

# Public Document Pack



To: Councillor Milne, Convener; Councillor Finlayson; Vice Convener; and Councillors Boulton, Corall, Cormie, Grant, Greig, Jaffrey, Lawrence, MacGregor, Jean Morrison MBE, Samarai, Jennifer Stewart, Thomson and Townson.

Town House,  
ABERDEEN, 20 May 2014

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in the **Council Chamber - Town House** on **WEDNESDAY, 28 MAY 2014 at 10.00am.**

JANE G. MACEACHRAN  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **BUSINESS**

#### **MINUTES OF PREVIOUS MEETINGS**

- 1.1 Minute of Meeting of the Planning Development Management Committee of 24 April 2014 - for approval (Pages 1 - 20)
- 1.2 Minute of Meeting of the Planning Development Management Committee (Visits) of 2 May 2014 - for approval (Pages 21 - 24)

#### **PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS**

##### **WHERE THE RECOMMENDATION IS ONE OF APPROVAL**

- 2.1 Grandhome Estate, Danestone - Mixed-use development comprising up to 4,700 homes, town and neighbourhood centres (including commercial, retail, leisure and hotel uses), employment land, community facilities, energy centre, open space/landscaping and supporting infrastructure, including access (Pages 25 - 86)

Reference No – 131535

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131535>

- 2.2 Former Nigg Caravan Park, Altens Farm Road - Construction of 595 space partially decked car park with associated landscaping and lighting columns, to include demolition of existing dwelling (Pages 87 - 104)  
Reference No – 140434  
Planning application documents can be viewed here –  
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140434>
- 2.3 Hillhead of Clinterty, Tyrebagger Road, Kirkton of Skene - Proposed explosives storage facility comprising 6 buildings, access road, bunds and lighting towers (Pages 105 - 120)  
Reference No - 130918  
Planning application documents can be viewed here –  
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=130918>
- 2.4 148 Spital, Aberdeen - Change of use from Class 4 (Business) to Class 1 (Shops) (Pages 121 - 148)  
Reference No – 140531  
Planning application documents can be viewed here –  
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140531>

#### **WHERE THE RECOMMENDATION IS ONE OF REFUSAL**

- 3.1 4 Westfield Terrace, Aberdeen - Erection of 2 storey dwellinghouse within garden ground and alterations to boundary wall (Pages 149 - 170)  
Reference No – 131777  
Planning application documents can be viewed here –  
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131777>

#### **OTHER REPORTS**

- 4.1 Planning Digest (Pages 171 - 172)

Website Address: [www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk)

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## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 24 April 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton (from Article 5), Corall, Grant, Greig, Jaffrey, Lawrence, MacGregor, Jean Morrison MBE, Samarai, Jennifer Stewart, Sandy Stuart (substituting for Councillor Cormie), Thomson, Townson and Young (substituting for Councillor Boulton for Articles 1 to 4).

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2881&Ver=4>

**Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.**

### AGENDA ORDER

1. The Convener proposed that agenda item 2.4 (Fairley Road (Land to East of), Kingswells - 130228) be considered immediately after agenda item 2.1, and this was accepted.

### MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 20 MARCH 2014

2. The Committee had before it the minute of its previous meeting of 20 March 2014.

**The Committee resolved:-**  
to approve the minute.

### MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 31 MARCH 2014

3. The Committee had before it the minute of meeting of the Planning Development Management Committee (Visits) of 31 March 2014.

**The Committee resolved:-**  
to approve the minute.

## **OLDFOLD FARM, NORTH DEESIDE ROAD, MILLTIMBER - 130378**

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

That the Committee express a willingness to approve the application in respect of planning permission in principle for a residential development comprising approximately 550 residential units, commercial floor space, a replacement primary school, associated ancillary uses and infrastructure improvements including a new junction between the A93 and the Oldfold site, but to withhold the issue of the consent document until the applicant had entered into a section 75 legal agreement with the Council to secure (1) the provision of 25% affordable housing in accordance with the Development Framework and Masterplan and include a range of delivery options, including on-site provision; (2) developer contributions towards primary education provision and a proportionate element of land for a new school (to include community facilities, library facilities, sports and recreation facilities and playing field provision); (3) developer contributions towards secondary education, community facilities, healthcare provision, the core path network and the Strategic Transport Fund; and (4) developer contributions towards improvements at the North Deeside Road/Kirk Brae junction; and subject to the following conditions:-

- (1) That all development shall take place in accordance with the phasing strategy contained within section 6.1 of the Oldfold Design and Access Statement, unless otherwise agreed through the submission of a matters specified in conditions application for an alternative phasing programme covering the same matters;
- (2) That no more than 275 residential units shall be occupied unless all legs of the Aberdeen Western Peripheral Route (AWPR) have been constructed and are fully operational;
- (3) That no more than 264 units shall be completed before the proposed mixed use centre within block G has been completed and is available for use;
- (4) That no residential unit within any phase (except phase 1 block U) shall be occupied unless the proposed signalised junction between the site and North Deeside Road (A93) has been constructed in accordance with Fairhurst drawing 83744/1099B (or such other drawing as may subsequently be approved in writing for the purpose by the planning authority) and is fully operational;
- (5) That no development within phases 3, 4 or 5 shall take place unless a matters specified in conditions application for the provision of access into the development at the existing Bingham Road and Bingham Road West junction has been submitted to and approved by the planning authority;
- (6) That no development within phases 4 or 5 shall take place unless a matters specified in conditions application for the provision of access into the development at the existing Bingham Road and Bingham Hedges junction has been submitted to and approved by the planning authority;
- (7) That no development within phase 1 block U shall take place unless a matters specified in conditions application for the upgrading of Murtle Den Road has been submitted to and approved by the planning authority;
- (8) That no development within phases 4 or 5 shall take place unless a matters specified in conditions application for a signalised crossing point on Bingham Road has been submitted to and approved by the planning authority. The specification and exact location shall be agreed through the said application;
- (9) That no development in any phase shall take place unless a matters specified in conditions application comprising a scheme of all foul and surface water drainage works for the whole development has been submitted to and approved by the planning authority in consultation with SEPA.

The scheme shall include a topographical survey and survey of all watercourses (both open and culverted) within the site and any areas downstream which may be affected by the development; (10) That no development within any particular phase shall take place unless a matters specified in conditions application comprising programme of archaeological work in accordance with a written scheme of investigation for that particular phase has been submitted to and approved by the planning authority; (11) That no development within any particular phase shall take place unless a matters specified in conditions application comprising a scheme to deal with any contamination within that particular phase has been submitted to and approved in writing by the planning authority. The scheme shall follow the procedures outlined in Planning Advice Note 33 Development of Contaminated Land and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 Investigation of Potentially Contaminated Sites - Code of Practice and other best practice guidance and shall include (1) an investigation to determine the nature and extent of contamination; (2) a site-specific risk assessment; and (3) a remediation plan to address any significant risks and ensure the site is fit for the use proposed. No building(s) within any particular phase shall be occupied unless (1) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken for that phase; and (2) a report specifically relating to the building(s) within that phase have been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation. The final buildings within any particular phase shall not be occupied unless a report has been submitted to and approved in writing by the planning authority that verifies that completion of the remedial works for that phase, unless the planning authority has given written consent for a variation; (12) That no development associated with the demolition of the Oldfold farm buildings shall take place unless a matters specified in conditions application comprising a bat survey has been submitted to and approved by the planning authority. The survey must be carried out in accordance with the Council's Supplementary Guidance 'Bats and Development' and identify any mitigation measures required to address any impact on bats or their roosts; (13) That no development shall take place in block U or phase 5 unless a matters specified in conditions application comprising a badger protection plan has been submitted to and approved by the planning authority. The protection plan must include a survey which has been undertaken a minimum of 12 months prior to construction commencing; within a radius of 1km around the development site, and shall include an up to date assessment of badger activity in the development site surroundings. Any required mitigation measures to minimise disturbance to badgers must be identified and be in accordance with Scottish Natural Heritage (SNH) best practice guidance; (14) That no development within any particular phase shall take place unless a matters specified in conditions application comprising a tree survey for that particular phase has been submitted to and approved by the planning authority. The survey shall be undertaken in accordance with the Council's Supplementary Guidance 'Trees and Woodland'; (15) That no development within any particular phase shall take place unless a matters specified in conditions application comprising a site specific construction environmental management plan (CEMP) for that particular phase has been

submitted to and approved by the planning authority in consultation with SEPA; (16) That no development within any particular phase shall take place unless a matters specified in conditions application comprising a site specific site waste management plan (SWMP) for that particular phase has been submitted to and approved by the planning authority in consultation with SEPA; (17) That no development within any particular phase shall take place unless for that phase a matters specified in conditions application has been submitted to and approved by the planning authority comprising (a) details of existing and proposed site levels; (b) details of layout, design and external appearance of (i) buildings and ancillary structures; (ii) vehicular, cycle & pedestrian accesses and car & motorcycle parking; (iii) short and long term secure cycle parking; (iv) storage areas for waste and recyclables; (v) plot boundary enclosures; (vi) exterior lighting; and (vii) play zones (if relevant to that phase and in accordance with the Development Framework and Masterplan); and (c) details of compliance with the Council's supplementary guidance on Low and Zero Carbon Buildings; (18) That no development within any particular phase shall take place unless a matters specified in conditions application comprising a scheme of hard and soft landscaping covering all areas of public and private green space for that particular phase has been submitted to and approved by the planning authority. The scheme shall be in accordance with the Development Framework and Masterplan and include details of (a) tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting; (b) proposed hard surface materials; (c) existing stone field boundaries and how they would be integrated into the finished development; (d) the existing hedge on the boundary between the site and Bingham Road and how it would be integrated into the finished development; and (e) arrangements for the management and maintenance of open space; (19) That no unit within any phase shall be occupied unless a matters specified in conditions application has been submitted to and approved by the planning authority for the improvement of the existing bus stops at the following locations (a) on the north side of North Deeside Road, 27m west of Murtle Den Road; (b) on the south side of North Deeside Road, opposite Beaconhill Lodge; and (c) on the south side of North Deeside Road, 53m east of Bingham Road. The said scheme should consider the provision of bus shelters, timetables, lighting, boarding kerbs, and clearway markings at each bus stop, taking into account the locational characteristics of each stop; (20) That no unit within any phase shall be occupied unless a matters specified in conditions application comprising a residential travel pack, aimed at encouraging use of modes of transport other than the private car, has been submitted to and approved by the planning authority; and (21) That the primary school shall not be occupied unless a matters specified in conditions application which identifies safe routes to the new primary school from within the development and the existing settlement of Milltimber and any associated work to create the safe routes, has been submitted to and approved by the planning authority.

The Convener moved, seconded by Councillor Jaffrey:-

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

Councillor Young moved as an amendment, seconded by the Vice Convener:-

That the application be approved in accordance with the recommendation contained within the report with the exception that developer contributions be

sought towards the Deeside Way instead of the core path network in terms of the section 75 legal agreement.

On a division, there voted:- for the motion (11) - the Convener; and Councillors Corall, Grant, Greig, Jaffrey, MacGregor, Jean Morrison, Samarai, Jennifer Stewart, Sandy Stuart and Townson; for the amendment (4) - the Vice Convener; and Councillors Lawrence, Thomson and Young.

**The Committee resolved:-**  
to adopt the motion.

## **FAIRLEY ROAD (LAND TO EAST OF), KINGSWELLS - 130288**

5. With reference to Article 4 of the minute of its meeting of 20 March 2014, the Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Committee express a willingness to approve the application in respect of planning permission for the construction of 7 detached units, 28 semi-detached units and 11 terraced houses with associated access roads, drainage and Sustainable Urban Drainage Systems (SUDS), but to withhold the issue of the consent document until the applicant had entered into a legal agreement with the Council to secure (1) onsite affordable housing provision; (2) Strategic Transport Fund contributions; (3) developer contributions towards affordable housing, education facilities, community facilities and recreation and healthcare; and (4) the provision of a footpath along the western boundary of the application site on Fairley Road; and subject to the following conditions:-

- (1) That no more than 21 dwellinghouses (i.e. Phases 1 and 2 as shown on Drawing No AOL\_208 rev. C) hereby granted permission shall be occupied unless (a) the new pedestrian footpath along the east side of Fairley Road has been provided and is available for use; (b) an RCC compliant road link and pedestrian footpath has been provided up to the eastern legal boundary of the application site as per Drawing No APL\_205 rev H; and (c) the open space provision to the south of the access road (as shown on Drawing No APL\_205 rev H) is completed and laid out in accordance with drawing no APL\_301 rev I, and the Fairley Road planting schedule Rev A (unless otherwords agreed in writing by the planning authority). The approved 'public open space' shall not thereafter be used for any purpose other than as public open space;
- (2) That no more than 40 dwellinghouses hereby granted permission shall be occupied unless all pedestrian footpaths shown on Drawing No APL\_205 rev H have been constructed up to the legal boundary of the application site and are available for use;
- (3) That plots 22 - 34 inclusive hereby approved shall not be occupied unless the car parking areas relative to those houses have been constructed, drained, laid-out and demarcated in accordance with Drawing No APL\_205 rev H, or such other drawing as may subsequently be submitted and approved in writing by Aberdeen City Council as planning authority. Such areas shall not thereafter be used for any other purpose other than the parking of cars ancillary to the development;
- (4) That no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and

publication work in accordance with a written scheme of investigation, such a programme shall be submitted in advance for the written approval of Aberdeen City Council as planning authority; (5) That no development shall take place unless a bird hazard management plan has been submitted to and approved in writing by Aberdeen City Council as planning authority (in consultation with Aberdeen International Airport). The submitted plan shall include details of the developer's commitment to managing the risk of attracting birds to the site during excavation activities, measures put in place for the safe dispersal of birds, and thereafter the such approved measures shall be implemented in full; (6) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of SUDS has been submitted to and approved in writing by Aberdeen City Council as planning authority and thereafter no individual house shall be occupied unless the drainage required for that house has been installed in complete accordance with such an approved scheme; (7) That no development shall take place unless a site specific Environmental Management Plan (EMP) has been submitted for the written approval of Aberdeen City Council as planning authority (in consultation with SEPA and other agencies such as SNH as appropriate) and all work shall be carried out in accordance with such approved plan. Such plan must address the following: surface water management and pollution prevention; soils management; site waste management; and noise and dust management; (8) That no development shall take place unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of the site boundary enclosure along the western side of the development hereby granted planning permission. The scheme shall include details of the 'drystane gateway' to the site. None of the buildings along the Fairley Road elevation (plots 1-9 inclusive) hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety; (9) That no development shall take place unless further details of the render finishes to the walls of the dwellinghouses hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed; (10) That no development shall take place unless the mitigation measures as identified in the Northern Ecological Services report (dated July 2012) have been implemented in their entirety; (11) That no development shall take place unless there has been submitted and approved in writing a detailed Residential Transport Pack which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets; and (12) 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 Aberdeen City Council as 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" as soon as practicable.

The Committee also had before it a report by Mr Euan Couperwhite, Infrastructure and Assets Programme Manager - Education, Culture and Sport, which provided information on the accommodation available within Kingswells Primary School in light of recent planning applications.



**The report recommended:-**

that the Committee -

- (a) note the fact that the increase in pupil numbers at Kingswells Primary School is forecasted to increase before taking account of the Dandara development;
- (b) note that this increase and the impact on the school's capacity are temporary as the pupil roll is projected to return to 2013/14 levels by 2021/22;
- (c) note that accommodation within Kingswells Primary School could be restructured to accommodate the required number of classes when the pupil roll reaches its peak in 2018/19; and
- (d) note that should the school ever become unable to accommodate new children, the authority would require to provide education provision at the next nearest school.

Members referred to the previous decision of the Committee to visit Kingswells Primary School in connection with the application, which had not taken place due to concerns from officers in Education, Culture and Sport, and reiterated the need for such a visit to be undertaken.

The Convener moved as a procedural motion, seconded by Councillor Grant:-

That the application be determined this day.

On a division, there voted:- for the procedural motion (5) - the Convener; and Councillors Boulton, Grant, Lawrence and Jean Morrison; against the procedural motion (10) - the Vice Convener; and Councillors Corall, Greig, Jaffrey, MacGregor, Samarai, Jennifer Stewart, Sandy Stuart, Thomson and Townson.

**The Committee resolved:-**

to reject the procedural motion and therefore reiterate the need for a site visit to be undertaken to Kingswells Primary School in connection with the application.

At this juncture, Charlie Penman, Head of Education Services - Education, Culture and Sport, joined the meeting and answered a number of questions from the Committee, and Councillor Delaney as one of the local members, in connection with the matter. Members also asked questions of Mr Couperwhite in connection with his report, and Mr Adam Sime, Development Obligations Officer, Planning and Sustainable Development.

**The Committee further resolved:-**

to again defer consideration of the application to enable members to visit Kingswells Primary School, and that the visit take place outwith school hours in order that there be no impact on the educational wellbeing of the pupils.

**STONEYWOOD AREA S6 - 131012**

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

That the Committee express a willingness to approve the application in respect of planning permission for the erection of 276 flats and 16 townhouses with associated infrastructure, public open space and parking subject to the modification of the existing legal agreement to secure planning gain contributions relating to sport and recreation;

health facilities; community facilities; libraries; and core paths; and subject to the following conditions:-

(1) That no development pursuant to this planning permission 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. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented, as it relates to those buildings; (2) That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed; (3) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of SUDS 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. The scheme must also outline the measures in place to avoid endangering the safe operation of aircraft through the attraction of birds; (4) That the development hereby approved shall not be occupied unless the car, motorcycle (including a secure fixed point) and bicycle parking areas, relating to those occupations, hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No's. DP 522 04 Rev B and DP 522 12 Rev B 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; (5) That no development pursuant to this planning permission shall take place nor shall the buildings be occupied unless there has been submitted to and approved in writing for the purpose by the planning authority an assessment of the noise levels likely within the proposed buildings, unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full; (6) 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. All landscaping plans and plantations should be considered in view of making them unattractive to birds so as not to have an adverse effect on the safety of operations at the Airport; (7) 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 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; (8) 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 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; (9) That no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the planning authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation; (10) 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; (11) That prior to the occupation of any of the flatted properties within the development, the developer shall provide the 4 car club spaces as shown on drawing: Masters4s5s6 rev A, as hereby approved, and thereafter such spaces shall be retained in complete accordance with the details as so agreed; (12) That the development hereby approved shall not be occupied unless the refuse storage areas hereby granted planning permission, as they relate to such occupations, have been constructed, drained, laid-out and demarcated in accordance with drawing No. DP 522 12 Rev B 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 storage of refuse ancillary to the development and use thereby granted approval; (13) That no individual development plot shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a comprehensive Residential Travel Pack for that development plot, setting out proposals for reducing dependency on the private car. This should also include information on external connectivity to key facilities, and, in consultation with local schools and the planning authority, information on safer routes to schools; (14) That the buildings hereby approved shall not be occupied 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, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full; (15) That no part of any dwellinghouse or flat shall be built below a height of 30m AOD; (16) That development shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to

take place unless first submitted to and approved in writing by the planning authority; and (17) That in the event that during construction, cramage or scaffolding is required at a higher elevation than that of the planned development (above 25m AGL), then their use must be subject to a separate consultation with Aberdeen International Airport.

**The Committee resolved:-**

to approve the recommendation.

**BLACKHILLS QUARRY, COVE - 130490**

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

That the Committee express a willingness to approve the application in respect of planning permission for an extension to Blackhills Quarry subject to the conclusion of a legal agreement that would require a roads condition survey to be carried out in 2020 and reviewed every five years thereafter, and that this be used to attribute the percentages of costs (attributed to the Council and the applicant) associated to repairing damage caused to the road network; and subject to the following conditions:-

(1) That at least one year prior to mineral workings ceasing on the site, a restoration and aftercare plan shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the said scheme. The plan must include information on any proposals for phased working and progressive restoration, as well as the effect that any restoration will have on the water environment, including groundwater quality and quantity. The said plan must also include an assessment of the effect that any backfilling below the water table will have on groundwater; (2) That the proposed operations hereby granted permission shall cease on or before 28 November 2050 unless the written approval of the planning authority is first obtained; (3) That the hours of operations for extraction and processing and despatch of dry aggregates shall be restricted to (i) 7.00am to 7.00pm Mondays to Fridays; (ii) 7.00am to 1.00pm Saturdays; and (iii) at no time on a Sunday, bank holidays, or national holidays; unless written consent of the planning authority is obtained (4) That the hours of operations for operation and dispatch from the asphalt plant shall be restricted to (i) 6.00am to 7.00pm Mondays to Fridays; (ii) 6.00am to 12.00pm Saturdays; and (iii) at no time on a Sunday, bank holidays or national holidays; unless the written consent of the planning authority is obtained; (5) That the equivalent noise level (Leq) shall not exceed 55dB(A) measured as a one hour free field Leq at any existing noise sensitive property external to the site boundary, the details for measuring which are to be submitted to, and approved in writing by the planning authority. South Blackhills may be periodically subject to higher levels but not exceeding 60dB(A) provided that the property remains under the control of the applicant and suitable noise attenuation measures that are submitted to and approved by the planning authority are introduced to the property; (6) That the ground vibration as a result of the blasting operations shall not exceed a peak particle velocity of 6mms<sup>-1</sup> ppv for 95% of events with no blast exceeding 12.0mm/sec<sup>-1</sup> at existing private residential and commercial properties, with a limit of 12mms<sup>-1</sup> being applied at railway structures and 14.8mms<sup>-1</sup> being applied at Haven Cottage - which is

owned by the applicant; (7) That prior to the commencement of any blasting operations, a scheme for the monitoring of blasting including the location of monitoring points and equipment to be used, shall be submitted to, and approved in writing by the planning authority. Thereafter, all blasting operations shall take place in accordance with the scheme as approved or with such subsequent amendments as may receive the written approval of the planning authority; (8) That prior to the commencement of any blasting operations, details of the methods employed to minimise air pressure from blasting operations, shall be submitted to, and approved in writing by the planning authority. Thereafter, all blasting operations shall take place only in accordance with the scheme as approved or such subsequent amendments as may receive the written approval of the planning authority; (9) That the depth of the quarry shall not exceed 48m above ordinance datum (AOD) without the prior written approval of the planning authority; (10) That within one year of this permission, a detailed landscaping scheme shall be submitted to and approved in writing by the planning authority, this 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; (11) 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 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; (12) That no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority; (13) That within one year of the date of this permission, a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme; (14) That no blasting shall take place within the site unless the prior approval of Network Rail is obtained. For the avoidance of doubt, Network Rail should be notified seven days in advance of any blasting in order to afford them an opportunity of making comment; (15) That the level of vibration at the railway boundary shall not exceed a maximum peak particle velocity of 25mm/sec; (16) That the proposal should ensure that there is no reduction in the effectiveness of any drain or watercourse belonging to Network Rail. Furthermore, there must be no interference to any existing drainage rights that Network Rail enjoys; (17) That without the prior approval of Network Rail, the proposed works shall not generate an increase in the existing flow rates into any culvert that passes beneath the railway; (18) That storm or surface water must not be discharged onto, or towards Network Rail property. Suitable drainage or other works must be provided and maintained by the developer to prevent surface flows or run-off affecting the railway; (19) That storm or surface water must not be discharged onto, or towards Network Rail property. Suitable drainage or other works must be provided and maintained by the developer to prevent surface flows or run-off

affecting the railway; (20) That cranes and jibbed machines, used in connection with the works, must be positioned that the jib or any suspended load does not swing over railway infrastructure or within 3 metres of the nearest rail if the boundary is closer than 3 metres; (21) That all cranes, machinery and constructional plant must be positioned and used to prevent the accidental entry onto railway property of such plant or loads attached thereto, in the event of failure; (22) That vibration monitoring shall be carried out by the developer, or their contractors, to determine the effects of blasting on the railway, and Network Rail, in consultation with the planning authority, shall be supplied with a copy of the results; (23) That within a year of the date on this permission, a procedure shall be set in place between Network Rail and Leith's (Scotland) Limited on the design and operation of a "Safe System of Work" to ensure the protection of rail traffic whilst blasting is being undertaken; (24) That the developer shall (a) meet the costs of all reasonable protective works carried out by Network Rail, which are directly attributable to the proposed use of explosives pursuant to the foregoing conditions; and (b) indemnify Network Rail against all third party claims arising by reason or in consequence of the said use of explosives except insofar as the same are caused by the negligence of Network Rail, their servants, agents or licensees; (25) That where alterations to existing ground levels are proposed within 10 metres of the boundary of railway land (including the construction of storage mounds) detailed plans of the development, including cross-sections should be forwarded to Network Rail, in consultation with the planning authority, for assessment and comment before development commences; and (27) That Network Rail shall be notified of any significant alterations to the characteristics of the work or site, for example changes in the depth of working, limits of extraction, blasting specification etc.

**The Committee resolved:-**

to approve the recommendation.

**UNIT 7 KITTYBREWSTER RETAIL PARK, BEDFORD ROAD - 130766**

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

That the Committee approve the application in respect of planning permission for the demolition of the existing unit and the erection of two detached buildings, one to accommodate a fast food restaurant with drive-through and the other to accommodate a gym, subject to the following conditions:-

(1) That the restaurant and drive-through hereby approved shall not be occupied or brought into first use until the Bedford Road bus gate has been implemented in full and is in operation; (2) That no occupation of either building hereby approved shall take place until a detailed scheme which outlines measures to restrict vehicular access to the existing service access to vehicles which are service vehicles only has been submitted to and approved in writing by the planning authority, and implemented in full in accordance with the approved details. Thereafter the implemented scheme shall be retained at all times in accordance with the approved details; (3) That no occupation of either building hereby approved shall take place until a detailed scheme for a pedestrian access to the overflow car park from the main Retail Park has been submitted to and

approved in writing by the planning authority, and implemented in full in accordance with the approved details. The scheme should consider pedestrian safety measures. Thereafter the implemented scheme shall be retained at all times in accordance with the approved details; (4) That no occupation of either building hereby approved shall take place until a detailed scheme which outlines measures to improve awareness of the overflow car park for car users has been submitted to and approved in writing by the planning authority, and implemented in full in accordance with the approved details. The scheme should consider bold signage and lining within the car park of the Retail Park. Thereafter the implemented scheme shall be retained at all times in accordance with the approved details; (5) That no occupation of either building hereby approved shall take place until a detailed scheme showing cycle parking spaces and motor cycle spaces, showering and changing facilities for employees within each building, in accordance with the Supplementary Guidance Accessibility and Transport, and a timetable for implementation has been submitted to and approved in writing by the planning authority. Thereafter the scheme shall be implemented in accordance with the approved details and thereafter retained at all times in accordance with the approved details; (6) That no occupation of either building hereby approved shall take place until a detailed timetable for the phasing of the implementation of the car parking as shown on the approved plans has been submitted to and approved in writing by the planning authority. Thereafter the scheme shall be implemented in accordance with the approved details, and thereafter the car parking retained at all times in accordance with the approved details; (7) That no occupation of the restaurant or operation of the drive through shall take place until full details of a scheme capable of filtering, extracting and dispersing of cooking fumes, has been submitted to and approved in writing by the planning authority, and implemented fully in accordance with the approved details; (8) That no development shall commence on site until a detailed assessment of the likely sources and levels of noise arising within, and those audible outwith, the premises has been submitted to, and approved in writing by, the planning authority. The noise assessment shall be carried out by a suitably qualified independent noise consultant. All noise attenuation measures identified by the noise assessment which are required in order to prevent any adverse impacts on the amenity of residents in the surrounding area and as approved by the planning authority shall be installed prior to the first use of the building that the mitigation measures pertain to, unless the planning authority has given prior written approval for a variation; (9) That no development shall commence on site until a detailed scheme of hard landscaping for the sites has been submitted to and approved in writing by the planning authority, which scheme shall include the type and colour of materials; (10) That no occupation of either building hereby approved shall take place until a detailed scheme of landscaping for the site has been submitted to and approved in writing by the planning authority, which scheme shall include proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting; (11) 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 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; (12) That no occupation of either building hereby approved shall take place until a detailed scheme of the proposed boundary treatment has been submitted to and approved in writing by the planning authority. Thereafter the scheme shall be implemented in accordance with the approved details and thereafter retained at all times in accordance with the approved details; (13) That no occupation of either building hereby approved shall take place until a detailed scheme showing bin storage and recycling areas, including timetable for implementation, has been submitted to and approved in writing by the planning authority. Thereafter the scheme shall be implemented in accordance with the approved details and thereafter retained at all times in accordance with the approved details; (14) That no occupation of the restaurant building shall take place until a detailed scheme of the proposed external seating and decking areas has been submitted to and approved in writing by the planning authority. The scheme shall include provision of litter bins. Thereafter the scheme shall be implemented in accordance with the approved details and thereafter retained at all times in accordance with the approved details; (15) That notwithstanding the details submitted, full details of the external materials for each building hereby approved, including samples as may be required, shall be submitted to and approved in writing by the planning authority prior to the completion of the foundations of that building the materials are proposed for. Details shall include type and colour. Thereafter the development shall be completed in accordance with the approved details; (16) That no occupation of the restaurant and drive through shall take place until the scheme as approved under planning reference 131509 has been implemented in full; (17) That no external lighting shall be installed, erected or placed within the application site boundary, except as otherwise may be approved in writing by the planning authority. Such details required for consideration by the planning authority will include the submission of the installation, type, intensity of illumination and location of lighting, including any hoods, and shall ensure that the throw of light is confined solely within the boundaries of the site; (18) That for the avoidance of any doubt no free standing canopies or structures are hereby approved as part of this planning permission; and (19) That for the avoidance of doubt, other than those shown on the plans hereby approved, no enlargement by way of extension, installation of a mezzanine floor, or other alteration to any of the buildings the subject of this permission shall be carried out without express planning permission first being obtained.

**The Committee resolved:-**

to approve the recommendation subject to an additional condition restricting the hours of operation for the restaurant and drive-through to 6.00am until 12 midnight, 7 days a week.

**LAND TO SOUTH OF SOUTH LASTS FARM, CONTLAW ROAD, MILLTIMBER - 131859**

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

That the Committee approve the application in respect of planning permission for the



erection of a single 500kw wind turbine (hub height 60m, total height 86.5m), associated tracks and substation, subject to the following conditions:-

(1) That no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority; (2) That prior to work commencing on site, full colour details of the proposed turbine and substation shall be submitted for the further written approval of the planning authority and the development shall be implemented in accordance with the approved details; (3) That no development pursuant to this planning permission shall commence unless a detailed site specific construction method statement for the site has been submitted to and approved in writing by the planning authority. The method statement must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS. Such statement shall be implemented in full for the duration of works on the site; (4) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of SUDS 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; (5) 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; (6) 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 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; (7) That no development shall take place unless a scheme for ecological protection (drawing no131859-01), or such alternative has been submitted to, and approved in writing by, the planning authority, and any such scheme as may have been approved has been implemented; (8) 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/ecological 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 5 metres of foliage, branches or trunks; (9) That prior to the commencement of development on the site, the developer shall obtain written approval from the planning authority, following consultation with Transport Scotland - Trunk Road Network Management Directorate (the trunk roads authority) and Police Scotland, for a traffic management plan. This plan shall include details of (i) routing of construction traffic and construction workers' traffic; (ii) provision of any temporary car park; (iii) controlled routing of heavy vehicles; (iv)

arrangements for police escort or other escort approved by Police Scotland of abnormal loads; (v) any speed restrictions required; and (vi) temporary site signage identifying routes for all site vehicles and advising drivers of all necessary information. Such provisions in the approved plan shall be fully implemented, unless otherwise agreed in writing by the planning authority; (10) That in the event that this turbine becomes obsolete or redundant, it must be removed within 6 months of such event. In the event that the turbine and associated equipment is removed, the site shall be made good, in accordance with a scheme to be submitted and approved in writing by the planning authority, within 1 month of such removal; and (11) That notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, no symbols, signs, logos or other lettering (other than those required for health and safety reasons) shall be displayed on the turbine, or other buildings or structures within the site without the written approval of the planning authority.

