proposed design and materials are considered acceptable for the area and the proposal has taken account of the provisions of Policies D1 (Architecture and Placemaking) and D2 (Design and Amenity).

In accordance with Policy H1 (Residential Areas) the impact upon the amenity and privacy of surrounding properties is considered to be minimal and can be maintained through the use of additional planting which is proposed as part of the development.

There is a slight shortfall in the parking to be provided for the flats, however on this occasion this has been accepted by the Roads Projects Team. Satisfactory parking has been provided for the townhouses. The car park for block B would attract a low number of movements and provided that give way markings are provided at the junction the Roads Projects Team do not have concern with the proximity of the car park access with the junction of Hilton Avenue and Baker Avenue. The proposal is in accordance with Policy T2 (Managing the Transport Impact of Development).

It is unfortunate that mature trees need to be removed and there is clearly tension with Policy NE5 (Trees and Woodland) which has a presumption against development that will lead to the loss of established trees. However tree removal has been kept to a minimum to allow a development of a reasonable scale to be implemented and significant trees along the northern boundary of the site would be retained to ensure a green backdrop to the site remains. A suitable level of compensatory planting will be provided to reinforce the trees which are to be retained. The proposal is also in accordance with the Policy NE8 (Natural Heritage) 'Bats and Development' Supplementary Guidance.

In order to ensure retention of the trees into the future it is recommended that a tree preservation order is made to cover the trees which are to be retained on the site and the trees which are located to the east and form part of the same group and are between the mutual boundaries of 6-24 Hilton Avenue and 1-31 Hilton Terrace.

There is no mechanism to allow neighbouring residents to be compensated for disruption during construction work. Should dust be a particular problem then the Council's Environmental Health service have powers to address the matter. The maintenance of Hilton Avenue is the responsibility of the Council as roads authority rather than the applicant.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that no buildings on the development site shall be occupied unless the remedial measures identified in the approved Phase II Site Investigation Report have been carried out. These measures comprise (a) provision of 600mm inert cap within soft landscaped areas in the west of the site and (b) provision of gas protection measures to include a radon barrier membrane and sub-floor venting. Thereafter a report shall be submitted to and approved in writing by the planning authority that verifies that completion of the remedial works for the entire application site, unless the planning authority has given written consent for a variation – in order to ensure that the site is fit for human occupation.

(2) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water quality and to ensure that the development can be adequately drained.

(3) that no development shall take place unless further details of the proposed refuse stores have been submitted to and approved in writing by the planning authority. Granite from the demolition of the existing building or boundary wall shall be utilised for creation of the refuse stores. Thereafter none of the flats shall be occupied unless the refuse stores have been provided - in order to ensure that adequate refuse storage facilities are provided.

(4) that no development shall take place unless further details of the proposed cycle stores have been submitted to and approved in writing by the planning authority. Thereafter none of the flats shall be occupied unless the cycle stores have been provided - in order to encourage use of sustainable modes of transport.

(5) that no development shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the planning authority a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. Granite from the demolition of the existing building or boundary wall shall be utilised for the front boundary of the site with Hilton Avenue. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety - in order to ensure that suitable boundary enclosures are provided.

(6) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, laid-out and demarcated in accordance with drawing No. PL-00B of the plans hereby approved or such other drawing as may subsequently be submitted and

approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(7) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in order to integrate the development into the surrounding area.

(8) that all planting, seeding and turfing comprised in the approved schemes of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(9) that no development pursuant to this planning permission shall take place unless the tree protection fencing detailed in the Tree Report by Astell Associates dated 11th June 2013 and shown on drawing HNH-1206-TP has been erected. Thereafter the tree protection fencing shall remain in place until the completion of development - in order to ensure adequate protection for the trees on site during the construction of the development.

(10) that any tree work which appears to become necessary during the implementation of the development which has not been identified on the Tree Report by Astell Associates dated 11th June 2013 and shown on drawing HNH-1206-TP shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.

(11) that any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.

(12) No development shall take place unless the planning authority has approved in writing a scheme for the supervision of the arboricultural protection measures

and works that have been approved by the planning authority for the construction phase of the development. Such a scheme shall include the timing and method of site supervision and record keeping. Supervision shall be carried out by a qualified arboriculturalist approved in writing by the Planning Authority but instructed by the applicant - in order to ensure adequate protection for the trees on site during the construction of the development.

(13) that no development shall take place unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority. Thereafter no building shall be occupied unless the recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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Development Management
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

Letter of Representation. (17 Mar 2013)

Application Ref: 130224.

Proposed demolition of former nursery school to be replaced with new residential accommodation comprising of 18 units offering a mix of semi-detached houses and cottage apartments with associated parking.

To Whom it may concern,

I would like to submit a letter of representation against the proposed housing development at the site of the former nursery on Hilton Avenue, Aberdeen.

I have strong concerns regarding the scale and design of this development and I feel the council should reject this application in its current state for the following reasons:

Excessive height, especially the corner flatted blocks the proposal should be reduced to one and a half storey height max which is in keeping with the rest of this side of the street.

Aesthetically inappropriate material selection which is out of character with the neighbouring properties on this side of the street which are all granite bungalow's with slated roofs.

The apparent loss of established trees within the public footpath.

Loss of daylight to neighbouring properties at No 70 and 24 Hilton Avenue.

Loss of a sea view from the side bedroom dormer window from 70 Hilton Avenue

Over shadowing of adjacent properties at No 70 and 24 Hilton Avenue.

Loss of privacy to the adjacent dwellings as the proposed footprint of the flatted end blocks over look the front and rear gardens at No 70 and 24 Hilton Avenue.

Too many units are proposed for the site.

Regards

Mrs E McCann

403 Great Western Road,
Aberdeen,
AB10 6NY.

Development Management
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

Letter of Representation.

Application Ref: 130224. (17 Mar 2013)

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Too many units are proposed for the site.

Regards

Mr K Robb

5 Middleton Way,
Bridge of Don,
Aberdeen,
AB22 8LU.

Development Management
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

17 Mar 2013

Letter of Representation.

Application Ref: 130224.

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To Whom it may concern,

I would like to submit a letter of representation against the proposed housing development at the site of the former nursery on Hilton Avenue, Aberdeen.

I have strong concerns regarding the scale and design of this development and I feel the council should reject this application in its current state for the following reasons:

Excessive height, especially the corner flatted blocks the proposal should be reduced to one and a half storey in height max which is in keeping with the existing context of the street elevation.

- Aesthetically inappropriate material selection which is out of character with the neighbouring properties within the street elevation.
- The apparent loss of established trees within the public footpath.
- Loss of daylight to neighbouring properties at No 70 and 24 Hilton Avenue.
- Over shadowing of adjacent properties at No 70 and 24 Hilton Avenue.
- Loss of privacy to the adjacent dwellings at No 70 and 24 Hilton Avenue.
- Too many units are proposed for the site.

Regards

Mr J Robb

16 Marshall Keith Drive,
Peterhead,
AB42 3FH

Development Management
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

Letter of Representation. (16-03-2013)

Application Ref: 130224.

Proposed demolition of former nursery school to be replaced with new residential accommodation comprising of 18 units offering a mix of semi-detached houses and cottage apartments with associated parking.

To Whom it may concern,

I would like to submit a letter of representation against the proposed housing development at the site of the former nursery on Hilton Avenue, Aberdeen.

I have strong concerns regarding the scale and design of this development and I feel the council should reject this application in its current state for the following reasons:

- Excessive height, especially the corner flatted blocks the proposal should be reduced to one and a half storey height max which is in keeping with the rest of this side of the street.
- Aesthetically inappropriate material selection which is out of character with the neighbouring properties on this side of the street which are all granite bungalow's with slated roofs.
- The position and building footprint of the corner flatted blocks are out of character with the granite bungalow's on this side of the street. Should this type of building footprint not be positioned at the corner of two streets? I do not think it is appropriate at this location.
- The apparent loss of established trees within the public footpath.
- Loss of daylight to neighbouring properties at No 70 and 24 Hilton Avenue.
- Loss of a sea view from the side bedroom dormer window from 70 Hilton Avenue.
- Over shadowing of adjacent properties at No 70 and 24 Hilton Avenue.
- Loss of privacy to the adjacent dwellings as the proposed footprint of the flatted end blocks over look the front, side and rear gardens at No 70 and 24 Hilton Avenue.
- Too many units are proposed for the site.

Regards

Mrs E J Robb

5 Middleton Way,
Bridge of Don,
Aberdeen,
AB22 8LU.

From: Helen Paddon [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 01/03/2013 10:25
Subject: OBJECTION

I refer to your letter dated 28th February that I received today - application number 130224 - former hilton nursery site.

My main objection is that there are protected trees that provide a habitat for rare birds and wildlife on this site. Some of these trees are hundreds of years old and I refer you to <http://www.scotland.gov.uk/Publications/2011/01/28152314/14> in regards to tree protection in Scotland. If this work was to take place there MUST be a strict enforcement of the existing trees on-site. We live opposite so we would be aware of any foul play in regards to the removal of trees and appropriate legal action would be taken.

We have lived in our property for 5 years and have had constant noise pollution from CALA as they have continued to build in the site behind our house....we were aware this would be the case when we bought this property - we did NOT however know that CALA intended to build at the front of our property also.

Hilton Avenue road surface is a disgrace - there are numerous pot holes/large craters in the surface that are causing daily damage to my bike and car. I have reported these on numerous occasions and so far these have not been repaired. If CALA were successful in this application I would advise you to instruct CALA that if they are to build in this site they must fully re tar mac the road surface of Hilton Avenue. As they will have heavy plant using the roads for a prolonged length of time I would imagine the road surface will become even more damaged. This should be given consideration into your terms/agreement of the application.

Yours faithfully,

Mrs Helen Paddon
97 Hilton Avenue
AB24 4RT

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 04/03/2013 21:57
Subject: Planning Comment for 130224

Comment for Planning Application 130224
Name : Michael Almeida
Address : 22 Hilton Avenue
Aberdeen
AB244RE

Telephone : [REDACTED]
Email : [REDACTED]
type :
Comment : Dear Sirs,

On review of planning application for proposed Cala Development on the existing Hilton Nursery site.

I would like to make the following comments and objections

• The existing trees located on site, can you please advise what is proposed if the development is approved.

• Cala Development the Campus, we were subjected to noise and mess from demolition works and construction from tis development. What measures are the developers considering to ensure neighbouring properties are properly compensated for the additional work required to keep their cars and property free from dust.

• Proposed entrance to site plots 18 – 13 runs parallel to existing entrance to neighbours property and located in front of the main entrance to the Cala Campus entrance. This would appear to be potentially hazardous to both pedestrians and road uses. In conjunction with this large vehicle such as refuge vehicle would require access to the site via this entrance. Has the risk-been suitably assessed is it normal practice to locate a main site entrance in such a position.

• Can you please advise the height of the proposed development in relation to existing buildings. It would also be helpful if you could provide a drawing of the existing building to plan.

• The Block 18-13 will have a balcony, and windows which will over look the rear of my property, I object to this on the ground that I will loose privacy in my garden and living rooms

• The front of block 18-13 will be able to see into the front of our property and rooms from their balcony. I object to this on the grounds of privacy.

• Objection that the proposed development is not in keeping with the properties in the area and specifically on this side of the street. Development should consider bungalows.

• Objection - change of use from Nursery /Dentist to residential accommodation. Over development of site for residential accommodation.

I would appreciate if you could log my objections and comments and make due consideration when considering the application.

Yours sincerely

Mr M Almeida

PI - Proposed development of Hilton Avenue

From: Marjorie Will [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 05/03/2013 11:27
Subject: Proposed development of Hilton Avenue

PROPOSED DEVELOPMENT OF FORMER HILTON NURSERY - REF 130224

Dear Sirs,

I live at no 24 Hilton Avenue directly next to the proposed development so you can appreciate that I am going to be the most affected by this new build. I have the following concerns:

- the entrance to my property lies right beside the proposed entrance to the new development. It is also adjacent to the entrance to the Campus. Surely there must be traffic safety issues here, e.g. turning right into the traffic coming from the development?
- Are the existing trees included in the development? There are some beautiful well established trees one especially outside my kitchen window allowing me some privacy.
- Which leads to another concern. I feel my privacy has been compromised by the new build which is taller than my house and overlooks directly onto my garden. When I added an extension to my house I had to have special glass installed, at your recommendation, between my neighbour and myself. Also the balconies look directly onto my property. I feel this point has to be addressed.
- my neighbours and myself had to endure months of noise and dust during the development of the Campus. When we spoke of our concern to Cala, especially about the dust covering our houses and cars (which required daily cleaning) Cala did NOTHING.....not even an apology!! Am I to endure this again or do I have an assurance that noise and dust will be kept to a minimum and perhaps compensation for the additional work required to keep my house and car dust free??
- at the moment there is a hedge owned by the council and a fence owned by me as a border between myself and the new development. Is the hedge to be retained and if not what has been proposed, without any consultation between myself and Cala. My opinion is that the hedge is a much better security as a wall can be climbed, a hedge cannot! Therefore is my security to be compromised?

I would appreciate if you would log my very real concerns and give them due attention when considering the application of the development.

Yours sincerely
 Mrs Marjorie Will

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 14/03/2013 22:11
Subject: Planning Comment for 130224

Comment for Planning Application 130224
Name : Michail Tzouvelekis
Address : 65 Hilton Terrace

Telephone :

Email :

type :

Comment : From what I can see, there is no provision made to retain the mature trees that are currently planted in the former nursery grounds. I believe this is unacceptable and by cutting them down, the developer will negatively impact the environment (including bird species) and the surrounding homes, including mine. I would strongly suggest that plans should be altered to enforce the developer to retain the mature trees. Otherwise, I strongly object to this development on environmental grounds.

Development Management
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

Letter of Representation. Dated 15-03-2013

Application Ref: 130224.

Proposed demolition of former nursery school to be replaced with new residential accommodation comprising of 18 units offering a mix of semi-detached houses and cottage apartments with associated parking.

To Whom it may concern,

I would like to submit a letter of representation against the proposed housing development at the site of the former nursery on Hilton Avenue, Aberdeen. Having studied the plans and information on the councils website dated 01-03-2013 I have strong concerns regarding the scale and design of this development.

Firstly if we consider the street elevation along the south facing side of Hilton Avenue we notice it consists of 1940's granite semi-detached one and a half storey properties set back from the public footpath. The nursery building and its associated green space is located just off the centre of the street elevation. There are no two storey properties along this elevation of the street fronting Hilton Avenue.

I believe the council is missing an opportunity which was traditionally a typical and successful feature of the city's urban planning. I suggest the designers have a look at, Victoria, Albert and Watson Street's within the city (to name a few streets) and take on board the lessons displayed there. The street scene is greatly enhanced by meticulously maintaining the juxtaposition of high and low properties either side of the street. The scene is further enhanced by the use of a limited palette of materials and a consistent use of scale. While these example street's are located centrally in a denser part of the city I believe the lessons displayed could and should be adopted on this site.

Within the proposed development site plan it shows one corner block either side of the three semi detached blocks. The central semi detached properties are located back from the road which relates to the position of the adjacent semi detached bungalow's along this side of the street. This seems acceptable. However I have grave concerns regarding the loss of amenity, privacy, daylight and the effects of overshadowing caused to the neighbouring properties at No 70 and No 24 by the corner blocks proposed. These end blocks over look the front and rear gardens of No 70 and No 24, and both blocks are significantly higher than the adjoining neighbouring properties.

The proposed access to the rear parking for these corner blocks erodes the street scene to its detriment. The Corner blocks are located closer to the footpath. I have concerns regarding the loss of the established trees within the public footpath (removed on the proposed site plan) caused by the foundations of these two blocks and from the excavations / surfacing from the proposed drive way crossings for all the units. These trees must be protected as they help soften the street scene.

Within the site the existing established trees along the north, east and west should be protected during the works. While the loss of the trees within the south side of the site's boundary is necessary for development these also greatly help to soften the street scene. If possible the established trees within the south side boundary should be retained. If not then new tree planting in the front gardens should be incorporated into the design.

The design represents a typical housing developer's outlook. Maximum housing units on the site crammed next to each other with the minimum space requirements between. This type of design can be seen up and down the country with little regard to its surroundings. An opportunity exists to create a strong contrast between the south and north sides of the street with a design specific to the place. I do not believe fyfestone, and a krend butter milk render are acceptable materials to use on this site. The properties are also excessively high and should be restricted to one and a half storey in height following the contour of the road. The corner flatted blocks are unacceptable and should be removed. Clarification should also be sought for the description cottage flats block B? The design of this block does not display the characteristics of a cottage. This is another example of a design not being place specific. These end blocks in there current state should be replaced with semi detached blocks or single houses similar in area and positioned in the same manner as the rest of the dwellings on the south side of the street. The total number of proposed units is 18 this is not in keeping with the south side of the street. If the semi detached houses are reduced in area it may be possible to achieve 12 units on the site.

I feel the council should reject this application in its current state for reasons of excessive height, aesthetically inappropriate material selection, loss of trees, loss of daylight, over shadowing of adjacent properties and for the density of the units on the site.

Regards

Mr H Robb

70 Hilton Avenue,
Aberdeen,
AB24 4LP.

Agenda Item 2.4

249-251 GEORGE STREET, ABERDEEN

PROPOSED INTERNAL ALTERATIONS AND
CHANGE OF USE FROM RETAIL TO TURKISH
BATHS

For: Mr & Mrs Budak

Application Type : Detailed Planning Permission
Application Ref. : P130497
Application Date : 05/04/2013
Officer : Sally Wood
Ward : George Street/Harbour (A May/J
Morrison/N Morrison)

Advert : Section 34 -Proj. Pub. Concern
Advertised on: 01 May 2013
Committee Date: 18 July 2013
Community Council : No response
received.



RECOMMENDATION:

Approved subject to conditions

DESCRIPTION

The premises are currently vacant, however it was last used as a retail unit. The building has a frontage onto George Street, and lies within a parade of other retail units. The rear of the property faces on to a car park which is accessed from John Street. The building is of granite with a slate roof.

The application site relates to the ground floor only. However, the building contains residential uses at first and second floors above.

RELEVANT HISTORY

A8/1475 Replacement of windows to rear of property. Granted, 13/10/2008.

PROPOSAL

The application seeks planning permission for the change of use of the existing unit from retail (Class 1) to a turkish bath (Class 11).

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130497>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the application has been advertised as a project of public concern. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – in accordance with current car parking standards the maximum permissible parking level is 9 parking spaces. No car parking is provided, therefore the site has a shortfall of 9 spaces. The proposed opening hours are 9:00 am till 22:00. The site is situated within a controlled parking zone (pay & display), which operates till 20:00. Concerned that between 20:00 (after the pay & display is no longer in operation) and 22:00 that the proposal would create additional pressure on existing on-street car parking spaces. Seeks a car parking survey to be undertaken every 30 minutes between 19:30 and 22:30 on one weekday (excluding Monday and Friday) and a Saturday (noting that dates of the survey must be first agreed with the Roads Project Team). The survey would be used to enable the Roads Project Team to form a view on the application from a roads perspective. In addition the Roads Project Team seek two cycle parking spaces which are secured.

Environmental Health – the proposal is located below domestic flats, and occupies the whole of the ground floor, which includes an area to the rear of the building.

Full details of extraction systems would be required, and a noise survey. This is to ensure that the occupants of the adjacent residential buildings are not adversely affected.

No moisture or odour should affect the integrity of the ceiling. Details of the type of ventilation and associated plant noise are required, and details of damp proofing.

Have concerns if the premises were open late at night, due to the potential disturbance of the residential premises above arising as a result of customers accessing and egressing the premises. The existing use has probably not been open beyond 6pm. Consider that a 10pm closure would be acceptable to protect residential amenity.

Advise that adequate and suitable refuse storage facilities should be provided, in agreement with Cleansing Client Services Section of Environmental Health.

Enterprise, Planning & Infrastructure (Flooding) - comments, no observations.

Community Council – no response received.

REPRESENTATIONS

None.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP), 2010.

SPP seeks to promote appropriate development, particularly within existing settlements. It seeks high quality development that is sympathetic to its setting and takes into consideration amenity.

Town centres are a key element of the economic and social fabric of Scotland, acting as centres of employment and services for local communities and a focus for civic activity, and make an important contribution to sustainable economic growth. Town centres should be the focus for a mix of uses including retail, leisure, entertainment, recreation, cultural and community facilities, as well as homes and businesses. Retail and leisure uses are fundamental to the concentration of other activities located in town centres and planning authorities should support a diverse range of community and commercial activities in town centres (para. 52).

The planning system has a significant role in supporting successful town centres through its influence on the type, siting and design of development (para. 57)

All retail, leisure and related developments should be accessible by walking, cycling and public transport. (para. 61).

Aberdeen City and Shire Structure Plan

Provides a spatial strategy for development, to ensure the right development in the right place to achieve sustainable economic growth which is of high quality and protects valued resources and assets, including built and natural environment, which is easily accessible.

Aberdeen Local Development Plan

Policy D1 Architecture and Placemaking – ensures that high standards of design are achieved through a number of considerations, including context, to ensure that the setting of the proposed development and its design is acceptable.

Policy D2 Design and Amenity – outlines a number of considerations which shall be taken into account when assessing a planning application in the interests of amenity considerations, mainly relating to residential, including privacy; residential development shall have a public face to a street and a private face to an enclosed garden or court; sitting out areas for residents (gardens).

Policy C1 City Centre Development- Regional Centre – ...the City Centre is the preferred location for...leisure development serving a city-wide or regional market.

Proposals for new...leisure...uses shall be located in accordance with the sequential approach referred to in the retailing section of the Plan and in the...Supplementary Guidance: Hierarchy of Retail Centres.

Policy C2 City Centre Business Zone and Union Street – this zone is the preferred location for major retail development. Proposals for change of use from retail to other uses in this zone will only be acceptable if :

(2) in other parts of the City Centre Business Zone it can be demonstrated that there is a lack of demand for continued retail use of the premises (applicants may be required to demonstrate what efforts have been made to secure a new retail use since the property became vacant) and how the new use contributes

- to the wider aims for city centre enhancement; and
- the proposed new use must enhance or adequately maintain daytime vitality, and an active street frontage; and
- the alternative use does not conflict with the amenity of the neighbouring area.

Policy H2 Mixed Use Areas – applications for...change of use within Mixed Use Areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. Development should not adversely affect the amenity of people living and working in the area.

Policy T2 Managing the Transport Impact of Development – new developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility.

Policy R6 Waste Management Requirements for New Developments – there should be sufficient space for the storage of residual, recyclable and compostable wastes. It should accord with Supplementary Guidance on Waste Management.

Supplementary Guidance

Transport and Accessibility.

Waste Management Requirements in New Development.

City Centre and Retailing - Hierarchy of Centres.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Principle

The unit falls within use Class 1 – Retail, although currently it is vacant. It lies within a row of other units within retail use. On the first and second floors are residential uses.

The site lies within the city centre boundary as identified in the Local Development Plan and within an area partly allocated as Mixed Use (Policy H2) and partly as City Centre Business Zone (Policy C2). On that basis, it is considered that the proposed use as a Turkish Bath is acceptable subject to ensuring that the use contributes to vitality and viability of the city centre, there being no adverse impact on residential amenity, and there being no adverse impact on road safety.

Amenity

Environmental Health Officials have advised that in principle there is no objection to the application, but has suggested that a number of conditions need to be applied should the application be approved. The matters that the conditions should cover are to ensure that the proposal does not adversely affect residential amenity, and include:

Hours of operation – the applicant has cited opening hours of 9:00am till 22:00. Environmental Health Officials have advised that the establishment should not be in operation beyond 22:00 to ensure that the proposal does not adversely impact on the amenity of the occupants of the flats above. It is considered reasonable and necessary to limit the opening hours.

Details of the ventilation – Environmental Health wish to seek details of any ventilation system to ensure that it would not cause a nuisance in terms of noise or odour for neighbouring occupiers. This is considered reasonable and necessary to ensure no adverse impact on residential amenity as a result of the proposed use arising from as a result of noise due to the installed systems or odours.

Details of damp proofing- Environmental Health wish to ensure that the use does not harm the integrity of the building by virtue of moisture build up. In response to this it is considered that it is not a matter relating to planning, and can be controlled by Building Standards. On that basis it is considered that it is not reasonable or necessary to apply such a condition.

Subject to conditions controlling the hours of operation and ventilation details it is considered that the proposal is acceptable in terms of impact on neighbouring residential occupants. The planning application is therefore judged to comply with Scottish Planning Policy, and Planning Policies H2 (Mixed Use Areas), D2 (Design and Amenity) and C2 (City Centre Business Zone and Union Street).

Transport

The Roads Project Team, whilst not objecting to the proposal, has requested a street survey to assess the capacity for car parking. Its concerns are limited only to the use of the unit as a Turkish Baths during the hours of 20:00-22:00 when the pay and display is no longer in operation. At all other times there are no concerns raised, because the site is within a controlled zone.

In response, it is considered that the survey sought by roads is not reasonable given the scale of the proposal. The Roads Project Team advised that they would seek a maximum of nine car parking spaces associated with the proposed use. It is concerned that when the pay and display is not in operation between 20:00 and 22:00 that there would be limited on-street car parking. It is considered that a car parking survey would only inform that there are insufficient spaces in the majority of instances.

The fact also remains that the building has an authorised use as a retail unit (Class 1) which in itself has the potential to generate a similar level of vehicular borne visitors, such as that associated with a hairdressers. Furthermore it is necessary to consider the long term future of this building, which is currently vacant; it is judged that the building being occupied contributes to the vitality of the area. The hours of operation are not too dissimilar to other shops opening at 9:00am, and whilst in this particular parade some are closed by 6:00pm, there are no controls preventing the shops opening beyond this till 22:00. The Roads Project team comment that the use would generate 9 car parking spaces, but this should be considered against the parking that the lawful use of the building for retail purposes would generate, which would be 4 spaces. In real terms the proposal therefore has a shortfall of 5 parking spaces above the lawful use, not 9. Consequently it is considered that whilst the development would result in on-street parking it is unlikely to result in any significant harm to highway safety or a significant shortfall.

The Roads Project Team also seek two cycle parking spaces, however, given that there is no available land externally; the limited space within the building; and the lawful existing use as retail, then it is considered that it is not reasonable to require cycle provision. The proposed use would bring back a building into use which is currently vacant. The site is located within the city centre, with a range of transport provision. It is all these factors together which are considered to outweigh the need for cycle parking provision. Four cycle spaces are provided within short walking distance close to the junction of George Street with John Street. Although these are not secure compounds, they do provide cycle parking.

Other

The proposed development of Turkish Baths is judged to fall within Class 11 of the Use Classes Order. This means that the approval of this application would result in proposals for other Class 11 uses not requiring planning permission. Other Class 11 uses include concert hall, cinema, dance/disco hall, skating rink, and casino amongst others. Given that there are residential premises above it is considered that a number of other uses within Class 11 could adversely affect the amenity of those occupants. On that basis it is considered necessary to limit this use to a Turkish Baths only, which means that planning permission would be required for any other use once the unit becomes operational. The nature of the other Class 11 uses are such that any music associated with them or people in attendance could cause a noise disturbance during opening hours which could be unacceptable. Limiting the use allows the Planning Authority effective control.

Waste management details are requested by Environmental Health. Bin storage is currently to the rear of the building. The application form states that waste storage and collection will remain as existing.

The application form clearly states that the proposal sought is for change of use, however it is noted that there are minor fenestration changes to the exterior of the building on the south-west elevation which overlooks the car park. These alterations amount to the infill of an existing roller door to accommodate a fire exit door. The infill will be finished in render to match. The other minor change is to alter a door to a fixed window. The dimensions will largely remain the same as the door, and the materials will match the existing. These minor changes are considered acceptable in design terms, and would not cause any harm in terms of residential amenity.

Conclusions

With the use of conditions securing hours of operation; the use; and details of ventilation systems it is considered that the proposed change of use to Turkish Baths would not have an unacceptable impact on residential amenity. The proposal would contribute to the vitality of the area bringing into use a vacant shop. On that basis it is recommended to Grant planning permission, subject to conditions.

RECOMMENDATION

Approved subject to conditions

REASONS FOR RECOMMENDATION

The proposal would contribute to the vitality of the area bringing into use a vacant shop in accordance with Policy H2 (Mixed Use Areas) of the Aberdeen Local Development Plan and Scottish Planning Policy which seeks to promote a variety of uses in town centres, including leisure. Planning Policy C1 (City Centre Development- Regional Centre) of the Local Development Plan states that the City Centre is the preferred location for...leisure development serving a city-wide or regional market. Proposals for new...leisure...uses shall be located in accordance with the sequential approach referred to in the retailing section of the Plan and in the...Supplementary Guidance: Hierarchy of Retail Centres. The proposal complies with Policy C1.

With the use of conditions securing hours of operation; restricting the use within Class 11; and the details of the ventilation systems to be agreed with the Planning Authority it is considered that the proposed change of use to Turkish Baths would not have an unacceptable impact on residential amenity complying with Scottish Planning Policy and Planning Policies D2 (Design and Amenity), and Policy H2 (Mixed Use Areas).

Whilst there would be a shortfall in car parking spaces, it is considered based on the merits of this case, that the shortfall is not significant above the lawful use of the unit. The controlled parking zone will manage traffic to a degree, and beyond 20:00 hours until close at 22:00 it is considered that the impact would be small.

It is recommended that approval is given subject to the following conditions:-

1. Prior to the commencement of development full details of all ventilation systems shall be submitted to and approved in writing by the Planning Authority, including any mitigation measures and noise data. The approved use shall not take place unless the ventilation scheme has been submitted, approved and fully installed in full accordance with the approved details. – For the purposes of clarification as no ventilation details were submitted, and to ensure that the installed systems will have no adverse impact on amenity of neighbouring occupants in terms of noise and/or odour.
2. The use hereby permitted shall not be open to customers other than between the hours of 09:00 and 22:00. – To protect the amenity of neighbouring occupiers, in particular in the interests of residential amenity.
3. Notwithstanding the provisions of Class 11 of the schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended, or any Order revoking and re-enacting that Order, with or without modification, the approval hereby granted relates only to the use of the premises as a Turkish Baths and for no other use or purpose including any other activity within Class 11

of the said Order. – In order to ensure that the premises are not occupied for other uses which fall within Class 11 that may be inappropriate or unacceptable in the area due to impact on residential amenity.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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Agenda Item 2.5

FORMER DONSIDE PAPER MILL, GORDON
MILLS ROAD, TILLYDRONE

AMEND PREVIOUSLY APPROVED CAFE, 2
NO.FLATS AND RETAIL UNIT TO FORM
LANDLORDS STAFF OFFICE AND PUBLIC
ACCESS POINT

For: Donside Ltd

Application Type : Detailed Planning Permission

Application Ref. : P130218

Application Date: 20/02/2013

Officer: Lucy Greene

Ward : Hilton/Stockethill (G Adam/K Blackman/L
Dunbar)

Advert :

Advertised on:

Committee Date: 18 July 2013

Community Council : No response
received



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application site covers an area that includes the entire ground floor level of a recently constructed building and part of the ground floor level of another. Both are located within the Donside Urban Village, and in the village centre.

One of the buildings is rectangular and lies parallel to, and facing, the River Don, the south eastern end elevation of the building forms one of the frontages onto the village square, whilst the other building is 'L' shaped and forms one of the corners of the village square.

Both building contain flats on the upper floors and on the remaining area of ground floor.

The ground floor areas of the buildings in question have not yet been brought into use. The ground floor area of the rectangular block is 279m² and the area of the corner block that is the subject of this application is 62m².

RELEVANT HISTORY

Planning permission (ref. A7/0400) was approved in April 2008 for the urban village, including 'Development of a mixed-use urban village incorporating mixed-tenure housing (278 units),(with at least 50% being affordable housing) including a village square (offices (697m²), employment (372m²), local retail (93m²) and cafe/bistro(93m²), an enhanced riverside, and appropriate infrastructure.'

This year an application was approved (ref. 110099): 'Proposed re-design of Urban Square, including: re-design of commercial offices; re-design of riverside housing block; re-design of urban square corner blocks including retail / commercial space on ground floor; relocation of cafe.'

The previous application (ref 110099) was for a café use within half of the ground floor of the riverside block and two (two bedroom) flats in the remaining half of the ground floor. In terms of the ground floor uses, this has not been implemented.

In the corner block, the previous application (ref. 110099) included a small retail unit (60m²) within the ground floor corner area. The remaining two thirds of the corner block are flats under this previous application, and would remain so under this current application.

Application 110099 also included a small retail unit (60m²) in the other corner block on the south west corner of the square.

The original application for the urban village (ref. A7/0400) included café/bistro area (190m²) at ground floor level within a flatted building at the north east end of the village square (not yet under construction) and retail space (93m²) within the square.

It would be possible to implement elements of each permission.

PROPOSAL

The application seeks planning permission for use as an office within the ground floor of the building facing the river, and also a 'public access' area for staff to meet visiting members of the public, within part of the building facing the square. The remaining areas of the buildings would be residential as previously

approved. The two areas of floorspace that are the subject of this current application have permission for use as a café (the larger 279m² area) and a retail unit (62m² area).

Supporting Documents

The following supporting documents have been submitted:

- Planning statement from Sanctuary (dated 29 May 2013): This states that following a feasibility report by property agents Graham & Sibbald the change of one of the intended retail units has been requested. It is stated that the applicant fully supports the planning authority's view that an element of retail should be provided at Donside. It is confirmed that this is being retained in one of the other blocks fronting the square. It is further stated that Graham & Sibbald have been appointed to market the unit using brochures, property boards and the internet.
- Letter (dated 27 March 2013) from Graham & Sibbald relating to feasibility of providing retail use at Donside: Questions the viability of multiple retail units as envisaged in the original development acknowledges potential scope for limited commercial use. The experience of Crombie Mills is highlighted, where similar ground floor commercial space was incorporated and this has been utilised for offices.
- Statement from Sanctuary Group following their meeting with the Donside residents: This states that the applicant, Sanctuary, are seeking to relocate staff from the 'Tenants First' Albert Street office. It states that the applicant has attended a meeting with the residents.

The applicant highlights that the original planning permission for the mixed use village included a café within the quayside 'icon' block (outwith the application site of this current application). Whilst the more recent application (ref. 110099) relocated the café to the block that is the subject of this application, with the retail units relocated to the corner blocks.

Sanctuary state that the café could, therefore, still be implemented as part of the 'icon' block. The statement also describes the active marketing of the remaining retail unit and the intention to do this for a café.

With regard to the other community facilities, designs for play facilities are currently being costed and finalised for implementation. It is also confirmed that the nursery proposals are unaffected by the application proposal.

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at -

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130218>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because there have been thirty five letters of objection. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – Satisfied with parking arrangements. Requests provision of one motorcycle space and one cycle space.

Environmental Health – Responded with no observations.

Enterprise, Planning & Infrastructure (Flooding) - Responded with no observations.

Community Council – No comments received.

REPRESENTATIONS

35 number of letters of representation/objection/support have been received. The objections raised relate to the following matters –

- That a shop and café would be much more useful to residents, as the nearest alternative facilities are quite far away;
- Residents would benefit from having somewhere to meet – loss of facilities would reduce opportunity for community spirit;
- The presence of offices is unwanted and would bring no benefit to residents;
- The offices would be likely to increase the number of cars, with resultant safety implications for children playing on the streets and increased pressure on parking which is already difficult;
- There continue to be a range of amendments to the Donside proposals – the piecemeal downgrading and removal of community facilities, namely the nursery, retail units and recreation areas;
- It is questioned why it is necessary to change the proposals before the development is complete;
- Lack of consultation with community on the changes;
- False advertising of the village, which is promoted on the basis of the community ethos and facilities;

PLANNING POLICY

Aberdeen Local Development Plan 2012 (LDP)

Policy H2 – Mixed Use Areas: Applications must take into account the existing uses and character of the area and avoid undue conflict and impact on amenity. Where new business or commercial use is proposed, development should not adversely affect the amenity of people living and working in the area.

Policy RT4 – Local Shops

This policy states that local shops fulfil an important role in serving the community around them. Proposals to change these into other uses will only be allowed if:

1. applicants can demonstrate lack of demand for continued retail use; or,
2. the proposed new use caters for a local need; and,
3. the alternative use does not conflict with the amenity of the neighbouring area.

A note in the LDP advises that appropriate evidence would be that of the marketing of the building for a six month period.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Proposed Uses

The application proposal is for an office use (Class 4 of the Use Classes Order) and use as a public reception for the landlord's office (Class 2 of the Use Classes Order). The total floorspace is 341m², comprising 279m² of office space and 62m² public access point.

In terms of the proposed uses, which are relatively small scale, these are considered acceptable in terms of their compatibility with residential use. There would be no shared entrances. There is an extant planning permission for café and retail uses within the floorspace in question, and the impact on residential amenity, in terms of noise and disturbance, would be no more significant for the proposed use than for the uses that already have planning permission. The issue of traffic generation and parking is dealt with separately below. In terms of the proposed uses, the proposal complies with Policy H2 – Mixed Use Areas.

Local Shops

In terms of assessing the proposal against policy RT4 – Local Shops, it should be noted firstly, that this is only relevant to the smaller of the two units (the larger having permission for a cafe, rather than retail use). Part of the ground floor of the corner block has permission to be used as a retail unit and now seeks permission for public access landlord's office.

Secondly, it should be noted, that the premises have never been brought into use as a retail unit and the wording of the policy does not, strictly, apply as this is not a change of use application. Nevertheless, the aim of the policy is to protect local shops for the benefit of the community and that is the issue in this instance.

Assessing the proposal in terms of the criteria in the policy:

- the applicants have submitted a letter from a letting agent whose assessment of the situation is that there is unlikely to be a market for multiple retail units. The applicant's claim of lack of demand is somewhat weakened by the fact that the development is not yet fully built, or occupied. Evidence of marketing for a six month period, as noted by the LDP, has not been submitted.
- As a high proportion of the properties at Donside will be occupied by housing association tenants, it could be argued that the new use would cater for a local need. Whilst taking note that residents' objection describe the greater need for facilities such as a shop and café.
- It has already been described how the proposed use does not conflict with amenity of the neighbourhood.

Although there are tensions with the aim of this policy, it is considered that given that there is another retail unit available in the village square, and the information from the letting agents, and that the proposed use in this unit is for a public office which would be of some value to around half the residents, that the proposed use of the smaller unit is acceptable. The policy is not relevant in relation to the office use within the floorspace that has permission for a cafe.

It should also be noted that there remains the possibility of alternative floorspace being made available in the 'icon' block for a café or retail unit, should marketing prove successful. However, there is no guarantee of this and the building in question is not yet under construction. Planning permission has been granted for the 'icon' block, under both previous planning approvals. The permissions are for a seven storey block containing flats, and alternatively, for a five storey block, including café unit at ground floor level. Either permission could be implemented.

Traffic and Parking

Residents have raised concerns that the presence of offices would result in an increase in traffic within the village and there will be insufficient parking. The Roads Project Team are satisfied with the overall level of parking on the site, some of which has not yet been laid out as the development is incomplete.

Although it could be argued that despite there being sufficient parking, as office workers would use parking spaces vacated by residents, there could be an increase in traffic accessing the site. However, the office space is relatively small at 279m² for the office and 62m² for the public access point and it is considered that any increase would be insignificant.

RECOMMENDATION: Approve conditionally

REASONS FOR RECOMMENDATION

The proposed uses for office use and as a public access point are considered acceptable as they would not have any detrimental impact on residential amenity and would be complementary to the residential use within the same buildings. Although the proposal would result in the loss of potential for a cafe and retail unit within these particular buildings, there remains the potential for a retail unit and a cafe within the village centre. There are some tensions with Policy RT4 – Local Shops, however, these are considered insufficient to warrant refusal of the application. There would be sufficient parking provided and insignificant impact on traffic movements and pedestrian safety.

CONDITIONS

It is recommended that approval is granted subject to the following conditions:-

1. That the uses shall not take place unless there has been submitted to and approved in writing by, the planning authority, details of the provision of cycle and motorcycle parking and such measures as so agreed have been implemented

and are available for use on site – in the interests of promoting sustainable transportation by providing parking for motorcycles and bicycles.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 30 May 2013 23:16
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Donside Community Ass'n (J. Fullerton - Chair) Address : c/o Tenant's First / Sanctuary
23 Albert Street
Aberdeen
AB25 1XX

Telephone :

Email :

type :

Comment : We write to you as the Donside Community Association (DCA), an unincorporated association formed by the residents of Donside Village.

Our objective is the fulfilment of the underlying philosophy of Donside Village, as a thriving sustainable mixed community. It is with regards to this that we find the need to write to you to raise our serious concerns about the quality and direction of the development at Donside and, specifically, to strongly object to this planning application for the change of use from cafe and retail unit to offices.

We, and the residents that we represent, have been generally delighted with the location, apparent quality and stated ethos of the Donside Village development - up to now. Indeed, these are the major factors in residents' decisions to relocate to this new community.

1. Downgrading of community facilities

It has come to our attention that there have been, and continue to be, a range of amendments to the highly laudable development proposals for Donside Village.

Specifically, we refer to the downgrading / complete removal of community facilities at Donside, namely the Cafes, Retail units, Nursery and Recreation areas. We strongly object to the systematic downgrading of facilities, including the potential loss of the proposed cafe and retail unit into an office.

Our concerns are that the changes are piece by piece working to very much undermine those very elements of the development that help it to meet the above objective; a thriving sustainable mixed community. This is a family friendly community village site and as such families and other residents should have access to the facilities that make a community - social and retail spaces for people to mix and procure the services they require. Also, the additional office spaces are likely to have the impact of bringing more traffic into the site where many children live and play. This increases the risk of road traffic collisions, something that we are striving to avoid.

2. Lack of information / consultation

We do acknowledge and accept that changes to any plans are inevitable. However, we also raise our concerns that there appears to have been absolutely no element of consultation or, even at the very least, any information provided, to current or potential residents regarding any changes to the proposals.

Therefore, we have no information on the reasoning behind why these changes are being proposed. We have requested details of the reasoning behind these decisions from the developers.

While in many instances this lack of consultation may meet the letter of planning law, it does not meet the spirit of it, nor does it meet the community ethos that has been promoted here. We consider this current approach unacceptable as any changes to planning ultimately affects the quality of the lives of those actually living in the development; surely our views should be seen as valid and be actively sought.

3. False advertising

Despite the changes, the original development proposals, including the community ethos and facilities have been, and continue to be, promoted to encourage individuals, couples and families to buy into, and relocate to, Donside Village.

To most, any such relocation decision is a long-term life changing one and comes at a very significant cost to them. Without any doubt, for many such a decision has been strongly swayed by the prospect of the community facilities promoted to be offered onsite.

We have requested that the developers are more open about these changes and inform new and existing residents about the changes that have already been approved and those that are proposed or being considered.

4. Way forward

We hope to hear back from the developers on the issues we have raised, ideally with the assurances and information we have requested. And, further to that, with details of opportunities for the Donside Community Association, and the community we represent, to help make the most of the potential that this unique development and new riverside community affords. There is significant capacity and expertise within the existing community at Donside. There exists the real opportunity to capitalise on that and bring added value to the work that CHAP and Tenants' First / Sanctuary are undertaking here.

Yours faithfully,

Jane Fullerton, Chair
Donside Community Association

P&SD Letters of Representation		
Application Number: 130218		
RECEIVED 31 MAY 2013		
Nor	Sou	MAp
Case Officer Initials: L.G.		
Date Acknowledged: 31.5.13		

From: webmaster@aberdeencity.gov.uk
Sent: 29 May 2013 17:36
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Gemma Ducat
Address : 42 Papermill Avenue
Aberdeen
AB24 2PB

Telephone :

Email :

type :

Comment : I strongly object to an office block being placed next to my home. I moved into the Donside development under the impression that this was to be a nice family community not the centre of a work area. I disagree with the parking assessment:

The previously consented use of this space provided no dedicated parking, but as the main demand for parking for these uses would occur during the day, it was considered that parking could be accommodated in the residential spaces which would be less densely occupied. It has been shown that the demand for parking will approximately the same following the current application than with the consented situation. I am therefore satisfied that the parking arrangements are sufficient.

Parking is an issue during the day as with this being a family area a lot of cars are still in use during office hours. It is currently difficult to get parked without adding offices. There is not a sufficient bus route to this area for office staff to not drive. I would much prefer the original plan of developments that are of benefit to the local community. If offices are installed I will be moving out of this area as soon as possible. I actively choose to live in a community not a workplace and do not want additional traffic noise or issues parking at my home.

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 29 May 2013 22:39
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Sarah Jayne Nolan
Address : 2 Cruvies Courtyard
Donside Village
Aberdeen

Telephone :

Email :

type :

Comment : I object to this proposal on several grounds. Firstly, this village was created in order to provide a new village where a new community could take shape. A community of residents who could socialise and interact with one another in a relaxed setting. A cafe/bistro would have been the perfect setting for this. Instead this proposal would see residents sacrificing social amenities to serve people who are not residents of this new village. In the donside life website it reads 'It will be a new kind of neighbourhood where pedestrians come first,... Where everything possible is done to protect and support local biodiversity & habitats' This change of proposal seems a complete contradiction of the vision for a new village where residents can access social amenities and build community spirit. As part of a wider regeneration project surely the focus is on increasing access to social amenities not limiting them. Currently, there are no social amenities provided to the residents of donside village and already, merely one year on from the first residents moving in and instead of proposals to enhance this village, by providing means to encourage interaction and the building of a community, changes are being proposed to hinder any community development.

My second objection centres on increased traffic into the development that will be generated by creating a office building. What consideration has been given to the following points -

- What scale of office development is being considered?
- What is the level of increased traffic into the development for access to the office building?
- What parking provisions will be provided to users of this office building?
- How will the adherence to parking in office only designated parking places be monitored? So as to avoid office users parking in designated resident spaces.

This development was designed to favour pedestrians and this being a development mainly consisting of young families how can this proposal do that?

