

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, 11 June 2014

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in Committee Room 2 - Town House on **THURSDAY, 19 JUNE 2014 at 10.00am.**

JANE G. MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

Members please note that all letters of representation, including those not in the report pack, are available to view in the Members' library

MINUTES OF PREVIOUS MEETINGS

- 1.1 Minute of Meeting of the Planning Development Management Committee of 28 May 2014 - for approval (Pages 1 - 16)

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 2.1 Hopetoun Grange, Land to North of - Partial amendment to Planning Application 130029 to allow for an additional 20 units and change of house types (Pages 17 - 66)

Reference No – 140153

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140153>

2.2 Aberdeen Airport Sports and Social Club, Farburn Terrace, Dyce - Erection of Helicopter Hangar (Pages 67 - 82)

Reference No – 140209

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140209>

2.3 Riverside East Building, Garthdee Road, Garthdee Campus - Variation of Condition 33 (CPZ) (Pages 83 - 110)

Reference No – 140573

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140573>

WHERE THE RECOMMENDATION IS ONE OF REFUSAL

2.4 Former Royal Cornhill Hospital, Berryden Road - Demolition of former hospital buildings and proposed residential development of 300 units, comprising 135 new build houses, 141 new build flats and conversion of former hospital building to form 24 flats, with associated car parking, open space and infrastructure (Pages 111 - 154)

Reference No – 130381

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=130381>

2.5 Friendville, Great Western Road - Change of use to events/function facility with associated guest accommodation (Pages 155 - 176)

Reference No – 140359

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140359>

2.6 21 Union Street - Change of use from Class 1 (Retail) to hot food takeaway (sui generis) and installation of flue (Pages 177 - 202)

Reference No – 140273

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140273>

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Steph Dunsmuir on sdunsmuir@aberdeencity.gov.uk or tel 522503

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 28 May 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton (to article 4), Cormie, Donnelly (as substitute for Councillor Boulton from article 5), Grant (from article 5 onwards), Greig, Jaffrey, Lawrence, MacGregor, Jean Morrison MBE, Samarai, Jennifer Stewart, Sandy Stuart (as substitute for Councillor Corall), Thomson, Townson and Young (as substitute for Councillor Grant to article 4).

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MIId=2882&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.

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 24 APRIL 2014

1. The Committee had before it the minute of its previous meeting of 24 April 2014.

The Committee resolved:-

to approve the minute as a correct record.

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 2 MAY 2014

2. The Committee had before it the minute of the meeting of the Planning Development Management Committee (Visits) of 2 May 2014.

The Committee resolved:-

to approve the minute as a correct record.

GRANDHOME ESTATE, DANESTONE - 131535

3. 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 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 and landscaping, and supporting infrastructure including access on the Grandhome Estate,

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Danestone, 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, to include 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 and healthcare; (4) developer contributions towards the Strategic Transport Fund; and (5) developer contributions towards mitigation on the local roads network; and subject to the following conditions:-

(1) That this permission shall lapse unless applications for those Matters Specified in Conditions (MSC) where development may not commence prior to determination of the condition (known as 'suspensive conditions') in respect of the first phase of development (as defined by the phasing plan required to be submitted by condition 4 below, or such other plan as is subsequently agreed) are made to the Planning Authority within 4 years of the date of this planning permission. Thereafter:-

MSC applications (suspensive only) for each subsequent phase shall be made within 3 years of the date of the final approval of the MSCs (suspensive only) 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, or, the latest of the following:-

- (i) The expiration of 6 months from the date on which an earlier application for the requisite MSC was refused
- (ii) The expiration of 6 months from the date on which an appeal against such refusal was dismissed;

In order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006;

(2) That the development hereby granted permission 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 for the respective phase - in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006; (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 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, or those subsequently approved. Depending on the phase, and unless otherwise agreed in writing with the planning authority, the MSC applications shall include (1) a detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing

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ground levels and a fixed datum point within the relevant phase of development; (2) 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; (3) full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase of development; (4) details of all cut and fill operations in the relevant phase of the development; (5) 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; (6) details of any screen walls/fencing to be provided within the relevant phase of the development; (7) details of all landscaping, planting and screening associated with the relevant phase of the development; (8) full details of the layout, siting, design and finish of all residential properties, including the gypsy traveller site, throughout the relevant phase of development; (9) 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; (10) full details of all waste/recycling collection points, for residential and non-residential properties; in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006;

(3) The submission of the first application for the approval of MSC, plans shall incorporate a proposed phasing plan for the development as a whole, including identifying the phase that would include the gypsy traveller site. The development shall not be implemented otherwise than in full accordance with any scheme thereby approved, unless otherwise agreed in writing by the Planning Authority – to provide information relating to the schedule of development for the planning authority and in relation to others conditions;

(4) The landscaping details to be submitted pursuant to Condition 3 above shall include (1) existing and proposed finished ground levels relative to a fixed datum point; (2) existing landscape features and vegetation to be retained; (3) existing and proposed services including cables, pipelines and substations; (4) the location of new trees, shrubs, hedges, grassed areas and water features; (5) a schedule of plants to comprise species, plant sizes and proposed numbers and density; (6) the location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment; (7) an indication of existing trees, shrubs and hedges to be removed; (8) a Biodiversity Action Plan; (9) a Management Plan detailing appropriate management measures for all watercourse buffer strips; (10) 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

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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 – in the interests of protecting trees and ensuring a satisfactory quality of environment;

(5) 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 (1) an inspection regime relating to matters such as outlets/inlets; (2) frequency and method of cleaning of filter trenches, removal of silt etc.; (3) grass cutting (and weeding) regime for swales; (4) means of access for future maintenance; (5) how to ensure that planting will not be undertaken over perforated pipes; (6) details of the contact parties for future factoring/maintenance of the scheme to protect the water environment and help reduce flooding;

(6) 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. The development shall be carried out in complete accordance with such a plan and buildings shall not be occupied unless the streets and parking areas for the respective block are complete and available for use – in the interests of road safety;

(7) That no development within the phase that includes the ‘town centre’ (including the 2500m² single 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 a 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. The precise level of retail and town centre uses shall be informed by the outcome of the RIA to ensure that there is no significant adverse impact on pre-existing

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centres .– in order to ensure that the level of retail floorspace is appropriate to the size of settlement;

(8) 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 in accordance with the Council's Car Parking Standards, unless otherwise agreed in writing with the planning authority - in the interests of road safety;

(9) That, unless otherwise agreed in writing with the planning authority, no more than 50% of the housing in the phase that includes the gypsy travellers site, shall be occupied prior to the travellers site being provided in accordance with a scheme that has been submitted to and approved in writing by, the planning authority – in the interests of ensuring the provision of a gypsy travellers site;

(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 in accordance with the submitted scheme or other such scheme as so agreed with the planning authority – in the interests of road safety;

(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, and thereafter implemented in complete accordance with such a scheme unless otherwise agreed in writing with the planning authority – 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) – in the interests of the traffic management;

(14) That no more than 500 residential units and ancillary uses shall be occupied 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;

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(16) Unless otherwise agreed in writing by the Planning Authority, no more than 501 residential units within the development shall be occupied until (1) a new signalised junction on the Parkway has been constructed; and (2) there has been implemented, modifications to the Buckie Farm Roundabout approach from Whitestripes Avenue. Both (1) and (2) shall be in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority in the interests of road safety.

(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.

The scheme shall be in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority in the interests of road safety.

(18) 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;

(19) 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;

(20) 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;

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(21) 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 – in the interests of avoiding flooding;

(22) Prior to the commencement of works in any respective phase, 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 prior to occupation of the respective phase. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control to ensure adequate protection of the water environment from surface water run-off;

(23) 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 – in the interests of the avoidance of flooding and the environment;

(24) 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 and a timetable for the carrying out of such work 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 – in the interests of ensuring there is no detriment to those users of private water supplies;

(25) 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 – in the interests of avoiding pollution;

(26) 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 – in the interests of avoiding pollution;

(27) 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

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monitoring in the Vicinity of Demolition and Construction Sites – in the interests of protecting the environment;

(28) Prior to the occupation of any non-residential units, any external 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;

(29) 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 – in the interests of reducing travel by private car;

(30) 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. The application shall include details of measures, including a timetable for implementation, required to help ensure safe travel to school and the measures shall be implemented fully in accordance with such a plan – in order to promote sustainable and safe travel;

(31) 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;

(32) 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

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planning authority has given written consent for a variation - reason: to ensure that the site is suitable for use and fit for human occupation;

(33) 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. The measures identified within the plan shall be implemented in full – in the interests of aircraft safety;

(34) In the event that during construction, cranes 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;

(35) 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. Development within any phase containing SUDS ponds shall not take place unless there has been submitted, details of the SUDS ponds as above. 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. The proposal shall be implemented in complete accordance with any measures as so agreed – in the interest of aircraft safety;

(36) 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' Supplementary Guidance 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 Supplementary Guidance;

(37) 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;

(38) 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;

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(39) 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;

(40) That no development shall take place within an individual phase unless a plan showing those trees (within the respective phase) 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;

(41) No development shall take place in any individual phase of the development hereby approved, unless there has been submitted to and approved in writing by the planning authority and by the radar Operator - NATS (En-route) plc, either (1) detailed plans for the proposed buildings in that individual phase, demonstrating that there would be no detrimental impact upon the operation of the Perwinnes Radar; or (2) details of a scheme to mitigate any detrimental impact upon the Perwinnes Radar. Development shall not take place other than in complete accordance with such a scheme as so approved unless the planning authority and NATS (En-route) plc have given written consent for a variation in the interests of aircraft safety. For the purpose of this condition:- **“Operator”** means NATS (En-route) plc, incorporated under the Companies Act (4129273) whose registered office is 4000 Parkway, Whiteley, Fareham, Hant, PO15 7FL or such other organisation licensed from time to time under section 5 and 6 of the Transport Act 2000 to provide air traffic services to the relevant managed area (within the meaning of section 40 of that Act).

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.

Informative 3

Developers and applicants are advised that the application site is within the safeguarding zone of Perwinnes Radar Installation, operated by NATS (En Route) plc (“NERL”). On receipt of an application for matters specified in

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conditions (MSC) related to this grant of planning permission in principle (PPiP), the planning authority will consult NERL to determine if proposed buildings and structures would have an adverse impact upon the operation of the radar installation and if mitigation to any impact is possible. If an unacceptable impact and a viable mitigation is identified, the developer will be expected to agree with NERL a mitigation package prior to determination of an application.

The planning authority strongly suggests that prior to submission of an application, early dialogue with NATS is undertaken to find a solution to any impact a development may have on the radar. NATS provide a technical consultancy service to developers wishing to enter into pre-application discussions and further information can be obtained from the NATS Safeguarding Office at NATSSafeguarding@nats.co.uk

The Convener, seconded by Councillor Boulton, moved:-

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

Councillor MacGregor, seconded by Councillor Townson:-

That the application be refused, on the grounds that the proposed transport system could not sustain the size of the development.

On a division, there voted:- for the motion (12) – the Convener; the Vice Convener; and Councillors Boulton, Cormie, Jaffrey, Lawrence, Jean Morrison MBE, Samarai, Sandy Stuart, Thomson, Townson and Young; for the amendment (3) – Councillors Greig, MacGregor and Jennifer Stewart.

The Committee resolved:-

- (i) to request that officers discuss with the developer the possibility of the gypsy/traveller site being brought forward to an earlier phase of the development; and
- (ii) to adopt the motion.

FORMER NIGG CARAVAN PARK, ALTENS FARM ROAD - 140434

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 the construction of a 595 space partially decked car park with associated landscaping and lighting columns, to include the demolition of the existing dwelling, but to withhold the issue of the consent document until the applicant (Argon) had 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

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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 with the Green Travel Plan and submit regular monitoring reports to the Council, 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 its 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; and (6) that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work for the areas not already covered by Cameron Archaeologies Evaluation Reports dated 2013 and 2014,

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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.

The Committee discussed parking pressures faced by larger developments in the city, and asked that a letter be sent to the relevant Scottish Minister to request that dispensation be made for Aberdeen in relation to maximum parking standards. Dr Bochel advised that as such an approach would be directly contrary to the requirements of Scottish Planning Policy and transport policies in both the adopted Structure Plan and adopted Local Plan which aim to promote sustainable transportation, modal shift and reduce the reliance on private car as well as being contrary to the adopted Local Transport Strategy previously approved by the Council. With this in mind it would be necessary to refer the matter to the Enterprise, Strategic Planning and Infrastructure Committee for consideration. The Committee further noted the difficulties caused by not being able to legally enforce Green Travel Plan targets, and requested that this also be raised in the letter to the Scottish Government.

The Committee resolved:-

- (i) to recommend to the Enterprise, Strategic Planning and Infrastructure Committee that a letter be sent to the relevant Scottish Minister to (a) request that a dispensation be made for Aberdeen in relation to maximum parking standards, and (b) ask for consideration of how targets set within Green Travel Plans could be legally enforced; and
- (ii) to approve the recommendation contained with the report, with an additional condition that Altens Farm Road should not be used as an exit or entrance point for the site.

HILLHEAD OF CLINTERTY, TYREBAGGER ROAD, KIRKTON OF SKENE - 130918

5. 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 a proposed explosives storage facility comprising 6 buildings access road and bunds at Hillhead of Clinterty, Tyrebagger Road, 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

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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.

The Committee heard that the lighting towers were no longer part of the application.

Councillors Lawrence and Samarai requested that assurances be sought from the Health and Safety Executive in relation to the impact and risks associated with the application, prior to granting approval.

The Committee resolved:-

to express a willingness for officers to approve the application, subject to receiving the appropriate assurances from the Health and Safety Executive.

148 SPITAL, ABERDEEN - 140531

6. 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 the change of use from Class 4 (Business) to Class 1 (Shops) for the property at 148 Spital.

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Councillor Jean Morrison, MBE, requested that a condition in relation to waste disposal provision be attached to the Committee approval.

The Committee resolved:-

to approve the application, with the condition that the use hereby granted planning permission should not take place unless provision was made for waste disposal and, if appropriate, recycling facilities in accordance with a scheme which has been submitted to and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of public health.

4 WESTFIELD TERRACE, ABERDEEN - 131777

7. 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 the erection of a two storey dwellinghouse within garden ground, and alterations to the boundary wall at 4 Westfield Terrace, Aberdeen, on the following grounds:-

- (1) That the site lies within garden ground associated with an existing dwellinghouse. 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, not the associated Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages. If permitted, the 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; and
- (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.

Councillor Thomson moved as a procedural motion, seconded by Councillor Jennifer Stewart, that a site visit be undertaken.

On a division, there voted:- for the procedural motion (8) – the Vice Convener; and Councillors Donnelly, Greig, Jaffrey, MacGregor, Jennifer Stewart, Thomson and Townson; against the procedural motion (7) – the Convener; and Councillors Cormie, Grant, Lawrence, Jean Morrison MBE, Samarai and Sandy Stuart.

The Committee then heard Councillor Jennifer Stewart, as local member, speak in support of the application as she would not be in attendance at the site visit. Councillor Stewart suggested that the Committee approve the application, as the development

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would not overlook the current residents; some of the trees referred to in the report were diseased and would require to be removed; and she did not feel that the application would have a detrimental effect on the area.

The Committee resolved:-

to adopt the procedural motion and to undertake a site visit on a date to be determined.

PLANNING DIGEST - EPI/14/150

8. 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 relation to Standing Stones, Dyce (130119).

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

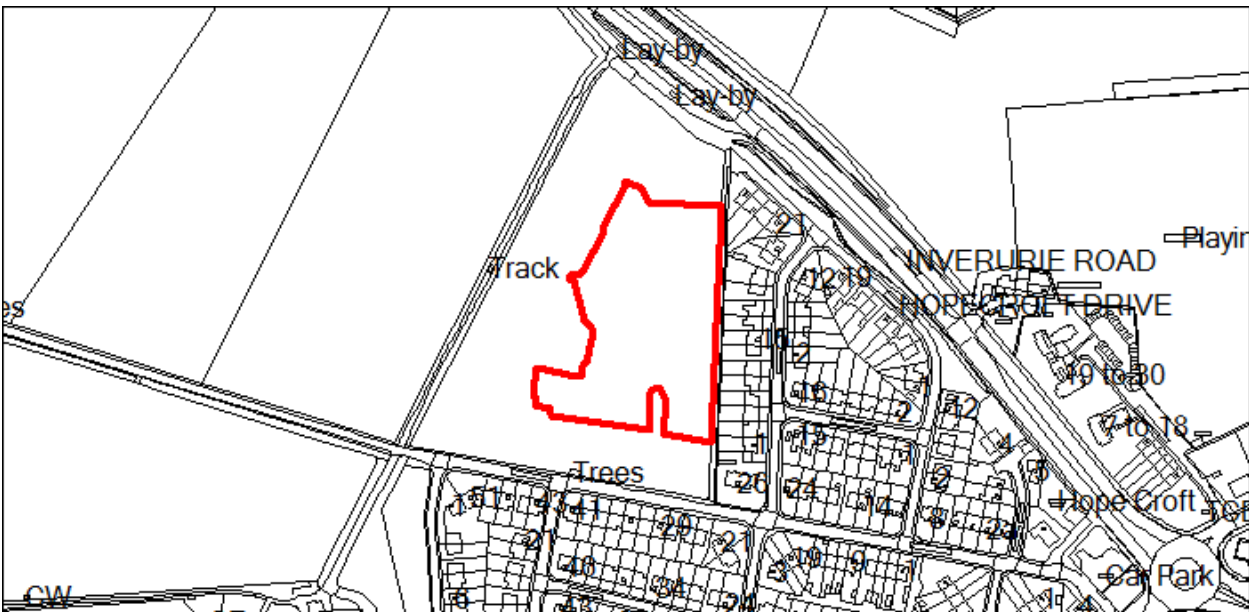
HOPETOUN GRANGE, LAND TO NORTH OF

PARTIAL AMENDMENT TO PLANNING
APPLICATION REF P130029 TO ALLOW FOR
AN ADDITIONAL 20 UNITS AND CHANGE OF
HOUSE TYPES

For: Persimmon Homes

Application Type : Detailed Planning Permission
Application Ref. : P140153
Application Date: 06/02/2014
Officer: Jane Forbes
Ward : Dyce/Bucksburn/Danestone(B Crockett/G
Lawrence/N MacGregor/G Samarai)

Advert :
Advertised on:
Committee Date: 19 June 2014
Community Council : No response
received



RECOMMENDATION:

Willingness to approve, subject to conditions, but to withhold the issue of the consent document until an amended legal agreement between the applicant and the Council has been secured identifying developer contributions towards: primary education; community facilities; sports and recreation; core path networks; and the strategic transport fund.

DESCRIPTION

The application site, which was formally land in agricultural use, but identified in the Aberdeen Local Development Plan (ALDP) as an opportunity site for residential development (OP20), extends to some 1.27ha, and forms part of a larger development site of some 3.3ha. Hopcroft Avenue lies to the east, whilst Hopetoun Grange is to the south, beyond a row of detached dwellings subject to planning application Ref: 130029. To the west lies an area of agricultural land extending to some 106 hectares, identified in the Aberdeen Local Development Plan as an Opportunity Site (OP30) for 1940 homes, and to the north is the main A96 Aberdeen/Inverurie Trunk Road. The entire 3.3ha site was the subject of a planning application (Ref 130029), submitted in January 2013 for a development of 65 residential units, associated infrastructure and landscaping, with consent granted at the Planning Development Management Committee in September 2013, subject to conditions and the applicant entering into a legal agreement.

RELEVANT HISTORY

Ref A5/1536 – Detailed planning consent was sought in August 2005 for the erection of 40 houses, over an area including part of the current application site (2.75 ha). In 2005 the site was zoned as GB1 (Green Belt), and on this basis the proposal was considered contrary to both structure plan and local plan policy, resulting in a Development Plan Departure Hearing being held in December 2005. The planning application was subsequently considered by the Planning Committee on 19 January 2006, at which point the Committee resolved to express a willingness to approve, subject to conditions and an appropriate legal agreement, and for the application to be forwarded to the Scottish Ministers. The applicants withdrew this application in February 2008.

Ref 121283 – Proposal of application notice submitted in September 2012 for the ‘erection of residential units including roads, infrastructure and landscaping’.

Ref 121578 – An Environmental Impact Assessment (EIA) screening opinion request, for a proposed residential development, on land to the north of Hopetoun Grange, Aberdeen City Council advised that it did not consider that EIA was required on 5 December 2012.

Ref 130029 – Proposal for detailed planning consent for the erection of a residential development comprising 65 dwellings, with associated infrastructure and landscaping, was granted conditional consent by the Planning Development Management Committee on 26 September 2013, subject to the applicant entering into a legal agreement with the Council to secure developer contributions. This legal agreement was concluded and planning permission was issued on 15 January 2014.

PROPOSAL

Detailed planning permission is now sought for an amendment to the 2013 planning permission, Ref: 130029, which proposed 65 residential units. An additional 20 properties would now replace 28 previously approved, giving a total

of 48 dwellinghouses within an area of 1.27ha. This would result in an overall increase across the wider 3.3ha site from 65 to 85 dwellinghouses.

Layout

The proposed development would comprise buildings arranged either side of a shared surface access road which forms a central loop, as was previously approved as part of the original application. The route of the shared surface road does not change as a result of the proposal.

Proposed Houses

The 48 properties would cover a range of 12 house types and comprise: 24 detached (6 x 3 bed, 9 x 4 bed, 9 x 5 bed), 12 semi-detached (3 bed) and 12 terraced properties (3 x 2 bed, 2 x 3 bed, 7 x 4 bed). 5 of the 48 dwellings would be 'affordable'.

The various house types would be arranged across the site, with terraced and semi-detached properties interspersed with detached. The 5 affordable properties would comprise three 2 bed and two 3 bed terraced units.

Open Space and Landscaping

An area of public open space extending to approximately 1180m² was approved as part of the original permission and this lies immediately west of this site, and would therefore not be affected by the proposal..

A detailed plan of landscaping provision for the wider 3.3ha site was controlled by a condition of the original permission and has already been submitted and deemed acceptable, however a condition has nevertheless been applied requiring the submission of amended plans directly associated to this application, to secure appropriate landscaping for individual properties and take account of the changes which this proposal has had on the previously approved garden/driveway layouts.

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=140153>

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

A Planning Statement was submitted in support of the application.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the Council has received more than 5 letters of objection. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objection. Advise the granting of planning consent should be conditional on an appropriate legal agreement being in place, requiring payment of the strategic transport fund contribution.

Aberdeen International Airport – Response received. No objection to the proposal based on a maximum development height of 9.2 metres. In the event that crange or scaffolding is required at a higher elevation than that of the planned development, then this must be subject to separate consultation with Aberdeen International Airport.

Transport Scotland – No objection, provided the following conditions are applied:

- There shall be no means of direct vehicular access to the trunk road. Pedestrian access to the trunk road shall be restricted to the existing footpath immediately to the west of the site.
- The applicant shall liaise with Transport Scotland and its Operating Company in regard to the timing, traffic management and standard of construction required for the pipeline crossing under the trunk road.

Environmental Health – No objection. Confirmed the noise assessment report submitted to purify Condition No. 2 of 130029 was acceptable. Informative requested regarding installation of attenuation trickle vents.

Developer Contributions Team - Appropriate level of affordable housing is proposed on site (25%), according to the overall development. However, the developer should also provide financial contributions towards –

- Primary school education;
- Community facilities;
- Sports and Recreation;
- Core Paths network; and
- Strategic Transport Fund (to be confirmed by Roads Projects Team).

Enterprise, Planning & Infrastructure (Flooding) - No objection, given satisfaction with the information submitted.

Scottish Water – No objection.

Scottish Environment Protection Agency – No objection, given satisfaction with the information submitted.

Community Council – No response received.

REPRESENTATIONS

A total of 26 letters of representation have been received. Objections raised have been summarised below and relate to the following matters:-

1. Over-development of the site;
2. Adverse impact on existing road network, which is already congested;
3. Poor quality of house design;
4. Increased inconvenience due to construction work ;
5. Proximity of development to existing dwellings;
6. Lack of neighbour notification;
7. Alterations to footpath/cycle link;
8. Altered location of affordable accommodation;
9. Impact of airport noise on future residents;
10. Inadequate parking within the wider site;
11. Overshadowing of neighbouring properties;
12. Impact on existing views;
13. Impact on privacy;
14. Proposed development would have an adverse impact on local services and infrastructure capacity;
15. Loss of green space and impact on trees; and
16. Inadequate Pre-Application Consultation process.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) – This 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 the subject policy relating to Housing are relevant material considerations.

Designing Places is the statement that sets out the Government's expectations of the planning system to deliver high standards of design in development projects and is a relevant material consideration.

PAN 2/2010 (Affordable Housing and Housing Land Audits). This document outlines how the planning system can facilitate the development of affordable homes by way of supplying a mixture of tenures which are affordable and of a high standard of design in order to contribute to the creation of sustainable, mixed communities.

Aberdeen Local Development Plan

Policy H1 (Residential Areas) - The site is zoned under Policy H1 (Residential Areas). Proposals for new residential development, and householder development, will be approved in principle, provided it:

- does not constitute overdevelopment;
- does not have an unacceptable impact on the character or amenity of the surrounding area; and
- does not result in the loss of valuable and valued areas of open space.

Policy H3 (Density) - The City Council seeks an appropriate density of development on all housing allocations and windfall sites. All residential developments of over one hectare must:

- meet a minimum density of 30 dwellings per hectare (net). Net dwelling density includes those areas which will be developed for housing and directly associated uses, including access roads within the site, garden ground and incidental open space;
- 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; and
- consider providing higher densities in the City Centre, around local centres, and public transport nodes.

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

Policy D2 (Design and Amenity) - In order to ensure the provision of appropriate levels of amenity certain principles will be applied, including:

- Privacy shall be designed into higher density housing.
- Residential development shall have a public face to a street and a private face to an enclosed garden or court.
- All residents shall have access to sitting-out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the Council.
- Individual houses within a development shall be designed to make the most of opportunities offered by the site for view and sunlight.
- Development proposals shall include measures to design out crime and design in safety.
- External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

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.

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

Hopecroft Planning Brief

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 Residential Development

The application site forms part of a wider opportunity site (OP20) which is identified in the ALDP by Policy H1 (Residential Areas), albeit with an indicative allocation of 30 units. The 2013 approval (Ref 130029) (65 dwellings) further established that the principle of residential development across the whole 3.3 hectares of the OP20 site was acceptable, and that such development would not affect the existing residential character and amenity of the area. This proposal seeks an additional 20 dwellings on part of that wider approval, and as such in assessing the proposal against Policy H1 it is considered that such development would not affect the residential character and amenity of the surrounding area, nor result in the loss of protected open space. It is also necessary to establish whether it would constitute overdevelopment, and this is considered more fully below.

Density

Concerns have been raised in relation to the density of development now proposed, given that the site has an allocation of 30 homes within the current local development plan, rather than the 85 which would now result. However, in examining the reasons behind the low level of units allocated to the wider 3.3ha site, where current policy (H3) could in theory seek a minimum of 99 homes, it is clear that the historic allocation figure has been carried forward from previous local plans (Green Spaces – New Places, 2004; Aberdeen Local Plan, 2008) without an adjustment having been made to the original allocation figure, to better reflect current policy expectations on density. Furthermore, the allocation does not take account of the significant change to the Aberdeen International Airport noise contour map, which almost entirely removes previous limitations on development within the site. These matters were raised as part of the Hopecroft Planning Brief, which was approved by the Development Management Sub-Committee and ratified as Supplementary Guidance to the Aberdeen Local

Development Plan by the Scottish Government in June 2013, and provided the basis of the site being developed for residential use with an indicative capacity for around 65 units.

Current policy expectation of both the Aberdeen City and Shire Strategic Development Plan and ALDP (Policy H3), is such that all residential development of over one hectare must meet a minimum density of 30 dwellings per hectare. The previous application for 65 dwellings on the 3.3ha site achieved a density of 20 units per hectare, within an area where density of development ranges between 20 and 35 units per hectare. If this current proposal were considered in isolation, the 48 units across the 1.27ha site would equate to a density of some 38 units per hectare, which is higher than what is typical of the surrounding area. However, this application site clearly forms part of the wider 3.3ha Hopetoun Grange development area, and on that basis, the increase in overall residential units from 65 to 85 would equate to a density across that site of just 26%, a level which still sits below the minimum sought via H3, but which nevertheless represents density levels within the neighbourhood. Taking all of the above into account, it is considered that the level of development being sought is appropriate and would not constitute over-development of the site, and as such the proposal would be in accordance with Policy H3 (Density), and also sufficiently compliant with Policy H1 (Residential Areas).