The Convener moved, seconded by Councillor Corall:-

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

Councillor Thomson moved as an amendment, seconded by Councillor Boulton:-

That the application be refused on the grounds that the proposed development would have an adverse impact on the existing landscape and therefore did not comply with Policy D6 (Landscape) within the Aberdeen Local Development Plan; on residential amenity with regard to shadow flicker; on natural heritage and ecology; and in terms of road safety.

On a division, there voted:- for the motion (9) - the Convener; and Councillors Corall, Grant, Lawrence, MacGregor, Jean Morrison, Samarai, Sandy Stuart and Townson; for the amendment (6) - the Vice Convener; and Councillors Boulton, Greig, Jaffrey, Jennifer Stewart and Thomson.

**The Committee resolved:-**

to adopt the motion.

**OLD POLICE STATION, HAZLEHEAD CRESCENT - 140133**

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

That the Committee approve the application in respect of planning permission for a variation of planning condition 5 of the original permission, to increase the opening hours of the approved hot food takeaway on Sundays from 8.30am to 10.00pm (the original permission was from 8.30am to 4.00pm), subject to the following conditions:-

(1) That the use hereby granted planning permission shall not take place unless any external duct work comprised in the approved scheme for filtering, extracting and dispersing cooking fumes has been finished in a colour to match the exterior of the premises or treated in accordance with such other scheme as may be submitted to and approved in writing by the planning authority; (2) That the use hereby granted planning permission shall not take place unless provision has

been made within the application site for litter disposal and, if appropriate, recycling facilities in accordance with a scheme which has been submitted to and approved in writing by the planning authority; (3) That the building hereby granted planning permission shall not be used for the sale of hot food unless it has been adapted to provide sound attenuation against internally generated noise. Such a scheme shall ensure that the internal noise level in residential properties above and adjacent to the hot food shop is not greater than 45 Db[A] during the day and 35 Db[A] at night in each habitable room, all in accordance with details submitted to and approved in writing by the planning authority before development commences, unless the planning authority has given written approval for a variation; (4) That the use hereby granted planning permission shall not take place unless a scheme showing the proposed means of filtering, extracting and dispersing cooking fumes from the premises and a system of regular maintenance 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; (5) That hot food shall not be sold from the premises other than during the hours from 8.30am until 10.00pm, unless the planning authority has given prior written approval for a variation; and (6) That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays; (b) outwith the hours of 9.00am to 4.00pm Saturdays; or (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery].

The Convener moved, seconded by Councillor Grant:-

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

Councillor Jennifer Stewart moved as an amendment, seconded by Councillor Thomson:-

That the application be refused on the grounds that the proposed increase in opening hours could lead to an increase in litter and anti-social behaviour, and would therefore have a detrimental effect on residential amenity.

On a division, there voted:- for the motion (10) - the Convener; and Councillors Corall, Grant, Jaffrey, Lawrence, MacGregor, Jean Morrison, Samarai, Sandy Stuart and Townson; for the amendment (5) - the Vice Convener; and Councillors Boulton, Greig, Jennifer Stewart and Thomson.

**The Committee resolved:-**

to adopt the motion.

**LAND TO SOUTH WEST OF LOIRSBANK ROAD, CULTS - 111566**

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

That the Committee **refuse** the application in respect of planning permission for the erection of four detached dwellinghouses, on the following grounds:-

- (1) That the proposal would consist of housing within an area subject to flooding and is therefore contrary to: Policy NE6 - Flooding and Drainage in the Aberdeen Local Development Plan 2012 and Scottish Planning Policy Risk Framework in relation to flooding;
- (2) That the proposal is contrary to Green Belt Policy NE2 in the Aberdeen Local Development Plan as it consists of 'main stream' houses within the green belt and does not fall within any of the categories of development that may be acceptable due to their locational requirements; and
- (3) That the proposed houses due to their location, overall design and the cumulative effect when taken together with the houses on the neighbouring site, would be overly dominant within the setting and landscape and would be detrimental to the character of the green belt within the River Dee valley and to visual amenity within the surrounding area. The proposal would be, thereby, contrary to Policy D6 - Landscape, Policy D1 - Architecture and Placemaking.

Councillor Boulton moved, seconded by Councillor Greig:-

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

Councillor Corall moved as an amendment, seconded by Councillor Jaffrey:-

That the application be approved, subject to the conditions suggested within the report, on the grounds that precedent had been set with regard to other developments in the vicinity, and that the risk of flooding was minimal.

On a division, there voted:- for the motion (13) - the Convener; the Vice Convener; and Councillors Boulton, Grant, Greig, Lawrence, MacGregor, Jean Morrison, Samarai, Jennifer Stewart, Sandy Stuart, Thomson and Townson; for the amendment (2) - Councillors Corall and Jaffrey.

**The Committee resolved:-**  
to adopt the motion.

## **LAND TO SOUTH WEST OF LOIRSBANK ROAD, CULTS - 111697**

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

That the Committee **refuse** the application in respect of planning permission for the excavation and ground works to form compensation storage areas, in connection with the proposed development of four houses on the adjacent site (111566), on the following grounds:-

- (1) That the proposal would not comply with the risk framework in Scottish Planning Policy in relation to flooding as it is required in association with residential development; and
- (2) That the proposal is contrary to Green Belt Policy NE2 in the Aberdeen Local Development Plan as it does not fall within any of the categories of use that may be considered within the green belt and is required in association with proposed residential development.

**The Committee resolved:-**

to approve the recommendation.

**AUCHENFROE, 267 NORTH DEESIDE ROAD, MILLTIMBER - 140148**

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

That the Committee **refuse** the application in respect of planning permission for the erection of a new single detached dwellinghouse in a new plot, to be formed via the sub-division of the existing curtilage, on the following grounds:-

- (1) That the proposal is considered to be contrary to the guidance set out in the Council's adopted 'Sub-division and Redevelopment of Residential Curtilages' Supplementary Guidance, so far as it relates to the appropriate siting of dwellings with due regard to any established pattern of development. By virtue of its siting uncharacteristically close to its own plot boundaries and adjacent dwellings, the proposal fails to demonstrate due regard for its context or make a positive contribution to its setting, and is therefore contrary to policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan and the relevant paragraph 82 of Scottish Planning Policy. The proposal would also, as a result of its failure to demonstrate accordance with the aforementioned supplementary guidance and its impact on the character of the surrounding area, be contrary to policy H1 (Residential Areas) of the Aberdeen Local Development Plan; and
- (2) That the proposal would result in the removal of a significant number of protected trees which, though generally not of particular quality individually, collectively contribute to landscape character and local amenity. The proposal is therefore considered to be contrary to the aims of policy NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan.

The Vice Convener proposed that a site visit be undertaken to enable members to ascertain the position of the proposed development in the context of the existing curtilage.

**The Committee resolved:-**

to defer consideration of the application meantime to enable members to visit the site.

**TREE WORKS AT FRIARFIELD ROAD, CULTS - EPI/14/107**

**14.** The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of an application for the removal of three trees which were the subject of Tree Preservation Order 119.

**The report recommended:-**

that the Committee refuse consent to remove the three trees identified for removal.

**The Committee resolved:-**

to approve the recommendation.

## **PLANNING DIGEST - EPI/14/116**

**15.** The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of an appeal which had been upheld by the Scottish Government in regard to 122 Broomhill Road (130910).

**The report recommended:-**

that the Committee note the outcome of the appeal decision.

**The Committee resolved:-**

to approve the recommendation.

**- RAMSAY MILNE, Convener.**

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 2 May 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Corall, Grant, Lawrence, MacGregor, Jean Morrison MBE, Samarai, Sandy Stuart (substituting for Councillor Cormie), Thomson and Townson

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=152&MId=2979&Ver=4>

**Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.**

### AUCHENFROE, 267 NORTH DEESIDE ROAD, MILLTIMBER - 140148

1. With reference to Article 13 of the minute of meeting of the Planning Development Management Committee of 24 April 2014, wherein it had been agreed to visit the site, the Committee had before it a report by the Head of Planning and Sustainable Development **which recommended**:-

That the Committee **refuse** the application in respect of planning permission for the erection of a new single detached dwellinghouse in a new plot, to be formed via the sub-division of the existing curtilage, on the following grounds:-

- (1) That the proposal is considered to be contrary to the guidance set out in the Council's adopted 'Sub-division and Redevelopment of Residential Curtilages' Supplementary Guidance, so far as it relates to the appropriate siting of dwellings with due regard to any established pattern of development. By virtue of its siting uncharacteristically close to its own plot boundaries and adjacent dwellings, the proposal fails to demonstrate due regard for its context or make a positive contribution to its setting, and is therefore contrary to policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan and the relevant paragraph 82 of Scottish Planning Policy. The proposal would also, as a result of its failure to demonstrate accordance with the aforementioned supplementary guidance and its impact on the character of the surrounding area, be contrary to policy H1 (Residential Areas) of the Aberdeen Local Development Plan; and
- (2) That the proposal would result in the removal of a significant number of protected trees which, though generally not of particular quality individually, collectively contribute to landscape character and local amenity. The proposal is therefore considered to be contrary to the aims of policy NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan.

The Committee heard from planning and roads officials in relation to the application, following which members asked various questions of the officers in attendance. The Committee also viewed the site from the adjacent property, 265A North Deeside Road.

**The Committee resolved:-**

to approve the recommendation.

**FAIRLEY ROAD (LAND TO EAST OF), KINGSWELLS - 130288**

2. With reference to Article 5 of the minute of meeting of the Planning Development Management Committee of 24 April 2014, wherein it had been agreed to visit Kingswells Primary School in relation to the application, the Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Committee express a willingness to approve the application in respect of planning permission for the construction of 7 detached units, 28 semi-detached units and 11 terraced houses with associated access roads, drainage and Sustainable Urban Drainage Systems (SUDS), but to withhold the issue of the consent document until the applicant had entered into a legal agreement with the Council to secure (1) onsite affordable housing provision; (2) Strategic Transport Fund contributions; (3) developer contributions towards affordable housing, education facilities, community facilities and recreation and healthcare; and (4) the provision of a footpath along the western boundary of the application site on Fairley Road; and subject to the following conditions:-

- (1) That no more than 21 dwellinghouses (i.e. Phases 1 and 2 as shown on Drawing No AOL\_208 rev. C) hereby granted permission shall be occupied unless (a) the new pedestrian footpath along the east side of Fairley Road has been provided and is available for use; (b) an RCC compliant road link and pedestrian footpath has been provided up to the eastern legal boundary of the application site as per Drawing No APL\_205 rev H; and (c) the open space provision to the south of the access road (as shown on Drawing No APL\_205 rev H) is completed and laid out in accordance with drawing no APL\_301 rev I, and the Fairley Road planting schedule Rev A (unless otherwords agreed in writing by the planning authority). The approved 'public open space' shall not thereafter be used for any purpose other than as public open space;
- (2) That no more than 40 dwellinghouses hereby granted permission shall be occupied unless all pedestrian footpaths shown on Drawing No APL\_205 rev H have been constructed up to the legal boundary of the application site and are available for use;
- (3) That plots 22 - 34 inclusive hereby approved shall not be occupied unless the car parking areas relative to those houses have been constructed, drained, laid-out and demarcated in accordance with Drawing No APL\_205 rev H, or such other drawing as may subsequently be submitted and approved in writing by Aberdeen City Council as planning authority. Such areas shall not thereafter be used for any other purpose other than the parking of cars ancillary to the development;
- (4) That no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation, such a programme shall be submitted in advance for the written approval of Aberdeen City Council as planning authority;
- (5) That no development shall take place unless a bird hazard management plan has been submitted to and approved in writing by Aberdeen City Council as planning authority (in consultation with Aberdeen International Airport). The submitted plan shall include details of the developer's commitment to managing the risk of attracting birds to the site during



excavation activities, measures put in place for the safe dispersal of birds, and thereafter the such approved measures shall be implemented in full; (6) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of SUDS has been submitted to and approved in writing by Aberdeen City Council as planning authority and thereafter no individual house shall be occupied unless the drainage required for that house has been installed in complete accordance with such an approved scheme; (7) That no development shall take place unless a site specific Environmental Management Plan (EMP) has been submitted for the written approval of Aberdeen City Council as planning authority (in consultation with SEPA and other agencies such as SNH as appropriate) and all work shall be carried out in accordance with such approved plan. Such plan must address the following: surface water management and pollution prevention; soils management; site waste management; and noise and dust management; (8) That no development shall take place unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of the site boundary enclosure along the western side of the development hereby granted planning permission. The scheme shall include details of the 'drystane gateway' to the site. None of the buildings along the Fairley Road elevation (plots 1-9 inclusive) hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety; (9) That no development shall take place unless further details of the render finishes to the walls of the dwellinghouses hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed; (10) That no development shall take place unless the mitigation measures as identified in the Northern Ecological Services report (dated July 2012) have been implemented in their entirety; (11) That no development shall take place unless there has been submitted and approved in writing a detailed Residential Transport Pack which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets; and (12) 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 Aberdeen City Council as 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" as soon as practicable.

The Committee also had before it a report by Mr Euan Couperwhite, Infrastructure and Assets Programme Manager - Education, Culture and Sport, which provided information on the accommodation available within Kingswells Primary School in light of recent planning applications.

**The report recommended:-**

that the Committee -

- (a) note the fact that the increase in pupil numbers at Kingswells Primary School is forecasted to increase before taking account of the Dandara development;
- (b) note that this increase and the impact on the school's capacity are temporary as the pupil roll is projected to return to 2013/14 levels by 2021/22;

- (c) note that accommodation within Kingswells Primary School could be restructured to accommodate the required number of classes when the pupil roll reaches its peak in 2017/18; and
- (d) note that should the school ever become unable to accommodate new children, the authority would require to provide education provision at the next nearest school.

The Committee visited Kingswells Primary School accompanied by Mr Couperwhite, who showed members round the school and advised how many pupils were currently taught in each area. Mr Couperwhite explained that the current library and additional support needs areas could be redesigned to create space for the eighteenth classroom which would be needed in 2017/18 when the pupil roll was expected to peak at 490 pupils, although it was emphasised that this redesign would require to take place irrespective of the planning application under consideration.

The Committee also heard from planning officials in relation to the application, following which members asked various questions of the officers in attendance. The Committee agreed that there was no requirement to visit the housing site in question.

**The Committee resolved:-**

- (i) to approve the recommendation contained within the report by the Head of Planning and Sustainable Development; and
- (ii) to note the report by Mr Couperwhite and thank him for his attendance and tour of the school.

**- RAMSAY MILNE, Convener.**

## Planning Development Management Committee

GRANDHOME ESTATE, DANESTONE

A MIXED-USE DEVELOPMENT COMPRISING:  
UP TO 4,700 HOMES, TOWN AND  
NEIGHBOURHOOD CENTRES (INCLUDING  
COMMERCIAL, RETAIL, LEISURE AND HOTEL  
USES), EMPLOYMENT LAND (C5 HA),  
COMMUNITY FACILITIES, ENERGY CENTRE,  
OPEN SPACE / LANDSCAPING, AND  
SUPPORTING INFRASTRUCTURE,  
INCLUDING ACCESS

For: The Grandhome Trust c/o Burness Paull

Application Type : Planning Permission in  
Principle

Application Ref. : P131535

Application Date: 31/10/2013

Officer: Lucy Greene

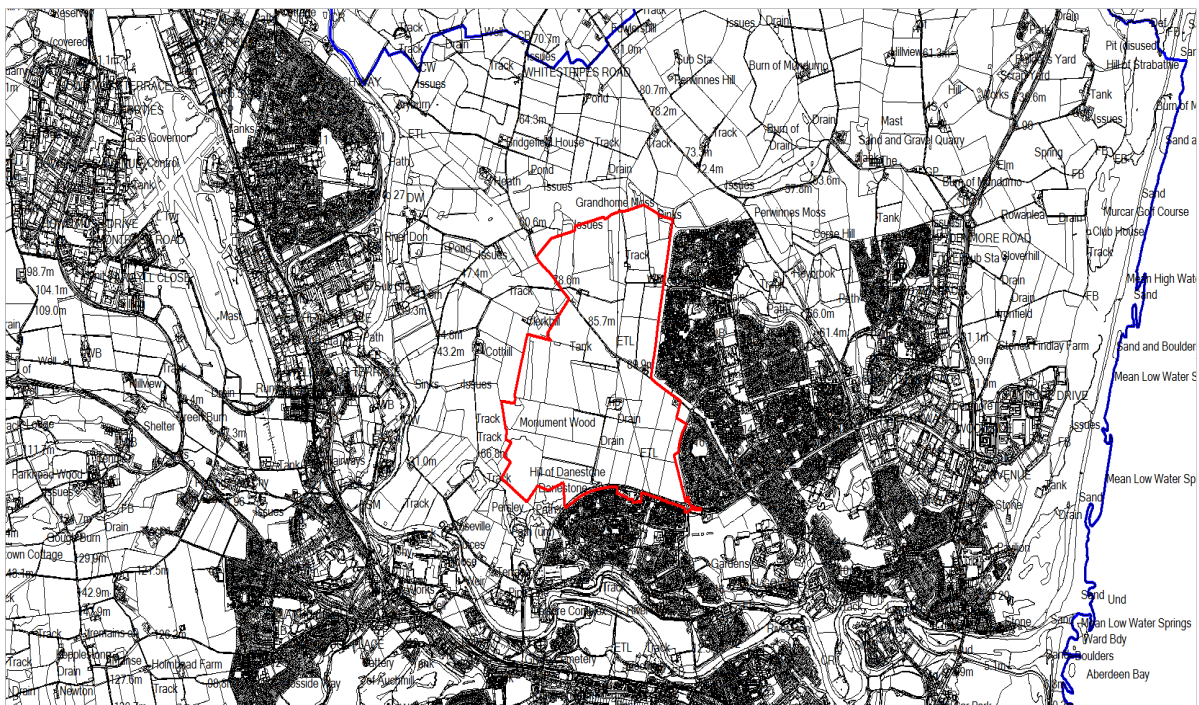
Ward : Dyce/Bucksburn/Danestone(B Crockett/  
G Lawrence/ N MacGregor/G Samarai)

Advert : Dev. Plan Departure

Advertised on: 13/11/2013

Committee Date: 28 May 2014

Community Council : Objection



**RECOMMENDATION: Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to address the following matters:**

1. The provision of 25% affordable housing in accordance with the Development Framework and includes a range of delivery options, including on-site provision and a gypsy traveller halting site.
2. Developer contributions towards primary education provision (2 three stream schools) and a new secondary school plus serviced land for the foregoing
3. Developer contributions towards community facilities, library, sports provision, playing fields & healthcare;
4. Developer contributions towards the Strategic Transport Fund; and
5. Developer contributions towards mitigation on local roads network.

## **DESCRIPTION**

The site is located 6km northwest of Aberdeen city. The parcel of land to which this planning application relates to totals 226.7ha and occupies a wedge of farmland lying between the built up areas of Bucksburn to the west and the Bridge of Don to the east and south.

To the east site is bounded by Whitestripes Avenue. The southern boundary is formed by the Parkway (A90). To the north and west the site links to open, undeveloped farmland extending out over the Buchan Plateau.

The site straddles Whitestripes Road, a secondary road that connects the Bridge of Don area to the B997 Scotstown Road, and is traversed by a high voltage power line running broadly north-south across the eastern part of the site.

The site itself is greenfield land, predominantly under agricultural use with occasional woodland blocks, tree belts, and a number of farmsteads and dwellings.

## **RELEVANT HISTORY**

- In October 2012 the Grandhome Trust submitted a proposal of application notice to the Council indicating their intention to carry out public consultation on the proposed development.
- On 21<sup>st</sup> May 2013 the Enterprise, Planning and Infrastructure Committee approved the Grandhome Development Framework as Interim Supplementary Guidance.
- An Environmental Impact Assessment (EIA) screening opinion was issued by the Council on 5<sup>th</sup> April 2013 which determined that an environmental statement would be required in support of the planning application.
- In October 2013 the Grandhome Development Framework was ratified by the Scottish Government and thereafter adopted by the Council as Supplementary Planning Guidance.

## **PROPOSAL**

Planning Permission in Principle (PPiP) is sought for a residential development comprising approximately 4700 residential units, town and neighbourhood

centres (including commercial, retail, leisure and hotel uses), approximately 5 hectare of employment land, community facilities, energy centre, open space and landscaping and supporting infrastructure including access.

Indicative proposals are shown in the submitted drawings and the Planning and Design Statement. The indicative proposals are identical to the Development Framework. It will be expected that detailed layout and elevation details will be submitted for approval by way of Matters Specified by Conditions (MSC) Applications, and will be in accordance with Development Framework (GDF) and Design Statement.

The key aspects of the development are –

- Five neighbourhoods, including a vibrant town centre. Each neighbourhood will offer a range of house types, as well as community facilities, shops and jobs. Each of the five neighbourhoods has been designed to be traversed in 5-minutes by foot, from centre to edge, with the town centre itself spanning a 10-minute walk. Shops, offices and bus stops are then located within each neighbourhood centre, providing residents with access to facilities within walking distance of their homes.
- The development will accommodate up to 4,700 residential units of which 25% will be affordable equating to 3,525 private units and 1,175 affordable units, these will include a gypsy traveller site. The site will be developed at approximately 30 units/ha with the town centre featuring a higher density than the neighbourhood edges. The precise breakdown of property size and type will be determined on a phase-by-phase basis however, in accordance with the GDF, the majority of the scheme will be scaled at 2-3 storeys with some four-storey accent buildings. There may also be scope for occasional single storey buildings in certain limited locations.
- The development will accommodate shops and community facilities within a town centre. The applicant has indicated that the character of the town centre would embody a traditional high street with a mix of commercial uses mainly through mixed-use buildings with smaller retail shops on the ground floor and residential units above. A number of buildings have been identified within the town centre for specific commercial, retail and leisure uses. These include but are not limited to 25,000m<sup>2</sup> of mixed-use retail potentially including convenience shopping, local supermarket, gym, cinema and hotel.
- The development will accommodate a 5ha Business Park located on the south-eastern boundary of the site. This space is intended to facilitate integration with the proposed Energetica corridor, and is also linked to the other Science Park activities on-going within the wider Bridge of Don vicinity.

- The development will accommodate 62 hectares of open space, which will comprise a full range of uses such as formal recreational facilities and informal places to rest and relax, as well as natural, untamed areas that support biodiversity.
- The development will accommodate two three stream primary schools and one secondary school. The GDF places these educational buildings across the site embedded within neighbourhood centres.
- The GDF states that health facilities will include suitable NHS provision along with pharmacies and dentists delivered within appropriately sized commercial units within selected neighbourhood centres, thereby accommodating the initial demand from the new development. A site has been safeguarded for a purpose built health centre, located to the eastern edge of the town centre, which will be delivered by the NHS once sufficient critical mass has been established.
- Access to the site will initially be taken from Whitestripes Avenue. After the implementation of the AWPR a further access will be taken from the Parkway which will then form the main access point to the development. As the settlement continues to expand northwards further accesses will be provided from Whitestripes Road.
- Improvements, largely off site, to the local road network, as set out in the table in the Evaluation section.
- Following discussions between the applicant's agent and public transport providers, the submissions state that it is envisaged that new or extended bus routes will be delivered in support of the development providing connectivity from the site to principal employment centres, transport nodes and other attractions in the City Centre and at other locations across the city such as Dyce and Aberdeen Airport. Bus routes have been identified for phased implementation with the initial phases of development served by a variant of First service 1 which will operate via Whitestripes Avenue to the development. An initial loop service will then be provided serving Phases 1 to 3 which links the town centre to the western neighbourhood centre and community campus. This loop is expanded to serve Bonnyside and Whitestripes, north of Whitestripes Avenue at Phases 4 and 5. A further route is anticipated to be required to serve Phases 6 and 7.
- The modular pattern of the indicative layout is designed to ensure a high degree of pedestrian access within each neighbourhood and beyond. This is reinforced by a network of streets intended to optimise connections between the neighbourhoods, the town centre and the surrounding area. It is anticipated that residents will live within 5-minute walking distance of neighbourhood centres, ensuring ease of access to all essential amenities, as well as public transportation nodes.

- The indicative plans and GDF shows pedestrian and cycle links to ensure a high degree of permeability within the development, providing connections to the existing and aspirational core path network in the surrounding area. All streets would be designed to accommodate pedestrians as the prime user, ensuring the optimal pedestrian experience. This would involve providing a range of street typologies to enhance legibility and curtail visual monotony, whilst also ensuring street design that calms traffic speeds and increases pedestrian safety.
- The submissions indicate the intention that the first phase of development will comprise Grandhome's first neighbourhood, Laverock Braes. The second phase will see the formation of Grandhome Town Centre. As the population of Grandhome grows through subsequent phases, additional demand will act as a catalyst for the development of further retail and commercial uses that will ultimately complete the full complement of town centre uses.
- The phasing strategy reflects the housing allocation release set out in the LDP and also the delivery of transport infrastructure specifically the AWPR and Third Don Crossing.
- It is proposed to include an energy centre, the submissions indicate that a CHP plant would be provided as part of the development.

## 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?131535>

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

### Drawings

- Environmental Statement comprising:
  - Agricultural Land Assessment
  - Air Quality Assessment
  - Desk Based Archaeology Assessment
  - Ecology Assessment
  - Energy Statement
  - Flood Risk & Drainage Assessment
  - Geo-environmental Assessment
  - Landscape and Views Assessment
  - Noise Assessment
  - Socio-economic Assessment
  - Transport Assessment
  - Waste Strategy
- Planning and Design Statement

- Infrastructure Delivery Statement
- Landscape Statement
- Pre-application Consultation Report

## **PRE-APPLICATION CONSULTATION**

The proposed development was the subject to pre-application consultation in October 2012 between the applicant and the local community, as required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations.

The consultation involved a drop in style public exhibition with static display and also a special preview presentation with key local stakeholders:

- The public exhibition event was held over two days from 30 – 31 October 2012 at the Mains of Scotstown in Bridge of Don. The exhibition was open for viewing from 12 noon to 7.30pm on both days. The venue being selected due to its accessibility and proximity to the site.

The exhibition was publicised in a number of ways in the two to three weeks leading up to the event including through flyers distributed locally and also through adverts in the Press and Journal and the Evening Express.

Approximately 220 people attended the exhibition over the course of the two days. Specialist consultants were on hand for the duration of the event to respond to any queries or concerns attendees may have regarding the proposals.

- The special preview presentation was held on 29 October. Invitations for this preview session were issued to local Councillors, Community Council representatives, local health and education providers and other statutory bodies.
- Following the event a download of the exhibition material was available on the Grandhome website [www.grandhome.co.uk](http://www.grandhome.co.uk) allowing people unable to attend the event access to the material, hard copies were also issued on request. The website also provided a contact email address for the Trust ([info@grandhome.co.uk](mailto:info@grandhome.co.uk)) should members of the public or interested parties wish any further information or clarifications.

A report on the public consultation that was undertaken has been submitted as part of this application. The report details the feedback that was received from the community, any changes that have been made to the development proposals in light of the comments that were received, as well as providing justification for why some suggestions were rejected.



The main comments raised were in relation to –

- Concerns about the impact of development on the existing transport infrastructure (including roads and public transport services), with concerns that development should not be brought forward until a package of infrastructure improvements are in place.
- Concerns about sustainability of new local shops and facilities.
- A desire that community facilities and leisure opportunities should be delivered as part of the development.
- A desire that the town centre should serve the wider Bridge of Don area.
- A desire that public open space is delivered as part of the development.
- A desire that a broad mix of housing types is delivered within the development.
- A desire that parking is provided in support of new housing.
- A desire that the high standard of urban design in the indicative masterplan is delivered and the development is rolled out.

The consultation process has directly informed the preparation of the proposals for the site with particular regard to:

- With regard to the community's concerns in respect of the capacity of the transport network, construction will be phased to ensure it is delivered alongside a package of strategic enhancements to the wider transport network. The package of infrastructure improvements will ensure that the development can be accommodated without detriment to the network.
- The town centre will be sized and located to meet the needs of residents in Grandhome and wider Bridge of Don area.
- The masterplan fully responds to the community's aspirations and concerns by accommodating a broad range of community facilities and services in accessible and advantageous locations and 62 hectares of public open space.
- The masterplan accommodates a mix of housing opportunities, delivered in appropriate locations with sufficient space to accommodate necessary parking.

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee due to the following factors:

- a total of 24 letters of representation have been received in relation to the application;

- the local Bridge of Don Community Council, in whose area the application site lies, have expressed objection to the proposed development; and
- the proposed development has previously been subject to a formal decision by the planning authority that Environmental Impact Assessment should be undertaken.

Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## CONSULTATIONS

**Roads Projects Team** – Traffic modelling has taken place and a range of works agreed to the local roads network together with the timing of these in relation to occupation of homes, these are listed in the Evaluation section below. Noted is the acceptance of the need for adequate parking and the development of a parking strategy in line with the SG on Transport and Accessibility. A contribution is required to the Strategic Transport Fund (STF).

**Transport Scotland** – Request the attachment of conditions limiting development to 500 units prior to the AWPR, that there be no access to/from A90 while it is a trunk road and details of the frontage treatment to trunk road. These comments are on the understanding that the Council will reach agreement with the applicant on STF and if this agreement is not reached Transport Scotland would reconsider the response.

**Aberdeen Western Peripheral Route (AWPR) Managing Agent** – confirmed no adverse impact on the AWPR and no objection.

**Environmental Health** – no objection; careful consideration will be needed to layout of site to ensure impact of noise is minimised; recommend attachment of conditions relating to waste storage facilities and implementation of air quality measures.

**Contaminated Land Team** – recommend the attachment of conditions relating to dealing with contamination issues and possible need for long term monitoring in particular in the Upper Bonnyside area.

**Developer Contributions Team** – Developer contributions required towards: provision of 2 no. three stream primary schools, with site of 5 acres; 1 no. academy with site of 15.5 acres; core paths; Community facilities; playing fields and sports provision; libraries and healthcare.

**Enterprise, Planning & Infrastructure (Flooding)** - observations: look forward to receiving information on surface water drainage, Sustainable Urban Drainage (SUDS), a drainage impact assessment and more detailed flood risk assessments for each phase of the development.

**Education, Culture & Sport (Archaeology)** – request attachment of condition requiring dig prior to development.

**Scottish Environment Protection Agency** – no objection; request the attachment of conditions relating to flood risk assessment, SUDS, that watercourses remain open, private water supplies and requiring a Construction Environmental Management Plan (CEMP) and raise a question in relation to foul drainage and whether there is capacity at Persley.

**Scottish Water** – no objection; developer may need to fund works to connect their development and to mitigate any effects on existing customers.

**Scottish Natural Heritage** – note that SNH have been involved in discussions with the applicant from an early stage and that most previous comments have been incorporated; agree that the conclusions of the environmental statement that proposal does not affect a protected site or species and regarding the potential impacts on landscape.

**Forestry Commission** – retention and expansion of existing woodland is welcomed and supports delivery of the Scottish Forestry Strategy.