As far as I can see this proposal offers no benefit to the residents of donside village and only seeks to offer a detrimental alternative to what should have been a new community and a new way of living with access to amenities & facilities for residents.

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 30 May 2013 23:36
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Sinclair Laing
Address : 44 Papermill Avenue
Aberdeen
AB24 2PB

Telephon

Email :

type :

Comment : I am writing to submit my strong objections to this planning application for a change of use.

This change is yet one more change that is amounting to a downgrading of community facilities at Donside. I strongly object to the systematic downgrading of facilities, including the potential loss of the proposed cafe and retail unit into an office.

I believe that these changes are working to undermine the elements of the development that help make it what it was designed to be, and could still be: a thriving sustainable mixed community.

As a community village we need the facilities that all communities need: social, commercial and open spaces for people to be able to mix, create cohesion and improve well being. Also, the commercial opportunities to generate income, employment opportunities associated with that as well as a place for local people to buy the services they need. Finally, I believe it's likely that the additional office spaces are likely to bring many additional people directly into the heart of the site which will in turn bring in increased traffic where local kids live and play. This increases the risk of accidents, something no-one here wants to see.

It's also incredibly disappointing, and seemingly unethical, if not bordering on illegal, that most residents, including myself, have bought into a site, at great personal cost, on the basis of specific facilities being promoted and promised in the advertising and sales process. Only to have those very services retracted at the last minute.

I seriously hope that the planning committee will consider my objection, and any others, and come to a decision that helps to halt the loss of the heart of our valuable new community and helps to secure the sustainable future of Donside.

Thank you for your time and consideration in this matter.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 29 May 2013 09:46
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : andrea bryant
Address : 37 donside street
aberdeen
ab24 2pj

Telephone :

Email

type :

Comment : I OBJECT to this planning application.

I feel that allowing this planning application to go through would be a real pity to the community who live here now and those that will move in, in the future to Donside Village.

The advertising for Living in Donside Village was big on the fact that there would be a Cafe/bistro and a retail/shop.

Taking this away from the village is potentially taking away the heart and hub of the community side of living in the village.

Office space will be of very little use to the people who live in the village and money which would have been spent in it will now have to be spent elsewhere.

Was this marketing used to tempt us in then whip it away once we were committed to living there.

A village in my mind should have somewhere to meet up in a social capacity and a shop I am sure would be well patronised by young and old alike.

As above I OBJECT to this planning application.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 29 May 2013 10:05
To: PI
Subject: Planning Comment for 130218

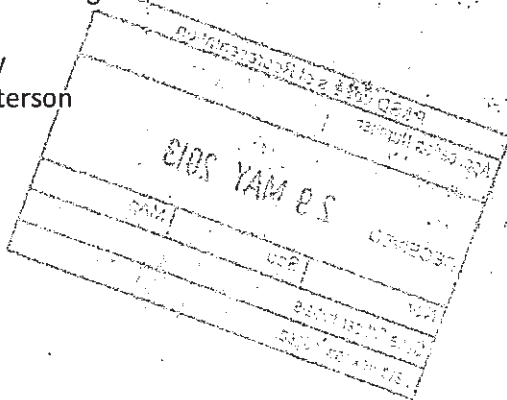
Comment for Planning Application 130218

Name : Scott Paterson
Address : 10 Heartwood Courtyard
Donside
AB24 2PH

Telephone :
Email :

Comment : I hereby object to this proposal as I feel that our community would be brought together by the previously approved "cafe/bistro and retail unit". This would be an integral point of our community and area. The offices on our site would be extremely detrimental to the attraction of our area. Should there be a block of offices, more access points onto the main road would therefore need to be created as we are limited to the shops currently present. Offices would reduce the feel for the suburban lifestyle presented by the adverts and brochures for those looking to move to the area and also contradict the promise we were given when buying property.

Sincerely
Scott Paterson



Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 29 May 2013 16:22
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Laura Crighton
Address : 12 Calender Place
Aberdeen
Ab24 2pg

Telephone :

Email :

type :

Comment : As a resident of Donside Village I object to this change in planning application from the original proposal. When moving to Donside I was made aware that there was great effort being made to create a strong community here which up until now has seemed to follow through. It is a lovely area, full of children playing outdoors and friendly neighbours. This is a residential area and not a corporate one so why the thought that offices would be a beneficial use of this space occurred is beyond me. As a mother of a young child I feel very strongly that we do not need drivers speeding down our streets who are not residents that care for and respect the importance of this being a 'home zone'. The phrase 'home zone' should speak for itself. The original plan of a cafe and a retail unit is something inkeeping with the feel of our area that will benefit our whole community and is much more meaningful to us residents. The idea for offices in this space seems completely against everything donside was set up for and contradicts the purpose of the area. This will not benefit the residents one bit and is taking away something that would. If this planning application goes through this will deflate us as a community and completely take away everything Donside was created for and stands for. I hope you take into account my views of this awful idea as a resident and as a parent of a child growing up here and I hope the right decision for our community is made.
Thank you, Laura Crighton

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 13 May 2013 15:05
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Fiona Watt

Address : 8 Calender Courtyard,
Donside,
Aberdeen,
AB24 2PF

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to this planning application, mainly due to lack of facilities in the local area. Donside was meant to be a self sustainable village but is just turning into a clump of houses and large office blocks. Tillydrone is already very poorly catered for and the addition of simply a few shops and a place to eat (which just do not exist in this area) would greatly add to the area. Instead currently a walk to Granholm is the only option for a meal out locally. The house we purchased was also sold with the idea of this lovely village square which seems to be slipping away. Tillydrone is currently an area for regeneration, so please can we stop halting all the projects that are helping to achieve this!!!

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 20 May 2013 09:20
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Joey Le-Morrison
Address : 36 Donside Street
Aberdeen AB24 2PJ

Telephone : _____

Email : _____

type :

Comment : I object to this plan.

Originally we were told upon purchasing property at the Donside Village that there would be a Cafe built to help bring enterprise and community spirit to the area. We already have the nearby community centre shut down, so having this door close on us is quite. To then fill it with landlord offices would leave many disgruntled residents as well as a wasted opportunity to assist in building a strong community who could assist in tackling any neighbourhood problems.

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 24 May 2013 12:57
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Stacey Stagno
Address : 34 Donside Street
Aberdeen
AB24 2PJ

Telephone

Email :

type :

Comment : I object to this new plans as we bought our new home at Donside based on the 'Donside Life' which promoted a community within the 'Donside Village'. If this new plans get approved there will be no 'community' or 'village' Donside will simply be another housing developemnet with offices. Offices within the developement will not benefit the Donside residents nor will it attract any visitors to the area. Using Grandholm as an example most of the units are sitting empty but the restaurant and salon businesses appear to be doing well. I have no objection to some office space in the developement. However, if it is soley offices then this is not in keeping with the original plans which influenced our decision as well as others i'm/sure, to live at Donside. Parking will also be an issue as the office staff will have to use residents parking spaces, which will aggrovate most residents.

From: webmaster@aberdeencity.gov.uk
Sent: 22 May 2013 20:54
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : David Holland
Address : 20 Papermill Avenue
Aberdeen
AB24 2PB

Telephone : _____

Email : _____

type :

Comment : I object to the change of use from café to office space as I feel that a café will be really beneficial to the area. When we bought our flat here we were told about all of the great amenities such as the café and nursery that were being included, and so far it seems like these are all being cancelled. I think a café would be a great meeting place for the community and would be great for the area

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 25 May 2013 00:10
To: PI
Subject: Planning Comment for 130218

Comment for Planning Application 130218

Name : Leanne Davidson
Address : 12 CRUIVES COURTYARD
aBERDEEN
AB2

Telephone

Email

type :

Comment : I object, on the basis this is a gross misrepresentation of the the original plans for 'DonSide life'. I confidently speak for the surrounding residents when I say, you have let us down and manipulated the whole concept Chap have sold us. I had hoped for a good social life here and had planned my social activities with that in mind. Please take a moment to think what you are changing and who you are affecting. This is because there are no local facilities in the Tillydrone area that the residents will utilise. We rely solely on the local restaurant in the the neighbouring, 'Grandholm Village', which is not ideal.
A cafe/bisto would be a hub in our community which will boost the moral and social aspect of our village.

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Agenda Item 2.6

124 NORTH DEESIDE ROAD, PETERCULTER

ERECTION OF TEMPORARY SALES UNIT

For: AJC Homes Scotland Ltd

Application Type : Detailed Planning Permission
Application Ref. : P130362
Application Date: 19/03/2013
Officer: Jane Forbes
Ward : Lower Deeside (M Boulton/A Malone/M Malik)

Advert :
Advertised on:
Committee Date: 18 July 2013
Community Council : Comments



RECOMMENDATION: Approve - Time Limited Period

DESCRIPTION

The application site lies on the north side of North Deeside Road, at its junction with School Road and forms part of the southernmost section of a wider development site of some 1350m² which was previously used as a police station. The site is currently under construction following demolition of the police station building and approval of a new residential development. To the south of the application site, and across North Deeside Road lies a row of 1½ and 2 storey residential properties, whilst to the east, and across School Road is a large 1½ storey building comprising a care home.

RELEVANT HISTORY

Planning application (Ref: 11/1196) for the demolition of the police station building and the erection of a new building comprising 11 flats (10 two-bedroom and 1 one-bedroom flats) and associated car parking was approved conditionally at Planning Committee on 22 May 2012.

Advert consent application Ref 13/0349 for the erection of a non-illuminated “V” shaped hoarding sign was approved conditionally by delegated powers on 5 July 2013.

Advert consent application Ref 13/0900 for non-illuminated fascia and hoarding signs is currently pending consideration.

PROPOSAL

This application, which is retrospective in nature, is seeking planning permission for the erection of a temporary sales cabin to be used in association with the residential development which was approved on 22 May 2012. The sales cabin, which is a single storey, flat roofed building painted in black and measuring 9.5 metres by 3 metres is located between 1 metre and 1.4 metres back from the southern boundary wall which delineates the site with North Deeside Road. The sales cabin is accessed directly off North Deeside Road via an existing opening to the boundary wall.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130362>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee as a result of Culter Community Council submitting an objection to the proposal. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Response received – no observations.

Environmental Health – Response received – no observations.

Enterprise, Planning & Infrastructure (Flooding) – Response received - no observations.

Community Council – Culter Community Council objected to the planning application for the following reasons:

- Site vehicles and vehicles servicing the site are parking on School Road pavements, causing issues for pedestrians;
- Drivers exiting onto North Deeside Road from School Road have restricted visibility;
- No measurements are provided on the application drawings;
- The sales cabin lies very close to the boundary wall, and closer than the plans suggest;
- Some comments included within the letter of representation relate to other development proposals for the application site and as such are not relevant to this proposal.

REPRESENTATIONS

Other than the letter of objection submitted by Culter Community Council, as detailed above, one further letter of objection has been received. The main issues and objections raised are as follows:

- The location of the temporary sales offices severely obstructs drivers visibility when accessing North Deeside Road from School Road;
- Locating the temporary sales offices within the application site reduces the operating space on site, leading to vehicles servicing the site having to park on School Road, including on the pavement, causing safety issues for both pedestrians and passing vehicles;
- The temporary offices erected on site have been located immediately adjacent to the boundary wall, and not as indicated in the submitted drawings.
- Concerns were also raised in terms of whether sufficient risk assessment had been undertaken for the construction and post construction phases of the overall development. This matter is not directly relevant to this specific application.

PLANNING POLICY

Aberdeen Local Development Plan

Policy H1: (Residential Areas)

The site is located within an area zoned as H1 (Residential Areas). This policy states that within existing residential areas, proposals for non-residential uses will be refused unless:

1. they are considered complimentary to the residential use; or
2. it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity.

Policy D1: Architecture and Placemaking

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting.

Supplementary Guidance

The Council's supplementary guidance "Temporary Buildings Design Guide" is a relevant material consideration. It states that permission will not normally be given for the retention of portable buildings beyond the two and a half years maximum duration. To be granted planning permission, units:

- a) Must be sited to the rear of existing buildings;
- b) Must avoid loss of existing car parking spaces; and
- c) Must not be sited on landscaped amenity areas, especially those with established tree and shrub planting.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Amenity

This application requires to be considered in terms of its impact on residential amenity, given that the application site lies within an area zoned as H1 (Residential Areas) in the local development plan. Although located opposite a row of residential properties which lie on the south side of North Deeside Road, in this instance, given the separation distance of some 16 metres between the temporary sales cabin and the front elevations of these properties, the scale and design of the sales cabin is considered to be appropriate, with no significant impact on the amenity of nearby residents. On this basis, the temporary building is not deemed to be incongruous with the residential character of the surrounding area. With construction work ongoing towards the northern section of the wider development site, the choice of location for this temporary sales cabin which is directly associated with the housing development has undoubtedly been restricted. However, the resulting location of the sales cabin along the southern boundary of the site, with access directly from an existing public footpath on North Deeside Road, enables ease of access to the temporary building during ongoing construction work whilst minimising any potential public safety issues. Taking the above into account, the proposal is deemed compliant with both policy H1 (Residential Areas) and Policy D1 (Architecture and Placemaking).

Siting

As outlined above, the temporary sales cabin lies along the southern boundary of the application site, fronting onto North Deeside Road. Whilst the Council's Supplementary Guidance on Temporary Buildings states that such buildings should be sited to the rear of existing buildings, this is not achievable in this instance, given that the previous police station building has been demolished and the replacement residential development is being constructed within the northern section of the site. As a result, there is no suitable alternative location allowing safe access to a sales cabin whilst work is ongoing on site, other than along the southern boundary, as proposed. The proposal does not result in the loss of existing car parking, given that the site currently forms part of a housing development with construction work ongoing and no requirement for car parking provision on site until such time as the development is completed. The Council's supplementary guidance on Temporary Buildings states that permission will normally be given for no longer than 2½ years. In this instance, given that construction work is already well advanced on site, it is considered appropriate that the sales cabin for this flatted development of 11 units be permitted on site for a maximum period of 2 years, or until such time as the 1st residential unit is occupied, whichever is the sooner.

Taking account of the above, whilst it is acknowledged that the proposal is not fully compliant with the Council's Supplementary Guidance on Temporary Buildings, as a result of its location, it is nevertheless deemed acceptable in this instance given the temporary nature of the sales cabin which is directly linked to the ongoing construction of a new residential development. Due regard has been given to securing an appropriate location for this temporary building within a comparatively restricted site, whilst ensuring safe access to the sales cabin from outwith the site.

Letters of Representation

Objections raised by Culter Community Council include concerns about the impact which the sales cabin development has on driver's visibility whilst exiting from School Road onto North Deeside Road. Concerns are also raised in relation to site vehicles parking on School Road pavements, causing issues for pedestrian access along the footpath. With regards the latter point, it is acknowledged that the construction work associated with this level of residential development will impact on pedestrian and traffic movement at times, which will undoubtedly cause some level of inconvenience, however as is the case for all development projects, this level of disruption is over a relatively short period of time, with the likelihood that it will decrease as work progresses and eventually cease as the development reaches completion. In terms of the impact which the sales cabin has on vehicle visibility, the Roads Projects Team have raised no concerns with regards the proposal having an adverse impact on road safety, or affecting visibility at the junction, and on that basis have not objected to the proposal.

Whilst the Community Council raised the issue that there were no measurements provided on the application drawings, it should be noted that provided the

drawings submitted in support of an application are drawn to an appropriate scale, and the scale is clearly identified, which is the case in this instance, then there is no statutory requirement for measurements to be included on the drawings. The Community Council also raised the issue that the location of the sales cabin on the drawing submitted appeared incorrect. This was assessed on site and it was found that the sales cabin did in fact lie closer to the site boundary than the drawing suggested, with the result that amended drawings have been submitted and this inaccuracy fully addressed.

A letter of representation has been received from a local resident, raising similar issues to those of the Community Council. Although the correspondence refers to several temporary offices being located on site, it is worth noting that this application is seeking planning consent for the erection of a temporary sales cabin, and the 2 remaining temporary buildings located on site which are being used by construction workers are classed as permitted development.

Concerns raised relate to the location of the temporary buildings severely obstructing drivers visibility when accessing North Deeside Road from School Road; the location of the temporary buildings reducing the operating space on site, resulting in vehicles which are servicing the site parking on School Road; and finally the accuracy of the location of the temporary buildings on site in relation to what is indicated on the submitted drawings. All of these matters have been addressed above, in response to the concerns raised by the Community Council.

RECOMMENDATION

Approve - Time Limited Period

REASONS FOR RECOMMENDATION

The application site lies within an area zoned as Policy H1 (Residential Areas) in the Aberdeen Local Development Plan, and taking into consideration the temporary nature of the sales cabin and its relevance to a previously approved residential development, it is considered that its size, design and location within the site are appropriate in this instance, and unlikely to have any adverse impact on the character and amenity of the surrounding residential area. On this basis the sales cabin is deemed to be compliant with Policy H1 (Residential Areas) and Policy D1 (Architecture and Placemaking). As a result of the initial demolition work and subsequent construction work across the wider development site it has not been possible to locate the sales cabin to the rear of buildings, as stipulated in the Council's supplementary guidance on Temporary Buildings. However in this instance the location of the sales cabin close to the southern boundary of the site and for a fixed period not exceeding two years is deemed appropriate, given that its purpose is directly associated to the construction of residential development which was previously approved for this site and its location ensures the safest option for accessing the temporary building from outwith the site. Taking the above into account, there are no material planning considerations which would warrant refusal of planning permission.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that the temporary building hereby granted planning permission shall not remain on site after a period of two years expiring on 18th July 2015, or following occupation of the 1st residential unit, whichever is the sooner - that the character and siting of the structure is not such as to warrant its retention for a period longer than that specified in this permission.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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CULTER COMMUNITY COUNCIL



St Quentin
18 Hillside Road
Peterculter
Aberdeenshire
AB14 0TX

28th March

Ms Jane Forbes, Planning Officer
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4, Ground Floor North
Marischal College
Broad Street
Aberdeen AB10 1AB

Dear Ms Forbes

Planning Applications P130349 and P130362: 124 North Deeside Road, Peterculter

Since the advertising sign (P130349) and sales unit (P130362) have been in place for weeks the members of Culter Community Council (CCC) assume these applications are being made for permission retrospectively. However the members, on looking at them and listening to the community, find they cannot agree to them and instead must object strongly for the following reasons:

1. At our CC meeting on 18th March a member of the public spoke on behalf of a delegation who had attended to express extreme concern on the safety for pedestrians, and vehicle users at the junction of School Road and North Deeside Road (ND Rd) while construction is taking place at this site (124 ND Rd). He said:

- Lorries delivering materials and equipment are often parked on the east pavement of School Road opposite the site
- The site vans are parked either partly on the west pavement of School Road adjacent to the site or on the road
- This leads to great difficulty and danger for pedestrians (adults and particularly schoolchildren) trying to use the pavements and also for the two disabled ladies trying to drive their motorised wheelchair buggies up and down School Road
- An added problem is for drivers trying to exit School Road on to ND Rd. They have a very restricted view of traffic approaching from the west along ND Rd until the nose out actually on to ND Rd

The two police constables present to give their monthly report to CCC took notes and said they would investigate and report back.

LCM

29th Mar 2013

2. On looking at the plan (the same one being presented for both applications) the members of CCC found that:

- a) no measurements are given on the supposed distance between the '2.4m solid site hoarding' and the stone wall
- b) nor for the distance between the solid hoarding and the construction site accommodation modules
- c) nor for the distance between the sales cabin and the stone wall

3. On visiting the site CCC members found that:

- The solid site hoarding was fixed on to the stone wall leaving no space at all
- The site accommodation cabins were then set very close to the hoarding
- There is barely a metre between the sales cabin and the stone wall
- The solid site hoarding also appears to be higher than 2.4m stated in the plan being virtually the same height as the sales cabin as shown where they abut

In summary all the temporary accommodation on the site is much nearer to N D Rd than the plans suggest with the effect of seriously reducing visibility of traffic approaching from the west for drivers trying to exit School Road until they (illegally) nose out on to N D Rd.

The members of CCC therefore feel that they must object to Applications P130349 and P130362 (and even the placement of the site accommodation cabins and solid hoardings) until safety matters are addressed and resolved, especially since they are all likely to be required on site for several months to come.

Yours sincerely,

Lavina C Massie
Planning Liaison Officer
Culter Community Council

Cc: Councillors Boulton, Malone and Malik

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 25/03/2013 23:42
Subject: Planning Comment for 130362

Comment for Planning Application 130362

Name : Nigel George
 Address : 54 Station Road West
 Peterculter
 Aberdeen AB14 0US

Telephone :

Email : ~~_____~~

type :

Comment : I object to this retrospective planning application on the grounds that installing these temporary sales offices so close to the existing low wall has severely obstructed the view of drivers emerging from School Road into North Deeside Road. I have written to Councillor M Boulton and Mr D Bonnyman, Roadworks co-ordination ACC regarding the safety issues for road users and pedestrians of siting these temporary offices. The poles holding the advertising hoardings also add to the vision problems. This week since opening the sales office the developer has placed a further portable "Open" sign on the wall at driver eyesight level - when this sign is in place it becomes very difficult to see traffic approaching from the west on N Deeside Rd. Consequently cars have to have their bonnets sticking about 4ft into the road to get a clear view. This then becomes an obstacle for traffic from the west, who have to move across to the centre of the road to pass. However traffic coming from the East are also already moving to the centre of the road to pass legally parked vehicles in N Deeside Road opposite the construction site. This is an accident "waiting to happen" - I predict that there will be a head on collision between a west bound vehicle and an East bound vehicle taking action to avoid a vehicle emerging from School Rd. These temporary offices also reduce the "operating space" on the site, which leads to other problems for road users and pedestrians. The fundamental problem is that the site is too small for the construction activities. Lorries delivering machines and materials have to offload these in School Road. On several occasions I have found lorries towing low-loader trailers illegally parked on the west pavement of School Road - this blocks pedestrian access and only allows one vehicle to squeeze past in either direction on School Road (because all the site vans are parked on the opposite side of the road!!) There are 2 handicapped ladies that use motorised buggies to get around in Culter and I have seen them struggling to get down School Rd, having to try and cross from one pavement to the other. The junction is also a school crossing point, so children walking to & from school are also exposed to potential hazards from these site vehicles. If the temporary offices were removed then the space freed up could be used for offloading site lorries without causing obstructions to users of School Road. (Note that the stone wall at Eastleigh Old Peoples home has been damaged and partially knocked down - I would not be surprised if this was as a result of offloading activities from site lorries). Finally I would like to ask the question that I posed to Cllr Boulton - what risk assessment did the Building Planning department undertake in respect of the risks to the local residents in terms of a) the construction phase b) the post development phase where the flats car park exit is directly onto a busy junction? I feel very strongly about how badly and the developer is treating the residents of Culter in the inconsiderate manner in which he manages his site (or should I say doesn't manage his site) In one incident the contractor had a long low loader "jammed across both lanes of N Deeside Road and School Road for almost 20 minutes (not 5 minutes - 20 minutes) whilst he tried to offload a machine - traffic queues were horrendous - another example of his lack of consideration for others. Please remove the temporary offices before somebody is killed or injured at this junction. I am the President of the Culter Village Hall - this issue and the safety concerns are a major talking point in the village community these days. However, nobody seems to think that the ACC care about the problems caused by sanctioning this size of development on such a small site and have little expectation that the temporary offices, installed without planning consent will be removed by the developer. I currently drive up and down School Rd about 3 times every day to my daughter's house in Hillview Rd, so I have seen the deterioration in visibility at the junction first hand.

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 25/03/2013 23:55
Subject: Planning Comment for 130362

Comment for Planning Application 130362

Name : Nigel George
Address : 54 Station Road West
Peterculter
Aberdeen AB14 0US

Telephone :

Email : 

type :

Comment : Further to my previous comments and objections, I note that in the plans the temporary offices are proposed to be situated further back (2metres)from the wall in North Deeside Road. However they have been installed right hard up against the wall. It is this location against the wall that causes the vision problem for drivers exiting School Road. The developer will have located these units as close to the wall as possible, because he needs the space behind to store materials. I suggest again - the site is too small for both the size of development and the construction phase required to build the flats.

Agenda Item 2.7

107 SPRINGFIELD ROAD, ABERDEEN

ERECTION OF SHED AND FENCING

For: Mr Ramsay Milne & Miss Morag Hamil

Application Type : Detailed Planning Permission
Application Ref. : P130689
Application Date : 14/05/2013
Officer : Sheila Robertson
Ward : Hazlehead/Ashley/Queen's Cross
(M Greig/J Stewart/R Thomson/J Corall)

Advert :
Advertised on:
Committee Date: 18 July 2013
Community Council : No comments



RECOMMENDATION: Approve unconditionally

DESCRIPTION

The application site is located on the west side of Springfield Road, at its junction with Springfield Gardens, extends to 500sq.m, with a current site coverage of 23%, and comprises a 1.5 storey, detached dwelling house, finished in granite with orange/red roof tiles. The rear garden ground extends to 265sq.m and is screened to the rear (west) boundary by a 1.8m. high wall, while the northern boundary, which abuts Springfield Gardens, is screened by 1.8m. high walls to a point lining through with the rear elevation of the dwelling house, thereafter dropping down to approximately 1m.

RELEVANT HISTORY

None

PROPOSAL

Permission is sought to erect (a) a shed in the rear garden, between the northern gable of the dwelling house and the boundary wall, (b) a section of 1.8m high, pressure treated, lattice topped timber fencing to part of the boundary on elevation to Springfield Gardens, and (c) square trellis fencing fitted to the southern rear garden boundary wall, ranging in height between 2 and 2.2m above ground level and stained golden brown. The shed would be 2.4m x 3m with a shallow pitched roof 2.3m high to roof ridge and constructed of tongue and groove redwood, stained either light brown or red cedar, with a window to the south facing elevation and high level window to the north facing elevation. The fencing would extend 9m along the northern boundary, 1.8m in height and line through with the northern gable of the house, with a 4.4m section and an access gate linked to the northern corner of the dwelling house.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130689>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the applicant is an elected member of the Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – No observations.

Environmental Health –No observations.

Community Council –No comments received.

REPRESENTATIONS

None received.

PLANNING POLICY

Aberdeen Local Development Plan

Policy D1 - Architecture and Placemaking

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

Policy H1 - Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

1. does not constitute over development;
2. does not have an unacceptable impact on the character or amenity of the surrounding area; and
3. complies with Supplementary Guidance contained in the Householder Development Guide.

Supplementary guidance

Householder Development Guide: There are no specific guidelines relating to erection of domestic sheds or fences, however all development is expected to be architecturally compatible in design and scale with the original house and its surrounding area. Materials should be complementary to the original building. Any development should not overwhelm or dominate the original form or appearance of the dwelling house. No more than 50% of the rear garden should be covered by development. No development should result in a situation where neighbouring residential amenity is detrimentally impacted.

EVALUATION

The proposals are considered to comply with the relevant policies for the following reasons:

Policy D1 – Architecture and Placemaking

- The proposed shed is of minor dimensions and subservient to the original dwelling house. Its scale, mass and proportions are considered acceptable in relation to the existing dwelling house and plot size. The site coverage would rise after development by 1% to 28% which is considered low and acceptable within the context of the surrounding area. 97.3% of the useable rear garden ground would be retained after development.
- The proposed shed would be located behind the front building line of the dwelling house, and although it would be partially screened by the proposed fencing, a small section of roof would be visible. However its dimensions and design are such that there would be no visual impact on the character of the streetscape.
- The proposed fencing is considered to result in a structure of satisfactory height and design, the materials are high quality and would integrate well with the existing property, and is considered to be of sufficient height to ensure privacy to the applicants' rear garden without impacting on the visual amenity of the streetscape.

Policy H1 Residential:

Supplementary Guidance –Householder Development Guide

- There are no specific guidelines specifying scale and design of sheds and fences, each application is assessed on its own merits on a site specific basis in terms of impact on residential character and amenity. Both the shed and fencing are considered to be of suitable domestic proportions, scale and materials, and to be located sufficiently distant from neighbouring properties to ensure no detrimental impact on the visual or residential character and amenity of the surrounding area. No additional loss of privacy to neighbouring properties from the windows of the shed since the rear garden would be adequately screened.

RECOMMENDATION

Approve unconditionally

REASONS FOR RECOMMENDATION

The proposals are considered to comply with Local Plan Policies D1 (Architecture and Placemaking) and H1 (Residential Areas), and the general principles contained in the Householder Development Guide. The proposed shed and fencing are considered to be of suitable domestic scale, design and materials for their location, and would not have any adverse impact on the residential amenity of neighbouring properties or on the character of the area. The proposals are considered to be located sufficiently distant from neighbouring properties to ensure no impact in terms of loss of daylight/ privacy or overshadowing thereby maintaining current residential amenity.

Dr Margaret Bochel

Agenda Item 3.1

WOODEND FARM (LAND AT), CULTER
HOUSE ROAD, PETERCULTER

PROPOSED RESIDENTIAL DEVELOPMENT
(PERMISSION IN PRINCIPLE)

For: John Adam & Son

Application Type : Planning Permission in
Principle
Application Ref. : P121581
Application Date: 06/11/2012
Officer: Garfield Prentice
Ward : Lower Deeside (M Boulton/A Malone/M
Maik)

Advert : Dev. Plan Departure
Advertised on: 28/11/2012
Committee Date: 18 July 2013
Community Council : Comments



RECOMMENDATION:

Refuse

DESCRIPTION

The site located to the north of Peterculter on the west side of Culter House Road some 2.3 km from the junction with North Deeside Road and 1.2 km from Malcolm Road and comprises the farmyard known as Woodend Farm. The site, which extends to 1.8 hectares, contains numerous dilapidated glasshouses and poly-tunnels for growing fruit and several dilapidated farm buildings. The structures are scattered in a random pattern across the site. There are numerous trees in the west corner of the site. There is an existing access into the site directly off Culter House Road. Immediately to the east and between the site and Culter House Road are the farmhouse and a disused steading. To the north west and south east are areas of woodland, the latter being a Local Nature Conservation Site (LNCS) - No.54 Peterculter. A small part of the application site falls within LNCS area. To the south west is the recently constructed cattery and equestrian business at Tillyoch, while on the opposite side of Culter House Road are agricultural fields, a small woodland and a house known as Forest Cottage.

RELEVANT HISTORY

Planning permission for the conversion of the disused steading to form two dwellings was granted planning permission on 28th January 2011 (application reference P100905). The planning permission has not been implemented.

Planning permission for a replacement house was granted on 19th May 2011 (application reference P101817). The planning permission has not been implemented.

Planning permission in principle for 14 houses on the site (application reference P111144) was refused on 2 April 2012 following a site visit by the Development Management Sub-committee on the grounds (1) that the proposal, if approved, would be undermine the principles of controlling development and preventing sporadic housing in the Green Belt, lead to the erosion of the character of such areas and adversely affect the landscape setting of the City contrary to the provisions of Scottish Planning Policy and Policy NE2 'Green Belt' of the Aberdeen Local Development Plan, (2) that the proposal, if approved, would be contrary to Scottish Planning Policy, the Aberdeen and Shire Structure Plan key objective on accessibility and Policy D3 of the Aberdeen Local Development Plan by reason that the development would be isolated and remote from the settlement of Peterculter, would be inaccessible by public transport and thus would be reliant on the private car and (3) that the proposal, if approved, would set an undesirable precedent for applications of a similar nature which would result in the proliferation of sporadic housing in the Green Belt, leading to the erosion of the character of such areas and adversely affecting the landscape setting of the City.

PROPOSAL

Planning permission in principle is sought for a residential development comprising 14 houses and associated landscaping and open space. An indicative development layout has been submitted with the application. An indicative house

type has also been submitted, which is a large 1½ storey, 4-bedroomed detached property. The layout indicates access would be taken from Culter House Road to the south of the existing farm buildings.

The application is accompanied by a Supporting Planning Statement, which presents the case for granting planning permission and includes a series of photographs and aerial views showing the application site and the adjacent cattery and livery business. However, it should be noted that the report states it was prepared on behalf of a company (Kinellan Building Services Ltd) that is not the named applicant. Separate documents titled Review of Green Belt Policies in Support of the Residential Development and Bon Accord Cricket Club respectively have also been submitted by the applicants.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?121581>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

- Transport Statement (April 2013)
- Aerial views and photographs

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the proposal has attracted an objection from the Council's Roads Projects Team. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Object to the proposal for the reasons set out in the Memo appended to this report. In summary, there are serious concerns regarding the accessibility of the site. Culter House Road is constrained in width and varies in width along its length generally between 4.7 metres and 5.0 metres, although there is one section reduced to 3.0 metres at Forest Cottage. There are no formal passing places. A request for the developer to provide passing places has not resulted in any proposals coming forward. Equestrian movements, as acknowledged by the applicant's agent, along with cycling occur on the surrounding roads. Increased traffic volumes associated with the development, irrespective of the size of the increase, must be considered in this context.

There are no adopted pedestrian routes or any formal cycle routes in the vicinity of the site. Culter House Road is too narrow to accommodate such infrastructure. A route constructed to the appropriate standard, including Safe Routes to School, has been requested from the developer but no such proposals have come forward. The Strategic Transport Fund (STF) contribution required for this proposal cannot be used for that purpose. Its purpose is to fund strategic

projects, not measures required to mitigate the impact of the development on the local road network.

The Transport Statement submitted by the applicant does not take into consideration accident statistics or proposals to rectify the issue of vehicles using the narrow roads.

The site is approximately 1.5km from Culter Primary School, within the distance that pupils would be expected to walk to school. However, that route would be unsafe at present. There is limited accessibility of the site on foot and none that would be considered to meet current standards. Public transport services are at some distance and considerably beyond that required by current Council policy.

The above comments are made on the assumption that a full STF contribution will be made to adequately mitigate the impact of the development's contribution to the cumulative impact on the strategic road network.

Environmental Health – The proposal would need to be connected to the nearest mains water supply and mains sewage facilities.

Developer Contributions Team – Given the location of the proposal, remote from existing housing and transport routes, the delivery of affordable housing on site may not be appropriate. However, there may be scope for off-site provision. Developer contributions would be required for affordable housing, community facilities, recreation purposes, library facilities, core paths network and the Strategic Transport Fund. An education contribution may be required, but insufficient information is currently available to conclude this matter.

Enterprise, Planning & Infrastructure (Flooding) - No observations

Education, Culture & Sport (Archaeology) – A condition should be applied to secure the implementation of a programme of archaeological works.

Community Council – Culter Community Council has commented as follows. This is an upgraded re-submission of a previous application for a development of 14 houses, on a site currently containing run-down agricultural buildings and decaying greenhouses and poly tunnels. Additional land (approximately 3 hectares) would be donated as enabled land for community use as a cricket ground as 'planning gain'. Following the refusal of the application for the housing and approval of the separate application for the cricket pitch, the Community Council would like to find out how this community resource can be provided as part of 'planning gain'. It is not clear to the Community Council how the same reasons for refusal for the housing application, namely non-inclusion in the local development plan housing areas, did not apply to the Waterwheel Inn site in Milltimber.

The application site could be considered as brownfield. The Community Council had proposed Culter House Road to be included in the City's core path network, because of the number of people who currently walk, cycle and horse ride along it – it is classed as 'aspirational'.

The Community Council agree in principle to the proposal for housing plus land for community use/cricket ground, provided that conditions will be applied so that children and adults will be protected through traffic control measures and any other measures deemed appropriate.

It is also noted that the new submission has provided a woodland path to be included between existing trees beside Culter House Road, providing safe access to Bucklerburn Road and School Road without loss of trees. An existing pavement and kerb along Culter Hhouse Road, opposite the development, although overgrown, could be resurrected.

REPRESENTATIONS

6 letters of objection have been received. The objections raised realte to the following matters –

1. There is no need for further housing in area
2. Additional houses would spoil the character of the area
3. The proposal would affect trees in the area where there are country walks
4. Culter House Road is a quiet road used by walkers

One further letter of representation has been received from the adjacent proprietor, which although not objecting to the development of houses, raises a number of concerns and issues –

1. The houses should be liimited to single storey (bungalows) only and that sufficient and adequate screening is created along the boundary in order to preserve privacy
2. Due to the differences in levels suitable infiltration trenches and drainage will be required to avoid run-off into the adjacent site
3. On-site hazards, such as an unbunded diesel tank, glass houses and disused tyres should be removed
4. There are concerns regarding the safety of the steading on the site, which has had part of the roof removed
5. The housing in close proximity to the adjacent equestrian business, which has regular shows with the use of PA systems, and pet resort will lead to noise disturbance

44 letters of support, of which 39 are standardised letters signed by individuals, have been received. Many of the letters are from people who are neither near neighbours nor live in the local area. The main issues raised relate to the following matters –

1. The land would be ideally suited for a small scale, low density residential development of around 14 houses.
2. The area *“could do with tidying up and because only land currently brownfield consisting of old semi-redundant and dilapidating farm buildings would be used.....this housing development is an excellent way to do that for the long term.”*

3. The low density housing with a large proportion of landscaping would enhance the appearance and character of the area.
4. The applicant is willing to donate a significant area of land for community use as a cricket pitch, for which planning permission has been granted. The housing must also be granted for the land to be passed over to the cricket club.
5. There is demand for family housing in the area

PLANNING POLICY

Scottish Planning Policy (SPP) is the statement of Government policy on land use planning and includes the Government's core principles for the operation of the planning system and concise subject planning policies. The general policy on sustainable development and the subject planning policies relating to housing, green belts and transport are relevant material considerations.

Aberdeen City and Shire Structure Plan

The Structure Plan sets out the following key objectives for the growth of the City and Aberdeenshire.

Population growth: to increase the population of the city region and achieve a balanced age range to help maintain and improve people's quality of life.

Quality of the environment: to make sure new development maintains and improves the region's important built, natural and cultural assets.

Sustainable mixed communities: to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to.

Accessibility: to make sure that all new developments contribute towards reducing the need to travel and encourage people to walk, cycle or use public transport by making these attractive choices.

Aberdeen Local Development Plan

Policy D3 - Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel.

Policy D6 – Landscape

Development will not be acceptable unless it avoids (i) significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it; (ii) disturbance, loss or damage to important recreational, wildlife or woodland resources or to the physical links between them; and (iii) sprawling onto important or necessary green spaces or buffers between places

or communities with individual identities and those which can provide opportunities for countryside activities.

Policy H5 – Affordable Housing

Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

Policy NE1 – Green Space Network

The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.

Policy NE2 – Green Belt

No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal.

Policy NE5 – Trees and Woodlands

There is presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity.

Policy R7 – Low and Zero Carbon Buildings

All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards. This percentage requirement will be increased as specified in supplementary Guidance.

Supplementary Guidance

The Council's supplementary guidance 'Transport and Accessibility', 'Trees and Woodlands', 'Affordable Housing' and 'Low and Zero Carbon Buildings' are relevant material considerations.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise. The development plan comprises the Aberdeen City and Shire Structure Plan and the Aberdeen Local Development Plan.

Planning permission in principle for a similar development of 14 houses on the site was refused in April 2012 for the reasons set out in the history section above.

Scottish Planning Policy (SPP)

SPP is a relevant material consideration. The proposal constitutes a local development as defined in the 'Hierarchy of Development' Regulations. It is also considered to be a departure from the development plan and was advertised accordingly. SPP sets out the Government's core principles that underpin the modernised planning system. It states *"The system should be genuinely planned....."* and *"There should be a clear focus on the quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment"*. SPP also states that the purpose of green belts is to direct planned growth to the most appropriate locations, to protect and enhance the quality, character, landscape setting and identity of towns and cities and to protect and give access to open space within and around towns and cities. It states further that the cumulative erosion of the green belt's integrity through the granting on individual permissions should be avoided. In relation to transport, SPP advises that in order to reduce emissions from transport, there requires to be a shift to more sustainable modes of transport, i.e. from car-based travel to walking, cycling and public transport. It states further that *"Development should be supported in locations that are accessible by walking, cycling and public transport...."* In relation to new housing, SPP advises that new developments should be integrated with public transport and active travel networks (walking and cycling), rather than encouraging dependence on the car.

Aberdeen City and Shire Structure Plan Spatial Strategy

The structure plan contains a spatial strategy which identifies three strategic growth areas, one of which is Aberdeen City. The strategy acknowledges that although brownfield sites are the preferred option for development, more than half the development will need to take place on greenfield sites, with a consequent review of the whole green belt being required. The strategy recognises the vital need to reduce travel distances and make walking, cycling and public transport more attractive to people. The structure plan specifically requires local development plans to use the spatial strategy to set policies and identify land for development. It also states that planning applications should be assessed against the spatial strategy to decide whether the location, nature and scale of the development is in line with the plan.

Principle of Housing Development

The Aberdeen Local Development Plan was adopted by the Council on 29th February 2012. It identifies the specific sites and land to be developed for housing in accordance with the strategy set out in the structure plan. The proposed development clearly does not comply with the land allocations identified in the Plan, which for Deeside are set out in Table 9. Instead, the site is identified as green belt (Policy NE2), overlain by Green Space Network (Policy NE1). The Reporters in their examination of the Local Development Plan considered whether Woodend Farm (Development Option 9/26) should be included as a housing site and associated cricket pitch in the Plan. They stated *"Policy NE2 which applies to the green belt sets out certain circumstances in which proposals for development may be permitted. It is not possible for such policies to address every possible eventuality or potential development proposal in the green belt. In dealing with any planning application, the planning authority*

would be required to decide whether there are any particular aspects of the site, its surroundings, or of the nature of the proposed development, which might justify approval as an exception to the terms of the relevant policies. Having said all that.....the site cannot be recommended for inclusion in the local development plan for housing development.” The reason given by the Reporters was that *“the overall vision and spatial strategy of the local development plan is appropriate and that adequate housing land has been provided to meet the allowances set in the structure plan”*. Accordingly, there is no justification for sacrificing part of the green belt for a housing development.

The proposal clearly does not fall within any of the categories of development identified as acceptable in the Green Belt, which seeks to generally restrict development to that which is necessary for the purposes of agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal. New housing is permitted only if applicants can satisfy the Council that it is required to provide residential accommodation for essential workers, such as those employed in agriculture or forestry, who are needed to be housed immediately adjacent to their place of employment. This restriction applies primarily to avoid the proliferation of housing in these areas, which would be damaging to the Green Belt and the landscape setting of the City. Clearly it could not be demonstrated that a development of 14 houses would be required to accommodate essential agricultural or forestry workers who must be housed in that area and thus the proposal does not comply with Policy NE2, nor would it meet the green belt and transport objectives of SPP. The Green Space Network consists of areas of land that have particular value in terms of recreation, public access, wildlife or landscape, together with links between such areas. Policy NE1 states that these qualities will be protected and enhanced and that development likely to destroy or erode them will not be permitted. The proposed development would be contrary to the objectives and underlying purpose of that policy.

The Aberdeen Green Belt Review states that in Deeside all the settlements are well contained by the 90 to 95 metre contour on the northern side of the Dee valley. It goes on to state that maintaining this as a northern limit to their development will help to prevent urban sprawl northwards where it would be isolated from the main transport corridors along the North Deeside Road and Deeside Line. The proposed housing development would be just beyond the limit of this contour, being located on the 100 metre contour. Given the characteristics of the locality, woodland to the north and south and a cattery and equestrian centre to the west of the site, the visual impact of the proposed development in terms of long distant views would be limited provided a substantial landscape buffer was introduced on the west side of the site. Notwithstanding, the appearance of that part of Culter House Road would be change substantially and the local landscape character would be adversely affected and irrevocably changed from rural to an urbanised form of development, which would be contrary to SPP and to Policy D6 of the local development plan.

For the reasons stated above the principle of housing on the site is not acceptable. Furthermore, there have been no material changes to planning policy

that would justify making a different decision to that made on the previous application for housing on the site.

Accessibility and Traffic Impacts

SPP advises that new development should be located in places that are accessible by walking, cycling and public transport. The site is isolated and remote from the settlement of Peterculter (a view supported by the Reporters) and is not easily accessible by walking and cycling and not accessible at all by public transport. The nearest public transport route would be over 800 metres away. Access to the site by cycle would be difficult. In addition, there are no footways on Culter House Road, which is narrow country lane, thus raising pedestrian safety concerns. The Community Council states that a “pavement and kerb” along part of Culter House Road could be resurrected. However, it would be difficult to achieve a footway on Culter House Road to the appropriate standard, including meeting the requirements of Safe Routes to School, as it could potentially impact on a number of mature trees within the LNCS. The development would be reliant on the private car, contrary to SPP, the structure plan key objective on accessibility and to Policy D3 of the local development plan. It is noted that the applicant draws attention to a partially implemented planning permission for a farm shop, tearoom and children’s activity venue at Woodend Farm, which it is argued if fully provided would generate more traffic than the proposed housing development. Attention is also drawn to the traffic associated with the recently constructed cattery and equestrian centre on the adjacent land (Tillyoch). Notwithstanding, the proposed housing would result in additional traffic on a sub-standard country road, which would not be in the interests of public safety. The roads officer objects to the application as the proposal does not adhere to current local and national policy for accessibility for residential developments and there would be an inherent road safety issue for pedestrians, cyclists and horses and riders in the area. For these reasons, a housing development on the site is not acceptable.

Layout, House Types, Access etc

As the application is for planning permission in principle, consideration of the proposal is limited to the principle of a residential development on the site. Although an indicative layout and house type has been provided, these are not up for consideration. The details merely give an indication of what the layout of the development and houses may look like if planning permission in principle were to be granted. If such consent were to be granted these matters, including precise details of the access arrangements, would be the subject for a future planning application.

Impact on Trees

The proposal would potentially result in the loss of the trees in the western corner of the site. A number of trees could also potentially be affected immediately adjacent to public road. The loss of those trees would have a detrimental impact on the rural character of that part of Culter House Road. It is likely that the impact on the LNCS would not be significant. However, because only an indicative site layout has been provided, the potential impacts cannot be fully assessed and quantified at this stage. The proposal would not impact directly on any country or woodland walks.