Layout, Design, Scale and Form of Development

'Designing Places' sets out the Government's expectations of the planning system to deliver high standards of design and outlines what the Government considers to be successful places, including being 'distinctive', 'safe and pleasant', 'easy to get to and move around' and 'welcoming'. It is considered that these broad objectives have been suitably achieved within the design and layout of the development.

Policy D1 (Architecture and Placemaking) in the ALDP seeks to ensure that all development is designed with due consideration for its context. In this respect, whilst public concerns have been raised with regards the quality of design of the proposal, it is particularly relevant that the design and finish of the properties would be entirely in keeping with those already granted consent across the wider site, with finishes including: a mix of off-white render; grey coloured stone base course and detailing; and slate grey tiled roofs. Whilst acknowledging that the proposal would see an increase in density of development, with a move away from the concentration of detached properties towards a mix of detached, semi-detached and terraced properties, which is perhaps more in line with the surrounding neighbourhood, it is worth noting that the general pattern and layout of the development, either side of the shared surface internal loop road, has been retained, with all properties securing an acceptable level of garden ground and conditions attached to ensure that the detail of the boundary treatments and the landscaping of the site is appropriate. The proposal would see no loss to the level of open space provision approved for the wider site, nor have any additional impact on trees, and in particular those being retained along the eastern boundary of the site.

Concerns have been raised regarding the impact of the proposed development on existing privacy and views, and the overshadowing of neighbouring properties. It is worth noting that this new application would bring one of the proposed 2 storey detached properties (Plot 47) closer to the mutual boundary with its nearest neighbouring property at No 27 Hopcroft Drive by one metre, thus resulting in a separation distance of some 14.5 metres between properties. However, taking account of the minimal change in separation distance being proposed, that the previous approval was also for a 2 storey detached property, and that the only window opening included at 1st floor level, and facing the boundary / rear gardens of Hopcroft Drive, serves a bathroom, both for this proposal and the previous, it is considered that there would be no increase in overshadowing or privacy and any additional visual impact would be minimal. Whilst the proposal would see the introduction of 2½ storey townhouses, these would be centrally located within the site, distant from any boundary, and give rise to an increase in the maximum ridge level of previously approved dwellings by just 1 metre, with the result that their inclusion within the proposed development would have minimal visual impact from outwith the site. Taking all of the above into account, it is considered that the proposal is suitably compliant with Policy D1.

The proposed development of 48 dwellings achieves a successful mix of house types and sizes, with 12 house types accommodated across the 1.27ha, including 2 bedroom terraced properties, 3 bedroom semi-detached, 4 bedroom townhouses and 5 bedroom detached family dwellings. This contributes further to the existing mix, which was achieved on the entire 3.3ha site, thereby ensuring a wider range of accommodation. Whilst it is worth noting that this application in itself would, in theory, not be required to comply with Policy H4, which applies to housing developments of 50 units or more, it is nevertheless of some merit that the mix of house types is further improved across the 3.3ha site as a result of this application, and on this basis the proposal is considered compliant with Policy H4 (Housing Mix), which seeks to encourage a range of sizes and house types.

The proposal is deemed to be suitably compliant with Policy D2 (Design and Amenity), with the layout and design of the proposed dwellings allowing for the provision of private garden ground to the rear of all properties, with a public frontage onto either a street or footpath/cycleway and a private face to a garden. A condition has been applied to ensure details of the boundary enclosures are submitted for agreement. Although other criteria are contained within Policy D2 (Design and Amenity), these are not directly relevant to the assessment of this specific proposal.

Traffic Impacts, Access Arrangements and Car Parking

The Roads Projects Team did not consider that the proposed increase in 20 dwellings across the wider Hopetoun Grange site warranted any amendment to the Transport Statement, which was submitted in support of the original application. Whilst concerns have been raised by local residents in relation to the impact the proposed development may have on existing traffic levels and parking provision, it should be noted that the Roads Projects Team are satisfied that the proposal meets with the required parking standards and have raised no concerns

with regards traffic generation as a result of the proposal. Neither has the internal road layout changed as a result of the proposed development.

The Roads Projects Team has provided detail on the strategic transport fund contribution applicable to this application, with payment to be secured by means of an amended Section 75 Agreement. Conditions have been attached to ensure improved connections are provided between the site and adjacent footpaths and for the upgrading of public transport passenger facilities. Taking the above into account, it is considered that the proposal is in accordance with the general principles of 'Designing Streets', a government statement which seeks to promote pedestrian friendly developments, and meets with the requirements of Policy T2 (Managing the Transport Impact of Development), Policy I1 (Infrastructure Delivery and Developer Contributions), and the Supplementary Guidance on Transport and Accessibility.

Affordable Housing/Developer Contributions

The Developer Contributions Team stated that the increase in numbers on site by 20 would now equate to an additional 5 units, therefore a total of 21 units would now be required. The developer has included 5 affordable terraced properties in addition to the 16 affordable flatted properties being delivered as part of the original proposal. This allocation would be delivered on site, and on that basis the proposed development is deemed compliant with the principles outlined in PAN 2/2010 (Affordable Housing and Housing Land Audits) which seeks to facilitate the development of affordable housing in order to secure sustainable, mixed communities, and is also in accordance with Policy H5 (Affordable Housing) which seeks 25% of the total number of units to be provided as affordable housing.

In terms of Policy I1 (Infrastructure Delivery and Developer Contributions), whilst public concerns have been raised regarding the impact of the proposed development on local services and existing infrastructure, a legal agreement can secure contributions to be used for off-setting the impact of the development on: primary school education, community facilities, sports and recreation, and the core paths network, in addition to the Strategic Transport Fund as outlined above.

Relevant Planning Matters Raised in Written Representations

A range of matters raised in the representations submitted have been addressed in the appropriate sections above, including issues relating to: design; density; impact upon residential amenity; impact on infrastructure and local services; traffic; car parking; open space; and trees. Although certain matters raised are not material considerations, such as the inconvenience of the construction work and the impact on existing views, any matters not previously dealt with are discussed below.

- Concerns have been raised regarding local residents not being adequately notified of the proposed development. However, the required level of neighbour notification was undertaken by Aberdeen City Council as planning authority. Concerns were also raised regarding an inadequate

consultation process. It is worth noting that the (Pre-application Consultation) PAC undertaken for the original application related to a proposal for the 'Erection of Residential Units on Land to North of Hopetoun Grange including infrastructure & Landscaping', and the requirement for such consultation was based on the proposal falling within the category of major development. It is noted that the number of residential units indicated within PAC (around 65) sat below that which would now take place, although the site area remains the same (3.3ha). Notwithstanding this, it is considered by Aberdeen City Council as planning authority that there is no requirement to undertake further pre-application consultation (PAC). Taking into account that neither the level of development proposed (48 units) nor the area of the application site in question (1.27ha) would result in the proposal falling within the criteria of major development, it is also considered that the variation which this application would give rise to, in terms of what has previously been granted consent is not of a degree which would merit further public consultation, given that the residential nature of the original proposal under which pre-application consultation took place has not changed, and that concerns relating to density have been fully evaluated in the analysis above.

- Although concerns have been raised regarding the likely impact of airport noise on future residents of the development site, based on the findings of the noise report submitted in support of the original application for the entire 3.3ha site, and which is clearly also relevant to this new application, along with the findings of a subsequent 3 day noise assessment, the Council's Environmental Services Team have raised no objection to the proposal, and an informative has been attached with regards the installation of attenuation trickle vents.
- Concerns have been raised in relation to alterations to the layout of footpath/cycle links and the siting of affordable accommodation, however neither relate to development contained within the red line boundary of this application and are being addressed separately, in relation to the original planning permission (Ref: 130029).

RECOMMENDATION

Willingness to approve, subject to conditions, but to withhold the issue of the consent document until an amended legal agreement between the applicant and the Council has been secured identifying developer contributions towards: primary education; community facilities; sports and recreation; core path networks; and the strategic transport fund.

REASONS FOR RECOMMENDATION

Planning legislation requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise. The site is zoned under Policy H1 (Residential Areas) in the Aberdeen Local Development Plan, and on this basis the principle of residential development is considered acceptable.

The proposal is deemed suitably compliant with relevant national and local plan policy and guidance, including Scottish Government policy statements on 'Designing Places' and a range of local plan policy, including Policy H1 (Residential Areas), Policy D1 (Architecture and Placemaking), Policy D2 (Design and Amenity), and Policy H3 (Density).

The proposal has also been deemed acceptable in terms of its compliance with a range of supplementary guidance, including delivery of affordable housing on site at a level of 25%, and ensuring an appropriate level of developer contributions is secured including towards primary education, community facilities, recreation, core path networks and the strategic transport fund, through the signing of a legal agreement.

Taking the above into account it is considered that the proposed development proposal should be supported as it largely conforms to all relevant national and local plan policies.

CONDITIONS

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

(1) that the hereby approved development shall not be occupied unless the lane to the west of the site, between the A96 and the southern boundary of plots 22/23, as shown hatched on drawing number DL002-85 Rev c and dated 12 March 2013, is upgraded to an adoptable standard for pedestrians and cyclists. Notwithstanding that the phasing of construction on site may impact on when safe access and use of the path by pedestrians may be available, details of the proposed upgrading work to the path must nevertheless be submitted to and approved by the planning authority, and the upgrading work must be completed prior to any residential unit being occupied - in order to ensure that the proposed development offers access to more sustainable forms of travel to and from the development

(2) that no part of the development hereby approved shall be occupied unless a schedule of work relating to upgrading of bus shelters, seating, lighting, timetable information and boarding kerbs for bus stops on the A96 and on Sclattie Park has been submitted to and approved by the planning authority, and subsequently the upgrading work has been implemented prior to the occupancy of any residential unit implemented - in order to encourage more sustainable forms of travel to and from development

(3) 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, which scheme shall include no boundary enclosure

above a maximum height of 1 metre being permitted to the front of any residential unit within the development hereby approved. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety, as it relates to that building - in order to preserve the amenity of the neighbourhood and in the interests of road and public safety

(4) that no construction work pursuant to the planning permission hereby approved shall be undertaken by crantage or scaffolding of a height greater than 9.2 metres above ground level without prior consultation and approval of Aberdeen International Airport - in order to avoid endangering the safe movement of aircraft and the operation of Aberdeen International Airport

(5) that there shall be no means of direct vehicular access from the application site to the trunk road (A96). Pedestrian access to the trunk road shall be restricted to the pedestrian / cycle path immediately to the west of the site - to minimise interference with the safety and free flow of the traffic on the trunk road.

(6) that the applicant shall liaise with Transport Scotland, and its Operating Company, in regard to the timing, traffic management and standard of construction required for the pipeline crossing under the trunk road (A96) - to minimise interference with the safety and free flow of the traffic on the trunk road

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

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

(9) 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.

INFORMATIVES

Environmental Services have provided confirmation that a noise assessment submitted by the developer was sufficient to satisfy Condition 2 of the previous planning application (Ref 130029), and on that basis they have raised no objection to this new proposal, however they would recommend the installation of attenuation trickle vents in the bedroom of all properties across the 3.3ha site in order to reduce the impact of aircraft noise.

Dr Margaret Bochel

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JAF

4th March 2014

Dear Sir/Madam,

**Planning Application P140153: Partial amendment to Planning Application P130029
to allow for an additional 20 units and change of house types.**

I wish to object to several aspects of this new application. I shall be grateful if Aberdeen City Council will consider my grounds for concern, which I set out in the attached pages. In summary, they are:

1. Aberdeen City Council (ACC) should adhere strictly to its conditions and procedures:

Planning Application P140153 appears to be a gambit to increase, yet further, the number of houses consented for Site OP20 whilst avoiding further reference to inconvenient aspects of previous planning procedures, documents and representations about housing on this Site (OP20).

2. Density of houses:

This 'partial amendment' *'proposes the erection of 48 residential units'* with six further house types. There are confusing statements, within and between various planning documents about housing density at and near this site and about private gardens.

3. Ratification by the Scottish Government:

This planning application asks for a significant (30%) increase above the number of houses specified in the original Planning Brief and also for 6 new house types: ACC should dismiss this 'partial amendment' or, if not, should re-submit it to the Scottish Government to be Ratified.

4. Increased Traffic:

Twenty more houses would add to the effects of traffic on nearby roads and off-site parking: A Transport Assessment should be revised before this 'partial amendment' is considered.

6. Air quality:

The Site is subject to fumes from the A96 main road and from aircraft. Nowhere, in the documents and discussions related to application P130029, have I found any measurements of Air Quality.

5. Noise at the Site:

This 'partial amendment' would lead to a further 20 households being drawn into the excessively noisy environment at this site; i.e., probably more than 40 extra people. Reprehensibly, in already granting planning consent for 65 houses on this site, ACC has relied almost exclusively on its *Policy H8: Housing and Aberdeen Airport* and thus almost entirely on Aberdeen Airport's 57 dB LAeq,16 aircraft noise contour for 2011, which is already out of date. That box-ticking reliance has excluded and ignored many essential aspects of noise-nuisance in relation to housing on this site. The Council's reliance on two successive identical and inadequate Noise Assessments, mainly about road noise, amounts to neglect of a duty of care.

Yours faithfully,

Dr Richard Johnson

MAIN CONCLUSIONS:

- Aberdeen City Council (ACC) should adhere strictly to its conditions and procedures: Planning Application P140153 appears to be a gambit to increase, yet further, the number of houses consented for Site OP20 whilst avoiding further reference to inconvenient aspects of previous planning procedures, documents and representations about housing on this Site (OP20).
- Planning Application P140153 requests a substantial addition to P130029; it is more than a 'partial amendment'. A major problem with Planning Application P130029 as a basis for P140153 has been that contra-indications for it, especially those of noise, have been ignored or discounted separately, rather than judged together (including assessments of noise from road-traffic noise from helicopters, noise from ground-running, night flights and other factors to do with amenity).
- Given that there are so many uncertainties about the measurement of noise in relation to Site OP20 it would seem sensible to err on the side of caution to ensure a reasonably quiet environment for any new houses, rather than to accept an assessment that reduces the importance of different noise sources that impinge on the Site. It is all the more important to err on the side of caution, given the uncertainties and criticisms of the validity and position of the 57 dB LAeq,16 aircraft-noise contour that is used in the UK, currently and contentiously, to mark 'the onset of community annoyance'. It is over-simple to adhere slavishly to the (much criticised) 57 dB LAeq,16 (2011) contour used in ACC's Policy H8 to the neglect of additional considerations.
- Aberdeen City Council's Policy H8 and its specification of 57 dB LAeq,16 should be revised to be in line with the World Health Organisation's recommendations for aircraft-noise limits and, also, to include the low frequency and impulsive noises caused by helicopters, so prevalent round Aberdeen. The Scottish Government and Aberdeen City Council should be proactive in seeking that revision.
- It is unsatisfactory to rely on Aberdeen Airport for advice about planning in relation to aircraft noise.
- It is not sensible to disregard entirely the aircraft noise contours predicted by the CAA for 2020 and 2040.
- The results and assessment of the three-day Noise Report authorised for Condition 2 by ACC's Development Management Sub-Committee should be regarded with suspicion.
- According to the Department for Transport's White Paper 'The Future of Air Transport. Dec. 2003, section 3.32:
'The public health impacts of aviation are a matter which the Government takes very seriously. As noted earlier, we must ensure air quality standards around airports are met. Research continues on the effects of noise on human health, and the Government will take account of existing guidelines from the World Health Organisation. We are also supporting research to obtain better evidence on this and, through the European Commission, on whether, for example, aircraft noise exposure in schools can interfere with children's cognitive performance.'

Page xvii in 'Aviation Policy for the UK' states that:

'When there is a reasonable possibility that public health will be endangered, even though scientific proof may be lacking, action should be taken to protect the public health, without awaiting the full scientific proof.'

- Just before the meeting of the Development Management Sub-Committee on 22/08/2013, Dr Margaret Bochel, ACC's Head of Planning and Sustainable Development, kindly gave about 15 minutes to discuss the Site Plan for P130029 with one of my neighbours and me. She said that 'Planning is not Science, it is a matter of judgement'. However, scientific research is also a matter of judgement, but scientists try to base their judgements on the best possible evidence. I am not convinced that Aberdeen City Council's judgements about development and planning for new residential areas are based on the best possible evidence, especially for areas near Aberdeen International Airport.

MAIN COMMENTS:

1. Aberdeen City Council should adhere strictly to its conditions and procedures:

Persimmon Homes Ltd submitted their Application P140153 to Aberdeen City Council (ACC) two weeks after planning consent was formalised for Application P130029 which they had submitted over a year ago. During that time Persimmon Homes revised their Site Plan repeatedly; why has Persimmon Homes waited until now to ask for this increase from 65 to 85 houses?

It is evident that Planning Application P140153 is a gambit to increase yet further the number of houses consented for this Site OP20 whilst avoiding further ratification of the original Planning Brief and circumventing or side-tracking other consultations, inquiries, reports, assessments, representations, constraints and Conditions that were 'addressed' for application P130029 and for previous applications to build houses on this site (e.g., applications A4/2292 and A5/1536).

This new application was notified to fewer local residents than for P130029; some aspects of it may affect other people who submitted concerns about that first application. Also, the new Planning Statement (para.1.6) states that application P130029, granted on 15/01/2014, was a 'major' development. This, so called, 'partial amendment' P140153 seeks to avoid '*statutory pre-application consultation*' by stating that '*The current application is a local application falling below the threshold of 50 units or 2ha site area*'. Nevertheless, Persimmon Homes Ltd '*proposes the erection of 48 residential units*' and proposes to increase the number of houses at 'Hopetoun Park' by 30%.

Also, Persimmon Homes proposes 6 further house types: 'Newburgh', 'Wallace', 'Bothwell', 'Aberlour', 'Thurso' and 'Kelvin'.

I hope that Aberdeen Council will seek to adhere to its proper planning processes, agreements, conditions, and assessments as assiduously as Persimmon Homes may seek to circumvent them, especially in the matter of housing density. Or, will a decision on this 'partial amendment' be influenced by further threat of expensive appeal or other pressure on Councillors?

I am concerned that Persimmon Homes Ltd are already distributing advertising material that shows the Site plan for 85 houses as requested in Application P140153. They state that '*The site layout is intended for illustrative purposes only and may change, for example, in response to market demand or ground conditions.*'

Condition 22 for P130029 states that '*That no development pursuant to the planning application hereby approved shall take place unless detailed plans showing lighting schemes required during construction and for the completed development - - - are submitted and approved by the planning authority*'. I understand from Jane Forbes that '*Detailed plans have been submitted for lighting (included on 'roads layout' drawing dated 25/11/2013) and these are available on-line, however these detailed plans have not as yet been agreed.*' But the development is now started.

2. Density of houses:

There is confusion, within and between various planning documents related to this application, about the actual housing-densities at the site and their acceptability. I have set out the complicated details of this confusion in **FOOTNOTE 1** at the end of this Representation.

Strangely, Persimmon Homes are now asking for a housing density of 26 residential units per hectare to accommodate 85 houses when that was the density that they proposed in their Design and Access Statement, December 2012, para 5.1, to accommodate 65 houses.

Is the density for 65 units on this Site '26.21 units per hectare', or 20 as stated elsewhere (see Footnote 1), or 'just under 20'? Will the density proposed for 85 units be 26 units per hectare or more than 26 units per hectare? What is the density of existing, surrounding housing; is it 23 units per hectare or between 20 and 35 units per hectare?

Do 'surrounding' and 'in the vicinity of' mean 'within sight of the new development', or 'within the whole of the established Hopetoun/Hopecroft area' ? What actual 'surrounding' density is to be used as a yard-stick for 'the context of this site' and why? Is the proposed density 'appropriate in terms of the context of the site'?

Will the 'considered' conclusion of the Committee Report for the meeting of 26/09/2013, that 65 houses is **appropriate in terms of the context of this site**, be maintained – or will it be revamped to accommodate Persimmon Homes' partial amendment to Planning Application P140153 for 85 houses?

The matter of actual and proposed densities and whether they are ' - - appropriate in terms of the context of the site - - ' should be clarified and set out more transparently, with reasons given.

- Private gardens:

The amount of land allocated to each of the existing (Binnie Brothers') houses adjacent to two sides of this new site is noticeably greater than that allocated in Persimmon's plans for P130029 & P140153 (see e.g., Persimmon's Site Layout, Revision N, received by ACC 12/09/2013):

In comparison with those existing residential areas, the allocation asked for gardens for individual houses in P140153 appears even more pinched than that agreed by Aberdeen City Council for P130029.

The Committee Report for application P130029 (received date 13/09/2013), placed before the Planning Development Management Sub-Committee on 26th September 2013 states, under the heading 'Density':

'The layout and design of the proposed dwellings [i.e. for the existing planning consent now granted for P130029 - RJ] includes the provision of a private garden ground to the rear of all properties within the site'.

It is not clear whether that accepted ' - - provision of a private garden ground - - - ' would apply to the rear of all the 85 properties shown in the Site Layout that is now being proposed in the 'partial amendment' P140153.

What returns?

3. Ratification by the Scottish Government:

The Planning Brief for Application P130029 was finally ratified by the Scottish Government on 14th June-2013. Application P140153 now asks for a substantial increase (30%) in the number of houses and thus in the number of people and vehicles that would use the site (and in the number of people affected by noise – see below).

Aberdeen City Council should either dismiss application P140153 or submit it to the Scottish Government to be Ratified.

4. Increased Traffic:

The 20 extra houses requested in Planning Application P140153 would add to the need for on-street parking, which already causes problems in Hopetoun Grange.

20 extra houses would add to the traffic; (a) on Hopetoun Grange; (b) at the junction where Hopetoun Grange meets Sclattie Park - where traffic backs-up along Hopetoun Grange from the shops; (c) at the 4-Mile roundabout where traffic already often comes to a standstill during peak hours. Traffic passing through the Eastern end of Hopetoun Grange passes round a sharp bend and conflicts with the entrance to a car-park in front of the shops and where pedestrians cross between the shops and the car park.

The Transport Statement done by Fairhurst in January 2013 for Persimmon Homes planning application P130029 did not consider what effect extra vehicles, attracted by the development may have on nearby roads and traffic and also on road and traffic further away.

A major deficit is that it did not measure existing traffic on Hopetoun Grange. Local residents have measured vehicle numbers on Hopetoun Grange at around 250 vehicles per hour during the morning 'rush hour' (7 to 9 am), when Hopetoun Grange becomes a 'rat-run'. Fairhurst's Transport Statement said that the time to reach the Airport by bus is 5 minutes, which is unrealistic.

Traffic conditions and journey times should be re-considered in the light of 20 extra houses. The Transport Statement should be revised, updated and assessed before this 'partial amendment P140153' is assessed.

5. Air quality:

For air-quality, the addition of 20 more homes to this Site should be considered as if they were a stand-alone development. The fact that the Council has already given planning permission for 65 houses at the Site is not relevant.

Nowhere, in the documents and discussions related to applications P130029 and P140153, have I found any reference to Air Quality although it is referred to extensively in Aberdeen City Council's documents about the 'Environment' (e.g., Environmental Report: Aberdeen Open Space Strategy 2011-2016 Strategic Environmental Assessment).

The Site adjoins the A96 main road, adjacent to where traffic accelerates away from the 40 mph limit and next to a lay-by. Also, the Site is only a few hundred metres from Aberdeen Airport's main flight path: Trails of black smoke can often be seen falling behind the many helicopters and sometimes other aircraft that fly near or over the Site. Also, under some weather conditions, the Site and residential areas to the South of it are pervaded by a smell of un-burnt aviation fuel, especially when helicopters are running on the ground at the Airport.

Has the Council considered air quality at Site OP20 and nearby areas, including measurements of nitrogen compounds and particulates (NO_x, NO₂, PM₁₀, PM_{2.5} etc)?" I put that question to ACC's Planning and Sustainable Development section in a letter of 15/11/2012, in relation to Site OP20, but have had no answer. I raised the matter of Air Quality in my Representation about P130029 to the Council. During the Site Visit for Application P130029, members of the Committee met on Hopetoun Grange and then moved to a position a only few metres into the field. Air quality was not mentioned. Members of the Committee did not go down to the far end of the site, near to the A96.

A SEA Environmental Report (25/01/12) for the ALDP mentions 'Air Quality' about 160 times, (but mentions noise only six times).

6. Noise at Site OP20:

The 'partial amendment' requested in Application P140153 would lead to a further 20 households being drawn into the excessively noisy environment at the site; i.e. probably 40 extra people or more.

For noise, as with air-quality, the addition of 20 more homes to this Site should be considered as if they were a stand-alone development. The fact that the Council has already given planning permission for 65 houses at this noisy Site is not a valid argument for allowing more.

Aberdeen City Council (ACC)'s Policy H8 was produced following the Public Inquiry into Aberdeen Local Development Plan 2012, the Reporter, Mr R. Hickman, insisted that ACC should modify its Policy 44, about aircraft noise and new residential development, so as to lower the noise contour, within which new residential areas should not be built, from 60 dB 'LEQ' to 57 dB LAeq,16.

In granting planning consent for Application P130029, Aberdeen City Council (ACC) has failed in its duty of care to future occupants of the 65 houses that are already being built there. That is because, consistently, the Council has either ignored, discounted, or dismissed separately, a variety of factors in the assessment of noise at this Site OP20. That neglect amounts to the kind of planning that allows houses to be built on flood plains. Questions and statements during the Site visit for P130029, about noise, were not followed up. Planning consent was nodded through without a vote, even though some of the discussion at the meeting was inaudible when aircraft were taking off from the Airport.

I am concerned that Aberdeen City Council, in its laudable drive to build more new homes, is glossing over its responsibility to ensure that people have reasonably tranquil environments to live in. The third noise report demanded by planning officials for P130029 to judge the need for 'noise mitigation' at Site OP20 is likely to be nodded through without being open to scrutiny either by Councillors or by members of the public.

- **There appears to be confusion about 'noise mitigation' for aircraft noise and road-traffic noise:** There is much reliance on acoustic ventilators, double or triple glazing, acoustic fences etc although there is lack of correlation between double glazing and levels of annoyance (see below).

The Report on Road and Air Traffic Noise, done for P130029, appears to miss the point that the limit of 57 dB LAeq,16 set by Policy H8 applies to noise levels 'in gardens and patios' and, presumably, in streets. [I have copied, as **FOOTNOTE 2** at the end of this Representation, the detailed criticisms of that Noise Report that I submitted with my previous Representation about Application P130029 for 65 houses on this Site].

The proposed Condition 2 of planning consent P130029 demanded further measurements, to assess noise 'mitigation'. The demanded extra noise assessment appears to be referred to in the Planning Statement for Application 140153 (para. 2.20) as now available, but it is not available on-line. Those extra measurements should have been specified and obtained long ago, and certainly in time for public scrutiny and representations.

However, according to an email (12/09/2013) from the Reporting Officer for ACC's Development Management Sub-Committee:

'The results of the 3rd noise report will not be revisited by Committee as the requirement to submit this detail forms part of a condition which requires purification.. The results will be assessed by Environmental Health officers who will then take the decision as to whether or not further mitigation measures (in the form of adapted construction material) will be necessary.'

If the demanded noise assessment '*demonstrates the need for*' added noise attenuation, the planning authority 'may recommend' that. But attenuation devices will not lessen the annoyance caused by noise **outside** houses nor improve people's perception of the area in which they live.

- **The proposed Condition 2 of planning consent P130029, for later measurements to assess noise 'mitigation' is vague and open to error.** What noise-nuisance standard will the planning authority use? How will the three days of helicopter noise be chosen to represent months of **variable** air-traffic – e.g., Policy H8 specifies 57 dB LAeq,16 computed for 92 days of 16 daytime, summertime hours and it applies to noise in patios and gardens. How will the Council's officers relate those levels to, e.g., Policy H8 or to 'the onset of community annoyance' at Aberdeen? Or will they make some kind of 'seat of the pants' judgement?