**Historic Scotland** – no objection; EIA is adequate and agree that none of the nationally important heritage assets are likely to experience significant adverse impacts on their setting.

**Community Council** – Objections are in relation to traffic, schools and the area of the site south of the Parkway.

Traffic: that the development phasing must be linked with opening of the Third Don Crossing and AWPR; that the proposed road junctions and link road may cause rat running, that Parkway is shown as a dual carriageway; that the transport modelling is overly optimistic in terms of journey times; that Whitestripes Road would need to be upgraded and lighting provided.

Schools: Welcome the new secondary school and two primaries. Highlight the need for early consultation with the community. Raises issues of primary provision during the period prior to provision of the first school. Serious road safety issue of children crossing the Parkway to attend Danestone School even for a temporary period.

**Police Scotland Architectural Liaison** – no comments at this stage.

**Royal Society for the Protection of Birds** – no objections; provide advice on best practice in terms of biodiversity; recommend the inclusion of 'swift bricks' as nest places.

**Aberdeen International Airport (AIA)** – Maintains an objection due to the objection (described below) by NATS. Should that objection be removed through further discussion, then AIA would remove their objection. Recommends the attachment of 3 conditions relating to cranes, bird management and SUDS.

AIA makes observations about noise from aircraft impacting upon the site.

**National Air Traffic (NATS)** - Currently maintains an objection as there are insufficient details to be confident that NATS can approve these applications. The grounds for objection are on impact on our Perwinnes radar due to reflections caused by the development obstructing the transmission path. Part of the issue in responding has been caused by investigation of potential interference scenarios and whether there could be identified a cut-off height which would allow a planning condition. Unfortunately the effect of the obstruction is dependent on the surface area and orientation of the development and as such the planning authority unable to propose a condition based on a cut-off height. Discussions are on-going between the consultees, the planning authority and the applicant in order to agree a way forward.

## **REPRESENTATIONS**

Twenty four letters of representation/objection have been received. The objections raised relate to the following matters –

## Transportation

- The road network is already at capacity, particularly the Parkway and Haudagain Roundabout, and cannot accommodate the additional traffic generated by the development.
- Delivery of the development should match the delivery of planned roads infrastructure improvements, specifically: AWPR, Haudagain Roundabout and the Third Don Crossing.
- Development should not be occupied until the Third Don crossing is complete.
- Development should not be occupied until AWPR is complete.
- Development should not commence until Third Don Crossing and AWPR have started.
- No additional traffic on Parkway until 2020.
- Regard should also be had to the transport impacts of other developments coming forward in the area.
- Adding a new set of traffic controls on the Parkway will increase congestion.
- The increase in traffic congestion will be detrimental to emergency service response times.
- The Parkway should be dualled from Laurel Drive to Tesco in support of the development.
- Improvements should also be made to Persley Bridge and 'Railway Bridge at top of Mugiemoos Road'.
- Development will result in increased journey times along the Parkway.
- Transport Assessments 'computer modelling' is unreliable and not reflective of reality.
- Frequency of bus services envisaged may not be realised.
- Whitestripes Road is a rural road cannot accommodate a significant increase in traffic.
- New residents of the development are unlikely to use public transport.
- New residents of the development are unlikely to work within the development.

## Other Issues

- Development will result in an over provision of housing in the already highly populated Bridge of Don area.
- Development will harm view from a private residence.
- Consideration should be given to surface water run-off from the development.
- Consideration should be given to the loss of farmland.
- Additional public consultation should be undertaken.
- Insufficient appropriately located existing schools provision to accommodate the children from the new development.

## **PLANNING POLICY**

### **National Policy and Guidance**

Creating Places (architecture and place policy statement)

Scotland's new policy statement on architecture and place sets out the comprehensive value good design can deliver. Successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy.

The document contains an action plan that sets out the work that will be taken forward to achieve positive change.

The statement is in four parts:

1. The value of architecture and place,
2. Consolidation and ambition,
3. A strategy for architecture and place,
4. Resources, communications and monitoring.

#### Designing Places (design policy)

This planning policy statement was launched in 2001 and sets out government aspirations for design and the role of the planning system in delivering these.

The aim of the document is to demystify urban design and to demonstrate how the value of design can contribute to the quality of our lives. Designing Places is a material consideration in decisions in planning applications and appeals. It also provides the basis for a series of Planning Advice Notes (PANs) dealing with more detailed aspects of design.

#### Scottish Planning Policy (SPP)

SPP is the statement of Scottish 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 relating to sustainable development and subject policies relating to Open Space and Physical Activity, Landscape and Natural Heritage, Transport and Housing are all relevant material considerations.

#### **Aberdeen City and Shire Strategic Development Plan (SDP) 2014**

The SDP sets out the following key objectives for the growth of the City and Aberdeenshire:

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 development contributes towards reducing the need to travel and encourages people to walk, cycle or use public transport by making these attractive choices.

Paragraph 5.5 states that:

In truly exceptional circumstances, for example if it is essential to put the plan's strategy into practice, planning permission may need to be granted on sites identified in local development plans for the period 2027-2035 (shown in schedule 1). Any permission may have conditions which control the rate of development.

## **Aberdeen Local Development Plan**

### **Policy LR1 (Land Release Policy)**

Opportunity Site OP12 Grandhome of which the application site forms a major part has been zoned under this policy for 2,600 homes for the period 2007 – 2016, 2,100 homes for the period 2017 – 2023 and a total of 5ha employment land across both periods.

The site is identified as opportunity site OP12 and is described as a privately owned site in single ownership identified for 7000 homes and 5ha of employment land (Class 4 uses). This site may be at risk of flooding and a flood risk assessment will be required to accompany any future development proposals for this site.

### **Policy LR2 (Mixed use Communities)**

Mixed use developments will be required to service employment land along with the associated phases of the housing development. This means that the road, water, gas and electricity infrastructure will need to be considered for the whole site.

### **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. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.:

Appendix 4 sets out infrastructure requirements for the masterplan zones and for Grandhome includes works to the local roads, comprehensive pedestrian and cycle network, a new secondary school, three to four new primary schools, possible contributions towards water supply and drainage infrastructure, a new health centre, dental surgeries and pharmacies.

### **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. Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review.

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.

### **Policy D1 (Architecture and Placemaking)**

High standards of design and emphasis on creating quality places.

#### Policy D2 (Design and Amenity)

Includes various principles to help ensure appropriate levels of amenity are achieved.

#### 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 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: 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; disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them; 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 H1 (Residential Areas)

Applies to new residential areas and states various criteria, including presuming against over development, protection for valued open space.

#### Policy H3 (Density)

An appropriate density of development is sought on all housing allocations and on developments of over one hectare must meet a minimum density of 30 dwellings per hectare, have consideration of the site's characteristics and those of the surrounding area, create an attractive residential environment and safeguard living conditions within the development.

#### Policy H4 (Housing Mix)

Housing developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan, reflecting the accommodation requirements of specific groups, in particular families and older people. This mix is in addition to affordable housing contributions.

#### Policy H5 (Affordable Housing)

Housing developments of 5 or more units are required to contribute no less than 25% of the total units as affordable housing.

#### Policy H7 (Gypsy and Traveller Requirements for New Residential Development)

Grandhome is required to make an on-site contribution to the provision of a site for gypsies and travellers. The contribution will be for a small site of 6 pitches with a net area of approximately 0.5 hectares.

#### Policy H8 (Housing and Aberdeen Airport)

#### Policy CF2 (New Community Facilities)

In significant new developments where a likely need is identified, sites shall be reserved for new community facilities.

#### Policy RT5 (New Development Serving New Development Areas)

Masterplans for sites allocated for major greenfield residential development should allocate land for retail and related uses at an appropriate scale to serve the convenience shopping needs of the expanded local community. Sites should be provided in accessible locations. Masterplans should indicate the delivery mechanism and timescale for the provision of retail uses.

Proposals for retail development that serves a wider catchment area will be subject to a sequential test and retail impact assessment in accordance with Policy RT1 – Sequential Approach and Retail Impact. Approval for large convenience shops a condition may be imposed to restrict the proportion of non-convenience retail floorspace.

#### Policy NE1 (Green Space Network)

States that 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. Development which has any impact on existing wildlife habitats, or connections between them, or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network.

#### 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. 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.

#### Policy NE6 (Flooding and Drainage)

Development will not be permitted if it increases the risk of flooding or would be at risk of flooding. A flood risk assessment would be required where buildings may be at risk.



Where more than 10 homes or greater than 100m<sup>2</sup> floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment. 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.

#### Policy NE8 (Natural Heritage)

Taking into account mitigation measures, development that has an adverse impact on protected species or a designated area, will only be permitted where it satisfies relevant criteria in Scottish Planning Policy (SPP). There are a number of requirements for all developments, including:

1. 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.
2. An ecological assessment will be required for a development proposal on or likely to affect a nearby designated site or where there is evidence to suggest that a habitat or species of importance (including those identified in the UK and Local Biodiversity Action Plans) exists on the site.
4. Natural heritage beyond the confines of designated sites should be protected and enhanced.
5. Where feasible, steps to prevent further fragmentation or isolation of habitats must be sought and opportunities to restore links which have been broken will be taken.
6. Measures will be taken, in proportion to the opportunities available, to enhance biodiversity through the creation and restoration of habitats and, where possible, incorporating existing habitats.
7. There will be a presumption against excessive engineering and culverting; natural treatments of floodplains and other water storage features will be preferred wherever possible; there will be a requirement to restore existing culverted or canalised water bodies where this is possible; and the inclusion of SUDS. Natural buffer strips will be created for the protection and enhancement of water bodies, including lochs, ponds, wetlands, rivers, tributaries, estuaries and the sea. Supplementary Guidance will be developed on buffer strips.

#### Policy NE9 (Access and Informal Recreation)

New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, other paths and rights of way. Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

#### Policy NE10 (Air Quality)

Planning applications for development which has the potential to have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and can be agreed with the Planning Authority. Such planning applications should be accompanied by an assessment of the likely impact of development on air quality and any mitigation measures proposed (see Air Quality Supplementary Guidance).

#### Policy R2 (Degraded and Contaminated Land)

The City Council will require that all land that is degraded or contaminated, including visually, is either restored, reclaimed or remediated to a level suitable for its proposed use. This may involve undertaking site investigations and risk assessments to identify any actual or possible significant risk to public health or safety, or to the environment, including possible pollution of the water environment, that could arise from the proposals. Where there is potential for pollution of the water environment the City Council will liaise with SEPA.

#### Policy R6 (Waste Management requirements for new development)

Housing developments should have sufficient space for the storage of waste.

#### Policy R7 (Low and Zero Carbon Buildings)

States that all new buildings, in order to meet with 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.

### **Supplementary Guidance (SG)**

The following supplementary guidance (SG) documents are of relevance to the assessment of this application:

- Grandhome Development Framework
- Affordable Housing
- Air Quality
- Gypsy and Traveller Sites
- LZC Buildings
- Infrastructure and Developer Contributions Manual
- Transport and Accessibility
- Trees and Woodlands

### **Other Relevant Material Considerations**

The Grandhome Development Framework, noted above, sets out the key aspirations and principles specific to the development of this area, and that the development framework was adopted by the Aberdeen City Council as SG to the Aberdeen LDP, giving the document the same status in the decision making process as the policies contained within the plan.

## **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**

The site is identified in the LDP as OP12 and under Policy LR1 as land released for housing. The housing allocation on the application site is split between 2600 homes in phase 1 (2007 – 2016) and 2100 in phase 2 (2017 – 2023). The SDP states that in exceptional circumstances planning permission may need to be granted on phase 2 sites, including Grandhome. At Grandhome the scale of infrastructure investment means that planning permission in principle is required for the phases 1 and 2, in order to secure funding. The applicant's provided a statement of justification on this basis and it is accepted that exceptional circumstances exist so that the proposal complies with the development plan in this regard.

Sufficient justification has been provided by the applicant for the need to include phase 2 (2017 – 2023) land within the application, and it is further noted that due to the size of the site, it is not possible for more than 2,600 homes would be provided prior to 2017. The proposal is considered to comply with the development plan in this regard.

The employment land element is across phases 1 and 2 and the proposal therefore complies with the land release policy in this respect.

### **Mixed Use Communities**

The proposal includes 5ha of employment land and this is defined in the Development Schedule in the planning statement as Class 4 offices. Conditions attached to any permission granted would require the submission of a phasing plan showing the timing of the delivery of this area of the site. The proposal complies with Policy LR2 (Delivery of Mixed Use Communities).

### **Housing**

The Grandhome Development Framework (GDF) sets out the principles of a development emphasising the importance of place-making and promotes the design of walkable neighbourhoods, with a range of house types. The framework indicates a range of densities and house types across the site, and has been adopted. Conditions attached to this PPI application would mean that Matters Specified in Conditions (MSC) applications would be required showing the detailed designs for the layout, type and design of each phase, with detailed masterplans, that would be adopted as Supplementary Guidance and guide the development. With the attachment of these conditions it can be ensured that the proposal does not constitute over development, is acceptable in terms of the level of amenity provided for future residents, as well as the residents of existing houses on the site. The proposal complies, therefore, in principle with Policy H1, H4, D1 and D2.

In terms of density, the proposal ties in with the number of houses allocated in the LDP's phases one and two. The development framework states that density across the site will achieve the 30 dwellings per hectare and table 5.6 in the EIA Main Report shows an assumed housing mix and phasing, achieving the total number of dwellings across the application site. The layouts within each development phase, will be subject to masterplanning and MSC applications. It is considered that the proposal complies in principle with Policy H3 (Density).

Affordable Housing – Policy H5 seeks a minimum of 25% of any development of 5 or more new residential units to be provided as affordable housing. In this instance, based on 4,700 units this would equate to 1,175 units. The provision of a Gypsy Traveller site of a prescribed size would contribute towards this total affordable housing requirement. Housing would expect a range of options to be considered for inclusion in a Section 75 legal agreement, the use of which would ensure that any obligation would transfer with the land should its ownership change. Final arrangements for affordable housing delivery will be arrived at through discussions with housing officers, with due regard for the phasing of the development, and it is noted that there is an expectation of on-site delivery in a development of this scale. The terms of any section 75 agreement need to ensure flexibility to allow for a range of affordable housing delivery options to be available.

Gypsy Traveller Site – The development framework shows the provision of a halting site within the area of the application indicated as being delivered as phase 3 of the development and the provision of the site would be included in the Section 75 agreement, as well as the details being the subject of condition. The proposal complies with Policy H7.

## **EIA**

Environmental Impact Assessment (EIA) is a means of drawing together, in a systematic way, an assessment of the likely significant environmental effects arising from a proposed development. The proposed development is of a type listed in Schedule 2 to the 2011 EIA Regulations and, based on consideration of its likely effect on the environment, by virtue of factors such as its size, nature and location, the planning authority has adopted a formal opinion that EIA is required. In such cases, applications for planning permission must be accompanied by an Environmental Statement (ES) detailing, amongst other specified matters, a description of the aspects of the environment likely to be significantly affected by the development, including, population, fauna, flora, soil, water, air etc, and also by a 'non-technical summary' of the Environmental Statement.

The non-technical summary provided in connection with this application for Planning Permission in Principle describes the following mitigation proposals in relation to effects predicted:

- Air quality:
  - predicted effects are dust from construction phase – mitigation would be the implementation of measures to control of dust as part of the Construction Environmental Management Plan (CEMP) that would be conditioned.

- Fine particles from traffic emissions would exceed the annual mean Air Quality objective – mitigation would be by encouraging sustainable travel choice by those using the development. Conditions relating to travel plans, detailed layout plans of the pedestrian and cycle network and a bus transport strategy.
- Climate Change:
  - Carbon dioxide emissions due to the physical development on the site – mitigated to some extent by high performance building fabric, on-site generation of heat and power, supplemented as necessary by renewable micro-generation technology all in accordance with existing and incoming building regulations. The measures outlined above in respect of air quality would also apply here.
- Cultural Heritage:
  - Archaeology – mitigation by archaeological work requiring trial trenching and a watching brief, this would be the subject of condition.
  - The development, due to its obvious impact within the landscape would impact to a varying but minor degree upon the setting of six scheduled monuments and listed buildings within the surrounding area.
- Ecology
  - Masterplans and drainage strategy would be designed to sustain Grandhome Moss – subject of condition.
  - Reduction in habitat for red list birds, hunting territory for owls, foraging habitat and roosting sites within buildings for bats, as well as introduction of lighting across site.
  - Badgers setts all retained except one subsidiary sett and loss of habitat – mitigation in the form of badger protection plan to allow badgers to adjust as development continued in phases.
  - Loss of woodland habitat for squirrels
  - Mitigation for wildlife in general through best practice during construction, this would be subject of condition; and, creation of significant new habitats, such as 21 hectares of meadow / copse, 11 hectares of parkland and 9 hectares of woodland. Detailed to be provided through MSC applications.
- Flood risk and drainage:
  - The PPIp site is outwith the flood plain of the River Don. Detailed flood risk assessments would be undertaken for each phase to ensure that dwellings are set back adequately from watercourses. There are three minor watercourses within the PPIp site.
  - Surface water drainage details would be the subject of MSC applications.
  - Foul drainage strategy has been developed in consultation with Scottish Water with new gravity foul sewers to serve the development, connecting to a pumping station, which will discharge to a new gravity sewer flowing to Persely Waste Water Treatment Works (WWTW).
- Geo-Environment
  - Risks are exposure to contaminated land and radon gas, especially in the Upper Bonnyside area – mitigation would be in the form of

site investigations, gas protection measures for new properties especially at Upper Bonnyside, protection measures across the whole site, specification of resilient construction materials; and pollution prevention during construction.

- Landscape and Views
  - Impact during construction; and, major impact on views for those living nearby, in the built up area to the east and south of the river – mitigation would be in the form of landscaping. In the long term the planting and green space provided would deliver benefits. Landscaping, planting and layout and provision of open space would be the subject of MSC applications as a result of conditions on the permission.
- Noise and Vibration
  - Future residents in areas close to Parkway, Whitestripes Avenue and Laurel Drive would be adversely affected by noise - mitigation would be in the form of double glazing on the relevant building facades. This would be detailed in MSC applications as a result of conditions on the permission requiring updated noise surveys and mitigation measures.
  - Construction traffic would create noise and an informative attached to the applications would suggest hours of construction.
  - Increases noise levels from traffic following development would occur on Whitestripes Avenue and Whitestripes Road, however, these were found to be of negligible long – term significance.
- Socio – Economics
  - In terms of education and healthcare needs the application area would self-sufficient in terms of providing for the needs of new residents. This mitigation would be dealt with as part of the legal agreement.
- Transport
  - Impacts of construction traffic – mitigation through CEMP, including designated HGV routes. Roadworks would be phased to minimise disruption.
  - The street layout would facilitate bus access and prioritise Pedestrian and cycle routes. Details of these would be the subject of MSC applications.
  - An extension to the core paths network, new signalised junction at Danestone on A90 would facilitate access and indications are that bus services would be extended.
  - There would be a number of works to local roads around the site, to mitigate adverse impacts on congestion. These are detailed further below and would be the subject of conditions to control timing in relation to occupation of housing and legal agreement in relation to contributions.
- Waste
  - An assessment has been made of the likely amount of waste and effect on recycling and landfill.
  - The level of waste generation is not predicted to exceed the capacity of the management regime.

- Adequate bin storage areas and recycling facilities would be the subject of MSC applications.

### **Noise**

Areas of the site may be impacted by noise from the airport, in addition to traffic noise as outlined above. With the attachment of conditions requiring noise assessments to take place and measures be identified in order to provide mitigation, it is considered that the proposal would result in an adequate level of residential amenity being provided in this respect and would comply with Policy H8 in the LDP.

### **Green Space Network / Landscape**

There are areas of the site zoned under Policy NE1 as green space network. These are principally along the western site boundary, alongside Whitestripes Road. The supporting information for the application contains site plans from the development framework. These show the areas of green space network as being largely retained, and enhanced with additional green links across the site. The detailed layout of green spaces would be the subject of MSC applications. The proposal complies with Policy NE1.

In terms of landscaping, this matter is included within the EIA as well as analysis being contained within the adopted development framework. The PPIp application reflects the GDF plans and detailed design would be submitted as part of both the masterplans and MSC applications for the phases. Given that the site is allocated for residential development, and that it currently consists of green fields, with areas of woodland and other natural features, it is clear that significant change in the landscape will take place. However, as noted above, the landscape strategy within the GDF would result in planting and the creation of natural that would help mitigate the impact of the development. The proposal would not be contrary to Policy D6.

### **Vehicular Access**

Vehicular access would be taken from Whitestripes Avenue, to the east of the site and also from Whitestripes Road – the road that runs north east – south west across the application site. Following the ‘de-trunking’ of the Parkway, access would be taken from the Parkway. Plans reflecting the GDF also indicate that pedestrian crossings would be provided at various points along the roads bounding the site.

The table below, shows the timing of works to the local road network and indicates how these would be delivered (either by direct works (D), or by developer contributions (C)). The existing roundabout at the junction of the Parkway and Whitestripes Avenue, is known as the Buckie Farm roundabout.

## Summary of Infrastructure Thresholds

<b><u>Inception up to 500 Households</u></b> Provision of access junctions onto Whitestripes Avenue and signalised pedestrian/cycle crossings (D)
<b><u>From 500 Households</u></b> Minor flaring of Parkway East approach at existing Buckie Farm roundabout (D) Provision of new Parkway signalised junction (D)
<b><u>From About 1250 Households</u></b> Funding of signalisation of Balgownie Road junction (C) Funding of replacement signalised junction at Buckie Farm (C)
<b><u>From About 2500 Households</u></b> Dualling of Parkway between new access junction and upgraded Buckie Farm junction (C) Signalisation of Whitestripes Road junction with Whitestripes Avenue (C) Progressive upgrading of Whitestripes Road through the development site (including provision of additional site access junctions) (D) Contribution towards signalisation of Scotstown Road junction (C)
<b><u>From About 3500 Households</u></b> Signalisation of Laurel Drive junction with the Parkway (D) Implementation of recommendations arising from Whitestripes Road Route Investigation Study

In addition, conditions would be attached to any permission granted limiting the number of units that can be occupied prior to the expected opening of the Third Don Crossing. Transport Scotland have also required there to be attached a condition limiting the development to 500 units, prior to the opening of the Aberdeen Western Peripheral Route (AWPR) and that there be no junction onto the A90 Parkway whilst it remains a trunk road.

The proposals for works to the surrounding road network are the result of extensive modelling and discussions with the Roads Projects Team. With conditions and legal agreement in place to secure the delivery of these works to the local road network, as well as other works to the wider network, to be undertaken, it is considered that the traffic impact of the proposed development on the PPIP site over the expected 20 – 25 years of development will be mitigated.

### **Strategic Transport Fund (STF)**

The applicant has indicated a willingness to make the full contribution to the STF, in accordance with the established methodology.

The local road works, payment of the STF, the layout of the development and attached of conditions requiring travel plans would together manage the transport impact of the development and ensure compliance with Policy T2.

### **Travel Plans**

A condition would be attached to any permission, requiring submission of an appropriate travel plan, encouraging more sustainable means of travel. The conditions require a Residential Travel Plan and an employment Travel Plan, and



note that no occupation of the site should occur until these have been agreed. An appropriately worded condition can secure provision of such travel plans through the formal process for approval in relation to matters specified in conditions.

### **Relationship with Grandhome Development Framework**

The application proposal contains little additional detail over and above proposals that reflect the GDF, the application therefore complies with the adopted GDF. Conditions would be attached requiring MSC applications to be submitted and these will be assessed against both the GDF and detailed masterplans for the site.

### **Retail and town centre uses**

The submitted documents indicate a range of retail and other town centre uses that would be located largely within the town centre, but also within the neighbourhood areas. The submitted planning statement contains (in Table 2 on page 18) an indicative development schedule, including a range of types of retail use (Class 1), financial and professional services (Class 2), food and drink (Class 3), hotels (Class 7) and assembly and leisure (class 11). The total indicative floorspace for these uses is approximately 35,000m<sup>2</sup> with the majority being within the proposed town centre and approximately 20,000m<sup>2</sup> retail (Class 1) floorspace being within the town centre. These figures are identified as being indicative. The GDF indicates that around 25,000m<sup>2</sup> of town centre uses would be located on the site, mainly in the town centre. The creation of a vibrant town centre, containing a mix of uses for the use of the local community is to be welcomed, including in terms of potentially helping reduce the need to travel and also in terms of place-making. The proposal broadly complies with Policy RT5 as it provides for retail and related uses. In order to establish the appropriate scale of these uses a retail impact assessment would be required for the phase including the town centre. This would inform the scale of floorspace to be provided, particularly for retail uses, as well as assess the potential for impact on the nearest existing centres, in particular those at Danestone and Middleton Park. It is considered that with the attachment of a condition requiring such an assessment as part of the phase of the development that would include the town centre, or where units comprising single floorspace of more than 2500m<sup>2</sup>. The precise level of retail floorspace would be guided by the RIA.

With the attachment of a condition as described above, it is considered that the proposal would comply with both Policy RT1 and RT5.

### **Airport Safeguarding**

Discussions are taking place with NATS in a spirit of constructive co-operation and in order to resolve the objection on the basis of insufficient information and a verbal update will be provided at Committee. In the event that the objection is maintained, and Committee resolve to approve the application, it would require to be notified to the Scottish Ministers, AIA and the Civil Aviation Authority as specified in the Safeguarding of Aerodromes Direction 2003.

### **Infrastructure**

The applicant's agent and representative have confirmed broad agreement to the contributions outlined in the report from the Developer Contributions Team. These consist of both financial contributions and provision of land. As such the proposal complies with Policy I1 and T2, as well as the SG on Infrastructure and Developer Contributions.

In conclusion, the proposal complies with the Land Release Policy as the particular circumstances, in terms of investment in infrastructure, justify the granting of planning permission. The matters raised by objectors have been dealt with above, and it is considered that the various conditions, including controlling occupation of the development dependent upon works to the local roads network, as well as the payment of developer contributions to ensure the provision of schools, would satisfactorily mitigate the impact of the development. The details of each phase of the development will be dealt with by the separate applications for Matters Specified in Conditions, with further opportunity for stakeholders to comment on the details. The proposal complies with policies with the Aberdeen Local Plan relating to Delivering Infrastructure, Transport and Accessibility, Promoting High Quality Design, Meeting Housing and Community Needs, Supporting Retail Centres, Protecting and Enhancing the Natural Environment and Using Resources Sustainably, complies with policy in the Strategic Development Plan

**RECOMMENDATION: Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to address the following matters:**

- 1. The provision of 25% affordable housing in accordance with the Development Framework and includes a range of delivery options, including on-site provision and a gypsy traveller halting site.**
- 2. Developer contributions towards primary education provision (2 three stream schools) and a new secondary school plus serviced land for the foregoing**
- 3. Developer contributions towards community facilities, library, sports provision, playing fields & healthcare;**
- 4. Developer contributions towards the Strategic Transport Fund; and**
- 5. Developer contributions towards mitigation on local roads network.**

#### **REASONS FOR RECOMMENDATION**

The proposal complies with the Land Release Policy as the particular circumstances in terms of investment in infrastructure, justify the granting of planning permission. The matters raised by objectors have been dealt with above, and it is considered that the various conditions, including controlling occupation of the development dependent upon works to the local roads network, as well as the payment of developer contributions to ensure the provision of schools, would satisfactorily mitigate the impact of the development. The details of each phase of the development will be dealt with by the separate applications for Matters Specified in Conditions, with further opportunity for stakeholders to comment on the details. The proposal complies with policies with the Aberdeen Local Plan relating to Delivering Infrastructure, Transport and Accessibility, Promoting High Quality Design, Meeting Housing and Community Needs,

Supporting Retail Centres, Protecting and Enhancing the Natural Environment and Using Resources Sustainably, complies with policy in the Strategic Development Plan in relation to Sustainable Mixed Communities and Accessibility, and to Scottish Planning Policy.

**Conditions:**

1. Notwithstanding the provisions of Section 59 of the Town and Country Planning (Scotland) Act 1997, and unless otherwise agreed in writing by the Planning Authority, application for approval of all Matters Specified in Conditions (MSC) within each respective phase of development shall be made to the Planning Authority within 4 years of the date of this planning permission, or within 3 years of the date of the final approval of the MSC in the preceding phase of development, as identified in the phasing plan to be submitted to and approved by the Planning Authority in accordance with Condition 4 of this permission, whichever is the later.
2. That the development hereby granted shall be begun before the expiration of two years from the final approval of the matters specified in conditions for the respective phase or, in the case of approval on different dates, the final approval of the last such matters to be approved.
3. No development in connection with each respective phase of the planning permission hereby approved shall take place until full details of the siting, design, external appearance and landscaping within the relevant phase of the development and the means of access serving the relevant phase of development (hereinafter referred to as the "MSC") have been submitted to and approved in writing by the Planning Authority. The development shall then be implemented in complete accordance with the approved details. Depending on the phase, the MSC shall include:
  - a) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant phase of development;
  - b) A detailed Drainage Plan for the relevant phase of development, including full details of the proposed means of disposal of surface water from the relevant phase of development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;
  - c) Full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase of development;
  - d) Details of all cut and fill operations in the relevant phase of the development;
  - e) The details of all roads, footpaths and cycleways throughout the relevant phase of the development, including the progressive upgrading of Whitestripes Road where the development fronts and accesses that road;

- f) Details of any screen walls/fencing to be provided within the relevant phase of the development;
  - g) Details of all landscaping, planting and screening associated with the relevant phase of the development;
  - h) Full details of the layout, siting, design and finish of all residential properties, including the gypsy traveller site, throughout the relevant phase of development;
  - i) Full details of the layout, siting, design and finish of all non-residential properties throughout the relevant phase of development. This shall include but is not limited to; community facilities, health centre, schools, commercial premises, energy centres, pumping stations, and water treatment works;
  - j) Full details of all waste/recycling collection points, for residential and non-residential properties;
4. Concurrently with the submission of the first application for the approval of MSC, plans shall be submitted to the Planning Authority for approval showing the proposed phasing of the development. Following approval of the phasing scheme the development shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing by the Planning Authority.
5. The landscaping details to be submitted pursuant to Condition 3 above shall include:
- a) Existing and proposed finished ground levels relative to a fixed datum point;
  - b) Existing landscape features and vegetation to be retained;
  - c) Existing and proposed services including cables, pipelines and substations;
  - d) The location of new trees, shrubs, hedges, grassed areas and water features;
  - e) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
  - f) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
  - g) An indication of existing trees, shrubs and hedges to be removed;
  - h) A Biodiversity Action Plan;
  - i) A Management Plan detailing appropriate management measures for all watercourse buffer strips;

- j) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

- 6. The details to be submitted pursuant to Condition 3 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of the future long term maintenance of the system covering matters such as:
  - a) Inspection regime relating to matters such as offlets/inlets;
  - b) Frequency and method of cleaning of filter trenches, removal of silt etc.;
  - c) Grass cutting (and weeding) regime for swales;
  - d) Means of access for future maintenance;
  - e) How to ensure that planting will not be undertaken over perforated pipes;
  - f) Details of the contact parties for future factoring/maintenance of the scheme;
- 7. Prior to the commencement of any phase of development, as identified in the approved phasing plan required by condition 4, for each respective phase full details of the proposed street design for each block, which shall contain, but not be limited to, a parking strategy, road junctions and visibility splays, gradients, level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the Planning Authority in consultation with Roads Development.
- 8. That no development within the phase that includes the 'town centre' (including the 2500m<sup>2</sup> unit of retail floorspace indicated in the approved Grandhome Development Framework) shall take place unless there has been submitted to and approved in writing by, the planning authority Retail

Impact Assessment (RIA) for the Town Centre The RIA shall assess the proposed scale and mix of town centre uses (Class 1, 2, 3, 7 and 11) and any impact on nearby town, district and neighbourhood centres and the city centre, together with an assessment of the scale and mix of town centre uses that are required to meet the retail and leisure needs of Grandhome residents and adjacent residential communities. The Assessment should also demonstrate how town centre uses should be phased to ensure the vitality and vibrancy of the Town Centre. No more than 25,000sqm retail floorspace shall be accommodated within the Town Centre unless supported by the conclusions of the Retail Impact Assessment – in order to ensure that the level of retail floorspace is appropriate to the size of settlement at all times.