Issues Raised in the Supporting Planning Statement and Review of Green Belt Policies

It has been suggested in the Supporting Planning Statement that the site should be treated as a brownfield site as it was previously developed. The Community Council concurs with that opinion. However, brownfield land is normally taken to be vacant or unused, previously developed land within settlement boundaries. The site is not within the settlement boundary and thus is not considered to be brownfield. Notwithstanding, even if it could be construed as brownfield, the proposal must be considered in the context of the relevant local plan policies, which in this case relate to green belt and Green Space Network. The proposal is not an acceptable form of development in the green belt and thus cannot be supported.

It has been stated in the Supporting Planning Statement that the housing would be sustainable and carbon neutral. For the reasons stated above, the proposed housing would not be in a sustainable location, being remote from the settlement of Peterculter. No details have been provided to demonstrate that the houses would be carbon neutral. There is merely an aspirational comment in the Statement. Notwithstanding, this matter does not outweigh the fundamental issue of the principle of housing on the site being unacceptable.

The Supporting Planning Statement also states the proposal would enhance the landscape setting by replacing dilapidated farm buildings and would complement the biodiversity of the area. The condition of the existing farm buildings is not a relevant material planning consideration in the determination of this application and thus cannot be used as justification for housing on the site. To do so, could encourage the other property owners in green belt locations to allow buildings to deteriorate into a state of disrepair in anticipation of being allowed inappropriate development in the green belt. Constructing 4 houses on the site would introduce an urbanised form of development into a rural area characterised by farm buildings, agricultural fields, areas of woodland and a scattering of individual houses. The one exception to this is the cattery and livery business at Tillyoch. However, that establishment is substantially hidden from view from Culter House Road and thus has significantly less impact on the landscape character of the area than would be housing on this site. The proposal would have little, if any, positive impact on the biodiversity of the area.

Attention is also drawn in the Supporting Planning Statement to a planning permission granted at the former Waterwheel Inn on North Deeside Road (Application reference P111606). However, the circumstances of that development are entirely different to this proposal, not least that it includes a listed building that requires considerable restoration work that needs enabling development to fund the works and also is in a more sustainable location being on a bus route and cycle route. Notwithstanding, this application must be determined on its own planning merits and decisions taken by the planning authority on other proposals are not relevant material considerations.

Comments raised in the Supporting Planning Statement regarding the principle of development on the site, the Aberdeen Green Belt Review, traffic impacts and public transport are addressed earlier in this report. As the application is only for

the principle of development on the site, comments made in the Supporting Planning Statement are not directly relevant to the assessment and determination of this application.

Attention is drawn in the Statement to the proposed footpath from the site to link with the existing path through Tillyoch Wood. It is accepted that the provision of such a link could in principle be provided as the adjacent land, through which it would run, is under the control of the applicant.

The general issues raised in the Review of Green Belt Policies submitted by the applicant have generally been addressed earlier in this report. The document, however, acknowledges that the Reporters in their examination of the Local Development Plan stated that whilst it is not possible for green belt policy to address every eventuality, in dealing with any planning application, the Planning Authority would be required to decide whether there are any particular aspects of the site, its surroundings, or the nature of the proposal, which might justify approval as an exception to green belt policy. It is considered there are no relevant material or exceptional circumstances that would justify departing from green belt policy.

Gifting of nearby land for Community Use as a Cricket Ground

The applicant has stated that if the proposed housing is granted planning permission land on the opposite site of Culter House Road would be gifted to Bon Accord Cricket Club in order that the club can establish a new cricket ground for its own and community use and thus the proposed housing should be considered as 'enabling development'. It is not accepted that the proposal can legitimately be described as enabling development as the land could be gifted to the cricket club and developed as a cricket ground (subject to planning permission being granted) without Woodend Farm being developed for housing. This application must be considered on its own merits in the context of the development plan and primarily in terms of green belt policy. Whilst it is acknowledged that a cricket ground would be a new community facility for Peterculter, the possible formation of such a facility does not override the fundamental failings of the housing proposal in terms of national and local planning policy.

Relevant Planning Matters Raised by the Community Council

Additional land (approximately 3 hectares) would be donated as enabled land for community use as a cricket ground as 'planning gain' – This matter has been commented on the issues addressed earlier in the report in the section 'Gifting of nearby land for Community Use as a Cricket Ground.'

Following the refusal of the application for the housing and approval of the separate application for the cricket pitch, the Community Council would like to find out how this community resource can be provided as part of 'planning gain' – The proposal to donate land for community use/cricket ground is a private matter between the applicant and the cricket club. The Council has no role in this matter and cannot require/ensure that this to would occur should planning permission be granted.

It is not clear to the Community Council how the same reasons for refusal for the housing application, namely non-inclusion in the local development plan housing areas, did not apply to the Waterwheel Inn site in Milltimber - The circumstances of that development are entirely different to this proposal, not least that it includes a listed building that requires considerable restoration work that needs enabling development to fund the works and also is in a more sustainable location being on a bus route and cycle route. Notwithstanding, this application must be determined on its own planning merits and decisions taken by the planning authority on other proposals are not relevant material considerations.

The application site could be considered as brownfield. – Brownfield land is normally taken to be vacant or unused, previously developed land within settlement boundaries. The site is not within the settlement boundary and thus is not considered to be brownfield. Notwithstanding, even if it could be construed as brownfield, the proposal must be considered in the context of the relevant local plan policies, which in this case relate to green belt and Green Space Network. The proposal is not an acceptable form of development in the green belt and thus cannot be supported.

The Community Council had proposed Culterhouse Road to be included in the City's core path network, because of the number of people who currently walk, cycle and horse ride along it – it is classed as 'aspirational' – This comment supports the Council view that the road is currently used by walkers, cyclists and horse riders. As stated previously in the report it would not be interests of those road users for additional traffic arising from the proposed development to be using the road.

The Community Council agree in principle to the proposal for housing plus land for community use/cricket ground, provided that conditions will be applied so that children and adults will be protected through traffic control measures and any other measures deemed appropriate – The issue of the principle for housing on the site has been discussed in full earlier in the report.

It is also noted that the new submission has provided a woodland path to be included between existing trees beside Culterhouse Road, providing safe access to Bucklerburn Road and School Road without loss of trees. An existing pavement and kerg along Culterhouse Road, opposite the development, although overgrown, could be resurrected - The potential provision of a footpath link is noted. It would be difficult to achieve a footway adjacent to Culterhouse Road to the appropriate standard.

Relevant Planning Matters Raised in Written Representations (objections)

1. *There is no need for further housing in area – The local development plan has allocated sufficient land for housing to meet the needs for new housing identified in the structure plan.*

2. *Additional houses would spoil the character of the area – The appearance of that part of Culter House Road would be change substantially and the local landscape character would be adversely affected and irrevocably changed from rural to an urbanised form of development,*

3. *The proposal would affect trees in the area where there are country walks – These issues are addressed in the section above 'Impact on Trees'.*
4. *Culterhouse Road is a quiet road used by walkers - It is agreed that the road is used by walkers and additional traffic on the road would not be the interests of those users.*

Relevant Planning Matters Raised the Further Letter of Representation

1. *The houses should be limited to single storey (bungalows) only and that sufficient and adequate screening is created along the boundary in order to preserve privacy – As the planning application is only to seek approval of the principle of housing on the site, not details of house types (other than an indicative proposal) have been provided. However, should Members be minded to grant planning permission, consideration could be given to the merits and justification, if any, for such a restriction to be applied.*
2. *Due to the differences in levels suitable infiltration trenches and drainage will be required to avoid run-off into the adjacent site – Should planning permission be granted details of the drainage systems would be required as part of a future application.*
3. *On-site hazards, such as an unbunded diesel tank, glass houses and disused tyres should be removed - Should planning permission be granted a condition could be applied addressing any on-site contamination. It would be expected that the glasshouses and disused tyres would be removed safely if the site were to be redeveloped*
4. *There are concerns regarding the safety of the steading on the site, which has had part of the roof removed – This is not a relevant consideration with regard to this application*
5. *The housing in close proximity to the adjacent equestrian business, which has regular shows with the use of PA systems, and pet resort will lead to noise disturbance – It is acknowledged that there is the potential for noise disturbance from the adjacent authorised use (cattery and livery business), in particular from the PA system, which could have an adverse impact on the amenity of residents. However, noise attenuation measures could be employed to reduce the impact within buildings.*

Relevant Planning Matters Raised in Written Representations (support)

1. *The land would be ideally suited for a small scale, low density residential development of around 14 houses – This issue has been fully addressed earlier in the report.*
2. *The area “could do with tidying up and because only land currently brownfield consisting of old semi-redundant and dilapidating farm buildings would be used.....this housing development is an excellent way to do that for the long term.” – It is acknowledged that the site has become rather unsightly with a*

number of dilapidated structures. However, the condition of the existing farm buildings is not a relevant material planning consideration in the determination of this application and thus cannot be used as justification for housing on the site

3. *The low density housing with a large proportion of landscaping would enhance the appearance and character of the area* – This issue has been addressed earlier in the report

4. *The applicant is willing to donate a significant area of land for community use as a cricket pitch, for which planning permission has been granted. The housing must also be granted for the land to be passed over to the cricket club* – This issue is discussed in the section above 'Gifting of nearby land for Community Use as a Cricket Ground'.

5. *There is demand for family housing in the area* - The local development plan has allocated sufficient land for housing to meet the needs for new housing identified in the structure plan.

Conclusion

In conclusion, the principle of a housing development on this site is unacceptable for the reasons set out above. Accordingly, the application is recommended for refusal. However, should Members be minded to support the application, conditions to be applied should include the standard conditions relating to planning permission in principle, the 'matters specified in conditions' of siting, design and external appearance of the buildings, the layout of the development, the means of access, drainage and the landscaping of the site and also a detailed tree survey and tree protection measures, details of boundary enclosures, restrictions on the hours of construction, a report on potential on-site contamination, the installation of low and zero carbon generating technologies in the houses and a restriction on the areas of the site that could be developed in order to protect trees and reduce the visual impact. Also the planning permission should not be issued until the applicant would have entered into a legal agreement for making the developer contributions.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

(1) that the proposal, if approved, would be undermine the principles of controlling development and preventing sporadic housing in the Green Belt, lead to the erosion of the character of such areas and adversely affect the landscape setting of the City contrary to the provisions of Scottish Planning Policy and Policy NE2 'Green Belt' of the Aberdeen Local Development Plan.

(2) that the proposal, if approved, would be contrary to Scottish Planning Policy, the Aberdeen and Shire Structure Plan key objective on accessibility and Policy D3 of the Aberdeen Local Development Plan by reason that the development would be isolated and remote from the settlement of Peterculter, would be inaccessible by public transport and thus would be reliant on the private car.

(3) that the proposal, if approved, would set an undesirable precedent for applications of a similar nature which would result in the proliferation of sporadic housing in the Green Belt, leading to the erosion of the character of such areas and adversely affecting the landscape setting of the City.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

CULTER COMMUNITY COUNCIL



St Quentin
18 Hillside Road
Peterculter
Aberdeen
AB14 0TX

1st December

Mr Garfield Prentice, Senior Planning Officer
Enterprise Planning and Infrastructure
Marischal College
Broad Street
Aberdeen AB10 1BW

Dear Sir/Madam

**Planning in Principle Application P121581 for 14 houses on the site of
agricultural buildings at Woodend Farm, Peterculter.**

This application was discussed by the members of CCC at their November meeting and passed to the CCC Planning Sub – group to deal with. The members' comments are as follows

This is an upgraded re-submission of a previous application (P111144) for a development of 14 houses, on a site currently containing run-down, agricultural buildings and decaying greenhouses and poly tunnels. Additional land (approximately 3 hectares) would be donated as enabled land for community use as a Cricket Ground as "planning gain".

Following the refusal of this application (P111144) by the Committee earlier this year, but the separate approval of the cricket pitch (P111863) at the same site visit, the CCC Planning - Subgroup would like to find out how this community resource can be provided if it is part of a "planning gain."

Also, it is not clear to CCC members how the same reasons for the refusal of this application, namely its non-inclusion in the Local Development Plan housing areas, were ignored when the same Councillors, on the same Committee site visit tour gave approval for 18 houses on the Watermill site on the North Deeside Road in Milltimber.

Our comments on this submission remain as previously stated:

- a. *the land where the marketing business was conducted could be considered as brown field*
- b. *CCC had proposed Culter House Road which passes between the farm buildings and the proposed cricket ground, be included in the City's Core Path*

Network, because of the number of people who currently walk, cycle and horse ride along it and in the 4 district Wildlife Sites adjoining it. It is classed as 'aspirational'.

By the end of their discussions, the members of the Sub-group agreed in principle with the proposals

- for the housing plus land for community use/cricket ground – provided that conditions will be applied so that children and adults will be protected through traffic control measures and any other measures deemed appropriate.*

It is noted that the new submission has provided a woodland path to be routed between existing trees beside Culter House Road, providing safe access to Bucklerburn Road and School Road without loss of trees. Following a recent site visit by members of the Planning Sub-group, it was also noted that there is an existing pavement and kerb along Culter House Road, opposite the proposed development, which has been allowed to become clogged and overgrown and is not currently useable but no doubt could be resurrected.

Yours sincerely

Lavina C. Massie
Planning Liaison Officer, Culter Community Council

Cc Councillors Boulton, Malone, Malik

MEMO



ABERDEEN
CITY COUNCIL

To	Garfield Prentice Planning & Infrastructure	Date	28/06/2013
		Your Ref.	P121581 (ZLF)
		Our Ref.	TR/IH/1/51/2
From	Roads Projects		
Email			
Dial			
Fax			

Roads Projects
Enterprise, Planning & Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen AB10 1AB

Planning application no. P121581
Woodend Farm (Land at), Woodend Farm (Land at), Culter House Road
Proposed residential development (Permission in Principle)

I have considered the above planning application and have the following observations:

1.0 Proposals

1.1 This application is for Planning Permission in Principle for a residential development. The drawings submitted show 14 houses indicatively.

2.0 Strategic Transport Fund

2.1 These comments are provided on the assumption that a full Strategic Transport Fund (STF) contribution will be made to adequately mitigate the impact of this development's contribution to the cumulative impact on the strategic network of development. The applicant acknowledges that an STF contribution will require to be made, and it is agreed that should consent be awarded, the final amount will be calculated at a later date.

3.0 Access

3.1 Culterhouse Road is constrained in width, and varies in width along its length generally between 4.7m and 5m, although there are sections of further constraint to approximately 3m at Forest Cottage and Cumbrae at 4.2m. At any point on this road, two vehicles will have difficulty in passing each other.

3.2 There are no formal passing places on Culterhouse Road. Drivers may have created informal passing places over time, however these cannot be considered to be part of the road infrastructure and would not meet current standards. I have previously requested that the developer provide intervisible passing places on Culterhouse Road, however no proposals for such have been forthcoming.

Gordon McIntosh
Corporate Director

- 3.3 I believe the comments from this service in relation to this application and previous applications in the area are consistent. Equestrian movements, as acknowledged by the applicants agent, along with cycling occur on the roads surrounding the development. The increased traffic volumes associated with the development, irrespective of the size of the increase, must be considered in this context.
- 3.4 I can confirm that there are no adopted pedestrian routes or any formal cycle routes in the vicinity of the site. Culterhouse Road is not a shared surface. I consider that the available carriageway space is too narrow to accommodate any pedestrian or cycle infrastructure. While cyclists are able to make use of the existing road space, this does not mean that it is suitable for everyday use by all cyclists. A route constructed to an appropriate standard, including lighting, that is safe and meets the requirements of Safe Routes to School (SRTS) for pedestrians and cyclists has been requested from the developer. No proposals have been presented to date.
- 3.5 The applicant has suggested that such routes would be provided through the STF. This requirement cannot be made through the STF. The STF contribution that the development will require to make is to finance modifications to the strategic road network that are required as a result of the cumulative impact of all development in the area. It is not in lieu of the requirement that each development mitigate its impact in the immediate vicinity on the local road network, or that it must provide a suitable level of infrastructure to meet the sites transportation, accessibility and connectivity requirements by all modes. Planning Gain contributions similarly cannot be used to meet the necessary accessibility criteria.
- 3.6 The applicants agent indicates that a suitable level of sustainable development may not at present be achievable, but that following development of the Aberdeen Western Peripheral Route (AWPR) sites close to this proposal may provide the necessary demand for such infrastructure and services. At present there are no sites included within the Local Development Plan (LDP) in close vicinity of the application site. The development must provide suitable accessibility by all modes.
- 3.7 I path to the south of the development emerging at School Road has been identified. This path is narrow, unsurfaced, unlit and unadopted. This situation is confirmed through the content of the Transport Statement (TS). I cannot consider this as an acceptable route to support the development.

4.0 Transport Statement

- 4.1 A TS has been submitted in support of the planning application. I had requested that scoping discussions in respect of this report be undertaken, however the developer has not instigated these. In addition my request that accident statistics be taken in to consideration within the TS has not been recognised.
- 4.2 I consider that the vehicle trip rates are lower than will actually occur at the site. Nonetheless, I do not consider that junction capacity will be a particular issue, but rather there will be issues relating to vehicles on the narrow roads,

about which there has been limited consideration in the TS and no proposals to rectify.

- 4.3 There is limited accessibility of the site on foot, and none that would be considered to meet current standards. The local schools are within the identified walking distances of the site. The provision in the area would not be considered to be acceptable for pedestrian journeys to school and the developer has made no proposal to bring the infrastructure up to an adequate standard. Public transport services in the area are at some distance, and considerably beyond that which is required in current transport accessibility guidance and policy.

5.0 Layout

- 5.1 I note and welcome that a design led approach will be taken to the layout of the site at a suitable time, should consent be granted.

4.0 Conclusion

- 4.1 In light of my comments, I would object to this application for the reasons outlined above.

Iain Hamilton

Engineer (Developments and Traffic)

6 Meadowlands Avenue
Westhill
Aberdeenshire
AB326EH

21 st Nov '12

Dr Margaret Bochel
Head of Planning and Infrastructure
Aberdeen City Council
Marischal College
Broad Street
Aberdeen

Dear Sir of Madam,

LAND AT WOODEND CULTERHOUSE ROAD PETERCULTER ABERDEEN- 14 HOUSES

We object to the application by Kinellan BS for fourteen dwellinghouses and associated landscaping and open space.

This is currently a farm and fourteen houses will change the character of this area

Regards

A large black rectangular redaction box covering the signature of Gillian Ridley.

Gillian Ridley

124 Osborne Place
Aberdeen
AB25 4DU

August 2011

Planning Department
Aberdeen City Council
Marischal College
Aberdeen

Dear Sirs

Planning Application for 14 Houses at Culterhouse Road, Aberdeen.

I wish to object to this planning application as more houses in this area will change the character of what is a farm settlement.

This is a quiet road which is used by walkers.

Yours faithfully

A solid black rectangular box used to redact the signature of Gavin Farquhar.

Gavin Farquhar

(121581.)

6 Migvie Gardens
Kingswells
Aberdeen

20th November 2012

Planning Department
Aberdeen City Council
Marischal College
Aberdeen

Dear Sirs or Madam

Planning Application at Woodend, Culterhouse Road, Peterculter. AB14
ONS

I object to the planning application for fourteen houses as more houses
will spoil the area.

They will also affect trees in an area where there are country walks

Yours faithfully

A solid black rectangular box redacting the signature of the sender.

Graham Reid

PI - Housing at Woodend Farm Peterculter

From: "Albert Middler" [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 09/12/2012 23:33
Subject: Housing at Woodend Farm Peterculter

Planning application Ref 121581
Housing at Woodend Farm Peterculter

Dear Sir/Madam,

I wish to express my support for the above development of approximately 14 houses at Woodend Farm Peterculter.

The site in my opinion, is a run down area of old farm buildings, and would benefit greatly from a development of this nature. With planning permission granted for the formation of a cricket pitch nearby, and it's proximity to Peterculter, it seems an ideal site for this type of small development, and also will be convenient for access to the AWPR.

I think the development would create a small, friendly community, which would enhance the interest in cricket locally, and will also blend in with the surrounding countryside, and, as family homes, are a short distance from Culter Primary School.

I recommend this development be considered for approval.

Yours faithfully,

Albert M Middler
Bucklerburn Farm Cottage,
Peterculter
Aberdeen
AB14 0NP

4 Johnston Gardens West

Peterculter

Aberdeen

4th December 2012

Dear Sir/Madam

I am writing to object to the planning application Ref no 121581 for 14 houses at Woodend Farm

Yours sincerely

A solid black rectangular box redacting the signature of the sender.

MMC
Drumview

Off Malcolm Road
Peterculter

Aberdeen

3rd December 2012

Dear Sir/Madam,

I am writing to object to the planning application Ref no 121581 for 14 houses at Woodend Farm. There is lots of property for sale on ASPC in Aberdeen and Aberdeenshire and we don't need to build anymore

Yours sincerely



237North Deeside Rd

Peterculter

Aberdeen

4th December 2012

Dear Sir/Madam,

I am writing to object to the planning application Ref no 121581 for 14 houses at Woodend Farm. There are plenty 'for sale' signs up in Culter and Milltimber so I don't think we need any new homes

Yours Faithfully

A black rectangular redaction box covering the signature of the sender.

**Bucklerburn Farm
Peterculter
ABERDEEN
AB140NP**

Planning Department
Aberdeen City Council
Broad Street
Aberdeen

30 November 2012

Dear Sir/Madam

PLANNING APPLICATION REF P121581

I wish to express my support for the planning application at Woodend Farm. This brownfield site is currently occupied by largely redundant farm buildings and glass houses in varying degrees of dilapidation. Changes in farming over the years have resulted in the creation of these unsightly, unused brownfield sites. I believe that such sites should be used for housing in preference to losing agricultural land or woodland.

This particular site is bordered on two sides by mature trees and the plan for 14 well sited houses forms a discreet pocket development within the surrounding countryside. Woodend Farm was once remote from Peterculter's housing stock, however the Bucklerburn Housing Development in the nineties and the recent Tillyoch Cattery and Equestrian Centre has brought Peterculter's development to its boundary. It is a 4 minute walk on a public footpath to the Bucklerburn Scheme.

I believe the applicant, should this application be granted, wishes to contribute to the local community by donating ground to the local cricket club to develop a pitch and pavilion. Outline planning permission has been granted for this. It seems to me that granting permission for a small development on an unsightly brownfield site near to Peterculter's cricket facility would be a desirable outcome for the area and the community.

Yours faithfully



Alan B Kennedy

**Bucklerburn Farm
Peterculter
ABERDEEN
AB14 0NP**

Planning Department
Aberdeen City Council
Broad Street
Aberdeen

30 November 2012

Dear Sir/Madam


PLANNING APPLICATION REF P121581

I would like to support Planning Application Ref No P121581. The application is for a small scale, low density residential development of around 14 houses at Woodend Farm, Milltimber. The proposed development would not encroach on woodland, trees or viable agricultural land but on land which is currently "brownfield", consisting of old semi-redundant and dilapidated farm buildings. The area to the north of Peterculter has lost a considerable amount of woodland and trees recently and I am of the opinion that a development, being low density and containing a large proportion of landscaped green space would enhance the area. The development is naturally enclosed by the existing woodland on two sides and would have no negative impact on the surroundings or current infrastructure.

The applicant currently owns a significant piece of land which they are willing to donate for community use as a cricket pitch and pavilion. No similar facility exists in this area at present. A cricket facility would be a great asset now and for future generations in the Peterculter/Milltimber area.

The developments at Bucklerburn in the last 20 years and the more recent Tillyoch Cattery and Livery have resulted in Woodend Farm no longer being remote from Peterculter. It is a 4/5 minute walk on a public footpath to the Bucklerburn Housing Scheme. The proposed development site being in close proximity to local services and facilities would help to meet the need for family housing in this area. I would therefore request that the land at Woodend, Culter House Road be granted permission for 14 houses along with land being reserved for cricket and recreational use.

Yours faithfully


Anne Margaret Kennedy

Address:

3 FORVIE AVE
BRIDGE OF DON
ABERDEEN
AB22 8TE

Planning Department
Aberdeen City Council
9th Floor, St Nicholas House
Broad Street
Aberdeen AB10 1BW

Dear Sir /Madam,

I am writing in support of the planning application for 14 houses at Woodend Farm, Milltimber. The Farm lies to the north of Peterculter on Culter House Road. This land would be ideally suited for a small scale, low density residential development of around 14 homes.

Because only land currently "brownfield", consisting of old semi-redundant and dilapidating farm buildings would be used in the development no woodland, trees or viable agricultural land is encroached which I feel is a very important factor as so many other developments do involve the loss of such valuable amenities. Instead the development, being low density and containing a large proportion of landscaped green space and planting, would enhance the area and greatly improve the visual appearance making a positive contribution to the "green countryside" character and amenity of the area. It is also naturally enclosed by the existing woodland on two sides. A low number of houses such as 14, sympathetically designed, will have no negative impact on the surroundings or current infrastructure.

In addition the applicant currently owns a significant piece of land they are willing to donate for community use as a cricket pitch and pavilion. Again this is in keeping with a countryside and village atmosphere and something neither Peterculter or Milltimber have. For many years the local Cricket Club have been trying to find a suitable site for a pitch to no avail. They now have outline permission on the site, but to enable this to come into being from a business perceptive permission must be granted for the small housing development in order for the land to be passed across to the cricket club. This provides a great opportunity for the local community to have a cricket facility and resource to develop the interest and involvement in sport for everyone in the area. All this I feel would be an extremely good use of the land and a great asset of immense value, now and for future generations in Peterculter/Milltimber to enjoy as well.

I believe there is demand for family housing in this area and proximity to local services and facilities is good and a small scale development like this is in keeping with the area.

Yours faithfully,



DAVID GAWTON

Address:



TANNY NADIE
FOVERANO
ELLEN
AB46AX

Planning Department
Aberdeen City Council
9th Floor, St Nicholas House
Broad Street
Aberdeen AB10 1BW

Dear Sir /Madam,

I feel I would like to write in support of the planning application for 14 houses at Woodend Farm, Milltimber. The Farm lies to the north of Peterculter on Culter House Road. This land would be ideally suited for a small scale, low density residential development of around 14 homes.

The area could do with tidying up and because only land currently "brownfield", consisting of old semi-redundant and dilapidating farm buildings would be used in the development no woodland, trees or viable agricultural land is encroached this housing development is an excellent way to do that for the long term. It would greatly improve the site visually and bring it back to life without losing the countryside feel at all. The development, being low density and containing a large proportion of landscaped green space and planting, would enhance the area and greatly improve the appearance making a positive contribution to the "green countryside" character and amenity of the area. It is also naturally enclosed by the existing woodland on two sides. A low number of houses such as 14, sympathetically designed, will have no negative impact on the surroundings or current infrastructure.

In addition the applicant currently owns a significant piece of land they are willing to donate for community use as a cricket pitch and pavilion. Again this is in keeping with a countryside and village atmosphere and something neither Peterculter or Milltimber have. For many years the local Cricket Club have been trying to find a suitable site for a pitch to no avail. They now have outline permission on the site, but to enable this to come into being from a business perceptive permission must be granted for the small housing development in order for the land to be passed across to the cricket club. This provides a great opportunity for the local community to have a cricket facility and resource to develop the interest and involvement in sport for everyone in the area. All this I feel would be an extremely good use of the land and a great asset of immense value, now and for future generations in Peterculter/Milltimber to enjoy as well.

I believe there is demand for family housing in this area and proximity to local services and facilities is good and a small scale development like this is in keeping with the area.

Yours faithfully,



From: "Michael Hamilton" [REDACTED]
To: <GPRENTICE@aberdeencity.gov.uk>
Date: 11/12/2012 12:20
Subject: Application Reference: 121581 Woodend Farm Proposed residential development (Permission in Principle)

Garfield

I write with regard to the following application:

Application Reference:

121581

Local Authority Reference:

Proposal Description:

Proposed residential development (Permission in Principle)

Application type:

Planning Permission in Principle

My family have concerns about the development, although do not object to the development as housing would make the area look significantly better than what is currently there.

You are aware that our property is immediately next to the proposed development and that Mr & Mrs Nairn and Mr & Mrs Adam had concerns about the heights of our buildings previously. Consequently we reduced the levels at our site by some 2.3m or so. For this reason we would ask that the properties on this development are single storey only (bungalows) and that significant and adequate screening is created on the fence line so that our privacy is not affected. One and a half storey would look directly into our buildings and more importantly into our bedrooms and hallway.

Due also to the difference in levels we would request that suitable infiltration trenches and drainage are put in to remove all water from their site into the wooded areas rather than onto our site.

We would also point out that there are a number of hazards on the site which must be suitably removed. There is an unbanded diesel tank which needs to be removed safely from the site. The glass houses and poly tunnels should have the glass removed and not simply buried on the site. There are a large quantity of disused tyres which need to be considerably and environmentally removed.

We are also concerned as to the safety of their existing steading which is partially unroofed and request that this is either made safe or fenced suitably.

A development of housing so close to a commercial equestrian centre and pet resort will lead to issues with noise no doubt and if suitable measures

could be made within the screening to reduce noise then this would make for a happy and peaceful environment for the new houses. We regularly have shows and clinics with the use of PA systems and although this has not been a problem, with houses so close to our development there could be a noise issue without suitable sound buffering.

I hope that if you were minded to support the development that you would put conditions in the approval regarding the above items. If these items do not come within your remit, then can these please be forwarded to the relevant statutory authority.

Regards

Michael

Aberdeen Pet Resort

T: [REDACTED]

M: [REDACTED]

E: [REDACTED] From%20Email%20Sent>

42 Colthill Road

Milltimber

Aberdeen

Planning Department
Aberdeen City Council
Marshall College
Broad Street
Aberdeen AB10 1BW

Dear Sir /Madam,

I am writing in support of the planning application REF 121581, for 14 houses at Woodend Farm, Milltimber. This land would be ideally suited for a small scale, residential development of around 14 homes.

The area is dilapidated now and is currently "brownfield", consisting of old semi-redundant and dilapidating buildings and large industrial style sheds. It would greatly improve the site visually and make the area much more attractive and still have a the countryside look about it. A village green area in the middle is an attractive feature as well. At one time perhaps the farm was remote but this is no longer the case with Towerview, Bucklerburn scheme and Bucklerburn steadings as well as the recent Aberdeen Pet Resort, Equestrian Competition complexes being build Woodend is now on the edge of Peterculter and it is a short walk to School Road. The proposed development is also naturally enclosed by the existing woodland on two sides and there is existing houses at the roadside so a low number of houses such as 14, sympathetically designed, will have no negative impact on the surroundings or current infrastructure.

I understand permission has been granted for a cricket pitch across the road and land for this is to be donated by the landowner for this community use purpose, and the development would enable this to happen. This is in keeping village atmosphere and something neither Peterculter or Milltimber have. For many years the local Cricket Club have been unsuccessfully trying to find a suitable site for a pitch. This provides a great opportunity for the local community to have a cricket facility and resource to develop the interest and involvement in sport for everyone in the area. All this I feel would be a very good use of the land and a great asset in years to come as well.

I believe there is demand for family housing in this area and a small scale development like this is in keeping with the area would be a positive thing.

Yours faithfully,


Local Development Planning Team
Planning and Sustainable Development
Marischal College
Broad Street
ABERDEEN
AB10 1AB

55 Kaimhill Circle
Aberdeen
AB10 7JG

28 November 2012

Re: Planning Application Reference P121581

Dear Sir,

I write in support of the above planning application.

The property at Woodend Farm, Culter House Road, Peterculter has been an eyesore since the Green houses of the Farm Shop were destroyed by the Gales some years ago.

This application for a low density housing development of 14 houses would make good use of the redundant farm buildings which have fallen into a state of disrepair.

This would tidy up the area and clean up the "blot on the landscape" which it has become.

Yours sincerely


Mr. D. Cruickshank

Agenda Item 3.2

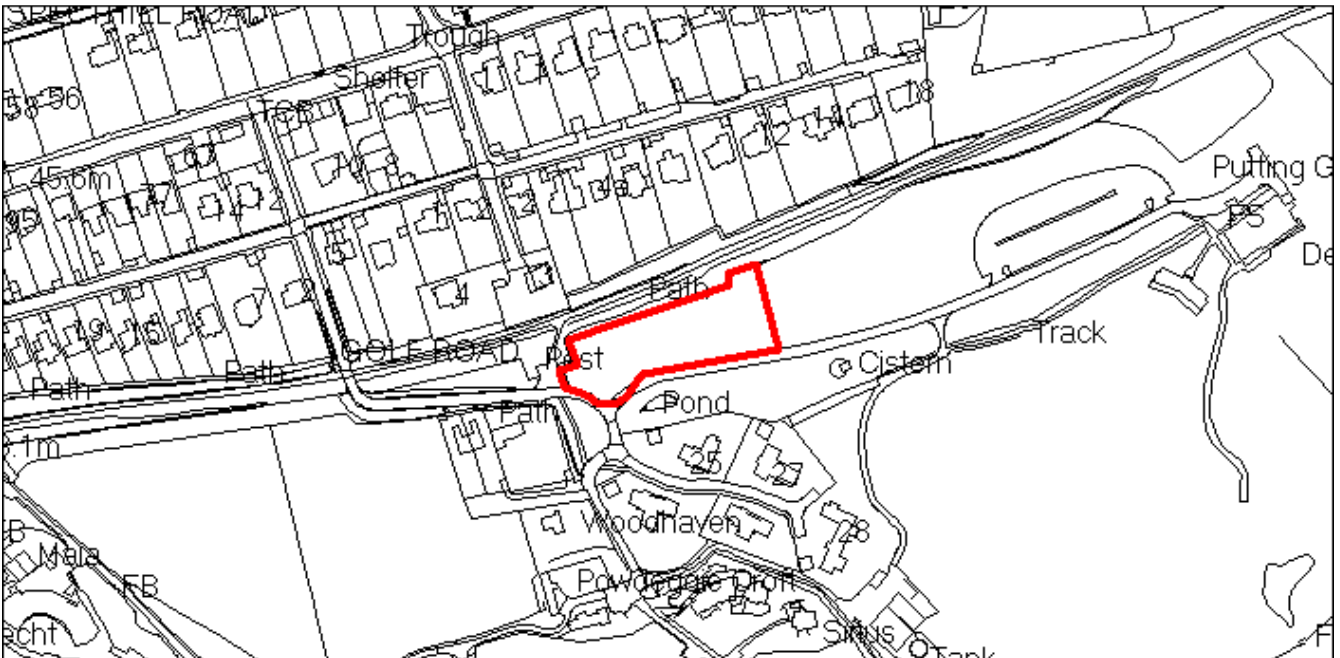
LAND AT DEESIDE GOLF CLUB, GOLF ROAD,
BIELDSIDE

ERECTION OF RESIDENTIAL DEVELOPMENT
(CIRCA 3 HOUSES) AND ASSOCIATED
WORKS ON PREVIOUSLY USED LAND

For: Deeside Golf Club

Application Type : Planning Permission in
Principle
Application Ref. : P120606
Application Date: 25/04/2012
Officer: Lucy Greene
Ward : Lower Deeside (M Boulton/A Malone/M
Malik)

Advert : Dev. Plan Departure
Advertised on: 16/05/2012
Committee Date: 18 July 2013
Community Council : No comments



RECOMMENDATION: Refuse

DESCRIPTION

The site comprises a grassed area of open space 0.2753 hectares in size. It averages approximately 27 - 33m in depth and approximately 90m in length. The site lies at the entrance to the Deeside Golf Course and was originally the first tee. The applicant states that the area is currently unused for golf and immediately to the east is a practise area, with the golf club car park just over 100m to the east. The golf course and club house lie further east and south east of the application site.

Bounding the south side of the site is the access road to the golf course car park, this is lined on both sides with young trees.

Further to the south, beyond an open grassed area and SUDS pond is an area containing 5 houses and residential scale development associated with Newton Dee Village.

Immediately to the north and west of the site are areas of woodland that bound the Old Deeside Railway walkway. Golf Road narrows as it bridges over the walkway. On the northern side of the railway is the predominantly residential area of Bielside.

The Old Deeside Railway walkway is designated as a Local Nature Conservation Site.

RELEVANT HISTORY

On the site to the south, planning permission (ref. A6/0264) was granted in 2006 for the development of five houses; one of these was a steading conversion, two houses were replacement houses, and two were new houses. The report on the application states that these constitute a departure from the development plan, but they are justified on the basis that they were on the site of a redundant car park, that most of the trees would be retained, that the houses would be grouped with other buildings and that traffic calming would be installed and footpaths links would benefit the wider community.

This permission has been implemented and the houses are occupied.

PROPOSAL

The application seeks planning permission in principle for residential development on the site. An indicative layout has been submitted with the application. This shows 3no. detached 5 bedroom houses, each with a driveway directly off the golf club access road, frontages facing south and rear gardens to the north side of the houses.

The many larger trees along the railway walkway reach around 20m in height, no tree survey has been submitted with the application.

Supporting Documents

All drawings and the supporting documents listed below relating to this

application can be viewed on the Council's website at -
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?120606>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

Planning Support Statement on behalf of Deeside Golf Club:

This describes the site and the proposal, contains aerial photograph of the site; states that the size of houses would reflect those in the area; the statement contains an assessment of the proposal in terms of policy in the Scottish Planning Policy, Structure Plan and Aberdeen Local Development Plan; describes the planning permission granted for the houses to the south and the comments of the Reporter in the report on unresolved objections to the Aberdeen Local Development Plan. The statement concludes that the proposed development is acceptable as the site does not contribute to the objectives of the green belt and greenspace network; it would fit well with surrounding dwelling houses and landscape; and would help secure the long term future of the Golf Club, enhancing its recreational use and reputation. The statement explains that proceeds from the development would be used to provide on-course toilet facilities, a buggy and trolley store and landscaping and environmental improvements. It is also proposed that some funding would go towards the footpath improvements around the golf course, including an improved crossing over the burn that runs through the golf course on its way to the River Dee. The golf club is also a Community Amateur Sports Club and is a valuable resource for the local community.

Letter from Halliday Fraser Munro dated 4 April 2013:

This notes the applicant's acceptance of conditions relating to visibility splays and submission of a drainage assessment and improvements to access. It is noted that the applicant would be happy to provide a tree survey as part of a condition; the only trees affected would be those along the access road.

The letter also makes comment on the impact on the Deeside line footpath; that bats would not be impacted; and, that the proposed houses would be no more than one and half storeys and would not affect views or daylighting to existing houses.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because there have been 13 letters of objection. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – Satisfied that sufficient parking could be provided; would request conditions relating to visibility splays and SUDS; notes that there is no segregated footway and considers that this arrangement presents a road safety concern. It is stated that no contribution would be sought to the Strategic Transport Fund as the development falls below the threshold.

Environmental Health – no comments

Enterprise, Planning & Infrastructure (Flooding) - no comments

Community Council – no comments

REPRESENTATIONS

13 number of letters of objection have been received. The objections raised relate to the following matters –

- The site is on land zoned, in the local plan, as greenbelt and green space network;
- There is no residential development immediately to the south of the railway line in this location and if approved, this could set a precedent;
- The applicant claims that this is enabling development, however no economic justification has been made;
- Access road is very narrow, with no footpaths and increasing the traffic would make it more dangerous;
- The site is located outwith the acceptable distance from public transport and as such would encourage the use of the private car;
- The site is small, meaning that the large houses would be very close to the well used Old Deeside Railway line. This is area of natural beauty with wildlife including bats and erection of residential buildings would negatively impact on the current amenity and destroy the sense of place; The trees are worthy of protection by Tree Protection Order.
- The size of site means that the houses would have very small rear gardens
- The restricted space to the front of houses means that residents would have to reverse either into, or out of, driveways;
- There is no requirement for additional houses in the area, indeed the local school is full to capacity;
- Development would change the character of the area at the entrance to the Deeside Golf Club;
- Other development on former Golf Club land should not be a precedent
- 11 no.trees along the edge of the access road would need to be removed;
- The site has a function in terms of recreation, it is part of the short game practise area. One of the bunkers in the practise area is only 10m from the edge of the development; stray golf balls would be a safety issue;
- Since the new golf club was built there has been a huge increase in play, with the result that the car park is too small. At times of tournaments and every Saturday, the access road is lined with parked cars sometimes reaching past where the development is proposed. The car park needs to be extended and practise area moved up to the development site;
- Drainage issues on Golfview Road which cause problems for the residents, including flooding of gardens with water and sewage - infrastructure cannot cope;
- Views and daylight of residents on Golfview Road would be destroyed;
- Although the application states the land has been previously used, it has never had buildings on it, is currently part of the golf course and is an important buffer area, enhancing the beauty of the neighbourhood;

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) states in its core principles, that the system

should be genuinely plan-led. SPP describes the function and purpose of the greenbelt. Paragraph 163 considers proposals not normally consistent with green belt policy and the circumstances in which these may still be acceptable. The reasons cited relate to national priorities and meeting established need where no other site is available. This paragraph also states that the cumulative erosion of the green belt's integrity through the granting of individual permissions should be avoided.

The Transport section, (in paragraph 165) states that the planning system should support a pattern of development that reduces the need to travel and facilitates travel by public transport.

Aberdeen City and Shire Structure Plan

In relation to Accessibility, the structure plan's objective is to ensure that all new development contributes towards reducing the need to travel and encouraging people to walk, cycle or use public transport.

Aberdeen Local Development Plan 2012 (LDP)

Policy NE2 - Green Belt:

No development to be permitted other than in connection with certain purposes deemed to be essential, such as agriculture, woodland forestry. There are various exceptions to this, none are relevant in this instance.

Policy NE1 - Green Space Network:

Protection should be given to the wildlife, access, recreation and landscape value of the network. Proposals that would destroy or erode the character or function of the network will not be permitted.

Policy NE5 - Trees and Woodlands:

Presumption against development that leads to loss of established trees.

Policy D6 - Landscape

Development will not be acceptable if: it significantly adversely affects landscape character and sense of place; obstructs important views from publicly accessible vantage points such as pathways; disturbance to important recreation, wildlife or woodland resources or links between them; sprawling onto important / necessary green spaces or buffers between places or communities with individual identities. Development should avoid significant adverse impact on landscape elements.

Policy D3 – Sustainable and Active Travel:

New development to be designed to minimise travel by private car.

Policy D1 – Architecture and Placemaking

Policy D2 – Design and Amenity

Other Relevant Material Considerations

Supplementary Guidance: Transport and Accessibility

The ability to access key services and facilities directly affects quality of life and is a major contributor to social inclusion. New and existing communities should be able to access services, facilities and jobs by walking, cycling and public transport.

Trip sources within 800m should be accessible via attractive pedestrian links.

Public transport should be available within 400m.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as

amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Green Belt

The proposal does not comply with green belt policy in either the SPP or the LDP, as it does not fall within any of the categories of development described as exceptions to the presumption against development.

Green Space Network

The proposal would not result in the breaking of linkages in the green space network. Access and links for wildlife are not dependent on this particular area of grass. In terms of the green space network, the impact of the proposed development would be the resultant increased presence of development close to the wooded areas around the Deeside walkway and the considerable narrowing of the green wedge that currently exists between Bielside and the houses on the site of the old club house and Newton Dee Village. The quality of the landscape and recreational value of the green space network in this location would be eroded.

In terms of the landscape and function of the green belt, the existing separation between the settlement and existing houses in the green belt, would effectively be lost as a result of this development. It is considered contrary to the LDP in respect of policies NE1 and NE2, Green Space Network and Green Belt respectively.

Landscape impact

The proposed development would be relatively close to the Deeside walkway and on the south side, where there is no development along this stretch of the walkway. Outside the summer months, when trees are not in leaf, the houses would be visible from the walkway. Although there would be houses in the more distant view at present, the proposed development would result in a greater impact on views from this well used recreational footpath. It is considered that the proposal would impact adversely on the character of the walkway and there are tensions with Policy D6 – Landscape, although probably not sufficient on its own to justify refusal.

Traffic and Transport

The LDP, Structure Plan and SPP all encourage development to take place within sustainable locations where public transport, walking and cycling are viable modes of transport. Although the distance to walk to North Deeside Road is not unreasonable (less than 400m), the nature of the route, which is convoluted and involves stretches of road with no footway, including the bridge over the railway, would discourage people from walking and encourage them to drive. The route would be likely to feel unsafe especially to those walking with children, or anyone less mobile. The Roads Project Team have expressed concern about the road safety issues in relation to the lack of footways. There are no works envisaged that could easily resolve the issue of the lack of footway.

The proposal would not comply with the SPP, structure plan, LDP Policy D3 – Sustainable and Active Travel or the Transport and Accessibility Supplementary Guidance, as approving development in this location would act contrary to the aim minimising travel by private car.

Drainage

Site drainage is an issue that could be dealt with adequately by appropriate engineering and Sustainable Urban Drainage. These matters could be conditioned.

Amenity and views

In terms of residential amenity, the proposed development would be sufficiently distant from existing properties that there would be no adverse impact in terms of daylighting. The fact that the development would be visible in views from private properties is not a material planning consideration.

Enabling development

The planning statement explains that the golf club would use funds generated by the development to improve facilities with on-course toilets, trolley store and footpaths within the golf course. This is not considered sufficient justification for contravening green belt policy.

Trees and Wildlife

Although there has been no tree survey submitted, the trees to the north of the site are not part of the application site. It is considered that some form of residential development could take place without compromising trees adjacent to the walkway. These would also be to the north of the properties and would not impact on sunlight. The trees along the access road are relatively young and small and it is considered that replacement planting could adequately mitigate for any loss.

Wildlife links have been dealt with above. It is acknowledged that bats would be likely to use the trees around the walkway for foraging, roosting and commuting, however, these would be unaffected by the proposals.

Design

Policies D1 and D2 relate to the design of development in relation to its context and design and layout of residential development so as to provide for the amenity of residents. There would be no reason to suspect that with the attachment of adequate conditions, the requirements of these policies could not be met.