The Government's level of 57 dB LAeq, 16 for 'the onset of community annoyance' caused by aircraft noise was related to social surveys of annoyance generally, not just to annoyance caused within people's houses. That level of community annoyance applies whether people are in their houses or in gardens, patios or streets. Thus noise 'mitigation' devices may be desirable but they have no capacity to 'address' the strictures of Policy H8.

It should be emphasised that ACC's **Policy H8; Housing and Aberdeen Airport** applies to gardens and patios and, presumably, streets.

Double glazing (or triple glazing) is not a panacea. During the CAA's work to correlate aircraft noise (dB LAeq,t) with annoyance it was found that levels of annoyance did not correlate with double-glazing: Social surveys suggested that double-glazing did not have a significant effect on the extent to which people were annoyed by aircraft noise (see **CAA DORA Report 9023, The use of Leq as an aircraft noise index, 2.4.5, page 1**):

'In none of the analyses did the incorporation of this variable (i.e. double glazing) lead to a significantly higher correlation with the disturbance data - the only confounding factor which did so was airport-related employment. The reasons why double glazing had such a little effect are not clear.'

Possibly because people like to sit in their gardens, talk in the streets and live in a tranquil area?

'The use of double glazing and secondary glazing is not an alternative to other measures to control noise emissions or a means of legitimising higher noise limits.'

- That first noise report for Persimmon's application P130029, done by Charlie Fleming Associates and entitled '**Report on Road and Air Traffic Noise for Persimmon Homes at Hopetoun Grange Aberdeen**', was submitted to ACC on 16/01/2013. That Report was inadequate for reasons that I set out in my representation to ACC about P130029 dated 02/02/2013: see **FOOTNOTE 2**.

In response to ACC's Environmental Health Service's MEMO of 07/03/2013, that Noise Report was re-submitted on 25/06/2013 and listed on ACC's website as 'Amended Road and Air Noise Report'. The 'amended' version is **word-for-word IDENTICAL to the first version of it** except that, separately, Persimmon returned the layout of the Site, and thus the position of the houses in relation to the position of the microphone, to the arrangement shown in the Planning Brief prior to application P130029. But that MEMO did not address other deficiencies in that Noise Report, that I had pointed out in my Representation to ACC of 06/03/2013.

In view of the obvious deficiencies of the Noise Report, Environmental Health Service's MEMOs should have demanded better noise measurements before Application P130029 was granted.

- Aberdeen City Council's Planning and Environmental Health officials and the members of its Planning Development Management Committee have depended almost entirely on an uncritical box-ticking application of ACC's inadequate **Policy H8 – Housing and Aberdeen Airport**.

Policy H8 was produced following the Public Inquiry into Aberdeen Local Development Plan 2012: The Reporter, Mr R. Hickman, insisted that Aberdeen City Council should modify its (then) Policy 44 about aircraft noise and new residential development, so as to lower the noise contour within which new residential areas should not be built from 60 'LEQ' to 57 db LAeq,16.

ACC's Policy H8: Housing and Aberdeen Airport now states that

'Applications for residential development under or in the vicinity of aircraft flight paths, where noise levels are in excess of 57 dB LAeq (using the summer 16-hour dB LAeq measurement) will be refused due to the inability to create an appropriate level of residential amenity, and to safeguard the future operation of Aberdeen Airport.'

Policy H8 is Aberdeen City Council's 'only Development Plan Policy relating to noise issues'.

ACC's Policy H8 is inadequate for the following reasons (A) to (J):

(A) Policy H8 does not include noise from roads. Noise at Site OP20 from the A96 main road should be considered in addition to the 57 dB of Policy H8, not evaluated separately.

(B) The noise 'metric' 57 dB LAeq,16 does not include noise from Night flights: 57 dB LAeq,16 relates to noise between the hours of 07:00 and 23:00 and thus ignores noise from night flights. Aberdeen International Airport wakes up before 07:00! So far as I can discover, ACC's Environmental Health Service has not determined how many people in Aberdeen are actually awakened by night flights.

(C) The noise contours computed by the Civil Aviation Authority (CAA) and distributed by BAA do not include noise from the running of aircraft engines and helicopter rotors on the ground. Site OP20 is often subjected to noise from **ground running**, often of helicopters, but also of turbo-props, for periods of time that may last for around an hour. Site OP20, slopes down towards the airport. Noise from ground running is often intrusive at Site OP20 for periods of more than an hour

(D) The social surveys that were used to relate dB LAeq,16 to annoyance were done at places that do not have so many helicopters as there are at Aberdeen: Helicopter noise is a major public nuisance round Aberdeen Airport, especially when pilots are in training. According to BAA, Aberdeen Airport is the largest heliport in Europe. Aberdeen and Aberdeenshire are a special case in relation to noise from helicopters.

(E) The CAA's contours of aircraft-noise and thus Aberdeen City Council's Policy H8 do not recognise adequately the annoyance caused by helicopters. The impact of aircraft noise on residential areas round Aberdeen Airport, including Site OP20, is not being considered in a way that takes adequate account of the peculiar quality of their noise. That is because the noise 'metric' dB LAeq,16 used for noise contours is A-weighted, which means that dB LAeq,16 discounts frequencies below about 200 HZ that are characteristic of helicopter noise. Also, dB LAeq,16 averages noises over 16 hours ('eq,16') and thus smoothes out individual noise events and ignores the number of overflights. The Scottish Government's Advice Note states that LAeq,t should not be used to measure helicopter Noise.

(F) 57dB LAeq,16 is the level that the Government suggests for 'the onset of community annoyance'. The Government's choice of 57 dB for that 'onset' is questionable, as shown in detail by H.F. Evans in his 'Proof of Evidence, VALIDITY OF LEQ AS A PREDICTOR OF THE IMPACT OF AIRCRAFT NOISE ON PEOPLE', June 1997, see
http://www.hacan.org.uk/resources/consultation_responses.php?id=82

In his Conclusions, Dr Evans stated that:

'9.4 The second issue, the identification of 57 dB Leq (M3LQ16) with the onset of community disturbance, is even more fraught. In many subjective measures there is no clear threshold at all and, because the correlation is not particularly high, the errors are very large, and yet in terms of population, the difference between 57 Leq and, say, 54 Leq is considerable. As quoted above, the authors of DORA 9023 acknowledged the limitations of this analysis, but, as with NNI, such reservations have tended to be ignored.'

(G) Currently, the UK lags behind the World Health Organisation's specifications for aircraft noise. Compare the WHO's recommended noise levels for *moderate* (50 dB) and *serious* (55 dB) annoyance with the 57 dB LAeq,16 level specified in Policy H8 (i.e., the Government's

suggested level of 57 dB for 'the onset of community annoyance, is too high). For the WHO's Noise guidelines and limits; see:

http://www.aef.org.uk/downloads/Health_impacts_of_aircraft_noise_July2011.pdf
and

<http://www.dpea.scotland.gov.uk/Documents/qJ13769/J210867.PDF>

(H) There is now some prospect that the UK Government will revise the 57 dB marker for 'community annoyance'. Also, the Government may define the limit more clearly for use with the noise metric Lden, to take account of the weighting given to noise during the evening and night. Nevertheless, ACC's planning officers are holding rigidly to ACC's Policy H8 in spite of its inadequacies and to the exclusion of other considerations about noise at OP20:

However, Lden is based on LAeq,t and is therefore unsuitable for measuring the low frequencies in helicopter noise.

It would be unfortunate if Policy H8 were to be updated just after yet more new houses had been built on sites close to Aberdeen Airport that the update should exclude.

• **I have suggested to ACC that its Policy H8 should be modified for the next Local Development Plan** to take account of the asymmetry between planning regulations (Policy H8) and the Rules of the Air that specify where aircraft may or may not fly;. My suggestion is that the Council should modify Policy H8 to add the words that I have emphasised below in bold type:

*'Applications for residential development under or in the vicinity of aircraft flight paths, where noise levels are in excess of 57 dB LAeq (using the summer 16-hour dB LAeq measurement) **or where air traffic control regulations allow aircraft to fly closer than 1000 feet, will be refused due to the inability to create an appropriate level of residential amenity, and to safeguard the future operation of Aberdeen Airport.***

See my full suggestion, Item 001 at

http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_question_and_represents.asp

or at

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=52104&sID=23540>

On the same web page, at 014, Aberdeen International Airport stated that

'There are a number of new developments being built in close proximity to the airport and also under helicopter routes - this can lead to residents being affected by noise. Green space would be a better option in these areas'.

But that statement appears to have carried no weight in Aberdeen City Council's consideration of noise at Site OP20, even though, according to the Scottish Government's Planning Advice Note (PAN) 1/2011 'Planning and Noise':

'CIVIL AND MILITARY AERODROMES 25. Where land is subject to significant levels of aircraft noise, or is likely to become so, planning authorities should seek the cooperation of aerodrome management in reaching appropriate forecasts of air traffic and its effects on noise contours. The objective will be to achieve a clear and stable pattern of constraints against which planning decisions can be made'.

Unfortunately, the various comments that Aberdeen International Airport has made about application P130029, which presumably should apply also to the extra 20 houses requested in P140153, have not been strong enough. They are mostly about birds, berries, and cranes under the flight path. That is understandable because one would not expect an airport to emphasise its own environmental nuisance.

(I) Following the Public Inquiry into Aberdeen Local Development Plan 2012 the Reporter, Mr R. Hickman, identified environmental concerns about the development of this site (OP20). At least one of Mr Hickman's 'adequate safeguards' is not working properly; i.e., ACC's Policy H8. He had concluded that:

'OP20: (6). This site is allocated for housing in the adopted local plan and on the evidence before me I do not consider that circumstances have changed since its previous allocation. I acknowledge the concerns expressed about traffic issues, aircraft noise, affordable housing, the design of any future housing and existing trees, wildlife and pedestrian links. However there are in my view adequate safeguards contained within the natural environment, design, housing, transport and other polices proposed in the local development plan, to ensure that these concerns can be adequately addressed at the planning application stage. I therefore do not propose any amendment to the existing allocation. (See also issue 112 – Housing and Aberdeen airport).'

ACC's Policy H8. is not working properly as a 'safeguard' because aircraft noise contours are not considered when areas for new housing are being identified for the adopted local plan (Aberdeen Local Development Plan) but noise is then down-played at the planning-application stage on the grounds that the areas for new housing have already been selected; i.e.:

(a) Actual noise at the site was not considered when the Site OP20 was 'allocated' for housing during discussion of the adopted local plan (Aberdeen Local Development Plan) because at that stage it was assumed that 'adequate safeguards' would ensure that noise (and other concerns) would be addressed adequately later at the planning application stage. But conversely -

(b) during the planning application stage itself, advocates of the application insist, plausibly, that the Site is appropriate for houses because it has already been accepted for housing during discussion of the Aberdeen Local Development Plan:

That was demonstrated in statements by a planning officer at the Site Meeting for P130029 when the CAA's predictions that there will more aircraft noise at the site in 2020 and 2040 were discounted:

' - - we would start with the current plan as a basis for making a planning decision. The Aberdeen Airport Master Plan is just an Aberdeen Airport document indicating what, potentially, if they achieve all their aspirations, what the noise contours might be. Although that could be considered to be a minor material consideration it in no way outweighs the development plan.' ' - - - the site has a long-standing allocation: It's been in this Local Plan and the previous Local Plan. - - - ' - - we've always taken the view that it is an acceptable site for housing notwithstanding the airport being in such close proximity',

Possible implications of that insistence on the precedence of the Local Plan are apparent for areas allocated for housing under Aberdeen Airport's main flight path as shown in the map for ALDP 2012 at

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=42280&sID=9484>

(J) The statement in para. 2.5 of Persimmon's Planning Statement for P140153 is incorrect for the following reasons:

The Reporter to the Public Inquiry prior to Aberdeen Local Development 2008 specified only 30 houses on this site, previously green-field, partly because of noise at the North end of it from the A96 main road and partly because it is subjected to aircraft noise. At that time, the critical aircraft noise contour for ACC's then Policy 44 for Aberdeen Airport and Housing was '60 dB LEQ'. The latest 60 dB contours then available from BAA were for 2006 and the 60 db contour was some way to the East of the present Site. Thus, although the Reporter ordained only 30 houses to be allowed on the Site and only at the South end of it, the Site was **some way OUTSIDE** the exclusion area ordained by the Council's Policy. In January 2013, BAA replaced its 2006 contours by contours for 2011. But by then ACC's Policy H8: Housing and Aberdeen Airport, had reduced

the critical noise contour to 57 dB LAeq,16. contours moved to 'just clip', the N. East corner of the site.

Thus, the line of the '60 dB LEQ' noise contour, then the critical contour for new housing under ACC's previous Policy 44, was actually further to the East of the Site than the present 57 dB LAeq,16 contour of Policy H8.

● **Aberdeen City Council's attitude to noise:**

It is not '*adequate*' that the Committee Report for P130029 accepted the REPORT ON ROAD AND AIR TRAFFIC NOISE (commissioned by the Applicants themselves 'in support of' their Planning Application). Contrary to that Report, there is good and carefully-researched evidence for the deficiencies of that Noise Report; see Issue 4 in my Representation to ACC about P130029 [see attached copy].

Many of the facts that I set out in that previous Representation to ACC, about Site OP20, were ignored or dismissed in the Committee Report for P130029; e.g.:

- (a) **Actual** road noise was measured for **only about three hours** between 10 am and 1.30 pm **on one day only**. Noise during other times (including night-time!) was **estimated** by a mathematical 'technique'.
- (b) The Noise Report uses **averaged noise (LAeq)**; it does not take account of individual noise events.
- (c) The noise-contour 'metric' **dB LAeq,16** ignores noise from **night flights** and it ignores the long periods of noise from **ground-running** of helicopters and turboprops that often pervade this whole Site.
- (d) dB LAeq,16 is **A-weighted** which **discounts** the intrusive thumping and other low frequency noises from helicopters. They often fly at around 500 feet directly over, or very near, this Site. The inadequacy of dB LAeq,16 for use with helicopter noise has been recognised widely, including by the Scottish Government. (Reprehensibly, the Council has not made any representations to the Scottish or UK governments concerning the assessment of helicopter noise around Aberdeen Airport although it is 'the largest heliport in the world'). According to DEFRA: Research into the Improvement of the Management of Helicopter Noise, June 2008; 'Helicopters can be up to 15 dB more annoying than fixed wing aircraft'.
- (e) The Noise Report denies that people need to open their windows. It ignores that the 'residential amenity' limit of **57dB (Policy H8) applies to patios and in gardens** and so does the Committee Report for P130029.
- (f) **Double glazing** was found to not reduce aircraft-noise annoyance as much as expected when the CAA was linking levels of aircraft noise to public annoyance
- (g) Aberdeen Airport's Response to Persimmon's application P130029 drew attention to the CAA's noise predictions for 2020 & 2040. The 57 dB contour of Policy H8 is predicted to move West to cut across the Site again. The Committee Report states that '*these levels are based on predicted aircraft movement and cannot in themselves form the basis of limiting current development proposals*'.

Is it sensible for the Sub-Committee to ignore the Civil Aviation Authority's predictions of more noise in the future, especially when 2020 is only 6 years hence and the CAA's current noise contours, for Aberdeen Airport in 2011, are about three years out of date?

(h) Planning officers have not appeared able to combine, in a convincing way, the annoyance caused by aircraft noise with that caused by noise from road traffic. It does not make much sense to combine dB of noise indicated by contours of 57 dB LAeq,16, that have been related

to social-surveys of annoyance caused by aircraft noise, with dB LAeq,18 of noise calculated from 3 hours of road traffic on one day. On the other hand, both of those kinds of noise combine to cause annoyance: They should not be evaluated as separate issues and then possibly dismissed because they are each, separately, below some chosen level.

(i) It is not sensible to emphasise that Site OP20 is just outside the limit on new housing set by Policy H8 for aircraft noise when the site is subjected also to noise from the A96 main road, to low-frequency and impulsive noise from helicopters and to noise from ground running and from aircraft noise at night.

● **Aberdeen City Council has not been proactive about the problem of aircraft noise:**

In spite of the deficiencies in the assessment of aircraft noise that I have set out here: I have been told, in a letter of 01/08/2013 from a Principal Environmental Health officer that:

- *'The CAA's Ancom computer model is a nationally accepted methodology to generate noise contours and the Council has no reason to question the data used to model aircraft movements round Aberdeen airport' [I have supplied good reasons previously].*
- *'Aberdeen City Council has not made any representation to the Scottish or UK governments concerning the assessment of aircraft noise around Aberdeen Airport and has no intention of doing so'.*
- *'The Council has not made any attempt to obtain non-A-weighted readings. There is no alternative widely accepted methodology for the assessment of aircraft noise that would assist in the consideration of a planning application'.*
- *'The Council will not be responding to the [Airports] Commission Discussion Paper on Aviation Noise due staffing resources.'*

● ACC's Environmental Health Service made some measurements of noise themselves, in my back garden between 13 & 18/03/2013, on a line that runs from the junction of Hopetoun Green with Hopetoun Grange to the N. West corner of Site OP20. The position of the microphone for the measurements was thus some distance outside (i.e., to the West of) the 57 dB LAeq,16 noise contour for 2011 that 'clips' Site OP20 at its N. Eastern corner. They kindly provided me with copies of those measurements. Values of 'LAeq dB' were obtained over three periods of 18 hours: '54.87, 57.48 & 60.37 dB', with LAS max values of 85.3, 84.3 and 80.5 dB (none of the measurements was done at night between 23:01 and 04:56).

● The Site Visit for P130029 took place on 29th August 2013.

The meeting started at about 09:25 and lasted for about 40 minutes. The group stayed within 10 metres of the gateway in the South boundary of OP20. It did not inspect the (out-of-sight) part of the Site near the A96 main road where measurements of road traffic noise had been made on behalf of Persimmon Homes Ltd and where affordable homes might be located. The discussion of noise was interrupted at intervals by noise from jet aircraft and some helicopters, but did not otherwise appear well informed about the measurement and regulation of noise. One Councillor said that to build houses on such a noisy site would be storing up trouble for the future. Another said that people who chose to buy a house near the Airport might be expected to have anticipated the noise.

Then, without any obvious conclusion about noise, the discussion turned to the Site Plan; a rearrangement of the position of affordable houses was proposed. The Convenor said that if they asked the Developers for too much, or did not give consent, the Developers might appeal and the Committee might not then get the changes that they were asking for. He said that he thought he had 'got the sense of' the meeting. No one made any further comment: The planning consent was nodded through silently without a vote, subject to the 26 Conditions - and also that the suggested

re-arrangement of affordable houses would be put to the Developers. I believe that the suggestion to re-arrange some of the houses was, eventually, turned down by the Developers.

FOOTNOTE 1

Density of houses:

There is confusion, within and between various planning documents related to this application, about the actual housing-densities at the site and their acceptability. I have set out the complicated details of this confusion in this FOOTNOTE.

Strangely, Persimmon Homes are now asking for a housing density of 26 residential units per hectare to accommodate 85 houses when that was the density that they proposed in their Design and Access Statement, December 2012, para 5.1, to accommodate 65 houses

Is the density for 65 units '26.21 units per hectare', or 20, or 'just under 20'? Will the density proposed for 85 units be 26 units per hectare or more than 26 units per hectare? What is the density of surrounding housing; is it 23 units per hectare or between 20 and 35 units per hectare?

Do 'surrounding' and 'in the vicinity of' mean 'within sight of the new development', or 'within the whole of the established Hopetoun/Hopcroft area'? What actual 'surrounding' density is to be used as a yard-stick for 'the context of this site' and why? Is the proposed density '*appropriate in terms of the context of the site*'?

Will the 'considered' conclusion of the Committee Report for the meeting of 26/09/2013, that 65 houses is **appropriate in terms of the context of this site**, be maintained – or will it be revamped to accommodate Persimmon Homes' partial amendment to Planning Application P140153 for 85 houses?

The matter of actual and proposed densities and whether they are '- - appropriate in terms of the context of the site - - ' should be clarified and set out more transparently, with reasons given.

I quote the following statements that have been made in various documents about the density of houses per hectare:

(i) Para. 1.7 of the Planning Statement for Application P140153 says that '*The current proposal incorporates amendments to the previously proposed site layout which would result in the addition of 20 residential units on the site - - ' ; i.e., a total of 85 units on Site OP20, that was ordained in Aberdeen Local Development Plan 2008 (ALDP 2008) to have 30 only.*

Confusingly, the Planning Statement for Persimmon's Application P140153 for 20 more houses, dated January 2014 and received **03/02/2014**, para. 1.1, states that it is '*in support of a full planning application by Persimmon Homes East Scotland for 48 residential units and associated infrastructure at Hopetoun Grange - - ' . Para. 1.6 of that Statement repeats that '*The application proposes the erection of 48 residential units - - ' : '48 residential units' appears to refer to the total number of houses affected by this 'partial amendment', within the red line drawn on the new Site Layout (version C).**

(ii) According to Persimmon Homes Ltd's 'Design and Access Statement', **December 2012**, para. 5.1, prior to application P130029, the density to be applied for was about **26 units** per hectare:

'The density proposed (Actual 26.21 units per hectare) will help achieve a level of population and therefore support place making'. Note that 26 units per hectare is the density that Persimmon are specifying for 85 residential units in their current application for 85 units (see below).

(iii) However, the Report laid before the Development Management Sub-Committee 'Hopecroft Planning Brief: Consultation Results' **15/02/2013** stated:

'5.14 The resulting conclusion of up to 65 units on this 3.3 hectare site equates to just under 20 units per hectare. The surrounding housing development equates to approximately 23 units per hectare.'

(iv) Similarly, the Committee Report for the Development Management Committee on 26th September 2013 repeats that '*- - it is found that the 65 residential units proposed for this 3.3ha site, equating to 20 units per hectare, would not constitute over development'*.

(v) The Planning Statement for Persimmon's Application P140153 then proceeds to say (under the heading 'Density 2.4') that '*The consented residential development [i.e., 65 units consented via P130029 - RJ] incorporates a density equating to 20 units per hectare, in the surrounding area densities of between 20 and 35 units per ha are evident.'* But, it states that '*- - the proposed density [i.e., for 85 units] would [still] amount to approximately 26 units per hectare which is in accordance with the established housing developments in the vicinity of the application site'*.

Is the density for 65 units '26.21 units per hectare', or 20, or 'just under 20'? Will the density proposed for 85 units be 26 units per hectare or more than 26 units per hectare? What is the density of surrounding housing; is it 23 units per hectare or between 20 and 35 units per hectare?

Do 'surrounding' and 'in the vicinity of' mean 'within sight of the new development', or 'within the whole of the established Hopetoun/Hopecroft area'? What actual 'surrounding' density is to be used as a yard-stick for 'the context of this site' and why?

I quote the following statements have been made about whether proposed densities are 'appropriate in terms of the context of the site':

(i) The Report laid before the Development Management Sub-Committee 'Hopecroft Planning Brief: Consultation Results' **15/02/2013** stated:

'5.14 The resulting conclusion of up to 65 units on this 3.3 hectare site equates to just under 20 units per hectare. The surrounding housing development equates to approximately 23 units per hectare. As such, the suggested density, although resulting in a greater number of units than set out in the adopted Local Development Plan, is considered to be acceptable in this particular situation. The proposed number of units includes a mix of size and type housing to suit varying needs.'

(ii) According to Persimmon Homes' Design and Access Statement', 5.1, **December 2012**, prior to application P130029, the density to be applied for was about **26 units** per hectare:

'A number of residential units totalling 65 on the net available land is now reflected on the Development Layout. This density is reflective and more in keeping with the surrounding existing residential development and would be consistent with the minimum residential density set by the Structure Plan of 30 homes per hectare for developments over one hectare. The density proposed (Actual 26.21 units per hectare) will help achieve a level of population and therefore support place making'.

(iii) The Planning Statement, for Persimmon's Application P140153, says (under the heading Density 2.4.) that '*- - the proposed density would amount to approximately 26 units per hectare which is in accordance with the established housing developments in the vicinity of the application site'*.

(iv) The Committee Report to the Development Management Committee (Agenda Item 2.3) held on **26/09/2013** appears, under the heading 'Density', to accept that the density provided by 65 houses is appropriate on this site although the Reporter to the Local Plan 2008 recommended 30, partly because the site is noisy especially at its northern end:

However, that Report to the Development Management Committee, 26/09/2013 states also that:

' Notwithstanding the above [i.e., Policy H3: Density - RJ], it is worth noting that in establishing whether a proposed density of development is appropriate and may be considered acceptable for a specific site, the minimum levels sought through Policy H3 (ie 30 units per hectare) cannot be applied in isolation. There is a clear need for the level of proposed development on a site to be considered within the context of the surrounding area and its particular characteristics and matters such as the relationship between buildings and the level of open space provision on site are also relevant considerations in establishing this. So whilst it is acknowledged that the 65 residential units proposed for the development is well above the current site allocation for 30 homes [i.e.,as allocated previously, in the Aberdeen Local Development Plan 2008 - RJ], this level of development is nevertheless considerably below policy expectations.'

That report (26/09/2013) goes on to say that:

' - - - - - it is considered that the 65 units being proposed for the site, which was also the level of development supported by the Planning Brief for the site, is a level of development which is both appropriate in terms of the context of the site and sufficiently compliant with the relevant policy'.

Will that 'considered' conclusion of the Committee Report for the meeting of 26/09/2013, that 65 houses is **appropriate in terms of the context of this site**, be maintained – or will it be revamped to accommodate Persimmon Homes' partial amendment to Planning Application P140153 for 85 houses?

A conclusion:

The matter of actual and proposed densities and whether they are ' - - appropriate in terms of the context of the site - - ' should be clarified and set out more transparently, with reasons given.

FOOTNOTE 2.

Extract from Representation to Aberdeen City Council about Persimmon Homes Ltd's Planning Application P130029 by Richard Johnson, February 2013
Comments on the
Report on Road and Air Traffic Noise at Hopetoun Grange Bucksburn,
by Charlie Fleming Associates

Issue 4. THE 'REPORT ON ROAD AND AIR TRAFFIC NOISE' ATTACHED TO THE PLANNING APPLICATION:

The Northern boundary of Site OP20 overlooks the main A96 Road to Inverness that also carries traffic to the Airport and nearby Industrial Estates. The Site is next to a much used lay-by and a stretch of road where traffic accelerates away from the 40 mph speed limit. Traffic noise provides a constant background at Site OP20 and beyond the Hopetoun Grange end of it.

Also, Site OP20 is only about 1000 metres away from the South end of Aberdeen Airport's main runway and 400 metres away from the line of the main flight path.

Site OP20 is frequently over-flown, at around 500 feet, by helicopters approaching or departing from the airport. Sometimes they circle round the airport repeatedly while training. **The Report on Road and Air Traffic Noise**, submitted with the Planning Application, considers noise from road and air traffic separately (except in its paragraph 7.5 where it attempts to combine them). It is well

written and arranged. It contains welcome advice on soundproofing houses and has a good Appendix on the Basic Principles of Acoustics, but the issue of noise At OP20 Hopecroft is not 'best addressed' in it. The Report is inadequate for the following reasons; A(1) to A(7) & B(8) to B(10):

A. Measurement, in the Report, of Road Traffic Noise from the A96 main road

(1). **The Site layout in the Planning Brief differs from the Site layout in the Planning Application.** Figure 2 in the Report ('Location of Measurement Position') refers to a site-layout that was proposed in the Planning Brief. A different layout is proposed in the Planning Application (e.g., compare the *Foundation Zoning Plan* in the Application with *Plan 6. Development principles diagram* on page 17 in the Brief.).

(2). **The position of the (single) microphone** was chosen to be at the elevation of the house that would be nearest to the A96 as shown in the Planning Brief; i.e., the elevation of the house that was then expected to be exposed to the most noise. But, the microphone was not in the right place for the Planning Application because that shows some of the houses in a different position, closer to the A96 and lay-by.

The use of only one measurement position does not provide convincing information about the road-traffic (and other) noise that is prevalent in other places round the Site; compare with the attached Diagram**. The Planning Brief refers to the slope of the site and 'extensive views' from it. Line of sight means line of hearing also.