9. Prior to the occupancy of each block, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the agreed parking strategy as outlined in the approved Street Engineering Review (SER) in accordance with the Council's Car Parking Standards.
10. That no development shall commence until such time as a public transport strategy, including proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy, have been submitted to and approved by the Planning Authority. No dwellinghouse shall then be occupied until the details submitted have been approved by the Planning Authority and shall thereafter be implemented in full in accordance with such a scheme – in the interests of encouraging the use of public transport.
11. Prior to occupation of any development, and unless otherwise agreed in writing by the Planning Authority, the access junction onto Whitestripes Avenue and signalised pedestrian/cycle crossing will have been constructed.
12. Prior to commencement of the development, details of the frontage treatment along the trunk road boundary shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland – to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.
13. No residential units shall be occupied prior to November 2015 - To coincide with the opening of the Third Don Crossing
14. The proposed development shall be limited to Phase 1, comprising 500 residential units and ancillary uses, for the period prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Parkway – to restrict the scale of the development in order to minimise the interference with the safety and free flow of traffic on the trunk road.

15. For the period whilst it remains a trunk road, there shall be no means of direct access to the A90 Parkway for either vehicles or pedestrians – to ensure that the movement of traffic and pedestrians is confined to the permitted means of access thereby lessening the danger to and interference with the free flow of traffic on the trunk road.
16. Unless otherwise agreed in writing by the Planning Authority, no more than 501 residential units within the development shall be occupied until:
  - (a) a new signalised junction on the Parkway has been constructed; and
  - (b) the modifications to the Buckie Farm Roundabout approach from Whitestripes Avenue.
17. Unless otherwise agreed in writing by the Planning Authority, no more than 3501 residential units within the development shall be occupied until the signalisation of the Laurel Drive junction with the Parkway has been completed.
18. Prior to the commencement of any development or preparatory site works on any phase of the approved development a report of a full site investigation carried out in accordance with BS101075:2011 Investigation of Potentially Contaminated Sites - Code of Practice and 'Model Procedures for the Management of Contaminated Land, CLR 11, Environment Agency, 2004' for that phase shall be submitted to the satisfaction of the Planning Authority.
19. Where it is determined by the site investigation report(s) that remediation of any of the phases is required, no development shall take place in that phase of the development until a satisfactory remedial scheme has been submitted for the consideration and written approval of the Planning Authority in consultation with Environmental Health. Upon the completion of the remedial works for that phase and before the development is occupied a validation report shall be submitted for the approval of the Planning Authority.
20. No development in any particular phase of the development hereby approved shall take place unless a badger survey for that phase has been carried out and submitted to and approved in writing by the Planning Authority. The survey shall identify the location of all setts within the site and its vicinity and shall be undertaken by an experienced badger surveyor. Thereafter no development shall take place within the relevant phase of the development unless detailed mitigation measures to safeguard all existing badger setts located on and in the vicinity of the site have been submitted to and approved in writing by the Planning Authority. These details shall ensure access to fields for foraging and the retention of an adequate foraging area on completion of the development. For the avoidance of doubt there must be a minimum of 30m between any part of the development (including garden ground) and any sett. No development shall take place within the relevant phase unless the mitigation measures which have been agreed in writing by the Planning Authority are carried out in accordance with the agreed scheme – to ensure the protection of badgers.

21. No development in a particular phase of the development hereby approved shall take place unless a bat survey of the phase has been carried out by a licensed bat worker and submitted to and approved in writing by the Planning Authority. Thereafter, no development shall take place within that phase unless detailed mitigation measures to safeguard bats within the phase have been submitted to and approved in writing by the Planning Authority and the agreed mitigation measures have been carried out in their entirety – in the interests of protecting bats.
22. No works shall take place within any phase of development, until the developer has secured the implementation of a programme of archaeological works for that phase in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the Council Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the Council's Archaeology Service.
23. No development in connection with any phase of the development hereby approved shall take place unless a detailed Flood Risk Assessment, adhering to Technical Guidance for Flood Risk Stakeholders, for that phase has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. All work shall be carried out in accordance with the approved Assessment.
24. Prior to the commencement of any works, a scheme detailing levels of sustainable drainage (SUDS) surface water treatment shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control. Reason: to ensure adequate protection of the water environment from surface water run-off.
25. All open watercourses on site should remain open and not be culverted unless otherwise agreed in writing by the Planning Authority in consultation with SEPA.
26. No development in connection with any phase of the development hereby approved shall take place unless a Survey identifying any private water supplies in that phase that will be impacted by the development has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. The Survey shall identify measures to protect or replace any identified private water supplies. All work shall be carried out in accordance with the approved Survey.
27. Prior to the commencement of each respective phase of the development, a tree survey shall be carried out identifying existing tree species, an estimation of their height and spread of branches, and with their location



- within the site accurately plotted. Those trees which it is proposed to retain or to fell or remove shall be separately identified.
28. No works on any phase of the development hereby approved shall commence unless a detailed site-specific construction method statement has been submitted to and approved in writing by the Planning Authority. The construction method statement shall include details of the proposed routing of construction traffic. Once agreed, all construction works on the site shall comply with the approved construction method statement.
  29. Prior to the commencement of works on each phase, a site waste management plan shall be submitted for the written approval of the Planning Authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved plan.
  30. Prior to the commencement of development on each phase, a full site specific environmental management plan (EMP) must be submitted for the written approval of the Planning Authority, in consultation with SEPA and any other relevant agency, and all work shall be carried out in accordance with the approved plan. Such a plan shall include a dust management plan, detailing dust mitigation measures and controls, responsibilities and any proposed monitoring regime. The dust management plan shall be in accordance with good practice recommendations within the Institute of Air Quality Management: Guidance on the Assessment of the Impact of Construction on Air Quality and the Determination of their Significance, December 2011 and guidance on Air Quality monitoring in the Vicinity of Demolition and Construction Sites – in the interests of protecting the environment.
  31. Prior to the occupation of any non-residential units, details of the intended initial use class, and any plant and equipment to be installed shall be submitted and approved in writing by the Planning Authority, in consultation with Environmental Health. Details are to include an assessment of noise impact on the nearest residential property and recommendations for mitigation measures. Any measures recommended shall be implemented in full prior to the non-residential units being brought into use – in the interests of residential amenity.
  32. That no commercial / employment or residential element of the development shall be occupied unless there has been submitted to and approved in writing by the Planning Authority, a comprehensive Travel Plan for that part of the development, setting out proposals for reducing dependency on the private car. Each Travel Plan shall identify measures to be implemented, the system of management, monitoring, review and reporting, as well as the duration of the plan.
  33. That no development shall take place within any individual phase unless there has been submitted, to and approved in writing by, the planning authority an MSC application identifying safe routes to schools within the proposed development – in order to promote sustainable and safe travel

34. No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been approved in writing by the planning authority.  
The scheme shall follow the procedures outlined in “Planning Advice Note 33 Development of Contaminated Land” and shall be conducted by a suitably qualified person in accordance with best practice as detailed in “BS10175 Investigation of Potentially Contaminated Sites - Code of Practice” and other best practice guidance and shall include:
1. an investigation to determine the nature and extent of contamination
  2. a site-specific risk assessment
  3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed
  4. verification protocols to demonstrate compliance with the remediation plan
- No building(s) on the development site shall be occupied unless
1. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and
  2. a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation. The final building on the application site shall not be occupied unless a report has been submitted and approved in writing by the planning authority that verifies that the remedial works have been carried out in full accordance with the remediation plan, unless the planning authority has given written consent for a variation - reason: to ensure that the site is suitable for use and fit for human occupation.
35. Given the site’s location near to the airport, development shall not commence until a Bird Hazard Management Plan for the duration of earth works has been submitted to, and approved in writing by, the planning authority. The Bird Hazard Management Plan must outline the Developer’s commitment to managing the risk of attracting birds to the site during excavation activities, and the measures in place for the safe dispersal of birds – in the interests of aircraft safety.
36. In the event that during construction, carnage or scaffolding is required, then their use must be subject to separate consultation with Aberdeen International Airport (AIA). We would like to draw the applicant’s attention to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome – in the interests of aircraft safety.
37. The proposed SUDS pond has the potential to attract feral geese and waterfowl, therefore details of the pond’s profile and its attenuation times are requested from the applicant. If the pond is to remain dry for the majority of the year and has a rapid drawdown time, it should not be an

- attractant. However, should this not be the case, the scheme must outline the measures in place to avoid endangering the safe operation of aircraft through the attraction of birds – in the interest of aircraft safety.
38. No development shall take place within any individual phase unless there has been submitted to, and agreed in writing with, the planning authority, a survey to identify any private water supplies within that could be impacted by the proposals within the phase in question, and measures identified to protect or replace any supplies. Such measures as so agreed shall be implemented in full prior to the occupation of residential accommodation within the phase – in order to ensure the supply of water to existing dwellings.
  39. That no buildings within any respective phase of the development hereby approved shall be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' SG has been submitted to the planning authority via a formal application and subsequently approved by that authority, and any recommended measures specified within the 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 SG.
  40. that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.
  41. 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.
  42. 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 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.
  43. 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 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  
- in order to ensure adequate protection for the trees on site during  
the construction of the development.

**Informative 1.**

Unless otherwise agreed in writing with the Planning Authority, during the construction of any phase of the development, the normal hours of operation for all activity audible at the boundary of the nearest noise sensitive premises shall be between 07:00 to 19:00 hours Monday to Friday; 07:00 to 12:00 hours on Saturday, with no working on Sundays.

**Informative 2**

It is advisable that the developer contact the Council's Waste Aware Team to discuss the appropriate waste storage and uplift arrangements for the residential developments.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.

**Robert Vickers**

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**From:** Alan Tulloch [REDACTED]  
**Sent:** 22 November 2013 13:48  
**To:** PI  
**Subject:** Ref 131 535

Sir / Madam

I see from the 'Citizen' paper that there is a proposal to build an extra 4700 houses in the area just north of the Parkway.

It is noted that this development does 'NOT accord' with the Development Plan 2012. So if so why is it even being considered?

In addition can anybody in the planning department explain how the extra cars from this development will be able to access the city? Whilst I appreciate that only 500 houses will be in phase one this will still add approximately 400 cars to the traffic during 'rush hour', best assumption is that half will head West and half will head East. At present the traffic is backed up to half way between the TESCO roundabout and the junction with Fairview Street most mornings, and in the other direction it backs up from the Ellon road to the Scotstown Road junction, so in future will the new home owners be able to join the traffic queue at their front door?

There was discussion at the 'viewing' day that traffic would also head across towards Dyce on the back road, but again this is queued from the Parkhill bridge to the Parkhill cross roads, added to which this is a poor quality minor road with numerous twists and turns.

At the very least the Persley bridge will need to be dualled as will the railway bridge at the top of Mugiemoor road to allow a freer flow of traffic onto Anderson Drive etc. In a similar way there should be NO more properties built North of the Don until this crossing is improved and ideally wait until the third crossing is COMPLETE, not just a 'plan' with completion sometime 20 years in future

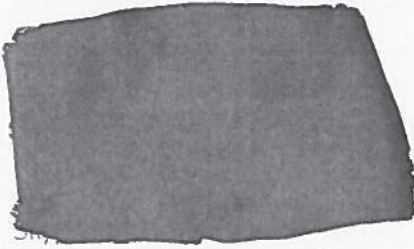
I will await your comments.

I assume that personal views are at least noted?

Home Address:-  
 46 Lee Crescent

Best Regards / Vennlig Hilsen

Alan Tulloch CChem MRSC  
 Sales and Service Manager  
 Online House  
 266 Auchmill Road  
 Aberdeen  
 AB21 9NB



LCC

22 Wallacebrae Place  
Danestone  
Aberdeen  
AB22 8YP  
26 November 2013

Aberdeen City Council  
Planning and Sustainable Development  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Dear Sir,

Planning Application Ref No: 131535  
Development Grandhome Estate Aberdeen

I would like to comment on the above planning application ~~objection~~ as I am concerned that the road infrastructure cannot cope with a development of this size.

Currently at peak times traffic travelling through Danestone and along the Parkway regularly moves at a snails pace, with lines of cars on the Parkway stretching back as far as the Whitestripes Roundabout. Delays of this size also occur at the weekends. Other ongoing housing developments within the Bridge of Don area will be adding to the existing problem.

The Grandhome proposal indicates that the Third Don Crossing, the AWPR and then the alteration to the Haudagain Roundabout will alleviate the traffic problem. The AWPR is not scheduled for completion until 2018 and work on the Haudagain will not start until after the AWPR is completed and a final date has yet to be given on the Third Don Crossing.

It is not unreasonable to assume that there will delays in the completion of these three road projects and any delay combined with the ongoing development at Grandhome will produce substantial problems.

I would ask that the Council put procedures in place so that they and the developer work closely together as a balance needs to be achieved with the speed of this development very closely matching the upgrading of the roads network.

Yours faithfully,



Mr B Ord

PI

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**From:** Amanda Tulloch <[REDACTED]>  
**Sent:** 25 November 2013 18:51  
**To:** PI  
**Subject:** ref no:131535

I would like to lodge an objection to the The Grandhome Trust application and would strongly recommend it to be rejected.

At present anyone living in Bridge of Don/Danestone have to face massive lengthy delays on the Parkway which cannot cope with the volume of traffic as it is. This occurs not only at peak periods but even at weekends. The road is gridlocked and until such time as the traffic problems at the Haudagain/APWR are sorted it is crazy to build more houses. There is still no progress on a third Don crossing either. This proposal does not even fit in with the Development plan so shouldn't even be considered.

I feel very strongly on this matter as do many others in the area,

Mrs Amanda Tulloch

LCC

PI

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**From:** Tony Holliday [REDACTED]  
**Sent:** 20 November 2013 12:25  
**To:** PI  
**Subject:** Grandhome Estate, Danestone, Aberdeen, Planning Application Ref : 131535

I object to the outline planning application for the Grandhome Estate, Danestone, Aberdeen for the following reasons;

- There is insufficient infrastructure to support the development of the initial 4700 new houses.
- There are only two bridges across the River Don, both of which are heavily congested between the hours of 7am and 9.30am at the earliest. Adding at least another 6,000 cars to the congested area will cause gridlock most working day mornings.
- The Haudagain roundabout is severely congested with traffic from the Parkway and Great Northern road converging on a recognised traffic bottleneck. It is unlikely that this situation will be alleviated before 2025 if at all. It would be irresponsible of the council to approve a development of this magnitude based on traffic management solutions that may never be realised. This also applies to the third River Don bridge crossing which has been talked about since 1975 (38 years) and has yet to be built.
- Adding a new set of traffic controls on the Parkway will result in even longer tailbacks of traffic, possibly extending back to the Aberdeen Exhibition Conference Centre which also a recognised bottleneck, resulting in total gridlock.
- In the event of fire, accident or medical trauma (heart attack, stroke, diabetic coma etc.) the emergency services will not be able to respond fully to an incident due to traffic congestion which may result in the loss of life. Aberdeen City Council has a duty to protect and care for all citizens of the city and it would be failing in its duty of care if these development proposals are approved without adequate provisions for access and exit from a suburb of the city.

I implore the planning committee to reject these proposals until the third Bridge of Don crossing has been built and is operational and the Haudagain Roundabout has been re-designed to meet the ever increasing levels of traffic from North of Aberdeen and the Bridge of Don areas.

Yours faithfully,  
  
Anthony Holliday  
22 Buckie Close  
BrIdge of Don  
Aberdeen  
AB22 8DJ



LEG

**PI**

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 21 November 2013 09:07  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : John Bruce  
Address : 4 Barbour Brae  
Bridge of Don  
Aberdeen

Telephone [REDACTED]  
Email [REDACTED]  
type :

Comment : The current situation of access and excess into Bridge of Don is completely unacceptable and the addition of this development would add additional pressure to the already poor roadwork infrastructure. The addition of the bypass will not be of any benefit for this particular situation, and there are no plans of an additional bridge to help ease the traffic pressures which occur on a daily basis.

26 Stains beds, LCG  
Bridge of Don.  
Aberdeen.  
AB22 8TW.

Dear Sir,

HOUSING DEVELOPMENT AT GRANDHORN  
BRIDGE OF DON.

I am writing to OBJECT to these plans being considered for approval.

These houses should not be approved until the third crossing over the Don and the A.W.P.R. are completed.

The gridlock on the Parkway is very bad all the time not just at rush hour. Another (minimum) 7000 cars will bring it to a stand still. (it often is at the moment)  
At the moment we have to leave on hour to get to the ARI for an appointment from our house.

The explosion of houses at Mugimoss and news today news of more plans for Woodside playing fields just leaves me with fears of being imprisoned in the Bridge of Don.

Please consider the people who live in the area at the moment. They deserve to be listened to as we are the ones living with the traffic problems.

Yours faithfully



MRS. DOREEN STEWART.

CCG

10 Johns Park Place  
Danestone  
Aberdeen  
AB22 8QL

Planning & Sustainable Development  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

21 November 2013

Dear Sir/Madam

**Panning Application Ref:131535**

I write to oppose this planning application submitted by The Grandhome Trust on the basis that building 4,700 homes in this area is not feasible until the current transport problems have been not only addressed but fixed.

Danestone cannot possibly be enlarged to this degree until there is working solution to the current severe traffic problems.

Also this application does not accord with the current Development Plan and should not proceed on this basis either.

I would like to suggest that some of the land involved be used to create a dualled carriageway from the Tesco roundabout at Laurel Drive and the length of the Parkway on which the land borders.

Yours faithfully



Margaret J C Main MBE, MSc

**PI**

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 20 November 2013 09:08  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : James Glennie  
Address : 20 Fairview Avenue

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : No way should this development be allowed to proceed until such time as the 3rd Don crossing has at least been started, that the Parkway be made a dual carriageway and the WPR be at least started. To have a possible extra 10000 cars using the existing infrastructure, not including the new developments at Dubford, Mugiemoos, Persley is just incomprehensible. The council just cannot role over to developers every time applications come in, they have to take into account the infrastructure issues.

11 Jesmond Avenue North  
Bridge of Don  
Aberdeen  
AB22 8WJ

19 November 2013

Aberdeen City Council  
Planning Dept  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Dear Sirs

Re: Planning Application Grandhome, Bridge of Don

We wish to lodge an objection to the above planning application on the grounds that the infrastructure cannot support the additional volume of traffic this development will create. The Parkway is chronically congested and the bottleneck at the Haudagain Roundabout is legendary. We believe assurances were given a couple of years ago when the Local Plan was agreed that no go ahead on the above development would be given until the AWPR was in place and also a third Don crossing. These assurances should be upheld.

We feel also that the development would create an over provision of housing in the already highly populated Bridge of Don area.

We trust the Committee will note our objections.

Yours faithfully



James and Evelyn Watson

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 16 November 2013 14:39  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : Dr Ian Taggart  
Address : 2 Fairview Road  
Danestone  
Aberdeen  
AB22 8ZG

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : The following points are listed as reasons for objection to this proposed development:

Overall the ultimate development of 7000 households appears to increase the population of the Bridge of Don/Danestone areas by 30% &#8211; 50%, based on 2011 census figures. This will undoubtedly lead to considerable pressure on the transport infrastructure even with the proposed &#8216;improvements&#8217; as will the phased developments. Despite the proposed improvements suggested it is apparent in the consultation report that there will be increased journey times particularly in the Buckie Farm &#8211; Persley Bridge section of the current A90 Parkway where proportionately the journey times will increase considerably.

Whilst I do not have the benefit of computer modelling regarding these journey times I have considerable experience of the frustration and time delays at peak times on this stretch of road which can only be increased with such a large increase in population. My experience at peak times, compared with the data provided, is excessively long delays aggravated by the current Haudagain Roundabout.

I would also question the frequency and provision of bus services to Danestone detailed in the report as it is not uncommon for the current service provider to delete a scheduled service with no notice to users.

It is difficult for me to appreciate that the major improvements considered will alleviate transportation to the development. I suspect the third Don crossing will grid lock at St Machar Drive roundabout, particularly at peak times, effectively moving congestion rather than solving it.

Of more importance is the proposed development at the Haudagain Roundabout which appears to be stalled. I do suspect that the proposed timescale, given the lack of progress to date, is wildly optimistic.

To embark on such a large scale development given the current transport infrastructure in Aberdeen, even with the proposed &#8216;improvements&#8217;, will result in increased frustration and a deterioration in amenity for current and future residents in the area.

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 15 November 2013 17:41  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : Julie Greig

Address : 7 Newburgh place Bridge of Don ab22 8sw

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : You have to be joking. 4700 new homes and you are considering closing schools in the area. Providing no extra transport links. Bridge of don is a joke in the morning as it is.

I OBJECT. I OBJECT. I OBJECT.

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 15 November 2013 14:33  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : Jill Roberts

Address : 41 Slains Circle

Bridge of Don

Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : This is insane! The two bridges cannot cope with the amount of domestic traffic as it is. All it takes is for an accident within a 5 mile vicinity of Bridge of Don and were at a complete standstill. Have you learned nothing from the disaster and chaos of Oil and Gas week and that was 4700 extra cars? Not too mention that you can add another 3000 to that number as most working families require 2 cars to meet all commitments. I find this ludicrous and in very poor taste considering our battles for a 3rd crossing are still no further on than when they shut the Grandholm bridge, for the very rich people, so many years ago. Alongside the school estate issue of combining two local primary schools in inadequate facilities, now you want to increase the number of children that will be insufficiently provided for, so much for the Curriculum for Excellence! I don't suppose the people that will profit from this planned proposal are residents of Bridge of Don and are looking at their bank balances rather than considering the human cost and the effect it will have on the already largest suburb in Europe (with limited amenities. Whilst your at it please build a benefit centre for those of us that might as well give up work as we have no hope of getting there on time (let alone home to spend a meal with our families) if this mind-numbingly selfish plan goes ahead. In short, I object!



PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 15 November 2013 20:20  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : gillian wilson

Address : 4 middleton terrace, bridge of don, aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : this development will be just across a narrow country road from me. the traffic generated by this many houses is going to have a horrific effect in the area. they will only be able to access out from this road to whitestripe road, I assume there will be no direct access to the parkway.this road barely copes with 2 cars passing each other without another several 100 cars. currently traffic can be queing along the parkway almost to the roundabout at the bottom of whitestripes road on a morning with commuters, this will just intensify the problem.With no signs of a bypass in the imminent future everyone will suffer. then the schooling problem for these families has been well identified, children either cramming into schools on Jesmond or having to cross the Parkway to attend Danestone. this to me is a developer and land owner putting profit over these issues and the safety of everyone currently living in the area. I object to this development for these reasons!

131535

Development Management

Aberdeen City Council

Marischal College

Aberdeen

13-11-13

265 Fairview Drive

Danestone

Aberdeen

Proposed Grandholm Development

AB22 8ZZ

Dear Sirs

I am dismayed the planning for the proposed Grandholm development seems to be gathering pace. It is only a matter of months since I attended a meeting at which plans and a time table for each section were presented. It was stated categorically that not a sod would be cut till the city western bypass was complete. Which drain did these promises go down .

We have been promised a third Don crossing, an upgrade to the Haudagain and city bypass.

These things always come to the fore as we approach local or national elections then slip down the priority list. The latest estimate from City Council and Scottish Government for completion of the bypass is 2018,(don't hold your breath), the Haudagain then starts ,give it two years .

NO ADDITIONAL TRAFFIC ON THE PARKWAY BEFORE 2020 AT THE EARLIEST

The third crossing , if whichever local political party is in power lets it go ahead will also join the Parkway. More disruption. There is also a major development on Mugiemooss Road to start.

It affects both Haudagain and Parkway.

Please co-ordinate these projects properly. The local residents and all commuters deserve a smooth run.

Sincerely,



E. Johnstone

**Robert Vickers**

---

**From:** Andy Sangster  
**Sent:** 14 November 2013 15:20  
**To:** PI  
**Subject:** Application Number 131535

I wish to voice my reaction to the application for the building of a mixed-use development proposed by the Grandhome Estate, Danestone, Aberdeen, application number 131535.

I am against such development as this will have a great effect on my view from the rear of my residence. Please advise my next steps regarding my complaint.

Regards,

Mr A. Sangster  
39 Fairview Way,  
Danestone,  
Aberdeen  
AB22 8ZW

**Robert Vickers**

---

**From:** ssmith93 [REDACTED]  
**Sent:** 14 November 2013 23:26  
**To:** PI  
**Subject:** planning application for Grandhome

Dear Sir

I wish to object most strongly about the application for 4,700 houses at Grandhome.

Has anyone seriously checked out the road infrastructure and how it is going to cope with these added houses if this is allowed to go ahead then you are putting people at risk because I fail to see how any of the services are going to be able to get to the Bridge of Don quickly and safely.

I feel that there are already too many houses in the Bridge of Don and that also raises the question of schools as you seem to be intent on closing one of the schools but if you are allowing these houses to be built where are the children to be schooled.

Yours faithfully

Sylvia Smith  
[REDACTED]

## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 14 November 2013 12:30  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : Alistair Bishop  
Address : 38 Buckie Road  
Aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : Impact on access, parking or road safety; Design;

On the above topic, I note that mention is made within the planning application of structures such as the Third Don Crossing and the Western Peripheral Route where it is 'assumed' these will be completed prior to delivery of certain phases. Such 'assumptions' should be turned into an actual condition of any permission being given. i.e the development should not be allowed to commence UNTIL the above mentioned infrastructure is in place. If this means delaying Phase 1 then so be it. The traffic situation in this general area is a living nightmare as it is, so it should not be allowed to get any worse on the hope that a new bridge or bypass will solve the problem. Please can you make sure not to put the cart before the horse here i.e infrastructure first (and proved to be working) and a distant second - new houses.

88 Wallacebrae Road

Aberdeen

AB22 8YQ

12<sup>th</sup> Nov 2013

Dear Sir,

We the undersigned wish to register our objection to the Grandhome development being given permission to begin before any improvement has been made to the gridlocked roads which surround this area. We were given assurances years ago that no further building would be allowed until the road situation had been resolved and we all know that has not happened and the problem has not been improved by the number of houses already built at Mugiemoos. The length of time which commuters spend in traffic at peak times is getting longer as more people leave home earlier in an attempt to beat the inevitable gridlock and lord help us if there is an accident, a break-down or a fall of snow as the area comes to a complete standstill. We have heard that traffic lights are proposed for the Parkway and that fills us with horror as we remember the chaos caused by lights many years ago at the Haudigan when there was much less cars and fewer houses in the Bridge of Don.

Gridlock is not confined to rush hour we have left our home at lunch-time to find a line of cars right from the Parkway and past Fairview Road.

Theory is all very well but realistically very few people will work as well as live in the Granhome complex and as long as it takes over an hour on public transport to get into the town centre and the same to get home (add that to your working day, longer if you then need to take another bus eg. to Altens.) Also commuters need consider the price of bus fares – possibly the most expensive in Scotland. So if you think you are going to get people to use public transport we think you are living in cloud cuckoo land.

If you consider that most houses have two or more cars then you are looking at adding at least 6000 cars to the area (this is taking the first phase only into consideration) – admittedly they would not all be travelling at peak times but a large percentage of them will as many women do not give up work when children come along.

Please consider the points made in this letter and take appropriate action. This area deserves some consideration before dumping even more houses beside us.

We are also concerned about drainage from the building work as when there is heavy rain there is a lot of water runs down from the higher ground as it is and the drain covers in the road have been known to be lifted by the water pressure.

If any of the council think we are exaggerating the traffic problem in the Bridge of Don we suggest that they try using the road at any time between 6.45am and 9am and 3.30 to 6pm any week day! Do not ignore the comments of the commuters who travel on these roads as they are genuinely concerned about future vehicle numbers and subsequent hold-ups the increased numbers will cause.

We agree with John Reynolds opinion about the Granhome plan and admire his decision to resign as he disagreed with the Council over this issue and because he was sure it was a bad idea for the area he represented. We also find it impossible to understand how other councillors fail to realise how all this extra houses will affect this area or is it a case of NIMBY – as long as it does not affect their own constituencies it is ok to keep building on the outskirts. Are you also considering the amount of rich farmland being built over – we still need to land to grow crops and rear livestock. There must be less productive land which could be used for future builds which would hopefully not be so intrusive to the existing communities.

Yours faithfully

A dark, rectangular redacted area covering the signature of the sender.

PI

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**From:** Abe Davidson [REDACTED]  
**Sent:** 12 November 2013 14:22  
**To:** PI  
**Subject:** proposed development of Grandholm estate application number 131535

My wife and I very strongly object to this development -- My one and only reason being -- How can this development even be considered to take place when the the traffic infrastructure is already at breaking point if not total chaos at certain times of the day. This is not a NIMBY protest as we accept this development will eventually take place in the future, but before it does, please ensure the 3rd Don crossing, the WPR are in place and that the Hudagain problem resolved This must be done before this or any other Bridge of Don development be allowed to take place. --- The following is not part of my objection but I have to state that I find really ironic that the developer, Grandhome estates have spent years on hounding, chasing, prosecuting people who dared wander on to their land/water, many of them Aberdeen citizens, now want all and sundry on it just so they can create more wealth..

Albert Davidson & Dorothy Davidson  
42 Fairview Road  
Danestone  
Aberdeen AB228ZG

33 Fairview Way  
Danestone  
Aberdeen  
12 November 2013

Dear Sirs

Grandhome Estate, Danestone, Aberdeen - Planning Application No 131535

I am writing with regard to the above application.

Our house backs onto the Parkway and is situated under the electricity pylons which makes us virtually opposite the first phase of the proposed development. The Parkway struggles to cope with the volume of traffic now, and the proposal to build another 4700 in the first phase creates the potential for another 4700 plus cars using the Parkway particularly at peak times. I understand that construction work for the first 500 homes could begin next year which is an extra 500 cars straight away

This morning at 9.15 the traffic was backed up from the Hadigan roundabout to behind our house and nearly at the Danestone/Whitestripes roundabout. It then cleared for a short while but by 10.15 it was backed up again. This happens frequently. I understand that there are going to be new sets of traffic lights on the Parkway, but fail to see how this will help ease congestion. The roads leading to the Hadigan are only going to get worse given that there is also a large development in the pipeline for the Mugimoss area. In my opinion the Parkway is going to become the biggest car park in Aberdeen. The people behind this development seem to think that the AWPR and the third Don crossing are going to be the answer to all our congestion problems but the majority of the traffic will still need to access the Parkway to get to any of them. I might add that the majority of the people involved do not even live in the area and have no comprehension of what the traffic is really like.

In an article in the Press & Journal dated 5 November Bruce Smith was quoted as saying that trust was seeking planning permission after a lengthy public consultation process. It was also stated that the last public consultation event was held in October 2012. I was at that event and we were told that there would be another one in April of the following year. As far as I am aware the event in October has been the one and only consultation which the public could attend.