Reporter's Report on the Local Development Plan

The conclusion of this report into unresolved objections to the LDP was that the site remains within the green belt. The proposal is clearly contrary to green belt policy. The site does not constitute a previously developed site that might be acceptable as an exception to the policy, with high quality design, as a development within the green belt. The particular nature of the site and its contribution to the green belt have been outlined above. The Reporter's report in itself holds little weight in terms of a material planning consideration. It should be

noted that SPP states as one of its core principles, that the planning system should be plan-led. In this instance, there is no justification for determining other than in accordance with the development plan.

Other issues raised by representations

Most of the matters raised by objectors have been dealt with above.

The application site area would not appear to function in association with the golf course. If there were an issue with the adjacent practice area, this could be solved by the erection of fences, or other measures, similarly if the car park needs to be extended, there is sufficient space to do so. Neither issue would be sufficient to warrant refusal of the application.

If Members resolve to approve the application, this should be withheld pending consultation with the Developer Obligations Team, for advice as to whether developer contributions would be relevant; approval should be subject to conditions including relating to the submission of further applications for Matters Specified in Conditions. The conditions should include restricting the houses to three in number and one and a half storeys in height; and, requiring tree survey, details of the design and massing of the houses, their siting, including levels, materials, drainage, landscaping and visibility splays and access improvements.

RECOMMENDATION: Refuse

REASONS FOR RECOMMENDATION

That the site lies within the green belt where there is a general presumption against development, it does not fall within any of the categories of exceptions in either the Aberdeen Local Development Plan 2012 (LDP), or those mentioned in the Scottish Planning Policy (SPP). The proposal is contrary to Policy NE2 Green Belt and its approval would seriously erode the function of the green belt in this localised area.

The presence of development in this location would have an adverse landscape impact within the locality, impacting upon views from the well used Old Deeside Railway walkway. The tensions with both Policy NE1 – Green Space Network and Policy D6 – Landscape add to the reasons for the proposal being considered unacceptable.

The proposal would not contribute towards the aim of all new development encouraging walking, cycling, and use of public transport rather than the private car, due to the difficulties of access along a narrow road with no footways. The proposal is therefore considered contrary to Policy D3 – Sustainable and Active Travel, the Aberdeen and Aberdeenshire Structure Plan objective in terms of Accessibility, the SPP on Transport and the Supplementary Guidance: Transport and Accessibility

Dr Margaret Bochel

Head of Planning and Sustainable Development.

The Head of Planning and Infrastructure
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Dr M Bochel

PLANNING APPLICATION REFERENCE 120606

I wish to lodge my objection in the strongest possible terms and request that this application is refused for the following reasons:

1. There is no residential development to the south of the railway line in this location and as such development would be out of character. If approved it could set a precedent for approval of similar applications, which would be of detriment to the area.
2. The proposed dwellings will be accessed via Golf Road. This road is narrow and is not served by footpath provision. Furthermore it only has street lighting on its south side. The distance to public transport provision when taken with the road pedestrians would use which is narrow with no footpath provision does not encourage walking to use the public transport services available as it would be safer and more convenient for residents to use the private car to travel.
3. Concerns are raised regarding potential traffic generated by the development. As noted Golf Road is a narrow road and does not have footpath provision. There are no traffic calming measures nor are there any passing places.
4. The site lies within both the Green Belt and Green Space Network. Approval of the application would erode this. Policy NE2 Green Belt presumes against development in the Green Belt as such the proposal lacks compliance with this policy. The presence of circa 3 dwellings in this location reduces the value of the Green Space Network and therefore the proposal is considered to be contrary to policy NE1 Green Space Network.
5. The site is not identified in the Adopted Aberdeen Local Development Plan as an opportunity site for development and if it were approved it would set a precedent for similar applications.
6. The applicant states that the application is 'enabling development' yet no economic justification has been made to support the proposal nor has any information been provided to demonstrate that the profits gained from any land sale will be sufficient to fund the enhancement of the golf course/ club. It is concerning that the Club is unable to operate or finance improvements without additional development proposals; indeed it is not a sustainable way to operate a Golf Club.
7. There have been a number of historic and recent drainage issues on Golfview Road which have caused numerous ongoing problems for residents. The drainage infrastructure is unable to cope with run off and waste water. I do not consider that the existing sewers would be able to cope with additional pressure created by the development.
8. Views and daylight presently enjoyed by residents on Golfview Road would be destroyed if this proposal were approved. As the application lacks compliance with the Local Development Plan and would reduce the enjoyment of properties on Golfview Road I respectfully request that the application is refused.

Yours sincerely



17/5/12

The Head of Planning and Infrastructure
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

8th May 2012

Dear Dr M Bochel

**OBJECTION TO PLANNING APPLICATION REFERENCE 120606
PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF RESIDENTIAL
DEVELOPMENT (CIRCA 3 HOUSES) AND ASSOCIATED WORKS ON PREVIOUSLY
DEVELOPED LAND**

I write with regards to the above planning application and wish to lodge my objection in the strongest possible terms and respectfully request that the application is refused. I have reviewed the application against Development Plan Policy as contained within the adopted Development Plan as well as material considerations as set out in Scottish Planning Policy (SPP) and find that the application lacks compliance with the development plan for the following reasons:

1. SPP stresses the importance of new dwellings complementing the existing setting, character, appearance, and ecologies of the areas within which they lie. It is contended that the proposal for the erection of circa 3 dwellings at Golf Road, Bieldside, Aberdeen fails to do this. There is no residential development to the south of the railway line in this location and as such development would be out of character. If approved it could set a precedent for approval of similar applications, which would be of detriment to the area.
2. The importance of locating development in sustainable locations is highlighted by SPP. Locations for new development should be sustainable by walking, cycle and public transport. The proposed dwellings will be accessed via Golf Road. This road is narrow and is not served by footpath provision. Furthermore it only has street lighting on its south side. The site also lies outwith the 400m distance to public transport services, stipulated by PAN 75 Planning for Transport. The distance to public transport provision when taken with the road pedestrians would use which is narrow with no footpath provision does not encourage walking to use the public transport services available as it would be safer and more convenient for residents to use the private car to travel. As such the proposal lacks compliance with both SPP and PAN 75.
3. Policy D3 – Sustainable and Active Travel of the Adopted Aberdeen Local Development Plan explains that development should minimize travel by private car. As noted above the site is located outwith the distance stated as being acceptable by PAN 75 and as a result of this the proposal will encourage use of the private car. As such it lacks compliance with this policy.
4. Concerns are also raised regarding potential traffic generated by the development. As noted Golf Road is a narrow road and does not have footpath provision. There are no traffic calming measures nor are there any passing places.
5. The site lies within an area identified by the Adopted Aberdeen City Local Development Plan February 2012 as lying within both the Greenbelt NE2 and Green Space Network NE1. The aim of the Greenbelt is to maintain the identity of Aberdeen and the communities within and around the city by defining their physical

boundaries clearly. The Greenbelt directs growth to the most appropriate locations. Policy NE2 Green Belt presumes against development in the Green Belt. Whilst there are a number of exceptions to the policy the proposal is not one. As such the proposal is contrary to Policy NE2.

6. A review of the Green Belt was undertaken during the preparation of the Adopted Aberdeen Local Development Plan. This was reviewed when the Proposed Plan was examined by Reporters appointed by Scottish Ministers, whom found no reason to remove the site from the Green Belt. Since the adoption of the Plan there have been no changes, which would now justify its removal from the Green Belt nor indeed a departure from policy.
7. Policy NE1 Green Space Network presumes against development that would destroy or erode its character. As noted above there is no development to the south of the railway line in this location, development therefore is not characteristic of the area. It would if approved have a detrimental impact on the landscape setting of the area. The presence of circa 3 dwellings in this location reduces the value of the Green Space Network and therefore the proposal is considered to be contrary to policy NE1.
8. The site was reviewed as part of the examination into the Adopted Local Development Plan. In discussing the site the Reporter concluded 'that the site should not be allocated for housing but retained as part of the green belt and green space network'. There is no justification for development on the site nor has a material consideration been presented which could justify approval of the proposal.
9. It is noted from the supporting statement that the applicant notes that the proposal is 'enabling development' to enhance the golf course and facilities. No economic justification has been made to support the proposal nor has any information been provided to demonstrate that the profits gained from any land sale will be sufficient to fund the enhancement of the golf course/ club. It is further noted that Deeside Golf Club received planning permission in 2006 for the development of 5 dwellings with the profit from the land sale financing improvements to the Club. It is concerning that the Club is unable to operate or finance improvements without additional development proposals; indeed it is not a sustainable way to operate a Golf Club. It should be noted that the Adopted Aberdeen Local Development Plan does not provide for enabling development proposals.
10. The site is not identified within the Adopted Plan as an opportunity site for development. Approval of the proposal would not be compliant with the Plan and if approved would set a precedent for similar developments which would be undesirable.
11. There have been a number of recent drainage issues on Golfview Road which have caused numerous problems for residents. The drainage infrastructure is unable to cope with run off and waste water. I do not consider that the existing sewers would be able to cope with additional pressure created by the development.
12. Concern is also noted that no detailed proposals have been submitted. Whilst I note that this may be as a result of the applicant testing the water, I am concerned that a number of trees, including Caledonian Pines, present on the sites boundary with the railway line could be negatively affected by development. As you will be aware, trees have large root systems extending distances greater than 14 meters. Without a tree survey it is impossible to determine the extent of any damage.
13. On a personal note I am concerned that both the view and daylight I presently enjoy from my property would be destroyed if this proposal were approved. This would reduce the enjoyment of property.

14. As noted I am concerned that the daylight I enjoy at present would be reduced. I am concerned that the railway line, given its proximity to the site would suffer a greater loss. The result would be an extremely dark section of the railway line which would discourage people from using it, as they may not feel safe. There have been a number of thefts in this area in recent years my own house included, where this disused railway line was used for both access and retreat. I fear that presence of additional dwellings, to the south of the railway line would fuel this.

The key issue in the determination of this application is whether or not, it complies with the adopted Local Development Plan and if it does not, are there any other material considerations, which would justify its approval. The application when assessed against the provisions of the Adopted Aberdeen Local Development Plan is found to be contrary. The proposal would have a detrimental impact on the character and amenity of the area and would significantly alter the landscape setting. In addition to this it would erode the Green Belt and Green Space Network. Concerns are also noted regarding the safety of pedestrians accessing the dwellings. As noted above, there is no footpath connection and a lack of street lighting, which would not encourage walking, or the use of public transport.

The applicant uses enabling development as a material consideration to approve the proposal as a departure from the Plan. In the absence of any information to support this statement, it cannot be considered as enabling development. As such, there are no material considerations, which would support approval of this application. It is therefore respectfully requested that the proposal is refused.

Yours sincerely



Joyce A. Lamb
10 Golfview Road
Bielside
Aberdeen AB15 9DQ

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 16/05/2012 13:55
Subject: Planning Comment for 120606

Comment for Planning Application 120606

Name : Anna Britain
Address : 16 Golfview Road
Bielside
Aberdeen
AB15 9DQ

Telephone : [REDACTED]
Email : [REDACTED]
type :

Comment : I write with regards to the above planning application and wish to lodge my objection and request that the application is refused for the following reasons:

There is no residential development to the south of the railway line in and as such development would be out of character. If approved. It would set a precedent for approval of similar applications, which would be of detriment to the area.

The proposed dwellings will be accessed via Golf Road. This road is narrow and is difficult enough to access North Deeside Road with the traffic flow into the city. Furthermore it only has street lighting on its south side. Therefore concerns are also raised by residents of Goldview Road regarding potential traffic generated by the development. As noted Golf Road is a narrow road and does not have footpath provision.

The site lies within both the Green Belt and Green Space Network. Approval of the application would erode this. Policy NE2 Green Belt presumes against development in the Green Belt as such the proposal lacks compliance with this policy. The presence of circa 3 dwellings in this location reduces the value of the Green Space Network and therefore the proposal is considered to be contrary to policy NE1 Green Space Network.

This site is not identified in the Adopted Aberdeen Local Development Plan as an opportunity site for development.

The applicant states that the application is 'enabling development' yet no economic justification has been made to support the proposal nor has any information been provided to demonstrate that the profits gained from any land sale will be sufficient to fund the enhancement of the golf course/club. It is concerning that the Club is unable to operate or finance improvements without additional development proposals; indeed it is not a sustainable way to operate a Golf Club.

There have been a number of recent drainage issues on Golfview Road which have caused numerous problems for residents. The drainage infrastructure is unable to cope with run off and waste water. I do not consider that the existing sewers would be able to cope with additional pressure created by the development.

Views and daylight presently enjoyed by residents on Golfview Road would be destroyed if this proposal were approved.

As the application lacks compliance with the Local Development Plan and would reduce the enjoyment of properties on Golfview Road I respectfully request that the application is refused.

From: "Patrick Fitch" [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 23/05/2012 07:50
Subject: Proposed development

Planning Application Reference 120606

Dear Sir

We wish to lodge our objection and request that the above application be refused for the following reasons:

1. The proposed housing will be accessed via Golf Road. This road is narrow and has no footpath provision.
2. We are concerned about the potential traffic generated by the development. There are no traffic calming measures nor are there any passing places on Golf Road.
3. There have been a number of recent drainage issues on Golfview Road which have caused ongoing problems for residents. The drainage infrastructure is unable to cope with waste water. We do not think the existing sewers would be able to cope with additional pressure created by the development.
4. Views and daylight currently enjoyed by residents of Golfview Road would be destroyed if this proposal were approved. Therefore we respectfully request that the application be refused.

Yours sincerely

Residents of 4a Golfview Road
Bieldside

From: Andrew Charles [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 24/05/2012 14:34
Subject: proposed development a Deeside GolfClub, Golf Road Bielside app no120606

Dear Sirs

I wish to voice my objection to the above proposal on the following grounds

1. the development would be accessed by a very narrow bridge with no footpath and no passing place. As a local resident I have witnessed the chaos this already causes with cars cueing to turn off North deeside road and turning into Marchbank. In my opinion this would only add to the problem.

2 The proposed development is adjacent to the old Deeside railway line which is an area of great natural beauty with a rich and varied wildlife including many bats which roost in the trees on the golf course and in the trees on the Railway line. This development would disturb the bats roosting place and no doubt affect the trees in this area

Further more on your own website under Tree Preservation the following is stated " a PTO order can be made in recognition of the importance

of the role of trees Local Planning Authorities have duties to protect trees and woodlands in their area which contribute to the amenity and character and attractiveness of the locality.

I cannot think of an area where this is more appropriate and will pursue a PTO order if the application is granted.

3 There have many recent drainage issues on Golfview Road which cause problems for the residents including flooding of our gardens with water and sewage. The infrastructure cannot cope at the moment, it can certain not cope with more housing.

For the above reasons I respectfully request that the application be refused

Yours Sincerely
Shirley Charles

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 22/05/2012 21:15
Subject: Planning Comment for 120606

Comment for Planning Application 120606
Name : Frances and John Wilkinson
Address : 24, Golf Rd
Bielside
Aberdeen
AB15 9DL

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : In response to the proposed development at Land at Deeside Golf Club, AB15 9DL, planning application 120606 we would like to put forward the following reasons for objection.

1. The description of the proposal states that the residential developments would be on 'previously used land'. This land has never previously had buildings on it; it is currently used as part of the golf course and is an important buffer area enhancing the natural beauty of the neighbourhood.
2. The erection of residential buildings on this site would negatively impact on the current amenity of the area in close proximity i.e. the golf course, the peaceful walking/cycle path and open land that provides opportunities for rural pursuits and general enjoyment of the countryside for all.
3. Erection of residential properties on this site would directly contravene the councils stand on maintaining a 'sense of place'; The 'filling in' of open spaces so that adjoining places merge together can serve to further dilute the awareness of where we are; (1)
4. Access to these houses would be firstly across the narrow, single lane bridge on Golf Rd, which would significantly increase the usage (both during and after construction) in an already hazardous area where a blind corner for traffic leads into a highly used area by cyclists, and pedestrians (many being residents from Newton Dee with Learning Challenges) where there is no pedestrian access (nor space to construct such). Furthermore, the side road leading towards the golf club which would provide ultimate access to these houses is an unmarked junction where there have been many close misses already, both for cars (personal experience) and pedestrians. The erection of housing blocking the view to this junction and the increase in traffic at all hours poses a significant further safety issue in the area.
5. There is no requirement for further residential houses in this area; indeed, the local schools are already full to capacity and there are already significant other housing developments in the area.
6. The erection of further residential properties on this site would begin to transform this beautiful, spacious, green area into another housing estate. There are no housing developments so close to this side of the railway line. Allowing this development to go ahead would set precedent enabling future houses to be erected which would further erode the natural beauty of the area and severely impact on the future preservation of Green Space.

Objection is therefore in line with local policy, planning site history, impact on amenity, impact on access and safety and impact on compatibility with other users in the area. For these reasons, we would not consider this proposal to be in keeping with the proper further development of the area and would ask that the application be refused.

Regards,
Fran and John Wilkinson

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 23/05/2012 12:02
Subject: Planning Comment for 120606

Comment for Planning Application 120606

Name : Mr Gordon H. Nicoll

Address : 25 Golf Road

Bielside

Aberdeen

AB15 9DL

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I am writing to object to the planning permission in principle application for a residential development at the entrance to Deeside Golf Club. My comments are as follows:

A)The site of the proposed development is on land zoned as greenbelt and green space.

B)From the bridge on Golf Road to the Golf Club the road is very narrow. Cars have to stop and let others coming in the opposite direction pass by. The increase in traffic and no pavement for pedestrians will make access more dangerous than it is at present.

C)The site of the proposed development is very shallow in depth which means the large houses would be very close to the highly popular Old Deeside Railway line. I don't know of any other houses built that close to the Old Deeside Railway line; They would also have very little garden space at the rear. The space available at the front of the houses would mean the residents will either have to reverse their cars in or out of their drives.

D)It will totally change the character of the entrance to Deeside Golf Club by building on the greenbelt zone. The structure plan (SP) states that the greenbelt must guide development to the most appropriate places while protecting the most important areas. The development I live in was built on the car park for the Golf Club before the Clubhouse was demolished and rebuilt down the hill beside the old first green. In no way should my development be considered a precedent to the proposed development.

E)The applicant has stated "no trees will be removed"; however there are 11 trees along the north side of the access road which would have to be removed.

F)The applicant states the redundant land performs no greenbelt function in terms of recreation, which is incorrect. It is part of the short game practise area. Although club rules state "No practise more than 10 meters from the green"; some members are using the area for practise and also as normal in golf, stray balls will land in the development site which makes it a major Health and safety problem. One of the bunkers in the practise area is only 10 meters from the development boundary line.

G)The applicant stated the new facilities at Deeside Golf Club have attracted an increase in external tournaments. Since the new clubhouse was built there has been a huge increase in the number of rounds being played by a more active membership, mainly during the summer months. This has resulted in the car park proving too small to cope with the extra traffic. Every Saturday or when there is a tournament held, members and visitors have to park their cars up the grass verge on the entrance driveway, sometimes reaching past where the development is proposed. The short game practise area can be crowded at times with seniors and juniors therefore it needs to be moved and extended more onto the so called redundant land, so that the car park can be extended to cope with the increased volume of traffic.

In conclusion to develop this narrow strip of land so close to the old Deeside railway line would spoil the whole entrance to a wonderful golf club. It would be of no benefit to anyone except for the already financially sound and secure Golf Clubs bank account. I hope after a site visit you will come to the

same conclusions.

Many thanks for taking the time to read my comments and I look forward to hearing from you in due course.

City Development Services Letters of Representation	
Application No:	120606
RECEIVED	24 MAY 2012
Dev. No.:	
Cases Officer Initials:	LCG
Date Acknowledged:	29/5/12

From: "Jeanette Andrews" [REDACTED]
To: <pi@aberdeencity.gov.uk>
Date: 31/05/2012 15:12
Subject: Application Reference number 120606

14 Golfview Road
Bieldside
Aberdeen
AB15 9DQ

Planning Department
Aberdeen City

16th May 2012

Dear Sir

Planning Application Reference : 120606 Erection of residential development (circa 3 houses) AB15 9DL

I would like to express my concerns about the above planning application. I have read the valid criteria for objecting to an application so will attempt to voice my concerns accordingly.

a) **Planning Site History:** As far as I am aware this site has no history of development apart from being part of the golf course however am I correct in thinking this is part of the 'Green Belt' and as such is in a protected position as far as development is concerned? The granting of planning consent would create a precedent in this area and, since the nominated site is very open ended, a very dangerous precedent as far as starting a ribbon of development along the old railway line. It would be interesting to know how many is 'circa 3'?

b) **Impact on Amenity:** From the point of view of the citizens of Aberdeen this is a very crucial point indeed as far as this proposed development is concerned. Many hundreds of people use the old railway line on a daily basis not just for leisure purposes but also for commuting on bikes to their work. I see them every day and the impact on the quality of the amenity would be immensely detrimental should the building of houses be allowed at any point on the south side of the line. People of Aberdeen enjoy this amenity as it is – a large swathe of countryside within the city boundary.

c) **Impact on Access, Parking and Safety:** The only access to this site is over a very narrow bridge accessed from the North Deeside Road at Golf Road which at this point in time would not be capable of absorbing the extra traffic flow created by the numbers of vehicles liable to be present from more houses down Golf Road. There is a very short distance to the already busy junction at Station Road Bieldside and Baillieswells Road. Houses such as are likely to be proposed are extremely unlikely to have a single vehicle or a low ratio of cars to houses.

As far as the safety aspect is concerned at the moment it is already a rather dangerous pastime coming from the railway line and crossing over the existing access road to the golf course as the many cars going to and from the golf course often travel at considerable speed with little room for avoiding pedestrians. This is made even more critical as many residents from Newton Dee access the safe environment of the amenity on a daily basis. This if nothing else I would ask you to consider very seriously indeed. The safety of these vulnerable people is critical. As an incomer to Aberdeen I find the facilities offered at Newton Dee to be one of the jewels in the city's crown.

I look forward to hearing from you and would be interested to know if a site visit is part of the normal procedure for those who make the decisions on such applications.

Yours faithfully

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 21/05/2012 13:34
Subject: Planning Comment for 120606

Comment for Planning Application 120606

Name : S. Arnott
Address : 3 Station Road,
Bielside,
Aberdeen AB15 9DP

Telephone :

Email :

type :

Comment : Please accept my objection to the planning application for erection of a new houses in the grounds of Deeside Gold Club, Application Number 120606. This objection is based on the following observations;

1. This development would set an unwelcome precedent in respect of backland development impacting adversely on the Deeside Walkway which is designated Green Space Network. I see no practical difference between allowing building of houses on an open green area of golf course, and allowing the splitting of residential cartilage. The Deeside walkway in this area is lined with houses with gardens ample for additional residences and there is serious risk of precedent setting.
2. Under Scottish planning policy, the council has the duty to protect and enhance the quality, character, landscape setting and identity of towns and cities; in respect of the green belt. This proposal is in no way compatible with that duty. In respect of paragraph 6.5 of the supporting statement, I suggest that a better proposal would be to allow this site to revert to its original wild state, thereby enhancing the natural amenity for the community.
3. The recent development of housing adjacent to the proposed site (The Grange;) was allowed because it was on a previously developed site, i.e. the old club house and car park. The current proposal is to build on land that has always been an open green space, and was indeed previously part of the golf course itself. The previous development should not therefore have set a precedent for this current proposal.
4. It is obvious to anyone familiar with development applications within this Ward that to allow this development will lead inevitably to subsequent planning proposals to close the gap; towards the golf course car park. That land will prove to be simply too valuable for the golf club to keep set aside as a practice ground.
5. It is made clear in the enabling development; section of the submission that the high level of golf course investment over recent years has been enabled by previous sacrifice of greenbelt. It is logical to point out that the golf club is clearly spending beyond its means, in the expectation that further cash can be realised as necessary through further property deals. It is indefensible simply to dispose of unused open green sites for the purpose of raising funds for further golf course development and/or subsidy of club membership fees for the elite. We should not allow our shared environmental heritage to be frittered away in such a selfish manner. The council has a duty to prevent loss of the remaining open aspect of the Deeside walkway for the benefit of the general public, and not to enhance the lifestyle of an elite minority.

Thank You,

S. Arnott

The Head of Planning and Infrastructure
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

3. Marchbank Road.
Bield side.
Aberdeen.
AB15 9DN.
21/05/12.

Dear Dr M Bochel

PLANNING APPLICATION REFERENCE 120606

I wish to lodge my objection in the strongest possible terms and request that this application is refused for the following reasons:

1. There is no residential development to the south of the railway line in this location and as such development would be out of character. If approved it could set a precedent for approval of similar applications, which would be of detriment to the area.
2. The proposed dwellings will be accessed via Golf Road. This road is narrow and is not served by footpath provision. Furthermore it only has street lighting on its south side. The distance to public transport provision when taken with the road pedestrians would use which is narrow with no footpath provision does not encourage walking to use the public transport services available as it would be safer and more convenient for residents to use the private car to travel.
3. Concerns are raised regarding potential traffic generated by the development. As noted Golf Road is a narrow road and does not have footpath provision. There are no traffic calming measures nor are there any passing places.
4. The site lies within both the Green Belt and Green Space Network. Approval of the application would erode this. Policy NE2 Green Belt presumes against development in the Green Belt as such the proposal lacks compliance with this policy. The presence of circa 3 dwellings in this location reduces the value of the Green Space Network and therefore the proposal is considered to be contrary to policy NE1 Green Space Network.
5. The site is not identified in the Adopted Aberdeen Local Development Plan as an opportunity site for development and if it were approved it would set a precedent for similar applications.
6. The applicant states that the application is 'enabling development' yet no economic justification has been made to support the proposal nor has any information been provided to demonstrate that the profits gained from any land sale will be sufficient to fund the enhancement of the golf course/ club. It is concerning that the Club is unable to operate or finance improvements without additional development proposals; indeed it is not a sustainable way to operate a Golf Club.
7. There have been a number of historic and recent drainage issues on Golfview Road which have caused numerous ongoing problems for residents. The drainage infrastructure is unable to cope with run off and waste water. I do not consider that the existing sewers would be able to cope with additional pressure created by the development.
8. Views and daylight presently enjoyed by residents on Golfview Road would be destroyed if this proposal were approved. As the application lacks compliance with the Local Development Plan and would reduce the enjoyment of properties on Golfview Road I respectfully request that the application is refused.

Yours sincerely

[Redacted signature]

3. Marchbank Road Bield side Aberdeen AB15 9DN.

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 21/05/2012 22:31
Subject: Planning Comment for 120606

Comment for Planning Application 120606

Name : Gavin Cooper
Address : 4 Golfview Road
Bieldside
Aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : Dear Sir/Madam

With reference to the application number 120606 re the proposed development at the Land at Deeside Golf Club, we strongly object to the planning application for the following reasons. This potential site would erode the Green Belt and Green Space Network policy and is not identified in the Adopted Aberdeen Local Development Plan. If approved it may pave the way for similar developments which would not only be out of character, but would also be to the detriment of the area. The proposed site is not easily accessed on foot, and this would encourage more car traffic. The road is narrow and there is no footpath provision. The building of these houses may result in the removal of trees, which would erode our privacy and spoil the views presently enjoyed, and which may affect the future value of our property. One of the reasons we moved here was because there were no houses in the land in front of our property. Already there has been one development which we can clearly see, and now there is another proposed development which would be even closer to us.

We respectfully request that you consider our objections in the application process.

Yours sincerely

Gavin Cooper
Gillian Park

Morven
2A Golfview Road
Bielside
Aberdeen AB1 9DQ
Tel: [REDACTED]

AB159DR.

9-5-2012

Aberdeen City Council
Planning Reception, Planning & Sustainable Development,
Marischal College, Aberdeen
AB10 1AB

Dear Sirs,

Application Number 120606
Land at Deeside Golf Club

I write to oppose the development which is close to the bottom of our garden and the Deeside Way.

The proposed site was the original first tee and fairway of the golf club and previously "green land". There are also trees to the south of the Deeside Way and bordering the proposed development which should not be felled.

The area has also been flooded by water pouring down Golf Road and Station Road.

Yours Faithfully

[REDACTED]
D L Anderson

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Agenda Item 3.3

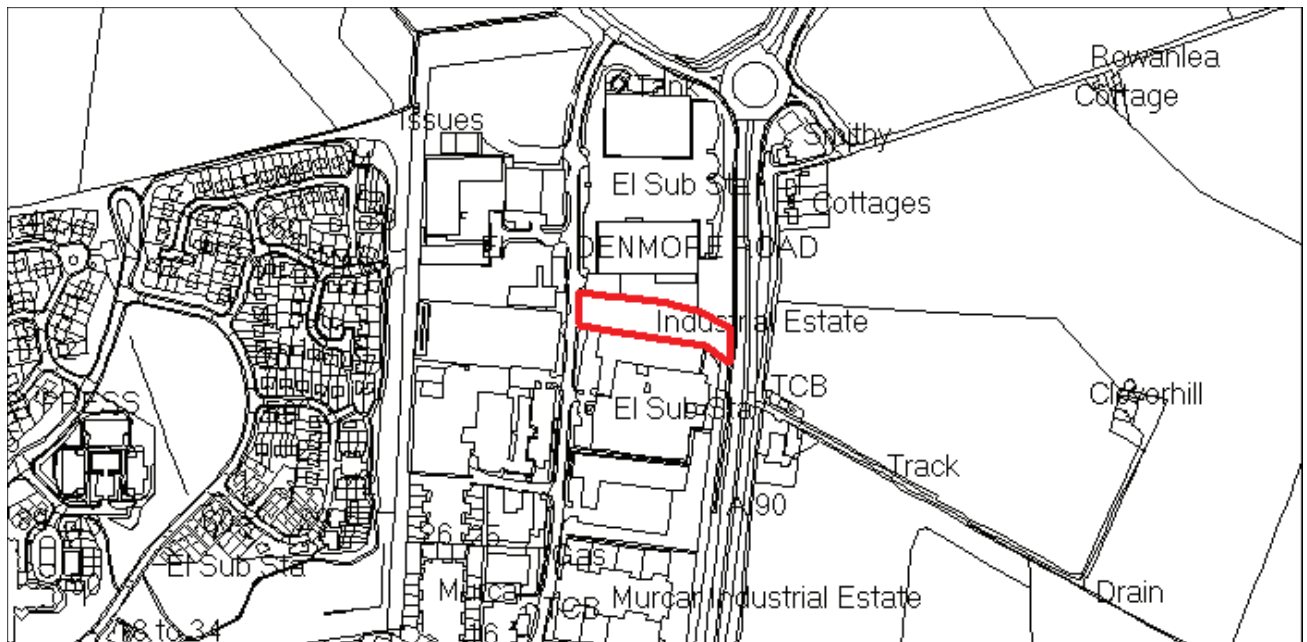
LAND TO NORTH OF, SITE 13 DENMORE ROAD, MURCAR INDUSTRIAL ESTATE

CHANGE OF USE FROM AREA OF AMENITY GROUND TO PRIVATE CAR PARK WITH ASSOCIATED LANDSCAPING AND NEW ACCESS FOOTPATH ACCESSIBLE TO PUBLIC

For: Sparrows Offshore Services

Application Type : Detailed Planning Permission
Application Ref. : P130776
Application Date: 29/05/2013
Officer: Gavin Clark
Ward : Bridge of Don (M Jaffrey/J Reynolds/S Stuart/W Young)

Advert : Can't notify neighbour(s)
Advertised on:
Committee Date: 18 July 2013
Community Council : No response received



RECOMMENDATION: Refuse

DESCRIPTION

The site is an area of open space located within an area identified as Green Space Network within the Bridge of Don Industrial Estate. It comprises an area of ground, which is roughly rectangular in shape, and extends to approximately 3725 square metres.

The site is defined by a number of trees and dense areas of planting, an informal footpath also runs through the site.

To the immediate south of the site is an office building/ workshop (which relates to the current application), to the east is Ellon Road, to the north a retail park (which presently houses B n' Q) and to the west office/ workshop buildings. The associated building has an office floor area of 1268 square metres, and an industrial floor area of 1930 square metres. The site is generally flat, with little undulation.

RELEVANT HISTORY

There is no site history relevant to this application.

PROPOSAL

The proposal involves a change of use from an area of amenity ground to a private car park with associated landscaping, and new access footpath, which would link the A90 to Denmore Road.

The proposal would include the introduction of 62 car parking spaces, which would be associated with the office building/ workshop located to the immediate south of the site. A 5 metre wide access road would link the car park with the site to the south.

Approximately 70% of the site would be lost to hardstanding, this would include a number of trees and shrubs. Whilst this is to be removed the applicants also propose a number of areas of planting, and a footpath which would link Demore Road to Ellon Road.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?130776>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because Aberdeen City Council has an interest in the land. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – initially raised concerns with the proposal as the access to the site was below required standards and 99 parking spaces were to be proposed in total, 9 above the maximum parking standards.

The applicants submitted amended plans which show a total of 90 parking spaces (28 of which are existing, and 62 proposed). The Roads Officers confirmed that they were content with this number, and raised no further objection to the application. In addition, they have confirmed that, should planning permission be approved, a condition requiring the submission of a drainage strategy in line with SUDS principles be attached.

Environmental Health – response received, no objection.

Enterprise, Planning & Infrastructure (Flooding) - response received, no objection.

Community Council – no response received.

REPRESENTATIONS

No letters of representation have been received.

PLANNING POLICY

Scottish Planning Policy (SPP)

Paragraph 149 of SPP aims to protect and enhance open space. In settlements, networks of linked, good quality open space are important for their contribution to amenity and their role in nature conservation, biodiversity, recreation and physical activity.

Paragraph 169 of Scottish Planning Policy states that 169 opportunities for personal travel should be prioritised by mode in the following order - walking, cycling, public transport, car and other motorised vehicles, buildings and facilities should be accessible on foot and by cycle. Improvements to active transport networks, such as paths and cycle routes, in urban and rural areas will support more sustainable travel choices. The aim is for urban areas to be made more attractive and safer for pedestrians and cyclists, including people with mobility difficulties. Cycle routes and, where relevant, cycle parking and storage should be safeguarded and enhanced wherever possible. Statutory equal opportunities obligations relating to accessibility to different users of different means of transport should be taken into account in development plans and development proposals. Accessibility issues and street layout and design should be part of the design and planning processes from the outset.

Aberdeen Local Development Plan 2012

Policy BI1: Business and Industrial Land: states that ancillary facilities that support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's businesses and industrial land. Such facilities should be aimed primarily at meeting the needs of businesses and employees within the business and industrial area.

Policy NE1: Green Space Network: states that the City Council will protect, promote and enhance the wildlife, recreational, landscape and access values of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.

Policy NE5: Trees and Woodland: states that there is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity.

Supplementary Guidance

Open Space: states that Green networks can provide an enhanced setting for development and other land uses and opportunities for outdoor recreation, nature conservation, landscape enhancement and providing a sense of place and local distinctiveness.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

The application seeks permission for a change of use and a number of physical alterations to an area of amenity ground to a private car park with associated landscaping and new pedestrian footpath between Demore Road and Ellon Road. The area of open space in question lies immediately to the north of the associated office building and workshop, and is bounded by a retail unit to the north, Ellon Road (A90) to the east and Denmore Road to the west. An informal footpath, which is presently overgrown, runs through the site.

The site predominantly houses dense woodland/ bushes and shrubs, and contributes to the overall setting of the industrial estate. The resultant physical alterations and change of use to car parking, with associated landscaping would negatively impact on the character and appearance of the surrounding area, whilst the introduction of a large area of hardstanding should be discouraged. Whilst the proposal would allow public access between Denmore Road and Ellon Road through an access pathway, the proposal would negatively impact on the Green Space Network, and would introduce a large area of hardstanding in the place of dense planting/ woodland. The proposal would therefore erode the character and function of the Green Space Network, and therefore fails to accord with Scottish Planning Policy, Policy NE1 – Green Space Network – of the

Aberdeen Local Development Plan and the Council's Supplementary Planning Guidance in relation to Open Space.

Policy BI1 states that ancillary facilities that support business and industrial uses may be permitted where they enhance the attraction and sustainability of the city's businesses and industrial land. The proposed introduction of an area of hardstanding in place of an area of open space would be detrimental to the setting of the surrounding industrial estate and should therefore be discouraged. The proposal also fails to accord with this policy of the Aberdeen Local Plan.

In terms of Policy NE5, while the area is not an established woodland contributing to nature conservation, the proposal is significant to the surrounding area, and does contribute to local amenity. The proposal is therefore contrary to this policy.

Approval of this application risks creating an undesirable precedent which would result in it becoming increasingly difficult to resist similar applications in the future.

Following the submission of amended plans, the Council's Roads Projects Team have raised no objections to the proposal, stating that adequate parking and access would be provided. In addition, they have requested that, should planning permission be approved, a condition be inserted requesting the submission of a drainage strategy in accordance with SUDS principles. Whilst they have raised no concerns, the proposal does conflict with the aims of Scottish Planning Policy, as no justification has been provided with regards to the requirements for the additional parking, and the works, if approved, would discourage more sustainable methods of travel to work.

Should members be minded to grant planning permission, it is recommended that conditions relating to the provision of landscaping, the provision of a footpath through the site from Denmore Road to Ellon Road (available for public use) and that the parking is to be used solely for in association with the adjacent premises occupied by the applicant. At present, there are no material planning considerations which would warrant approval of planning permission. The application is therefore recommended for refusal.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

That the proposed development fails to accord with Scottish Planning Policy (SPP), Policies NE1 "Green Space Network", BI1 "Business and Industrial Land" and NE5 "Trees and Woodland" of the Aberdeen Local Development Plan and the Council's Supplementary Planning Guidance relating to Open Space as the proposal would result in the loss of an area of open space to the detriment of the surrounding area. The open space was designed into the overall industrial development, and its loss would also cause unacceptable detriment to the amenity of the surrounding area. The development would also set an undesirable precedent for applications of a similar nature throughout industrial estates in Aberdeen.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

ABERDEEN CITY COUNCIL

COMMITTEE	Development Management Sub-Committee	
DATE	18 July 2013	
LEAD HEAD OF SERVICE Margaret Bochel		DIRECTOR Gordon McIntosh
TITLE OF REPORT	Planning Digest	
REPORT NUMBER	EPI/13/113	

1. PURPOSE OF REPORT

- 1.1 To advise Committee about recent appeal decisions, recent updates in Scottish Government Planning Advice and other aspects of the planning service.

2. RECOMMENDATION

- 2.1 To note the outcome of the appeal decision.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from these appeal decisions.

4. OTHER IMPLICATIONS

- 4.1 The report is for information and does not have any implications for any legal, resource, personnel, property, equipment, sustainability and environmental, health and safety and/or policy implications and risks.

5. BACKGROUND/MAIN ISSUES

PLANNING DIGEST

APPEAL DISMISSED

27 Crown Terrace – Alterations, refurbishment and change of use to form 7 flats
Planning Application Reference: P120615
Planning Appeal Reference: PPA-100-2045

Members may recall that, contrary to officer recommendation, the above planning application was refused at the Development Management Sub-Committee at its meeting of 23rd November 2012. The application was refused because it was “contrary to the Aberdeen Local Development Plan Policy H2 (Mixed Use Areas), specifically that the development would impact negatively on the current non-residential uses (offices) within the same building and as a result, raise security issues throughout the building which would have an impact on the viability of these businesses and that the development would not create a satisfactory residential environment by virtue of its location above restaurants”

In summary, the Reporter agreed with the position taken by the Sub-Committee, although he was of the view that the provision of additional residential units in Crown Terrace would be unexceptional.

He also considered that the existing complex internal layout of the building and the disposition of the existing restaurant uses meant that the proposed use would not impinge on the viability or operation of the existing restaurant uses, particularly as these have their own self contained entrances. He considered that any concerns of a smell nuisance to residents from cooking odours were not justified as the opening windows of the proposed flats would be in different elevations of the venting ducts associated with the restaurants. He noted that Environmental Health officers did not object to the proposal.

However, the Reporter was not satisfied that the proposed use could co-exist with existing office users. He considered that the introduction of a residential users’ access to a key shared staircase would give rise to a number of operational conflicts and would potentially compromise the security of the building, particularly outside working hours. This would impinge on the viability and operation of the existing office users. This was reinforced by the fact that the appeal premises enjoy no right of common ownership but have only a right of access over the stairway. The modifications necessary to address security and other issues alluded to by the appellant’s agent would require a measure of agreement and cooperation on the part of the relevant owners which does not appear to be forthcoming and cannot, it would appear, be compelled. Accordingly he dismissed the appeal.

The appeal decision can be viewed at
<http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=qA342427>

Imposition of conditions on planning approvals

Following discussion on the attachment of conditions at recent Development Management Sub-Committee meetings, in particular, the ‘hours of construction’ condition, Members are asked to note the following guidance in relation to the imposition of conditions

All conditions imposed by the local authority have to meet the 6 tests laid down in Scottish Government Circular 4/1998 in as far as they must be: necessary to make

the development acceptable in planning terms, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects.

Protocols have been agreed in relation to consultation responses between the Development Management Team and both the Environmental Health and the Roads Project Teams. Guidance in these protocols states that consultation responses should specify which requirements are to be imposed by way of condition to make the development acceptable and clearly distinguish these conditions from advisory notes to the applicant relating to other requirements of the Council etc

In relation to the Environmental Health Protocol the following guidance is given

Valid conditions

- Conditions that control opening hours of a premises or the cooking operations (eg no deep fat frying) are legitimate where these are essential to protect residential amenity in as far as they serve a planning purpose and have the ability to be enforced.

Invalid conditions

- Conditions that seek to control
 - the ongoing management or operation of a premises (for instance specifying that bins are only put out immediately prior to uplift) or
 - the ongoing maintenance of equipment (for instance maintenance of ventilation equipment)are not enforceable and cannot legitimately be imposed

Conditions that do not clearly specify what the applicant has to do or what is permissible are neither enforceable nor precise and cannot be legitimately imposed.

- Conditions that seek to impose a requirement that is the domain of other controls (possessed by the local authority or other public body eg SEPA) or that place a possible future requirement based on a possible or hypothetical situation cannot legitimately be imposed.
- It is debatable whether the condition that is normally imposed restricting the hours of construction work is a legitimate planning condition as it is, in practice, impossible to enforce or monitor and also duplicates other controls available to the local authority under separate legislation. The issue that the condition seeks to address is the possibility of noise disturbance for a limited period to sensitive receptors (normally residential properties) caused by construction vehicles/machinery/activity which may or may not be a nuisance. This is more effectively dealt with by Environmental Health controls (Control of Pollution Act) in circumstances where nuisance occurs or is possibly occurring

With this in mind conditions that seek to control of hours of construction should not be attached to applications for householder developments and, in other circumstances, should only be attached where there is a particular likelihood of

a detrimental impact on residential amenity should construction occur outwith standard working hours.

It would be preferable that working hours be included as an informative note on all decision documents that details the controls available to Environmental Health should a nuisance be caused during construction. With this in mind officers in Development Management and Environmental Health are working together to devise a suitable informative note relevant to working hours to include on relevant decision notices.

6. IMPACT

The Scottish Government has stated that an effective planning service is fundamental to achieving its central purpose of sustainable economic growth. As such the information in this report relates to a number of Single Outcome Agreement Outcomes:

1 - We live in a Scotland that is the most attractive place for doing business in Europe;

2 - We realise our full economic potential with more and better employment opportunities for our people;

10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need;

12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations;

13 - We take pride in a strong, fair and inclusive national identity; and

15 - Our public services are high quality, continually improving, efficient and responsive to local people's needs.

Public – The report may be of interest to the development community and certain matters referred to in the report may be of interest to the wider community.

7. BACKGROUND PAPERS

None.

8. REPORT AUTHOR DETAILS

Margaret Bochel
Head of Planning and Sustainable Development
Mbochel@aberdeencity.gov.uk
01224 523133

ABERDEEN CITY COUNCIL

COMMITTEE	Development Management Sub-Committee
DATE	18 July 2013
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Scottish Government Consultation on the Historic Environment

1 PURPOSE OF REPORT

This report outlines the consultation by Scottish Government on the first Historic Environment Strategy for Scotland and the proposed merger of Historic Scotland and the Royal Commission for Historic and Ancient Monuments for Scotland. It presents a consultation response in Appendix 1 of this Report.

2 RECOMMENDATION(S)

2.1 It is recommended that the Committee:

- (a) Approve the consultation response on the draft Historic Environment Strategy for Scotland and on the proposed merger of Historic Scotland and the Royal Commission for Historic and Ancient Monuments for Scotland for submission to the Scottish Government as set out in Appendix 1.

3 FINANCIAL IMPLICATIONS

3.1 There are no direct financial implications arising from this report.

4 OTHER IMPLICATIONS

4.1 There are no known legal, resource, personnel, property, equipment, sustainability and environmental, health and safety policy implications arising from this report.

5 BACKGROUND / MAIN ISSUES

5.1 The Scottish Government is currently carrying out a joint consultation on two related issues affecting the historic environment:

- The Historic Environment Strategy for Scotland and
- the merger of Historic Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland (RACHMS).

The new Historic Environment Strategy for Scotland will set the future direction for Scotland's historic environment. Central to this is the establishment of a new lead body will support its delivery. The decision to merge Historic Scotland and the Royal Commission follows the commissioning of a business case for merger in July 2012.

The Historic Environment Strategy for Scotland

5.2 The scope of the strategy is ambitious as it covers the historic environment sector as a whole and presents four overarching priorities:

- Cross cutting approach to historic environment
- Understand – investigate and record
- Protect – care and protect
- Value- share and celebrate

It proposes a 3 tiered structure at a national to implement the strategy – Board; an operational group underpinned by three working groups.

5.3 The definition of historic environment presented in the strategy includes intangible sensory elements. The impact of this on our role as local planning authority is unknown as the tenor of the document is pitched at a high strategic level and the practical operational implications have yet to be made explicit. The proposed response in Appendix 1 highlights the need for detailed policy guidance similar to the former Memorandum of Guidance, which gave practical advice that assisted in determining planning applications.