[**Diagram not attached here 04/03/2014 – you may find a poorly reproduced black and white version of it on ACC's website]

For comparison, my Diagram is of actual noise measurements of road and aircraft noise combined, as recorded for a previous noise-assessment for OP20 in January 2006, at two positions on Site OP20, over one arbitrarily chosen day and night of about 24 hours (see microphone sites 3 & 4 in the Diagram). As you may see, the noise levels in on that day in 2006, measured at positions near both ends of the Site, were between about 57 and 63 dB LAeq,16. Parts of the night-time period, between 05:00 and 07:00 were also over 57 dB LAeq,hrs (night-time noise is not included in LAeq,16).

A diagram of real measurements like those would have been informative, if done for the present **Report on Road and Air Traffic Noise**, even if only done for an arbitrarily chosen period of 24 hours.

(3) **Noise was calculated rather than measured:** The **Report on Road and Air Traffic Noise** states that '*The daytime levels can be calculated very accurately based on measurements of the noise made over three consecutive one-hour periods*'. It considers noise that was measured for a period of only three hours [or three and a half hours? – see paragraph B(4) below] on one day only, between about 10.00am and 13.30 am (11/10/2012): **Thus, the Report does not include real measurements of noise at Site OP20 at other times of day or night; e.g., in the rush hours.** The Report invokes a mathematical formula and a '*measurement technique*' to extrapolate those three hours of measurements so as to cover a period of 18 hours, as described in paragraphs 43 and 44 of the Department of Transport's document '*Calculation of Road Traffic Noise*', HMSO 1988.

According to the Report (Paragraph 1.4), '*This technique has been used before in Aberdeen, the results accepted by its council's officers, and so it has been used in this case*'. That '*technique*' relies on mathematical short cuts and fudge-factors applied to noise levels extrapolated from other roads in other places where the circumstances may have been different, possibly 25 years ago. The results are not site-specific and are not adequate. Noise measurements are needed over reasonably convincing periods of time and for days known to be typical for noise.

(4) **The Report does not address individual noise events.**

(5) **Discrepancy in Table 1 of the Report.** If you examine Table 1 on page 8 of the Report, you may notice that the lengths of time between the *Start of Measurement* and *End of Measurement*, given in the first two columns for each of the three time periods, are longer than the 'Duration of measurement' given in the third column. The first two columns in the Table say that the overall measurement time was almost three and a half hours, not three hours as stated in the third column. It is not clear what effect that discrepancy may have had on the noise levels if they were averaged over three and a half hours. If a noise is averaged for longer than it lasts it will appear less. Table 1 contains the only measurements of road noise shown in the Report.

(6) **The Report calculates a sound level for road-traffic noise at night, apparently without having measured it:** Paragraph 4.5 says that

'At night, the external noise level, L_{Aeq} (23.00 hrs to 07.00 hrs), will be around 52dB(A)⁵.

Reference ⁵ above is to **Highways Agency, Design Manual for Roads and Bridges: Volume 11 Environmental Assessment, Section 3, Part 7, paragraph 3.7.** Paragraph 3.7 in reference 5, appears on page 3/1. It is not about night-time noise: It says:

'3.7 Where sensitive receptors are identified during the Scoping Assessment at which exceeding the threshold values for noise or vibration are possible at such an early stage, it may be appropriate to move directly to a Detailed Assessment. However, caution should be applied to such an approach as at the Scoping Assessment sufficient data may not always be available to make this decision. Before such an approach is adopted, the Overseeing Organisation should be consulted.'

(7) **The Report does not mention the noise from ground running at the Airport.**

B. Measurement, in the Report, of Noise from Air Traffic

(8) **The Report does not mention that Site OP20 is overflow frequently by helicopters,** sometimes at heights around 500 feet. Nor does it consider that helicopter noise contains low frequencies and impulses that are discounted by the 'A-weighting' and averaging that are applied in the noise 'metrics' LAeq and Lden. The 'noise climate' round Hopecroft is unusual because Aberdeen Airport contains the largest Heliport in Europe.

(9) **The Report does not include any measurements of aircraft noise.** They were edited out of the periods of noise that were recorded, to leave road traffic noise only. Instead, the Report relies on the position of the 57 dB LAeq,16 aircraft noise-contour that is specified in ACC's Policy H8 (2012) as a limit for new housing. It determines the position of that contour over Site OP20 by referring to the indistinct version of a map of noise contours for 2006 ('actual') shown in **Aberdeen Airport Noise Action Plan 2008-2012.** The Report reproduces that map as its Figure 4.

Possibly, the Report misinterprets the position of the 2006 ('actual') 57 dB contour in its Figure 4.

However, paragraph 6.2 of the Report states that '

*What figure 2 shows is that **most of the land** [see ** below] **on which it is proposed to build the houses is outside the 57 dB(A) contour.** This can be taken as an indication that noise will not disturb the residents of the houses.*

That figure 2 is a map of the site layout as proposed in the Planning Brief, but not as proposed in the Application.

[**] 'Most of the land'? But how close would any proposed houses to the 57dB contour be? ACC's Policy H8 says that '*Applications for residential development under or in the vicinity of aircraft flight paths, where the noise levels are in excess of 57 dB LAeq - - - - will be refused, due to the inability to create an appropriate level of residential amenity - - -*'. '57 dB LAeq,16' is

used currently to represent the 'onset of annoyance in the community'. That is not necessarily the same as the disturbance of individual residents; see the Government's recent caveats quoted in Footnote (6) of my representation to ACC about P130029.

Paragraph 6.2 of the Report continues 'The most exposed part of the development is subject to 58 dB(A). This is the daytime LAeq(07.00hrs to 23.00 hrs)'. It is not clear to me how that 58 dB(A) was obtained.

Although the measurements were for three hours only (or three and a half?), the Report states confidently (paragraph 7.5) that ' - - - the road traffic noise level during the day was 62 dB(A), with that of the air traffic being 58 dB(A). The total of these noise levels is 64dB(A), 2dB(A) greater than the traffic noise on its own. This does not change the level of significance.' However, it does put the calculated total noise level above 57 dB!

(10) The Report discusses various methods for sound-proofing the proposed houses.

Soundproofing is a good thing, especially at night, but the Report appears to miss the point that the 57 dB LAeq,16 contour applies to sound out of doors (See Issue 8 'Mitigation'). People should be able to enjoy reasonably tranquil conditions in their gardens and in areas round their houses – as pointed out by the World Health Organisation amongst others (see Noise Mitigation above).

My conclusions about this Report on Road and Air Traffic Noise:

I think that, either this Planning Application should be denied, or a more comprehensive and reliable Noise Report should be obtained with more real measurements and more awareness that 'absence of evidence is not evidence of absence' (e.g., see Paragraph 5.13, paragraph 2 of the Report). The inadequacies and omissions that I have listed above should be 'addressed'. If a further Noise Report is obtained, it should be made available to the public for inspection and comment before a decision is made about planning permission.

ACC should decide whether it is to consider aircraft noise contours and other noise separately, or added together. Should dB of road noise be added to the 57 dB noise contour of Policy H8? ACC should also consider whether it wants draw conclusions from real measurements or synthesised data.

Richard Johnson, 05/03/2013

Representation about
Planning Application
P140153

Dr. Richard P.C. Johnson
3 Hopetoun Green
Bucksburn, ABERDEEN
Scotland AB21 9QX

P&SD Letters of Representa...		
Application Number: 140153		
RECEIVED 07 MAR 2014		
Nor	Sou	MAp
Case Officer Initials: JAR		
Date Acknowledged: 7-3-14		

JAF

Mr Alan Cromar
23 Hopecroft Drive
Bucksburn
Aberdeen
AB21 9RJ

3rd March, 2013

Planning and Sustainable Development
Enterprise, Planning and Infrastructure
Aberdeen City Council
Marshall College
Broad Street
Aberdeen
AB10 1AB

Dear Sirs,

Partial amendment to Planning Application Ref P130029 to allow for additional 20 units and change of house types - Application Number 140153

With regard to the above Planning Application I would like to make the following comments and objections for your consideration;

1. Firstly I am a little concerned at the route which the developer has chosen to make increases in the number of units to be built on the site. What is the point of a major application process, which involves the residents and local community when this 'back door' method is available that could, if approved, give them a further 20 units without any community consultation.
2. From my quick calculation, the density of the area defined within the red line exceeds the ALDP recommended 30 units per hectare.
3. The re-design of this area has resulted in the house at plot 47 to be located extremely close to my property and that of my neighbours', this affects our light, our privacy but more importantly our private back garden amenity.
4. Having checked the Civil Aviation Authority's noise contour projections, the 2020 57 dB contour cuts into the site quite significantly and even more so in 2040 and this would again see the proposal fall foul of Council Policy. I appreciate that these maps are projected but I fully believe that the developer has been able to take advantage of a drop in flight movements in the 2011 contour, as a result of the Icelandic Volcano problems and the grounding of helicopters following safety concerns through ditching. The 2020 contour map is probably a more accurate assessment of the current situation.

5. The rush to squeeze a further 20 units into the site has resulted in Plots 38-47 and 81-83 being shoe horned into the development. This type of 'pressure' planning has no place in today's urban development and flies in the face of the 'Designing Streets' guidance. This has unbalanced the scheme in terms of place and movement in respect of the 'heart' of the proposal and the entire North end of the development.
6. The proposal for an additional 20 units (total of 85 units) will put extreme pressure on the local infrastructure, in particular Hopetoun Grange. This flies in the face of '....creating a sustainable city..' and where the reality of the situation will mean the local residents having to endure longer periods of traffic congestion. This roads network is already badly abused by speeding traffic using the route as a 'rat run' and heavy congestion at the 4 mile roundabout means that traffic find it nearly impossible to access the A96 at periods of peak traffic.
7. When comparing the proposed site layout of this application to the previously approved scheme, there are some significant anomalies, namely;
 - a) The footpath cycle link to the North of the site appears to connect to Hopcroft Drive through the garden of number 27 Hopcroft Drive with a new change to the ownership boundary.
 - b) The 15m build line offset on the North of the site appears to now change direction a little to suit changes in the position of the affordable flats.
 - c) The affordable units (Plots 30-37) have moved eastwardly and a change of this nature should see them and the surrounding area included within the red line application boundary, however this will further increase the density figures. As an aside I seriously question the positioning and location of the affordable flats, they are not in the correct location and should be positioned at the opposite side of the site, where the SUDS pond is located, car parking would be more accessible, footpaths links could be maintained and all units would have a more open outlook and a sense of place, not shoe horned into the corner of the site.

I sincerely hope that the above is taken into consideration when determining this application and please do not hesitate to contact me should you require further information.

Yours Faithfully,

Alan Cromar

P&SD Letters of Representation		
Application Number: 140153		
RECEIVED - 4 MAR 2014		
Nor	Sou	MAp
Case Officer Initials: JAC		
Date Acknowledged: 6-3-14		

JAF

PI

From:
Sent: 02 March 2014 20:48
To: PI
Subject: Objection to Hopetoun Park Amendment

APPLICATION NUMBER 140153

Dear Sir/Madam,

I wish to write and view my objections to the new amended plans for an extra 20 houses at the Hopetoun Park development.

I find the fact that the developer has added a further 20 houses to the already bulging plot at the above site is extremely underhanded. It seems that this has been the original plan, and they were hoping that as the work has already began, we, the immediate existing householders would turn a blind eye to the amended plans...

The proposed site, as I am sure you are aware, has already been altered from 35 to 65 homes, so a further 20 would exceed the density of 30 houses per council policy? Why would this be allowed if it does not comply with recommended regulations?

We have not been consulted through the normal channels ie. a Major Application Process, giving us any viable time to object? I also find this unacceptable, given the fact that the site and general area is already well populated, and the effect the extra houses, traffic etc, would greatly impact on the area.

Squeezing in a further 20 houses will I am sure, affect the quality and planning design, and is NOT what was originally planned.

I have attended many of the planning meetings, and it seems that many of the Council Policies have been re-written to accommodate Persimmon Homes...Noise contours (part of the new development will exceed the 57db as per the 2020 contour) , density of houses per hectare, moving the affordable units outside the red line boundary on the original application, and altering the footpath cycle path link to the north of the site, but to name a few.....

I will look forward to an explanation regarding the points made above, and hopefully reassurance that the amended proposals will not be allowed if they do not meet the requirements stated in the Council Policy Regulations.

Yours Sincerely

Mhorag Simpson

9 Hopcroft Avenue
Bucksburn
Aberdeen

JAF

PI

From: webmaster@aberdeencity.gov.uk
Sent: 03 March 2014 18:45
To: PI
Subject: Planning Comment for 140153

Comment for Planning Application 140153

Name : Geoffrey Coutts
Address : 13 Hopecroft Avenue
Bucksburn
Aberdeen

Telephone :

Email :

type :

Comment : Please find listed below my objections to the amendments made in Planning Application Number 140153. My objections show my concern regarding the partial amendment to the original planning application for an extra 20 units.

1. The method at which the Developer has tried to increase the number of houses without Community Consultation (ie not through a Major Application process.)
2. The high density of houses per hectare in the application site is in excess of Council Policy of 30 houses per hectare.
3. The location of Plot 47 in relation to the houses on Hopecroft Drive (Nos 23, 25 & 27) and the affect this will have on light, privacy and private amenity to these houses and 25 & 27 Hopecroft Avenue.
4. The previous application was approved using the 2011 contour which was calculated based on flights landing and taking off between 2006 and 2011. This therefore, does not take into account the flights which were grounded due to the Icelandic volcano and grounding of helicopters following safety concerns. This gives a false reading for the period. The 2020 contour clearly shows that the noise level in part of the new development will be in excess of 57 dB. As this is only 6 years away this would be a more accurate assessment of airport activity. Council policy is that applications where noise levels are in excess of 57 dB will be refused due to the inability to create an appropriate level of residential amenity, and to safeguard the future operation of Aberdeen Airport;
5. Poor quality design and planning as a result of squeezing in these additional 20 units.
6. The pressure these additional units will put on the local roads infrastructure.
7. Anomalies between this proposal and the previously approved plan namely:
 - a) Footpath cycle link to the north of the site. (at 27 Hopecroft Drive)
 - b) Moving the affordable units and the 15m build line offset should be included within the red line boundary of the application.

JAF

PI

From: Elspeth Massie
Sent: 03 March 2014 19:19
To: PI
Subject: Application number 140153

I am writing to express my concerns and raise objections regarding the Persimmon Homes development, Hopetoun Park, Bucksburn, Aberdeen.

1. I believe the Developer has not gone through a Major Application process to try to increase the number of houses on the site?
2. Also, what has changed regarding the council policy of 30 houses per hectare, to suddenly apply for an extra 20 units when only the same amount of ground is available? Has there been a change in policy?
3. Will this not have a detrimental affect on the size/design of the houses?
4. This will put extra pressure on the local road's infrastructure. Has no one done a survey on the number of cars presently using Hopetoun Grange? During the hours of 0700 - 0830 the number of cars can amount in excess of 200 on a weekday. I have in fact filmed and counted this amount.
5. There appears to now be a footpath cycle link to the north of the site?
6. The location of Plot 47 appears to have a detrimental affect on nos 25 and 27 Hopcroft Avenue? Loss of privacy?
7. I also have concerns regarding the noise contour and how this will affect the development. The application was approved using the 2011 contour which was calculated on flights landing and taking off between 2006 and 2011. The 2020 contour shows that the noise level in part of the new development will be in excess of 57 dB. This would be a more accurate assessment of airport activity. It is my understanding that council policy is that applications where noise levels are in excess of 57 dB 'will be refused due to the inability to create an appropriate level of residential amenity, and to safeguard the future operation of Aberdeen Airport.' Or have I misinterpreted this?

Elspeth Massie
20 Hopetoun Grange
Bucksburn
AB21 9RB

JAF

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 05 March 2014 00:03
To: PI
Subject: Planning Comment for 140153

Comment for Planning Application 140153

Name : Andrew Shortt
Address : 49 Hopetoun Grange
Bucksburn
Aberdeen

Telephone

Email :

type :

Comment : Planning application P140153

I object to the above planning application on the following grounds:-

Impact on Traffic

The proposed additional houses will undoubtedly have an adverse affect on the existing local roads infrastructure. Roads in the area are already congested at peak times.

Quality of Development

The quality of the proposed development will be reduced by cramming in more houses of a smaller size and increasing the density.

Lack of Consultation

The way that the planning application process is being manipulated to the apparent will of the developer is somewhat concerning. By changing the proposals after planning consent has been granted and construction works have started, full consultation with the community has been side stepped.

JAT

1 Hopetoun Green,
Bucksburn,
Aberdeen,
AB21 9QX

5 March 2014

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

Application Number 140153,
Partial amendment to Proposed development of land to North of
Hopetoun Grange, Bucksburn, by Persimmon Homes.

Dear Sirs,

We wish to object to the proposed amendment on the grounds of excessive numbers of planned dwellings and traffic considerations.

The number of houses in the Proposed Development.

In our letter to Jane Forbes dated 31 January 2013 we pointed out that the Reporters to the Public Inquiry prior to Aberdeen Local Development Plan 2008 ('ALDP2008') concluded that the field shown in this application should have no more than 30 houses built on it. These should be at the South end of the field, at a sufficient distance from the A96 to avoid noise from road traffic. The Council accepted these stipulations. At a further public inquiry prior to the more recent Aberdeen Local Development Plan 2012, the constraint for 30 houses only, as above, appears to have been reiterated and also accepted by the Council for ALDP2012. In spite of this the plans for more than doubling the number of houses recommended for the site, namely 65 houses, have been approved and work is at present under way on the first phase of construction. Now we learn that an amendment to these plans has been submitted to the Council for approval, without any chance of Public Consultation for a further 20 units many of which are close to the A96 trunk road and lay-by to the north of the site. As we pointed out in our previous letter of objection both the road and the lay-by are heavily used throughout the twenty-four hour period and no houses should be built anywhere near such facilities. As such development is apparently against your own council guidelines it should be rejected.

Traffic considerations.

Hopetoun Grange is already a very busy traffic through route at peak times with traffic from Westhill and Kingswells using it to avoid the hold-ups at the Forrit Brae junction on to the A96. Any development in fields along Hopetoun Grange will inevitably mean even more traffic at peak hours. As there are many young people in the properties at Hopetoun going to school at Brimond Primary and Bucksburn Academy, a lack of any traffic calming measures on Hopetoun Grange, other than the requested '20s plenty' which is largely ignored, it can only be a matter of time before someone is hurt. Access to the houses at the south side is to be via a single road onto Hopetoun Grange, but there is to be very little provision for parking in front of these houses. Many of the houses are four and five bedroom so are very unlikely to have just one car owner living at the address. There appears to have been no consideration given to the inevitable congestion and difficulty of access on the Hopetoun Grange at peak times from 65 units. To allow a further 20 units to be added to this can only make matters worse.

We trust you will accept this letter as a summary of our objections to the plans as specified in the heading and ask that it go to the Planning Committee for their consideration. We look forward to hearing from you in due course.

Yours sincerely

Janet and Paul Lawrence.

JAF



From: Dawn Ramsay
Sent: 11 March 2014 13:51
To: PI
Subject: FW: Planning Application 140153 -

From: BETTY SMITH
Sent: 06 March 2014 12:43
To: Jane Forbes
Subject: Planning Application 140153 -

Dear Ms Forbes

I have sent the following letter of objection regarding the above Planning Application.

*23 Hopetoun Grange
Bucksburn
Aberdeen
AB21 9RD*

5 March 2014

Application Support Team
Enterprise, Planning & Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Support Team

**Planning Application 140153 -
Partial amendment to Planning Application Ref P130029 - Hopetoun Grange, Land to
North of, Bucksburn**

I object to this application for the following reasons:

- a) Adding 20 more dwellings makes a major difference and should be included in a further application - not an amendment. This is a very sneaky way of trying to get permission.
- b) Nobody in Hopetoun Grange was notified about this new application. Since Persimmons are changing the Phasing Plan, it should be included in this application. This has serious implications for people living in Hopetoun Grange.
- c) The Planning Brief sent to the Scottish Government referred to 65 houses, 35 more than the 30 approved previously. I would assume that permission from the Scottish Government would be necessary to 'amend' this number.

- d) 20 more dwellings would have a significant impact on traffic. The Transport Statement referring to the original application is full of serious inaccuracies and a new accurate Transport Statement should be included in this application.
- e) No lighting plans are included. Plans referring to Dandara's lighting in Stoneywood were on the website but have now been removed.
- f) I am very concerned that more trees and the beech hedge along the eastern boundary of this site could be removed. Trees were removed in January which had nests in them which were in use. I thought that was not allowed.
- g) It is intended that the access road running parallel to Hopetoun Grange will be one way for safety reasons. At present, the opening from Hopetoun Grange to this area is two-way, with many huge vehicles using it. It is directly opposite 2 driveways. I was told that this area is the site office and the 3 houses in the south east corner of the site will be the last ones to be built - in 2 years' time. When I asked why this access was not up nearer the north west corner across from the Hopetoun Road opening, I was told that 'they couldn't do that because people would be living in the new houses and it would bother them!' Surely the people who already live in Hopetoun Grange and Hopecroft Drive should be shown some consideration. Noise already starts before 6.25am.

Yours faithfully

Betty Smith

I would also like to make the following comments:

- 1) I find it shocking that there are so many errors in documents relating to this development. In the Introduction 1.1 in the Planning Statement it states 'This report has been prepared in support of a full planning application by Persimmon Homes East Scotland for 48 residential units and associated infrastructure' This does not give any confidence regarding their professionalism. The Fairhurst Transport Statement is one of the worst documents I have ever seen from a supposedly professional company.
- 2) The woman in the Persimmons Sales Office stated to potential house buyers that the amended plans 'would pass no bother'. When I asked her about this, she said that 'she knew better than me!' I found it very worrying that she was so sure that the Planning Committee would just 'rubber stamp' the application.

F.A.O. Jane Forbes
Aberdeen City Council
Planning Reception
Planning & Sustainable Development
Marischal College
Broad Street
Aberdeen
AB10 1AB

Miss Rebecca Few
27 Hopetoun Grange
Bucksburn
Aberdeen
AB21 9RD

Date: 5th March 2014

Dear Madam,

Partial amendment to Planning Application Ref P130029 to allow for an additional 20 units and change of house
Application Number: 140153

With regard to the partial amendment to planning application ref: 130029, Hopetoun Grange, Land to North of Bucksburn, I would like to submit the following comments and objections for your consideration.

I reside at 27 Hopetoun Grange and feel that the proposed development will impact of my way of living and that of the surrounding area.

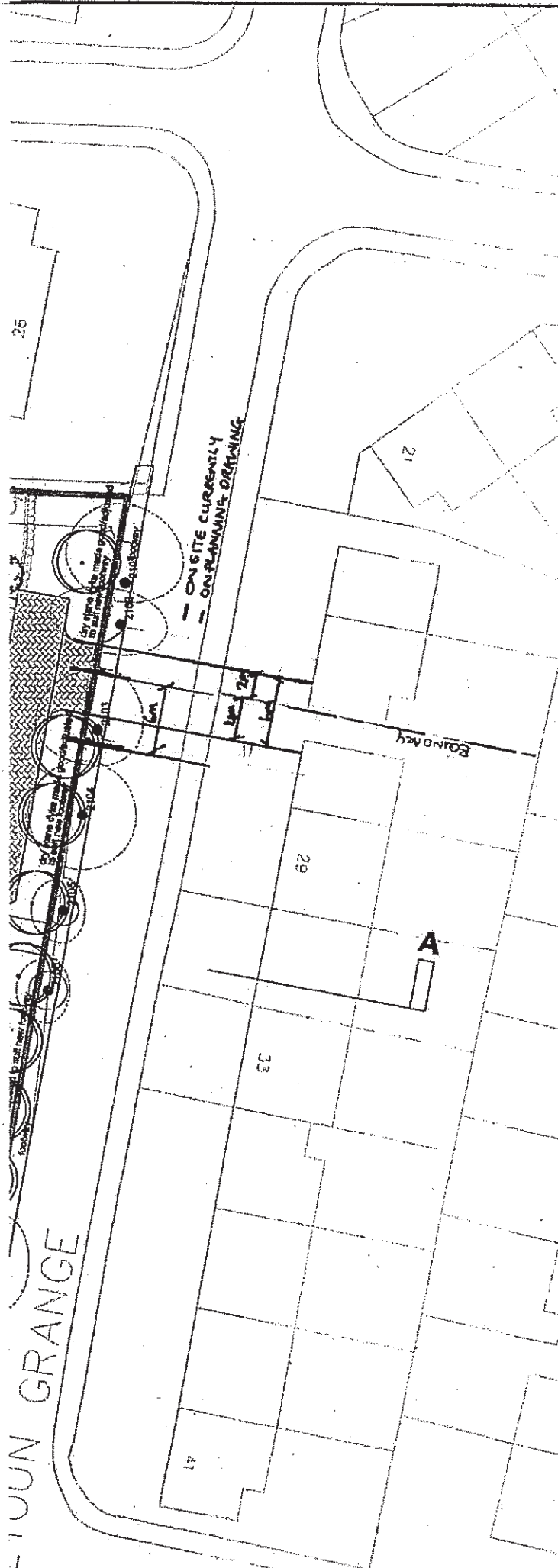
1. Persimmon Homes make reference to density within the site has been made with the planning statement submitted along with this planning application, however, purely taking the area of the of the application site for planning reference 140153, it would seem that the housing density of this application site would exceed that of the Council Policy of 30 houses per hectare.
2. Within the planning statement reference is made to the proposed external finishes 'considered to make reference to the local vernacular' stating that with will use grey slate roof tiles. This is not within keeping with the area at all. They just have to look at the any of the houses in Hopetoun or Hopecroft to see this.
3. The application for partial amendment for an additional 20 houses would appear to move the whole layout of application 130029 at least 2m west on the whole site, when comparing the current approved plan and the application site layout. This moves the access road across from my property of 27 Hopetoun Grange, currently being used as a site entrance and exit 2m to the west from the currently approved plan (please see difference from approve plan compared to currently on site enclosed plan). As this access only has approval for vehicular entrance only, I find it highly dangerous when trying to reverse off my drive and there are HGV lorry's driving out of this entrance only. As this entrance seems to have moved position, it would seem that this area should also be taken into consideration when looking at this application at added to the red line boundary.

4. Looking at the current approved plan and the application site layout, the affordable units at the very North of the site have been relocated to the West, therefore these units should be taken into the red line boundary for the application of 140153.
5. Has consideration been given in relation to the 2020 57dB noise contour and how this will affect the development? With completion of some of these units into 2015-2016 potentially, I think that designing for the future and not the past of the 2006 or 2011 noise contour is incredibly important.

It would be greatly appreciated if you could take my comments and objections into consideration while determining this application. Should you wish to discuss anything I have mentioned please don't hesitate to contact me.

Yours faithfully

Rebecca Few



Buyers are warned that this is a working drawing & is not intended to be treated as descriptive material describing, in relation to any particular property or development, any of the Specified Matters prescribed by any Order made under the above Act. The contents of this drawing may be subject to change at any time & alterations & variations can occur during the progress of the works without revision of the drawing. Consequently the layout, form, content & dimensions of the finished construction may differ materially from those shown. Nor do the contents of this drawing constitute a contract, part of any contract or a warranty.

I CERTIFY THAT THIS IS THE ORIGINAL/A TRUE COPY OF THE DRAWING AS REFERRED TO IN OUR APPLICATION FOR BUILDING WARRANT. SIGNED ON BEHALF OF PERSIMMON HOMES (SCOTLAND) LTD

SIGN & DATE :

LEGEND

- V5 Plot specification
- Application boundary
- 1.8m high timber screen fence
- 0.45m high single rail feu fence
- Acoustic Fence-see across
- Common driveway
- Indicative proposed landscaping. All final landscaping to Landscape Architects design/ layout
- New trees along Hopetoun Grange within development replacing those being removed. Refer to Donald Roger Report dated 6 September 2013 & Landscaping Layouts.
- Existing Trees to be retained
- Existing Trees to be removed (see separate Landscaping Layout and Tree Management Plan for replacement proposals)

Driveways:
slab and chip or larmac as indicated on layout

2010 regulations
Scottish Town range (Cove House Type Range) V5 as denoted.