A development similar to phase one was planned some 15 - 20 years ago, and then all of a sudden it just died a death. Perhaps the developer behind it saw sense. To go ahead with this so many years later when the traffic is much much worse is just sheer lunacy

Yours faithfully

A large black rectangular redaction box covering the signature area.



**PI**

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**From:** Graham Morrison [REDACTED]  
**Sent:** 12 November 2013 18:59  
**To:** PI  
**Subject:** Granholme Planning Applicationn

Sent from my iPad. I strongly disagree with this application for housing on the Granholme estate until the proper infrastructures have been put in place and would hope that the committee turn this application down.

Graham Morrison  
12 Collieston Drive  
Bridge of Don  
Aberdeen

**PI**

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 12 November 2013 19:29  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : Mark Farquhar  
Address : 6 fairview way  
Danestone  
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I wish to lodge a formal objection to the building of this development. This area of Aberdeen has seen a huge amount of homes built over the years with scant regard to the road network links. During peak times the waiting times to cross the river has increased dramatically, without the added complications of minor RTA's, breakdowns or adverse weather. I also have real concerns of the potential of Fairview Street being use even more as a 'Rat Run' in order to escape the mini M25 that would be created if the planned 4700 homes be erected in the area. Only when a sufficient road infrastructure has been planned and built should a development of this magnitude be considered. Building pre AWPR is foolish and irresponsible.

**PI**

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 12 November 2013 18:21  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : Jon Stephen Procee  
Address : 37 Fairview Road  
Danestone  
Aberdeen  
AB22 8ZG

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : At present I strongly object to planning being granted for this development.

Until such time as the long overdue haudagain improvements and AWPR are implemented, along with a third Don crossing, there is no infrastructure to support the extra burden of traffic this development will impose on roads already over capacity at peak times.

The only reason I can see at present for the council granting consent would be the extra revenue in council tax which would be received.

## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 11 November 2013 19:03  
**To:** PI  
**Subject:** Planning Comment for 131535

Comment for Planning Application 131535

Name : Dennis Duncan  
Address : 5 Fairview park  
Danestone  
Aberdeen  
ab22 8zf

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object on the grounds that there is gridlock on the parkway with traffic and the over-provision of houses in the area

## Planning Development Management Committee

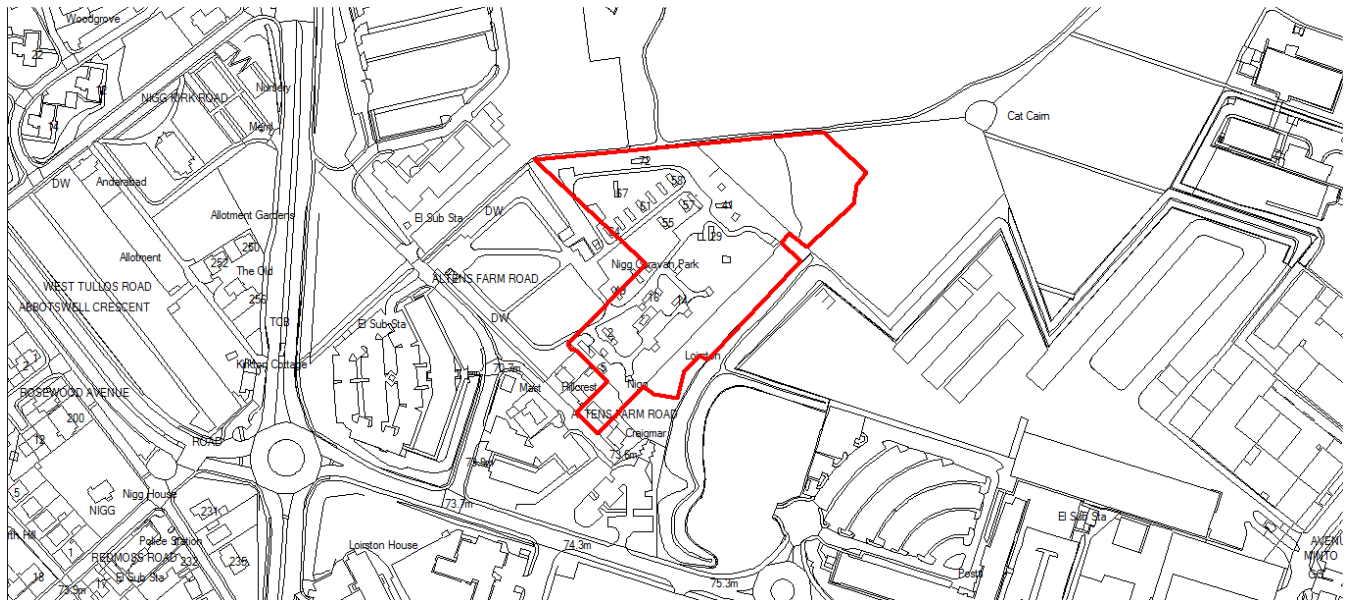
FORMER NIGG CARAVAN PARK, ALTENS  
FARM ROAD, NIGG

CONSTRUCTION OF 595 SPACE PARTIALLY  
DECKED CAR PARK WITH ASSOCIATED  
LANDSCAPING AND LIGHTING COLUMNS, TO  
INCLUDE DEMOLITION OF EXISTING  
DWELLING

For: Argon Developments (North) Ltd

Application Type : Detailed Planning Permission  
Application Ref. : P140434  
Application Date: 04/04/2014  
Officer: Matthew Easton  
Ward : Kincorth/Nigg/Cove (N Cooney/C  
Mccaig/A Finlayson)

Advert: Can't notify neighbour(s)  
Advertised on: 07/05/2014  
Committee Date: 28 May 2014  
Community Council : Comments



**Willingness to approve subject to conditions, but to withhold the issue of the consent document until the applicant (Argon) has entered into a legal agreement with the Council to secure (i) the inclusion of 36 parking spaces within the parking allocation for the future City Park 2 development, or their removal after five years of occupation of City Park 1, (ii) financial contributions towards capacity improvements on Wellington Road and (iii) the proposed tenant of the building approved under application P131742 (Wood Group PSN) enter into a legal agreement to implement the actions**

**within the Green Travel Plan and submit regular monitoring reports to the Council.**

## **DESCRIPTION**

The site is the former Nigg Caravan Park which is located on the east side of Altens Farm Road.

The overall site comprises approximately 2.5 hectares however the area subject of the application extends to 1.9 hectares. The paved vehicular access routes and caravan hard standings are currently being demolished as the site is prepared for re-development.

To the north is Tullos Hill, to the west is the remainder of the former caravan site and Core Path 103, beyond which is the Shell office complex. To the east is open space associated with Tullos Hill and an area of vacant land where it is proposed to construct an office building (planning application P131742). To the south is Altens Farm Road, where there are three houses and a hairdressers on Altens Farm Road.

Approximately 115m to the north east of the site is a scheduled monument known as 'Cat Cairn', part of a series of cairns found on Tullos Hill. The monument is of national importance as the remains of a prehistoric funerary monument of probably Bronze Age date, which may form part of a relict prehistoric landscape.

## **RELEVANT HISTORY**

- Planning permission (P131497) was granted by delegated powers on 28<sup>th</sup> November 2013 for a 309 space car park on the former caravan site. The parking was to be associated with an office development (19,233m<sup>2</sup> (gross) on the adjacent site under planning permission P131312. Between the two applications a total of 641 car parking space would be provided.
- Planning permission (P131742) was granted by delegated powers on 3rd February 2014 to revise the proposed office development approved under planning permission P131312 to allow an additional 3705m<sup>2</sup> (gross external) of floor space. This brought the total floor space to 23,980m<sup>2</sup> (gross external).

A non-material variation to application P131742 was granted on 3rd March 2014 to take account of –

- Additional storage accommodation and plant space at basement level;
- change from screened plant compound on the roof to enclosed plant room;
- relocation of service lift within the building and indication of the lift headroom;
- realignment of meandering path in the landscaped area to the south west corner of the building; and

- repositioning of the ramps from the service area up to the ground floor level at the west side of the building.

Due to way the gross floor area of the building is calculated, these changes resulted in the floor space increasing by 2334m<sup>2</sup> to 26,091m<sup>2</sup>. The size, scale and dimensions of the building remained as before.

- Planning permission (131748) was granted by delegated powers on 6th February 2014 to increase the number of parking spaces at the Nigg caravan site. The total number of spaces approved on the Nigg site was 381 and corresponds with the revised floor space approved under P131742.

In summary the total consented floor space at City Park is 26,091m<sup>2</sup> and 737 car parking spaces (169 beside the building, 187 in the basement and 381 spaces on the Nigg Caravan Site).

## **PROPOSAL**

Detailed planning permission is sought for the construction of a surface car park and decked car park which would accommodate a total of 595 car parking spaces and 13 motorcycle spaces.

The car park would provide parking for staff and visitors associated with the proposed office building (City Park 1) subject of planning permission P131742, the occupier of which is expected to be oil and gas services company Wood Group PSN ('WGPSN'), one of Aberdeen's largest employers. The company expects to accommodate 2084 staff at the building initially, with the potential for further growth to circa 2,340 through flexible working etc.

The proposed car park would supersede the car park approved through P131748 and in combination with the surface car park adjacent to the building and basement parking, would bring the total number of parking spaces at City Park to 930.

The surface car park would accommodate 411 car parking spaces and all the motorcycle spaces, with the parking bays finished in porous block paving whilst the roadways would be asphalt.

The decked car park would accommodate 184 spaces. It would be 60m wide and 70m long. Its height would be 2.85m to the surface of the deck and a further 1.1m to the top of the metal balustrade. It would be constructed with a precast concrete frame and poured concrete surface. The deck would be accessed via a ramp for vehicles and two stairwells for pedestrians. It would be illuminated by eight 5m high lighting columns.

It is intended that the car park would be accessed through the main office development site which itself is accessed from the roundabout at the Hareness Road / Crawpeel Road junction.

Areas of landscaping would be interspersed within the car park and there would be trees planted along the south west and south east boundaries. The car park would be enclosed by hedging.

Seven 8m high lighting columns would be installed throughout the car park.

### **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?ref=140434>. On accepting the disclaimer enter the application reference quoted on the first page of this report. The following documents have been submitted in support of the application and are summarised below –

Green Travel Plan for Wood Group PSN for the period 2014-2020.

The GTP shows that WGPSN employees travel from throughout the north east to reach their workplace. This area extends as far as Montrose in the south, Elgin in the west and Fraserburgh in the north.

As part of the GTP a staff travel survey completed which shows that at present the majority of staff (63%) travel more than 4 miles to reach their place of work, which has an impact upon the level uptake in walking and cycling. 17% of staff travel more than 20 miles which means that public transport options are also less appropriate due to the number of modes and changes required.

The GTP provides a detailed 79 point action plan to deliver a decrease in single car journeys from 59% to 41% and increased use of sustainable transport modes from 38% to 57%.

The Green Travel Plan proposes the establishment of a Transport Management Organisation (TMO) for the wider Altens and Cove area providing a co-ordinated channel for all transportation matters affecting businesses and residents in the area.

Business Case from Wood Group PSN which is summarised below.

The document explains that the company are seeking an additional 36 car parking spaces (4% above the permitted 894 spaces within the overall development) to support the future growth of the business.

The car parking provision proposed at CityPark would be 136 less spaces (13%) than compared to the seven existing offices which would be vacated. In this regard, WGPSN therefore feel that they are being penalised for relocating to newer, more sustainable office accommodation. The modal shift required to occur to

As Parking standards are based on gross floor area (GFA), WGPSN feel they are being further penalised due to the adoption of a more efficient density of



occupation. The occupation density which WGPSN intend on implementing would be 1 person per 10m<sup>2</sup> as opposed to the industry standard of 1 person per 12 – 14m<sup>2</sup>.

The document proposes that the additional 36 spaces are provided from car parking associated with the proposed adjacent development (City Park 2) thus ensuring that the overall car parking remains within the maximum car parking permitted.

Business Case – Supplementary Note from Bob Keiller, CEO of WGPSN, which outlines the wider benefits of WGPSN to Aberdeen.

In summary the note states that WGPSN is an international company headquartered in Aberdeen, which results in many global staff will visit for short to medium assignments and will work variable hours – it is more difficult for these visitors to cycle, walk or use public transport.

City Park will offer WGPSN greater capacity for these international staff - this invariably enhances Aberdeen's reputation with such visitors and can lead to business opportunities for other supply chain companies when visitors understand what the market here can offer.

Having the capacity to base people within WGPSN's headquarters in Aberdeen will aid employment sustainability in the North East of Scotland, WGPSN's preferred city location. It will also maximise WGPSN's ability to attract and retain essential, highly-skilled knowledge workers who will contribute significantly to the local economy.

As well as the above benefits, the document goes on to state that City Park will support other potential social benefits. WGPSN's business is built on seven core values - social responsibility being one of those. This encompasses three broad obligations - create employment opportunities for local people, use suppliers from the local supply chain and make a positive difference to the local community. WGPSN's support for local causes such as Glencraft, Maggie's Centre, Archie's and others is well documented. WGPSN's ability to support local causes will be increased by having greater capacity and also by having a concentration of staff at a single site - this makes fund raising events easier to organise and creates energy and momentum in support of great causes.

For the City Park development WGPSN believe that less than 930 spaces will seriously impact the attractiveness of the proposed development.

Transport Assessment Addendum which examines the impact of additional traffic on surrounding junctions.

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because Cove and Altens Community Council has objected to the

application. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

### **Roads Projects Team –**

- The total GFA of the building is 26091m<sup>2</sup> which using Aberdeen City Council parking standards of 1 space per 30m<sup>2</sup> results in 869 parking spaces plus 25 disabled spaces.
- It has now been agreed that an additional 36 parking spaces shall be accommodated on site which equates to approximately 4% above the maximum. This is only being agreed under the conditions that should the adjacent office development, known as City Park 2, be approved that this office development shall incorporate these 36 spaces within their maximum parking allowance. Should the adjacent office development not get planning approval then the additional 36 spaces are to be removed within 5 years.
- There are no alterations to the development vehicle access for this application. As per the previous applications the access will require to be subject to a Road Construction Consent (RCC).
- It is noted that the trip data submitted has been updated to consider the additional parking proposed and it can be confirmed these figures are satisfactory.
- As per the previous application contribution for the impact at the Souter Head Road / Wellington Road roundabout will be required. Using the same rate of contributions, an additional £16,000 should be secured for a contribution via a legal agreement.
- The impact predicted on the Harness Road / Wellington Road roundabout has been assessed using ARCADY and it can be confirmed that the results submitted show the roundabout to perform at a no net detriment with the proposed mitigation proposals at this roundabout. As per the previous application these mitigation measures are still to go through the RCC process to agree final design and geometries
- As mentioned previously a comprehensive TP has been submitted which includes an array of measures to ensure sustainable travel to the site will be promoted to a high level.
- The mode shift change in the targets section is ambitious and it is imperative that the TP action plan in section 13 should be adhered to.
- It is to be conditioned that the monitoring reports as set out in section 12.3 of the TP should be submitted for review within the time frames mentioned in the table. These reports should refer directly to the mode shift targets and the action plan as set out in the TP.

**Environmental Health** – No response received.

**Enterprise, Planning & Infrastructure (Flooding)** – A drainage impact assessment is required which should include calculations supporting the predevelopment greenfield runoff rate and the rate of discharge of the proposed development, that will have to be agreed with ACC.

In the proposal submitted the levels of treatment for a car park area are 2, which is in line with the SuDS design criteria.

The DIA should include the attenuation volume calculations, considering a 1 in 200 year event +20% due to climate change. A flow control device may be placed to limit the discharge flow.

The Flood Prevention Unit will offer further comments once the requirements stated above have been taken into account.

**Education, Culture & Sport (Archaeology)** – A condition should be attached which ensures that no development shall take place within the area indicated (in this case the area of the whole development) until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The programme of archaeological work will include all necessary post-excavation and publication work.'

**Community Council** - It is felt that the City Park Green Travel Plan and proposal for a Transport Management Organisation for this area, although a good idea on paper, may not result in everyone taking it on board.

What is the City Council's position, after analysis, of this proposal and is the proposal legally enforceable?

The cumulative affect of all the office development proposals in this locus with resulting traffic, would not only affect Hareness Road and Nigg Roundabout but Souterhead Road, the Makro Roundabout and the Coast Road along with all the surrounding road network.

Road improvements are required before any more traffic is introduced to this area to mitigate the effect of increased usage.

## **REPRESENTATIONS**

One letter of representation has been received from a resident of Sheddocksley. The representation notes that the car park would be associated with the adjacent office building development and queries whether the combined number of parking spaces would breach the maximum parking standards contained within Scottish Planning Policy.

## **PLANNING POLICY**

### **National Policy and Guidance**

#### Scottish Planning Policy (SPP)

45. (Economic Development) – Authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be

accommodated and new economic opportunities realised. Removing unnecessary planning barriers to business development and providing scope for expansion and growth is essential. The planning system should support economic development in all areas by:

- taking account of the economic benefits of proposed development in development plans and development management decisions,
- promoting development in sustainable locations, particularly in terms of accessibility,
- promoting regeneration and the full and appropriate use of land, buildings and infrastructure,
- supporting development which will provide new employment opportunities and enhance local competitiveness, and
- promoting the integration of employment generation opportunities with supporting infrastructure and housing development.

The planning system should also be responsive and sufficiently flexible to accommodate the requirements of inward investment and growing indigenous firms.

171. (Parking Policies) – The availability of parking can have an important influence in reducing reliance on the car. Planning authorities should apply maximum parking standards to on-site parking at new development to encourage modal shift. Parking restraint policies should be supported by measures to promote the availability of high quality public transport services. Authorities should also consider promoting park and ride schemes on commuter routes. Appropriate car and cycle parking should be provided at rail stations to encourage onward travel by rail.

172. In order to provide consistency in the level of maximum parking standard applied to specific types and scales of development, the following national standards have been set:

- Retail (food) (Use Class 1) 1000m<sup>2</sup> and above - 1 space per 14m<sup>2</sup>
- Retail (non-food) (Use Class 1) 1000m<sup>2</sup> and above - 1 space per 20m<sup>2</sup>
- Business (Use Class 4) 2500m<sup>2</sup> and above - 1 space per 30m<sup>2</sup>
- Cinemas (Use Class 11a) 1000m<sup>2</sup> and above - 1 space per 5 seats
- Conference Facilities 1000m<sup>2</sup> and above - 1 space per 5 seats
- Stadia 1500 seats and above - 1 space per 15 seats
- Leisure (other than cinemas and stadia) 1000m<sup>2</sup> and above - 1 space per 22m<sup>2</sup>
- High and Further Education (non-residential elements) 2500m<sup>2</sup> and above - 1 space per 2 staff plus 1 space per 15 students

Where an area is well served by sustainable transport modes, more restrictive standards may be appropriate. In rural areas where public transport is scarce, less restrictive standards may be appropriate.

## **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. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved.

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 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.

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. Private wastewater treatment systems in sewered areas will not be permitted.

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 and detail the standards that different types of development should provide.

### **Supplementary Guidance (SG)**

#### Transport and Accessibility SG

The maximum level of car parking for office use on site within the outer city zone is 1 space per 30m<sup>2</sup>.

### **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**

The site is zoned as business and industrial land in the adopted local development plan where Policy BI1 applies. The policy supports the principle of new business and industrial development within such areas. The use of a vacant site within the existing urban area is also welcomed as it reduces pressure for additional land to be allocated on greenfield sites.

Although a standalone car park would normally be contrary to policies regarding sustainable travel, the proposed car park would be associated directly with the proposed office development proposed under application P131742. The principle of this arrangement has been established through applications P131312 for the office and P131497 for the car park. If the application is approved it is recommended that a condition be attached to any permission which would not allow the proposed car park to be used for any other purpose other than in association with the proposed office building.

### **Access and Traffic**

The proposed access to the car park would remain as approved under P131748, which is through the main office development site which itself is accessed from the roundabout at the Hareness Road / Crawpeel Road junction. This is considered acceptable by the Roads Projects Team.

An addendum to the previously carried out Transport Assessment (TA) has been carried out with trip analysis reflect the notional floor space which would correspond with 930 parking spaces. The conclusions of the TA and action required are that –

- the additional traffic generation can be accommodated at Hareness Road / Wellington Road / West Tullos Road roundabout junction within the already agreed mitigation which would be implemented through the planning approval for the office building.
- the Southerhead Road / Crawpeel Road junction continues to perform within capacity in both the AM and PM peaks.
- an increase (£16,000) in the financial contribution towards improvements at the Souther Head Road / Wellington Road junction should be secured through the legal agreement.
- the agreed mitigation for the Hareness Road / Wellington Road junction, already required through the application for the office building, is sufficient to ensure a no net detriment situation at the junction.

The assessment has been reviewed by the Roads Projects Team and is considered acceptable.

## **Parking Standards**

Both Scottish Planning Policy (SPP) and the Council's Transport Supplementary Guidance recognise that the availability of parking can have an important influence in reducing reliance on the car. In order to encourage modal shift towards more sustainable modes of transport, the Council operate maximum parking standards for on-site parking at new development, based on the gross floor space of the proposed building.

For office developments in the 'outer zone' of the city, the Council have adopted through Supplementary Guidance on Transportation that forms part of the Development plan, the national standard within SPP which allows 1 parking space per 30m<sup>2</sup>. SPP does allow flexibility and states that where an area is well served by sustainable transport modes, more restrictive standards may be appropriate. In rural areas where public transport is scarce, less restrictive standards may be appropriate.

The gross floor space of City Park 1 is 26,091m<sup>2</sup> which equates to the maximum permitted number of standard spaces being 869. In addition to the 869 spaces, 25 disabled spaces are required, bringing the permitted total to 894.

WGPSN are seeking consent for 930 spaces overall (905 standard and 25 disabled), which is 36 spaces (4%) above that permitted by parking standards and represents a departure from the development plan.

Recognising the difficulty the Council would have in supporting an application which would contravene the parking standards, the developer and WGPSN have offered to have the additional 36 spaces included as part of the parking allocation associated with the proposed phase 2 of the City Park development, which WGPSN expect to fully or partially occupy in the future. This would result in the overall parking provision ultimately remaining within the maximum permitted, but would assist WGPSN in the initial move from seven sites to one and the reduction in parking provision associated with that.

Planning officers agree that this approach would be acceptable and could be secured through the signing of a section 75 legal agreement between WGPSN, the developer and the Council. The agreement would ensure that on submission of the City Park 2 application that the 36 spaces would be included in the calculation of parking provision for that phase. Should an application for City Park 2 fail to materialise, or the application is refused, the agreement would require the 36 parking spaces to be removed after 5 years of occupation of City Park 1. The use of a section 75 would also ensure that the restriction ran with the land, rather than being specific to WGPSN, should circumstances change and a different organisation occupy City Park 2.

Whilst in the long term the parking standards would not be breached, they would be for the time between occupation of the City Park 1 and occupation of City Park 2, which still represents a departure from the development plan.

SPP requires planning authorities to respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised.

It is recognised that if the parking standards were adhered to, WGPSN would see a reduction of 172 (16%) parking spaces in the move from its existing seven sites to City Park 1, which presents a challenge in terms of achieving a modal shift to accommodate the reduction over a short period of time. Allowing 36 spaces more than the parking standards would reduce the difference to 136 (13%), lessening the impact of the move for the company.

WGPSN also highlight that the move to City Park allows the company to significantly improve the provision of facilities that would encourage modal shift to sustainable transport options. There would be an 18% increasing in cycle parking, 50% increase in the availability of showers and 250% increase in video conferencing facilities which reduces the requirement to travel.

WGPSN advise that the number of employees which would be accommodated within the building would be higher than normal for a building of this size, which is achieved by the design of the building and efficient use of the available space. The industry standard office density is understood to be 1 person 12m<sup>2</sup>–14m<sup>2</sup>, whereas WGPSN intend on operating with a ratio of 1 person per 10m<sup>2</sup> at City Park. The parking standards are based on floor space rather than the number of staff accommodated within the building, therefore any increase in the number of people accommodated does not result in a corresponding increase in parking, thereby penalising WGPSN for efficient use of the building.

The Green Transport Plan (GTP) which has been submitted by WGPSN is considered to be a comprehensive package of ambitious measures which aims to reduce the use of private cars by their staff. WGPSN's commitment to increasing the use of sustainable transport measures is welcomed and will help to ensure that the impact of their development is minimised as far as possible. In accordance with the request from the Roads Projects Team, it is proposed that provision is made within the legal agreement to ensure that GTP monitoring reports are submitted to the Council on a regular basis and any appropriate actions implemented.

The GTP proposes investigating the possibility of establishing a Traffic Management Organisation (TMO) for the Altens and Cove area, which would not only assist WGPSN in encouraging use of sustainable transport options but also other employers within the area. Through the use of shared shuttle buses and other measures, a TMO has the potential to remove far more car trips from the network than WGPSN could on it's own. This intention is welcomed, although further investigation would be required to determine the feasibility of a TMO and support available for setting one up. The legal agreement would include a



requirement to implement the points of action within the Green Travel Plan and submit regular monitoring reports.

It is considered that the situation is unique and that there are few companies of the scale of WGPSN that are likely to find themselves in the same situation where they are re-located from several premises in Aberdeen to one site. The potential development of City Park 2, which is currently at pre-application stage, also presents a mechanism by which the parking can be provided in a manner which protects the Council's position in terms of implementation of the parking standards.

Therefore it is considered that in order to support WGPSN in their move to City Park 1 and to allow the targets within the GTP to be as realistic and achievable as possible, that a temporary increase in the level of parking at City Park 1 over and above that permitted by the parking standards should be permitted.

### **Surrounding Amenity**

The site is predominately surrounded by business and industrial uses. The three dwellinghouses and hairdressers located on the north side of Altens Farm Road, immediately adjacent to the south western boundary of the site, are all now in the ownership of the applicant. A fifth house on the south site of Altens Farm Road is derelict.

The decked car park would be located towards the rear of the site, away from public roads, although it would be seen from the nearby by Core Path leading to Tullos Hill. The structure would be largely open resulting in minimal visual impact. Mounding to the immediate north of the deck would provide a buffer between the structure and Tullos Hill.

Given the surrounding context and the nature of the proposed use it is considered that there would be no adverse impact upon the amenity of neighbouring uses.

### **Archaeology**

Tullos Hill has long been known as an important archaeological landscape because of several Bronze Age burial cairns located there. Cat Cairn; Baron's Cairn; Crab's Cairn; and Tullos Cairn are scheduled as monuments of national significance. Tullos Hill was also the location of an anti-aircraft battery and later a prisoner of war camp in World War II.

An archaeological evaluation was carried out on 4 December 2013 as required by a condition of the previous planning permission for the car park (131497). Six trenches were excavated across the area of the proposed development. All trenches revealed that the site had been prepared prior to the caravan site being established and there are service trenches over much of the site. A saddle quern was found reused in a small low wall built to provide the base for a static caravan. The evaluation recommends that watching brief be undertaken during the removal of the broad 'consumption' dyke on the site, to recover any further

finds and to investigate the nature and date of the dyke structure. A condition has been attached reflecting this.

There is sufficient distance between the site and nearby scheduled monuments, which would maintain their setting.

### **Drainage**

The surface water strategy shows that surface water would be collected by porous paving, piped to attenuation tanks below the car park after which it would be discharged to the Aberdeen City Council surface water sewer.

### **Relevant Planning matters raised by the Community Council**

Mitigation of the traffic impact of the development has been addressed in the Access and Traffic section of the report.

The establishment of a Traffic Management Organisation (TMO) for the Altens and Cove area is one of a range of measures which the applicant and WGPSN would explore through their Green Travel Plan. Further investigation would be required to determine the feasibility of a TMO and support available for setting one up.

### **Relevant Planning Matter Raised in Written Representations**

Matters related to the parking standards have been addressed in the Parking Standards section of the report.

## **RECOMMENDATION**

**Willingness to approve subject to conditions, but to withhold the issue of the consent document until the applicant (Argon) has entered into a legal agreement with the Council to secure (i) the inclusion of 36 parking spaces within the parking allocation for the future City Park 2 development, or their removal after five years of occupation of City Park 1, (ii) financial contributions towards capacity improvements on Wellington Road and (iii) the proposed tenant of the building approved under application P131742 (Wood Group PSN) enter into a legal agreement to implement the actions within the Green Travel Plan and submit regular monitoring reports to the Council.**

## **REASONS FOR RECOMMENDATION**

Policy supports the principle of new business and industrial development within such areas. Although a standalone car park would normally be contrary to policies regarding sustainable travel, the proposed car park would be associated directly with the proposed office development proposed under application P131497 and is therefore considered acceptable. The proposal is in accordance

with Policy B11 (Business and Industrial Areas) and Policy D3 (Sustainable and Active Travel).

It is considered that in order to support Wood Group PSN in their move to City Park 1 and to allow the targets within the Green Transport Plan to be as realistic and achievable as possible, that a temporary increase in the level of parking at City Park 1 over and above that permitted by the parking standards should be permitted, albeit on the condition that the additional spaces form part of the parking provision for City Park 2 or are removed after 5 years.

WGPSN's commitment to increasing the use of sustainable transport measures is welcomed and will help to ensure that the impact of their development is minimised as far as possible. A legal agreement would ensure that monitoring reports are submitted to the Council on a regular basis and any appropriate actions implemented.

Given the surrounding context and the nature of the proposed use it is considered that there would be no adverse impact upon the amenity of neighbouring uses.

A condition has been attached requiring a detailed drainage scheme to be submitted and an archaeological watching brief to be undertaken during removal of the consumption dyke.

## **CONDITIONS**

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

(1) that no development (other than site preparation and ground works) shall take place unless the development subject of planning application P131742 has commenced. Thereafter the car park shall be used for no purpose other than to accommodate vehicles of staff and visitors associated with the office development which is subject of planning application P131742 - in order to provide a suitable level of vehicle parking for the proposed office building, avoid an overprovision of parking unrestricted parking in the area and ensure the free flow of traffic in surrounding streets.

(2) that no development shall take place unless a scheme of all drainage works (including calculations as necessary) designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority. Thereafter no part of the office building shall be occupied unless the drainage has been installed in complete accordance with the said scheme, unless a written variation has been granted by the planning authority – in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(3) that an archaeological watching brief shall be carried out during the removal or undertaking of any alterations to the broad consumption dyke located on the east side of the site and identified as 'Dyke F1' in the archaeological report and

data structure report produced by Cameron Archaeology, dated 9th December 2013 and entitled 'Nigg Caravan Park, Altens Farm Road, Aberdeen, AB12 3FY' - in the interests of protecting items of historical importance as may exist within the application site.

(4) that no development (other than site preparation and ground works) shall take place unless a further detailed scheme for the landscaping for the site (which shall include (i) 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, (ii) tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting and (iii) the proposed materials to be used to surface areas of hard landscaping) has been submitted to and approved in writing by the planning authority - in order to satisfactorily integrate the development into it's surroundings and maintain the visual amenity of the area.

(5) 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 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.

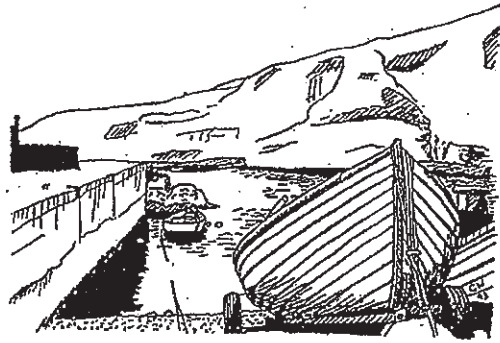
**Dr Margaret Bochel**

Head of Planning and Sustainable Development.