5.4 There is a strong emphasis on mainstreaming the historic environment at national policy level in recognition of the contribution it makes to place making; economic development and tourism; social cohesion and its strong relationship with the natural environment. Whilst this is welcomed it is unclear how this would translate to a local level.

5.5 The major weakness of the strategy is that there is no action programme included to implement it. The challenges facing the sector are identified, but not adequately addressed. The document also includes examples of good practice that would be better sited in an appendix so that the strategic policy element is easier to identify.

The merger of Historic Scotland and RCHAMS

5.6 The proposed merger is presented alongside that of Scotland's first ever historic environment strategy rather than as an outcome of it. This presupposes that the merger, in whatever form it takes, is the best vehicle for delivering the strategic vision which would seem to be premature. For example the strategy highlights the need to strengthen the relationship between the natural and built environments, but does not consider creating one holistic environmental body for Scotland as a possible option.



5.7 The proposed merger would see the current Historic Scotland policy function remaining within Scottish Government and the implementation, regulatory oversight, property management and Historic Scotland research functions moving

to a new body together with the research and recording functions of RCHAMS. From a planning perspective one of the strengths of the current regulatory system is that Historic Scotland is part of the Government. Of concern is that this could be weakened by creating a new body at arm's length from government despite checks and balances being put in place. It is also unclear what the implications are for the regulatory function if the new body is to have charitable status.

6 BACKGROUND PAPERS

- 6.1 The Historic Environment Strategy for Scotland and the merger of Historic Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland (RACHMS) documents
<http://www.scotland.gov.uk/Publications/2013/05/1373>
- 6.2 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
<http://www.legislation.gov.uk/ukpga/1997/9/contents>

7 REPORT AUTHOR DETAILS

Bridget Turnbull
Senior Planner – Masterplanning, Design & Conservation
 01224 (52) 3953
 bturnbull@aberdeencity.gov.uk

**Joint Consultation on the Historic Environment Strategy and the merger
of Historic Scotland and the Royal Commission on the Ancient and
Historical Monuments of Scotland**

Consultation response from Aberdeen City Council

This response is made by Aberdeen City Council in its role as local planning authority. The following comments were approved by the Development Management Sub-Committee on 18 July 2013.

A Historic Environment Strategy for Scotland

Aberdeen City Council welcomes the production of the draft Historic Environment Strategy for Scotland, in particular its emphasis on mainstreaming the historic environment within all parts of policy.

Q1 Definition of “Historic Environment”

Given that the strategy encompasses the sector as a whole, the positive role of both the tangible and intangible aspects of place is rightly included in the definition of the historic environment. What impact such a broad definition would have however on the operational regulatory aspects of historic environment planning is unclear.

The definition excludes one key word for it become a meaningful tool, which is "past". A suggested revised definition is as follows:

“Scotland’s historic environment is the evidence for past human activity that connects people with place and past times. This includes physical structures, features, artefacts and archives as well as the intangible associations that help us to understand and feel what places and communities were once like.”

Q2 The vision

No comment.

Q3 Overarching principles

Whilst we agree with the sentiments behind the three stated principles, b) “Be ambitious: do more both to preserve and maintain the historic environment and secure the many associated benefits” and c) “Face the challenges” are more exhortations rather than guiding principles.

The bullet points beneath these headlines reveal more. In particular the “assumption to conserve” and “conserve the wider setting and context of our historic assets” need to be given higher prominence by being turned into a principle. From a practical day to day standpoint a principle like this would be the cornerstone of a revised SHEP and supporting policy guidance.

Q4 Cross-cutting

We welcome the aspiration behind this aim as the historic environment needs to be seen as an important element of place making rather than being bolted

on as an afterthought. Mainstreaming of the historic environment in Government policy formulation is a positive move.

The proposed actions however seem to be confined to what Government will do centrally with no cascading down to local government and other sectors. For example will there be an expectation or compulsion for local government to reflect cross-cutting in a formal way at a local level? This does happen now, but often on an ad hoc basis.

Exploring and strengthening the relationship between the natural and built environments is needed, particularly in rural Scotland. It was disappointing that this proposed action was not fleshed out further in the strategy. If this is a serious proposition then this could impact on the proposed merger between Historic Scotland and RCHAMS. Combining them with Scottish Natural Heritage and creating one holistic environmental body for Scotland is an option that does not seem to have been considered. Equally this combined natural and built heritage approach could be reflected in requirements for plans and programmes produced by local authorities.

We agree that decisions should be underpinned by evidence although this should always be proportionate. This should be one of the principles underpinning the strategy.

Q5 Understand – investigate and record

The proposed actions focus on continuing existing research and recording programmes. From a local planning authority perspective they appear rather piecemeal and un-coordinated; the strategy is an opportunity to create more clarity as to what research is being undertaken and who holds what information and data. As a guiding principle information should be accessible - free, available to all and online.

Q6 Care and protect

More detailed guidance is needed by local planning authorities in undertaking their duties with regard to the historic environment. We would welcome the production of a revised Memorandum of Guidance or similar document. The City Council is keen to participate in any collaborative working group set up to manage the historic environment as outlined in the proposed actions on p33.

Community planning and developing options with the voluntary sector offer great opportunities however they are resource hungry; requiring more skilled conservation input and those skilled in community engagement.

Q7 Share and celebrate

We recognise the positive role that the historic environment has with regard to tourism and education. Celebration of it can also be a powerful tool in improving community cohesion and local identity.

Q8 Delivering the vision

The strategy is a good starting point and the Government is to be commended for having made this first step. Producing a document that covers all of the

historic environment and all the sectors and players within it is a difficult task. A slimmer strategy focusing on first principles supported by examples in an appendix, rather than in the main body of the text, would set the overarching context for an action plan that would deliver the vision.

Q9 Realising the ambition

The major weakness of the strategy is that there is no credible accompanying action plan. There are proposals for an overarching Board to manage and coordinate activities identified in the strategy, but little indication of delivery and timescales. Reference is made to three working groups being set up to look at key areas and themes, but not what these areas are.

B Proposed merger of Historic Scotland and RCHAMS

It is unclear whether the proposed merger is an outcome of the strategy or the other way around. It reads as though they are separate inter-related streams of activity. Our concern is that in not having agreed the strategic vision for the nation's historic environment first, the best form that the nation's dedicated body should take is being prejudged. The architectural presupposition that form should follow function is apposite here.

From a local planning authority perspective one of the strengths of the current regulatory system is that Historic Scotland is part of the Government. Our concern is that this could be weakened by creating an arm's length body despite checks and balances being put in place. This would appear to have been the case in England and we would do well to learn from their experience.

Whilst we are aware that there are understandable concerns from staff in these two organisations about the future direction and name of the new body, it is our view that Historic Scotland is a well established "brand" name that should be retained. The research and recording functions of RCHAMS would sit comfortably under that name. Keeping the Historic Scotland name would reduce public confusion and save the considerable costs involved with re-branding.

ABERDEEN CITY COUNCIL

COMMITTEE	Development Management Sub-Committee
DATE	18 July 2013
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Conservation Area Character Appraisals and Management Plan Interim Planning Advice

1 PURPOSE OF REPORT

- 1.1 This report outlines the results of a public consultation exercise undertaken for the Conservation Area Character Appraisals and Management Plan. A summary of the representations received, officers' responses and detail of any resulting action is provided in Appendix 1 of this Report. Full, un-summarised copies of representations are detailed in Appendix 2.
- 1.2 The amended version of Conservation Area Character Appraisals and Management Plan, as informed by consultation responses, can be viewed by accessing the following link:
www.aberdeencity.gov.uk/masterplanning

2 RECOMMENDATION(S)

- 2.1 It is recommended that the Committee:
- (a) Note the representations received on the draft Conservation Area Character Appraisals and Management Plan document;
 - (b) Approve Appendix 1, which includes officers' responses to representations received and any necessary actions;
 - (c) Approve the Conservation Area Character Appraisals and Management Plan as Interim Planning Advice and instructs officers to comply with the statutory notifications required in respect of amending the boundaries of Ferryhill and Marine Terrace Conservation Areas.

2.2 Definition

'Interim Planning Advice' – this specifies that the Conservation Area Character Appraisals and Management Plan is in the public domain and, as such, it becomes a material consideration in the determination of any planning application.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report. Any future publication and notification costs can be met through existing budgets.

4 OTHER IMPLICATIONS

- 4.1 There are no known legal, resource, personnel, property, equipment, sustainability and environmental, health and safety policy implications arising from this report. Section 62 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires notification of conservation area boundary amendments to be reported to the Scottish Government and advertised in the Edinburgh Gazette and local press.

5 BACKGROUND / MAIN ISSUES

- 5.1 The draft Conservation Area Character Appraisals and Management Plan was presented to Development Management Sub-Committee on 15 February 2013 (Item No. 3.3) where the Committee approved the recommendations to (a) approve the conservation area character appraisals and management plan for a six week public consultation period (as detailed in the report) and (b) agree that, following completion of the public consultation, any comments received and subsequent amendments be presented to a future meeting of the Sub Committee.

Consultation process

- 5.2 The public consultation period ran for six weeks from Monday 11 March 2013 until 12 noon Monday 22 April 2013, as recommended by Committee. This was longer than the normal four weeks to take account of the Easter holidays.
- 5.3 Community Councils in the six Conservation Areas covered by the document were given advance notification of the upcoming consultation and invited to inform the consultation process in their area.
- 5.4 A wide range of organisations and groups were consulted including statutory consultees; Community Councils; affected Ward members; local heritage and amenity groups; local schools and churches. All occupiers directly affected by draft proposals were written to outline the proposed changes and sent a copy of the summary leaflet relevant to their area. This included all properties in Cove Bay Conservation Area; the West End Office Area terraced properties and properties affected by proposed boundary changes to Ferryhill Conservation Area.
- 5.5 The draft Conservation Area Character Appraisals and Management Plan was available to view and publicised via the following methods:
- Publication of document on Aberdeen City Council Website 'Current Consultations' page
<http://www.aberdeencity.gov.uk/consultations>
 - Publication of document on Aberdeen City Council Website 'Masterplanning' page

<http://www.aberdeencity.gov.uk/masterplanning>

- Hard copy of document available for viewing at Marischal College between 9am and 5pm Monday to Friday, by contacting the Planning and Sustainable Development Reception. Relevant planning officers were also identified to be available to help answer queries from members of the public who visited the Planning Reception regarding the draft Conservation Area Character Appraisals and Management Plan.
- Hard copies of the document were also made available at the Central, Ferryhill and Cove libraries.
- Summary leaflets for each conservation area were available online; at Ferryhill and Cove Bay public libraries; Marischal College and the Cove Bay Hotel.
- Information giving details of the consultation were published on the Aberdeen Local Development Plan Facebook and Twitter pages and in its newsletter.
- A press release was issued and, as a result of which, the story was picked up by local press and radio.
- A public drop in session was held between 4-7pm at the Cove Bay Hotel on Monday, 18 March 2013. Details of this session were included in the letter delivered to all occupiers in Cove Bay Conservation Area.
- Officers also attended a meeting of the Cove and Altens Community Council on 25 March 2013 at the Community Council's request.

Consultation results

5.6 Representations on the draft Conservation Area Character Appraisals and Management Plan could be submitted by email or post. A total of 32 representations were received during the consultation, from the following:

- Nestrans
- Scottish Environmental Protection Agency
- Old Aberdeen Community Council
- Cove & Altens Community Council
- Aberdeen Civic Society
- Albert terrace Residents Association
- Old Aberdeen Historical Society
- Cove in Bloom
- 24 individuals

5.7 Representations are summarised in Appendix 1, with officer responses and any resulting proposed amendments to the document. In general the document was welcomed and alterations to the proposed document in light of the comments received focus on:

Cove Bay Conservation Area

- 5.8 Members will note from Appendices 1 and 2 that the overwhelming number of responses received (23 out of 32) relate to the proposed de-designation of Cove Bay Conservation Area with most being opposed to de-designation. The majority view was the opinion that the City Council had allowed the Conservation Area to deteriorate since designation and that the City Council should be responsible for rectifying the situation. Cove and Altens Community Council commented that “we suggest that Cove Bay remain a designated conservation area for a further 12 months minimum to allow for development of a community action group if there is an appetite locally to do this.”
- 5.9 Section R: *Cove Bay Conservation Area Review of conservation area status* of the Management Plan has been revised to reflect this and proposes that conservation area status for Cove Bay be retained and that its character is reviewed and monitored after a minimum period of 12 months. This is to enable the local community to formulate plans to improve and enhance the character of Cove Bay Conservation Area.

Ferryhill Conservation Area

- 5.10 There were only four responses relating to the proposed boundary changes to Ferryhill Conservation Area. There was support for the inclusion of 4-10 Devanha Gardens West, but a mixed response to the proposed exclusion of properties in the Whinhill Gate area. Of the three local residents who responded, two were in favour of the area remaining in the Conservation Area and one for it being excluded.
- 5.11 Reasons for this area remaining in the Conservation Area centred on Polmuir House and its original boundary walls as well as the positive contribution made by the presence of mature trees. Given other representations stressing the importance of trees and landscaping to conservation areas in general, section S: *Ferryhill Conservation Area* of the Management Plan has been revised and now only includes the addition of 4 – 10 Devanha Garden West in Ferryhill Conservation Area.

Marine Terrace Conservation Area

- 5.12 Coull Cottage, 1 ½ Devanha Terrace, was included in the second extension to the Marine Terrace Conservation Area that was designated in June 1978. Over the years a cartographical error has resulted in this property being excluded from the boundary of the Conservation Area as shown in the Aberdeen Local Plan (2008) and the Aberdeen Local Development Plan (2012). Whilst the owner occupier did not make a formal consultation representation she has contacted officers in writing and by phone requesting this mistake should be rectified. The boundary of Marine Terrace Conservation Area is to be amended to include Coull Cottage.

Future Appraisals

- 5.13 As part of the Local Development Plan review process it is intended that the document will be updated to include the remaining five conservation areas that currently have character appraisals (Footdee; Old Aberdeen; Pittfodels; Rosemount and Westburn and Union Street) once these have been reviewed. Ultimately one document will cover the management of all conservation areas in Aberdeen. It is envisaged that this will be Supplementary Guidance to support historic environment policies in the revised Local Development Plan.

6 IMPACT

- 6.1 The proposal contributes to the Single Outcome Priorities 10: *We live in well-designed, sustainable places where we are able to access the amenities and services we need* and 12: *We value and enjoy our built and natural environment and protect it and enhance it for future generations.*
- 6.2 The proposal contributes to Smarter Aberdeen's aspiration of *Smarter Environment – Natural Resources* – providing an attractive streetscape.
- 6.3 The proposal contributes to the EP & I Directorate Priority 3: *Protect and enhance our high quality natural and built environment* and to the Planning and Sustainable Development Operational Priority PSD3: *Protect and enhance our heritage and high quality built environment.*

7 BACKGROUND PAPERS

- 7.1 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
<http://www.legislation.gov.uk/ukpga/1997/9/contents>
- 7.2 Scottish Government's Planning Advice Note 71: Conservation Area Management
<http://www.scotland.gov.uk/Publications/2004/12/20450/49052>
- 7.3 Aberdeen Local Development Plan (2012)
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=42278&SID=9484>

8 REPORT AUTHOR DETAILS

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Draft Conservation Area Appraisals and Management Plan Consultation Result Summary	Appendix 1
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Generic Responses		
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NESTRANS		
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<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Agree with the appraisal that have been made for each area and have no objections regarding the proposed boundary alterations.	Noted	No amendment required as a result of the representation.
Nestrans would support any measures that improve the pedestrian environment in conservation areas, particularly in terms of pedestrian safety and the attractiveness of pedestrian routes.	Noted	No amendment required as a result of the representation.
The character appraisals recognise the issue of parking. Any changes in provision of car parking should have regard to the relevant policies contained within the Regional Parking Strategy.	Noted. The policies in the Regional Parking Strategy are reflected in the Transport and Accessibility Supplementary Guidance referred to in the document.	No amendment required as a result of the representation.
Nestrans supports measures which encourage a modal shift to more sustainable modes of transport and proportion of trips by walking.	Noted	No amendment required as a result of the representation.
Measures such as car free developments and appropriate management of parking could help to meet the aims of conservations areas as well as wider Regional and Local Transport Strategy objectives.	Agreed. This document and relevant Supplementary Guidance referred to in the document would be used to assess applications for development.	No amendment required as a result of the representation.

Aberdeen Civic Society		
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<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of</i>
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		<i>Representation</i>
The Committee is impressed at the level of detail and obvious volume of work that has gone into producing the documents.	Noted	No amendment required as a result of the representation.
We support the removal of Conservation Area status from Cove Bay and the suggested area at Ferryhill and agree with the assessments and reasons put forward in the document for doing so.	Noted. Cove Bay is proposed to remain a Conservation Area as a result of representations from local Cove Bay residents in support of retaining conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the Conservation Area. The proposed deletion of an area from Ferryhill Conservation Area is to be removed.	No amendment required as a result of the representation
As a general comment, we are concerned about the quality of maintenance of many of the trees in the Conservation Areas and would welcome any additional care to them considering their contribution to conservation areas.	Noted. In recognition of the important role than trees play across the City as a whole the Council has allocated funding towards the management of trees in private ownership. This is managed on behalf of the Council by Aberdeen City Heritage Trust through its Tree Management Grants up to March 2015. The Council is responsible for maintaining street trees and other trees on land in its ownership.	No amendment required as a result of the representation.
Overall the documents are impressive and extremely detailed, and aside from come spelling and grammar errors to be corrected, we look forward to publication of the adopted documents.	Noted and welcomed.	Amendments made to spelling and grammatical errors in document.
SEPA		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
No comments to make on the documents.	Noted	No amendment required as a

		result of the representation.
Albyn Place and Rubislaw		
Albert Terrace Residents Association		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Concern over gradual encroachment of business premises and associated change of use, need to 'cap' number of office premises in primarily residential streets.	Noted. Albert Terrace is surrounded by streets covered by Plan Policy B13 - <i>West End Office Area</i> in the Aberdeen Local Development Plan. In this area applications for change of use for office purposes will be given favourable consideration. Within residential areas, policy would indicate that uses that are complementary to residential would be acceptable. Small scale offices may well fit within this description and this may be a policy issue that could be looked at in the review of the Local Development Plan. There is however a reportedly large demand for offices and, without an improvement in supply, there may be implications for economic development.	No amendment to document required as a result of the representation. Issue to be considered as part of Local Development Plan review.
Office conversions leading to loss of rear gardens, loss of bedroom privacy and parking pressures. Where conversion is permitted, reinstatement of original features such as cast-iron railing for example should be mandatory.	It is recognised that changes of use from residential to office use alters the character of the conservation area. Policies exist regarding parking including looking at travel plans and contributions to the car share club. Privacy is also an issue and would be taken into account in the development management process. Whilst re-instatement of original features can be encouraged through the planning application process, it cannot be made mandatory under the current planning legislation.	No amendment required as a result of the representation.
Opportunity to take a pro-active approach, a "re-instate" rather than "hold-the-line" approach. For example following the Albert Terrace example when it was awarded "Townscheme" status in	Noted. At the moment current sources of funding for such public realm works focus on the regeneration of commercial areas. As set out in section O <i>Information and communication</i> of the Management Plan (page	No amendment required as a result of the representation

<p>1992, whereby the area saw a number of streetscape improvements. This pro-active approach could be widened to include Victoria Street and provide a residents and tourist asset – by exposing the original setts, re-instating cast iron railings, installing heritage lighting and seal off from Skene Street traffic.</p>	<p>21) the Council is willing to work with local groups to improve their area resources permitting.</p>	
<p>The representation included a list of specific comments and photographic evidence relating to the SWOT analysis 'threats' section on page 14 of the Management Plan, specifically issues related to conversion to business premises - loss of vegetation, proliferation of signage, loss of boundary walling etc.</p>	<p>Noted.</p>	<p>No amendment required as a result of the representation</p>
<p>P15 statement re: encouraging adaptive use of buildings – agree with statement but <u>not</u> where a residential community is thriving.</p>	<p>Noted. Existing statement whilst encouraging the adaptive re-use of buildings does also state that this should be “subject to compatibility with neighbouring property and uses”. The impact of any proposed change of use on the surrounding area is made as part of the planning application process.</p>	<p>No amendment required as a result of the representation.</p>
<p>Public Realm section & P17: Setted streets are currently not being maintained or safeguarded, especially by utility companies. Agree with repair and enhancement but tighter contractual controls are needed for utility companies and appropriate funding allocated to properly maintain the fabric.</p>	<p>Noted. Most work undertaken by public utility companies are classed as permitted development and do not require planning permission. As roads authority the City Council is aware of all planned roads works. Public utility companies are obliged to reinstate specialist surfaces such as setts on a like for like basis however they can lay temporary surfacing, such as tarmac, for a period of up to 6 months.</p>	<p>No amendment required as a result of the representation</p>
<p>P16: believe that Design Statements should be mandatory for alterations or extensions,</p>	<p>Noted. We agree that Design Statements can be very useful tools, particularly for proposals affecting</p>	<p>No amendment required as a result of the representation</p>

<p>especially for appropriate understanding of context.</p>	<p>Conservation Areas. Section A <i>Design statements</i> in the Management Plan encourages developers to submit them. Existing legislation does not however allow us to make a Design Statement a mandatory requirement before validating a planning application for alteration or extension of an existing building in a conservation area although information required to assess an application can be requested. The review of the Aberdeen Local Development Plan will consider preparing additional guidance on the content of Design Statements, and instances where they may be requested by Officers.</p>	
<p>P19 Trees: agree with importance of trees, but also in the maintenance and forward planning of any planting with regard to root systems is highly important.</p>	<p>Noted and agreed. The spread and impact of future tree root systems is part of the assessment process for new street tree planting schemes. It also forms part of assessing planning applications that have a landscaping element to them.</p>	<p>No amendment required as a result of the representation.</p>
<p>Section 3.2.1: Character Area A should be renamed 'Albyn Place, Carden Place, Albert Terrace and Victoria Street'. Albert Terrace is one of the best preserved streets it hardly gets mentioned.</p>	<p>Agreed.</p>	<p>3.1 Albyn Place/Rubislaw Character Area A renamed 'Albyn Place; Carden Place; Albert Terrace and Victoria Street'</p>
<p>Plan 2: Character Area A 'Built Heritage': no granite sett road surfaces are shown on the plan, to our knowledge Albert Terrace is the only one.</p>	<p>Noted and acknowledged</p>	<p>Wording of section <i>E Roads</i> of the Management Plan has been amended to remove reference to plan.</p>
<p>P22 Section Q: If this policy is applied rigorously (and to the rear of Albert Terrace) then there should not be a problem to our residents. The challenge will come from existing one storey</p>	<p>Noted. Guidance cannot be implemented retrospectively.</p>	<p>No amendment required as a result of the representation.</p>

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offices wanting to expand and we assume with so many already above a single storey the guidance will not be retrospective?		
Comments included a brief history and profile of the Albert Terrace Residents Association which was formed over 20 years ago and has many successful campaigning achievements. As such it supports stricter controls over development in designated conservation areas.	Noted	No amendment required as a result of the representation.
We must maintain primarily residential areas to avoid Aberdeen becoming solely business and shopping centre with no 'beating heart'. We realise the value of commercial activity, but a balance needs to be struck.	Albert Terrace is identified as a Residential Area by the Aberdeen Local Development Plan (2012). Proposals affecting this area must be considered against Policy H1 which sets a presumption against non-residential uses within such areas unless circumstances set by the policy can be demonstrated.	No amendment required as a result of the representation
Planning restrictions in conservation areas need to be tightened.	Noted. This is outwith the scope of this document which deals with implementing existing controls available to local planning authorities. Tightening planning restrictions in conservation areas is a matter for the Scottish Government.	No amendment required as a result of the representation.
Mr A Pooh (Local Resident Ref No. 31)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Pleased have prepared statements about the City's Conservation Areas.	Noted.	No amendment required as a result of the representation.
Replacement of trees in the footway seems to be very haphazard. Trees to be lopped or removed from the footway in Carlton Place were	Noted. Most work to street trees is undertaken in situations where the street tree is dead, dying or in a dangerous condition. Where a single tree is to be	No amendment required as a result of the representation.

not subject to any prior consultation or replacement. It appears a resident can ask for a tree to be cut down with no regard to views of other residents.	removed, residents in the immediate vicinity are consulted and all residents are consulted on roads where three or more street trees are proposed to be removed.	
Sometimes the area of tree root is slabbed over or worse tarmac.	Noted. Whilst it is accepted that tarmac is unsightly its use is a compromise that allows mature street trees to be retained whilst minimising the trip hazard posed by exposed tree roots.	No amendment required as a result of the representation.
Please ensure that any revision to Council's policy brings together the Roads Section with that of Conservation and Policy to enhance the setting of the conservation area.	Noted. Officers in Masterplanning, design and Conservation are working with colleagues in Roads to improve the management and maintenance of the streetscape in conservation areas.	No amendment required as a result of the representation.
There should be a policy in conservation areas to prevent telephone and other wires from being allowed overhead in the streets with a principle frontage which contribute to fine views of the City.	Existing legislation allows telecommunication companies and other statutory undertakers to undertake such work as 'permitted development' in the majority of circumstances. As such, Officers often have no control over these works.	No amendment required as a result of the representation
Bon Accord / Crown Street		
Ms. C Leith (Local Resident Ref No.19)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Section 2.2 – Alexander Ellis who lived & designed this section of Springbank Terrace designed St Marys Cathedral not Church.	Noted	Section 2.2 amended accordingly.
Pg8 – glad of record to Battle of Justice Mills.	Noted	Page 8 amended to include the name Battle of Justice Mills
Pg10 – North side of Springbank Terrace now	Noted. Listed building category was revised in 2009	Page 10 Plan I has been amended

Category C not B listed buildings.	from Category B to C.	with 1-15 Springbank Terrace now identified as Category C listed buildings
Pg15, 3.2.5 – agree with all comments re: negative factors.	Noted	No amendment required as a result of the representation
Pg22 – glad brick feature in Bon Accord Terrace Gardens is mentioned.	Noted.	No amendment required as a result of the representation
Cove		
Mr Cargill (Local Resident Ref No.1)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Pleased about the prospect of the removal of the conservation order.	Noted. Support for de-designation of Cove Bay Conservation Area was limited. Most representations from local Cove Bay residents were in favour of Cove Bay retaining its conservation area status.	No amendment required as a result of the representation
Have lived in Cove for 73 years and family for two generations before that. The representation also included description of early Cove and that after WW2 and sought improvements to conditions almost every got the 'go ahead'.	Noted	No amendment required as a result of the representation
All the infrastructure of the fishing days has been swept away, the Fisherman's Mission Hall, the Ice House, and the Semaphore Station etc. The only fragile survivor is the village harbour – which is unique on the East Coast, with concrete structures linking up the rock formations to provide shelter for recreation, fishing, picnics,	Noted	No amendment required as a result of the representation

boating etc and a pier on a north/south axis.		
The City should not let this [the harbour] crumble away and I can only hope that the resources which may be released when no longer required to administer the conservation area could be redirected to help Cove harbour survive and realise its fantastic potential as a City gem.	Noted. The harbour is not in public ownership however proposals for its improvement would be welcomed.	No amendment required as a result of the representation
Javier Perez-Barberia (Local Resident Ref No.2)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Wishes for Cove Bay to be kept as a conservation area with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Cove Bay is one of the few remaining fisherman villages, albeit despite development in the 60s and 70s which made a lot of damage to the area.	Noted. This is already noted in section 1.2 Summary of significance in the Cove Bay Conservation Area Character Appraisal.	No amendment required as a result of the representation
It's an important, quiet recreational resource for people and important nesting ground for sea bird species.	Noted. This is recognised in its Green Space Network and SSSI designations.	No amendment required as a result of the representation
Removal of designation opens door for further damage to the area, possibility of building further development on adjacent areas to the	Noted. In the event that conservation area status was to be removed, protection would still be given to the natural environment though the Green Space Network	No amendment required as a result of the representation

village and heritage vision which lacks sensitivity.	and SSSI designations.	
The Council should enhance the area to make it a similar spot to Footdee.	Noted. Whilst they both originate as fishing villages the characters of Footdee and Cove Bay are quite different. Funding may be available to a local community for enhancement works.	No amendment required as a result of the representation
Removal of designation will lead to inappropriate extensions and modifications which will damage the area, made worse by residents' lack of ability to afford modern, but traditional-lookalike modifications.	Noted. The historical and architectural character of Cove Bay has already been damaged by inappropriate development.	No amendment required as a result of the representation
Against relaxation of regulations and pro to a plan of improving the traditional appearance of the village by means of investment in the area and grants to improve some buildings when the owners cannot afford it.	Noted. The character area appraisal highlights the opportunity for local community action to improve the area with support from the City Council, subject to available resources (section O: <i>Information and communication</i> in the Management Plan)	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. It is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.
Ms A Wishart (Local Resident Ref No.3)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Saddened by proposal to remove conservation designation. Moved to Cove area as attracted to fishing village feel and being in a conservation area believed that the stricter planning	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended.

regulations would prevent inappropriate building/alterations. We have ensured we maintain the traditional appearance of our property over the years.	formulate plans to improve the conservation area with the support of the City Council	Cove Bay is proposed to remain a Conservation Area. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council
Over the years the character of the area has been eroded due to lack of enforcement and monitoring, residents have been allowed to build extensions which are not "in keeping" and install inappropriate windows and doors.	Noted. Resources do not permit the routine monitoring of conservation areas. All queries re planning enforcement in Cove Bay have been investigated.	No amendment required as a result of the representation
Planning regulations in the conservation area must be correctly enforced.	Noted. Resources do not permit the routine monitoring of conservation areas. All queries re planning enforcement in Cove Bay have been investigated.	No amendment required as a result of the representation
Pavements and roads have been neglected, and street lights left broken.	Noted. A local community action group would be well placed to pursue matters of routine maintenance with the City Council.	No amendment required as a result of the representation
The Council should invest money into streets of Cove Bay instead of little used-streets in the City Centre like the Adelphi. I realise this will cost money but I'm sure there are grants and organisations who would be willing to fund some of these changes.	Noted. Sources of grant funding for street upgrading works in Cove Bay have been investigated, but none were applicable. The Adelphi improvement works are being funded in part due to developer contributions and The Green Townscape Heritage Initiative.	No amendment required as a result of the representation
Removal of the conservation designation will lead to the destruction of the area; the designation should be retained with a view to improving the village in the very near future.	Noted. The historical and architectural character of Cove Bay has already been damaged by inappropriate development as outlined in the character appraisal.	No amendment required as a result of the representation
Ms J Esson		

(Local Resident Ref No.4)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove outwith Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
The representation also asked a few questions regarding the consultation process and maps produced.	These factual queries were responded to in a separate letter	No amendment required as a result of the representation
Mr R Jamison (Local Resident Ref No.5)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request Cove Bay not be a conservation area anymore.	Noted. This is a minority view. The vast majority of representations from local Cove Bay residents were in favour of Cove Bay retaining its conservation area status.	None
Mr S Kirk (Local Resident Ref No.6)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a

	the support of the City Council, subject to available resources (section O: <i>Information and communication</i> in the Management Plan).	Conservation Area and the situation reviewed in August 2014.
Ms S Porter (Local Resident Ref No.7)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Ms A Ross (Local Resident Ref No.8)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014
Further discussion is needed as this is a very important decision.	Noted. The proposed review in August 2014 is designed to enable the local community to consider what action they wish to take regarding the future of the conservation area.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.

Mr A Ross (Local Resident Ref No.9)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: Cove Bay Conservation Area in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Mr D Gray (Local Resident Ref No.10)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove outwith Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: Cove Bay Conservation Area in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Much input is required regarding the upkeep of the village, i.e. roads and thoroughfares.	Noted. Some of the roads in the Conservation Area are public highway however many of them are in private ownership. A local community action group would be well placed to work to improve their upkeep.	No amendment required as a result of the representation
Mr R Godsman (Local Resident Ref No.13)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of</i>

		<i>Representation</i>
Strongly disagree with removing the Cove conservation status.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Mrs A Reid-Anderson (Local Resident Ref No.17)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
New houses, windows etc. must have been given permission by Council in the first place.	Reference to past planning decisions is noted.	No amendment required as a result of the representation
L Kestler (Local Resident Ref No.18)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a

	the support of the City Council.	Conservation Area and the situation reviewed in August 2014.
Colsea Road and Stoneyhill Terrace should be a one-way system for traffic due to the narrow roads.	Noted. Comments referred to Roads for its consideration.	No amendment required as a result of the representation
Ms N Mitchell (Local Resident Ref No.21)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
The Council have given planning permission which has led Cove Bay to look like this today. It is important to keep our heritage alive and Cove Bay village represents this.	Reference to past decisions is noted. Agree that it is important to keep Cove Bay's heritage and there are many ways to do this. Conservation areas are defined in law and the question is whether Cove Bay still has sufficient historical and architectural interest to meet this legal definition.	No amendment required as a result of the representation
Mr M Ayrton (Local Resident Ref No.22)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Lives in Cove Bay Conservation Area. Request conservation area is kept with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management

	August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Cove Bay conservation has a unique small village feel to it that people come to visit. Please keep as is and stop trying to destroy what we have in a bid to save money, and stop building houses as the roads in the area cannot cope.	Noted. Conservation areas are defined in law and the question is whether Cove Bay still has sufficient historical and architectural interest to meet this legal definition. It is not therefore a money saving exercise.	No amendment required as a result of the representation
Mrs M Anderson (Local Resident Ref No.28)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Propose that Cove Bay remain a Conservation Area.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Mr H Mackenzie (Local Resident Ref No.15)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
I have lived in area for over 25 years and I can assure you there has been no investment from the Council to prevent the serious erosion of this unique and beautiful area.	Noted. There has been no specific investment programme for Cove Bay Conservation Area; this applies equally to most of the City's conservation areas.	No amendment required as a result of the representation
There can be no cultural, historical, social or	Noted. Conservation areas are defined in law and the	No amendment required as a

architectural reasons for the proposed removal and is based upon financial considerations only.	question is whether Cove Bay still has sufficient historical and architectural interest to meet this legal definition. It is not therefore a money saving exercise.	result of the representation
The root of the verb 'to conserve' means to protect and keep from harm or destruction, what is required here it prevention, investment and restoration. Do not destroy our area by a further lack of corporate care and make choices that will improve and enhance.	Noted. Local planning authorities has a duty to conserve and enhance conservation areas however they also have a duty to assess them periodically to ensure that they still meet the legal definition.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014
I have many ideas and suggestions to make about protecting and preserving Cove Bay and will convey these in due course to the elected officials, as the 6 week consultation period is too short to consider the magnitude of these proposals.	Noted. The normal 4 week consultation period was extended to 6 weeks to take account of the Easter holidays. The proposed decision to retain conservation area and review it in August 2014 is to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	No amendment required as a result of the representation
Cove and Altens Community Council		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Great concern that the City Council wish to remove the conservation status of Cove Bay.	Noted. As a result of local Cove Bay representations it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014
The Community Council has asked the Council for many years to help maintain and improve the area, but none forthcoming. It is therefore wrong to remove it and the Council should continue to	Reference to past requests is noted. Conservation areas are defined in law and the question is whether Cove Bay still has sufficient historical and architectural interest to meet this legal definition.	No amendment required as a result of the representation

support its conservation status.		
A lot of heritage and character could easily be lost if designation removed.	Noted. The character appraisal identifies the street pattern in the village core; the historic building orientation of the fisher cottages and the relationship between the village and the harbour as major contributors to Cove bay's character. These aspects would be unaffected by removal of conservation area status.	No amendment required as a result of the representation
Planning permission has been granted for things not in keeping with the conservation area. As a community council we have always commented on planning application that they should be in keeping with the conservation area.	Noted. The purpose of section 2: Management Plan is to provide guidance when considering planning applications in conservation areas.	No amendment required as a result of the representation
Conservation area should be kept the responsibility of the Council and not a local action group. If the Council do not wish to keep the designation, then we suggest that Cove Bay remain a designated conservation area for 12 months minimum to allow for development of a community action group if there is an appetite locally to do this.	Noted. The Council is responsible for designating conservation areas and applying the relevant planning policies and regulations. One of the three working assumptions of section 2: Management Plan of the document is that conservation areas are managed by a variety of stake holders and not just the City Council (p 12 - 2.1 a). As a result of local Cove Bay representations it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014
Ms W Suttar (Local Resident Ref No.26)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Object to the removal of conservation status	Noted. As a result of local Cove Bay representations it	Proposal R: <i>Cove Bay</i>

from Cove Bay. It's one of two original fishing villages in Aberdeen and should remain protected.	is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	<i>Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Despite past inappropriate developments the area retains its original character and improvements can be made, e.g. street furniture.	The original character of Cove Bay has unfortunately been lost due to the inappropriate development. It is agreed however that improvements like this could be part of a local community action plan and would be welcomed.	No amendment required as a result of the representation
The designations of green belt and SSSI status will not protect this area alone; other areas nearby with these designations have been built over by previous administrations. I hope this administration does not follow the same bad example.	Noted	No amendment required as a result of the representation
The conservation status should be retained and steps taken to enforce the appropriate regulations to prevent further degradation.	Noted. As a result of local Cove Bay representations it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Dr D and Mrs A Pearson (Local Resident Ref No.27)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Object to proposed removal of conservation status from Cove Bay.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management

	August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
We moved to and were drawn to Cove last year by its considerable character and charm, and the conservation status with a reassurance that the Council would work to protect the heritage of the village.	Noted. Local planning authorities have a statutory duty to assess conservation areas periodically to ensure that they still have sufficient historical and architectural interest to meet their legal definition	No amendment required as a result of the representation
The arguments put forward in the consultation document are poorly justified. While there may have been unsympathetic development, this has not detracted to any great extent from the village's historic character. There is still a great deal to be preserved.	Noted. The character appraisal identifies the street pattern in the village core; the historic building orientation of the fisher cottages and the relationship between the village and the harbour as major contributors to Cove Bay's character. These aspects would be unaffected by removal of conservation area status.	No amendment required as a result of the representation
Amazed an area such as Cove Bay can be so neglected, it has a great deal to offer for residents and visitors, the Council should re-double its efforts to preserve the area.	Noted. The first working assumption of the management Plan (2.1(a)) highlights that conservation areas are managed by a wide variety of stakeholders including the Council and local residents.	No amendment required as a result of the representation
The document is right to criticise previous failures of Council to properly maintain the conservation area, the recommendation to simply give up is inadequate.	Noted. Conservation areas are defined in law and the character appraisal sought to examine whether Cove Bay still had sufficient historical and architectural interest to meet this legal definition. As a result of local Cove Bay representations it is proposed that Cove Bay retains its conservation area status for the time being.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014
Cove in Bloom		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of</i>

		<i>Representation</i>
Against the de-designation of Cove Bay from a Conservation Area, and deep concern over the potential further degradation of the area and loss of the historic village for future generations.	Noted. As a result of local Cove Bay representations it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014
Previous administrations have failed to enforce the restrictions of the designation, and instead of allowing its removal, this administration should be enforcing the restrictions and standing up for heritage.	Noted. Resources do not permit the routine monitoring of conservation areas however all queries re planning enforcement in Cove Bay have been investigated	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014
Cove in Bloom is already in talks with the owner of the harbour to improve the area and take it back to a picnic area for visitors as it used to be.	Noted. Proposals to improve the harbour area are welcomed.	No amendment required as a result of the representation
Cove in Bloom aims to improve the whole area of Cove and Altens and this involves celebration of the fishing village history.	Noted and welcomed. Other similar improvement schemes could be undertaken by a local community conservation area group.	No amendment required as a result of the representation
De-designation now will make the improvements much harder and the funding difficult to obtain. This also includes our hopes to eventually replace the modern road and traffic signs to more heritage-style ones.	Noted. As a result of local Cove Bay representations it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to investigate heritage led regeneration funding.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014
Ms K Fullerton (Local Resident Ref No.20)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>

Lives in Cove Bay Conservation Area. Request to be kept as a conservation area with the boundary as it is.	Noted. As a result of representations from local Cove Bay residents it is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
Concern over proposed removal of Cove Bay conservation status. Lives in a 'C' listed property and residents have great pride living in this area.	Noted. Regulations regarding listed buildings are unaffected by whether they are in a conservation area or not.	No amendment required as a result of the representation
There is the eyesore development on the "brow hill" which blocks views of the sea, and I wonder how planning permission was given for these awful buildings.	Planning permission was granted because, at that time, the proposal was considered acceptable.	No amendment required as a result of the representation
High levels of car parking spoil the area and often make it look like a congested car park. Added to this is the loss of many gardens to provide parking spaces which is very sad.	Noted. Parking is often a vexed issue in historic areas that were laid out well before the advent of cars. Many of the streets in Cove Bay are in private ownership outwith the control of the City Council.	No amendment required as a result of the representation
Why was planning permission given to the development on the sea front which 'had a detrimental effect on the area'?	Planning permission was granted because, at that time, the proposal was considered acceptable.	No amendment required as a result of the representation
Why were the requirements in relation to a conservation area not enforced? If it had been the character would not have been lost and the conservation status would not be threatened.	Some of the unsympathetic development was unauthorised and enforcement action can only be pursued within four years of the unauthorised development taking place. Resources do not permit the routine monitoring of conservation areas however all queries re planning enforcement in Cove Bay have been investigated.	No amendment required as a result of the representation
The document states it has been a lack of initial	Resources do not permit the routine monitoring of	No amendment required as a

enforcement that caused the problem. It would be awful if Old Cove was allowed to deteriorate further and it would deteriorate faster if the conservation status was removed.	conservation areas however all queries re planning enforcement in Cove Bay have been investigated.	result of the representation
Footdee was raised as a good example, but Footdee does not have commuters 'rat run' through it, neither does it have a main road with lots of cars parked in it, pot-holes, blocked and flooded drains by post office and withdrawal of gardening service by the Council for public areas etc.	Noted. Footdee has a planned layout with a dense urban form and few roads. This makes it difficult to compare with Cove Bay whose development is entirely different.	No amendment required as a result of the representation
If conservation status was removed then developers would build right down to the sea.	Noted. Green Space Network, Green belt, Undeveloped Coast and SSSI designations give protection from development and any proposal would have to conform to policy <i>NE1 Green Space Network, NE2 Green Belt, NE7 Coastal Planning and NE8 Natural heritage</i> of the Local Development Plan and the Nature Conservation (Scotland) Act 2004.	No amendment required as a result of the representation
Conservation status should be retained and with improved knowledge and working with the community on the areas on concern to move forward together.	Noted and agreed. It is proposed that Cove Bay retains its conservation area status. This will be reviewed in August 2014 to allow time for the local community to formulate plans to improve the conservation area with the support of the City Council.	Proposal R: <i>Cove Bay Conservation Area</i> in the Conservation Area Management Plan has been amended. Cove Bay is proposed to remain a Conservation Area and the situation reviewed in August 2014.
We need to accept what has happened, retain conservation status, and provide accessible information to residents of do's and don'ts for the future to help preserve the area.	Agreed. Information for local residents in conservation areas needed as identified in guidance <i>O Information and communication</i> in the Management Plan.	A downloadable information leaflet for residents in conservation areas to be prepared.
Ferryhill		

Mr. Dewar Local Resident (Ref No.23)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
<p>Object to proposed removal of Whinhill Gate, Fairfield Way and Polmuir from the Ferryhill Conservation Area.</p>	<p>Noted.</p>	<p>Proposal S1 <i>Ferryhill: Proposed deletion</i> has been removed from the Conservation Area Management Plan</p>
<p>Pg10, 3.2.2 – flat roof extensions are in Fonthill Terrace, Fonthill Road and Polmuir Road not in the proposed removal area.</p>	<p>Pg10, 3.2.2 refers to <u>most</u> modern development in the Conservation Area and not specifically to the one area.</p>	<p>No amendment required as a result of the representation</p>
<p>Pg11, 3.2.3 – modern developments at Whinhill Gate and Fairfield Way have attempted to keep area’s character, e.g. original walls with railings, 2 and 3 storey bay window feature, different storey heights and mature trees.</p>	<p>Noted</p>	<p>Proposal S1 <i>Ferryhill: Proposed deletion</i> has been removed from the Conservation Area Management Plan</p>
<p>Pg17, 3.3.7 – area which detract from area include Albury Place and Fonthill Road <u>not</u> in the proposed removal area.</p>	<p>Fonthill Road is an important thoroughfare within Ferryhill Conservation Area. Whilst there is some unsympathetic development on it, this does not justify removing sections of this road from the conservation area. Removal of pockets of development on Albury Place would create a piecemeal conservation area, which is not considered to be good practice. Identified areas for inclusion/deletion are therefore normally at the edge of a conservation area.</p>	<p>Proposal S1 <i>Ferryhill: Proposed deletion</i> has been removed from the Conservation Area Management Plan</p>
<p>Removing the area could potentially have all the weaknesses and threats listed in the document and leave it open to developers.</p>	<p>Noted</p>	<p>Proposal S1 <i>Ferryhill: Proposed deletion</i> has been removed from the Conservation Area Management Plan</p>
<p>Would like to know specific reasons for</p>	<p>Noted. Reasons are set out in S1 <i>Ferryhill: Proposed</i></p>	<p>Proposal S1 <i>Ferryhill: Proposed</i></p>

considering removing Whinhill Gate and Fairfield Way.	<i>deletion</i>	<i>deletion</i> has been removed from the Conservation Area Management Plan
Mr Hodcroft (Local Resident Ref No.11)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Note document states it will “provide guidance for the public and help developers to identify and formulate proposals...” have you been approached by anyone to develop or change any of the area proposed to be removed?	No such approach has been made.	No amendment required as a result of the representation
Why have you selected this developed relatively small area?	Reasons set out in S1 <i>Ferryhill: Proposed deletion</i>	Proposal S1 <i>Ferryhill: Proposed deletion</i> has been removed from the Conservation Area Management Plan
Have the Council, or any member of the public or any contractors/companies have plans to remove trees in the area proposed for removal?	The Council has no such plans.	No amendment required as a result of the representation
Removal of trees, stone boundary walls etc. would detract from what would remain of the historical area.	Noted and agreed.	Proposal S1 <i>Ferryhill: Proposed deletion</i> has been removed from the Conservation Area Management Plan
If the proposed removal area had not been in a conservation area, the area would have had low cost housing built en mass, and stone walls and trees demolished/removed – has this been considered when preparing the draft document?	Noted. Consideration of hypothetical outcomes of past planning proposals is outwith the scope of this document.	No amendment required as a result of the representation
Ms. C Leith MBE		

(Local Resident Ref No.19)		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Agree with removal of modern flatted developments in Fairfield Way and Whinhill Gate.	In light of other representations received both on the retention of this area and on the importance of trees in conservation areas more widely, the document has been amended to delete the proposed removal of this area from Ferryhill Conservation Area.	No amendment required as a result of the representation
Feel the original 1-6 Polmuir House and the wall features at Fairfield Way should be reconsidered.	Noted	Proposal S1 <i>Ferryhill: Proposed deletion</i> has been removed from the Conservation Area Management Plan
Support addition of 4-10 Devanha Gardens West.	Noted	No amendment required as a result of the representation
Pg3 – agree with in the document with regard to the inappropriate replacement of plastic rainwater goods and the negative impact this has on the conservation area.	Noted	No amendment required as a result of the representation
Pg13 – agree re: negative features.	Noted	No amendment required as a result of the representation
Pg21 – further protection of important trees is welcomed.	Noted.	Proposal S1 <i>Ferryhill: Proposed deletion</i> has been removed from the Conservation Area Management Plan
Old Aberdeen		
Old Aberdeen Community Council		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>

Deleted: The boundary of Ferryhill Conservation Area would remain as existing in the vicinity of Fairfield way and Whinhill Gate.