House type	Descrip.	Sq.ft.	No of units
Dollar (afford)	GF 2 bed cot flat	818	8
Dollar (afford)	FF 2 bed cot flat	871	8
Fettercairn V5	3 bed detached	805	5
Leslie V5	4 bed detached	1033	10
Ballater V5	4 bed detached	1217	8
Troon V5	5 bed detached	1247	3
Wick V5	5 bed detached	1481	3
Stornoway V5	5 Bed detached	1653	4

Charles Church House Type Range 2012

St Andrew	5 Bed detached	1717	4
Dryden	5 Bed detached	1826	4
Stirling	6 Bed detached	1949	4
Crichton	6 Bed detached	2279	2
Heriot	6 Bed detached	2143	2
Total no of units:	-	85	
Total Sq.ft.	-	83,765	

GROSS AREA: - 8.300 acres
 NETT AREA: - 5.765 acres
 SQFT/NDA: - 14,529
 PLOTS/NDA: - 11,275

Note:

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 March 2014 17:57
To: PI
Subject: Planning Comment for 140153

Comment for Planning Application 140153

Name : Steve & Elaine McLenan
Address : 25 Hopecroft Drive
Bucksburn
Aberdeen
AB21 9RJ

Telephone :

Email :

type :

Comment : Partial amendment to Planning Application Ref P130029 to allow for an additional 20 units & change of house types – Application Number 140153 -

We refer to the above planning application & would like to make the following comments & objections for your consideration –

Our main concern is the location of plot 47 in relation to our own house & our neighbours. It is extremely close to our property being only approximately 10 metres away from the sunroom we have built on to the rear of our house. Since the unit on plot 47 is a full two storey house that will be built on higher ground than ours, it will be extremely overbearing, will greatly overshadow our back garden & the back rooms of our house, greatly reducing our daylight. It will also affect our privacy & more importantly our private back garden amenity.

We are also concerned about the method that the developer has used to try to increase the number of houses without community consultation. We feel that this should be done through a major application process.

The high density of houses per hectare in the application site is in excess of the council policy of 30 houses per hectare which we feel should be addressed.

We feel that the design is of poor quality & planning as a result of squeezing in an additional 20 units.

The parking for the affordable housing appears to be inadequate & quite a distance from them. This may result in the residents using the turning point at the end of Hopecroft Drive (next to number 27) as a closer place to park.

We have looked at the 2011 57 dB noise contour & feel that this does not give a true view of the noise levels in this area. The 2011 contours would have shown a drop in flight movements as a result of the Icelandic Volcano problems & a grounding of helicopters following safety concerns. We feel that the 2020 contour maps will give a more accurate view of the current situation especially since the airport has now extended its runway to accommodate larger types of aircraft. The 2020 contour clearly shows that the noise level in part of the new development will be in excess of 57 dB. The local plan stated that applications where noise levels are in excess of 57 dB will be refused due to the inability to create an appropriate level of residential amenity & to safeguard the future operation of Aberdeen Airport.

We have compared the amended site layout to the previously approved plans & can see some changes outwith the area marked in red which we feel should also be included within the red boundary of the application. The changes are as follows –

1. The footpath cycle link to the North of the site appears to connect to Hopecroft Drive through the garden of number 27 Hopecroft Drive with a new ownership boundary.

2. The position of the affordable housing has moved.

We are also concerned about road safety & the extra traffic that the 85 houses will bring to the area. This is made much worse with the many people who are not residents of the area coming from Forrit Brae down Hopetoun Grange in the rush hour to avoid the tailbacks at the roundabouts. Most of the time they are travelling in excess of the speed limit. We feel that this is something that needs to be looked at closely when the planning application is considered.

We would be grateful if you could take our objections in to consideration when determining the application. We would also be happy for a representative of the planning department to meet us at our property to allow them to see our objections first hand.

Elaine & Steve McLenan

P&SD Letters of Representation		
Application Number: 140153		
RECEIVED - 3 MAR 2014		
Nor	<input checked="" type="checkbox"/> Sou	MAp
Case Officer Initials: JF		
Date Acknowledged: 05/03/14		

JAF

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 March 2014 12:43
To: PI
Subject: Planning Comment for 140153

Comment for Planning Application 140153

Name : David Bryce
Address : 1 Hopcroft Drive
Bucksburn
Aberdeen
AB21 9RJ

Telephone :

Email :

type :

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

- 1 the undemocratic manner in which this developer is attempting to increase the agreed number of houses without community consultation
- 2 the high density of houses resulting from this application exceeds 30 houses per hectare which I understand is the existing standard set by the council.
- 3 increased traffic congestion and increased accident risk at the already stressed Sclattie Park/Hopetoun Grange junction
- 4 The squeezing in of poor quality housing is not in keeping with existing housing in Hopcroft and Hopetoun
- 5 Anomalies between this application and the previously approved plan such as the footpath/cycle link at 27 Hopcroft Drive

JAF

PI

From: webmaster@aberdeencity.gov.uk
Sent: 03 March 2014 22:04
To: PI
Subject: Planning Comment for 140153

Comment for Planning Application 140153

Name : Mr & Mrs Sim
Address : 15 Hopcroft Avenue
Bucksburn
Aberdeen
Ab21 9RN

Telephone : ..

Email : ..

type :

Comment : I wish to strongly object to the proposal to increase the number of houses on the Hopetoun Park site which was originally marked as green belt by the council. The developer has lodged this application without prior community consultation.

85 houses on this site contradicts the Aberdeen Council policy of 30 houses per hectare. If this is allowed to go ahead Aberdeen City Council will have changed the goal posts yet again regarding the development of this site.

Adding another 20 houses to an already overcrowded plot will only put extra pressure on the local road infrastructure which is already inadequate.

We hope the council will take into consideration the impact that this extra 20 houses will have on the residents of Bucksburn.

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Planning Development Management Committee

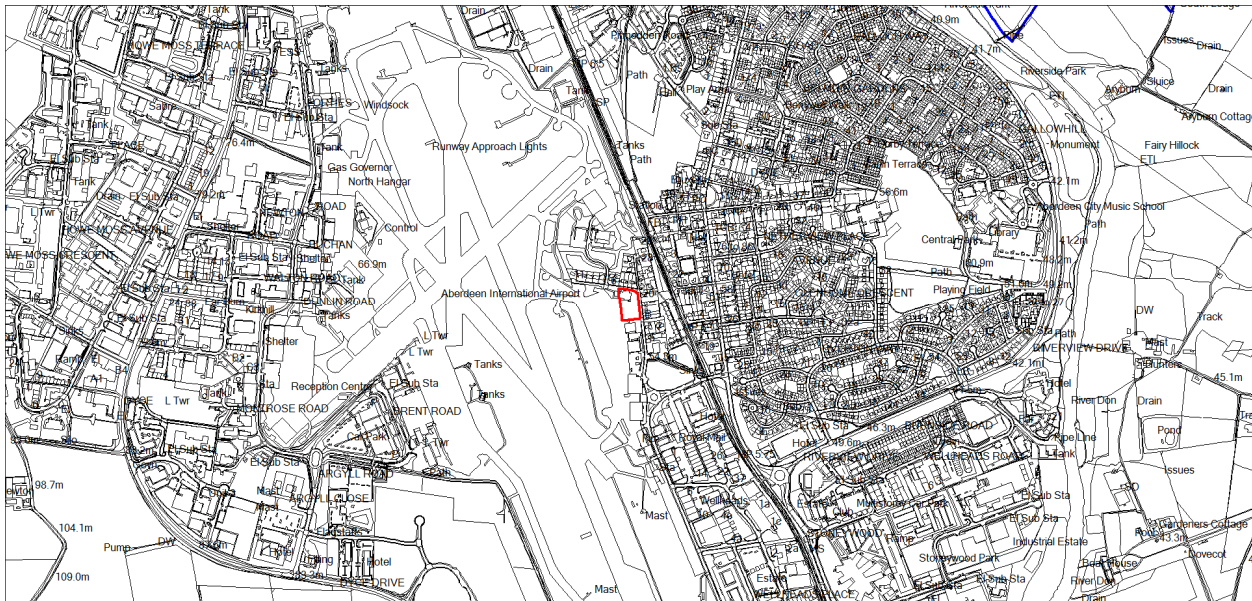
ABERDEEN AIRPORT SPORTS & SOCIAL CLUB, FARBURN TERRACE, DYCE

ERECTION OF HELICOPTER HANGER

For: Bond Offshore Helicopters

Application Type : Detailed Planning Permission
Application Ref. : P140209
Application Date: 18/02/2014
Officer: Paul Williamson
Ward : Dyce/Bucksburn/Danestone(B
Lawrence/N MacGregor/G Samarai)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on: 26/02/2014
Committee Date: 19 June 2014
Community Council : Comments



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site of 3837 square metres is located at the eastern edge of Aberdeen Airport at the corner of Farburn Terrace and Cordyce View. The site is currently partly used as a surface car park for BP offshore employees, whilst the northern third is the applicant's 'Terminal 2', a two storey building with stone clad walls, and profiled steel cladding, which was formerly used as a Sports and Social Club. Further to the north are a row of residential properties. 'Terminal 1' is located on the west side of the airport, off Forties Road.

To the south are further 'airside' hangars, associated with the wider Airport, while to the east is a two storey office block, and 1 ½ storey residential properties.

RELEVANT HISTORY

120481 - External alterations including; the overcladding of the existing frontage, replacement windows and doors, formation of 2 no. new openings, and internal fit out of existing building. Change of use from a leisure facility (class 11) to passenger terminal, now known as Terminal 2, in the northern part of the current application.

PROPOSAL

Detailed Planning Permission is sought for the erection of a helicopter hangar adjacent to the applicant's eastern terminal at Aberdeen Airport.

The new building would have a footprint of 46 metres by 42.5 metres (1,955 m²). The floor plan indicates that the hangar would be used primarily to store six existing helicopters and provide changing facilities, a bothy, and stores grouped together in the south-east corner and covering an area of 90 square metres.

The height of the building would be 13.2 metres to ridge level, and 9.4 metres to eaves level.

The western elevation would contain three large roller shutter doors to allow access and egress of helicopters. A small staff access door would be located at the eastern side of the south elevation.

Proposed materials include a rendered basecourse, with profiled panels (goosewing grey) to the walls and roof.

The final part of the proposal relates to the reconfiguration of existing parking on site. At present there are 21 car parking spaces, with a further 6 spaces for waiting taxis. The revised layout shall provide 22 spaces, retain the 6 taxi spaces, and introduce a one way system.

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=140209>

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 application has been the subject of six or more timeous letters of representation that express objection or concern about the proposal – representing a significant level of opposition to any local development proposal. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objection. The applicant has confirmed that the hangar is for the storage of existing helicopters and no additional personnel or vehicle trips will be created as a result of this application. The applicant has submitted a Travel Plan for the terminal, which highlights sustainable transport options available. The car parking layout is acceptable. Following the receipt of a Drainage Impact Assessment (DIA), it was confirmed that the details provided are acceptable.

Environmental Health – No objection. After raising initial queries in respect of noise, the agent has provided a satisfactory response to the queries, and accordingly, Environmental Health have no recommendations in relation to planning conditions. It is understood that helicopters shall be towed to and from the hangar using tractors. Notwithstanding noise from premises can be investigated by Environmental Health under current legislation relating to statutory nuisance.

Developer Contributions Team – Given the size of the hangar and the formulaic method used by the Council to determine contributions from commercial developments, this scale of development will not attract developer contributions.

Enterprise, Planning & Infrastructure (Flooding) – No objection. After reviewing the DIA, it was confirmed that the proposal is satisfactory. All runoff water (roof and car park) will receive the required level of treatment. The storage volume and discharge rates proposed are also sufficient and in line with the ACC requirements.

Scottish Environment Protection Agency – Provided standing advice relating to small scale developments.

Aberdeen Airport – No safeguarding objection. Conditions should be attached relating to: cranes, bird hazard management, and lighting/signage.

Dyce and Stoneywood Community Council – Cautiously support this application. The hangar may provide a significant noise mitigating effect for Dyce, and welcome the applicant's invitation to the Community Council to contribute to the design. Concern has been raised over the potential for helicopters to run 'live' outside the hangar, which would be to the detriment of properties on Cordyce View. The Community Council also have concerns relating to traffic and parking, as the hangar will replace a car park used by offshore employees. It may also be appropriate for the applicant to find alternative means of transport for employees in order to reduce traffic and inconsiderate parking in the area. Planning conditions are also suggested relating to:

- limit noise levels between 10:30pm and 6:00am;
- floodlighting should be designed to minimise light pollution of nearby residences.

REPRESENTATIONS

Six letters of representation/objection have been received. The objections raised relate to the following matters:

- 1) potential increase in congestion due to the loss of the existing car park;
- 2) adverse visual impact of the hanger;
- 3) loss of light;
- 4) impact on view;
- 5) Farburn Terrace is already overdeveloped; and,
- 6) The hangar will result in an increase in noise due to noise reflection.

PLANNING POLICY

Aberdeen Local Development Plan

Policy BI4 Aberdeen Airport and Aberdeen Harbour states that within the operational land applying to Aberdeen Airport there will be a presumption in favour of uses associated with the airport.

Policy T2 Managing the Transport Impact of Development states that 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.

Policy D1 Architecture and Placemaking states that 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 D3 Sustainable and Active Travel states that new development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel.

Policy NE6 Flooding and Drainage states that where more than 100 square metres floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment. Surface Water Drainage associated with the development must:

- 1) Be the most appropriate in terms of SUDS; and
- 2) Avoid flooding and pollution both during and after construction.

Supplementary Guidance

Drainage Impact Assessments
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.

Proposals within the operational boundary of Aberdeen Airport, are the subject of a presumption in favour uses associated with its operation. In this instance, the applicant is already operating from both the eastern and western side of the airport, providing helicopter services for the offshore industry. The proposed facility is to accommodate the storage of six helicopters and is therefore clearly linked to the wider use of the airport. As such, the general principle can be established against Policy BI4 of the Adopted Local Development Plan (ALDP).

In respect of transportation matters, Roads Officers raise no objection and confirm the level of car parking proposed is acceptable. The applicant has outlined that while an area of car parking would be lost, this had only been in temporary use during the time the plans for this application were being prepared, and that the current occupier is aware it shall no longer be available. A Green Travel Plan already exists for the adjacent terminal, and could be adapted to incorporate staff associated with the new hangar. This could be adequately dealt with by planning condition, and therefore accords with the principles contained within policies T2 and D3 of the ALDP.

Policy D1 requires that development must be designed with due consideration for its context and make a positive contribution to its setting. Whilst acknowledging that that the proposed hangar shall have a visual impact upon Farburn Terrace, it

would reflect the general style (scale and materials) of many of the hangars and industrial buildings in this area. The height to eaves level would be 9.4 metres, at a separation distance of 25 metres from the residential properties on the eastern side of Farburn Terrace. As such, it is not considered that the proposal would have an unduly detrimental impact upon those 1 ½ storey properties (which have a ridge height of approximately 7 metres) through loss of daylight/sunlight, and therefore a recommendation of refusal would not be warranted.

Following the receipt of a Drainage Impact Assessment, it has been confirmed that the measures proposed meet with the requirements of Roads and Flooding Officers. Accordingly, this matter can also be controlled adequately through the implementation of the approved scheme, thereby meeting the requirements of Policy NE6 of the ALDP.

In respect of other consultation responses, the Developer Contributions Team have confirmed that the development does not require contributions. Conditions relating to the use of cranes, building heights, and external lighting can be adequately controlled by condition, therefore meeting the requests of Aberdeen Airport. In relation to the comments of the Dyce and Stoneywood Community Council, the operator already has a requirement to adhere to the operating hour restrictions which Aberdeen Airport apply, therefore there is no further need to attach a similar condition to this application. The applicant has outlined the method by which helicopters would be towed to and from the operation aprons (where the helicopters are started-up and turned-off respectively).

Other matters raised within representations which have not already been addressed above, shall be considered in turn:

- 4) The impact on any private view is not a material planning consideration;
- 5) The level of development within the general vicinity of Farburn Terrace has been the subject of individual planning applications which have been assessed on their individual merits, and are therefore not considered as part of this specific application;
- 6) No objection has been highlighted by Environmental Health, and it is understood that the proposed scale of the hangar shall actually have a positive impact for adjacent residential properties through acting as a buffer, and therefore reducing the amount of noise from spilling eastwards to beyond the boundaries of the airport.

In summary, while a relatively sizeable building, the proposed hangar would form part of an existing operation at the east side of the airport. The siting and design of the hangar, and its separation from adjacent residential property would both minimise potential impacts through daylight loss and overshadowing, and also assist in reducing noise overspill to surrounding properties. The level of associated movements associated with the hangar itself would be negligible, and it is not considered that there would be any additional detriment to the surrounding transportation network.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

That the proposal to provide a new hangar for helicopter storage and maintenance is considered to have a minimal effect on the character of Aberdeen Airport, or the adjacent area. The proposals are therefore considered to be in compliance with policies B14 Aberdeen Airport and Harbour, D1 Architecture and Placemaking, T2 Managing the Transport Impact of Development, and D3 Sustainable and Active Travel of the Aberdeen Local Development Plan.

CONDITIONS

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

(1) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. B219 004 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 - in the interests of public safety and the free flow of traffic.

(2) that the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Plan No B9917 100 or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

(3) 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 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 - it is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

(4) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan, 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 - in order to encourage more sustainable forms of travel to the development.

(5) The maximum development height shall be 70.183m AOD. In the event that during construction, cranes or scaffolding is required, then their use must be subject to separate consultation with Aberdeen International Airport (AIA). The applicant should ensure that the requirements of the British Standard Code of Practice for the safe use of Cranes is adhered to, and for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome - in the interests of the safe movement of aircraft and the operation of Aberdeen Airport.

(6) That no development shall take place unless a scheme for proposed external lighting has been submitted to and approved in writing. Thereafter the agreed scheme shall be implemented in accordance with the details as so agreed - in order to ensure safe movement of aircraft and the operation of Aberdeen Airport.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

Dmitry Gavin

From: Paul Williamson
Sent: 09 June 2014 17:04
To: Damian Aracas
Cc: Dmitry Gavin; Michelle Helen Farquhar
Subject: FW: Planning application 140209 (Community Council representation for Committee)

Regards

Paul

Paul Williamson
Senior Planner (Development Management)

Planning and Sustainable Development | Enterprise Planning and Infrastructure | Aberdeen City Council | Business Hub 4 | Ground Floor North | Marischal College | Broad Street | Aberdeen | AB10 1AB
Tel: +44(0) 1224 522231 | Email: pawilliamson@aberdeencity.gov.uk | Web: www.aberdeencity.gov.uk

From: Harrison, Dr William T. A.
Sent: 28 March 2014 08:47
To: Paul Williamson
Cc: Neil MacGregor; Gill Samarai; Barney Crockett; Graeme Lawrence
Subject: Planning application 140209

Dear Paul,

I am writing on behalf of Dyce and Stoneywood Community Council re planning application 140209 (new helicopter hangar on Farburn Terrace, Dyce). Public comment is officially closed but our response was delayed due to our meeting the applicant and Aberdeen Airport to discuss this application and I therefore hope that you will consider the following comments:

We cautiously support this application. We understand that six or seven helicopters will be added to Bond's Aberdeen fleet over the next few months, and these will arrive regardless of any decision on the hangar. The hangar will allow the applicant to maintain and store the helicopters effectively and it will also provide a significant noise mitigating effect for Dyce village. The applicant has kindly invited us to contribute to the design of the hangar in terms of its visual impact and its noise-mitigating effect and we look forward to contributing to this process in due course. The airport assures us that "live" (ground-running) helicopters will not be permitted outside the hangar due to their serious detrimental effect on properties on Cordyce View and that helicopters will be towed (by tractor) to and from the hangar to the present Bond operations area further to the south.

We have concerns re traffic and parking. The hangar will replace a car park used by one of the oil companies for their offshore employees and it needs to be made clear how these will be accommodated in future. The applicant should supply details of expected road traffic movements directly related to the hangar (service staff, pilots...) and how many of these are likely to occur at unsocial hours. It may be appropriate to carry out a traffic survey to consider these matters. It may also be appropriate to investigate whether a section-75 planning-gain agreement

can be used to encourage oil companies to find alternate means of transport for their offshore employees and reduce traffic and inconsiderate/illegal parking on Farburn Terrace, which is already a serious problem.

There should be a planning condition limiting noise levels from the hangar between 10:30pm and 6:00am. Reason: to maintain residential amenity.

Floodlighting should be designed to minimise light pollution of nearby residences.

Please let me know if you have any questions.

Best regards,
Bill Harrison (Secretary)

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

PI

From: webmaster@aberdeencity.gov.uk
Sent: 07 March 2014 21:11
To: PI
Subject: Planning Comment for 140209

Comment for Planning Application 140209

Name : MISS FULLERTON

Address : 11 FARBURN TERRACE

Telephone :

Email : [REDACTED]

type :

Comment : I have no objection to the planning application, but am concerned about the increase of congestion it will bring of taxis parking on double yellow lines and the removal of the existing car park to build the helicopter hanger. There is already issues with offshore workers parking in the lane that granted access between 11 Farburn Terrace & 12 Farburn Terrace with cars been left from anything from week to 8 weeks . This causes a lot of hassle and issues for the users of the lane to gain access to their property and also visitors as there is nowhere to park their vehicle.

PI

From: [REDACTED]
Sent: 11 March 2014 20:58
To: PI
Subject: Objection to planning application number 140209

11 March 2014

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

Dear Sirs,

I wish to lodge an Objection to Planning Application Number 140209, being a proposed development at Farburn Terrace of the "Erection of helicopter hanger" by Bond Offshore Helicopters.

I am the owner and occupier of 17 Farburn Terrace, Dyce, Aberdeen AB21 7DT.

As a resident I object to the proposed development on the grounds that I will have a monstrosity of a helicopter hanger towering over my and my neighbour's properties, blocking out even more of the sky than the Planning and Infrastructure sub Committee has allowed to the present date in the over-development of Farburn Terrace.

At what point is Farburn Terrace full to capacity of developments?

With 60+ flats built by Barrat Construction and the creation of a whole new street namely "Farburn Place"!, two industrial units, with their service entrances off Farburn Terrace!, by "West Coast Estates" still under construction, permission being given to build a two storey house in a garden!, 12 Farburn Terrace.

When is enough, enough?

Perhaps when every last square meter is concreted over?

Farburn Terrace must surely be close to some sort of planning application record for an established street over the past few years!

Even your own Roads Department has raised concerns over this application.

Please for once Councillors, do the right thing, represent the residents of Farburn Terrace and be brave enough to say that Farburn Terrace has seen enough development and that finally, enough is enough.

Yours Sincerely,

Mark Nicol

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 12 March 2014 15:40
To: PI
Subject: Planning Comment for 140209

Comment for Planning Application 140209

Name : John Pirie
Address : 8 Cordyce View
Dyce
Aberdeen
AB21 7DS

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : 8 Cordyce View

Dyce
Aberdeen
AB21 7DS

12 March 2014

Ref; j&ep/aa/001/0314

Dear Sir/Madam,

Subject: Application Ref; 1402909 – Erection of Helicopter Hanger

Having reviewed the subject planning application, we wish to object to the application for the erection of a new helicopter hanger on the East Apron of the Airport on the grounds that the structure will cause a significant increase in the noise suffered by the properties at the top end of Cordyce View and a number of the properties on Farburn Terrace; as the proposed helicopter hanger will reflect the noise from the helicopter on the hot spots on the east apron and as they access and egress the East apron via the E3 taxiway and reflect it towards the houses at the top end of Cordyce View, significantly increasing the helicopter noise inflicted on the houses and funneling/focusing the sounds towards the houses on Farburn Terrace adjacent to the gaps between the new hanger and the adjacent hanger and terminal buildings.

We would request that the planning committee ask Bond helicopters provide a noise contour map detailing the likely noise readings for Cordyce View and Farburn Terrace after the new hanger has been built for comparison with the current noise reading. We believe that this comparison will demonstrate that the proposed hanger will significantly increase the level of noise suffered by the residents for both the Cordyce View and Farburn Terrace.

Yours sincerely,

John & Elsie Pirie

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 12 March 2014 15:05
To: PI
Subject: Planning Comment for 140209

Comment for Planning Application 140209

Name : Mr & Mrs B Forbes
Address : 10 Cordyce View
Dyce
Aberdeen
AB21 7DS

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Knowsie
10 Cordyce View
Dyce
Aberdeen
AB21 7DS

12 March 2014

Ref; bjf/aa/001/0314

Dear Sir/Madam,

Subject: Application Ref; 1402909 – Erection of Helicopter Hanger

Having reviewed the subject planning application, we wish to object to the application for the erection of a new helicopter hanger on the East Apron of the Airport on the grounds that the structure will cause a significant increase in the noise suffered by the properties at the top end of Cordyce View and a number of the properties on Farburn Terrace; as the proposed helicopter hanger will reflect the noise from the helicopter on the hot spots on the east apron and as they access and egress the East apron via the E3 taxiway and reflect it towards the houses at the top end of Cordyce View, significantly increasing the helicopter noise inflicted on the houses and funneling/focusing the sounds towards the houses on Farburn Terrace adjacent to the gaps between the new hanger and the adjacent hanger and terminal buildings.

We would request that the planning committee ask Bond helicopters provide a noise contour map detailing the likely noise readings for Cordyce View and Farburn Terrace after the new hanger has been built for comparison with the current noise reading. We believe that this comparison will demonstrate that the proposed hanger will significantly increase the level of noise suffered by the residents for both the Cordyce View and Farburn Terrace.

Yours sincerely,

Brian & Jane Forbes

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 March 2014 16:09
To: PI
Subject: Planning Comment for 140209

Comment for Planning Application 140209

Name : Jacqueline Morrison
Address : 21 Farburn Terrace
Dyce
Aberdeen
AB21 7DR

Telephone : [REDACTED]

Email : [REDACTED] type :

Comment : My Mum, brother and I are not happy at the idea of a hangar going in to that space. It is one of the few parking places for offshore workers. We have lived in this house for 51 years and have experienced before how cars are abandon anywhere for weeks at a time, with no thought about how we the residents will have to struggle in and out of our homes (my mum is 87). How many additional workers cars would have to be accommodated. They have opened Terminal 2 with inadequate parking. Our part of the street is not maintained by the council and we have no yellow lines or residents parking rights. Even though our Council Tax is the same as others on the street. Also we have been experiencing very strong fuel smells, which would probably get worse. I really feel that all of the helicopter businesses should have been kept together.

PAU

PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 February 2014 08:35
To: PI
Subject: Planning Comment for 140209

Comment for Planning Application 140209

Name : Michael Jones

Address : 3 Cordyce View

Dyce

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Due to the proximity of housing, will the helicopter engines be running on the adjacent external apron, or will they be towed from the existing apron at hanger 1, up to this new hanger.

Agenda Item 2.3

Planning Development Management Committee

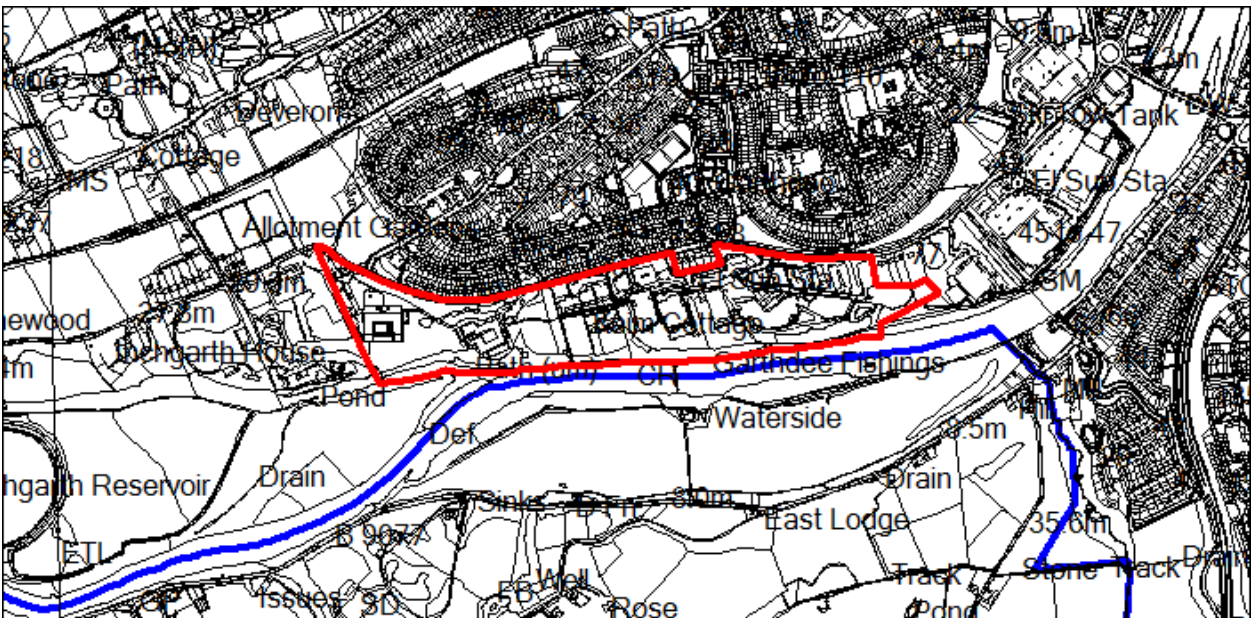
RIVERSIDE EAST BUILDING, GARTHDEE
ROAD, GARTHDEE CAMPUS

VARIATION OF CONDITION 33 OF PLANNING
REFERENCE P091761 (REFERS TO
CONTROLLED PARKING ZONE DELIVERY)

For: Robert Gordon University

Application Type : Section 42 Variation
Application Ref. : P140573
Application Date: 15/04/2014
Officer: Paul Williamson
Ward : Airyhall/Broomhill/Garthdee (I Yuill/A
Taylor/G Townson)

Advert : Can't notify neighbour(s)
Advertised on: 07/05/2014
Committee Date: 19 June 2014
Community Council : Comments



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site of approximately 23 hectares, covers the entire Robert Gordon University Campus at Garthdee.