# COVE AND ALTENS COMMUNITY COUNCIL

Chair: Mrs M McPartlin  
14 Langdykes Way  
Cove Bay  
Aberdeen  
AB12 3HG

Secretary: Mrs S Porter  
12 Stoneyhill Terrace  
Cove Bay  
Aberdeen  
AB12 3NE



Website [www.cove-bay.com](http://www.cove-bay.com)

Mr Matthew Easton  
Planning & Sustainable Development  
Enterprise, Planning & Infrastructure  
Aberdeen City Council  
Business Hub 4  
Ground Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

29<sup>th</sup> April 2014

Dear Mr Easton

**Hareness Road Office Development P140434  
Nigg Caravan Site Car Park – further 381 spaces (total of 987 spaces for this site)**

It is felt that the CityPark Green Travel Plan and proposal for a Transport Management Organisation for this area, although a good idea on paper, may not result in everyone taking it on board.

What is the City Council's position, after analysis, of this proposal and is the proposal legally enforceable?

The cumulative affect of all the office development proposals in this locus with resulting traffic, would not only affect Hareness Road and Nigg Roundabout but Souterhead Road, the Makro Roundabout and the Coast Road along with all the surrounding road network.

Road improvements are required before any more traffic is introduced to this area to mitigate the effect of increased usage.

Yours faithfully,

*Michele V McPartlin*

Chairperson

MEAT

**Robert Vickers**

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 28 April 2014 17:20  
**To:** PI  
**Subject:** Planning Comment for 140434

Comment for Planning Application 140434

Name : Stephen Dargie  
Address : 16 Stroma Terrace  
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : This application appears to be associated with developmenet of plot 38, planning application P13174, construction of a new 4 storey office building. Does the combined number of parking spaces for teh two applications breach the Scottish planning policy 17 maximum parking standards?

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## Planning Development Management Committee

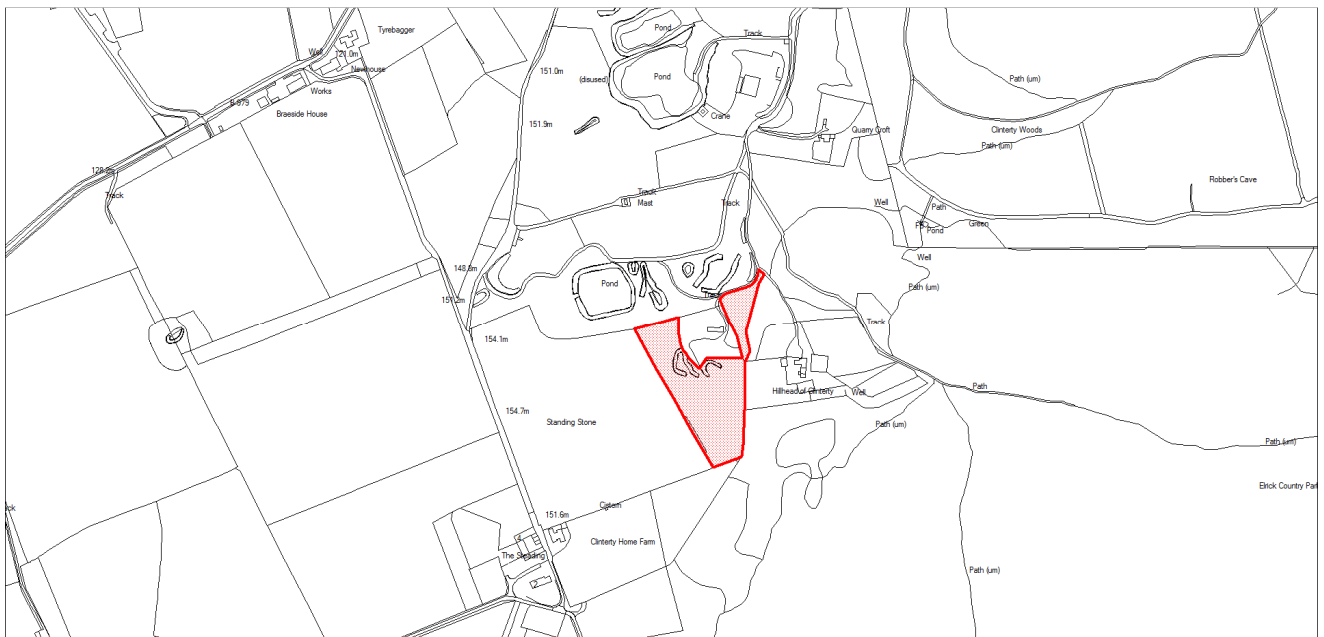
HILLHEAD OF CLINTERTY, TYREBAGGER  
ROAD, KIRKTON OF SKENE

PROPOSED EXPLOSIVES STORAGE FACILITY  
COMPRISING 6 BUILDINGS, ACCESS ROAD,  
BUNDS AND LIGHTING TOWERS

For: Mr Simon Alexander Mackay

Application Type : Detailed Planning Permission  
Application Ref. : P130918  
Application Date: 02/07/2013  
Officer: Matthew Easton  
Ward : Dyce/Bucksburn/Danestone(B Crockett/G  
Lawrence/N MacGregor/G Samarai)

Advert: Dev. Plan Departure  
Advertised on: 17/07/2013  
Committee Date: 28 May 2014  
Community Council : Objection



### RECOMMENDATION:

**Approve subject to conditions**

## **DESCRIPTION**

The application site is located at Hillhead of Clinterty, approximately 7.5 miles from Aberdeen city centre and 2 miles west of the Dyce Drive roundabout on the A96. The site is accessed via a private access road leading from the B979 (A96 at Tyrebagger to Kirkton of Skene road), close to the public car park at Tyrebagger forest walks

It comprises rough former agricultural land enclosed by stone rubble walls, is irregular in shape and extends to c.1.20 hectares, including the proposed access track. .

The land to the north raises up to a former quarry, beyond which is a further disused quarry (Tyrebagger) which is used by Sparrows Offshore Services Ltd. as an offshore crane training centre.

The eastern boundary of the site is defined by Clinterty Wood which rises up towards the A96 and Kirkhill Forest. Hillhead of Clinterty is adjacent to the site, with the house being approximately 65m away and set within a clearing.

The landform rises south towards the more open Elrick Hill, which features a scheduled monument located 30m to the south east of the southern most part of the site. This scheduled monument is of national importance and is the remains of a hut circle of late Bronze-Age or Iron-Age date, visible as a low heath and gorse covered ring-shaped bank. The hut circle measures 6m in diameter within a stony bank up to 5m in thickness and up to 0.6m in height.

To the west the land falls away across open fields. The former Hillhead Home Farm, now converted to six residential properties is approximately 180m to the south west.

The site is within the Three Hills Local Nature Conservation Site (LNCS) which includes Brimmond Hill, Elrick Hill and the Gough Burn.

## **RELEVANT HISTORY**

Planning permission (A8/1805) for the erection of an explosives store with associated access road, parking and turning area on part of the site was approved by delegated powers in August 2009.

The proposal comprised one magazine building (8m x 3m and 2.5m high) and two annexe buildings (4m x 3m and 2.5m high). The three buildings were to be surrounded on three sides by grass mounds (2.5m high). Overall the buildings and mounds would cover an area 19m x 31m.

An access road approximately 300m long provided access to an existing private road which then gave access to the farm at Hillhead of Clinterty.

Development commenced in October 2009 when ground works were undertaken for the access road and storage buildings. Since 2009 no further work appears to



have taken place, however as there is no time limit within which a development must be completed, and as such work could recommence at any time to complete the development and implement the approved use.

## **PROPOSAL**

Detailed planning permission is now sought for the erection of an explosives storage facility, which would feature a total of six buildings, grass mounds and an access road.

Five of the buildings would be located within a secure area enclosed by a 2.4m high green weld-mesh fence. The buildings would be arranged roughly from north to south along the western boundary and comprise –

- A storage building which would be located in the northern part of the site which would be 15.4m long, 4.2m wide. It would have a mono-pitched roof a maximum of 3m high and be finished in timber.
- Three explosives magazine buildings, each building would be 8m long, 3m wide and 2.5m tall. They would be metal and painted dark green.
- A second storage building located in the south end of the site which would 15.38m long, 9.14m wide and have a 10° pitched roof achieving a height of 5.87m.

Each of the buildings would be surrounded by grass covered earth mounds.

Out-with the secure area would be a storage building which would sit alongside the access junction to the north-east corner of the site. It would be 18.3m long, 18.3m wide and have a dual pitched (10°) roof achieving a height of 5.87m high at its apex. It would be finished in green box profile sheeting and feature a roller shutter door.

The access road which has been partially constructed, under the 2009 planning permission, would be completed and connected to the existing road to Hillhead of Clinterty, which then leads to the B979.

Landscaping is proposed in the form of tree planting along the south, east and northern boundaries. Species are native and would include: Scots pine, blackthorn, beech, silver birch, willow and rowan. Shrubs would also be planted as ground cover around the trees.

Along the western boundary is an existing stone boundary wall, some 1.1m high, within this wall would be a 2.4m high mesh fence, providing enclosure to the 'secure area'.

The applicant has been in discussions with Hunting PLC, an energy services provider, who are interested in implementing any resultant permission. Their facility would primarily be used for the storage of explosives associated with the

offshore oil and gas industry, such as perforating guns, which are used to create holes in the casing of an oil or gas well to connect it to a reservoir. At the site, the creation of the loaded perforating gun would entail removing an empty gun body from the storage unit located out-with the secure area and transferring this to the smaller of the buildings within the secure compound. Here it would be inspected and loaded with charges and detonating cord taken from one of the three magazine storage units, before finally being stored within the second secure building for transfer off-site. The applicant advises that all of the preparation activities would be carried out manually by hand, no machine tools would be required and no manufacturing of explosives would occur.

The facility and activities taking place would be licensed by the Health and Safety Executive under the "*Manufacture and Storage of Explosives Regulations 2005*". The proposed layout, with separation distance of 31m between the storage units, would permit a maximum of 3500kg of explosives.

### **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?ref=130918>. On accepting the disclaimer enter the application reference quoted on the first page of this report.

### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because Dyce and Stoneywood Community Council have objected. Accordingly, the application falls out with the scope of the Council's Scheme of Delegation.

### **CONSULTATIONS**

**Roads Projects Team** – In accordance with the current parking standard, the applicant should provide 1 parking space per 100m<sup>2</sup> gross floor area (GFA) of the proposed development. The applicant is required to provide a maximum of 6 car parking spaces for this proposal. There is an adequate area for parking within the site. The new access road is required to be treated in line with SUDS principles and therefore drainage strategy which takes account of SUDS principles should be submitted.

**Environmental Health** – If the explosives proposed to be stored are listed in Schedule 1 of the Control of Explosives Regulations 1991 (as amended) and the net explosive mass quantity is less than 2000 kg then a Manufacture and Storage of Explosives Regulations 2005 Registration or Licence will be required from the Council's Trading Standards Service.

If the explosives proposed to be stored are not listed in Schedule 1 of the Control of Explosives Regulations 1991 (as amended) and the net explosive mass

quantity is less than 2000 kg then a Manufacture and Storage of Explosives Regulations (2005) Registration or Licence will be required from Police Scotland.

If manufacturing activities are involved and/or more than 2000 kg net mass of explosives are kept a Manufacture and Storage of Explosives Regulations 2005 licence from the Health and Safety Executive.

**Enterprise, Planning & Infrastructure (Flooding)** – No observations.

**Education, Culture & Sport (Archaeology)** – A condition should be attached which requires a the applicant to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The programme of archaeological work will include all necessary post-excavation and publication work.

**Dyce and Stoneywood Community Council** – Object due to (i) the unacceptable effect on amenity at Elrick Hill Country Park and (ii) the unacceptable traffic (lorries with dangerous cargo) on country lanes in the vicinity, especially at the Tyrebagger junction with the A96. The 20m neighbour notification rule is inappropriate in this case, which means that nearby residents in this rural area were not notified of the application.

## **REPRESENTATIONS**

Two letters of representation have been received within the prescribed time, one which objects and one which is in support of the application. The points of objection raised relate to the following matters –

- The site is designated as Green Space Network in the Aberdeen Local Development Plan and therefore the proposed development is inappropriate. The policy allows for free public access which would necessarily be denied by this type of storage facility.
- The site is adjacent to Elrick Country Park and would have a high visual impact on the ambience of the park and surrounding landscape.
- The inclusion of a loaded gun store beside an area used by the public is highly sinister and very worrying.
- The security lighting would have a high visual impact in a predominately rural and elevated area.

The letter of support considers that the proposed facility would be important for the oil and gas sector, that the site is well hidden, and would be suitable due to the existing industrial uses in the area. Therefore the proposals would have no detriment to the area.

One late objection was received and the planning service were copied into a number of emails from concerned constituents to Councillors and the MSP and MP for the area, which included a petition against the development signed by 46 visitors to Tyrebagger Forest on 30<sup>th</sup> August 2013. The matters raised in the emails have been considered in this report.

## **PLANNING POLICY**

### **National Policy and Guidance**

#### Scottish Planning Policy

Green Belts – Certain types and scales of development may be appropriate within a green belt, particularly where it will support diversification of the rural economy. These may include:

- development associated with agriculture, including the re-use of historic agricultural buildings,
- woodland and forestry, including community woodlands,
- horticulture, including market gardening and directly connected retailing,
- recreational uses that are compatible with an agricultural or natural setting, and
- essential infrastructure such as electronic communications infrastructure and electricity grid connections.

Where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate, either as a national priority or to meet an established need if no other suitable site is available. Development in a designated green belt should be of a high design quality and of a suitable scale and form. Intensification of established uses may be appropriate subject to new development being of a suitable scale and form. Many uses will only be appropriate at a low intensity and where any built elements are ancillary to the main use. Public transport and access by walking and cycling will be required for uses that will attract a significant number of visitors. The cumulative erosion of a green belt's integrity through the granting of individual planning permissions should be avoided.

### **Aberdeen Local Development Plan**

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. Development which has any impact on existing wildlife habitats, or connections between them, or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network.

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. The following exceptions apply to this policy:

Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:

- the development is within the boundary of the existing activity.

- the development is small-scale.
- the intensity of activity is not significantly increased.
- any proposed built construction is ancillary to what exists.

Policy NE8 (Natural Heritage) – Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its natural heritage value will only be permitted where it addresses the criteria set out in Scottish Planning Policy. These are International Designations, National Designations, Local Designations and European Protected Species and Species protected under the Wildlife and Countryside Act 1981.

In all cases of development at any location: -

- An ecological assessment will be required on a designated site or where there is evidence to suggest that a habitat or species of importance (including those identified in the UK and Local Biodiversity Action Plans) exists on the site.
- No development will be permitted unless steps are taken to mitigate negative development impacts.
- Natural heritage beyond the confines of designated sites should be protected and enhanced.
- Where feasible, steps to prevent further fragmentation or isolation of habitats must be sought and opportunities to restore links which have been broken will be taken.
- Measures will be taken, in proportion to the opportunities available, to enhance biodiversity through the creation and restoration of habitats and, where possible, incorporating existing habitats.

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

- 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;
- obstructing views of the City's townscape, landmarks and features when seen from publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;
- disturbance, loss or damage to recognised recreation, wildlife or woodland resources or to the physical links between them;
- sprawling onto 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.

## **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 was granted in 2009 for an explosives store at the site and work has since commenced, resulting in a live planning permission which could in future be completed and become operational.

Under the *Manufacture and Storage of Explosives Regulations 2005*, in order to store a particular quantity of explosives, a corresponding separation zone is required within which there must be no building, place of public resort or major road. Due to the close proximity of buildings to each other within the urban area this becomes problematic as a substantially sized site would be required. It appeared at the time of the 2009 applications consideration, and still does, that there would be no suitable sites for such activity within the urban area.

Facilities for the storage of explosives are essential to the smooth running of offshore operations and therefore regard should be had to the specific requirements of such facilities.

The principle of an explosives store at this site has been established by the 2009 permission. Therefore although the proposal would be contrary to Policy NE2 (Green Belt), the planning history and material considerations indicate that in order to support specific requirements of explosive storage, that a departure from the plan would be appropriate. The main considerations, with respect to this application, are therefore the ability of a larger storage site to be accommodated within the landscape and any additional impact which may be generated by the increased scale.

### **Site Layout and Design**

The site is approximately 0.8 of a hectare larger than that of the extant 2009 permission. Much of this additional land, rather than being developed would be undeveloped. Within the secure area of the site the built structures (except the access road) would be limited to the western boundary, providing maximum separation from the closest property at Hillhead of Clinterty.

Views of the site other than from close proximity are only likely to be obtained from the west and even so would be limited other than from the area surrounding Clinterty Home Farm, some 180m south-west of the site and set at a lower elevation.

The four northern most buildings, within the secure area would be surrounded by grass covered bunds, with only the elevation which faces into the site (east)

open, other than the southern building which is open to the south. The bunds would be the same height as the buildings themselves (with the exception of the loaded gun store where the height part of the pitched roof would extend 1.35m above the bund) and would result in it being unlikely that the buildings themselves would be seen from the west. The proposed buildings are relatively small when compared to other structures found within the green belt, such as agricultural sheds. The largest and northern most building is likely to be the least visible due to the surrounding topography and existing trees. Each building would be painted dark green to assist their integration into the landscape.

The north and east sides of the site are currently screened by substantial areas of woodland and the topography of the landscape.

The applicant has agreed to the planting of trees along the northern, western and southern boundaries to help screen the structures within the site. A condition has been attached requiring the agreed landscaping plan to be implemented. The proposed palisade fence would be painted green and be of an acceptable height.

The southern most building would see its mounding open to the south-east, towards Elrick Hill. Whilst this would limit the visual enclosure, had it faced north, so that the mounding provided more screening from outwith the site, the proposed trees should provide a sufficient buffer to minimise any visual impacts.

The proposed pole mounted lighting has been removed from the proposals and any lighting would be positioned at a low level. A condition has been attached requiring a scheme of any external lightning to be submitted.

In summary it is concluded that the development could be satisfactorily integrated into its surroundings and would have minimal impact the landscape setting of the area.

## **Public Safety**

Public safety can be a material planning consideration; however matters which are governed by other legislation generally are not. For the quantity of explosives proposed to be stored at Hillhead of Clinterty, the applicant must apply to the Health and Safety Executive (HSE) for a license under the *Manufacture and Storage of Explosives Regulations 2005*.

In addition to an explosives license, hazardous substances consent (HSC), which is granted by the planning authority, can apply to the storage of explosives. In order for the hazardous substances consent regulations to apply, the quantity of explosive material present at a site must be 10 tonnes or more. At Hillhead of Clinterty it is proposed to store 3.5 tonnes of explosives, well below the threshold which would trigger an HSC application. Therefore, whilst it is acknowledged that explosives are dangerous materials and require tight control, it can reasonably be concluded that the potential risk in this instance is low enough that the provisions of the explosives regulations and licensing regime overseen by HSE, are sufficient to manage any potential risk.

The inclusion of a loaded gun store beside an area has been highlighted as a matter of concern. However as described earlier in the report, '*loaded gun*' is a common term for perforating guns used by the off-shore oil and gas industry and in this instance does not refer to guns in terms of firearms.

Security and safety in relation to the storage of explosives is controlled under explosives legislation and therefore there is no requirement for additional controls to be applied in this respect via the planning process. The HSE have the power to revoke a license should the site be considered unsuitable or the license holder becomes unfit, whether or not planning permission exists.

## **Transportation**

Access would be via the private road from the B979 which leads to the Sparrows training centre and Hillhead of Clinterty. A loop-road within the site would allow vehicles to enter and exit in a forward gear and a lay-by would be provided for vehicles waiting to enter the secure area. It is anticipated that there would be no more than 40 vehicle movements involving dangerous goods within a calendar month i.e. 1 or 2 per day. Such vehicles would be subject to The European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) which all haulage contractors involved in such activities must adhere to.

The Council's Roads Projects Team has raised no objections to the application and it is considered that proposal is in accordance with Policy T2 (Managing the Transport Impact of Development).

## **Designated Areas**

The site is within the Three Hills Local Nature Conservation Area. In this regard Elrick Hill is the closest area of interest and supports a range of habitats with dry heathland and acid grassland on the top of the hill, bracken and colonising birch/rowan trees around the margins, and more established woodland at the base of the slopes. Occasional wet flushes are present on the hillside.

The application site, as former agricultural land, would not result in the loss of any of these habitats. The proposed tree planting would be comprised of native species which are present in the immediate area and would help to support the existing habitats.

The scheduled monument is located 30m to the south east of the southern most part of the site. A suitable buffer would be provided by trees and other vegetation such that its setting would not be adversely affected.

None of the paths or walking routes throughout the area would be affected by the proposed development, maintaining the integrity of the green space network. The impact upon the character of the green space network would be minimal as already discussed in the siting layout and design section of the report.



## **Other Matters Raised in Representations**

There is no provision in planning legislation for different neighbour notification procedures for sites in rural areas. The site was however advertised as a departure from the development plan, in the Citizen newspaper, as per the relevant regulations.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASONS FOR RECOMMENDATION**

The principle of an explosives store at this site has been established through the previous grant of planning permission when it was determined that it would be difficult to accommodate an explosives storage facility within the urban area, due to the close proximity of buildings. Such facilities require sizeable separation distances from other uses and therefore a green belt location is considered the only suitable location within the city. Therefore although the proposal would be contrary to Policy NE2 (Green Belt), the planning history and material considerations indicate that in order to support specific requirements of explosive storage, that a departure from the plan would be appropriate in this instance.

Grass bunds and tree plating around the perimeter of the site would assist in satisfactorily integrating the development into the surrounding landscape. Due to the topography of the surrounding area it is unlikely that the development would appear as a prominent feature in the landscape or adversely impact on visual amenity. Due regard has been had to Policy D6 (Landscape).

The application site as former agricultural land would not result in the loss of any of any habitats of special interest. The proposed tree planting would be comprised of native species which are present in the immediate area and would help to support existing habitats in line with Policy NE8 (Natural Heritage).

A suitable buffer would be provided by trees and other vegetation between the scheduled monument to the south east, such that its setting would not be adversely affected.

The Council's Roads Projects Team has raised no objections to the application, in terms of access, and it is considered that proposal is in accordance with Policy T2 (Managing the Transport Impact of Development).

Security and safety in relation to the storage of explosives is controlled under explosives legislation and therefore there is no requirement for additional controls to be applied in this respect via the planning process. Whilst it is acknowledged that explosives are dangerous materials and require tight control, as the requirement for hazardous substances consent has not been triggered, it can reasonably be concluded that the potential risk in this instance is low enough that the provisions of the explosives regulations and licensing regime overseen by HSE are sufficient to manage any potential risk.

## **CONDITIONS**

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

(1) that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of protecting items of historical importance as may exist within the application site.

(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 a scheme of all external lighting (including type, lux level and position of all lights) has been submitted to and approved in writing by the planning authority. Thereafter any lighting installed shall be in accordance with the approved scheme.

(4) that all planting, seeding and turfing comprised in the approved scheme of landscaping (drawing 130918-01 and planting list 130918-02) 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 area.

(5) that notwithstanding the provisions of Part 8 of the Town and Country Planning (Use Classes) (Scotland) Order 1992 (as amended) the land and buildings which are subject of this planning permission shall be used for no purpose other than (i) the storage of explosives (including fuses, charges, detonators etc.), (ii) the storage of ancillary equipment used for the day to day operation of the facility; and (iii) the assembly of perforating guns - in order to ensure that the site is not used for any purpose which could not justify a green belt location.

(6) that should the approved use as an explosives store cease and facilities become redundant, all buildings and other structures shall be removed from the site and the land restored to its former condition (allowing retention of landscaping) to the satisfaction of the planning authority within 6 months - in order to maintain the amenity and landscape quality of the green belt.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.

## Matthew Easton

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**From:** PI  
**Sent:** 09 September 2013 12:33  
**To:** Matthew Easton  
**Subject:** FW: Objection re planning application 130918

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**From:** Harrison, Dr William T. A. [mailto: [REDACTED]]  
**Sent:** 07 September 2013 12:16  
**To:** PI  
**Cc:** Neil MacGregor; Gill Samarai; Graeme Lawrence; Barney Crockett; [REDACTED]  
**Subject:** Objection re planning application 130918

Dear Sir/Madam,

I am writing on behalf of Dyce and Stoneywood Community Council re planning application 130981 (proposed explosive storage facility at Hillhead of Clinterty). We are of course aware that the period for public comments is past, but a number of residents have recently approached us with their serious concerns re this application.

We object for the following reasons:

- 1) Unacceptable effect on amenity at Elrick Hill Country Park.
- 2) Unacceptable traffic (lorries with dangerous cargos) on country lanes in the vicinity, especially at the Tyrebagger junction with the A96.

We also regard the application of the "20 metre notification rule" as inappropriate in this case, which meant that nearby residents in this rural area were not notified of this application when it was submitted.

I trust that this application will now be referred to the full planning committee.

Best regards,  
Bill Harrison (Secretary)

The University of Aberdeen is a charity registered in Scotland, No SC013683.

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From: webmaster@aberdeencity.gov.uk  
Sent: 25 July 2013 22:02  
To: PI  
Subject: Planning Comment for 130918

Comment for Planning Application 130918

Name : Dr Tom Straiton  
Address : 3 Kingswood Walk  
Kingswells  
Aberdeen  
AB15 8AG

Telephone : [REDACTED]

Email : [REDACTED]

Type :

Comment : I object to this application on the following grounds:

- 1) The site in question is designated in the Aberdeen Local Development Plan as Green Space Network and is therefore inappropriate for this kind of development. GSN policy allows for free public access which would necessarily be denied by this type of storage facility because it demands high security.
- 2) The site is right beside Elrick Hill Country Park. The development would have high visual impact on the ambience of the park and on the surrounding landscape generally. The inclusion of a loaded gun store beside an area used by the public for recreation is highly sinister and very worrying.
- 3) The security lighting will have high visual impact in a predominantly rural and elevated area.

**George Milne**

---

**From:** PI  
**Sent:** 24 July 2013 09:37  
**To:** George Milne  
**Subject:** FW: Planning Comment for 130918

---Original Message---

**From:** [webmaster@aberdeencity.gov.uk](mailto:webmaster@aberdeencity.gov.uk) [mailto:[webmaster@aberdeencity.gov.uk](mailto:webmaster@aberdeencity.gov.uk)]  
**Sent:** 23 July 2013 12:51  
**To:** PI  
**Subject:** Planning Comment for 130918

Comment for Planning Application 130918

**Name :** David Milne  
**Address :** Crater Ltd  
12 Westholme Avenue  
Aberdeen  
AB15 6AA

(address per application is our recent old address 195 Queens Road)

**Telephone :** [REDACTED]  
**Email :** [REDACTED]  
**type :**  
**Comment :** SUPPORT FOR APPLICATION

We, Crater Ltd, an adjacent neighbour to the proposer's site, fully support the application by Mr. Mackay.

The proposed facilities are important for the local oil & gas community, and, in particular, the site is well hidden and already has significant industrial use on the immediate area and nearby locale - as such, the proposals serve no detriment to the area and thereby should be fully supported as a positive step for Aberdeen city.

Regards,  
DAVID MILNE

Managing Director  
CRATER LTD

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## Planning Development Management Committee

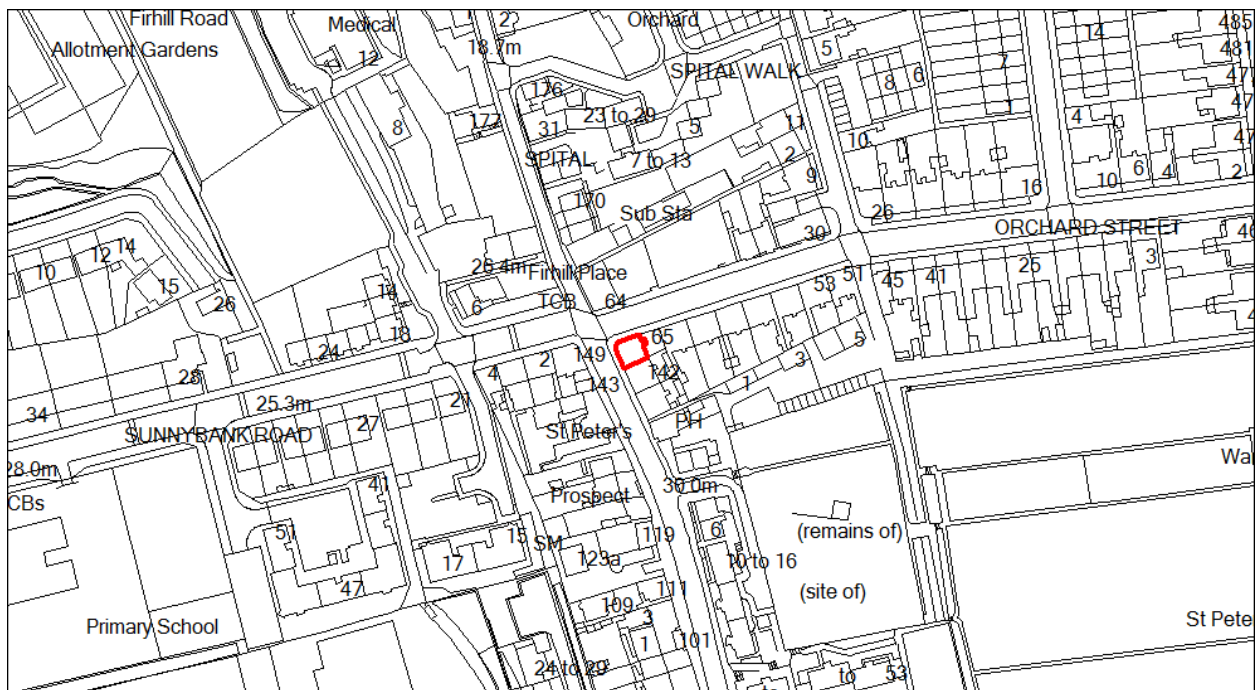
148 SPITAL, ABERDEEN

CHANGE OF USE FROM CLASS 4 (BUSINESS)  
TO CLASS 1 (SHOPS)

For: Spice of Asia (UK) Ltd

Application Type: Detailed Planning Permission  
Application Ref.: P140531  
Application Date: 09/04/2014  
Officer: Andrew Miller  
Ward: George Street/Harbour (A May/J  
Morrison/N Morrison)

Advert: None  
Advertised on: N/A  
Committee Date: 28/05/2014  
Community Council: No response  
received.



### RECOMMENDATION:

**Approve Unconditionally**

## **DESCRIPTION**

The application site forms the ground floor of a four storey granite built tenement on the corner of Spital and Orchard Street. The unit is currently vacant with a class 4 (Business) use being its most recent use. Within the group of tenements in which it is situated, the majority of the ground floors of the buildings form commercial premises along Spital, largely falling into Use Class 1 – Shops. The site falls within the Old Aberdeen/Balgownie Conservation Area.

## **RELEVANT HISTORY**

None relevant to proposal.

## **PROPOSAL**

Detailed planning permission is sought for the change of use of the ground floor of the building from a business use (Use Class 4) to a shop (Use Class 1). The building was most recently used as an office of a commercial furnishing contractor.

## **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?ref=140531> . On accepting the disclaimer enter the application reference quoted on the first page of this report.