Clarification was sought regarding the split between the two consultations on the two tranches of appraisals and the introductory text (management plan) which will apply to all conservation areas.	Clarification was given to Old Aberdeen Community Council on 1 April 2013.	No amendment required as a result of the representation
Old Aberdeen Heritage Society		
<i>Summary of Representation</i>	<i>Officers Response</i>	<i>Action as a result of Representation</i>
Welcome the documents as a significant advance in the protection and enhancement of Conservation Areas. Wish Council well in work to further this aim. Commend the document in general but have a few comments to make.	Noted.	No amendment required as a result of the representation
Comments are purely on the management plan and we will comment again on the draft CAA for Old Aberdeen.	Noted. The Old Aberdeen Heritage Society will be invited to be involved from the outset in the production of the Old Aberdeen Conservation Area character appraisal.	No amendment required as a result of the representation
Although Old Aberdeen has medieval beginnings, we feel the term 'educational hub' detracts from its real identity and prefer Old Aberdeen to be referred to as an 'historic community based on Church and Burgh, which incorporates a fine, ancient University', or more suitable term.	Noted and comment understood. The term "educational hub" in 1.1 of the Strategic Overview was intended to help convey the diversity of the City's conservation areas and not be a standalone description of Old Aberdeen Conservation Area.	No amendment required as a result of the representation
Tree works on Council land should be submitted and go through same process as those for works on private land. Including advertise tree works, consult with Council's Arboricultural Planner, allow adequate time for public and community representations to be made. If such	Noted. The Council has a public consultation procedure with regard to street trees. Most work to street trees is undertaken in situations where the street tree is dead, dying or in a dangerous condition. Where a single tree is to be removed, residents in the immediate vicinity are consulted and all residents are	No amendment required as a result of the representation

<p>a procedure was in place inappropriate tree works in the Conservation Area could have been avoided and this is an important matter.</p>	<p>consulted on roads where three or more street trees are proposed to be removed. More information on Council owned trees can be found on the Council's website.</p>	
<p>In addition to the National Inventory of gardens and designed landscapes, areas which contribute to the character of the conservation areas should be given special protections (as detailed in SHEP p.47, 3; 79).</p>	<p>Noted. Para 3.79 of the Scottish Historic Environment Policy encourages local planning authorities to develop policies within their development plans for the identification and future management of sites that make an important contribution to the local historic environment and landscape character. This is considered as part of the Local Development Plan review.</p>	<p>No amendment required as a result of the representation</p>
<p>Loss of vegetation is not only result of extensions and car-parking, the proliferations of Houses in Multiple Occupation (HMOs) mean landlords remove garden landscaping for ease of maintenance with a detrimental impact on the character of conservation areas.</p>	<p>Noted. Whilst there is control over tree works in conservation areas this does not apply to removing vegetation unless it forms part of a planning application. This comment is not confined to HMOs.</p>	<p>No amendment required as a result of the representation</p>
<p>HMOs have negative impact on conservation areas, loss of gardens and untidiness due to occupation by temporary residents.</p>	<p>Noted. Loss of gardens and untidiness is not confined to HMOs.</p>	<p>No amendment required as a result of the representation</p>
<p>HMOs have a negative effect by changing the social character of a conservation area, family homes for sale are bought by developers and converts to HMOs/rented accommodation. Whilst demand for this type of accommodation is accepted too high a proportion erodes the area from lack of investment and community 'buy-in' for the upkeep and future enhancement of the conservation area. HMOs also create 'ghost</p>	<p>Noted. Conservation areas are declared on their architectural and historic merits. The social composition of an area is outwith the scope of this document.</p>	<p>No amendment required as a result of the representation</p>

towns' when there are fewer people living in the area outwith academic terms		
There needs to be active control of HMOs by the Council in conservation areas as the balance is being lost to great detriment of the area.	Noted. This matter has been matter has been discussed with the Housing service as part of its consultation on HMOs.	No amendment required as a result of the representation
Council should protect and enhance conservation areas by re-instating traditional pavements and road surfaces where lost and ensure works are carried out in an appropriate way. Removal of traditional setts and/or paving-stones and replacement with modern materials is of great concern.	Noted. The appropriate use of traditional materials makes a big impact on streetscape. Officers in Masterplanning, Design and Conservation are working with those in Roads to improve the management and maintenance of the streetscape in conservation areas.	No amendment required as a result of the representation
Roads department must work closely and consult with the Planning and Conservation sections where any proposed works are located in conservation areas, which includes street furniture, signs, traffic calming measures etc.	Noted. The appropriate use of traditional materials makes a big impact on streetscape. Officers in Masterplanning, Design and Conservation are working with those in Roads to improve the management and maintenance of the streetscape in conservation areas	No amendment required as a result of the representation
Inappropriate street lighting should be replaced by more traditional design.	Noted. Officers in Masterplanning, Design and Conservation are working with those in Roads to improve the management of lighting in conservation areas. Traditional lighting designs are not however always appropriate and this assessment needs to be made on a case by case basis.	No amendment required as a result of the representation
High-powered lights to illuminate e.g. car parks have a detrimental impact on the conservation areas by flooding area with light after dark. The Council should have a policy prohibiting lighting of such dimensions and power in conservation	Aberdeen Local Development Plan Policy D2 – Design and Amenity already includes a provision to ensure external lighting proposals take into account residential amenity and minimise light spillage. It is not considered that any additional policy relevant only to Conservation Areas is required.	No amendment required as a result of the representation

areas.		
We endorse the Council's Windows and Doors: Repair and Replacement (March 2013) with regard to the preference for original windows and doors to be repaired and restored wherever possible.	Noted.	No amendment required as a result of the representation
The Council should also pursue an active policy of identifying inappropriate window and/or replacements and through enforcement and/or education and persuasion, along with grant aid offer; bring about the restoration of these to their original state.	Noted. Resources do not permit the routine monitoring of conservation areas however queries re inappropriate windows will be investigated. Grant aid is available through the Aberdeen City Heritage Trust subject to meeting their eligibility criteria.	No amendment required as a result of the representation
If necessary the siting and design of CCTV in conservation areas must be tightly controlled by the planning department to minimise their negative impact.	Planning permission is required for CCTV cameras and siting and design are taken into account when assessing applications. Resources do not permit the routine monitoring of conservation areas however reports of unauthorised CCTV cameras will be investigated.	No amendment required as a result of the representation
Proliferation of satellite dishes in conservation areas is much regretted and spoils not only the view of the building but the character of the whole conservation area. Those which have been erected without planning permission should be subject to enforcement procedures and a similar robust policy as mentioned for inappropriate windows and doors, to tackle this issue.	Noted and negative impact of inappropriately located and proliferation of satellite dishes is agreed. Resources do not however permit the routine monitoring of conservation areas however queries regarding satellite dishes will be investigated	No amendment required as a result of the representation
We welcome the Council's policy on the reinstatement and restoration of traditional shopfronts and signs in conservation areas and	Noted. Grant aid is available through the Aberdeen City Heritage Trust subject to its eligibility criteria. Resources do not permit the routine monitoring of	No amendment required as a result of the representation

<p>would suggest that grants should be made available to encourage owners to do this. Robust enforcement is also needed as inappropriate signed have ruined the appearance of some fine old buildings and we feel on too many occasions planning officers handling such applications have had little or no experience of what is involved, e.g. style, materials, design etc.</p>	<p>conservation areas however queries regarding signage will be investigated. The Council's Development Management service is actively increasing the conservation knowledge base its planning officers.</p>	
<p>The Council policy should also take account of other types of signage as they have the potential to negatively impact on conservation areas and they are often erected without permission. There should be stricter control of these signs and less ambiguous guidance as to what constitutes an acceptable sign in a conservation area. All signs in conservation areas should require permission and stipulated that none have 'deemed consent'. Robust enforcement is also required.</p>	<p>Noted. Permitted development rights in conservation areas are very limited. A review of planning guidance on signage is to be undertaken as part of the Aberdeen Local Development Plan review. Stipulating that no signage should have "deemed consent" would require change in the Town and country Planning (Control of Advertisements) (Scotland) Regulations 1984 which is outwith our control. Resources do not however permit the routine monitoring of conservation areas however queries regarding unauthorised signs will be investigated.</p>	<p>No amendment required as a result of the representation.</p>
<p>The Council should exert more control over advertisement of all kinds and revive the concept of 'areas of special control' and designate areas which require more protection. The Council has no specific guidance or separate policy relating to advertisements and signs in conservation areas and this should be done.</p>	<p>Noted. A review of planning guidance on signage is to be undertaken as part of the Aberdeen Local Development Plan review.</p>	<p>No amendment required as a result of the representation.</p>
<p>It is not clear whether large sculptures in conservation areas require planning permission,</p>	<p>In certain circumstances sculptures may require planning permission. As with any application in a</p>	<p>No amendment required as a result of the representation</p>

<p>but according to legal definition of a 'building' it would appear they do. Such large sculptures can have a considerable impact on the character of conservation areas. The issue needs clarification and action. It is important each are considered individually and sited in appropriate locations.</p>	<p>conservation area the effect of the proposed development on the character of the conservation area is a material consideration. Individual conservation area character appraisals help identify that character.</p>	
<p>Reference should be made to the Councils Landscape Guidelines Supplementary Guidance relating to the redevelopment of brownfield sites, as the guidance contains much that could be particularly protective of those parts of conservation areas which become subject to attention from developer to build higher densities than the surrounding area or context, and in doing so potentially having a negative impact.</p>	<p>Noted. Reference is made in the document to relevant Supplementary Guidance, including Landscape Guidelines, which are used when assessing planning applications.</p>	<p>No amendment required as a result of the representation</p>
<p>The expansion of large institutions often takes place at the expense of communities and it is vital that there are no presumptions in favour of planning applications from such institutions. It is important that the character of conservation areas must be a priority and the views of the community take precedence. Community and historic environment contribute to the well-being of each other. The Council should formulate and carry out policies to protect the communities which give life to conservation areas.</p>	<p>Aberdeen Local Development Plan Policy CF1 applies to all existing community sites and facilities, including higher education institutions. It states that proposals for new or extended uses will be supported in principle, however proposals which would likely result in a significant erosion of the character of the area, or the vitality of the local community, will be opposed</p>	<p>No amendment required as a result of the representation</p>
<p>It might be helpful if representatives from local community bodies were invited to become involved in pre-application consultation and design statements, to contribute local knowledge at an early stage.</p>	<p>Noted. Community Councils and other local bodies are involved in pre-application consultation on major developments. There are not necessarily pre-application discussions for all applications and many are quite brief, which would make local involvement difficult. In addition some are confidential.</p>	<p>No amendment required as a result of the representation</p>

<p>All planning applications for conservation areas should be assigned to one of a small team of officers experienced in and knowledgeable about conservation law and policies and committed to the protection and enhancement of such areas. In every case such a plan should be referred to the conservation section of the planning department for initial comments and advice.</p>	<p>Noted. The Council's Development Management service has a Masterplanning, Design and Conservation section within it that provides specialist conservation advice on a range of applications in conservation areas. Rather than have dedicated conservation case officers the service is actively increasing the conservation knowledge base of its planning officers.</p>	<p>No amendment required as a result of the representation</p>
<p>Plans for properties in conservation areas should never be dealt with under delegated powers, the tightening up of control on this would ensure all applications were considered by Planning Committee and potential objectors concerns would be fully heard. If this cannot be done then we suggest the following: (1) if a local heritage and amenity bodies object to a planning application it should not be allowed to be determined under delegated powers, the Council should give equal weight to these representations and so that they are consulted of any changes to the application; (2) if applicants alter a plan after it has been submitted and notification/advertisement has already taken place, it should be re-submitted and re-advertised, neighbours re-notified and local conservation, heritage and/or amenity groups notified; (3) representation from heritage societies should be given particular weight along with community councils as they have a wealth of knowledge and experience about their areas; (4) there should be good communications between the Council and such historical societies enabling to be kept up-to-date and</p>	<p>All representations received on planning applications are carefully considered by the case officer and responded to in the report of handling.</p> <p>Representations from Community Councils already trigger the application going to committee. Where there are significant changes to applications, these are already re-notified and re-advertised.</p> <p>The Council has its own advisor on conservation matters, as well as advice from Historic Scotland. It welcomes good communications with heritage bodies.</p>	

consulted on development relating to conservation areas; (5) would welcome if the Council would undertake to notify such bodies of all applications for property/trees in their area.		
Suggest the setting up of a 'community jury' as an assessment method to monitor the success of conservation strategies and such a jury should include members of heritage and conservation bodies and community councils.	Many conservation areas do have local groups who comment on applications and work with the local planning authority and others to improve conservation areas. Section O <i>Information and communication</i> in the Management Plan welcomes "working with local amenity and community groups, the public and other interested parties who wish to improve or promote understanding of their local conservation area, as far as resources permit."	
Government policy documents appear to give local amenity bodies and heritage groups equal weight alongside community organisations, particularly in the management of conservation areas. The Council should issue a policy which reflects this and allows potential to contribute greatly to the enhancement of conservation areas and impart knowledge and expertise.	It is not appropriate for us to repeat national policy at local level.	No amendment required as a result of the representation
A robust enforcement policy which is appropriate, speedy and effective. For conservation areas planning authorities should go one step further and monitor development activities in these areas and allow intervention at the earliest possible stage	Noted. Resources do not permit the routine enforcement monitoring of conservation areas however all queries regarding alleged unauthorised development will be investigated.	No amendment required as a result of the representation
New supplementary guidance should be issued specifically covering:	During the review of the Aberdeen Local Development Plan we will consider whether any changes or additions are required to Supplementary Guidance.	No amendment required as a result of the representation

<p>(1) HMO applications (2) Traffic and parking (3) Roads work (4) Advertisements, signs and shopfronts Applications for erection of accommodation for temporary residents.</p>	<p>Updates to the existing Transport and Accessibility SG are expected, as is a review of existing guidance on signage and advertisements.</p>	
<p>Appendix 3 of the Management Plan, a reminder be inserted for the sake of clarity, that what follows is a list of permitted development rights which are removed in conservation areas, which would prevent confusion arising.</p>	<p>Noted</p>	<p>Appendix 3 amended accordingly.</p>
<p>All in all, this conservation management plan is an excellent document and much commended. However, as detailed in our comments we would like to see expansion, additions and clarification for certain sections/issues.</p>	<p>Noted.</p>	<p>No amendment required as a result of the representation</p>

Conservation Areas Consultation Comments

Generic Comments

added to summary table Ref No 15



Our ref: PCS/125476

If telephoning ask for:

22 March 2013

Rebecca Oakes
Aberdeen City Council
Planning & Sustainable Development
Business Hub 4, Marischal College
Broad Street
Aberdeen

By email only to: roakes@aberdeencity.gov.uk

Dear Rebecca

Aberdeen City Draft Conservation Area Appraisals and Management Plan Consultation

Thank you for your consultation letter of 11 March 2013 which SEPA received on 12 March 2013. We have no comments to make on the Conservation Area Character Appraisals and Management Plan.

If you have any queries relating to this letter, please contact me by telephone on [redacted] or e-mail a [redacted]

Yours sincerely

[redacted]
Senior Planning Officer
Planning Service



Chairman [redacted]
Chief Executive [redacted]

Aberdeen Office

[redacted]

Ref NO. 32
added to summary
table

From: [REDACTED]
To: ldp@aberdeencity.gov.uk
Date: 22/04/2013 12:07
Subject: Response to consultation on Consultation Area Character Appraisals and Management Plan
Attachments: Consultation City Conservation Areas.doc

Please find attached a response from Nestrans to the consultation on Draft Conservation Area Character Appraisals and Management Plan.

Kind regards

[REDACTED]

[REDACTED]

Transport Executive (Strategy & Delivery)
Nestrans

[REDACTED]
[REDACTED] Street

Tel (Direct) [REDACTED]
Tel (Main) [REDACTED]
[REDACTED]

22nd April 2013

Our Ref: KC/N14/5

Masterplanning, Design and Conservation Team
Planning and Sustainable Development
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Aberdeen
AB10 1AB

Dear Bridget

Consultation on Draft Conservation Area Character Appraisals and Management Plan


Thank you for the opportunity to comment on the draft Conservation Area Character Appraisals and Management Plan. We agree with the appraisals that have been made for each of the conservation areas and have no objections to the changes proposed regarding boundary alterations.

More generally, Nestrans would support any measures that improve the pedestrian environment in conservation areas, particularly in terms of pedestrian safety and the attractiveness of pedestrian routes. As recognised in the character appraisals, many of these areas provide key walking links within the city and we would support measures aimed at increasing the proportion of trips by walking and reducing the volume of car trips.

The character appraisals recognise the issue of parking in many of these areas and any changes in the provision of parking should have regard to the relevant policies contained within the Regional Parking Strategy which can be found on the Nestrans website at: <http://www.nestrans.org.uk/regional-transport-strategy.html>.

In line with the objectives of the Regional Transport Strategy, Nestrans supports measures which encourage a mode shift away from the private car to more sustainable modes of transport. Measures such as car free developments and appropriate management of parking could help to meet the aims of conservation areas as well as wider Regional and Local Transport Strategy objectives, although it is recognised that the needs of local residents need to be considered and balanced with wider objectives.

Yours sincerely


Transport Executive (Strategy & Delivery)

LDP - Comment on Draft Conservation Area Character Appraisals and Management Plan

From: Aberdeen Civic Society [REDACTED]
To: <ldp@aberdeencity.gov.uk>
Date: 22/04/2013 22:09
Subject: Comment on Draft Conservation Area Character Appraisals and Management Plan
Attachments: Comment on Draft Conservation Area Character Appraisals and Management Plan from the Aberdeen Civic Society.docx

Dear Sirs, I apologies that our submission is past the noon cut off date for comments today, however, I hope you will still accept our comments on your document.

Please see attached

Kind regards

added to Summary table

[REDACTED]

Honorary Secretary

On behalf of
Aberdeen Civic Society
[REDACTED]

Comment on Draft Conservation Area Character Appraisals and Management Plan from the Aberdeen Civic Society



The Aberdeen Civic Society welcomes the opportunity to comment on the Draft Conservation Area Character Appraisals and Management Plan prepared by Aberdeen City Council. The Committee is impressed at the level of detail and obvious volume of work that has gone into producing the documents associated with this project.

We support the removal of Conservation Area Status from Cove Bay and the suggested area at Ferryhill and agree with the assessments and reasons put forward in the document for doing so.

We would also like to add a general comment that we are concerned about the quality of maintenance of many of the trees in the Conservation Areas of Aberdeen and would welcome any additional care that could be afforded to them. Flora in the urban landscape can be an equally important aspect of an area's character as its buildings and proper maintenance of the trees would help protect their contributions.

Overall, the Appraisals and Management Plan are impressive and extremely detailed. We trust that a few spelling and grammar errors that crop up throughout the documentation will be addressed for the final version before publication and we look forward to reading the adopted document.

Conservation Areas Consultation Comments

Albyn-Rubislaw Comments

Ref NO. 31 Page 1 of 1
ack. sent 02/05/2013
added to summary

LDP - Conservation Area Consultation

From: [REDACTED]
To: <ldp@aberdeencity.gov.uk>
Date: 22/04/2013 12:02
Subject: Conservation Area Consultation

Dear Sirs,

I am pleased that you have prepared some statements about the City's Conservation Areas. There are several areas of concern to draw to your attention:-

The replacement of trees in the footway seems to be very haphazard in that trees to be lopped or removed from the footway in my street, Carlton Place, are not the subject of any prior consultation, or replacement. It seems that a resident can ask for a tree to be cut down with no regard for the views of other residents. Sometimes the area of the tree root is slabbed over or worse - tarmac'd. So, please ensure that any revision to the Council's policy brings together the Roads Section with that of Conservation and Policy to enhance the setting and appearance of the Conservation Area.

There should be a Policy in Conservation Areas to prevent telephone and other wires from allowed overhead in the streets with a principal frontage which contribute to the fine views of the City.

Regards,

Allan Garvie

Ref No 16
ack 15/4/13
added to
summary
table

ALBERT TERRACE RESIDENTS ASSOCIATION

c/o [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

5th April 2013

Ms Bridget Turnbull
Senior Planner (Masterplanning, Design and Conservation)
Planning and Sustainable Development,
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Aberdeen AB10 1AB

Dear Ms Turnbull

Draft Conservation Area Appraisals and Management Plan

Further to our original submission to you on 26th March 2012 (copy attached for reference) Albert Terrace Residents Association (ATRA) welcomes the opportunity to comment on your Draft Guidelines.

Firstly, we would like to emphasize that all the views aired in our letter of March 2012 still stand on your draft document and should be re-read in conjunction with our current comments.

Our previous views can be summarised as follows:

- We have great concern over the gradual encroachment of business premises in our conservation area – particularly “change of use” from residential to business.
- There is a need for a “cap” on the number of office conversions in *primarily* residential streets.
- Increase in the number of office conversions leads to a loss of rear garden and bedroom privacy and further pressure on parking space.
- Where it is intended to grant planning permission to convert to a commercial premises, then re-instatement of original features such as cast iron railing etc. should be *mandatory* for the Businesses concerned.

Overall, there is a need to preserve the residential aspects of the city which, in our view, comprise its “beating heart”.

Detailed comments on your Draft Document:-

General:

- We feel very strongly that there is a unique opportunity for the City to take a proactive stance on conservation, and, instead of merely trying to “hold-the-line” in these areas, why not create a wider “re-instated” area?
- By this, we mean, following the example of Albert Terrace in 1992 when it was awarded “*Townscheme*” status (see report by Historic Buildings Council for Scotland, *Albert Terrace Townscheme* City of Aberdeen, Grampian, File Number HFT/B/GA by Robin Kent – Historic Scotland Architect)
- Most of the improvements to the architecture of Albert Terrace were done under the auspices of the “*Townscheme*” status, i.e. replacement of cast-iron railings, retention of setted road surface, retention of granite pavements, installation of heritage lighting, addition of trees and benches and the conversion of Albert Terrace to a cul-de-sac to preserve its quiet charm.
- We see no reason why this proactive approach should not be extended in this area by the inclusion of, for instance, neighbouring Victoria Street. This would start to create a wider area of architectural interest.
- The original setts on Victoria Street are still preserved under 2-3” of tarmac and could easily be re-exposed. The re-instatement of original style cast-iron railings would greatly improve the look of the road. Sealing off Victoria Street from Skene Street would not inconvenience the residents and businesses and the installation of heritage lighting would add charm.
- The linking up of areas such as Victoria Street would create a great asset for tourists and residents of Aberdeen alike.

Detailed Comments on your Draft:

P14 Threats – SWOT Analysis

- Change of use from residential to commercial premises, leads to and exacerbates:-
 - Loss of vegetation/trees from front and back gardens
 - Proliferation of commercial business signs
 - Breach of the old Victorian walls at the rear of businesses to provide car parks
 - No desire to re-instate cast-iron railings and landscape front gardens.

Photo 1 Victoria St - Showing absence of original Cast-iron Railings:-



Photo 2 Albert St – Typical absence of Railings and lack of Landscaping:



Photo 3 Albert St – Showing Absence of Railings and Front Landscaping:-



Photo 4 Albert Terrace – Virtually 100% Re-instated Cast Iron Railings Plus - original granite paving and Heritage Lamp Posts.



Photo 5 'Breached' Victorian wall To create car park – Rubislaw Tce lane.



Photo 6 Another Breached wall in Albert Terrace / Carden Place – this time to allow 'change of use' from Residential to Office Accom.



P15 Development

- Agree: "Encourage the adaptive re-use of building and mixed use projects that address physical, visual or economic decline, *subject to compatibility with neighbouring property and uses*" agree! ...but not where a residential community is thriving.

Public Realm

- Agree with the repair and enhancement strategy for cobbled/settled streets such as Albert Terrace. These are not being maintained and safe guarded (see comments and photos and under Section E Roads).
- In the past, damage by Utility Companies was gross. In one instance, gross damage was only rectified by sustained pressure by local Councillors. This area needs to be tightened up in any contract documentation and retention monies held until proper re-instatement is made.

P. 16 Part A Design Statements

- The document says that the provision of a design statement for alterations or extensions of existing buildings is "strongly recommended". We believe this should be *mandatory* in the same way as that recommended for *new* development.
- Just as much damage is done to the aesthetic appearance of an area by unsympathetic alteration/extension as the impact of a new development which is out of context.

P. 17 Section E Roads

- Document states that "we are committed to retaining original settled streets and granite pavements in conservation areas" etc.
- This is patently not happening as also noted under Public Realm (above). See photos of wear and tear in Albert Terrace on page 7
- .. These defects were brought to the attention of the Roads Dept in 2011 but they declined to rectify – mainly on the basis of lack of funds. *If there is a serious intent behind the wording of this section, then funds must be allocated to properly maintain the fabric.*

Photo 7 Showing Typical Damage to Albert Terrace Setted Road Surface.



Photo 8 A Further Area of Damage / Wear in Albert Terrace.



- As stated in the foregoing, the granite pavements and setted road in Albert Terrace were "saved" by ATRA lobbying the Council and Historic Scotland in the early days of the Association.....However, as can be seen, these are *at grave risk* through constant traffic and lack of proper maintenance !

Photo 9 For Comparison – A Relatively Undamaged Area of Setts in Albert Terrace (Light traffic area):-



P. 19 Section K – Trees

- Agree whole heartedly with the importance of trees in the urban landscape. ATRA have co-operated with businesses in Carden Place to ensure the trees on Albert Terrace North Bank are maintained in a healthy condition.
- In 2007, over £2,000 was spent on pruning and also native species of Scots Pine (*Pinus Sylvestrus*) were planted on the bank. This work was carried out under the guidance of the Aboricultural Department of ACC.
- When Albert Terrace was made a cul-de-sac, native Silver Birch were planted at the West End of the Terrace, careful thought was given to the expansion of the trunk and root systems by the arrangement shown below. Surely this system should be adopted for all future plantings/replacements?

Photo 10 Albert Terrace – End of Terrace Cul-de-Sac showing trees, benches and 1 of 3 Planters created via the “Townscheme” initiative.



Photo 11 The arrangement for tree & root expansion on the above Silver Birches.



Section 3.2.1. "Character Area A : Albyn Place, Carden Place and Victoria St"

We feel the title of this should properly read:-

*"Character Area A : Albyn Place, Carden Place, **Albert Terrace** and Victoria Street"*

- Despite being probably the best preserved, wholly residential street, Albert Terrace, hardly gets a mention.
- The report for Historic Scotland by Robin Kent (noted earlier) describes Albert Terrace as *"an outstanding conservation area in Aberdeen laid out by William Keith Junior in 1839, it was constructed (from the E end) between 1848 and 1867"*

However, in the above section, there is only very a brief mention of The Terrace and a photo of one of the Terrace dwellings on P12.

Plan 2 : Character Area A Built Heritage

- The key says: "Granite Sett Road Surface" but none is shown on the Plan?
- To our knowledge the only road in this area to have retained granite setts is Albert Terrace.

P22 Section Q: Rear Extensions to Terraces in the West End "Office" Area

- If this proposal is applied vigorously to offices that back onto Rubislaw Terrace Lane (as well as the rear of Albert Terrace properties) then there should be no problem for our residents. Will this be the case ?
- The challenge is most likely to come from offices with their rear backing onto Rubislaw Terrace Lane. They are most likely to want to build above a single story to expand their office space (see also objection to loss of rear garden and bedroom privacy mention on Page 1 of this note).
- We assume that with several offices already with extensions above a single storey, the guidance will not be retrospective?

We look forward to your views on all the foregoing.

Yours sincerely
For and on behalf of
The Albert Terrace Residents Association

██████████ **Secretary, ATRA** ██████████

Copies to:

██
Councillors:- Jennifer Stewart and Martin Greig

Ms Bridget Turnbull,
Senior Planner (Masterplanning, Design and Conservation),
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen, AB10 1AB

Dear Ms Turnbull,

Supplementary Guidance: Conservation Areas (Your Ref:- MCD/CON/01)

Thank you for the opportunity to air our views on your forthcoming review of Aberdeen Conservation Area Guidance.

Before I comment on behalf of our Residents, it may be useful to sketch out a brief history and profile of the Albert Terrace Residents Association.

Formed over 20 years ago. The Residents Association (ATRA) has many successful campaigning achievements to its credit, such as :-

- Introduction of 'Victorian' Lamp posts.
 - Retention of the Terrace original paviers and cobbles.
 - Lobbying to convert Albert Terrace to a cul-de-sac to help retain its quiet charm and character .
 - Introduction of seating at the west end of the Terrace and also halfway along the Terrace.
-
- Every year we fund the cost of the Hanging Baskets for the Terrace (circa £2,000) and have also 'adopted' the Council Planters at the west end of the Terrace. The latter, we plant up with Spring bedding plants and then Summer ones.
 - Finally, we trim the grass bank opposite each November and keep it stocked with Spring flowers such as Daffodils, Primroses and native Bluebells.

I have selected a few photos which illustrate the above.

As you can see, the Residents are very proud to be living in our Conservation Area and make every effort to enhance and retain its character.

The Residents know virtually all of their neighbours by sight and our twice yearly meetings are attended by about 70% of the Terrace. This sort of community spirit is rare these days.

Hence you will probably gather that the Residents and the Residents Association are passionate supporters of maintaining strict controls over development in designated Conservation Areas.

We believe it is vital to maintain a 'beating-heart' within the city. Without it, Aberdeen will become solely a business and shopping centre and a place where people only come at weekends to frequent the pubs and clubs. We see the increasing effects of this, but so far, we are 'holding the line'. *However, we need strong support from Local Government backed up by clear guidance.*

Our greatest concern is the encroachment of Business Premises in this Conservation Area:-

A good example of this recently was the 'change of use' of 5, Carden Terrace from a residential property to offices. This property backs onto Albert Terrace, so has an impact on our residents.

Planning permission was granted despite flagrant disregard of the Planning Regulations (ie extensive work was undertaken *before* planning approval was granted and the Victorian wall bounding the property was breached to allow the Contractor access to the back of the property. The wall was reinstated after vigorous complaints by local Councillors and ATRA.

Thus it appears to us that the Planning restrictions in Conservation areas need to be tightened and certainly not relaxed. Otherwise, we will gradually lose our Heritage by this constant 'salami-slicing'.

We do, however, realise the importance that commercial activity has for the City, but a balance needs to be struck. *We would like to see a cap on the number of office conversions in Conservation Areas plus a target on the number of residential properties – otherwise this slow 'salami-slicing' will continue.*

Two other unwanted side-effects of increasing numbers of offices, is further pressure on parking spaces and the loss of rear garden and bedroom privacy.

Ex residential properties are frequently terraced and come with little or no parking provision. Also, office conversions in upper stories often look straight into residential bedrooms.

One final point would be that where Planning Permission *has* been granted, a greater stipulation should be made on reinstatement of missing original features. I am thinking primarily of cast-iron railings etc. There was one property recently where this could have been part of the permission – unfortunately, a missed opportunity to enhance the area further...

I hope our comments have been constructive and useful. Please let us know how your Review is progressing. If you would like to discuss any of the issues in depth, please contact the undersigned.

Yours faithfully,

(For and behalf of the Albert Terrace Residents Association)

 (Secretary, Albert Terrace Residents Association).

26th March 2012

Tel: 

Copies to:-



Councillors Jennifer Stewart and Martin Greig.

Conservation Areas Consultation Comments

Cove Bay Comments

Ref No. 20
 added to summary
 all sent

Jim Fullerton

COVE BAY CONSERVATION AREA - CONSULTATION

RECEIVED
 19 APR 2013

I wish to voice my deep concern relating to the issue of the Cove Bay Conservation Area potentially losing its' conservation status.

I have been a resident of a "C" listed fisherman's cottage on Hasman Terrace for 4 years. It is a beautiful place to stay and many residents, including myself, take great pride in where we live. There are quite a few things that make you feel sad in "Old Cove", the main one for many is the eye sore development on the "brow hill" which blocks the whole view of the sea. This causes deep sadness to the older people, born in Cove, who remember the beauty that could be seen across the sea at the bottom of each street. How planning permission was given for these awful buildings beggars belief. The high levels of parking on the main streets leading down to the Cove Bay Hotel and all along the "brow hill" area, as well as other various spots, spoil the area and often make the whole place look like a congested car park.

especially at the bottom of the fisher cottage streets. The loss of many gardens to provide parking spaces is also very sad.

I have read the Draft "Abdn City Conservation Area Character Appraisals and Management Plan Cove" in detail. Page 7 details what has gone wrong since status was given in 1975. In Section I it mentions the building of the houses that block out the sea view on the "brow hill." "This development along with incremental changes to the architectural features of the cottages" the Cove Bay Conservation Pamphlet states "has led to a serious erosion of the village character." Section 2 & 3 of page 7 give further details of changes which have had a detrimental effect to the area. Why was planning permission given for the sea front development? Why were the requirements, in relation to a conservation area not enforced? Enforcement over the years would have prevented the erosion of the village character. So now, due to all of this, in 2013 the village may lose its' conservation status.* Page 12 Section 3.2.5 "Negative Factors" again mentions the "brow hill" development and "other unsympathetic residential development in the green belt surrounding the village". Again, why was this

aloud to happen given its' conservation status?

In page 12 there is an admission that "the lack of initial enforcement now means that a reversal of what has already been done would cause a lot of bad feeling and cause problems", however, it has been I quote "the lack of initial enforcement that has caused the problem".

I have some knowledge of the rules and do's and don'ts of living in a conservation area, in a "C" listed cottage. It would be awful if "Old Cove" was to deteriorate any further. If the "erosion of the villages character" has been systematically caused since having Conservation Status, then I fear even more for this lovely sea village that I live in if the status is removed. During discussion with council representatives at the Cove Bay Hotel, reference was often made to the "Fittie" conservation area at the beach as a comparison to Cove, as in how wonderful it was. It was pointed out by myself and I presume others that "Fittie" does not have a commuters "rat run" through it, neither does it have a main road with lots of parked cars in it. It does not have the issues of pot-holes, blocked and flooding drains by the post office, a withdrawal of gardening services by the council for public areas etc. During this time

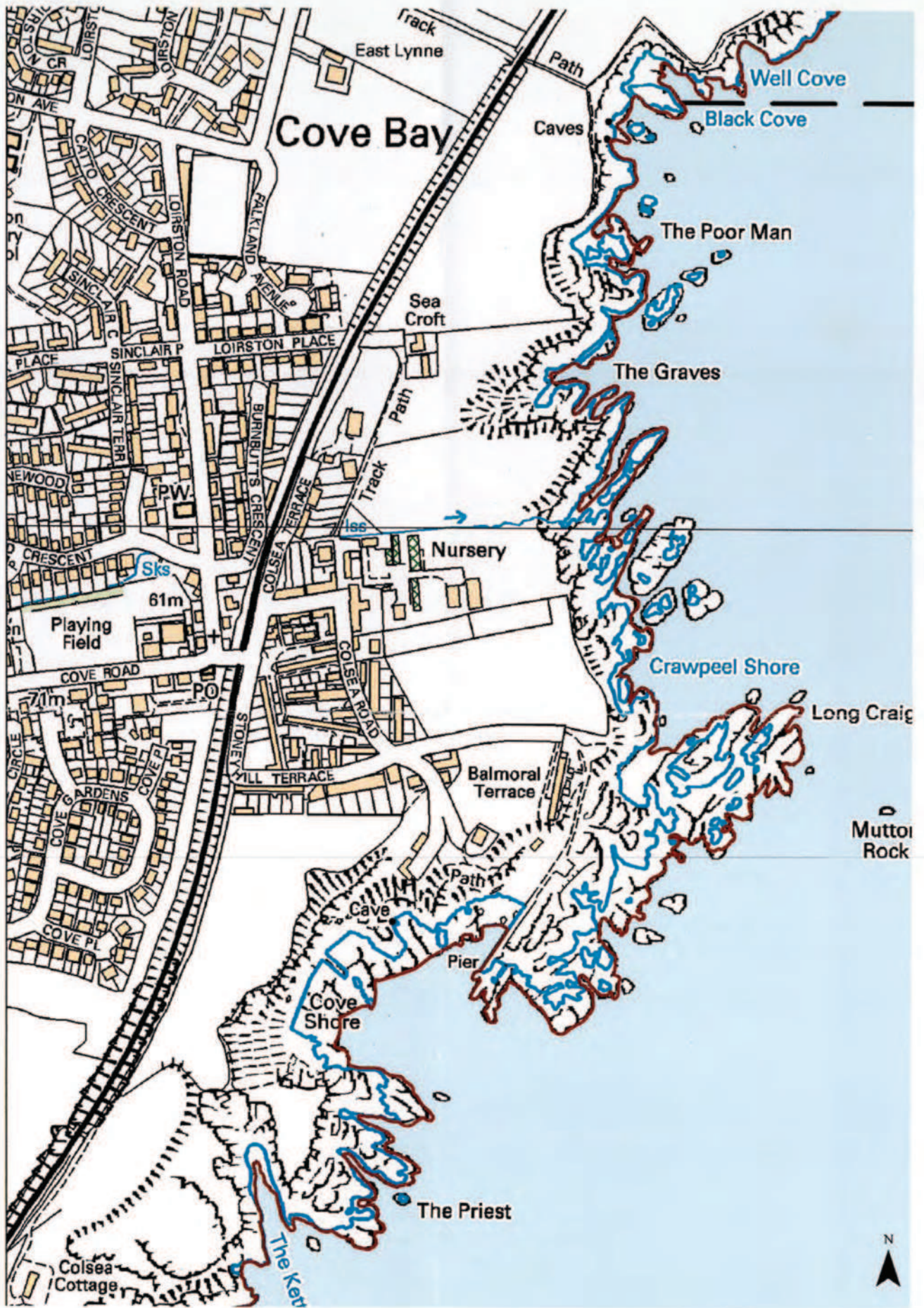
Page 4

I also voiced my concern that if status was withdrawn then the developers would jump in and build with gusto right down to the sea wherever was possible. * I was re-assured that if status was removed it would not effect green belt areas which would still be protected. I am totally not re-assured. I pointed out as mentioned on page 2 of this letter, * to the council representative, there was no answer / reply!!

I ask that you retain the Conservation Status of Cove and move forward together. Up until now the authorities, and the villagers to a lesser degree possibly due to lack of knowledge and information, have been at fault. If it is possible to work sympathetically with villagers to improve some of the areas of concern, without bad feeling or suddenly implementing all the rules then that would be good.

The main goal would be to accept what has happened, retain Conservation Status, provide accessible information to residents of do's and don'ts for the future and hope to preserve what is left of this beautiful place. I can only hope that my letter will read and considered by all involved in the decision making process.

Thank you.



Cove Bay Conservation Area Response Form

1.1 Do you...(please tick **one** as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name: [REDACTED] Telephone: [REDACTED]
 Address: [REDACTED] Email: [REDACTED]
 Postcode: [REDACTED]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick **one** as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

2.2 Any other comments relating to Cove bay Conservation Area:

PLEASE SEE ENCLOSED LETTER.

****Data Protection Act 1998**

Comments you supply to Aberdeen City Council (ACC) in this public consultation exercise will be used in reviewing the draft document(s); in reporting to Council Committees and therefore will be available to the public.

The information collection will be recorded, stored securely and processed for the purposes of this public consultation. ACC will not share the personal information provided with other parties or organisations. ACC will not disclose any information about you to any organisation or person unless it is authorised or required to do so by law.

The Masterplanning, Design and Conservation team may use your contact details to contact you about the comments you have made. Your name and organisation may be published alongside your comments, unless you specify to us otherwise, but contact details will not be made public. If you chose not to provide a name or contact details, your comments will still be valid but we will not be able to contact you in the future.

Ref NO. 27
ack. sent 02/05/13
added to summary

From: "Pearson, Dr David G." [REDACTED]
To: "ldp@aberdeencity.gov.uk" <ldp@aberdeencity.gov.uk>
Date: 22/04/2013 03:32
Subject: comments on draft conservation area character appraisal for Cove

Dear Sir/Madam,

We are writing to express our concern over the proposal to remove the conservation area status of Old Cove. We strongly object to this proposal. We currently live in one of the quarry cottages in Bunstane Terrace in Cove. We only moved to Cove in August last year, and were drawn to the area by its considerable character and charm. The fact that Cove was a designated conservation area provided us with a reassurance that the Council would work to protect the heritage of the village. We are appalled by the proposal this conservation status will now be removed. We found the arguments put forward in the consultation document for removing the area's conservation status poorly justified. While there may have been unsympathetic development allowed in the area in previous years, this has still not detracted to any great extent from the village's historic character. There is still a great deal here which deserves to be preserved.

Neither of us are native to the area and come from regions with their own substantial heritage (Warwickshire in England and the Friuli-Venezia-Giulia region in Italy). We, along with our friends and family who have visited us in Cove, are frankly amazed at how an area of such beauty and charm can be so neglected. Cove has a great deal to offer both residents and visitors to Aberdeen, and the Council should re-double its efforts to preserve the area for future generations. While the consultation document is right to criticize previous failures of Council to properly maintain Cove as a conservation area, the recommendation to simply give up is woefully inadequate. Aberdeen has lost too much of its heritage over the years to justify reducing the already limited number of conservation areas even further.

We very much hope the Council will reconsider the proposal to remove the conservation status of Cove, and instead focus more strongly on preserving the considerable value of what is still here.

Yours sincerely,

David and Alessia Pearson,
[REDACTED]

The University of Aberdeen is a charity registered in Scotland, No SC013683.

Ref NO 25
ack. sent 02/05/13
added to summary

LDP - conservation area character appraisals

From: [REDACTED]
To: <ldp@aberdeencity.gov.uk>
Date: 21/04/2013 11:00
Subject: conservation area character appraisals
Attachments: objection to dedesignation.docx

FAO: Bridget Turnbull

Please find attached our representation against the dedesignation of Cove Bay from a Conservation Area.

Regards,

[REDACTED]
Cove in Bloom

LDP - FW: conservation area character appraisals - Cove Bay

From: [REDACTED]
To: <ldp@aberdeencity.gov.uk>
Date: 21/04/2013 18:14
Subject: FW: conservation area character appraisals - Cove Bay
Attachments: objection to dedesignation.docx

FAO: Bridget Turnbull

Please find attached our representation against the dedesignation of Cove Bay from a Conservation Area.

Regards,

[REDACTED]
Cove in Bloom



Cove in Bloom

Part of Cove & Altens Community Council

Tel: [REDACTED] Email: [REDACTED]

Cove in Bloom are strongly against the dedesignation of Cove Bay, and want to express their deep concern about the potential for further degradation of the area. Previous administrations have failed to enforce the restrictions of the designation, but rather than allowing the designation to be withdrawn, this administration should be standing up for Heritage and Conservation by enforcing the restrictions that the designation requires.

Cove in Bloom is already in talks with the owner of the harbour to improve the area and take it back to a picnic area for visitors as it used to be in the first half of the twentieth century, and the first step is the new planter which is being sited there this week.

The aim of Cove in Bloom is to improve and enhance the whole area of Cove and Altens, and part of this involves celebration of the history of the original fishing village. Dedesignation at this stage will make the improvements we hope to bring so much harder and the funding more difficult to obtain. Our hopes that over time the modern road signage and lampposts will be replaced with others in keeping with its historical nature will become more difficult to realise, and another beautiful historical village will be lost to the nation. An action such as this will deprive our children and our children's children of one more of the few remaining areas that make our understanding of the lives of our ancestors more real.

We would plead that the council do not proceed with such a retrograde step as to remove the Conservation Area status from Cove Bay.



Cove in Bloom

Part of Cove & Altens Community Council

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We would plead that the council do not proceed with such a retrograde step as to remove the Conservation Area status from Cove Bay.

LDP - Draft Conservation Area Character Appraisal - COVE BAY

Ref NO 26
ack sent 02/05/13
added to summary.

From: [REDACTED]
To: <ldp@aberdeencity.gov.uk>
Date: 21/04/2013 18:09
Subject: Draft Conservation Area Character Appraisal - COVE BAY

To Bridget Turnbull,

I wish to express my personal objection to the removal of conservation area status from Cove Bay. The fishing village is one of only two remaining within Aberdeen, and for this reason alone should remain protected. Despite some inappropriate developments in the past the village still retains its original character, and improvements can be made to this by replacing things such as the street furniture with age-appropriate items.