RELEVANT HISTORY

The western part of the campus includes buildings such as Grays School of Art and the Scott Sutherland School of Architecture, which have been on site since 1966 and 1956 respectively. The central part of the site has been more recently developed over the last 15-20 years, and includes the Business and Health Schools, along with a Sports and Health Centre. The eastern part, which extends down to the David Lloyd Sports Centre was a former touring caravan park, which has now been partially implemented for the latest phases of academic construction on site.

Planning Application 091761 was submitted in November 2009 for a development of circa 35,000 sq.m of new teaching space, social facilities and staff accommodation, additional car parking, junction, road and environmental improvements. That application was subsequently approved conditionally (subject to a s75) on 27 July 2010. The initial phases of that building have now been completed, with construction on the last phase now underway.

PROPOSAL

Planning permission is sought to vary Condition 33 of Planning Permission 091761 relating to the implementation of an extension to the Garthdee Controlled Parking Zone (CPZ). Condition 33 states:

“That the development hereby approved shall not be occupied unless a scheme for the extension of the Garthdee Controlled Parking Zone (CPZ) to include the uncontrolled area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive, has been submitted to and approved in writing by the local planning authority. The agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant unless otherwise agreed in writing with the local planning authority”.

In this instance, as the applicant has already occupied the development, and have sought an extension to the period to implement the extension of the CPZ for a period of 30 months beyond the date of occupation (21 May 2013). In essence that would require the CPZ extension to be implemented by 21 November 2015.

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=140573>

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 it has been the subject of six or more timeous letters of representation that express objection or concern about the proposal – representing a significant level of opposition to any local development proposal. In addition, the application has also been the subject of a formal objection by the local Community Council within whose area the application site falls. Accordingly, the application falls outwith the scope of the Council’s Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objection for the variation of condition 33. The ESPI Committee of 22 January 2013 resolved to allow for further monitoring of the car parking situation in Garthdee, in order to establish whether there was indeed a need for an extension to the CPZ to be provided. Roads Officers have requested that any amended wording of the condition should allow a timescale for the CPZ to be introduced, once the need for the CPZ extension has been established.

Environmental Health – No observations.

Enterprise, Planning & Infrastructure (Flooding) - No observations.

Garthdee Community Council – Object to any further delay in amending the CPZ order. They consider that the University should not be allowed to continue occupation of the development in breach of the condition. A further comment related to the requirement for the University to accept its obligations to absolve the local community from any charges for Residential Exemption Permits.

REPRESENTATIONS

24 letters of objection have been received. The objections raised relate to the following matters:

- 1) There is no provision for parking for students;
- 2) Residents should not be charged for car parking permits;
- 3) Lack of detailed plans online;
- 4) Ground works have started prior to planning permission having been granted;
- 5) The CPZ condition was imposed to protect residential amenity;
- 6) RGU were to cover the costs of permits which was part of the legal agreement and condition;
- 7) The proposal shall cause congestion.
- 8) Residents were unaware that the free permits were time limited;
- 9) Residents in adjacent Kaimhill do not have permits or are required to pay for parking;

- 10) Statutory notices from 2002 advised that permits would be available free of charge;
- 11) The current CPZ is illegal;
- 12) Insufficient information is available to allow the public to comment on the application;
- 13) Parking is killing the green space in Garthdee;
- 14) Pensioners should be exempt from charges;
- 15) Parking restrictions should be limited to Mon to Fri 8am to 5pm; and,
- 16) Students parking in Garthdee are posing a risk to residents and young children due to reckless driving.

PLANNING POLICY

Aberdeen Local Development Plan

Policy CF1 Existing Community Sites and Facilities states that this policy applies to both land zoned as CF1 and to health, education and other community facilities in other Local Development Plan zonings. Existing further education sites shall be used for mainly educational purposes. Proposals for new or extended uses of these types on these sites will be supported in principle.

Policy I1 Infrastructure Delivery and Developer Contributions states that 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. Masterplans will be expected to reflect the infrastructure requirements and developer contributions identified and should include a Delivery Statement setting out details of how the proposed development, and supporting infrastructure, will be delivered.

Policy T2 Managing the Transport Impact of Development states that 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.

Supplementary Guidance

Robert Gordon University Garthdee Masterplan/Development Framework

The Robert Gordon University Garthdee Development Framework was approved as Supplementary Guidance by Planning Committee on 18 June 2009. The

framework has been prepared as a guide for future development consolidating RGU's teaching facilities at Garthdee. This replaces the previous Updated Masterplan Development Report (UMD Report) approved by Planning Committee in 2006.

The Masterplan advises that it is founded upon the principle of concentrating academic development to the east of the site providing a very strong relationship to the main access/entrance from Garthdee Road. The Masterplan also specifically refers to the issue of car parking having been raised through the Consultation Process on the Masterplan. "The University's approach is to strike a balance between the desire amongst several of those individuals who commented for parking to be maximised whilst taking a responsible attitude in terms of environmental sustainability through seeking to discourage unnecessary car journeys to the campus. To this end the University intends to provide 1200 car parking spaces on the Garthdee site. This provision, although lower than the Scottish Planning Policy (SPP) maximum permissible allowance, is a considerable increase over current figures. When viewed in combination with the revised Campus Green Travel Plan, and the proposed time period extension of the Garthdee CPZ, the level of parking provision is deemed to be an optimum with regards to meeting the demands of the University, protecting the environment and minimising the impact on the surrounding community".

Further reference is also made where the Masterplan acknowledges "there are currently some 383 off-site controlled car parking spaces used by the University within the existing Garthdee CPZ. However parking surveys undertaken by Jacobs during spring 2009, indicate that current usage of the CPZ is only around 109. With anticipated demand on the CPZ being approximately 269 spaces (109 existing demand plus 160 additional demand), it appears that the demands from additional trips can be accommodated through a combination of the retention of the existing CPZ and the proposed increase in on-campus car parking provisions".

Other Relevant Material Considerations

None relevant to this application.

EVALUATION

Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires the planning authority in determining the application only to consider the question of the condition(s) subject to which the previous planning permission should be granted. The planning authority has the option to approve the permission subject to new or amended conditions or to approve planning permission unconditionally. Alternatively the planning authority can refuse the application, which would result in the conditions on the original application remaining.

Main Considerations

In this instance, the original condition required that the Controlled Parking Zone in Garthdee be implemented prior to the occupation of the latest phase of buildings at the eastern edge of the wider University Campus. Unfortunately, the CPZ has not been progressed to a stage where it can be implemented, and therefore the buildings have in essence been occupied in breach of the aforementioned condition.

At the meeting of the Enterprise, Planning and Infrastructure Committee on 22 January, a report was considered which detailed the results of an informal consultation by letter drop, which was carried out in the streets proposed for inclusion within the Garthdee CPZ. The recommendation of that report, which was accepted by Members, outlined that the results of the exercise should be noted, and that the Committee instruct Officers to monitor the parking impact in the area following the opening of the expanded University campus, and report findings back to the Committee with further recommendations pertaining to the implementation of the CPZ. It is understood that this report shall be considered by the meeting of the Enterprise, Strategic Planning and Infrastructure Committee on 4 September 2014. Thereafter, should the Committee be minded to proceed with the CPZ extension the period for implementation would be approximately 9 to 12 months, which would in theory align with the extended period sought by the applicant.

For such applications, the only aspect to consider is whether the request of the applicant to vary or modify the condition is reasonable. In this case, and in light of the ongoing consultation on the proposed extension to the CPZ, it is considered that an extension to the period of time before implementation may be necessary is warranted. The applicants have requested the provision of a period of 30 months from the date of occupation would run to 21 November 2015. As noted above, a further report is anticipated to be considered in 4 September at the meeting of the ESPI Committee. Thus should Members at that point resolve to implement the CPZ extension, Roads Officers would have approximately 14 months to undertake the necessary processes and procedures. It is therefore considered that the period sought by the applicants would align with the procedural requirements of the Council for such implementation to take place.

Matters Raised in written Representations

In respect of matters which were raised in objections, some of which were very detailed, the majority related to aspects which are not part of the consideration of this specific application. The specific issue of costs associated with the provision of Parking Permits is a separate matter, and subject to its own legislative processes and procedures. Parking is provided for students on campus, albeit not on a one space per student ratio, as staff and students alike are encouraged to travel to the campus by alternative means as supported through the University's Green Travel Plan. Ground works have commenced on site as part of the previous planning approval 091761, and therefore current works are not unauthorised.

Requests have been made both by objectors and the Garthdee Community Council for the phases of development previously approved through application 091761, to be closed/unoccupied until such time as the extension to the CPZ has been put in place. However, as per the requirements of Circular 4/1998 in respect of the use of planning conditions, it is not considered desirable, necessary or reasonable to prevent occupation of this educational institution. This is particularly relevant given that monitoring of the car parking position at Garthdee is ongoing, and is the subject of a separate legislative process. Accordingly, while it is unfortunate that the CPZ was not implemented prior to the occupation of the aforementioned buildings, progress towards the ultimate extension of the CPZ is underway. Once the report to the ESPI Committee in September has been considered, it shall outline the findings of around 18 months of monitoring of the parking situation, including one complete University year. As such, decisions as to whether the CPZ extension is necessary, and any associated costs can be established at that time, and not as part of the current planning application to extend the timescale to implement the relevant planning condition.

In conclusion, the Planning Service recommends granting full planning permission to vary condition 33 of planning reference 091761 by removing the requirement to implement the extension to the CPZ by the time of occupation, and instead allowing a period of 30 months from the date of occupation in light of the on-going monitoring exercise in the affected area. In varying the aforementioned condition, this decision would in effect create a new decision document for the development. As such, it is no longer necessary to attach any planning conditions which have either been complied with or formally purified/discharged by the planning authority. As such, the following conditions of the original planning decision 091761, are no longer necessary: 1, 2, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 24, 25, 26, 28, and 32. The following conditions which have yet to be purified would therefore be appended should planning permission be approved: 29, 30, 31, and 34.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

That the proposal to vary the existing planning condition associated with the provision of the extended Garthdee Controlled Parking Zone (CPZ) has been justified as an ongoing monitoring exercise is underway to fully assess the requirement for an extended CPZ, and shall be subject to a separate legislative and consultation exercise in due course. The development as implemented, is therefore still in accordance with the Aberdeen Local Development Plan, the approved Masterplan, and remains governed by Green Travel initiatives within the existing legal agreement.

CONDITIONS

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

- (1) Unless otherwise agreed in writing by the Planning Authority, a scheme for the extension of the Garthdee Controlled Parking Zone (CPZ) to include the uncontrolled area bounded by Auchinyell Road, Garthdee Road, and the A90 South Anderson Drive shall be submitted to and approved in writing by the local planning authority. The agreed CPZ Scheme shall thereafter be implemented in full within 30 months of the date of occupation of the development (which was 21 May 2013), and all costs associated with the promotion of the extension shall be borne by the applicant.
- (2) That on full implementation of the car parking provision as shown on the approved development layout the site operators shall prepare and have agreed with the local planning authority a revised Parking Monitoring Policy the recommendations of which shall be applied to agreed Green Travel Plan for the campus - to ensure the efficient operation of on site parking provision.
- (3) that prior to the completion of the development hereby approved the developers shall prepare a scheme of additional traffic calming measures within the campus which shall be agreed with the local planning authority and the agreed scheme implemented prior to the occupation of the development - in the interests of the safety of all road users and to restrict vehicle speeds within the campus.
- (4) That following completion of the development hereby approved the developers shall undertake a review of the junction safety requirements with regard to the operation of the site exit onto Garthdee Road. Such a review shall be carried out annually and the recommendations of the review shall be implemented as agreed with the local planning authority. Should, within a 5 year period following the opening of the development, the review indicate a requirement for a traffic light controlled junction at this location, the necessary works shall be carried out by and all costs borne by the site operator to the requirements of the local planning authority - in the interests of traffic safety.
- (5) No part of the development shall be occupied unless a financial contribution towards the provision of park and ride facilities to the south of Aberdeen has been paid to Transport Scotland Trunk Road Network Management Directorate. The value of this contribution shall be agreed in writing with the planning authority in consultation with Transport Scotland Trunk Road Network Management Directorate – to ensure that the safety and free flow of traffic on the trunk road is not diminished.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

Planning Application No:- 140573 Variation of Condition 33 of Planning Reference P091761
(Refers to Controlled Parking Zone delivery)

Representations of Garthdee Community Council

Condition 33 was introduced under Planning Application P091761 where the following documents are significant in its imposition:

1. Committee Report to Planning Committee of 18.03.2010

- In the introductory History section of the Report, the Planning Officer says:-
"The approach by RGU has been to adopt a Masterplan to the development of the Garthdee Campus" (See reference 9 below).
- Under the heading Proposal the report itemises supplementary documents made available for consultation including:
 - Pre-application Consultation report; (See reference 3 below)
 - Transport Assessment ; (See reference 4 below)
- The proposal attracted 56 letters of objection;
- Under Consultations the Report acknowledges that: *"ROADS SECTION do not object to proposal though do raise a number of concerns which will require to be covered by conditions and a legal agreement."* This is spelled out in a memo of 12.03.2010 (See reference 6 below)
- Under Representations the Report says *"56 letters of objection and one letter of support have been received. All letters highlight roads, traffic and parking consequences for a development of this scale and nature as by far and away their main objection."* The community were concerned that the extension and intensification of University development would impose undue pressure on residential roads, particularly with the reduction of on-site parking places below that allowed for under National Planning Guidance.
- Under the heading PLANNING POLICY, the Report fails to recognise that the RGU Garthdee Development Framework Parts 1 and 2 (See reference 9 below) had been adopted on 18 June 2009 as Supplementary Planning Guidance by the Planning Committee;
 - Under the heading MASTERPLANNING AND PRE-APPLICATION CONSULTATION, the Report makes reference to the above Development Framework and the consultations that went along with it. It also refers to the pre-application consultation activities of the University as covered in the Pre-application Consultation Report (See reference 3 below)
- In the Evaluation part of the report there is coverage of Roads, Traffic and Parking. The report refers to an extension of the period of the CPZ saying:

"Though the parking provision on site will be lower than the maximum permissible it has to be viewed in combination with a revised Green Travel Plan and an extension to the time period within the Garthdee Controlled Parking Zone." This can only refer to an extension of the time when the University absolves residents of any requirement to pay for Residential Exemption Permits, to comply with the undertaking given in the Statutory Public Notices posted and published when the CPZ was made.

- This report makes no reference to an geographical extension to the CPZ only to the extension to the time period of 'free-for-residents' provision on the CPZ first made in 2002.

2. The Decision Notice includes

- Condition 33 which is very clear and its wording is wisely written in that the protections provided by it MUST be in place at the time the Development becomes occupied. It says: *"That the development hereby approved shall not be occupied unless a scheme for the extension of the Garthdee Controlled Parking Zone (CPZ) to include the uncontrolled area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive has been submitted to and approved in writing by the local planning authority. The agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant unless otherwise agreed in writing with the planning authority."*
- In spite of a requirement that the Decision Notice gives reasons for its conditions, it only does this in very general terms referring to compliance with the Development Plan, the Master Plan and the Green Travel plan which was to be covered by a legal agreement. It goes on to say *"a summary of the required terms of the legal agreement are given in the Report of Handling on this application which can be inspected by viewing the documents associated with this application via the City Council's website"* This is not the case as no summary of required terms is provided in the Report of handling.

3. The Pre-application Consultation Report

- On page 6 this report sets out the University's commitment to openness about its proposals, saying *"The University have been genuinely keen from the conception of the project to ensure that the evolving design could be communicated to as wide a range of stakeholders as possible in order to inform the work being carried out by the design team. At each stage in the development of the project key public exhibitions of the design proposals have been put on display and the University has used every effort to publicise these events to the local community. Senior members of both the University team and the design team have been in attendance at each of these events in order to respond to any queries posed by members of the public."*

- In particular, local residents had queries about parking and impact upon local roads as is acknowledged also on page 6, saying: *“there have been concerns expressed regarding the extent of car-parking provisions and the possible impact of traffic on the local road network. The Transport Assessment and University Green Travel Plan submitted in support of the Planning Application set out in detail how these matters will be resolved successfully”*. It should be noted that assurances were given both in the written information provided at the events and by answers to queries about the protection of the Garthdee community from overspill parking.
- The schedule of formal commentary itemised on page 9, in addition to those raised in person at the events, when we were reassured about parking concerns with the measures proposed by the University, demonstrates the level of disquiet there was about parking and traffic issues.
- Page 10 reiterates parking and traffic as a *“chief area of concern”*. It goes on to identify that *“When viewed in combination with a revised Campus Green Travel Plan, and the proposed time period extension of the Garthdee Controlled Parking Zone, the level of parking provision is deemed to be at an optimum with regards to meeting the demands of the University, protecting the environment and minimising the impact on the surrounding community.”* At the public events it was made clear by the University and design teams that the University recognised its responsibility to continue to protect residents from charges for the Residential Exemption Permits as the pressures were created entirely by the University’s development. This is restated in the RGU Campus Development Framework which makes explicit reference to the continuation of the ‘free-for-residents’ CPZ.

4. Transport Assessment:

- The Transport Assessment deals principally with traffic generation and road capacity both in total and at key junctions. On-site surveys identified 310 University generated vehicle trips leading to parking in the surrounding residential streets, split between the existing CPZ and the area proposed to be added to the CPZ on a 216:94 split. The Consultants model suggested an increase of 148 CPZ demand due to the on-site parking capacity and increased student/staff numbers with the new proposed development. The proposed CPZ extension was intended both to encourage a modal shift to no-car travel and to protect residential amenity.
- On page 48 the Transport Assessment concludes with *“the University has put a great deal of effort and resources into implementation of measures from the Green Travel Plan to reduce car trips to the University and will continue to develop and implement further measures in the future in partnership with Aberdeen City Council and the bus companies”*.

5. The Green Travel Plan is committed to reducing lone-driver car trips to the University which it achieves by a car-share priority for on-site parking, charging for permits for on-site University parking and, in conjunction with the City Council the implementation and funding of a Controlled Parking Zone on the surrounding residential streets.
6. Roads Service considerations: After Local residents raised concerns over the likely implications of the new development on residential streets not at that time covered by the CPZ, Roads Service comments, in their memo of 12 March 2010, on the Proposal say:
 - o *"I have been advised that an element of overspill parking currently takes place within the uncontrolled areas of Garthdee / Kaimhill and that whilst road safety and obstruction issues have been dealt with through parking restrictions any intensification of this practice will cause significant road safety, obstruction and residential amenity issues for local residents. [...] Having further considered the implications of the development in terms of road safety, obstruction, traffic generation and the delivery of sustainable travel I would ask that a condition be attached to any approval, if given, that the existing CPZ be extended to include the uncontrolled road area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive. The applicant would be required to fund the CPZ extension, including all associated costs, and this would require too be included within a legal agreement."* Thus a formal request was made by the Roads Section for Condition 33 with the clear intention that it both protect residential Amenity and help to deliver requirements of the Green Travel Plan on modal split by dissuading car based commuting by students and University staff.
7. Before the Decision Notice was issued, the City Council and Robert Gordon University entered into a Planning Agreement under Section 75 of the Planning Act, part of whose responsibility was to ensure the implementation of the extended Garthdee Controlled Parking Zone; *"the agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant"* as required by Condition 33. There can be no excuse for the CPZ not having been extended, incorporating the new areas prescribed in the Condition and as requested by the Roads Service in response to statutory consultation.
8. There had been extensive consultation prior to the application and proposals to extend the CPZ had specifically been canvassed for, as the Roads Service Memo records. The Roads Service therefor, indulging in an inadequately fact based informal consultation, caused an unacceptable confusion and delay in the making of a Draft Order. Had a fully informed Statutory Consultation taken place by the publishing of a Draft Order, making clear that *'all costs'* were to be met by the University, as is provided for in Condition 33 and the Section 75 Agreement, there would have been

widespread support and the order could comfortably have been made before the new development was occupied.

9. The University's RGU Campus Development Framework, adopted by Aberdeen City Council as Supplementary Planning Guidance, says in Part 2 Identity and Connections on Page 29:

- *"parking surveys undertaken by Jacobs (the University's Transportation Consultants) during spring 2009, indicate that current usage of the CPZ is only around 109. With anticipated demand on the CPZ being approximately 269 spaces (109 existing demand + 160 additional demand), it appears that the demands from additional trips can be accommodated through a combination of the retention of the existing CPZ and the proposed increase in on-campus parking provisions. As a result the extension of the time period of the 'free-for-residents' CPZ (with the period to be determined through consultation with the Local Authority) is a key principle of the Masterplan."*
- It should be noted that the Jacobs report actually identified current demand at 310 when the whole of the proposed CPZ is considered with an increase in demand of 148 due to the new build development, after allowing for increases in on-site parking. Suffice it to say, that this clearly commits the University to continuing its coverage of the cost of administering the CPZ to keep it 'free-for-residents'.

10. Both the University and the City Council had given undertakings to the Scottish Executive in 2002 that the CPZ, funded by the University, would be extended as and when necessary. This is published in *The Effect of Maximum Car-Parking Standards Including Inward Investment Implications*.

(<http://www.scotland.gov.uk/Resource/Doc/46905/0030653.pdf>)

- The Report explains its methodology consulting both the City Council and Robert Gordon University on the handling of the Planning Application for the University's first relocation to Garthdee from the City Centre and the agreed making of a Garthdee Controlled Parking Zone all at the University's expense.
- Page 39 says: *"a Controlled parking Zone (CPZ) is to be implemented extending up to 500m from the site. The Council will implement and administer this, although the University will fund its installation and enforcement. If the scheme needs to be extended due to cars parking on streets not covered by the CPZ, then Robert Gordon University will be responsible for funding of the extension of the CPZ."*

CONCLUSIONS

The Community Council object to any further delay in amending the CPZ Order to include the area designated in Condition 33 for its extension. The University should not be allowed

to continue in occupation of the development, in breach of the Condition. In accordance with commitments given in the pre-application consultation events, the application, the adopted Supplementary Planning Guidance and responses to the Scottish Executive in its research, to continue funding the original CPZ, the City Council should advise the University that its Riverside East Building shall be taken out of use until the newly extended CPZ is in place with the University accepting its obligations to absolve the local community from any charges for Residential Exemption Permits. This will allow the City Council to stand by its own commitments to the residents of Garthdee and Kaimhill that Residential Exemption Permits will be provided to residents 'free of charge'.

The original reasons for the Condition remain being:

1. To protect the residential amenity of the neighbouring community
2. To deliver the objectives of the Green Travel Plan and improve the modal split between car based trips and trips on foot, by bicycle or by public transport.
3. The continuing free availability of parking to non-residents in the extension area fails to do either of these things.
4. The charges recently proposed for charges for Residential Exemption Permits is detrimental to residential amenity as it reduces disposable income compromising discretionary expenditure.
5. The overloading of roads leading to the University has become increasingly apparent due to the new development and the amount of car based trips which have not been controlled by the proposed exclusion of free commuter parking in the vicinity of the University.

Paul O'Connor. Chairman.

28 May 2014

PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 19:23
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : kevin murray

Address : 180 garthdee road ab10 7ap aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Think this application should be denied as they have not met there application requirements for free resident parking in the area. I would not mind so much if I could park at my door but I have to park 100 meters away for students during the day time. The amount of cars parked on garthdee road and the surrounding area by the users of the RGU is a joke

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 22:59
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : m watson

Address : 28 craigievair crescent

Telephone :

Email : [REDACTED]

type :

Comment : objecting to this planning due to the parking in garthdee that I have to pay park in my street as the students park in the street as Robert Gordon's collage are killing the greenspace in garthdee

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 13:13
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Debra Gilchrist
Address : 11 Ivanhoe Place
Aberdeen
AB10 7HT

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : (33) That the development hereby approved shall not be occupied unless a scheme for the extension of the Garthdee Controlled Parking Zone (CPZ) to include the uncontrolled area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive has been submitted and approved in writing by the local planning authority. The agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant unless otherwise agreed in writing with the planning authority. The agreed CPZ Scheme shall then be the whole of the CPZ, which will be one extended Zone, where the applicant is required by the condition to bear all costs, which includes administrative costs of drafting and advertising the order, taking it through statutory consultation procedures, the capital costs of marking out the different parking places, the signing of the CPZ, enforcing the restrictions and administering the provision of residential exemption permits, exempting residents of any costs as these are to be met by the applicant. This relates to residents of the whole CPZ including those in the existing Zone made in 2002 who should be exempt charges for Residential Exemption Permits as was made clear in the Statutory Notices published by Crawford J Langley, Aberdeen City Council Director of Legal and Corporate Services, in 2002. In the pre-application consultation conducted by the applicant, commitments were given to extend the time period which had secretly been imposed on the protection provided for residents from a charge for Residential Exemption Permits. This is reiterated on Page 29 of the RGU Campus Masterplan, which has been adopted as Supplementary Planning Guidance in the Aberdeen City Council Local Development Plan. RGU served notice in ample time for the City Council to make the necessary Road Traffic Order to amend the "Garthdee CPZ" as required by the condition but the City Council failed to do that. This must be done by the City Council as soon as possible and any charges for Residential Exemption Permits should be covered by the applicant as the Condition requires

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 16:14
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Irene Buchan
Address : 109 Auchinyell Road
Garthdee
Aberdeen
Ab107ed

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I wish to place an objection to the above planning application for a variation to condition 33. Planning condition 33 required that the existing CPZ be extended before the building was occupied and that RGU was required to bear all costs pertaining to this extension. This has not been adhered to. In addition there was never any suggestion of a 10 year limit to free CPZ permits for residents in the Garthdee area when planning consent in 1999 was passed after consultation with residents. See page 29 of RGU Campus Masterplan. RGU has little or none benefit to the residents of Garthdee yet we are having to pay £190 FOR 2 PERMITS to park at our own door. The responsibility for parking charges lies directly at RGU's door if they had not been given permission to build in the area there would be no problems with parking. I object strongly to the proposal by RGU as listed in 140573.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 14:55
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Lauren McMillan
Address : 39 Inchbrae Terrace
Garthdee
Aberdeen
AB10 7AN

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the current proposal as a resident of the affected area it is unfair that we should now have to pay to park outside our own homes or for visitors to our family having to pay or receive a parking ticket. According to the original RGU proposal all residents would receive 2 free parking permits as part of the legislation agreement for RGU campus to be built. Furthermore, students parking in garthdee are posing a risk to residents especially young children where on 3 occasions students have driven recklessly across public pathway to escape a private car park that they should not have been parked in to begin with and hence could not get out the barrier. On these occasions my children aged 7 and under and others were nearly knocked down and police were called. Rectify the situation for public safety and give residents their rights back.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 17:08
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Duncan Smith
Address : 98 inchbrae drive
Garthdee
Aberdeen
AB107AL

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object strongly to this proposal. Robert Gordon University has an obligation to subsidise parking in the garthdee area. This was part of their original planning permission for the university.

this application must in my opinion, go to public consultation at the very least.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 May 2014 08:33
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Edward Stephen
Address : 12 cairnhill Place,
Newtonhill

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I am contacting you in support of my elderly parents who will have to pay parking for their home in Garthdee as a result of parking charges outside their home of 50 years. Garthdee until relatively recently has been a wholly residential area and now, due to the establishment of a RGU residents are to be forced to pay for parking at their homes. Surely consideration can be made to accommodate the elderly who rely on family visits and perhaps car journeys for shopping and minor pleasures at their time of life. Two reasonable things that would help them and others like them are:

•Pensioners could be exempt from charges.