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because six or more letters of objection have been received (in time). Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Projects Team** – No objections. Noted that the proposed application should provide 4 parking spaces based on the ground floor area of 126 sq m, but that the existing use should have 3 parking spaces. Concerns raised that despite the minor difference in parking requirements, there will be a slight intensification of trips made to this location as a result of the proposal. However as the site is in the inner city area, is within a controlled parking zone, has good accessibility for walking and cycling and is on a regular bus route that this will not be at an overwhelming detriment to the local residents that would lead to an objection.

**Environmental Health** – No comments received.

**Enterprise, Planning & Infrastructure (Flooding)** – No observations.

**Community Council** – No response received.



## **REPRESENTATIONS**

6 letters of objection have been received. In addition, one petition against the development has been received containing 241 signatures. The objections raised relate to the following matters –

1. Problems with parking in area associated with existing uses. Proposed change of use would exacerbate this.
2. The controlled parking zone is only in effect between 10 am and 4 pm Monday to Friday. The store would have an impact on times outwith this period.
3. Existing traffic congestion would be increased resulting in an impact on the school, buses, elderly residents and emergency vehicles that use the street.
4. Use of a shop would be detrimental to overall amenity of the surrounding area, particularly for tourists and the heritage of Old Aberdeen.
5. Excess waste already in the area without appropriate bins. No space to provide any additional bins.
6. Another alcohol licence has been granted when there are sufficient licence holders within a short distance of application site.
7. Neighbour notification was not received and insufficient as not all neighbours were notified.
8. Application has been submitted to capture trade from the nearby Mosque.

## **PLANNING POLICY**

### **National Policy and Guidance**

Scottish Planning Policy requires development to either preserve or enhance the character or appearance of conservation areas.

### **Aberdeen Local Development Plan**

#### **H2: Mixed Use Areas**

Development or 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. Where new commercial uses are permitted, development should not adversely affect the amenity of people living and working in the area.

#### **RT2 – Out of Centre Proposals**

Retail proposals outwith defined centres will be refused unless a number of criteria are met including:

- No other suitable site in a location that is acceptable in terms of policy RT1 is available;
- There will be no significant adverse effect on the vitality or viability of any retail location;
- There is, in quantitative or qualitative terms, a proven deficiency in provision of the kind of development that is proposed;

- The proposal would be easily and safely accessible by a choice of means of transport using a network of walking, cycle and public transport routes which link with the catchment population; and
- The proposed development would have no significantly adverse effect on travel patterns.

#### D5 – Built Heritage

Proposals affecting Conservation Areas will only be permitted if they comply with Scottish Planning Policy.

#### **Other Relevant Material Considerations**

None.

#### **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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

The main consideration of this application relates solely to the proposed use of the building for retail and whether it would be an acceptable use.

#### Retail use in a Mixed Use Area

The application site falls within an area designated as a Mixed Use Area within the ALDP. Associated Policy H2 – Mixed Use Areas states that proposals for changes of use should take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. The site is located at the end of a row of established shops, which includes a bookstore and general store, together with a public house, as well as a vacant hairdresser's store. On the opposite side of the road are two hot food takeaways and another vacant hairdresser. Accordingly, the addition of a shop at this location considered to not have any substantial increase in activity in the area as the retail use shall serve the local catchment area, which is highly accessible by foot and public transportation as stated above, satisfying the requirements of policy H2.

In relation to the objections received relating to parking and traffic, the Council's Roads Projects Team raised no objections to the proposal overall. Accordingly, the proposals are considered to be suitable as far as transport requirements are concerned and these matters raised would not warrant a reason for refusal of the application. Relating to the concerns surrounding waste disposal, the application

is for the change of use of an existing building, therefore it would utilise an existing waste servicing arrangement which would not warrant a reason for refusal of the application.

### Out of Centre Retail

Policy RT2 of the Aberdeen Local Development Plan 2012 (ALDP) contains criteria which proposals for retail development will be assessed against. In this instance, the scale of the development is relatively small and located adjacent to an existing row of small shops. The location within an established mixed use area (largely residential) would mean that the development would be within walking distance of many residents, as well as being located close to public transport links on Spital and King Street. On this basis, the development is considered to accord with the requirements of policy RT2 of the ALDP.

### Conservation Area

The application site falls within the Old Aberdeen/Balgownie Conservation Area. The application in this instance relates to a change of use, with no external works proposed, therefore there would be no impact on the appearance of the building as a result of this application. As far as the use is concerned, the use of the building as a shop, taking account of the neighbouring land uses, is considered suitable for the conservation area, notwithstanding the representation received. Accordingly, it is considered the proposal complies with the requirements of Scottish Planning Policy and subsequently policy D5 of the ALDP.

### Matters Raised in Representations

In relation to the other points not addressed above (5, 6 and 7) – these are not material to the consideration of the application. Relating to point 7 of the representation section, Neighbour Notification was carried out to all properties in line with the requirements of the regulations set out by the Scottish Government, with records of a notification being sent to the objector's property.

## **RECOMMENDATION**

### **Approve Unconditionally**

## **REASONS FOR RECOMMENDATION**

The change of use from a business use (Use Class 4) to a shop (Use Class 1) is considered to be acceptable in this instance, complying with the requirements of policies H2 – Mixed Use Areas of the Aberdeen Local Development Plan 2012 and RT2 – Out of Centre Proposals. Further, the change of use would not have an impact on character of the Conservation Area, in line with the requirements of Scottish Planning Policy and subsequently policy D5 of the Aberdeen Local Development Plan 2012.

## **INFORMATIVE**

As applied for the application is solely for the use of the premises. Details of any required/proposed external alterations to the premises should be submitted to determine the requirements for planning permission/advertisement consent.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.

## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 04 May 2014 08:27  
**To:** PI  
**Subject:** Planning Comment for 140531

Comment for Planning Application 140531

Name : John Richard Cole  
Address : 21 Merkland Place  
Aberdeen  
AB24 3HZ

Telephone :

Email : [REDACTED]

type :

Comment : Dear Sirs/Madams

I object to the above application No 140531 for change of use from Class 4 Business to Class 1 shops.

(1) There is a Mayor Parking problem within this area and a shop of this size surely would have to provide off street parking for shopping and deliveries to this store.

(2) Another alcohol license been granted when there is sufficient license holders with in a short distance of these premises.

Yours Sincerely

John R Cole

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Tuesday May 6<sup>th</sup> 2014

62 Orchard Street

Aberdeen

Reference application number 140531

With reference to the above application I wish to lodge my objection to the application from Spice of Asia to open a mini market at the address. I feel this would lower the tone of the area for tourists and the heritage of Old Aberdeen. My other concern would be the traffic congestion with cross roads where there are elderly residents and a school where the children cross. I also feel we have enough outlets supplying alcohol in the area where there are responsible outlets already.

Deliveries to the applicant would also cause congestion on an already busy crossroads and the opening hours which would be another major concern.

I also feel excess waste without appropriate bins would cause a bigger litter problem which we have already.

Mrs Dorothy Leith

[REDACTED]

PI

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**From:** Leigh Martin [REDACTED]  
**Sent:** 06 May 2014 17:06  
**To:** PI  
**Subject:** Objection - planned change at 148 Spital, Aberdeen (PA no: P140531)

Dear Sir/Madam,

I am writing this objection to you in regard to the planned change at 148 Spital, Aberdeen (PA no: P140531) from a Class 4 business to a Class 1 Shop.

1: To begin with no information or communication has been received concerning this at my address (65 Orchard St) which is literally 20ft from the business's front door. I'm sure there are many in the local community who would wish to have a say or voice opinions on this subject who now will not be able to as no correspondence has been received.

2: There is already insufficient access to large bins(dumpsters) with rubbish spilling on to the street; an increase in business on the street will put pressure on an already limited resource. There is also a lack of any new area for any more bins to be provided as the community has already lost valuable parking spaces to provide more.

3: As already expressed there is a lack of sufficient refuse sites, added use to this will increase their misuse and lead to an exaggeration of the already existing problems of odour and general uncleanliness.

4: Access - The crossroads where the business is to be based is already quite dangerous to cars and pedestrians. A business such as the one intended with a definite rise in traffic for comings and goings will undoubtedly lead to accidents as the corner is almost blind. Not least the fact when deliveries to the business there occur it leads to an immediate large scale back log as the street is so narrow buses cannot pass.

5: Parking - There is already a lack of sufficient spaces, customers and vehicles related to the business will consistently park on the corners of the street and in hazardous areas again leading to a high probability of accidents.

Yours Sincerely

Leigh Martin  
65 Orchard St  
Aberdeen  
AB24 3DB

PI

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**From:** Ray Leith [REDACTED]  
**Sent:** 23 April 2014 11:04  
**To:** PI  
**Subject:** 148The Spital Change of use

Reference 140531

I feel there is not enough information regarding this application. It does not say whether it is a shop or a take away or a restaurant. It does not state opening times or times of business.

My concern is we have already, in the immediate vicinity, a shop, a take away and a food outlet of which two of the units have no facility to keep their bins within their property. This means overloaded bins are left in the street and usage of the street bins occur. We have been in touch with the environmental department regarding this problem but it only clears up for a day or two and reverts back to the street being littered with garbage from the overloaded bins. This application is only going to lead to more mess more traffic and more grief to the tenants within the area. I oppose this application and await your reply with interest.

Raymond leith

[REDACTED] (E-Mail)

62 Orchard street  
Aberdeen  
Ab243dd

[REDACTED] (Home phone)

[REDACTED] (Mobile phone)

Sent from my iPad



PI

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 30 April 2014 14:27  
**To:** PI  
**Subject:** Planning Comment for 140531

Comment for Planning Application 140531

Name : Sandra Greig  
Address : 30 Sunnybank Road  
Aberdeen  
AB24 3NH.

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object the above application as follows:

The property is situated at a very busy junction (Orchard Street/Sunnybank Road) which is heavily populated with both pedestrians (elderly, children, students, people visiting the Mosque, football fans going to Pittodrie, etc) and vehicles (including buses) and parking is most certainly a huge issue as is safety.

Whilst the site is within the Controlled Parking Zone - RR, this is only in effect between the hours of 10.00am - 4.00pm Mon-Fri, what happens outwith these times and at weekends??

The site being used within those listed under Class 4 (Business as exists) would be far more appropriate than a use within Class 1 (shops) which is being sought. This change of use, if successful, will most certainly exasperate the traffic situation in the area, bringing with it the safety concerns highlighted above.

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## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 29 April 2014 16:29  
**To:** PI  
**Subject:** Planning Comment for 140531

Comment for Planning Application 140531

Name : Terence Farquharson  
Address : 176 Spital  
Old Aberdeen  
Aberdeen  
AB24 3JD

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I wish to object to this application on the grounds that there are already numerous outlets which provide an excellent source of provisions for the residents in the area. This application by Spice of Asia (UK) Ltd is solely to capture the large number attending the Mosque none of who take the bus or cycle to the area as proposed in Richard Baillie's ( Engineer ) report!

He goes on to say that although such a concern should have 4 spaces allocated, there is plenty of provision of spaces in the area and that he is not particularly worried although a little concerned, did he observe the area from behind his desk? On a Friday, Saturday and Sunday those attending the Mosque, park not only in every space available but on pavements, double lines and verges, please contact your Wardens for confirmation they will have plenty of receipts on file.

Already there are blockages and hold ups to First Bus by large wagons delivering supplies to the Khyber Pass take away and wagons delivering to this applicants premises will have to park on double lines and on either corner making it incredibly dangerous for traffic entering the Spital completely blind!

Please observe any day and you will see what I mean and also observe all spaces already filled each day.

Please use a little common sense in coming to your decision, this is completely the wrong application for this area and unneeded.

Thank you.

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I AND J GENERAL STORES  
142 SPITAL  
ABERDEEN  
AB24 3JU

6<sup>th</sup> May 2014

Aberdeen City Council  
Planning Reception  
Planning & Sustainable Development  
Marischal College  
Broad Street  
ABERDEEN AB10 1AB

Dear Sirs

**Planning Reference 140531 – 148 Spital Aberdeen**  
**Change of use from Class 4 (Business) to Class 1 (Shops)**

I write to formally object to the above proposal and enclose a petition signed by 241 members of the public, mainly local resident, who are in full agreement with the following:-

- Parking & delivery concerns – the site is on an extremely busy secondary and bus route from the city centre to the University, Seaton, Hillhead, Tillydrone & Bridge of Don – added delivery vehicles and public vehicles to the area is only going to cause further traffic problems. The current business's in the area keep deliveries to an absolute minimum to try and ease any congestion for the residents. Parking is a particular worry due to the controlled parking zone in operation – there is already severe parking issues and on certain days and during certain hours of the week this escalates extremely without having to worry about additional vehicles in the area. It is ludicrous that an Enterprise, Planning & Infrastructure Engineer (Richard Bailie) has no objection – has this Engineer ever been to the area between the hours of 12 noon and 2pm on a Friday? Having an additional retail outlet on the site will only cause further congestion as members of the public will park on the double yellow lines and on the corner of an already dangerous junction as drivers these days believe that it is their right to park anywhere as long as they are as close to where they want to go as possible.
- There is a Primary School 2 minutes away from the premises and with additional vehicles in the area, especially parking near the site will only cause additional pressure for parents who have to cross this junction with children on route to school – at peak times the traffic is considerably heavier and there is not a crossing patrol operative.
- The emergency services use this route – again the additional traffic in the area and increased parking issues can only be detrimental to their urgent journeys.

- Over provision of licenced premises/newsagents/grocers in the area – already 4 within a 4 minute walk from the site and 3 take away food outlets within 2 minute walk – the area manages to cope with the existing vehicles in the area but are very concerned about the future if class 1 use is granted.
- Old Aberdeen is a conservation area and there are serious concerns of how the shop frontage will look, on inspecting their other premises on George Street the aesthetics of the shop would be totally out of keeping to the area and only bring the area down.

I look forward to receiving your response in due course.

Yours faithfully



Ian Milne  
Proprietor

# MEMO



**ABERDEEN**  
CITY COUNCIL

To	Andrew Miller Planning & Infrastructure	Date	28/04/2014
		Your Ref.	P140531 (ZLF)
		Our Ref.	TR/RB/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. P140531**  
**148 Spital, Aberdeen**  
**Change of use from Class 4 (Business) to Class 1 (Shops)**

I have considered the above planning application and have the following observations:

## 1 Development Proposal

- 1.1 I note that the application is for the change of use from Class 4 (Business) to Class 1 (Shops).

## 2 Parking

- 2.1 I note that the existing use type should provide 3 parking spaces and the proposed use should provide 4 parking spaces based on the GFA of 126 sqm as stated as the site area on the application form. I also note that 0 parking spaces are existing and 0 parking spaces proposed.
- 2.2 I have concerns that although there is not a major difference in parking requirements, that there will be a slight intensification of trips made to this location should the use type change. However as the site is in the inner city area, is within a controlled parking zone, has good accessibility for walking and cycling and is on a regular bus route that this will not be at an overwhelming detriment to the local residents that would lead me to object.
- 2.3 Although I have concerns regarding the intensification of use, as there is an existing use in this location I shall not object for this reason.

## 3 Conclusion

- 3.1 I have no objection to this application.

Gordon McIntosh  
Corporate Director

1

PETITION AGAINST PLANNING PERMISSION BEING GRANTED TO SPICE OF ASIA  
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 SPITAL, ABERDEEN DUE TO OVER PROVISION OF  
 GROCERS/NEWSAGENTS/LICENSED PREMISES IN AREA AND PARKING AND  
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DATE	NAME	ADDRESS	SIGNATURE
30.5.20	Eveline Shear	135 Spital	
30.4.14	Peter Craig	86 Sunny Side Road	
30/4/14	Scott Morrell	53B Orchard Street	
30/4/14	J ALLAN	34 CORNHILL GARDENS	
30/4/14	RICHARD MILLER	3 MENIE CRESCENT	
30/4/14	Andrew Stum	91, Sunny Side Road	
30/4/14	E Johnston	34 Sunny Bank Road	
30/4/14	T. COLLIER	88A Rose St.	
30/4/14	P MORREN	BOATLEYS KEMNAI	
30/4/14	C MAIR	PORTLEITHEN	
30/4/14	M. Macfar	HINDHILL CO. GARDENS	
30/4/14	McCrone	62 Eslemont Circle	
30.4.14	Glenn Whyte	25 Sunnybank Road	
30.4.14.	Fiona Black	33. Spital Walk.	
30.4.14	SANDRA GRIG	30 SUNNYBANK RD	
30.4.14	CAFERN	8 The Orchard Spital Walk	
30.4.14	Robert Fobbes	8 THE ORCHARD SPITAL	
30/4/14.	ALAN SMITH	22 144 SPITAL ABERDEEN	
30.4.14	Hector Coward	123, Spital, Aberdeen	
30.4.14	Colin Gammell	5 ST MICHAEL'S Walk	
30/04/14	RICHARD SMITH	29 ORCHARD WALK	

2

PETITION AGAINST PLANNING PERMISSION BEING GRANTED TO SPICE OF ASIA  
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DATE	NAME	ADDRESS	SIGNATURE
30/4/2014	S. CUNNINGHAM	3 SPITAL WALK	[REDACTED]
30/4/2014	A. W. ELLER	18 Froghall Road	
30/4/2014	F. WOODCOCK	4 SUNNYBANK RD	
30/4/2014	E. Grant	482 King St	
30/4/2014	H. SHUART	206 Froghall Avenue	
30/4/14	J. REID	ROBERTSONS MEM. MERKLAND ROAD	
30/4/14	ZALOKI DALCASO	53 MERKLAND PLACE	
30/4/14	MRS. DALCASO	53 MERKLAND PLACE	
30/4/14	K. Robertson	145 SPITAL W.	
30/4/14	A. DUNN	6 ORCHARD BANK	
30/4/14	P. WISHART	1 SPITAL WALK.	
"	<del>P. WISHART</del>	" " "	
30/4/14	Lorna Kay	51 MERKLAND PLACE	
30/4/14	Lee Downey	17A Froghall Ave	
30.04.14	FERRY FARQUHAR	176 SPITAL.	
30/4/14	Carl Caddy	17A Froghall Avenue	
30.4.14	T. J. Caddy	" "	
30/4/14	C Downey	7A Froghall Avenue	
"	S. Caddy	17A Froghall Ave	
30/4/2014	FANSEA LESLIE	129 SPITAL ABERDEEN	
30/4/2014	J. Stuart	206 Froghall Ave	

3

PETITION AGAINST PLANNING PERMISSION BEING GRANTED TO SPICE OF ASIA FOR CHANGE OF USE FROM CLASS 4 (BUSINESS) TO CLASS 1 (SHOPS) AT 148 SPITAL, ABERDEEN DUE TO OVER PROVISION OF GROCERS/NEWSAGENTS/LICENSED PREMISES IN AREA AND PARKING AND DELIVERY CONCERNS

DATE	NAME	ADDRESS	SIGNATURE
30/04/14	J.P. Singer	34 F Bedford Avenue, Aberdeen	
30/4/14	Laura Pime	28 Spital AB24 3HS	
30/4/14	Aileen Patis	32 Sunnyside Rd	
30/4/14	R. Clark	3 Sunnyside Terrace.	
" "	M. Patis	48 SPITAL	
30/4/14	[Signature]	147 SPITAL	
" "	McSmith	[Signature]	
" "	Leigh Hartin	65 Orchard St	
29/4/14	Art Mullen	Portlethen	
30/4/14	W. Colvin	49. Spital	
30/4/14	M. Miller	130 Spital	
30/4/14	M. Howard	15 Spital	
30/4/14	C. Marsan	14 St. Peter's Gate	
30/4/14	I. Smith	12 Colleski Bouds	
30/4/14	N. Moir	33 Merkleand Place	
30/04/14	F. Wallace	116, Linksfield, Road,	
30/04/14	D. Morrill	408 King Street	
30/04/14	D. Saxon	St. Erskine Street	
30/4/14	W. Thomson	92 SPITAL	
30/4/14	J. Williams	2 St. Peter's Place.	
30/4/14	M.A. Davy	143 SPITAL	



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DATE	NAME	ADDRESS	SIGNATURE
30/4/14	L Paterson	70, Seamount ct	
30/4/14	R Paterson	17 Spital Walk	
30/4/14	N Milne	25 Wallacebrae Crescent.	
30/4/14	D EASMAN	29 SPITAL WALK	
30/4/14	N OLAN	20 LINKSFIELD PLACE	
30/4/14	M WILSON	61 C Orchard Street	
30/4/14	R Alexander	3 St Peters Gate	
30/4/14	J Nicol	55 Spital	
30/4/14	D B CARR	21 UNIVERSITY RD	
30/4/14	B.A. REID	21 UNIVERSITY RD	
30/04/14	MRS ECCLE	21 UNIVERSITY RD	
30/04/14	T. Borstlap	13 Sunnyside Rd	
30/04/14	C. Lowe	30B Spital	
30/04/14	J. Priestley	47A Sunnyside Rd	
30/4/14	C. SMITH	4 Sunnyside Rd	
30/4/14	G CAMERON	16 ORCHARD ST	
30/04/14	L McKEAN	21 C Orchard St	
30-4-14	F. Tait	17 Park Place	
30/4/14	SAVONIR MEANVILLE	12 SUNNYSIDE TERRACE	
30/4/14	GARY McDONALD	NEWTON LODGE INGH	
30-4-14	RAYMOND WELSH	19F SUNNYSIDE ROAD	

PETITION AGAINST PLANNING PERMISSION BEING GRANTED TO SPICE OF ASIA  
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DATE	NAME	ADDRESS	SIGNATURE
30/4/14	EMMA MITCHELL	110 Portel Crescent AB24 2SP	
30/4/14	Jim Gilk	14 ST PETERS GATE	
30/4/14	ZOYA ASKEW	12 SUNNYBANK TERRACE	
30/4/14	APPY LINDRED	296 FROGHALL ROAD AB24 3JL	
30/4/14	Rachel Elder	177b Spital	
30/4/14	Hamid Rehman	177b Spital	
1/5/14	ROBERT SIMPSON	27, FROGHALL VIEW,	
1/5/14	Malcolm	18, SPITAL.	
1/5/14	B DONALD	46, SPITAL	
1/5/14	JOHN COLE	21, MERKLAND PLACE	
1/5/14	DES WILSON	138, SPITAL, ABERDEEN	
1/5/14	DAVID BABINGTON	1A FROGHALL TERRACE	
1/5/14	AUDREY MCBAIN	688 Spital	
1/5/14	TRACY BONBALL	1 Seamount Ct.	
1/5/14	CRAIG BONBALL	"	
1/5/14	SASH GRANT	50 SPITAL	
1/5/14	Rory LETHBRIDGE	62 ORCHARD ST	
1/5/14	Carol Pine	2 Sunnybank Rd	
1/5/14	Brian Pine	2 Sunnybank Rd	
1/5/14	LEE MARR.	51 MERKLAND PLACE	
1/5/14	TOM TURNBULL	2. Speenshaw Gardens	

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DATE	NAME	ADDRESS	SIGNATURE
1/5/14	DORREN TURNBULL	2, GLENAGLES GARDENS	
1/5/14	J. F. Kennedy	130 Spital	
1/5/14	KEITH PIRIE	21 Rowan Rd	
1/5/14	Colin Cairns	23 THE SPITAL	
1/5/14	J Paterson	25 Spital Walk	
1/5/14	Sandra Hillo	76 SPITAL	
1/5/14	Jan Bethwell	30 <sup>th</sup> Junybank Rd	
1/5/14	Maggie Mac	21c Froghall Avenue	
1/5/14	SUSAN MACLEOD	42 <sup>E</sup> Froghall Terrace	
1-5-14	Chris W Mill	54 Gainsburg Street	
1.5.14	S. FROST	16, C ORCHARD, STREET	
1.5.14	G. CAMERON	16, C ORCHARD, STREET	
1.5.14	G. GRAY	6, ORCHARD PLACE	
1.5.14	A. Forsyth	T/L 63 ORCHARD ST	
1.5.14	G. Veitch	45E Jule street	
1.5.14	S. WILKES	36 MERELAND Road EAST	
1.5.14	C. Murphy	40 Orchard Street	
1.5.14	L. COOPER	The Spital.	
1-5-14	David Goodwin	86 orchard street	
1/5/14	D. Orestri.	42, Froghall Terrace	
1/5/14	I. Alwawi	54 spital	

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DATE	NAME	ADDRESS	SIGNATURE
1.5.14	K Napier	41A Sunnybank Road	[REDACTED]
1.5.14	F. MADDOX	2 HILLHEAD TERRACE	
1.5.14	D. Hickey	<del>2 Hillhead terrace</del>	
1.5.14	B. Gavin	30 Orchard Street	
1.5.14	P. Bothwell	30f Sunnybank R.O.	
1.5.14	G Cox	148 Spital	
1.5.14	T Ross	13 D FROGHALL AV.	
1.5.14	James Young	57 Spital	
1.5.14	K. Sadder	16 Fromhall View	
1.5.14	W Pine	93 SUNNYSIDE RD	
1.5.14	D. Guldie	74 ARDARROCH CLOSE	
1.5.14	H. Holdings	4 HILLHEAD TERR	
1.5.14	K. DONALD	18 ORCHARD ST	
1.5.14	R. MacGregor	41 BAYVIEW COURT	
11/5/14	B. Muir	1024 GORRAN 12	
1.5.14	IAN GERARD	26 ARDARROCH CLOSE	
1.5.14	G. ROSS	63 OUTE ST	
2.5.14	M. Sim	18 PETER'S GROVE	
2.5.14	S. M. Ince	331 Kings Crescent	
2.5.14	B. Black	11 Kings Crescent	
2.5.14	L. Brown	54 Belmont St	

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DATE	NAME	ADDRESS	SIGNATURE
2/5/14	Aghward	Portletta	[REDACTED]
2/5/14	SWALKER	FOR 17	
2/5/14	A. MORICIZ	SUNNY BANK ROAD	
2/5/14	B Morrice	Beachview, Balmedie.	
2/5/14	D Morrice	11 11	
2/5/14	Diane Morrice	11 11	
2/5/14	M TATE	44 SUNNY BANK ROAD	
2/5/14	Caroline E. Dickson	35 Spital Aberdeen	
"	Sarah Watson	35 Spital Aberdeen	
"	Lillian Gray	35 Spital Aberdeen	
"	Chris Gray	35 Spital Aberdeen	
2/5/14	TOMAS VAITKUS	4 Sunningbank road	
2/5/14	RACHEL BROWN	48 NORTH ANDERSON DRIVE	
2/5/14	Alana Hewitt	29 College Bounds	
2/5/14	NK WILSON	7, Orchard Walk	
2/5/14	K TOM	18 ORCHARD ST	
2/5/14	E HENDERSON	1A FROGHALE TERRACE	
2/5/14	Wilma Paton	21 Hopall View	
2/5/14	Ann Campbell	123 Spital	
2/5/14	Ryan Morrison	123 Spital	
2/5/14	Michael Bell	16 Sunnyside Gardens	

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DATE	NAME	ADDRESS	SIGNATURE
2/5/14	B WALKER	23 MERKLAND PLC	
2/5/14	Adh Vais	203 Victoria Road	
2/5/14	Neomi J	50 Kings Cross	
2/5/14	W. FRASER	8 SUNNYSIDE TERRACE	
2/5/14	C. Green	4 MERKLAND RD	
2/5/14	Julian Mullen	1 Hillhead Terrace	
2/5/14	P. Murray	12 Marshall Road	
2/5/14	K Bland	79 Deanslock Terrace	
2/5/14	D ANDERSON	72B JULE ST	
2/5/14	D. DUNN	39 MERKLAND PL	
2/5/14	M. MCNEIL	38 MERKLAND RD	
3/5/14	M. Fraser	34 Sunnybank Rd	
3/5/14	V. NIA	38 Hillhead Avenue	
3/5/14	M. DUNN	7 College Bounds	
3/5/14	M. MCBRETTA	23 ORCHARD STREET	
3/5/14	D. WARDEN	17c HAZELTON DR	
3/5/14	Lori Wilson	21 Spital Walk	
3/5/14	TERRY	44 ELMBANK TERRACE	
3/5/14	Ronald	58 SPITAL	
3/5/14	Tina	29 Sunnybank Rd	
3/5/14	M. Fraser	88 SPITAL	

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PETITION AGAINST PLANNING PERMISSION BEING GRANTED TO SPICE OF ASIA FOR CHANGE OF USE FROM CLASS 4 (BUSINESS) TO CLASS 1 (SHOPS) AT 148 SPITAL, ABERDEEN DUE TO OVER PROVISION OF GROCERS/NEWSAGENTS/LICENSED PREMISES IN AREA AND PARKING AND DELIVERY CONCERNS

DATE	NAME	ADDRESS	SIGNATURE
3/5/14	D BRUCE	88 SPITAL	[REDACTED]
"	A SUMMERS	6 AUCKLAND PL.	
3/5/14	T WILLIAMSON	53B ORCHARD STREET	
3/5/14	G WATT	12 LORD MARYS GRAB	
3/5/14	O. PICKERING	12 OLYMPIA GARDENS, BANCHER	
3/5/14	R. MCRA	7 ROXBURGH LANE	
3/5/14	M. ROBERTSON	5 SEABOARD EAST	
3/5/14	L. TALLEY	492 SUNNYBANK ROAD	
3/05/14	LACHLAN PARK	17 KROGHALL AVENUE	
3/5/14	JUDITH MILNE	142 SPITAL	
3/5/14	V. VEITCH	2 AUCKLAND PL.	
3/5/14	S. SIMON	65 ORCHARD ST	
3/5/14	C. MARTIN	65 ORCHARD ST	
3/5/14	M. Mc DONALD	13 F. FLYHALL AVENUE	
03/05/14	B. ONCK	Grange 11 College Bounds	
3/5/14	L. ANDERSON	33 MERKLAND PLACE	
3/5/14	N. GILL	49 DALRYMPLE CIRCLE	
3/5/14	S. HARVEY	46 BACK HUBBIE RD	
3/5/14	[Signature]	4 SPITAL	
4/5/14	[Signature]	68 EDYFORD AVE	
4/5/14	S. SMITH	" " "	



PETITION AGAINST PLANNING PERMISSION BEING GRANTED TO SPICE OF ASIA  
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DATE	NAME	ADDRESS	SIGNATURE
4/5/14	S Mearns	68 Ormrod Ave	
4/5/2014	E Smith	1 Merkleland Place	
5/5/2014	EDUARDO DEVA NOULL	425 DEBORAH AVENUE	
5/5/14	J Stewart	1 Hummings Park Rd	
5/5/14	R. Keith	6 Clocharlighter Drive	
5/5/14	D Reith	62 Orchard Street	
06/05/14	D DENZIE	3 ST PETERS GATE	
5.5.14	E Barrett Agnes	15 Sunnyside Ter	
"	M A Craig	15 Sunnyside Ter	
5.5.14	K FRASER	8 SUNNYSIDE TERRACE	
5/5/14	W. PIRK	93 SUNNYSIDE RD	
5.5.14	O STUBBS	91 SUNNYSIDE RD	
5/5/14	GACED	37 SUNNYBANK	
- u -	M McKeown	14 Sunnyside Ave	
"	Dunbar	20 ST PETER ST	
"	ORALLY JAC	- u -	
6/5/14	N SMITH	59 KAIMHILL CL	
"	A McBoyle	17 Spital -	
"	D STEELE	6 ORCHARD STREET	
"	KIMMEX	1 PHUNNAN RD	
"	C MAHON	PORTLOTHIAN	





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# Agenda Item 3.1

## Planning Development Management Committee

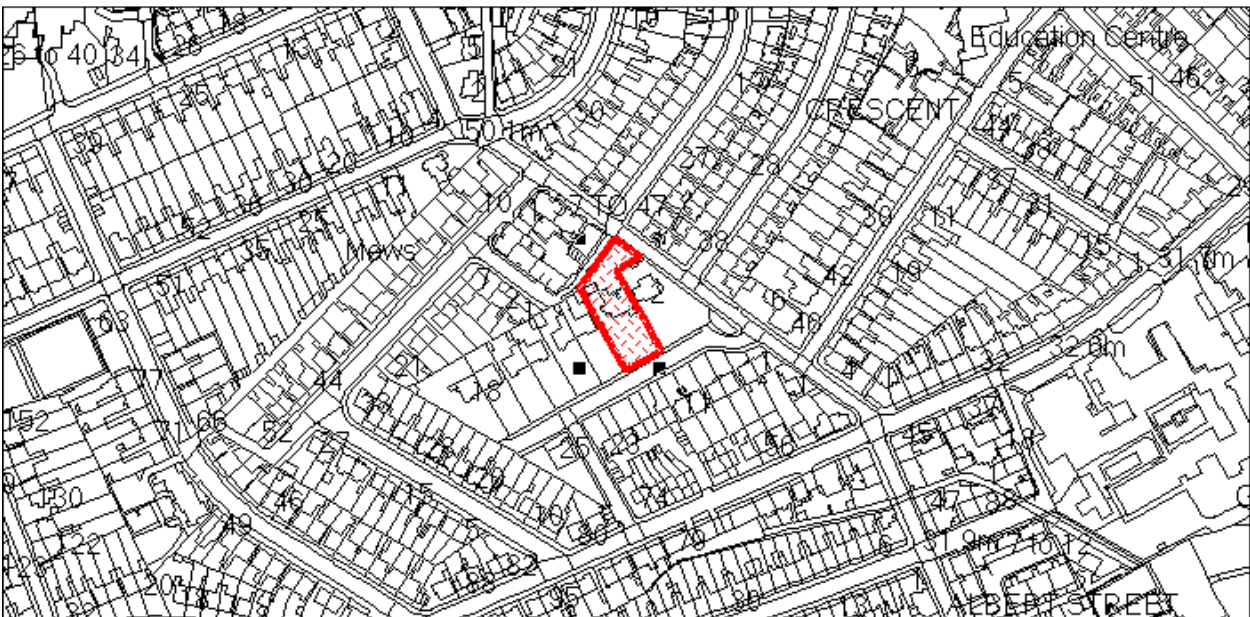
4 WESTFIELD TERRACE, ABERDEEN

ERECTION OF 2 STOREY DWELLINGHOUSE  
WITHIN GARDEN GROUND AND  
ALTERATIONS TO BOUNDARY WALL

For: Mr Tom Mason

Application Type : Detailed Planning Permission  
Application Ref. : P131777  
Application Date: 13/12/2013  
Officer: Paul Williamson  
Ward : Hazlehead/Ashley/Queen's Cross(M  
Greig/J Stewart/R Thomson/J Corall)

Advert : Section 60/65 - Dev aff  
LB/CA  
Advertised on: 16/04/2014  
Committee Date: 28 May 2014  
Community Council : Comments



**RECOMMENDATION:**  
**Refuse**

## **DESCRIPTION**

The application site is to the west of Craigie Loanings and forms part of the wider 'garden' ground of the residential property 4 Westfield Terrace, Rosemount. The site is also located within the boundary of the Rosemount/Westburn Conservation Area.