Past experience of the protection accorded to areas by green belt and SSSI status does not lead me to believe that these alone will protect the area, other areas close by which were previously given these designations have been built over with the permission of previous administrations, and I hope and believe that this administration will not follow the bad example set by those preceding it, will retain the conservation area status of this small village, and will take steps to enforce the appropriate regulations to prevent further degradation of this site.

Yours sincerely,

[REDACTED]

LDP - FW: Draft Conservation Area Character Appraisal - COVE BAY

From: [REDACTED]
To: <ldp@aberdeencity.gov.uk>
Date: 21/04/2013 18:15
Subject: FW: Draft Conservation Area Character Appraisal - COVE BAY

To Bridget Turnbull,

I wish to express my personal objection to the removal of conservation area status from Cove Bay. The fishing village is one of only two remaining within Aberdeen, and for this reason alone should remain protected. Despite some inappropriate developments in the past the village still retains its original character, and improvements can be made to this by replacing things such as the street furniture with age-appropriate items.

Past experience of the protection accorded to areas by green belt and SSSI status does not lead me to believe that these alone will protect the area, other areas close by which were previously given these designations have been built over with the permission of previous administrations, and I hope and believe that this administration will not follow the bad example set by those preceding it, will retain the conservation area status of this small village, and will take steps to enforce the appropriate regulations to prevent further degradation of this site.

Yours sincerely,

[REDACTED]

Ref No. 30
ack. sent 02/05/2013
added to summary
Page 1 of 1

LDP - Cove Bay Conservation Area Draft Conservation Area Character Appraisals and Management Plan

From: [REDACTED]
To: "ldp@aberdeencity.gov.uk" <ldp@aberdeencity.gov.uk>
Date: 22/04/2013 10:57
Subject: Cove Bay Conservation Area Draft Conservation Area Character Appraisals and Management Plan
Attachments: ConservationArea.pdf

Hi,

Please find attached the views of Cove and Altens Community Council regarding the conservation area status of Cove Bay, and our wish for it to stay as a conservation area.

Best Regards

[REDACTED]
Cove and Altens Community Council

COVE AND ALTENS COMMUNITY COUNCIL

Chairman: [REDACTED]

Secretary: [REDACTED]



Web Site: [www.\[REDACTED\]](http://www.[REDACTED])

Date:- 22/04/13

RE: Cove Bay Conservation Area Draft Conservation Area Character Appraisals and Management Plan

It is with great concern that I write regarding the City Council's wish to remove the conservation area status of Cove Bay.

As a Community Council, we have been asking Aberdeen City Council for many years to help maintain and help improve the area, but with no help forthcoming in this matter at all. We think it is wrong to now propose that the conversation area status be removed, and that the council should continue to support conservation status for Cove Bay.

The area has a lot of heritage and character which could easily be lost if the conservation status is lost.

We have noticed over the years, planning permission being granted for things not in keeping with the conservation area, and indeed some things being done by the council in council property in the area, not in keeping with its status. We as a community council have always stated on all planning applications for this area that they should be in keeping with the conservation area.

We feel that the conservation area should be kept and be the responsibility of the council, not a local action group. However, if the council will no longer take responsibility for this, we suggest that Cove Bay remain a designated conservation area for a further 12 months minimum to allow for development of a community action group if there is an appetite locally to do this.

Best Regards
Neil Stewart

[REDACTED]

[REDACTED]

Cove and Altens Community Council

10 April 2013

Bridget Turnbull,
Senior Planner
Aberdeen City Council
Business Hub 4
Marischal College
Aberdeen AB10 1AB

Planning & Sustainable Development	
Mail ID	29062
RECEIVED	10 APR 2013
REPLY	15/13
Section	MDC
Officer	BTB

Dear Ms Turnbull,

I acknowledge your letter of 11 March 2013 regarding Old Cove as a Conservation Area. I have lived here for over twenty-five years and I can assure you there has been no investment from the Council to prevent the serious erosion that you refer to which robs the area of its unique and beautiful character. There can be no cultural, historical, social or architectural reason for your proposals so I am persuaded that this suggestion is based upon financial considerations only.

The root of the verb 'to conserve' means to protect and keep from harm or destruction, what is required here is prevention, investment and restoration. Please don't destroy a wonderful area by a further lack of corporate care but make choices that will improve and enhance the

qualities, character and traditions of this place. I have many ideas and suggestions to make about preserving and protecting Cove Bay's Concentration status and will convey them to the elected officials in due course, but not before noon on Monday 22 April. I travel a lot which means your six-week consultation period is much too brief for me and too short in general for the consideration of proposals of this magnitude, please extend it.

Yours sincerely,

[Redacted signature]

NB I am also [Redacted] in [Redacted] and will take opportunity, in due course, to chat through your proposals with the congregation and let you know their conclusions.

Ref No 1
ack 21/3/13
added to
Summary
table

7 Balmoral Terrace
Cove Bay
Aberdeen

15 March 2013

Ms Bridget Turnbull
Senior Planner
Aberdeen City Council
Business Hub 4
Marischal College
Aberdeen
AB10 1AB

Planning & Sustainable Development	
Mail ID	28937
RECEIVED	18 MAR 2013
REPLY	22/03/2013
Section	MDC
Officer	BT

Dear Ms Turnbull

Cove Bay Conservation Area

Thank you for your letter of 11 March 2013 - Conservation Area. I am writing to say how pleased I am about this prospect of the removal of the conservation order.

I have lived in Cove for 73 years and my parents and grandparents were there before that. The houses were without sanitation or water, the toilets were dry buckets in wooden sheds and were emptied into a central midden in the centre of the village along with all the other garbage, ashes, etc.

As the men returned home from WW2 they urgently sought to improve conditions and, as a house could be purchased from the estate for £90 with the planners in Stonehaven regarding Cove as "Northern Frontier District", almost everything got the 'go ahead'.

All the infrastructure of the fishing days has been swept away, the Fishermen's Mission Hall, the Ice House, the Semaphore Station, etc. The only fragile survivor is the village harbour which, in my opinion, is unique on the East Coast, with concrete structures linking up the rock formations to provide shelter for recreation, fishing, picnics, boating, etc., and a pier on a north/south axis.

I can think of no other major city which would allow a gem like this to crumble away within its boundaries and so close to the town centre. I can only hope that the resources which may be released when no longer required to administer the conservation area could be redirected to help Cove harbour survive and realise its fantastic potential as a City gem.

Yours sincerely



Fred Cargill

Ref No 2
sent email 21/03/13
added to summary

>>> LDP 21/03/2013 >>>

>>> [REDACTED]

Consultation: Cove Bay Conservation Area Response Form

1.1. I live in Cove Bay Conservation Area

1.2. Name: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

2.1. Kept as conservation area with the boundary as it is.

2.2. Cove Bay is one of the few remaining fishermen villages with character close to Aberdeen city. Although development in the sixties and early seventies made a lot of damage to the area, there is still a touch of fishermen village, that together with the important nesting ground for sea bird species and the harbour, make of Cove Bay a special quiet spot not only for the small group of people that live in the area but as a recreational ground for everyone.

I am deeply worried for this Council initiative, first it opens the door for further damage to the area (maybe even opens the possibility of further building development in the adjacent areas to the village), and second, because of the lack of sensitivity and look ahead heritage vision of the Council

The Council should take the initiative of enhancing the beauty of these fishermen village, to make of Cove Bay a similar spot to Foot Dee. Lifting the existing conservation regulations will make too easy the building of extensions and other modifications to the cottages that will ruin their character. In general this is an area populated by humble people, without much economic resources, and you can expect that no matter how much we would like to make modern but traditional-lookalike modifications in our buildings, we cannot afford them and probably we will end up with the cheap and nasty looking option, not to mention the lack of taste that some of us we have when making changes in our houses (sounds patronizing but it is a reality).

All in all, I am against any relaxation of the actual regulations and pro to a plan of improving the traditional appearance of the village by means of investment in the area and grants to improve some buildings when the owners cannot afford it.

There is still an opportunity to rescue this little village, lifting the existing conservation regulations is not the way to go.

Please, do not hesitate to contact me for further assistance.

Kind regards

Javier Perez-Barberia

>>> "Angela Wishart" [REDACTED]

Despite being a relative newcomer to Cove Bay (only 21 years resident here), I was saddened to hear that Aberdeen City Council wishes to remove the Conservation area designation. My husband and I moved to the area because of the appeal of the "fishing village" and historic feel to an area which is also located within easy commuting distance of the city centre. The sea views, beautiful harbour and quaint fisher cottages made Cove Bay a perfect choice. The fact that our home was located within a Conservation Area was a real positive for us and we believed that the stricter planning regulations would prevent any inappropriate building or adaptations being permitted within the area. We have, over the years, ensured that any alterations we have carried out have been appropriate for the area and we have done our very best to retain the traditional appearance of our property (in line with the Conservation area planning regulations).

However, over recent years the character of the village has eroded somewhat and I believe this is mainly due to a lack of enforcement of the Conservation area planning regulations by the local authority. Residents have been allowed to build properties and extensions which are not "in keeping" with the nearby fisher cottages and historic area within the village of Cove Bay. Roads and pavements have been neglected instead of being maintained and even street-lights have been left broken. The local authority has failed to monitor adaptations to properties within the area and allowed residents to install inappropriate replacement windows and doors. I feel that since the decline of the area is partly the responsibility of Aberdeen City Council, instead of removing the Conservation status of the area, the local authority should be doing it's utmost to halt this decline and make improvements to ensure the village is restored (as much as possible) to it's former glory.

I feel the first step to improving Cove Bay is to correctly enforce the planning regulations for a Conservation area. Secondly the local authority needs to maintain the streets of Cove Bay. Instead of spending tax payers money on replacing cobble-stones in the little-used streets in the city centre (such as Adelphi), the council should be spending that money more wisely on enhancing the historic streets and lanes of Cove Bay which could perhaps even lead to an increase of tourism to the area. I realise that these improvements will cost money but I'm sure there are grants and organisations who would be willing to fund some of these changes.

Cove Bay is a beautiful, picturesque, fishing village and I believe that removing it's Conservation area designation will inevitably lead to the destruction of, what is, one of Aberdeen's most interesting and unique locations. I therefore hope that you will consider the points I have raised and allow Cove Bay to retain it's current Conservation area status - with a view to hopefully improving the village in the very near future.

Regards

Mrs Angela Wishart

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Cove Bay Conservation Area Response Form

Ref No 4
Letter re attached queries sent 21/03/13
acknowledgement letter sent 26/03/13
added to summary

1.1 Do you...(please tick **one** as appropriate)

Live in Cove Bay Conservation Area	
Live in Cove outwith Conservation Area	<input checked="" type="checkbox"/>
Other (please state)	

1.2 Please provide your name and contact details:

Name: [redacted] Telephone: [redacted]
Address: [redacted] Email: [redacted]
Postcode: [redacted]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick **one** as appropriate)

Not be a conservation area anymore	
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	

2.2 Any other comments relating to Cove bay Conservation Area:

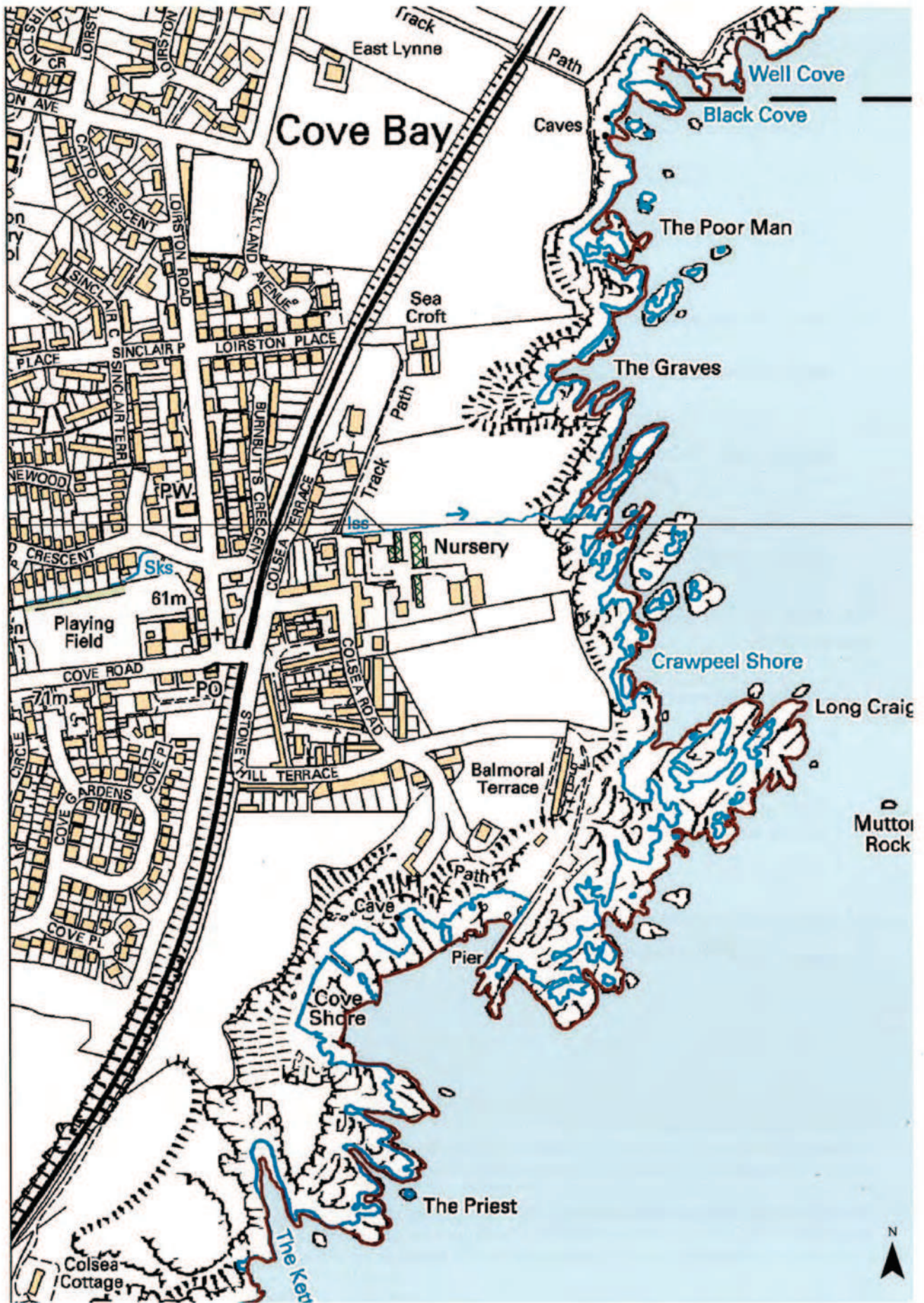
see attached papers

****Data Protection Act 1998**

Comments you supply to Aberdeen City Council (ACC) in this public consultation exercise will be used in reviewing the draft document(s); in reporting to Council Committees and therefore will be available to the public.

The information collection will be recorded, stored securely and processed for the purposes of this public consultation. ACC will not share the personal information provided with other parties or organisations. ACC will not disclose any information about you to any organisation or person unless it is authorised or required to do so by law.

The Masterplanning, Design and Conservation team may use your contact details to contact you about the comments you have made. Your name and organisation may be published alongside your comments, unless you specify to us otherwise, but contact details will not be made public. If you chose not to provide a name or contact details, your comments will still be valid but we will not be able to contact you in the future.



[REDACTED]
[REDACTED]
[REDACTED]
Who own land. 902 on map. south
of village

When. was consultation advertised.

Where advertised - e.g paper?

Why is the plan used dated 1866-1899?

Cove Bay Conservation Area Response Form

Ref No 5
Letter sent 26/3/13
added to Summary

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	yes
Live in Cove outwith Conservation Area	
Other (please state)	

1.2 Please provide your name and contact details:

Name:

[Redacted]

Telephone:

[Redacted]

Address:

[Redacted]

Email:

Postcode:

[Redacted]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	<input checked="" type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

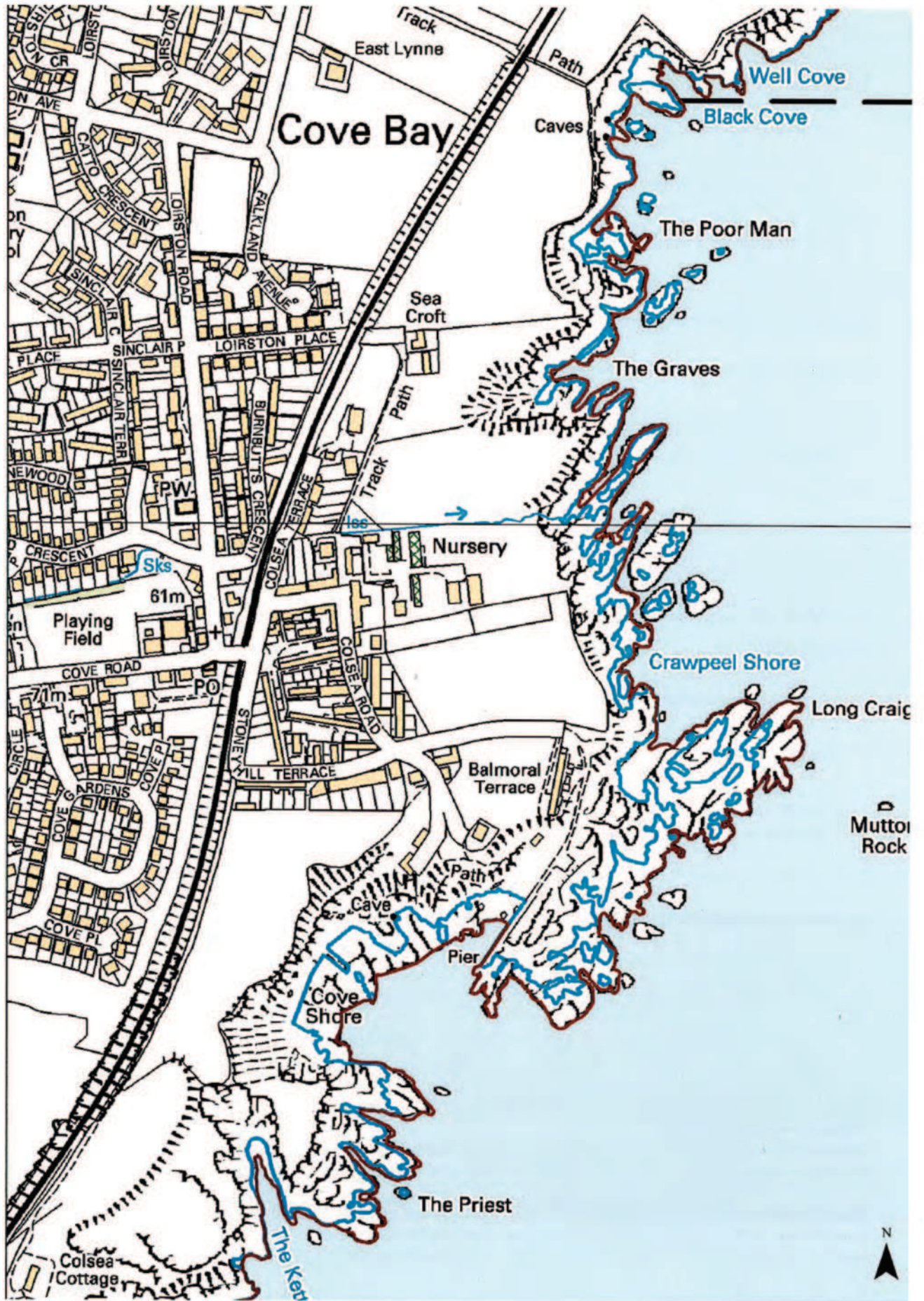
2.2 Any other comments relating to Cove bay Conservation Area:

****Data Protection Act 1998**

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Cove Bay Conservation Area Response Form

Ref No 6
sent letter - 26/5/13
added to summary

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name:

[Redacted]

Telephone:

[Redacted]

Address:

[Redacted]

Email:

[Redacted]

[Redacted]

Postcode:

[Redacted]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

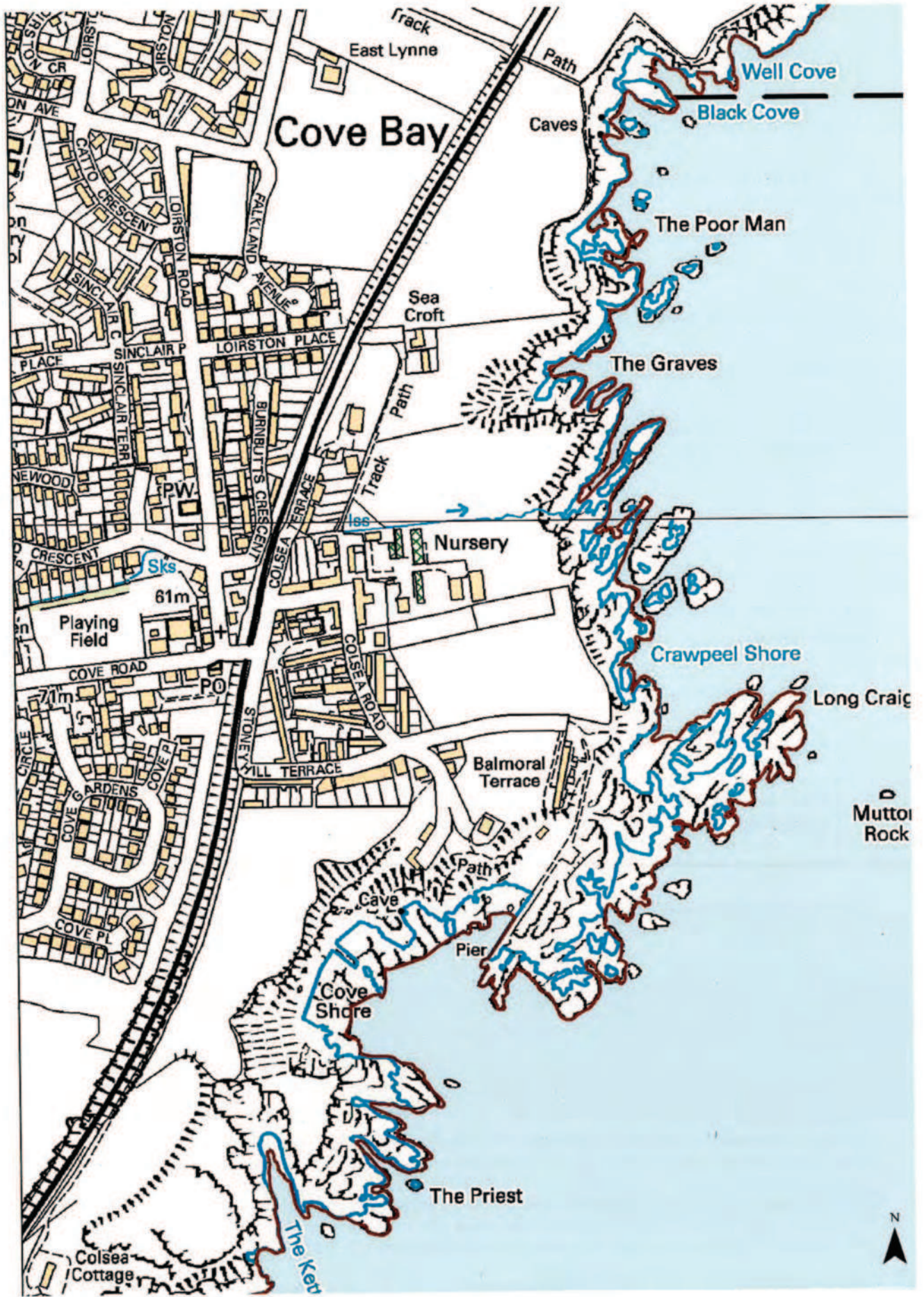
2.2 Any other comments relating to Cove bay Conservation Area:

****Data Protection Act 1998**

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The Masterplanning, Design and Conservation team may use your contact details to contact you about the comments you have made. Your name and organisation may be published alongside your comments, unless you specify to us otherwise, but contact details will not be made public. If you chose not to provide a name or contact details, your comments will still be valid but we will not be able to contact you in the future.



Cove Bay Conservation Area Response Form

Ref No 7
letter sent 26/3/13
added to summary

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name:

[Redacted]

Telephone:

[Redacted]

Address:

[Redacted]

Email:

[Redacted]

Postcode:

[Redacted]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

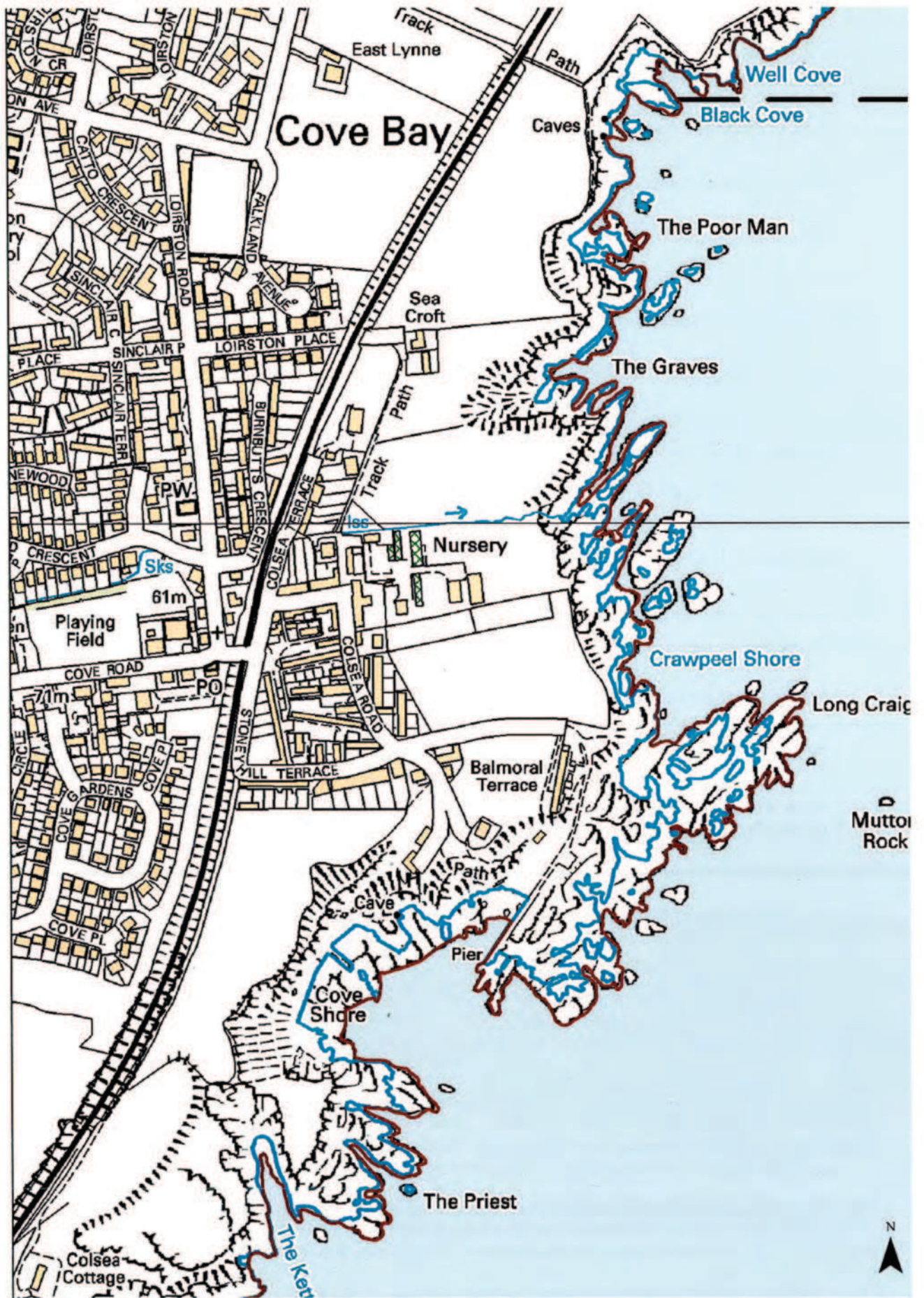
2.2 Any other comments relating to Cove bay Conservation Area:

****Data Protection Act 1998**

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Cove Bay Conservation Area Response Form

Ref No 8
letter sent 26/3/13
added to Summary

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name: [REDACTED] Telephone: [REDACTED]

Address: [REDACTED] Email: [REDACTED]

Postcode: [REDACTED]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

2.2 Any other comments relating to Cove bay Conservation Area:

HAVE A MEETING SPECIAL TIME,
OPEN TO EVERYONE IN COVE.
BETTER USE OF EVERYONES TIME.
FURTHER DISCUSSION IS NEEDED

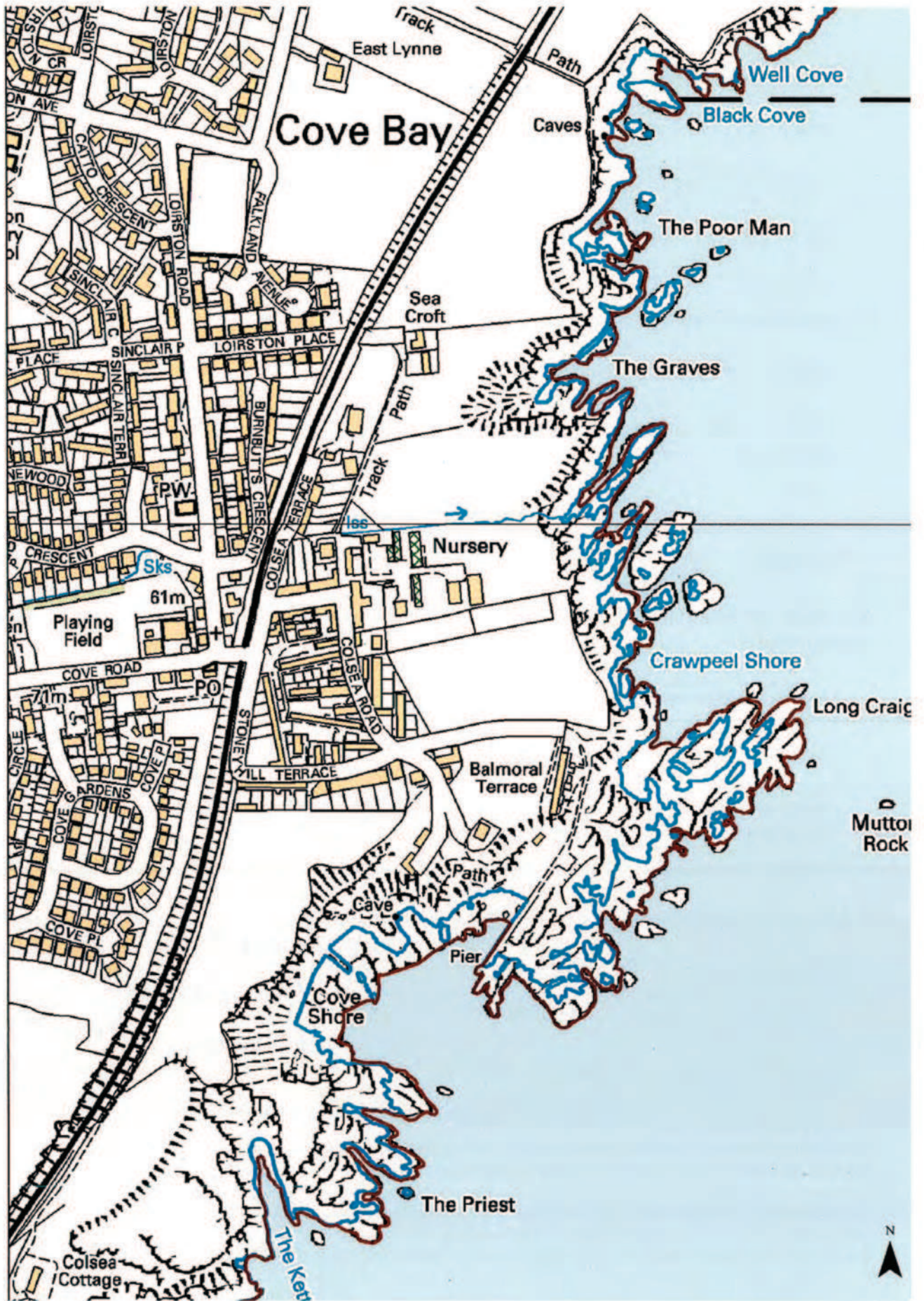
****Data Protection Act 1998**

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RE THIS
VERY IMPORTANT
DECISION



Cove Bay Conservation Area Response Form

Ref No 9
letter sent 26/3/13
added to summary

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name: [REDACTED]

Telephone: [REDACTED]

Address: [REDACTED]

Email:

[REDACTED]

Postcode: [REDACTED]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

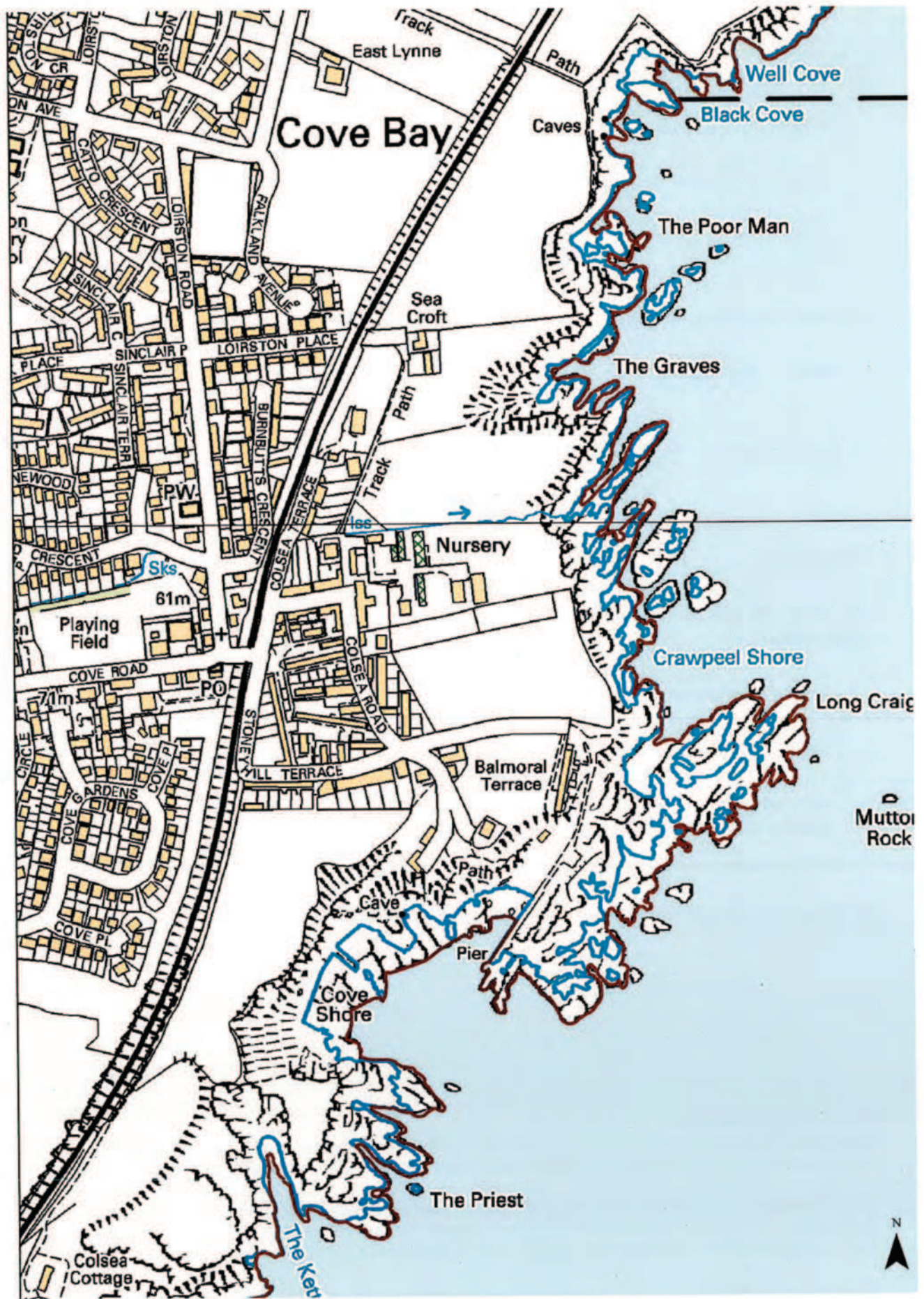
2.2 Any other comments relating to Cove bay Conservation Area:

****Data Protection Act 1998**

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Cove Bay Conservation Area Response Form

Ref No 10
added to
Summary

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	
Live in Cove outwith Conservation Area	<input checked="" type="checkbox"/>
Other (please state)	

1.2 Please provide your name and contact details:

Name: DOUGLAS W GRAY

Telephone: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

Postcode: [REDACTED]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	

2.2 Any other comments relating to Cove bay Conservation Area:

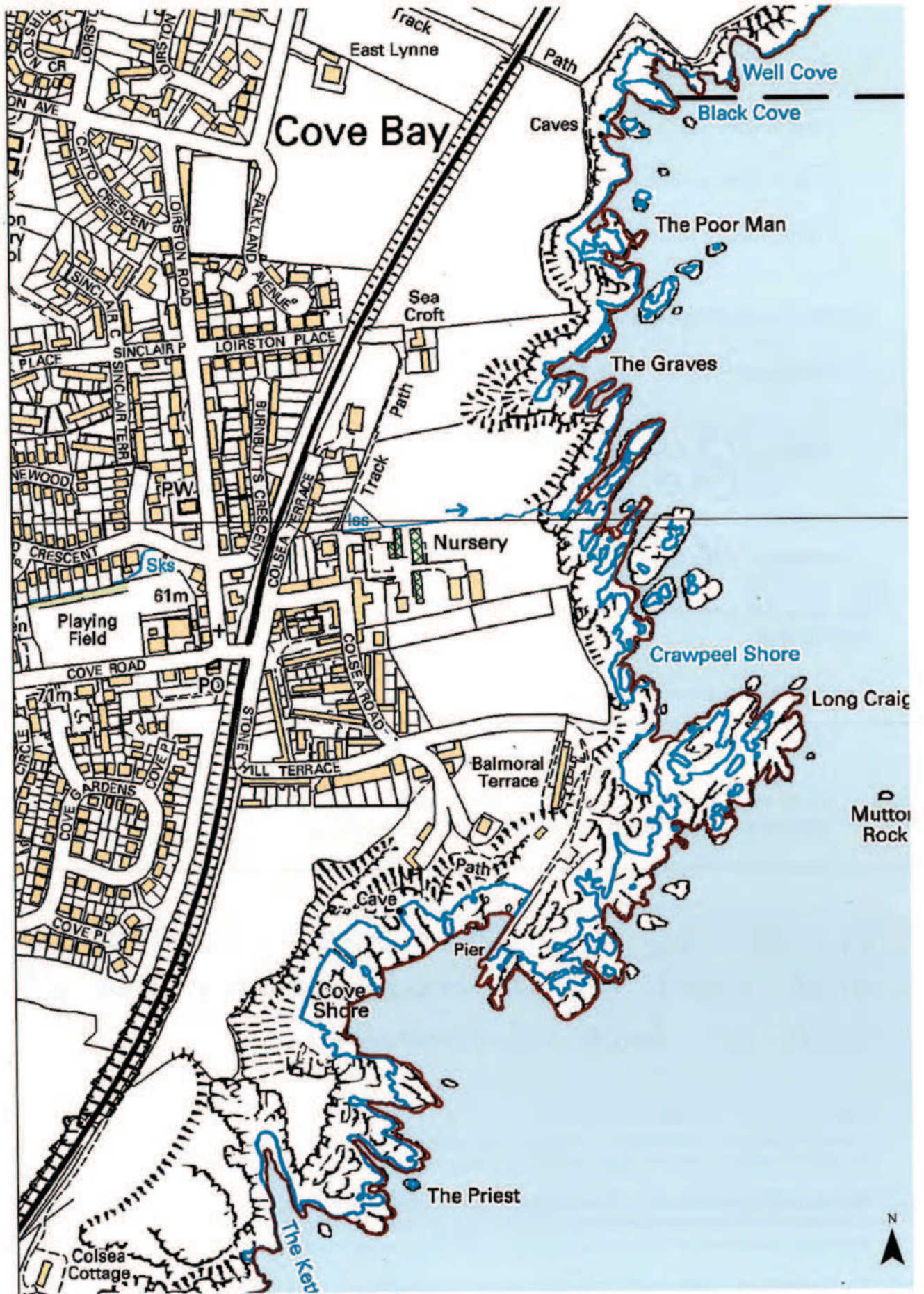
As the village lies in the centre of the Conservation area much input is required regarding the upkeep of the village itself. i.e. roads and thoroughfares

****Data Protection Act 1998**

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Bridget Turnbull-Brown - Fwd: FW: Cove Bay Conservation Area

From: LDP
To: Bridget Turnbull-Brown
Date: 01/04/2013 15:09
Subject: Fwd: FW: Cove Bay Conservation Area

>>> [REDACTED] >>>

From: [REDACTED]
To: [REDACTED]@aberdeencity.gov.uk
Subject: Cove Bay Conservation Area
Date: Fri, 29 Mar 2013 22:17:18 +0000

Dear Sir or Madam,

I strongly disagree with removing the Cove conservation Status.

Yours sincerely

Roy Godsman

Cove Bay Conservation Area Response Form

Ref No 17
ack sent 17/4/13
added to summary

1.1 Do you...(please tick **one** as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name: MRS. A. RED ANDERSON

Telephone: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

Postcode: [REDACTED]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick **one** as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

2.2 Any other comments relating to Cove bay Conservation Area:

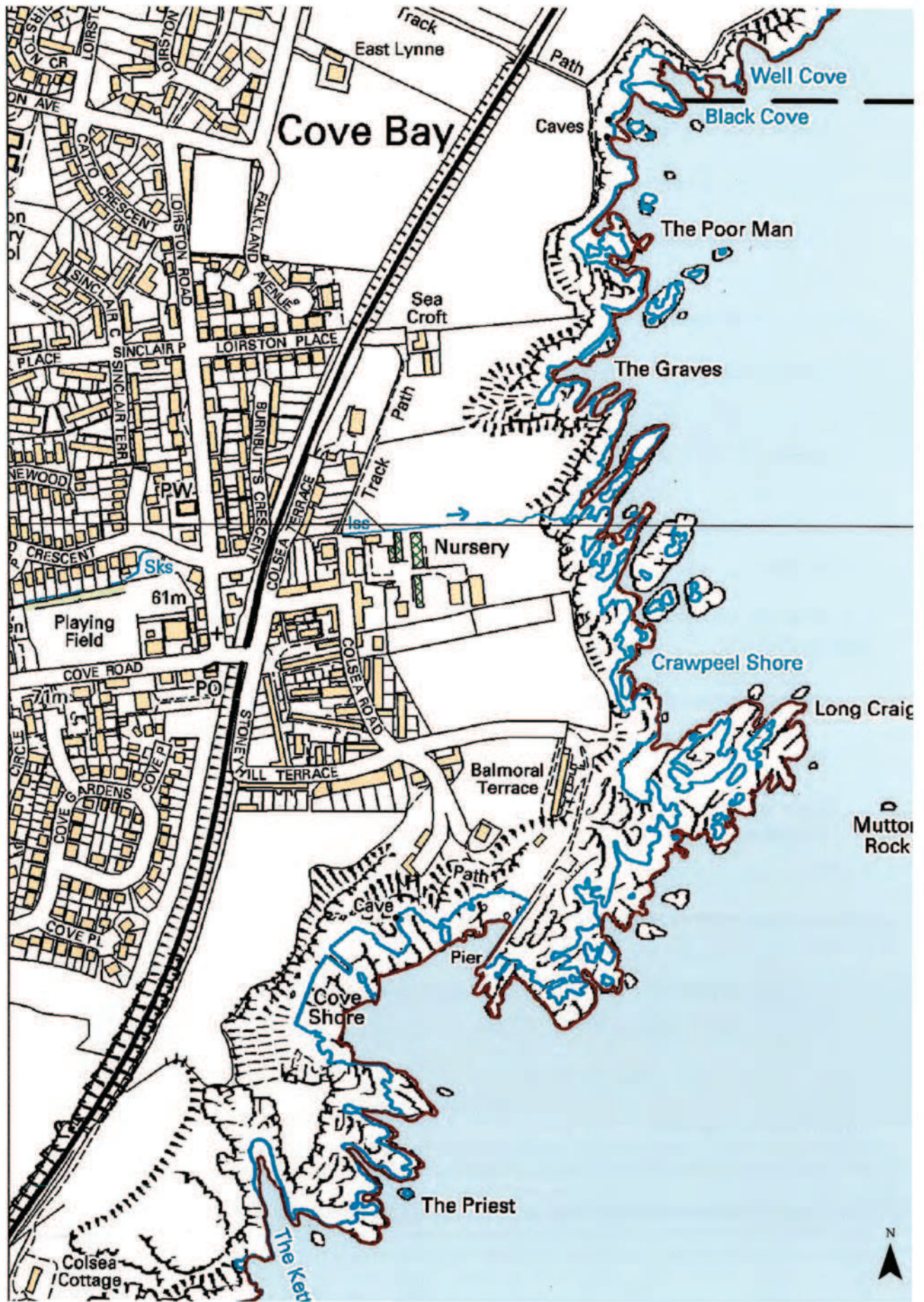
KEEP AS A CONSERVATION AREA. NEW HOUSES WOODPANS ETC MUST HAVE BEEN GIVEN PERMISSON BY COUNCIL IN THE FIRST PLACE!!!