•Parking restrictions limited to Mon-Fri 8am-5pm (this would allow family visits in evenings and weekend).

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 17:37
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : A Watson
Address : 76 Gaitside Drive
Aberdeen
AB107BD

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object against the extension of Rgu, until the matter with the residents of Garthdee, regarding paying to park at our front door is resolved.

If we require a CPZ to control traffic in the area already, why are you letting Rgu expand even more.

Surely they could build a car-park in their grounds to accomodate even more staff/students.

It's not fair that us as residents have to be penalised!!

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PI

From: Naomi Moran [REDACTED]
Sent: 21 May 2014 12:41
To: PI
Subject: Objection to Planning Application 140573

Dear Sir or Madam,

**Planning Application 140573: Variation of Condition 33 of Planning reference P091761 (Refers to controlled parking zone delivery).
OBJECTION**

I object to RGU's application on the basis that the CPZ as it stands is unenforceable.

Statutory Notices from 2002, which the Council were required to erect to inform residents of the proposal to implement the original CPZ, state that, "Residential exemption permits are available to residents free of charge, and each resident will be eligible to hold two permits."

As a resident in Garthdee I am entitled to a residential exemption permit at no cost but have been refused that to which I am entitled. I therefore object to this proposal on the basis that the current CPZ is illegal and that the Council have no legal authority to charge residents for parking permits.

Aberdeen City Council require a new order under Section 46 of the Road Traffic Regulation Act 1984 to introduce charges to residents for parking permits in Garthdee, No such order exists and hence the charges are invalid: the previous orders stating that permits are to be issued to residents free of charge are still in force.

RGU does not provide benefit to the community and residents should not be penalised for its expansion by being charged for parking permits.

I would also like to add that the details presented on the Council website fail to explain what the application is for.

Sufficient information to allow the public to comment on the proposals has not been available for the statutory period of 21 days. A Supporting Statement is available to view on Aberdeen City Council's Planning website. The website stated that the date this statement was received was 8th May 2014, whereas the map showing the location of RGU received on 30th April. The Supporting Statement was not sent out with the Neighbour Notification.

Therefore, I would like to point out that full details of the proposal have not been available for comment for the required period of 21 days and have only been available for a maximum of 14 days on the website. The only information available for the full duration of the statutory consultation period has been the aforementioned map, which does not give sufficient on the proposals to allow comments to be made.

On the basis of the points made above, I object to the proposed variation of the condition.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 12:23
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Lind Westbrook
Address : 14e Auchinyell Terrace
Garthdee
Aberdeen
AB10 7DG

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I strongly object to any further expansion of the CPZ, i cannot get parked when i get home from work as it is for damn students/ lecturers cars! Further more the fact that residents are now having to pay for permits in the existing CPZ is outrageous and not what was agreed on the original agreement. So Garthdee resident will not be supporting anything to do with RGU. It has ruined OUR community!!!!

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 12:12
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Amanda Beattie
Address : 9 Ivanhoe Walk
Garthdee
Aberdeen
AB10 7EZ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the decision for the incurrence of local residents paying parking permits due to the fact that I believe there are too many loopholes in the proposals and also due to the fact that I have not once received any information regarding this through my door. When RGU was built I was not even aware that the free permits were only to last a certain amount of time. There has been a severe lack of resident consultation and at a meeting I attended, the attitudes of certain councillors was 'I don't live there so I don't care what happens' - these are the words they actually used. It's and absolute shambles and a total disgrace.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 11:40
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : William Lonsdale
Address : 81, Inchbrae Drive,
ABERDEEN
AB10 7AJ

Telephone :

Email :

type :

Comment : I have made the following representation and object on the basis that the current condition says:
"(33) That the development hereby approved shall not be occupied unless a scheme for the extension of the Garthdee Controlled Parking Zone (CPZ) to include the uncontrolled area bounded by Auchinyell Road, Garthdee Road and the A90 Anderson Drive has been submitted and approved in writing by the local planning authority. The agreed CPZ scheme shall thereafter be implemented in full prior to the occupation of the development and all costs borne by the applicant unless otherwise agreed in writing with the planning authority."
The agreed CPZ Scheme shall then be the whole of the CPZ, which will be one extended Zone, where the applicant is required by the condition to bear all costs, which includes administrative costs of drafting and advertising the order, taking it through statutory consultation procedures, the capital costs of marking out the different parking places, the signing of the CPZ, enforcing the restrictions and administering the provision of residential exemption permits, exempting residents of any costs as these are to be met by the applicant. This relates to residents of the whole CPZ including those in the existing Zone made in 2002 who should be exempt charges for Residential Exemption Permits as was made clear in the Statutory Notices published by Crawford J Langley, Aberdeen City Council Director of Legal and Corporate Services, in 2002. In the pre-application consultation conducted by the applicant, commitments were given to extend the time period which had secretly been imposed on the protection provided for residents from a charge for Residential Exemption Permits. This is reiterated on Page 29 of the RGU Campus Masterplan, which has been adopted as Supplementary Planning Guidance in the Aberdeen City Council Local Development Plan. RGU served notice in ample time for the City Council to make the necessary Road Traffic Order to amend the "Garthdee CPZ " as required by the condition but the City Council failed to do that. This must be done by the City Council as soon as possible and any charges for Residential Exemption Permits should be covered by the applicant as the Condition requires.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 May 2014 19:39
To: PI
Subject: Planning Comment for 140573

Comment for Planning Application 140573

Name : Dr Giancarlo Rizzi

Address : 12 Garthdee Crescent Garthdee, Aberdeen, AB10 7HP

Telephone : [REDACTED]

Email : [REDACTED] type :

Comment : In their Memo of 12/03/2010 the Roads Service asked that a condition be attached to any approval, if given, that the existing CPZ be extended with the applicant required to fund it including all associated cost, and this would require to be included within a legal agreement. That requirement was incorporated in an agreement dated 25 July 2010 whereby RGU was to notify the City Council of an intention to implement the CPZ 15 months before they occupied the consented buildings. The 15 months was included in the agreement on Roads Service advice to allow roads the time to make the order. There had been detailed consultation before the application was made as covered in the report of pre-application consultation so that there should have been no need for an informal consultation as discussed in the Committee Report referred to in the additional information on the application form. Roads should have progressed directly to making the draft order and carrying out the statutory consultation when residents would have been informed of all of the details of charging which was clearly to be covered by RGU, in accordance with the agreement. This would have allowed the extended CPZ to be fully established before RGU occupied the buildings in May 2013. The reason for the CPZ was to protect residential amenity and failure to progress the making of the order has left residents subject to loss of residential amenity. Rather than allowing the University to continue its occupation of the buildings, enforcement action should be taken to close the buildings until such time as the condition is complied with so that residential amenity may be restored in the interim. The residents of Garthdee should not be paying for controlled parking.

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Agenda Item 2.4

Planning Development Management Committee

FORMER ROYAL CORNHILL HOSPITAL,
BERRYDEN ROAD, ABERDEEN

DEMOLITION OF FORMER HOSPITAL
BUILDINGS AND PROPOSED RESIDENTIAL
DEVELOPMENT OF 300 UNITS COMPRISING
135 NEW BUILD HOUSES, 141 NEW BUILD
FLATS AND CONVERSION OF FORMER
HOSPITAL BUILDING TO FORM 24 FLATS,
WITH ASSOCIATED CARPARKING, OPEN
SPACE AND INFRASTRUCTURE

For: Stewart Milne Homes, Barratt East Scotland,
NHS Grampian

Application Type : Detailed Planning Permission

Application Ref. : P130381

Application Date: 21/03/2013

Officer: Gavin Evans

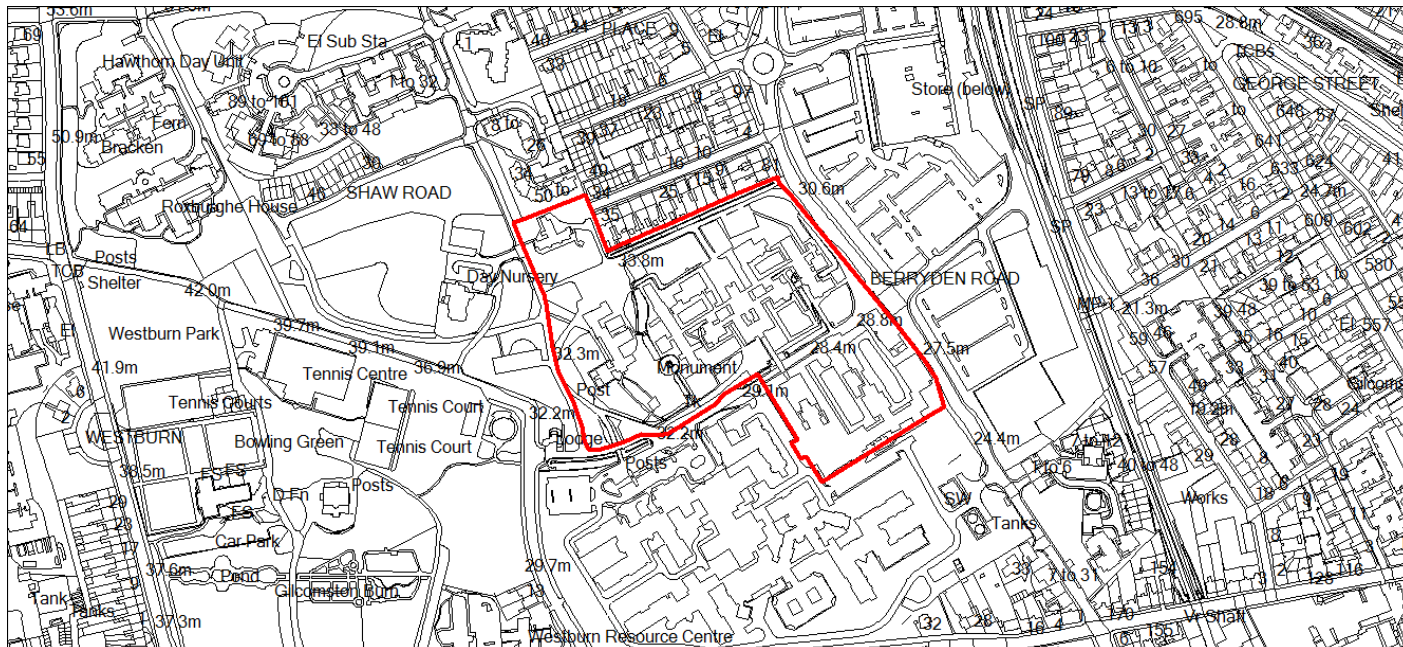
Ward : Midstocket/Rosemount (B Cormie/J
Laing/F Forsyth)

Advert : Section 60/65 - Dev aff
LB/CA

Advertised on: 19/02/2014

Committee Date: 19 June 2014

Community Council : Comments



RECOMMENDATION: Refuse

DESCRIPTION

The application site, which extends to 5.54ha, lies between Berryden Road, to the east, and May Baird Avenue, to the west. It is enclosed by residential buildings laid out along Chestnut Row to the north, with the new Cornhill Hospital (circa 1990) sitting between the application site and Westburn Road, to the south.

The former Royal Cornhill Hospital site is a complex of unlisted buildings, consisting of Upper and Lower hospitals, built of granite in a classical style and formally laid out in a mature parkland setting. The site is enclosed along its Berryden Road frontage by a stone wall of 2.5-3m in height. There is a disused, gated vehicular access in the Berryden Road elevation, slightly north of the junction serving a retail park on the opposite side of Berryden Road.

Notable tree belts are present along the northern boundary, screening the site from Chestnut Row, and the western boundary to May Baird Avenue.

With the relocation of operations to the new Cornhill Hospital the buildings within the application site have fallen vacant and are surplus to the operational requirements of NHS Grampian.

The site lies within the Rosemount and Westburn Conservation Area, and contains the Forbes of Newe Obelisk, which is category 'C' listed.

RELEVANT HISTORY

Application P130382, submitted in association with this application, seeks Conservation Area Consent for the demolition of the majority of the existing buildings. At time of writing, that application remains undetermined, however an update can be provided verbally to members at the committee meeting.

PROPOSAL

This application seeks detailed planning permission for a residential development of 300 units, comprising 135 houses, 141 new-build flats and 24 flats provided via the conversion of existing Upper Hospital buildings.

The scale and form of new buildings would vary across the site, with 4 and 5 storey blocks addressing Berryden Road and providing an identifiable street frontage to the development. The interior of the site would include the converted 2½-3½ storey Upper Hospital buildings, along with new 3 and 4 storey flatted blocks and a mix of detached, semi-detached and terraced houses. 28 'back-to-back' terraced houses are also provided.

The site would be served principally by a new access formed on its eastern boundary with Berryden Road, opposite the junction into the adjacent retail park. Two secondary accesses, one of which would allow for pedestrian and cycle access only, would be provided to the west, onto May Baird Avenue.

The proposal involves the demolition of the majority of the existing buildings present on the site, with the exception of 3 linked buildings forming part of the

Upper Hospital. These demolition works require separate approval of Conservation Area Consent, as noted above..

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=130381>

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

The supporting documents available online include the following;

- Design and Access statement
- Pre-application Consultation (PAC) report
- Tree survey
- Site appraisal report
- Indicative street visualisations
- Geo-Environmental Desk Study Report
- Transport Assessment
- Drainage Assessment

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation, between the applicant and the local community in August 2012, as required for applications falling within the category of 'major developments', defined in the relevant 'Hierarchy of Development' Regulations. That consultation involved a public event, held on 27th August 2012 at the Aberdeen Northern Hotel. That event was advertised in the Aberdeen Press and Journal a week in advance. Posters advertising the event were displayed in local shops and community facilities. In addition a separate consultation event was held with local NHS Grampian staff.

The main issues raised through these consultation events were as follows;

- Scale of development seen to be excessive.
- The main access onto Berryden Road requires careful consideration as there is already a busy junction to the retail park.
- Concerns stated over increases in vehicular traffic using May Baird Avenue, particularly if access onto Berryden Road becomes congested.
- Queries over the relationship between the development and ACC's proposals for the widening of Berryden Road.
- The obelisk should be retained.
- Re-use of granite is supported.

- The privacy of vulnerable adults attending the hospital should not be compromised by the development.

The submitted Pre-Application Consultation report outlines that building heights were reviewed as a result of the comments received, with significant numbers of 2-storey buildings incorporated towards boundaries with the NHS estate. Also, the access point on the western boundary will be controlled to ensure that it is not available for unrestricted vehicular use.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the the Planning Development Management Committee because more than 5 letters of objection have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Object raising the following issues:

Car parking provision

Car parking guidelines require that 575 rather than the proposed 531 spaces should be provided. A resultant shortfall of 44 spaces or 7% is identified. However, although the site lies within the 'outer city' car parking zone, it sits on the edge of the 'inner city' zone, where parking requirements are reduced. On that basis, this shortfall may be acceptable, provided the applicant demonstrates a robust car parking management plan for the communal spaces proposed. Accessible car parking spaces for disabled users have been identified by the applicant, and should be demarcated and signed accordingly. Earlier comments in relation to garage dimensions and cycle parking have been addressed to the satisfaction of Roads officers.

Access

The main access to the development, via Berryden Road, would initially be provided as a priority junction, with a right-turn arm formed on Berryden Road, before later being modified to form a traffic signal controlled crossroads on completion of the Berryden Corridor Improvement Scheme. Following input from the Council's Roads Projects Team, it has been established that this arrangement would not be sufficient to serve the development, and it will be necessary for the signalisation to be employed from the outset. Additionally material submitted to the Roads Projects Team by the applicants has failed to demonstrate that the proposals for the access junction would be adequately integrated with the Council's proposals for the widening of Berryden Road, and it is suggested that the position of buildings would preclude the necessary intervisibility at the anticipated access junction.

Appropriate measures should be identified to prevent vehicles from using the southern access onto May Baird Avenue, which is identified as being for

pedestrian and cyclist use only. In this regard the applicants have confirmed that a bollard arrangement will prevent vehicular use.

Submissions made by the applicant indicate that only a short section of May Baird Avenue would be brought up to adoptable standard. The Council's Roads Projects Team have reiterated that it will be necessary to upgrade the entire unadopted section of May Baird Avenue. It is noted also that the applicants are required to provide footways all along the western edge of the development, in order to provide necessary connections to the wider pedestrian network.

Impact on local roads network

The submitted TA and subsequent discussion with Roads officers have established that there would be an impact on two nearby road junctions: with both Maberly Street/Rosemount Place and Westburn Road/Caroline Place being over capacity, although theoretical mitigation can be achieved. Such mitigation measures should be costed and financial contributions sought accordingly. It is noted that it may not be practicable to implement those improvements to the identified junctions, in light of the intended ACC widening scheme, and therefore the contributions may be directed to other local network improvements which would not be abortive.

Internal Layout

It is noted that the internal layout has sought to address the aspirations of 'Designing Streets'.

Delivery and service vehicles

Swept-path drawings have been provided to address an earlier request. These demonstrate that large vehicles, such as refuse vehicles, would have to encroach upon the opposite side of the road at certain points. Thus it has not been demonstrated that refuse vehicles will be able to access the site satisfactorily.

Drainage

The submitted DIA is noted, although it is stated it must also be agreed with Scottish Water, SEPA and ACC's flood prevention unit.

Strategic Transport Fund (STF)

As the proposed development site is listed on the Aberdeen Local Plan (2008) exemption table and is of a lower scale than identified in the adopted Royal Cornhill Hospital Development Brief, no contributions will be payable to the Strategic Transport Fund.

Environmental Health – No objection, but note potential for some contamination. This should be ascertained by a risk-based site investigation in accordance with best practice, with the investigation commencing in advance of demolition. A study to this effect has been provided by the applicant, and Environmental Health colleagues have expressed their agreement with the recommendations therein. It is recommended that appropriate contaminated land conditions be attached to any approval, requiring that a 'Phase II' investigation be

carried out prior to demolition and (if found to be necessary) supplementary investigations to be carried out thereafter.

Developer Contributions Team – Highlights the requirements of policies I1 (Infrastructure and Developer Contributions) and H5 (Affordable Housing), including a requirement for 25% affordable housing, with an expectation of on-site provision. 25% in this case equates to 75 units.

Notes that the zoned primary school, Skene Square School, is projected to exceed capacity and based on this, financial contributions will be sought for 30 additional pupils. Notes that Aberdeen Grammar School, the zoned secondary school, has capacity to accommodate the development, and therefore no financial contributions are required.

Contributions are sought for improvements to public halls and community facilities, based on the increased usage attributable to a further 300 households.

Contributions are also sought based on increased pressure placed on existing sports and recreation facilities, playing fields and library provision, arising from the increased population.

Contributions are required for implementing or linking to the Core Paths Network. In this instance, access between the development site and local open space could be improved through the provision of a new footpath link.

It is noted that the Council's Roads Projects Team will advise on any contributions payable to the Strategic Transport Fund.

Enterprise, Planning & Infrastructure (Flooding) - Notes the development proposes to discharge treated surface water into the existing Scottish Water systems, and that any treatment of surface water run-off from the development would represent an improvement on the existing situation. States that the Combined Sewer Overflow to the east of the development connects in to the Gilcomston Burn.

Education, Culture & Sport (Archaeology) – No response.

ACC Waste Strategy Team – The layout is not suitable for waste and recycling collection, with too many dead-ends and reversing areas. Details of bin stores are not sufficient to allow assessment of suitability. For proposed houses, paved spaces of 3mx1m, with paved access to the kerbside, are required in order to accommodate the necessary recycling and refuse bins. Kerbside collection will not be provided to properties which are not accessible – i.e. where there is no turning point for refuse vehicles, or excessive reversing is required.

Scottish Environment Protection Agency – Object and request that further information be provided in relation to the treatment of surface water run-off from access roads, by using Sustainable Urban Drainage Systems (SUDS). All prior to any grant of planning consent, to demonstrate that there is sufficient space in the

proposed site layout to accommodate the appropriate SUDS. Further information has been submitted direct to SEPA by the applicants, however this has been found to demonstrate that part of the internal road layout would not be served by the required 2 levels of SUDS treatment. The applicants have highlighted that the Council's Roads Construction Consent requirements do not allow for SUDS measures to be positioned close to adoptable roads, which causes problems for the applicant in incorporating 2 levels of treatment in such locations. The applicants contend that the overall application of SUDS across the site represents a significant improvement on the current arrangements, where no SUDS or surface water attenuation is present.

Update: following provision of further information demonstrating that satisfactory SUDS measures can be incorporated for all surface water run-off, SEPA have **removed their objection**, subject to a condition requiring agreement of detailed SUDS proposals with the planning authority, in consultation with SEPA.

SEPA also request a condition, securing submission of a site-specific construction environmental management plan (CEMP).

Community Council – Rosemount & Mile-End Community Council consider the scale of development excessive, and representative of overdevelopment of the site. The new access onto Berryden Road will cause further problems on an already busy road. Query whether traffic onto Berryden road would be limited to 'left turn only', in the event that the Council's plans for the widening of Berryden Road go ahead. Increased vehicular traffic onto May Baird Avenue also raises safety concerns for patients, residents and visitors to the Cornhill Hospital site.

Transport Scotland – No objection to the proposal based on potential impact on the trunk roads network.

Police Architectural Liaison Officer (ALO) - The initial consultation response from the ALO expressed concern at the extent of footpaths and pedestrian permeability through the site, which were considered to provide opportunities for easy access and egress for potential offenders. It was highlighted that users of pedestrian routes should feel safe, and that such routes should be wide, straight and well lit, with good levels of natural surveillance. Suggestions were made regarding the removal of several pedestrian routes. Concerns were expressed about unrestricted access to the rear of properties, via pedestrian routes. The height of landscaping should be restricted to allow good sight lines, particularly around parking areas and footpaths. Suggestions are made regarding levels of lighting, with uniformity of lighting rather than level of lighting being of greatest importance.

Revisions to the proposal warranted re-consultation, with the subsequent response noting that earlier concerns regarding the degree of pedestrian permeability had been addressed. This reduced pedestrian permeability is supported. Locked gates to the rear of properties in the south-west corner of the site would restrict access appropriately adjacent to rear gardens. Best practice suggests that rear gardens should be enclosed by 1.8m fencing with lockable

gates. Earlier comments regarding landscaping and lighting remain. Recommend that the applicants seek to obtain a 'Secured by Design Award' for the entire development.

Scottish Water – No objection. Notes that Invercarnie Water Treatment Works and Nigg PIF Waste Water Treatment Works currently have capacity to service the proposed development.

Aberdeen City and Shire Design Review Panel – An earlier version of the proposal was presented to the Design Review Panel in April 2013, thus discussion was based on the development proposed at that time, and the scheme has been changed substantially in the intervening period. The main points raised by the panel at that time are summarised as follows;

- Consideration should be given to the orientation of the lines of buildings on the western part of the site so that they relate better to the existing residences and adjacent streets,
- The materials and design should be appropriate and of a quality and style suitable for a conservation area.
- There is an opportunity to have unusual types of trees to provide focal points within the site and reflect the existing tree mix around the new development,
- The panel suggested the street elevation along Berryden Road might be made more substantial by reducing the space between individual blocks of flats and making it more street like.
Careful consideration should be given to the nature of the external spaces and how they relate to each other.

REPRESENTATIONS

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

1. All existing granite buildings should be retained and converted;
2. The proposal represents over-development of the site;
3. Increased traffic would cause problems in surrounding area, unless accompanied by improvements to the road network;
4. Parking problems in the surrounding area would be exacerbated by the proposed development;
5. No reference is made to road network improvements;
6. Removal of habitat and impact on wildlife currently using the Cornhill site;
7. Loss of existing healthy trees;
8. Safety concerns over new footpath formed at end of Chestnut Row;
9. Loss of privacy, specifically to properties on Barkmill Road;
10. Absence of reference to cycle linkages;
11. Provision should be made for an east-west cycle link through the development;

12. Concern that the proposal may result in May Baird Avenue attracting a significant increase in vehicle traffic – vehicle access should be taken from Berryden Road only;
13. Consultation process was not adequately publicised;
14. Request for clarification that schools in the area have capacity to serve the new development; and that
15. Parking will be more difficult for staff and visitors to Cornhill Hospital

PLANNING POLICY

National Policy and Guidance

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, Historic Environment, Landscape and Natural Heritage, Transport and Housing are all relevant material considerations.

Para. 110 sets out that the Scottish Government's policy on the historic environment and guidance on relevant legislation is set out in the Scottish Historic Environment Policy (SHEP). This SPP, the SHEP and the Managing Change in the Historic Environment guidance note series published by Historic Scotland should be taken into account by planning authorities when preparing development plans and determining applications for listed building consent, conservation area consent or planning permission for development which may affect the historic environment.

Creating Places

Scotland's policy statement on architecture and place sets out the comprehensive value which good design can deliver. Advising that 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; and
4. Resources, communications and monitoring.

Designing Places

This planning policy statement was launched in 2001 and sets out 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.

Designing Streets

Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda and is intended to sit alongside Designing Places.

Scottish Historic Environment Policy (SHEP)

Scottish Historic Environment Policy (SHEP) is the statement of government policy on the protection and management of the historic environment. It seeks to make the best use of the historic environment in a sustainable way that secures its long term survival yet achieves the government's wider aims of economic and social regeneration.

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:

Population growth – To increase the population of the city region and achieve a balanced age range to help maintain and improve people's quality of life.

Quality of the environment - To make sure new development maintains and improves the region's important built, natural and cultural assets.

Sustainable mixed communities - To make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to.

Accessibility - To make sure that all new development contributes towards reducing the need to travel and encourages people to walk, cycle or use public transport by making these attractive choices.

Aberdeen Local Development Plan

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.

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

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

Policy D2: Design and Amenity

In order to ensure the provision of appropriate levels of amenity certain principles will be applied, including the following: Privacy shall be designed into higher density housing. Residential development shall have a public face to a street and a private face to an enclosed garden or court. All residents shall have access to sitting-out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the Council. Individual houses within a development shall be designed to make the most of opportunities offered by the site for view and sunlight. Development proposals shall include measures to design out crime and design in safety. External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

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.

D4: Aberdeen's Granite Heritage

The City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured. Within conservation areas, neither conservation area consent nor planning permission will be given for the demolition or part removal of granite buildings (excepting those buildings that make an insignificant contribution to the character of the Conservation Area).

Where a large or locally significant granite building that is not listed or in a conservation area is demolished, the City Council will expect the original granite to be used on the principal elevations of the replacement building.

D5: Built Heritage

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

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 CF1: Existing Community Sites and Facilities

Existing healthcare sites shall be used primarily for healthcare and/or related medical and educational purposes. Where land or buildings become surplus to current or anticipated future requirements, alternative uses which are compatible with adjoining uses and any remaining community uses, will be permitted in principle. Large sites or sites in sensitive locations will be subject to a Planning Brief or Masterplan.

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:

1. it would increase the risk of flooding:-
 - By reducing the ability of the functional flood plain to store and convey water;
 - Through the discharge of additional surface water; or
 - By harming flood defences.
2. it would be at risk itself from flooding;
3. adequate provision is not made for access to waterbodies for maintenance; or
4. it would result in the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

Where more than 10 homes or greater than 100m² floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment (see Supplementary Guidance on Drainage Impact Assessments). Surface water drainage associated with development must:

- be the best 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. In areas not served by the public sewer, a private sewer treatment system for individual properties will be permitted provided that the developer demonstrates that there will be no adverse effects on the environment, amenity and public health.