The northern side of Westfield Terrace is characterised by a mix of (eight) large detached and semi-detached dwellinghouses (of two storeys) set within generous plots, most with mature planting and trees contained therein.

The application site itself extends to approximately 400 square metres, while the currently extent of the curtilage associated with 4 Westfield Terrace extends to some 1730 square metres. The existing dwelling at No. 4 covers a footprint of 275 square metres, with a further detached garage/outhouse of 50 square metres to the north west corner of the curtilage. The existing dwelling, as with many of the neighbouring properties, is a two storey traditional dwellinghouse fronting onto Westfield Terrace.

In respect of topography, the site is slightly higher (approximately 1.75 metres) than the adjacent properties on Westfield Terrace. The adjacent 3 storey flats at Craigie Park Place (developed in the mid-eighties) are again higher as levels continue to rise up towards Rosemount Place at the crest of the hill.

The north western and north eastern boundaries of the site are formed by an existing granite boundary wall which varies from 1.8m to 2.2m on Craigie Loanings, and approximately 2 metres along the boundary with Craigie Park Place. Beyond the application site, the land also falls away to the south, before levelling out at Albert Street/Whitehall Place.

Within the site boundaries are a total of 16 individual trees. These trees are between 5 – 16m in height; with an average of approximately 8.5 metres. The remaining boundary to the south is formed by a 1.2 metre high granite rubble wall towards 2 Westfield Terrace, while the boundary to No. 4 is partially open, and part 1 metre high vertically boarded fence, while the remainder is formed by the rear wall of the garage/outbuilding of 4 Westfield Terrace.

## **RELEVANT HISTORY**

While not specific planning applications, two applications (Ref; 130288 and 101611) for works to trees in a Conservation Area were previously approved unconditionally. These related to the removal of six trees and pruning of seven trees; and, removal of two trees, and further pruning, respectively.

## **PROPOSAL**

It is proposed to erect a two storey detached dwellinghouse on the site, which would subdivide the existing curtilage relating to the existing dwelling 4 Westfield

Terrace. The feu split would see the new curtilage extending to some 400 square metres, with the reduced curtilage for 4 Westfield Terrace being approximately 1330 square metres. The new dwelling would face towards Craigie Loanings.

The dwelling would include accommodation over two levels, and would feature two car parking spaces and a turning area in the rear garden ground. At ground level, the accommodation would include a shared kitchen/fining area, two bedrooms and a bathroom. The first floor accommodation comprises: a master bedroom with en-suite, and a large open space lounge, with associated balcony to the rear.

Externally the dwelling would be finished with granite to the frontage, and return quoins to the side elevations. Granite would also be used on the balcony edge screens. Other elevations would utilise a white 'k' render, while a small area would also utilise dark grey lead cladding. The balcony itself would be formed by a glass balustrade. It is proposed that the roof would be formed in slate, while windows and doors would be powder coated aluminium. A chimney is also proposed on the north west facing roof plane.

The dwelling house would have its own driveway accessed off Craigie Park Place (a one way street in the section towards Craigie Loanings), in a position that was previously the subject of an opening, and has since been built up in a combination of granite rubble, brick, and blockwork. A total of 6 no. trees have been identified as requiring removal to allow development. Additional planting is shown to the north west boundary along Craigie Park Place to provide a screen between the application site, and the adjacent flatted properties. Pedestrian access to the site would be formed through a new slapping onto the footway at Craigie Loanings. It would include new granite piers, and a dark grey painted timber gate.

Foul drainage and water would be connected to the public mains.

A design statement and tree report have been submitted in support of 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?131777>

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

### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because the proposal has been the subject of six or more letters of

representations expressing objection or concern about the proposal. Furthermore, the proposal has also been the subject of concerns from the Rosemount and Mile End Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Projects Team** – No objection. Initially identified that 3 car parking spaces should be provided within the site (as there were originally 4 bedrooms proposed). The application was subsequently revised to 3 bedrooms, therefore 2 spaces was deemed as being appropriate. Further concern was also raised with regard to the proposed visibility splay, although a condition could be used to secure this. Clarification over the proposed site drainage was also requested, although again, this can be conditioned.

**Environmental Health** – No observations.

**Enterprise, Planning & Infrastructure (Flooding)** - Requested clarification over the method of discharge of all surface water relating to the development, and identification of the receiving sewer/watercourse.

**Rosemount and Mile End Community Council** – Indicated the following observations;

- It appears the main site entrance is onto Craigie Loanings. As this is a busy bus route and thoroughfare, this could be a traffic hazard/safety problem;
- The one-way lane adjacent to the site, which is also used by flat owners, should not be used for access to the site;
- The proposed dwelling would block the view of some flat owners;
- The proposed plan is over-development and of an inappropriate design for this area, and not in keeping with Westfield Terrace; and
- Request that the Planning (Development Management) Committee undertake a site visit to fully appreciate the points they have raised.

## **REPRESENTATIONS**

Seven letters of objection has been received. The objections raised relate to the following matters –

1. The proposed vehicular access from to Craigie Park Place would create a potential hazard to residents and schoolchildren;
2. The plans have been poorly drawn up and do not accurately represent the true situation of the area;
3. The site would be over-developed and is of an inappropriate density;
4. The proposed balcony would intrude on the privacy of adjacent flatted properties;
5. Repairs to Craigie Park Place would require agreement between owners, whom have not been identified albeit residents have been paying for the upkeep of the landscaped verge;
6. Household waste would not be able to be collected from the Craigie Park Place as indicated as refuse vehicles do not use that part of the lane;
7. Potential damage to roads by construction vehicles;

8. The one way system should be retained for safety purposes;
9. The proposal would present an inappropriate development of green space land containing mature soft landscape features and habitats;
10. The proposal may impact on natural light whether it be by the building itself, or the proposed planting towards Craigie Park Place;
11. The proposed screening may obstruct emergency service vehicles;
12. The proposal would result in the loss of part of an existing traditionally constructed wall, typical of the irreplaceable architectural heritage of Aberdeen;
13. The pedestrian access to Craigie Loanings could be potentially unsafe for egress;
14. Increased traffic would be a safety issue;
15. Loss of long established trees;
16. The proposal could have health implications on adjacent residents; and
17. Potential impact on adjacent property values.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan**

Policy H1 (Residential Areas): states that within existing residential areas, 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;
3. Does not result in the loss of valuable and valued areas of open space;
4. Complies with supplementary guidance on Curtilage Splits.

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) – Privacy shall be designed into higher density housing, residential development will have a public face to the street and private face to an enclosed garden or court, residents shall have access to sitting out areas, car parking should not dominate, opportunities should be made of views and sunlight, measures should be included to design out crime and external lighting shall take into account amenity and the effects of light spillage.

Policy D4 (Aberdeen's Granite Heritage) – Consent will not be given for the demolition of granite built garden or other boundary walls in conservation areas.

Policy D5 (Built Heritage) – Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

Policy NE5 (Trees and Woodland) – 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.

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.

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.

### **Supplementary Guidance**

The Sub-division and Redevelopment of Residential Curtilages

- Guidance is provided on specific topic areas including: Privacy, residential amenity, daylight and sunlight; Design and materials; Density, pattern and scale of development; Trees and garden ground; Pedestrian/vehicular safety and car parking; and, Precedent.

Transport and Accessibility

### **Other Relevant Material Considerations**

None relevant to this application.

### **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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

### **Principle of Residential Development**

The application site is located within an area covered by a residential zoning, as such the general principle of residential development can be accepted subject to



compliance with the criteria set out within policy H1, and the associated Supplementary Guidance on the Sub-division and redevelopment of Residential Curtilages.

It is acknowledged that the extent and shape of garden ground associated with 4 Westfield Terrace, is irregular and therefore the portion of rear garden ground which is the subject of this application is different to the general form of the curtilages of properties along the northern side of Westfield Terrace. However, that in itself does not permit the principle of development. In general the curtilage size of properties on the north side of the street is around 950 square metres, with a development footprint of approximately 240 square metres. This equates to around 25% of the respective site areas. In the case of No. 4 at present, the site, due to the irregular shaped garden, and width of the feu, extends to 1730 square metres, with a development footprint of 325 square metres. This is 18.8%. As a result of the development, the developed area of the retained dwelling at No. 4 would become 24.4% thus reflecting neighbouring properties. However, the proposed new dwelling, would be of a substantially smaller curtilage size that adjacent properties, notwithstanding the fact that it would front Craigie Loanings.

In respect of the latter, very few individual buildings front onto Craigie Loanings itself. Beyond the southern side of Westfield Terrace, a small property at 1 Craigie Loanings, has a curtilage size of 280 square metres. The single storey cottage, with hipped and slated roof, results in a site coverage of 35.7%. In that instance, there is no rear garden ground, and the front garden is largely dominated by hard-standing. Such a development would not be appropriate by todays current planning policies. The only other front facing buildings onto Craigie Loanings are the adjacent flatted blocks to the north west, which would not necessarily set a precedent for the development as proposed, as that site related to the brownfield redevelopment of a former filling station site.

The proposal as submitted would have a curtilage size of approximately 400 square metres, and a development footprint of approximately 100 square metres. Although this would result in a comparable developed area to properties on Westfield Terrace at around 25%, therefore while not over-development per se, the curtilage size is considerably smaller therefore not reflecting the general character of the area.

The application site, by virtue of its irregular shape, does not readily lend itself to development. The tapering of the site towards the west does not create a particularly useable rear garden area for the proposed dwelling, and it would in essence be separated from the dwelling by the two car parking spaces, and turning head. Furthermore, the site also has other characteristics which shall be discussed in turn.

Accordingly, the proposal is considered to conflict with at least one of the defined criteria within policy H1 of the Adopted Local Development Plan. However, it is also appropriate to consider the proposal against each of the topic areas within

the Supplementary Guidance (SG) on the Sub-division and Redevelopment of Residential Curtilages.

### **Privacy, residential amenity, daylight and sunlight**

The proposal, in light of its positioning could in theory have a direct privacy impact on two adjacent properties. Firstly the direct distance to the adjacent flatted properties of Cragie Park Place would be approximately 6.5 metres. However, as part of the design review, the applicant amended the submission to introduce a solid screen at the side of the balcony feature. This would effectively reduce the ability for intrusion into the adjacent properties in light of the acute angle involved.

However, the proposal would only be two metres from the boundary with the retained dwelling at 4 Westfield Terrace. There would therefore be opportunities to directly overlook the associated garden ground. Distances to rear windows of the existing property would also be as low as 12 metres, therefore contravening the minimum requirement of 18 metres within the SG.

In respect of potential impacts on amenity, daylight and sunlight, the most likely potential impacts would again be towards the existing flatted development to the north. Having highlighted this as a potential issue to the applicant, their agent has submitted plans which illustrate that the proposal would not interfere with the adjacent daylight, through the use of the 25 degree approach (i.e. the development would not intrude upon the area where good daylight is achieved within a room. Notwithstanding, the presence of existing trees is considered to have more of an impact on the existing properties.

### **Design and materials**

It is acknowledged that the surrounding area contains a relatively wide variety of dwelling types and scale. This includes: traditional dwellings and tenements constructed of granite and slate; and, modern flatted properties with render and tiled roofs. As such, the general approach in using quality materials in the form of granite, smooth render, and slate would generally be welcomed. In respect of design, the general form of the dwelling has good proportions, and illustrates a relatively contemporary yet respectful design. However as noted above, the general principle of development on site cannot be established.

### **Density, pattern and scale of development**

As noted above, while the general site development would be comparable to surrounding percentages, the pattern of development shows dwellings having much larger curtilages. The irregular shape of site results in the dwelling being shoe-horned into the site to an extent, and would result in a layout where useable areas of garden ground would be limited in light of the shape of the site, location of parking, and the presence of the retained trees which add substantially to the character of the area.

## **Trees and garden ground**

The site currently contains a total of 16 trees within the application site. As noted in the history section, 8 trees have already been removed from the site previously, together with a significant level of pruning, thus substantially reducing the tree cover on site. The proposal, if implemented, would see the loss of a further 6 trees which include specimens ranging from 5 metres to 16 metres in height. This would significantly dilute the quality of the retained trees, and the impact that they have upon the character of the area and particularly Westfield Terrace, which has a significant level of tree cover within each of the curtilages.

While the submitted tree survey notes the loss of 6 trees, there are a further 3 trees which are close (within 4.5 metres), and therefore the footprint of development could impact significant on the root systems of those trees thus jeopardising their long term retention. As such, the proposal would be considered to be contrary to policy NE5 of the Adopted Local Development Plan.

In respect of garden ground, while the applicant has identified the provision of around 40% of the site area as garden ground, much of said areas would be restricted in use by the existing trees, and would largely be in shadow. Furthermore, the tapering of the site at the west end would hamper any effective or meaningful use.

## **Pedestrian/vehicular safety and car parking**

The traffic generated by the proposed dwellinghouse would be quite minor, and sufficient parking has been provided within the site. The Roads Officer has previously indicated the restricted nature of visibility from the site onto the one way system exiting Craigie Park Place. A technical solution could in theory be conditioned. No specific objection on roads safety grounds was raised

## **Precedent.**

As noted above, there is a further property at 1 Craigie Loanings which fronts onto the street. If submitted at the current time, such a site would have been unlikely to be viewed favourably. Its existence however, does not warrant allowing further development which would be detrimental to the wider character of the area.

While it is acknowledged that the curtilage of this site is relatively unique in light of its shape, allowing the sub-division of garden ground in this locale would dilute the character of the area, which is something that development plan policy seeks to resist.

## **Other relevant policies and planning considerations:**

### **Drainage**

In terms of drainage, while both consultation responses from Roads and Flooding identified the need for further information relating to the disposal of surface water from the site, the applicant has not been pressed to submit such information at this time. In light of the principle of development having not been established, it is considered unreasonable to ask the applicant to go to the expense of producing a design solution for a technical matter, which could ultimately be controlled by a suspensive planning condition.

### **Conservation Area**

The site is located within the Rosemount/Westburn Conservation Area. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas. In this instance, the proposal would introduce a pattern of development which could be considered alien to the surrounding character, in that the general pattern of development is for much larger curtilages. Its development for a dwelling would neither preserve or enhance the character of the Conservation Area, and would further dilute the level of tree cover on site, which would also be a loss to the appreciation of the surrounding tree-lined streets and policies.

The provision of new openings into boundary walls is also considered to contradict the requirement of policy D4 of the Adopted Local Development Plan. While it is acknowledged that the boundary walls have been rebuilt in the past, are of various ages, and have previously been the subject of openings, the new openings would impact on the appreciation of the solid traditional boundary features which enclose the characterful garden ground beyond, which has effectively been like a small orchard.

### **Letters of representation**

The following matters were raised within the letter of representation, which have not already been addressed above:

- 2. The plans have been poorly drawn up and do not accurately represent the true situation of the area – no issues have been identified with the submitted plans;
- 6. Household waste would not be able to be collected from the Craigie Park Place as indicated as refuse vehicles do not use that part of the lane – the applicant would be responsible for ensuring that adequate arrangements are in place for the collection of waste;
- 7. Potential damage to roads by construction vehicles – this is a private legal matter;

- 8. The one way system should be retained for safety purposes – no change is proposed to the existing arrangement apart from the formation of a new access/egress onto that section of Craigie Park Place;
- 11. The proposed screening may obstruct emergency service vehicles – no objection was raised from Roads Officers from a road safety perspective;

The following matters are not material planning considerations:

- 5. Repairs to Craigie Park Place would require agreement between owners, whom have not been identified albeit residents have been paying for the upkeep of the landscaped verge – this is a private legal matter between the respective owners;
- 16. The proposal could have health implications on adjacent residents; and,
- 17. Potential impact on adjacent property values.

## **Summary**

In summary, the proposal to sub divide the existing residential curtilage to provide an additional dwellinghouse is considered to be contrary to the principles of policy H1, in that the proposal would result in the loss of character of the area, and could lead to a precedent for similar development proposals which cumulatively would be to the detriment of the character of the surrounding area, which is also a Conservation Area. Furthermore, the loss of additional trees would be to the detriment of the visual character of the area.

## **RECOMMENDATION**

### **Refuse**

## **REASONS FOR RECOMMENDATION**

(1) That the site lies within garden ground associated with an existing dwelling house. As the proposal is considered to have an unacceptable impact on the character of the surrounding area which comprises large dwellings set within generous curtilages, the proposed development does not comply with Policy H1 Residential Areas of the Aberdeen Local Development Plan, nor the associated Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages. If permitted, this application would create a precedent for more, similar developments to the further detriment of the character of the surrounding area.

(2) That the proposal, by nature of its form and siting, relationship to other buildings, and the loss of trees, would not protect and enhance the character and appearance of the Rosemount/Westburn Conservation area, and would therefore be contrary to Policy D5 of the Aberdeen Local Development Plan.

(3) That the proposal would result in the loss of a number of existing trees which add to the character and amenity of the area, therefore being contrary to policy NE5 of the Aberdeen Local Development Plan.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.

ROSEMOUNT & MILE-END COMMUNITY COUNCIL

1st January 2014.

Head of Planning & Infrastructure

Aberdeen City Council

Broad Street

Aberdeen AB10 1BW

Dear Sir,

PLANNING APPLICATION NO P131777

4 WESTFIELD TERRACE ABERDEEN.

I refer to the above planning application & make the following observations on behalf of the Rosemount & Mile-End Community Council.

- 1) It appears that the main entrance to the site is onto Braigie Loanings. This is a busy bus route thoroughfare, on a hill. We suggest a traffic hazard / safety problem!
- 2) The lane adjacent to the site, which operates on a one way system is used by the flat owners. Presumably there is no question of the developer using the lane for access to the site.

3)

- 3) The proposed two floor dwelling will block the views of certain flat owners in the adjacent site, indeed a well established development. It is our view, the proposed plan is over development & an inappropriate design for this area, certainly not in keeping with Westfield Terrace.
- 4) The Planning Department & Committee appear to be reluctant to make site visits in singular planning applications, but it is essential in this case for such a visit to be undertaken in order to appreciate the points we have raised.

Yours faithfully

[Redacted signature]

[Redacted name]

on behalf of

ROSEMOUNT & MILE-ENDS COMMUNITY COUNCIL.



PI

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**From:** Leslie Strachan [REDACTED]  
**Sent:** 07 January 2014 22:43  
**To:** PI  
**Subject:** Application No. 131777, 4 Westfield Terrace

I am writing to object to the above planning application on the basis that the proposed vehicular access from/to Craigie Park Place would create a potential hazard to the residents and schoolchildren who frequently use this as a thoroughfare onto Craigie Loanings en route to the city centre and Grammar school.

Also, the plans that I have seen have been poorly drawn up as they do not accurately represent the true situation of the area.

The application should be rejected outright.

Kind regards,  
Les Strachan  
7 Craigie Park,  
Aberdeen,  
AB25 2SE

PI

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**From:** wendy sutherland [REDACTED]  
**Sent:** 30 December 2013 14:29  
**To:** PI  
**Cc:** [REDACTED]  
**Subject:** Application No. 131777

Objection regarding the plans for 4 Westfield Terrace

I am the owner of No 23 Craigie Loanings and have been advised of this application as an affected person by the Factor of the adjacent properties (Nos 15-23 Craigie Loanings). I am objecting to the proposed development at 4 Westfield Terrace on the following grounds:

The proposed development is unacceptable because it :

1. would present an inappropriate development of 'greenspace' land containing mature soft landscape features and habitats.
2. is an inappropriate density of occupation of the land
3. positions a substantial structure in direct view of my three south-facing windows in No 23 Craigie Loanings, which currently have an unobstructed view of landscaped ground and receive substantial beneficial natural light from the sky.
4. proposes 'screening' in the form of 3 trees whose foliage will, when mature, further reduce the availability of natural light to my windows
5. requests 'screening' whose presence could obstruct fire/emergency vehicle access along the south face of No 23 Craigie Loanings
6. requires access from Craigie Loanings, which entails destruction of a portion of an existing traditionally constructed wall on the west side of Craigie Loanings typical of the irreplaceable architectural heritage of Aberdeen.
7. The stretch of Craigie Loanings to which the pedestrian access is proposed is a major through road and bus route which is inappropriate and potentially unsafe for pedestrian egress, particularly the obstructive effect of the inevitable use of the road at that location for vehicle loading/unloading.

Regards  
Wendy Sutherland  
No 23 Craigie Loanings

PI

**From:** Dave Scott [REDACTED]  
**Sent:** 29 December 2013 09:59  
**To:** PI  
**Subject:** Application No. 131777, 4 Westfield Terrace

My submission regarding the application is as follows:-

A. I am the owner of No 15 Craigie Loanings and have not been advised of this application as an affected person. The application was drawn to my attention only by the Factor of the adjacent properties (Nos 15-23 Craigie Loanings). I do not believe due process is being followed in this matter.

B. The proposed development is unacceptable because it :

1. would present an inappropriate development of 'greenspace' land containing mature soft landscape features and habitats.
2. is an inappropriate density of occupation of the land
3. positions a substantial structure in direct view of my three south-facing windows in No 15 Craigie Loanings, which currently have an unobstructed view of landscaped ground and receive substantial beneficial natural light from the sky.
4. proposes 'screening' in the form of 3 trees whose foliage will, when mature (which will be in a long timeframe) further reduce the availability of natural light to my windows
5. position windows in the new building which overlook intrusively the windows in No 15 Craigie Loanings which currently enjoy privacy without need for substantial window coverage.
6. requests 'screening' whose presence could obstruct fire/emergency vehicle access along the south face of No 15 Craigie Loanings
7. requires access from Craigie Loanings, which entails destruction of a portion of an existing traditionally constructed wall on the west side of Craigie Loanings typical of the irreplaceable architectural heritage of Aberdeen.
8. The stretch of Craigie Loanings to which the pedestrian access is proposed is a major through road and bus route which is inappropriate and potentially unsafe for pedestrian egress, particularly the obstructive effect of the inevitable use of the road at that location for vehicle loading/unloading.

David J Scott  
15 Craigie Loanings  
ABERDEEN AB25 2PS  
[REDACTED]

10 Craigie Park  
Rosemount  
Aberdeen  
AB25 2SE  
6<sup>th</sup> January 2014

Development Management  
Enterprise, Infrastructure  
Aberdeen City Council  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Ref: Erection of 2 storey dwelling house within garden 4 Westfield Ter. Aberdeen.

To whom this may concern.

I am writing to register my objection to the proposed plans on planning application 131777 to erect a 2 storey building in the garden of 4 Westfield Ter.

The issue I have is that in my opinion the site would be over developed with a 2 storey building being built in the rear of number 4 Westfield Ter. and the proposed balcony would intrude on the residents' privacy when used by the occupants.

My main and other residents concerns are the access to the site which would be off Craigie Park and Craigie Park PI which have not been adopted by the council.

In the event of the planning application being granted the residents would require written assurance that any repairs required would be carried out to their satisfaction as developers are not prone to having this condition written into the agreement when the application is approved.

When Cala 's planning application was presented to the council to build the flats on the previous site the ownership must have been established as to who owned the area which is now the one way system from Craigie Park Place to its end at Craigie Loanings.

I have reason to believe the residents have been paying for the upkeep of this area since the flats were first established.

Having collected the household waste from the residents on Craigie Park Place by reversing from Craigie Park into Craigie Park Place then exiting it by driving out onto Craigie Park these vehicles have never ventured into using the one way system as it's not really built for that type of vehicle.

If the council grant planning permission the mind boggles as to how much damage the HGV vehicles will cause to all the roads affected by them gaining access to the site.

The drawing shows that the household waste bins are at the rear of the building which means the resident would either have to take them to Craigie Loanings or onto Craigie Park Place unless the council can be persuaded to use the one way system but is that part of the road capable of having this type/weight of vehicle continually using it.

With the one way system established it is vital it stays as there were problems when two vehicles came in different directions as there wasn't room for either vehicle to pass and it ended up with someone having to reverse back to where they came from.

The one way system has never been known as Craigie Park Lane as it has always been part of Craigie Park Place and the name is still visible to the naked eye at the end of the road at the Craigie Loanings end.

If the one way system had a name change when did this] happen and by whom as the residents were never giving the opportunity to voice their opinions to any name change??

In conclusion:

2 storeys dwelling house over developed for size of proposed site.

Balcony would be an intrusion of their privacy for any of the residents who would be affected when used by owners.

With the volume and the comings and goings of HG Vehicles they are going to destroy the road surface so the residents will need written assurance that the roads will be repaired to everyone's satisfaction should this development get the go ahead.

Yours sincerely

A solid black rectangular box redacting the signature of Willie Jaffray.

Willie Jaffray (Resident)  
Rosemount

**Lorna McDonald**

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**From:** Ewan Smith [REDACTED]  
**Sent:** 20 December 2013 14:23  
**To:** PI  
**Subject:** Planning Application 131777

I am writing to strenuously object to planning application number 131777.

This development will have a massive detrimental effect on my existing property and how I live.

The proposed dwelling house will look directly onto both my kitchen and my living room meaning a complete loss of privacy.

With the proposed property being two story it will also eliminate any daylight that I enjoy just now.

I bought my property based on its relative seclusion from neighbouring buildings, this application will destroy this. Not only will I lose my privacy I will probably not be able to re-sell the property due to the intrusion of the proposed building.

Can you please reply to confirm this has been recieved.

Yours distressed,

Ewan Smith  
17 Craigie Loanings  
Aberdeen  
AB252PS  
[REDACTED]

## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 19 December 2013, 19:35  
**To:** PI  
**Subject:** Planning Comment for 131777

Comment for Planning Application 131777

Name : Alastair Ritchie  
Address : 6 Craigie Park Place  
Aberdeen  
AB25 2SF

Telephone :

Email : [REDACTED]

type :

Comment : Sir I would like to strongly object to this application.

Increased traffic on Craigie Park Place and its lane during construction a safety issue.

Access to the proposed property from the lane, removal of part of the existing boundary wall.

removal of long established trees

Very close proximity to the boundary wall of the new build

PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 18 December 2013 23:05  
**To:** PI  
**Subject:** Planning Comment for 131777

Comment for Planning Application 131777

Name : Iain Latta  
Address : 19 Craigie Loanings  
Aberdeen  
AB25 2PS

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : This will impinge on the property with windows immediately adjacent to our bedroom windows. It will effect the lane which runs at the side of our property which is narrow enough at present with no room of cars and pedestrians.

As my partner has vascular dementia it could have a detrimental effect on her well being. I therefore object vigorously to this application.



## ABERDEEN CITY COUNCIL

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COMMITTEE	Planning Development Management Committee	
DATE	28 May 2014	
LEAD HEAD OF SERVICE Margaret Bochel		DIRECTOR Gordon McIntosh
TITLE OF REPORT	Planning Digest	
REPORT NUMBER	EPI/14/150	

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### 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

#### **APPEAL UPHELD STANDING STONES, DYCE**

A retrospective planning application for change of use of land within the green belt (formerly a water pumping station) to form two permanent gypsy / traveller pitches (with provision for 6 caravans) was refused at Planning Development Management Committee on 10 December 2013 (ref P130119). The reasons for refusal related to concerns regarding inadequate drainage / flood risk and lack of facilities in the area. The planning application had been recommended for conditional approval by officials.

The Reporter appointed by the Scottish Ministers has now determined that planning permission should be granted subject to a number of suspensive conditions relating to provision of foul drainage, surface water drainage and landscaping of the site. He considered that the proposal did not conflict with green belt policy and satisfied the relevant criteria set out in local development plan policy H6 (Gypsy and Traveller

Caravan Sites). Notwithstanding the level of noise intrusion evident at the site (due to proximity to aircraft and industry) and a previous appeal decision for a house on the site, which was dismissed partly due to this concern, he was satisfied that the noise levels experienced at the site do not warrant refusal and that the level of residential amenity is satisfactory. He also considered that the site was adequately connected to services and schools by public transport.

A separate related appeal for award of expenses against the Council was not successful as the Reporter did not consider that the Council had acted unreasonably. He did however consider that explicit reference to local development plan policy should have been made in the reasons for refusal.

The relevant documents, including decision notices can be found at the following web link: - <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114998&T=20>

## 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](mailto:Mbochel@aberdeencity.gov.uk)  
01224 523133