****Data Protection Act 1998**

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Cove Bay Conservation Area Response Form

Ref No 18
ack sent 17/4/13
added to summary

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name:

Telephone:

Address:

Email:

Postcode:

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

2.2 Any other comments relating to Cove bay Conservation Area:

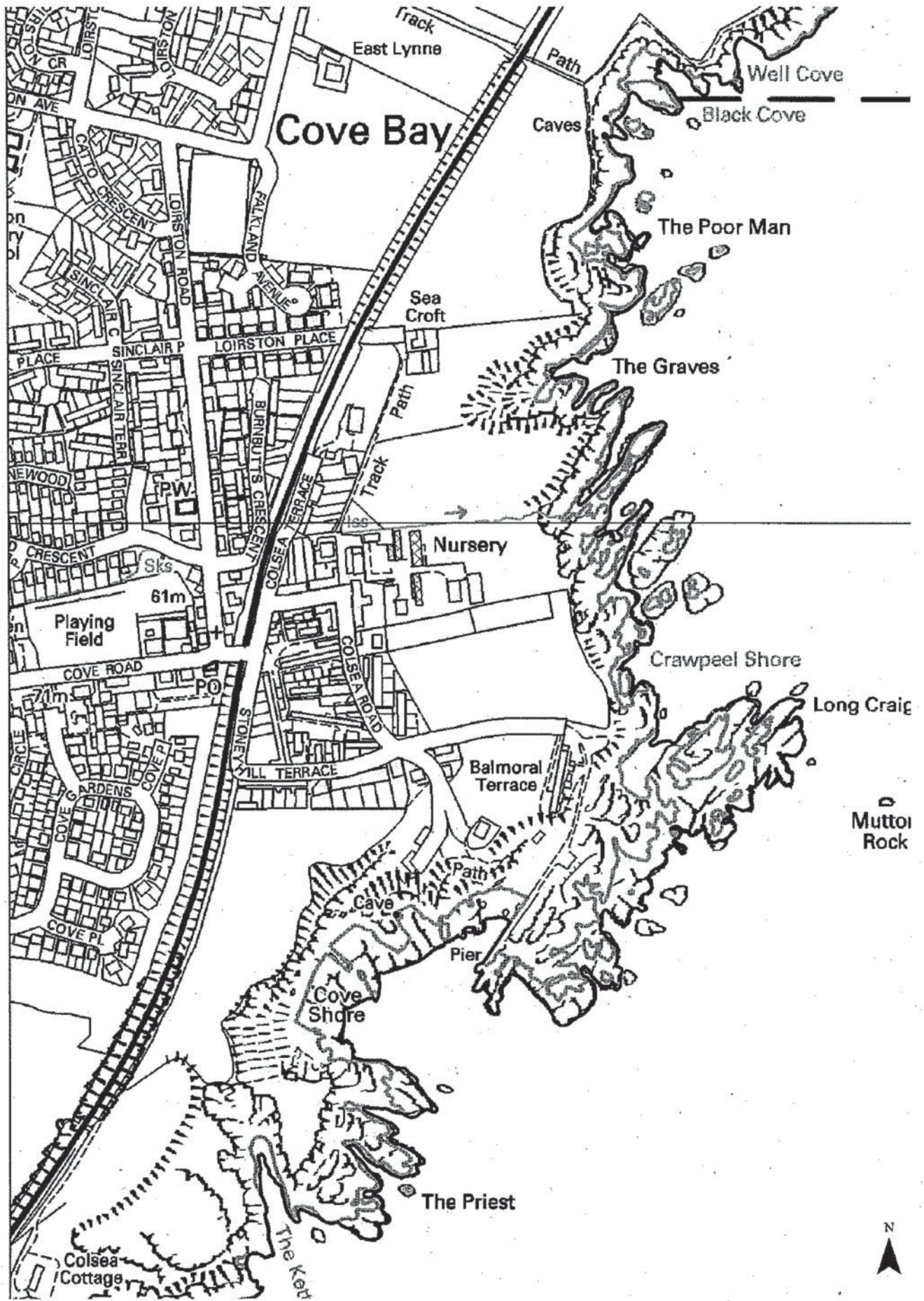
COWEA ROAD AND STONEY HILL TERRASSE SHOULD BE
A ONE-WAY SYSTEM FOR TRAFFIC DUE TO THE
NARROW ROADS.

****Data Protection Act 1998**

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Cove Bay Conservation Area Response Form

Ref no. 21
acknowledgment sent
22/04/2013
graded
to
summary

RECEIVED
22 APR 2013

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name:

[Redacted]

Telephone:

[Redacted]

Address:

[Redacted]

Email:

[Redacted]

Postcode:

[Redacted]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

2.2 Any other comments relating to Cove bay Conservation Area:

I feel that the council should re look at this as in the first instance, they have given planning permission which has lead Cove Bay to look like this today. I think it is important to keep our

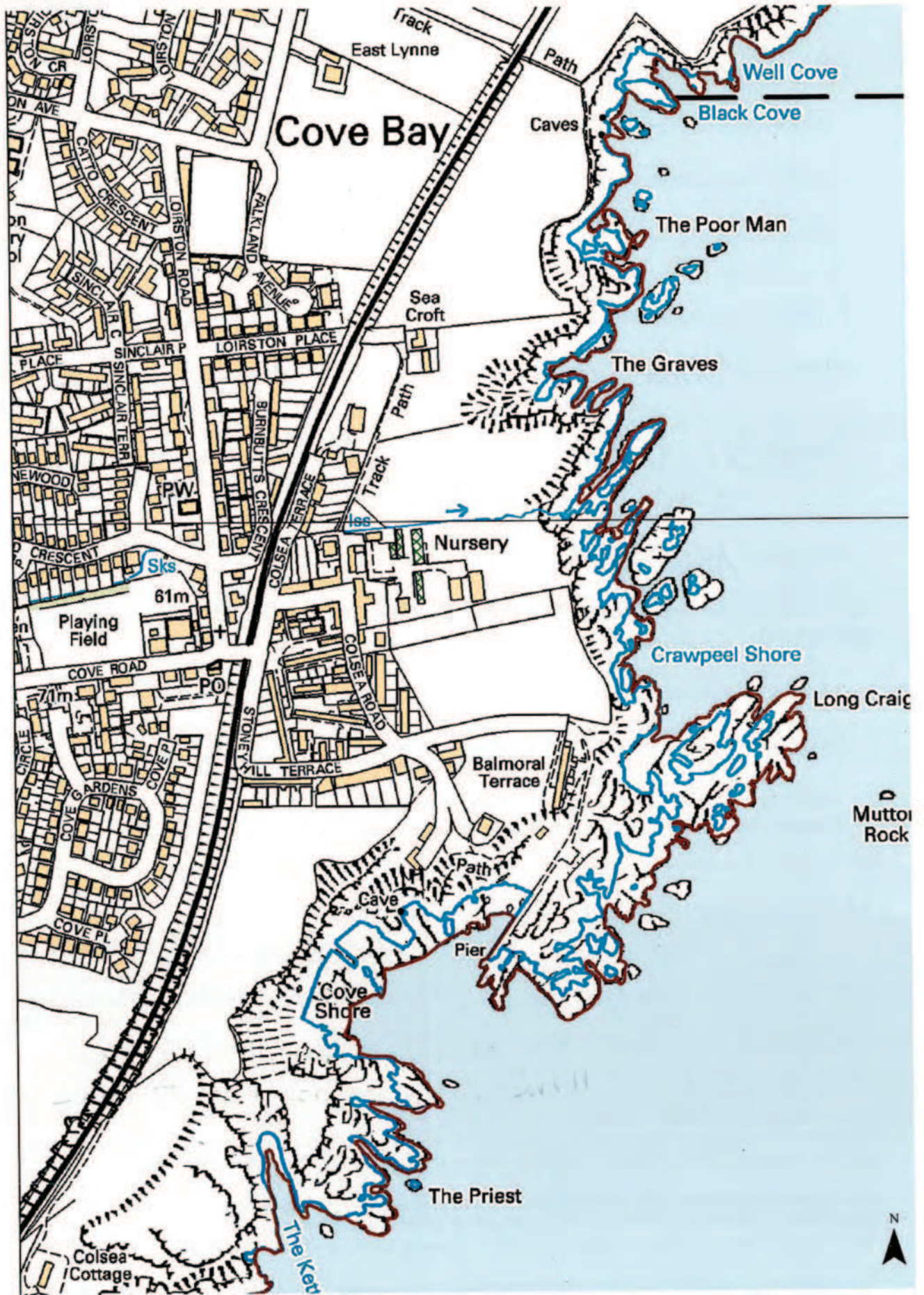
****Data Protection Act 1998**

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heritage alive and I feel Cove Bay as a village represents this.



Cove Bay Conservation Area Response Form

Ref no. 22
acknowledged email
sent 22/04/2013
added to Summary

1.1 Do you...(please tick one as appropriate)

Live in Cove Bay Conservation Area	<input checked="" type="checkbox"/>
Live in Cove outwith Conservation Area	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

1.2 Please provide your name and contact details:

Name: [REDACTED]

Telephone: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

Postcode: [REDACTED]

2.1 What do you think should happen to Cove Bay Conservation Area? (please tick one as appropriate)

Not be a conservation area anymore	<input type="checkbox"/>
Kept as a conservation area with the boundary as it is	<input checked="" type="checkbox"/>
Kept as a conservation area, but with a different boundary (please draw your suggested boundary on the plan overleaf)	<input type="checkbox"/>

2.2 Any other comments relating to Cove bay Conservation Area:

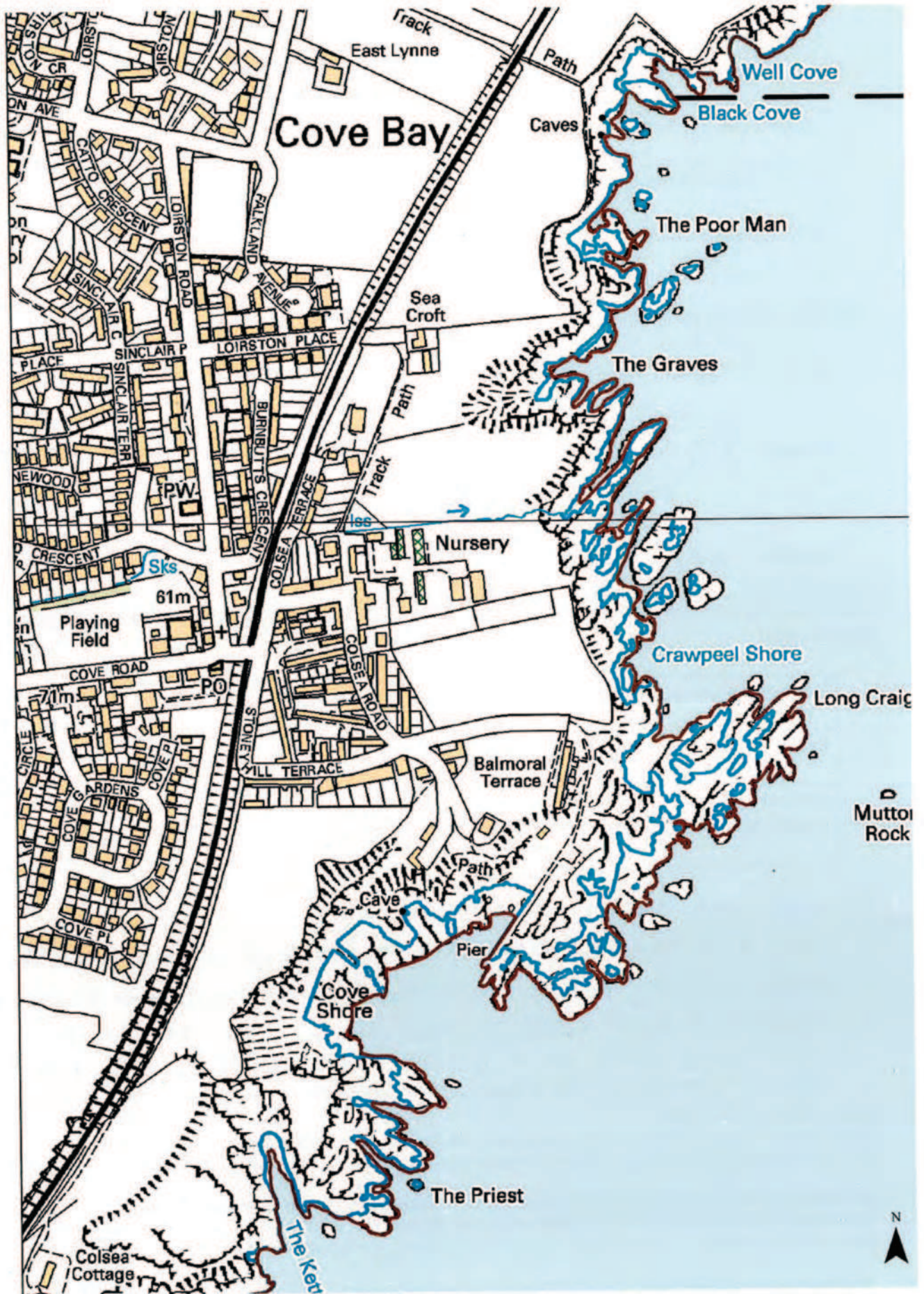
COVE BAY CONSERVATION HAS A UNIQUE SMALL VILLAGE FEEL TO IT, PEOPLE VISIT TO SEE THE OLD HARBOUR AND HOUSES, PLEASE KEEP IT AS IT IS, STOP TRYING TO DESTROY WHAT WE HAVE IN A BID TO SAVE MONEY, AND PLEASE STOP BUILDING HOUSES, THE ROADS IN THE AREA WILL NOT COPE.

****Data Protection Act 1998**

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Ref No. 28
ack. sent 02/05/2013
added to summary

LDP - Cove Bay Conservation Area

From: [REDACTED]
To: <ldp@aberdeencity.gov.uk>
Date: 22/04/2013 07:41
Subject: Cove Bay Conservation Area

To whom it may concern,
I would like to propose that Cove Bay remain a Conservation Area.
Thank you
Mrs M Anderson
22/4/13

Conservation Areas Consultation Comments

Ferryhill Comments



added to Rel NO 19
sum.table ack. sent

Ellis

19/4/13

RECEIVED

19 APR 2013

14.4.13

Dear Budget

Sorry but no access to
computer meantime - wanted to
get it sent to you before the
deadline.

I hope you can understand
the comments I have made as
I read the report at Ferryhill
Library.

Enjoyed taking an interest
in conservation again & thanks
for consulting with me.

Regards to all -
The Planning Dept.

P.T.O

because you please
acknowledge the enclosed
letter.



P.S

WAKI. A LONG WINDY
DEPT. FLD UP WRITING THE
ADDRESS



14. 4. 13

F.A.O

BURDETT TURNBULL
SENIOR PLANNER
MASTER PLANNING
DESIGN / CONSERVATION TEAM.
ABERDEEN CITY COUNCIL

DEAR MR TURNBULL

DEATH CONSERVATION AREA CHARACTER APPRAISAL
& MANAGEMENT PLAN.

HAVING READ THE REPORT ON PROPOSAL FOR WITHDRAWING
NEW FLATTED DEVELOPMENTS IN FAIRFIELD WAY (1-19), 1-121 WHINNILL GATE
& AGREE, THEY HAVE NO ARCHITECTURAL MERIT.
HOWEVER I FEEL THAT THE ORIGINAL 1-6 DOWNER HOUSE
AND THE WALL FEATURES AT FAIRFIELD WAY SHOULD BE RECONSIDERED
THE ADDITION OF 4-10 DEVANNA GARDENS WEST IS SUPPORTED.

PLEASE NOTE - ALEXANDER LEWIS WHO LIVED & DESIGNED
THIS SECTION OF SPRINGBANK TCE. DESIGNED ST MARYS
CATHEDRAL NOT CHURCH AS IN YOUR REPORT.

PAGE 8 :- BATTLE OF JUSTICE HILLS 1644 GLAD THIS
WAS PUT ON RECORD.

NORTH SIDE OF SPRINGBANK TCE WITH LONG GARDENS NOW GATE(S)
NOT B.

PAGE 15. 3.2.5 NEGATIVE FACTORS AGREE WITH ALL COMMENTS

PAGE 22 BRICK FEATURE CAT. B (BONACCO) TCE GARDENS)

I HAD IT LISTED WHEN CONSERVATION OFFICER FOR FERRYHILL
HERITAGE SOC. GLAD IT WAS MENTIONED.

FERRYHILL

3. AGREE. ABOUT COMMENTS RE PLASTIC RAINWATER GOODS /
UP.W.L WINDOWS. I TRIED!!

13. AGREE RE NEGATIVE FEATURES.

21. FURTHER PROTECTION OF IMPORTANT TREE. AGREE WHOLE HEARTEDLY.

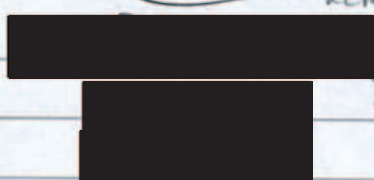
YOURS SINCERELY

ATTN: B. Turnbull
R. Oaker

Planning & Sustainable Development	
Mail ID	28967
RECEIVED	25 MAR 2013
REPLY	/ /
Section	MDC
Officer	BT

1 of 2

Ref No 11
ack letter 25/3
response 11/4
added to
sum. table



22/3/13.

Ref: Draft Conservation Area - Ferryhill.

Dear (S=) / (Madam)

I am in receipt of the letter dated 11/3/13.

You are proposing to remove from the conservation area:

- 1-121 Whitehill Gate
 - 1-19 Fairfield Way
 - 1-6 Palmate House
- } (A)

You also note that the above plan - if implemented - would:

" provide guidance for the public and help developers to identify and formulate proposals ... "

Please can you advise the following:

- 1) Have you been approached by anyone or any company to develop any of the area or change any of the area in item (A) above?
- 2) Why have you selected just area (A) for removal? It is a developed area and it seems it's such a relatively small area of the whole conservation area.

3) You highlight a "disadvantage" will remove "a substantial number of trees ... " for conservation.

Do you etc Council, any members of the public in the "area (A)" or any contractors/companies have plans to remove any trees? (Especially in the Whinill Road / Whinill Gate area.)

4) You note that area "A" does not add anything to the "historical character" yet removal of trees, stone boundary walls etc would detract from what would become the remaining historical area.

(You may wish to note that if area (A) had not been in a conservation area in the late 1990's early 2000's the area (A) would have had

- i) low cost / low standard housing built on mass on the old barracks-site (now care home houses).
- ii) low cost houses built on Whinill Gate area,
- iii) Stone walls and fences all demolished at junction of Whinill Gate / Whinill Road,
- iv) Trees on Whinill Gate removed.
- v) etc. (including possible damage of current houses).

Have you considered the above and the future when preparing the "draft"?

Best regards

KEN HODGROFT.

Our Ref. CAA_IPA Consultation
Your Ref.
Contact Bridget Turnbull
Email ldp@aberdeencity.gov.uk
Direct Dial 01224 523953
Direct Fax 01224 523180



ABERDEEN
CITY COUNCIL

11/03/13

F.A.O. Owner/Occupier/Landlord
Conservation Area Public Consultation

Planning and Sustainable Development

Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Aberdeen
AB10 1AB

Tel 01224 523325
Minicom 01224 522381
DX 529451, Aberdeen 9
www.aberdeencity.gov.uk

Dear Sir / Madam

Public Consultation
Draft Conservation Area Character Appraisals and Management Plan

I am writing to inform you how you can get involved in the public consultation that relates to a proposed alteration to the Ferryhill Conservation Area which affects your property. Please find attached a summary sheet for your information.

Ferryhill Conservation Area has been assessed and its boundary reviewed. It is proposed that the following properties are removed from the Conservation Area because they do not add to its historical character:

- 1 -121 Whinhill Gate
- 1 - 19 Fairfield Way
- 1 – 6 Polmuir House, Fairfield Way

What would this proposal mean for you?

Advantages Removing conservation area designation from your property would restore householder permitted development rights that are currently removed from properties within conservation areas. Approximately 150 households would be able to undertake certain minor works to their properties without the need for planning permission. Please note however that this will not happen until the existing Article 4 Direction is also removed, which may take some time. We would keep you informed of progress on this.

Disadvantages There are a substantial number of trees in this area that would not be protected if the designation were removed. Felling and substantial pruning of

GORDON MCINTOSH
DIRECTOR



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trees would no longer need consent, which could lead to a loss of tree cover. Whilst this would detract from the area, tree protection is insufficient reason on its own for continued conservation area designation. We will make an arboricultural assessment of the area with a view to making any Tree Preservation Orders as necessary.

The six week consultation period will run from **Monday 11 March to noon on Monday 22 April**. The document will be reviewed in light of comments received and reported back to the Development Management Sub Committee for consideration as Interim Planning Advice.

How to view the consultation documents

To download and view the documents published for consultation please visit online under the 'Current Consultations' headings at either of the following web links. You will find the section relating to proposed boundary alterations for Ferryhill Conservation Area in section S of the draft Management Plan on page 24.

www.aberdeencity.gov.uk/consultations
www.aberdeencity.gov.uk/masterplanning

Paper copies of the documents are available for viewing at the Central Library and Ferryhill Library. Alternatively paper copies of the documents can be viewed at Marischal College between 9am and 5pm Monday to Friday, by contacting the Planning and Sustainable Development Reception.

How to comment**

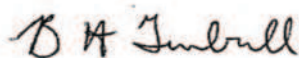
We would like your views on the draft Character Appraisals and Management Plan by **noon on Monday 22 April**.

All responses to the consultation should be returned to ldp@aberdeencity.gov.uk and clearly marked to which document the comments relate to. You may also respond through written representation. This should be directed to the following address:

Masterplanning, Design and Conservation Team
Planning and Sustainable Development
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Aberdeen
AB10 1AB

For more information please do not hesitate to contact Bridget Turnbull, Senior Planner (Conservation) on 01224 523953 or Rebecca Oakes, Planner, on 01224 522241.

Regards,



Bridget Turnbull

Senior Planner - Masterplanning, Design and Conservation

Ferryhill Conservation Area

The City Council is reviewing its conservation areas and looking at how best to manage them. It has produced a draft **Conservation Area Character Appraisals and Management Plan**, which will provide guidance for the public and help developers to identify and formulate proposals in conservation areas.

Ferryhill Conservation Area is one of six conservation areas that have been the subject of a draft character appraisal. This sets out what makes Ferryhill the special place that it is, identifies some of the issues affecting it and makes proposed alterations to the Conservation Area boundary. The document also provides an overarching management plan to protect and enhance all of the City's conservation areas.

What's special about Ferryhill Conservation Area?

Ferryhill is a fine example of mid to late 19th century suburban expansion in Aberdeen. It gives a physical expression to the rise of the growing middle classes at that time and their social aspirations. The area is separated from Aberdeen by the Howe Burn with access by the Hardgate. Ferryhill's built environment is characterised by villas, semi-detached and terraced residential properties as well as numerous late 20th century flatted developments.



Ferryhill Road



62-64 Polmuir Road

Planning & Sustainable Development	
Mail ID	29105
RECEIVED	18 APR 2013
REPLY	/ /
Section	MDC
Officer	BT

Ref. 23
ack. sent 25/04/13
added to summary
table ✓

Your Ref:-

CAA IPA Consultation

Re:- Ferryhill Conservation Area.

17-4-13

Dear Sir/Madam,

I write to object to the proposed removal of Whinhill Gate, Fairfield Way and Polmuir from the Ferryhill Conservation Area.

I object for the following reasons, with reference to the Draft Appraisal and Management Plan.

Page 10 Flat roofed extensions are in Fonthill Terrace, Fonthill
3.2.2 Road and Polmuir Road. Not in the proposed removal area

Page 11 Modern developments at Whinhill Gate, Fairfield Way
3.2.3 have attempted to keep in character with the rest of the area.

Page 17 Negative Features: Areas which distract from the
3.3.7 Conservation Area include Albany Place and Fonthill Road
Not in the proposed removal area.

The development at Whinhill Gate and Fairfield Way has been done in sympathy and consideration for the character of the Conservation Area.

It has a number of attributes which blend in with the whole Conservation Area.

These include, - original walls, walls with railings 2 and > storey bay window feature and very old mature trees.

It also has small clusters of low level flats blending in with the topography and landscape of the area.

By removing the area from Conservation Status it could potentially have all the weaknesses and threats listed in your own draft report and of course leave it open to developers.

I would be interested to hear your specific reasons for considering removing Whinhill Gate and Fairfield Way from the Ferryhill Conservation Area.

Yours sincerely,



Mr. L. F. DEWAR.

Conservation Areas Consultation Comments

Old Aberdeen Comments



OLD ABERDEEN HERITAGE SOCIETY

Ref no. 24
ack. sent 25/04/13
added to summary

Masterplanning, Design and
Conservation Team
Planning and Sustainable Development
Aberdeen City Council
Marischal College
Aberdeen.

[Redacted]
[Redacted]
21st April 2013

Draft Conservation Area Character Appraisals and Management Plan –
Consultation

I enclose on behalf of Old Aberdeen Heritage Society, the Society's response to the above consultation.

We heartily welcome this undertaking as a significant advance in the protection and enhancement of Conservation Areas.

We wish the Council well in its work to further this aim.

Yours faithfully,

[Redacted]
[Redacted]

Co-Chairman

Planning & Sustainable Development	
Mail ID	29104
RECEIVED	22 APR 2013
REPLY	1 / 1
Section APP&C	Officer RJA

Bridget Turnbull-Brown - Fwd: Draft Conservation Area - Appraisals and Management Plan

From: LDP
To: Bridget Turnbull-Brown
Date: 28/03/2013 11:24
Subject: Fwd: Draft Conservation Area - Appraisals and Management Plan

>>> "Webadmin" [REDACTED] 27/03/2013 23:19 >>>
For attention of Bridget Turnbull

Dear Ms Turnbull

The Old Aberdeen Community Council received your letter of 11th March advising of the forthcoming consultation period for only six of the existing conservation areas and that this does not include Old Aberdeen at this time.

We therefore noted that this process was on-going and left it at that.

During a conversation this evening with a member of the Old Aberdeen Heritage Society, she told me that this first consultation period will be used to finalise introductory text that will then apply to all conservation areas. Please advise if this is correct, as it is not made clear in your letter and thus, presumably, other communities may also not be aware of this time limit.

Yours sincerely

[REDACTED]
Webadmin
Old Aberdeen Community Council

Tel: [REDACTED]

Response by Old Aberdeen Heritage Society

to

Aberdeen City Draft Conservation Area Character
Appraisals and Management Plan

We wish to comment here purely on the Management Plan, and general policy for all Conservation Areas, and will reserve our comments on Old Aberdeen in particular for the second phase of this consultation, which will contain a draft Character Appraisal for Old Aberdeen.

We would like to commend the document in general, but have a number of issues to raise which we believe to be important. It has proved difficult, however, to 'slot' these comments into the various sections as laid out in the Management Plan, and so we hope that it will be acceptable simply to detail and expand on each topic in turn, as they present themselves to us.

Before embarking on this, we would like to comment on the term "mediaeval educational hub" to describe Old Aberdeen. We would greatly prefer it if this term were not used, as we do not feel that it describes this part of Aberdeen. Old Aberdeen was a community centuries before the University was founded, with its focus on the Cathedral of St Machar, first in its earlier, more modest forms, and then as a proper Cathedral. Its history as a burgh, again completely separate from the University, is also distinctive. We see Old Aberdeen as an historic community based on Church and Burgh, which also incorporates a fine, ancient University. Three elements making a distinctive whole. It certainly has mediaeval beginnings, but we do not like the term "educational hub", which we feel detracts from its real identity. We hope that a more suitable term can be found.

Trees

When work is proposed to trees on land owned by the Council itself, it is imperative that there should be a policy in place to require that the proposed works are not only submitted to the Council Tree Officer, but also go through the same consultation process as trees on land owned by others. The Council must advertise the application for the tree-work, as it does with all others, with the requisite number of days to allow members of the public, amenity bodies and Community Councils to make representations. Only once these representations have been gathered and taken account of, should a recommendation for approval or refusal be made. Members of the public have a right to know of proposals, and to object if they wish. Had this procedure been in place, much in the way of inappropriate work to trees in Conservation Areas could have been avoided. This is an extremely important matter.

Gardens and Designed Landscapes

As well as those in the National Inventory, those gardens and landscapes which contribute to the local historic environment and character of Conservation Areas should be given special protection, as detailed in SHEP p.47, 3;79

Loss of Vegetation in Gardens (front and rear)

This is not only due to car-parking and building extensions.

Another factor is the proliferation in some areas of Houses in Multiple Occupation.

For ease of maintenance, landlords (often absentee landlords) remove the green vegetation, flower-beds, etc, and put down gravel or paving instead, across the whole area. This is because they don't expect their tenants (usually temporary residents) to take care of a garden, and know it would soon become untidy and perhaps overgrown.

The proliferation of HMO properties is especially serious in Conservation Areas, where green vegetation and traditional gardens make an important contribution to the character of the Area.

Houses in Multiple Occupation

This subject is of huge concern in many parts of the City, and probably in more than one Conservation Area

They have a significant impact on the amenity of a Conservation Area, not only by the loss of gardens, but by the general untidiness of frontages which often accompanies occupation by a series of temporary residents. This is not always the case, of course, but it happens more often with this type of property than with accommodation occupied by residents on a permanent basis.

Another feature of this trend is that the social and historic character of a Conservation Area can be radically and negatively altered when the proportion of HMOs to the total population is too high. What happens, and is happening, is that as family homes come up for sale, they are bought by developers who turn them into HMOs for temporary residents, very often students. While there is obviously a need for this kind of accommodation, there comes a point when the character of an area is eroded to an unacceptable degree, and there are few permanent residents or families left in the area. Once this point is reached, there remain few people who have put down roots in the area, and have an interest in working together for the long-term good of the community, and in particular for the protection and enhancement of the Conservation Area.

Another impact that the increase of HMO properties has had on the character of some areas is that certain parts of the area are becoming, - indeed have become - little more than "ghost-towns" in University vacation, when students are away. The trend in recent years for a University to turn over residential and newly-acquired commercial properties to University departments has exacerbated this situation.

All in all, there needs to be active control by the Council of the number and situation of HMO properties in Conservation Areas, as the balance is being lost, to the great detriment of their special character.

Roads and Pavements

Granite Setts

We are concerned that these have been incorrectly laid in recent years, and many historic areas have suffered damage to their character as a result. What has happened is that the setts have been laid too far apart, and tarmac poured in the gaps. The traditional way is to place them close together, separated only by a thin layer of something like lime/mortar, or perhaps a sand mixture. In any case, the result of the recent work is ugly, and in no way traditional. A further unexpected result is that hot weather has caused the tar to melt and re-distribute itself, and the road has become uneven, and thus dangerous for pedestrians.

Another regrettable feature of this new way of laying setts is the complete loss of camber, which detracts enormously from the appearance of the road, and also that part of the Conservation Area. It is simply not authentic; not historically accurate. Furthermore, laying setts flat in this manner, without camber, brings other unintended results. After heavy rain, much of the water gathers on the road, rather than draining away to the sides, and in cold weather turns into ice, thus presenting a serious hazard for pedestrians. This is unnecessary, and would not happen if a road of granite setts were laid correctly.

As to pavements, the re-laying of historic granite paving-stones has also been done incorrectly. These should be laid right up against each other, but have been laid with significant gaps between them, infilled with some substance or other. This is not authentic either, and looks out of place in Conservation Areas.

In some other parts of Conservation Areas, traditional setts and/or paving-stones have been removed and replaced with modern materials. We would wish to see the original type of materials re-instated as soon as practicable, as they contributed in significant measure to the character of Conservation Areas.

We would like the Council to protect and enhance Conservation Areas by re-instating traditional pavements and roads (with camber) where lost, and to take action to ensure that all future works to setted roads and granite pavements are carried out in the traditional way.

We realise that the appropriate skills and craftsmanship for these tasks may no longer be found locally, but suggest that such is the importance of this, that local employees attend training-courses to learn the necessary skills which would restore the roads and pavements in our Conservation Areas to their original state.

Roads Dept of the City Council

We believe that it is vital that the Roads Dept work closely with the Conservation Section of the Planning Dept where any works to Conservation Areas are planned, any road signs or other devices, street furniture, etc, proposed, or any issues arise which might affect the character or amenity of the Conservation Area.

In our view, it is vitally important that the Roads Dept should consult the Conservation Dept before arranging to undertake such works, so that the planners who know the sensitivities of the Area and have responsibility for protecting it, can advise which would be acceptable, and which not, and help find alternative solutions.

We should like the Council also to strive to undo the damage caused by inappropriate works to roads, especially by the various traffic-calming measures, proliferation of inappropriate signs and street furniture, all of which are seriously detrimental to Conservation Areas

Lighting

Inappropriate street lighting is indeed a problem in some areas, and should be replaced by traditional design.

A further problem is the tendency for large firms or educational institutions, for instance, to instal immense systems of extremely high-powered lighting at a considerable height, to illuminate their car-parks, or other surrounding areas. This has a serious, detrimental effect on the surrounding Conservation Area by way of the flood of intensely bright light which pervades the area after dark.

This is completely out of place, unnecessary, and we think that the Council should have a policy prohibiting lighting of such dimensions and power in Conservation Areas.

Windows and Doors: Repair and Replacement

We wholeheartedly endorse the Council's policy in the Supplementary Guidance of March 2012 that "for buildings which are located within Conservation Areas (but are not listed buildings) the Council's preference is for original windows and doors to be repaired and restored whenever possible."

We would also like to see the Council form and pursue an active policy of identifying inappropriate window and door replacements, and through enforcement procedures (on more recent cases) or by education and persuasion, along with the offer of grant aid, bring about the restoration of these windows and doors to their original state.

CCTV

If such devices are deemed absolutely necessary, siting and design in a Conservation Area must be tightly controlled by the Planning Dept. to minimise their negative impact.

Satellite Dishes

The proliferation of satellite dishes in Conservation Areas is much to be regretted. Many frontages, especially of flatted properties, are peppered with these, and to see one on the front, or other visible elevation, of an attractive house in a Conservation Area, spoils the appreciation, not only of that building, but of the surrounding area.

Unfortunately, correcting this situation is a considerable task, but one which must nevertheless be undertaken if we are to restore the character of those parts of Conservation Areas which are affected. As with windows and doors, there are two situations. Those satellite dishes which have been erected without planning permission, within the requisite number of years (seven?), can be the subject of enforcement procedures to have them moved. Those which have been in place for longer present more of a difficulty, but it may well be possible to persuade owners of these properties to improve the appearance of their homes by moving them.

In either case, a robust programme should be instigated as soon as possible to deal with this very real threat to the integrity and character of Conservation Areas. The longer this matter is left unattended, of course, the more ingrained the practice will become, and the more difficult to set things right. We do hope that the Council will put in place a robust policy of proactive management of both this issue, and that of unauthorised window and door replacements, as between them, these developments hugely disfigure our Conservation Areas.

Shopfront and Signs

We very much welcome the Council's policy on the reinstatement and restoration of traditional shopfronts and signs in Conservation Areas, and would suggest that grants should be made available to encourage the owners of such properties to undertake this work.

Inappropriate shopfronts and signs have ruined the appearance of some extremely fine old buildings, and have had a serious effect on the setting of the surrounding area, depriving it of its traditional character.

We believe that a robust enforcement procedure with regard to unauthorised changes would make a big difference here also.

Having said all this, we have serious concerns about the handling of applications to alter shopfronts or signs in Conservation Areas. On too many occasions, planning officers handling these applications have had little or no experience of what is involved, nor of the sensitivity attached to choice of style, materials, proportion and colour. Regrettably, as a result, completely inappropriate shopfronts and/or signs have received approval even in outstanding Conservation Areas.

The problem needs to be addressed at source, with such applications being allotted only to officers with the necessary experience of, and commitment to, Conservation Areas.

Other Signage

Council policy for Conservation Areas should take account not only of shop signs, but also signs erected on buildings belonging to other types of business, organisations, institutions including Universities, Colleges, Schools, or Local or Scottish Government buildings. All of these have the potential to impact negatively on a Conservation Area. These signs, too, are often completely inappropriate, and are often erected without permission. Even the occasional unsuitable sign can have a considerable effect. It is our view that there should be strict control of these signs as well as of shop-signs, and that for all types, there should be a less ambiguous

guidance as to what constitutes an acceptable sign in a Conservation Area. Requirements for particularly sensitive areas should be stipulated in detail.

Advertisements

Conservation Areas would benefit greatly if the Council were able to exert more control over advertisements of all kinds, including all those defined in the "Town and Country Planning (Control of Advertisements) (Scotland) Amendment Regulations 1992"

It would appear that the Council has no specific, separate policy relating to advertisements and signs in Conservation Areas, and the formulating of such a policy would surely be a great step forward in the protection of those areas of special architectural and historic interest.

We suggest that Council guidelines for Conservation Areas should include a stipulation that there should be no types of advertisement that can have "deemed consent", and that all should be the subject of applications for permission. There should also be robust enforcement procedures where property owners have erected advertisements without consent.

It is understood that not all Conservation Areas will need the same degree of control on this, so perhaps the Council could revive the concept of "areas of special control" for advertisements, as allowed for in the Town and Country Planning (Scotland) Act 1997 (parts 182 and 183). This allowed the Council to designate such areas if they "appear to require special protection on grounds of amenity".

Under the same Act, surely the Council has the power "to make different provision with respect to different areas", and so could devise a policy which applied the requisite level of regulation or control to each area as merited by its sensitivity?

It has been to the detriment of the special character of Conservation Areas that advertisement control has not been implemented as it should. Inappropriate advertisements from relatively small examples right up to those of large hoarding-size have detracted from these special parts of the City. It is to be hoped that some kind of policy can be devised to bring the situation under control.

Sculptures

It is not clear whether large sculptures in a prominent position in a Conservation Area require planning permission, but according to what seems to be the legal definition of a "building" in planning terms, it would appear that permission is necessary. Certainly a very large sculpture or statue has a considerable impact on the surrounding part of the Conservation Area, and can easily be detrimental to its character. This is an issue which needs to be clarified in Council policy, and action taken to control the situation. Not all sculpture is an enhancement of an area; some actually have the reverse effect. Others may be acceptable if sited in a less prominent position. It is important, therefore, that each is considered individually, and to this end an application for planning permission should be required.

Landscape

It would perhaps be beneficial to make specific reference in the Conservation Area Management Plan to points made in the Council's Supplementary Guidance on "Landscape Guidelines" 2012, relating to the redevelopment of brownfield sites. This Guidance contains much that could be particularly protective of those parts of Conservation Areas which become the subject of attention of developers aiming to build at much higher densities than in the surrounding area, with a view to extracting the maximum profit. This has become an increasing problem for all areas, but in Conservation Areas, such over-development not only impacts on the amenity within the development itself, but also can often be incompatible with the "scale, massing, form and density" of the surrounding Conservation Area. Highlighting the stipulations of this Guidance and their particular importance for Conservation Areas should surely be helpful.

Expansion of Large Institutions

Unfettered and steady expansion of large institutions takes place often at the expense of the local community, and to the detriment of a Conservation Area. It is vital that there should be no presumption in favour of planning applications from such Institutions, nor presumptions that certain areas of land be reserved for their use. The Council must be seen to operate an even-handed policy with regard to this. While acknowledging the aspirations of a large or even dominant institution, it is important that the protection of the character and appearance of the Conservation Area must be the priority, and that the aspirations of local residents to enjoy a fulfilling and sustainable community life should also take precedence, as it is only in the fulfilment of that life that a community imparts to an area much of its historical, social and cultural significance. It is this significance which contributes largely to the character of a Conservation Area,

Equally, as noted in Government Policy SHEP 23, the historic environment enhances local distinctiveness, and forges connections between people. So community and historic environment each contribute to the well-being of the other.

What is vital is that pressure from the unfettered expansion of large institutions in the area should not be allowed to extinguish the life from the local community, its activities and social interconnections, as without that community life, the character of the area is completely lost, as it is no longer a living community, and the special character of that Conservation Area is consequently lost also.

The Scottish Government recognises in its policies that the historic environment derives much of its importance from the life and activities within it, and it is a matter of urgency for planning authorities to acknowledge this, and in so doing, to commit themselves wholeheartedly, in the formulating and carrying out of policies, to the protection of the communities which give life to a Conservation Area

Matters of Procedure

As with all undertakings, many of the problems which arise in the realms of planning for Conservation Areas could be avoided if more control were exercised at an earlier stage, or in a more helpful manner.

We would like to draw particular attention to the following:-

Pre-Application Consultation and Design Statements

It might be helpful if representatives from local community bodies were invited to become involved, to contribute local knowledge at an early stage.

General Procedure

It should be a matter of policy that all planning applications for Conservation Areas should be assigned to one of a small team of officers experienced in and knowledgeable about conservation law and policies, and committed to the protection and enhancement of such areas. This will ensure that plans for sensitive areas are not primarily dealt with by planning officers with little expertise in that field.

In every case, such a plan should be referred in the first instance to the Conservation Section of the Planning Department for initial comments and advice.

Plans for property in a Conservation Area should never be dealt with under delegated powers, as they have an impact on sensitive areas. The tightening up of control on this would ensure that all applications were considered by the Planning Committee, and potential objectors' concerns would be fully heard.

If this principle for some reason cannot be accepted, or cannot be implemented, then, we suggest, it is important to address this matter in the following way:-

At present, an application to which the local Community Council has objected will not be allowed to be determined by delegated powers. Also, if alterations to the plan are made in relation to the content of that objection, the Community Council are informed, and if they decide to withdraw their objection, the application then falls to be dealt with under delegated powers.

It is our view that this courtesy should be extended to local heritage and amenity bodies, who, although not statutory consultees, represent often some of the most well-informed and knowledgeable people in the area, who know it extremely well, particularly in its environmental and historical context.

To clarify this point, we request that the Council give equal weight to representations from local heritage and amenity bodies, so that an objection from them would preclude an application being dealt with under delegated powers. This policy is necessary also, so that such bodies would be notified of any changes to an application, whether related to their

original objection or not. If such a body declines to withdraw its objection, then the application should not be determined under delegated powers.

If applicants alter a plan relating to a Conservation Area after it has been submitted, and notification and advertisement has taken place, then it must be re-submitted and re-advertised, neighbours re-notified and local conservation, heritage and/or amenity society notified.

Representations from Heritage and Conservation Societies should be given particular weight, along with those from Community Councils. Even though they may not be statutory consultees, they have a wealth of experience and detailed knowledge of the area in all its aspects, especially on historic, aesthetic and cultural matters.

There should be good communications between the Council and such bodies, enabling them to be kept up-to-date with, and be consulted on, all developments relating to the Conservation Area. In particular, it would be particularly welcome if the Council would undertake to notify such bodies of all applications for property, or trees, in their area, just as they do at present for Community Councils.

In this respect, note should be taken of relevant Scottish Government Policy:-

Scottish Planning Policy SPP 1
Para 72 – “Working Together”

“working together to build a prosperous and fair Scotland is a guiding principle for the Executive. This involves working withheritage and community groups in modernising the planning system to ensure that it is efficient, effective and fair”.

Scottish Planning Advice Note (PAN 71)
Conservation Area Management p16

“Community organisations and amenity bodies often take a strong interest in conservation issues. Their involvement in the planning process is strongly encouraged as a way of capturing local knowledge and expertise and helping local authorities in their efforts to enhance environmental quality. In particular, they have an important role to play in the appraisal process”.

p17 of the same document also makes mention of the possibility of using “community juries” as an assessment method to monitor the success of conservation strategies. It also states that the local community should be actively involved in the monitoring and review process.

If such a ‘jury’ or group to be consulted were set up, we suggest that it should include members of heritage and conservation bodies as well as the Community Council.

Scottish Historic Environment Policy SHEP 2011

1:53 - "Scottish Ministerswill continue to support a broad range of initiatives and projects such as:-

"supporting the voluntary heritage sector, which in turn support local people in caring for and becoming involved in their historic environment"

In all these Government Policy documents, local amenity bodies and heritage groups are mentioned alongside community organisations, seemingly giving their views and participation equal weight, particularly in the management of Conservation Areas.

We would request that the Council institute a policy which reflects this, ensuring that in Conservation Areas, heritage and amenity bodies are consulted and their views taken into account on the same basis as applies to Community Councils. This will not, of course, be a statutory designation, but can easily be formulated as Council policy for Conservation Areas, derived as it would be, as a logical consequence of Government Policy.

Such a policy would have the potential to contribute greatly to the enhancement of Conservation Areas, by virtue of timely input from local enthusiasts with particular knowledge or expertise.

Enforcement

We note Scottish Govt. Policy on this issue as set out in SPP23 (para 50), and in SPP1 (paras 62-64), both of which stress the importance of local authorities using all available powers of enforcement both to protect the historic environment, and "as a means of sustaining public confidence in the planning system".

We heartily endorse this policy, and would like to add that a robust enforcement policy, which is "appropriate, speedy and effective" could prevent more property owners from following the example of others who have broken planning law.

On this note we were pleased to see that the Government recommendation (PAN 71, p7) is that in Conservation Areas, planning authorities should go one step further, and monitor development activity in these areas, in a positive and pro-active approach. This would allow for intervention at the earliest possible stage, and thus allow restorative proceedings to be undertaken earlier, to the benefit of all concerned.

Further Supplementary Advice

May we suggest that it would strengthen the Council's position with regard to the protection of Conservation Areas if new supplementary guidance documents were issued specifically covering the following subjects in Conservation Areas:-

HMO applications; traffic and parking; roads work; advertisements, signs and shopfronts; applications for erection of accommodation for temporary residents.

Lastly, on a minor point, could we suggest that in Appendix 3 of the Management Plan, a reminder be inserted for the sake of clarity, that what follows is a list of permitted development rights which are removed in Conservation Areas. This would prevent confusion arising over this section.

All in all, this Conservation Management Plan is an excellent document, and much commended. As detailed in our letter, however, we would like to see some expansion in the form of additions and clarifications on the issues which we have highlighted and/or discussed in these pages.



On behalf of Old Aberdeen Heritage Society

21st April 2013

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