NE8 (Natural Heritage)

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.
3. No development will be permitted unless steps are taken to mitigate negative development impacts. All proposals that are likely to have a significant effect on the River Dee SAC will require an appropriate assessment which will include the assessment of a detailed construction method statement addressing possible impacts on Atlantic Salmon, Freshwater Pearl Mussel and Otter. Development proposals will only be approved where the appropriate assessment demonstrates that there will be no adverse affect on site integrity, except in situations of overriding public interest.
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)

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 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 residual, recyclable and compostable wasters. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste. Further details are set out in Supplementary Guidance on Waste Management.

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

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

- Affordable Housing
- Infrastructure and Developer Contributions Manual
- Waste Management
- Transport and Accessibility
- Low and Zero Carbon Buildings
- Bats and Development
- Royal Cornhill Hospital Design Brief

Other Relevant Material Considerations

The matters raised in representations and the views expressed by the Aberdeen City and Shire Design Review Panel represent material considerations in the assessment of this application, in so far as any matters raised relate to relevant planning considerations.

EVALUATION

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

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to, in considering whether to grant planning permission for development which affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Zoning & Opportunity Site designation

The site is within an area zoned CF1: Existing Community Sites and Facilities, in the Aberdeen Local Development Plan (ALDP), reflective of the healthcare use in the locality, both past and present. NHS Grampian consider the site is surplus to their requirements, and it is identified as Opportunity Site OP94 in the ALDP. That designation identifies an opportunity for a mixed-use redevelopment incorporating residential, office/business and community uses, and states that a Planning Brief will be required. That brief is described later in this report.

Whilst the OP94 designation indicates potential for a mixed use development, this proposal is entirely residential. A mix of uses is generally secures sustainable communities, served by local services and amenities. In this instance, the site is relatively well-sited in relation to shops and services, already catering for residents of the surrounding area. In particular, the retail parks along Berryden Road, which include a large food supermarket. Opportunity Site commentaries are not exhaustive, and are intended to briefly indicate the development potential of a site. Residential use is considered to be generally compatible with adjoining uses, which include residential to the north and retail uses to the west. The application site abuts the new Cornhill Hospital site, and it will be necessary to consider carefully how any residential development relates to those ongoing healthcare uses, in order to ensure that both the clinical sensitivities of the hospital's services and the amenity afforded to prospective new residents are balanced appropriately.

Development Brief

The Royal Cornhill Hospital Development Brief was prepared in August 2010, with the purpose of providing *'clear guidelines for the redevelopment of the OP94 Cornhill Hospital site in the historical context within a conservation area'*. The Royal Cornhill Hospital Development Brief was subsequently updated and carried forward as Supplementary Guidance on adoption of the ALDP.

The adopted Brief identifies potential for up to 364 homes, based on a density of 70 dwellings per hectare, and acknowledges that the Council's plans for road widening along the Berryden Corridor may reduce the developable area of the site. It is stated that potential developers will be required to specifically address an integrated landscape strategy for the site, which shall include a survey of existing trees and a report on their condition, along with proposals for a landscape management plan. The key principles set out in the development brief are as follows;

- Proposals must adopt the principles of 'place making', high quality building design, high quality urban design, high quality lanscape design and sustainability;
- Overarching theme for redevelopment strategy should be to integrate the architecture of old and new into the park like setting of the site;

- Identifies a requirement for a Conservation Audit to identify elements of retention and demolition of existing buildings within development proposals;
- Materials should incorporate elements of granite for external walls, boundary walls and linking structures and other compatible materials appropriate to modern redevelopment within the historical context of the site and a conservation area.

Rosemount and Westburn Conservation Area Appraisal

In identifying the local context and assessing how the proposed development relates to that context, and to the character and appearance of the Rosemount and Westburn Conservation Area, it is appropriate to consider the Conservation Area Appraisal undertaken, which describes the character of the area around the Royal Cornhill Hospital as being typified by a collection of Victorian Asylum buildings of granite construction sitting proud in a parkland setting. It is acknowledged in the appraisal that a number of additional buildings have appeared over time, particularly with the construction of the 'new' Cornhill Hospital in 1989, but it is stated that the over-riding impression remains that of a parkland with open lawns and tree planting.

The appraisal recognises that later additions have largely engulfed the original asylum building of the Royal Cornhill Hospital, however whilst the relationship of the pavilions, villas, wards and courtyards and the spaces between may have altered over time, with the introduction of car parking, the localised sense of enclosure still exists within the hospital complex. The Forbes of Newe Obelisk (1830) commemorates John Forbes, who bequeathed £10,000 towards building the hospital. The category 'C' listed obelisk was originally sited in St Nicholas churchyard, but was relocated to the hospital grounds in 1838.

This appraisal establishes that the designation of the Rosemount and Westburn Conservation Areas was proposed for two main reasons:

1. *preservation of street pattern and granite buildings that make an important, positive and lasting contribution to the City's character and building stock; and*
2. *preservation of the parkland setting of both Westburn and Victoria Parks, and the Cornhill Estate for the benefit of future generations. Designation of the Rosemount and Westburn Conservation area enables the protection of the whole area rather than simply individual buildings. Demolition can be prevented and changes controlled so that the distinct character of the area is preserved.*

Design merits & relationship to context

Having established that the Cornhill site is typified by a collection of robust granite buildings and mature landscaping, that creates a series of protected and largely enclosed courtyard spaces, it is appropriate to consider how the proposed redevelopment of the site would relate to its existing setting and character.

There is limited provision for open space within the development, with green spaces generally confined to: the area set aside for the widening of Berryden Road (thus potentially not a long term provision); areas around the periphery of the site where development cannot be accommodated due to the presence of existing mature trees; and areas around the Obelisk and to the fore of the refurbished villa, which serve to maintain some sort of setting for those centrepieces.

The applicants have intimated that granite taken from the demolition of existing buildings on-site would be utilised across the site, in the formation of new boundary walls, helping to embed the new development in its setting. Elevations of new buildings would be finished in dry dash render with new natural granite (not from doughtakings) used on feature gables and other prominent locations. Basecourses, below such features, would also be finished in granite, with basecourses under drydash rendered walls to be formed in re-constituted / synthetic stonework.

The eastern edge of the site presents an opportunity for an increase in scale and massing, which is reflected in the proposed development, however that increase in scale results in a higher intensity of development, which results in much of the external space / public realm being given over to car parking. It is considered that this site offers an opportunity to develop relatively high density housing by creating a series of courtyards, spaces and squares, however the houses proposed, beyond some cosmetic detailing, appear to be standardised house types, typical of those seen throughout the country, and do not demonstrate how the design solution relates to the Cornhill context. It is considered that the approach to the design of house and building types should demonstrate reference to and influence from the existing building stock, particularly the original 'asylum' elements. The current proposal does not seem to demonstrate how it has evolved as a result of analysis of that existing context.

Suggestions relating to the arrangement of buildings and spaces in the north-western corner of the site, adjacent to the terminus of Chestnut Row, which were made by the Design Review Panel (DRP) have been taken into account. This arrangement now better reflects the existing urban grain. Similarly, a more consistent frontage is now presented along Berryden Road, rather than the standalone blocks which had initially been proposed. This creates a more identifiable edge to the development and a conventional 'street' frontage to Berryden Road. Whilst these changes, suggested by the DRP, are welcomed, they are not considered to address other issues, highlighted in this report. The views of the DRP are not binding, and the DRP report, for the purposes of assessing this application, represents a material consideration. Whilst some weight can be attached to those comments, it is noted that they were provided in relation to an earlier iteration of the design proposal, and do not preclude the planning authority's own assessment of the design merits of the proposal as it now stands.

The 'C' listed obelisk would be retained in its original location, set within an area of open space. It is considered that the setting of the obelisk is given due consideration, and would sit well within an area of landscaped open space, as a central focal point to the development. Any re-siting of this feature would require Listed Building Consent.

Given much of the site would be covered by buildings, private gardens and car parking, and the proposal does not clearly reflect the character of existing buildings, this suggests that the proposal would not accord with the Cornhill Development Brief's aspiration that any redevelopment integrates the architecture of old and new into the 'park like setting of the site', and utilises 'place making' principles of: high quality building design; urban and landscape design. By failing to demonstrate due regard for its context and make a positive contribution to its setting, the proposal cannot be considered to accord with policy D1 (Architecture and Placemaking) of the ALDP.

Policy D4 (Aberdeen's Granite Heritage) of the ALDP sets out the Council's desire to encourage the retention of granite buildings across the city, whether or not they are listed or lie within a Conservation Area. Conservation Area Consent is required for those demolition works due to the site's location within the Rosemount & Westburn Conservation Area. As a result, the demolition does not in itself form part of this application for planning permission, however it is nevertheless relevant to consider that the redevelopment proposal does not involve the use of granite downtakings in the construction of new buildings. Policy D4 sets out a requirement for granite buildings demolished outwith conservation areas to utilise downtakings in the principal elevations of any replacement buildings, however no such stipulation is made in respect of buildings within conservation areas, on the basis that the policy also states that Conservation Area Consent will not be granted for the demolition of such buildings in the first place unless they make an insignificant contribution to the character of the conservation area. Clearly in this instance the Conservation Area Appraisal demonstrates that the existing granite buildings on the Cornhill site were central to its designation as a conservation area. It is thus reasonable to expect that, in considering a planning application where the demolition works themselves are not open for consideration, the same requirement for the use of granite downtakings would be extended to sites and buildings within Conservation Areas, if not being even more extensive. On balance, it is considered that the proposal fails to demonstrate accordance with policy D4 (Aberdeen's Granite Heritage) of the ALDP.

Policy D5 (Built Heritage) of the ALDP states that proposals affecting conservation areas of listed buildings will only be permitted if they comply with Scottish Planning Policy (SPP).

In this regard SPP itself, SHEP and the Managing Change in the Historic Environment guidance note series published by Historic Scotland should be taken into account when determining applications for listed building consent, conservation area consent or planning permission for development which may affect the historic environment. Planning authorities should support the best

viable use that is compatible with the fabric, setting and character of the historic environment. The aim should be to find a new economic use that is viable, over the long term with minimum impact on the special architectural and historic interest of the building or 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 and appearance of conservation areas. In this case the development involves the removal of significant granite buildings of a particular character, and the new-build elements of the proposal do not appear to reflect that character. Much of the parkland setting of the Cornhill site would be eroded, with the addition of new buildings and car parking, and the design quality of the buildings proposed does not appear to preserve or enhance the character of the Rosemount & Westburn Conservation Area. As a result, it is concluded that the proposal does not accord with the Scottish Government's aims for the historic environment, as set out in SPP and SHEP, or the advice from Historic Scotland, and therefore does not accord with policy D5 (Built Heritage) of the ALDP.

The residential accommodation proposed across the site demonstrates a range of sizes and types of unit, with detached, semi-detached and terraced houses alongside flatted blocks. The proposal is therefore consistent with the aims of policy H4 (Housing Mix) of the ALDP.

Density

The density of development proposed, estimated at 54 units per hectare, falls slightly short of the 70 units per hectare envisaged by the Cornhill Development Brief, however that target seems particularly ambitious when considered in the context of both the ALDP's much lower target of 30 units per hectare and the constraints posed by existing buildings and mature trees. Based on this simplistic assessment of density, the proposal is consistent with the minimum density stated in policy H3 (density). Beyond this, it is nevertheless necessary to consider whether the density of development proposed is appropriate to this particular site, having had regard for the site's characteristics and the character of the surrounding area, all with the ultimate aim of creating an attractive residential environment with appropriate living conditions for residents and neighbours.

What is apparent from the site layout is that much of the available space is occupied by buildings, car parking or private gardens. Whilst the density of the development may be acceptable in basic numbers, the composition of the development and the manner in which that density manifests itself appears less well-suited to the site and its characteristics. It is possible that a fundamentally different approach to car parking or a different balance of flats to houses may allow for the incorporation of a greater level of landscaping and open space within the development, to the benefit of a more contextual driven layout. It is therefore not clear that the density of this proposal demonstrates due consideration for the site's characteristics, as sought by policy H3 (density).

Environment created for residents/neighbours

The environment afforded to residents would be directly influenced by the layout and density of the proposal. The orientation and separation of buildings demonstrates that privacy of residents within the development has been given due consideration, although largely reflecting generally accepted minimum standards. As noted earlier in this report, the ongoing presence of operational hospital buildings in close proximity to new development on the site of the Lower Hospital requires particular attention. The applicants' response to this has been to arrange rows of terraces facing north and south, so that they are side-on to the western boundary. Internal accommodation has been arranged in order that no windows from habitable rooms would look out over that western boundary towards retained hospital uses. Car parking and associated landscaping is laid out along the southern boundary, ensuring that the southern faces of those terraced blocks are set some nearly 30m from the southern boundary wall, maintaining a sense of separation.

The blocks arranged along Berryden Road (buildings 1 to 10) present a clear edge to the development and an identifiable street frontage thereto. Other buildings are arranged to face onto shared surface internal roads and associated car parking areas.

The majority of houses have access to private gardens, however open space afforded to 'back-to-back' terraced houses and flatted blocks is limited. Flatted blocks arranged along Berryden Road face onto an area of open space, intended to be utilised in the Council's road widening proposals, thus their future outlook is uncertain and could be quite significantly degraded, and landscaped open spaces immediately to the rear of these blocks are very modest relative to the scale of these 4 and 5 storey blocks. The 'back-to-back' terraced units to the south of the site are not afforded any rear garden, being limited to small front gardens of approximately 3.5m depth and generally orientated to face onto shared surface internal roads and car parking areas. These units are not therefore afforded a 'private' face as envisaged by policy D2, and there is no provision for private amenity space or garden.

The consultation response received from Police Scotland's Architectural Liaison Officer are relevant to assessment against policy D2 (Design and Amenity) of the ALDP, which requires new development to include measures to 'design out' crime and 'design in' safety. Initial concerns have been addressed to some extent, with pedestrian routes rationalised. Nevertheless, paths adjacent to rear gardens are identified as a potential cause for concern, demonstrating a lack of security through design. The ALO suggests that locked gates might be used to restrict access to lanes at the rear of properties. Whilst lane access can have benefits, it is noted also that the land running north to south through terraced blocks in the south-eastern corner of the site do not benefit from good levels of passive surveillance. Taking account of these points, it is considered that the proposal adequately designs out crime, as required by policy D2 (Design and Amenity) of the ALDP. The ALO has suggested that any approval might include a condition stipulating that the developer apply for a 'Secured by Design' award,

however this would be more suited to an informative, with the aim of bringing this matter to the developers' attention.

Open Space

In assessing the existing open space provision around the site, it is necessary to consider not only the quantity of open space, but also the quality of those spaces and their accessibility. In this regard the location is well served by existing open space provision, with Westburn and Victoria Parks being within the 'major', 'neighbourhood' and 'local' accessibility buffers set out in the Council's Open Space supplementary guidance, and therefore there is no requirement for on-site provision of either major, neighbourhood or local open space facilities. Instead, the Council's supplementary guidance advocates the enhancement of existing open spaces, to place emphasis on the quality of open spaces where there is sufficient quantity already in an area. On this the Developer Contributions Team advises of contributions in respect of such open space enhancements. Taking these matters into account, it is considered that the proposal demonstrates its accordance with the provisions of policy H4 (Open Space) of the ALDP and the associated 'Open Space' supplementary guidance, however it should be noted that the absence of requirement for on-site open space of a particular category / type does not override other requirements in relation to the relationship of a proposal to its landscape setting and the design and place-making benefits of incidental areas of open space and landscaping.

Affordable Housing

Policy H5 (Affordable Housing) requires that 25% of units are provided as affordable housing, preferably on-site, acknowledging that on-site delivery encourages mixed communities and helps promote social inclusion. Nevertheless, it is acknowledged that this may not always be possible and off-site provision or commuted payments can be negotiated in some instances.

25% equates to 75 units. The applicants have intimated a desire to provide 30 units/10% of the total number of units on-site, with the remaining 15% met through financial contributions. Whilst it is acknowledged that there may be constraints on a particular site, that might result in exceptional infrastructure or site restoration costs, no case has been put forward for this failure to meet the requirements of policy H5, and therefore it can only be concluded that the proposal fails to demonstrate accordance with that policy.

Access, Car Parking & Traffic

Access is principally via a new access onto Berryden Road, involving the formation of a new signal-controlled junction. The specifications of that junction require careful consideration, to ensure that due regard is had for the Council's proposals for the widening of Berryden Road. This envisaged road widening has progressed to a design stage, with a site footprint for the future works now identified. By ensuring that the development junction is designed with these improvement works in mind, abortive interventions can be avoided. Furthermore, it is necessary to ensure that the position of new buildings facing onto Berryden Road allows for appropriate visibility between junctions post-widening works.

The applicants have sought to justify the relationship between the proposed new signalised junction and the Council's proposals for the widening of Berryden Road. In this regard building 5 sits within an area required to ensure adequate intervisibility between the access junction and the proposed line of the northbound carriageway of Berryden Road. Furthermore, the sub-optimal width of the junction entry is such that it could not accommodate larger vehicles, such as refuse vehicles and fire tenders, without those vehicles encroaching onto opposite lanes and the adjacent cycle halt area. On this basis, it is considered that the proposed access junction arrangements do not dovetail satisfactorily with the Council's proposals, and would result in significant problems when those widening works took place. Taking that into account, and noting the Roads Projects Team's objection to the proposal, the fundamental issue of suitable site access has not been satisfactorily resolved to a point where the application could be supported, and is thus the development is considered contrary to the aims of Policy T2 (Managing the Transport Impact of Development).

There are also similar issues for large vehicles at the access from May Baird Avenue. Thus accessibility demonstrated for refuse vehicles is not currently considered to meet the necessary requirements.

May Baird Avenue features pedestrian footways on both sides, from the Shaw Road junction northwards. South of the Shaw Road junction, there is a footway only on the western side of the road, and none whatsoever south of the Bennachie Building car park. May Baird Avenue is currently traffic calmed, featuring speed tables. The applicants currently intend to bring a small length of May Baird Avenue, between the northern access to the development and Shaw Road, up to adoptable standard, however the Council's Roads Projects Team have intimated that the full length of the development frontage along May Baird Avenue should be of adoptable standard, including a pedestrian footway. It is highlighted that May Baird Avenue is currently sub-standard, with pinch points present along the narrow carriageway and little provision for safe pedestrian movement.

Whilst the interior of the site has been designed with 'Designing Streets' in mind, the failure to make adequate provision for pedestrians by connecting appropriately to the wider pedestrian network is considered to be contrary to the provisions of policies D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation), which require development to maintain and enhance permeability, prioritise pedestrian movement and include new or improved provision for public access, permeability and links to green space for recreation and active travel.

Roads colleagues have intimated that the secondary access onto May Baird Avenue is sufficient to accommodate the general level of traffic generated by the development, with the obvious exception for large vehicles.

The submitted Transport Assessment identifies a series of local junctions within the 'sphere of influence' of the proposed development. The process for assessing impact on junctions involves identifying baseline traffic flows, applying an agreed

growth factor to reflect the intended year of opening for the development, and then adding traffic flows both from other committed developments in the area and from the traffic generated by the proposed development. Using this approach, it has been possible to identify impact on two junctions in particular, at Westburn Road/Berryden Road and Maberly Street/Rosemount Place. It is understood that hypothetical mitigation works could be costed for these junctions, with a financial contribution payable, to be utilised for improvements to the local network, although not necessarily to those junctions, due to the potential disruption involved and their obsolescence on implementation of the Council's Berryden Corridor scheme. Such contributions in lieu of local network mitigation could be secured through a s75 agreement should members be minded to approve the application.

The Council's adopted 'Transport and Accessibility' supplementary guidance indicates a notional parking requirement of 575 spaces, based on the rates applicable in the 'outer city zone'. A total of 531 spaces have been provided within the site, through communal parking spaces, garages and driveways. As a result there is a shortfall of 44 spaces from the guideline. The Council's Roads Projects Team acknowledge this shortfall, but highlight that the site lies immediately outside the 'inner city' area, where rates for car parking are lower, to reflect the reduced distance to the city centre and the greater scope for sustainable modes of travel. On this basis, Roads colleagues have suggested that it will be acceptable for the applicant to provide a robust car parking management plan for communal parking areas, identifying measures which can be implemented to ensure efficient use of the level of available car parking proposed, to alleviate parking pressure on surrounding streets as a result of the identified shortfall. A management plan to this effect could reasonably be secured through the use of a condition attached to any consent.

Earlier concerns regarding the location of car parking spaces accessible for disabled users have been addressed, however Roads colleagues have requested that a condition be attached to any consent to require that disabled spaces are appropriately demarcated and signposted.

The applicants have recently provided further details relating to provision for the storage of cycles, which demonstrate the required number of spaces in appropriately convenient and secure locations. The delivery of this on-site provision can be secured via use of an appropriately worded condition. Appropriate provision has been made for motorcycle parking within the site.

Impact on trees

The submitted tree survey establishes that *'the trees in the hospital grounds are mostly in good, sound condition and have obviously received regular attention and management'*. As a result, far fewer trees than is normally the case have been recommended for removal or for remedial work solely on the basis of their current condition. A total of 184 trees were identified in the survey, with 5 trees identified as category-U, meaning that they are not considered to be suitable for retention. Of the 179 trees surveyed as 'appearing sound and healthy', 25 are category-A, 51 category-B and 103 category-C.

A total of 101 trees are to be felled to allow the proposed development. Of those 101 trees, 5 are category-A, 29 are category-B and 67 are category-C. No proposals have been made for replacement planting.

The Council's Environmental Planner, with a remit for arboricultural matters, has noted that the majority of trees proposed for removal are identified as being in sound health and have significant remaining life spans, and suggests that no sound justification has been provided for the level of tree removal proposed. The existing layout does not appear to have taken into consideration the potential to retain trees across the site, and a number of those trees to be retained are located too close to buildings, potentially giving rise to pressure for further tree losses in future years due to pressure from residents with concerns relating to health and safety matters or sunlight and daylight issues. It is recommended that any proposals for the redevelopment of the site places an emphasis on the retention of category A and B trees, and gives due consideration to the proximity of retained trees to new buildings and/or areas of hard surfacing. Replacement tree planting, at a minimum rate of 2 new specimens for every tree to be removed, is recommended. The applicants have made no specific proposal for replacement planting across the site, but have recently stated in writing that they would be willing to make provision for replacement planting. The extent to which that is possible will be influenced by and potentially limited by the proposed development and its layout, and it is also unclear to what extent any replacement planting could compensate for the erosion of local landscape character which arises from extensive tree losses. Taking these matters into account, it is considered that the proposal would result in the loss of established trees which contribute significantly to landscape character and local amenity, and therefore is contrary to the aims of policy NE5 (Trees and Woodlands) of the ALDP. The resultant impact on landscape character, which provides a distinct sense of place within the Cornhill grounds, is also considered to be contrary to the provisions of policy D6 (Landscape) and detrimental to the character of the Rosemount & Westburn Conservation Area.

Potential for impact on bats

As this proposed redevelopment of the Royal Cornhill Hospital site is based on the demolition of a series of existing buildings, the planning authority is obliged to have regard to the potential for impact on bats, a European Protected Species (EPS). The stone and slate buildings present are of a type identified in the Council's supplementary guidance on 'Bats and Development' as having good potential for roosting bats. The type of buildings to be demolished and the extent of that demolition, together with the presence of good habitat types in the surrounding area, is sufficient to suggest that a bat survey would be warranted to establish whether there are bats or bat roosts present in these buildings. Bat surveys must be provided prior to determination of any planning application, and it is not acceptable for a requirement for a bat survey to be secured via a condition. This is set out in a letter to Heads of Planning from Scotland's Chief Planner, where it is made clear that planning authorities should fully ascertain whether protected species are on site and what the implications of this might be before considering whether to approve an application or not.

The planning authority's policy position in relation to EPS is set out in policy NE8 (Natural Heritage), which requires that applicants submit supporting evidence for any development that may have an adverse effect on a protected species.

Taking these points into consideration, and in the absence of such a survey, the proposal would be contrary to policy NE8 (Natural Heritage) and it is possible only to refuse planning permission or, in the event that members are minded to approve the application, to defer determination until such time as a bat survey can be carried out and its results incorporated into a further report to the Planning Development Management committee.

Potential contamination

The recommendations of the Phase 1 Geo-Environmental Study, investigating the site for potential contamination, have been agreed by the relevant officers in Environmental Health. It has been recommended that appropriate contaminated land conditions be attached to any approval, requiring that a Phase II investigation be carried out prior to demolition and (if found to be necessary) supplementary investigations to be carried out after demolition. Such further investigation can ensure that any necessary restoration or remediation works can be identified and secured in order to ensure that the site is fit for residential use, as required by policy R2 (Degraded and Contaminated Land)

Waste storage & disposal

The Council's waste strategy officer has identified a number of concerns relating to the proposed development, the most fundamental of which is the layout and its unsuitability for waste and recycling collection. A significant proportion of houses would not be sufficiently accessible to collection vehicles, and so householders would be required to present their bins for collection at alternative, suitably accessible points. On this basis, potential conflict with policy R6 (Waste Management Requirements for New Development) has been identified. Whilst a condition can secure appropriate storage provision for refuse and recycling bins, the proposed layout and resultant accessibility concerns cannot be addressed in the same manner. The proposal must therefore be considered contrary to policy R6 in its current form.

Drainage

A Drainage Impact Assessment (DIA) has been submitted.

SEPA initially expressed some concern over the single level of treatment for surface water at certain points within the site, however revisions to the drainage proposals have demonstrated the necessary 2 levels of treatment satisfactorily. An updated formal response from SEPA, removing their previous objection to the proposal, has not yet been received at the time of writing, however sufficient comfort is in place following discussion with SEPA to consider it reasonable to condition any consent to ensure that surface water drainage proposals would need to be approved in writing by the planning authority, in consultation with SEPA and the Council's Flood Prevention team.

The submitted DIA states that a method statement, detailing how surface water will be dealt with during the construction phase, will be prepared by the appointed contractor, for approval prior to commencement of works on site. A series of measures to potentially be incorporated into that surface water management strategy are set out in the DIA. SEPA's consultation response requests the a condition be attached to any consent, requiring the submission of a site-specific construction environmental management plan (CEMP). That CEMP should incorporate detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution during all phases of construction.

Provided the necessary CEMP and SUDS measures can be agreed in writing with the planning authority, following consultation with the relevant stakeholders, accordance with policy NE6 (Flooding and Drainage) of the ALDP can be ensured.

Low and Zero Carbon Buildings

No details of the manner in which the proposed new buildings would demonstrate accordance with the Council's policy and guidance on reducing carbon emissions have been provided, however such submissions can be secured via an appropriately worded condition should members resolve to grant planning permission. This approach can ensure compliance with policy R7 (Low and Zero Carbon Buildings) and the associated supplementary guidance.

Matters raised in representations

The matters raised in representations are addressed in the following sections of this report;

1. As noted above, the matter of whether the existing granite buildings present on site are retained or not is controlled by virtue of the site's location within a conservation area, and will be assessed via the current application for Conservation Area Consent, ref P130382, as discussed in the 'Design' section of this report.
2. The density of the development is addressed in the 'density' section of this report.
3. & 4. Matters relating to the impact of the proposed development on the local roads network and its provision for residents' car parking are addressed in the 'Access, Car Parking and Traffic' section of this report.
5. Necessary improvements to the local road network have been identified in discussions with the Council's Roads Projects Team, and are discussed in the 'Access, Car Parking and Traffic' section of this report.
6. The potential for impact on protected species is addressed in the 'Potential for impact on bats' section above.
7. Loss of existing trees is extensive, and is discussed in the 'Impact on Trees' section of this report.
8. Safety concerns regarding new pedestrian routes are noted, however appropriately lit routes, which benefit from passive surveillance and encourage pedestrian permeability and sustainable travel are to be encouraged.

9. Privacy concerns are noted, however it is considered that orientation and separation distances between buildings are sufficient to ensure appropriate levels of privacy. It is noted that the proposed removal of trees to the north of the site, adjacent to the Bennachie Building and the terminus of Chestnut Row would result in a more open aspect, however properties on the southern side of Chestnut Row nevertheless lie nearly 30m from the rear of those on Barkmill Road, which is considered sufficient to ensure appropriate levels of privacy.
10. & 11. Existing cycle facilities in the area are discussed extensively in the submitted Transport Assessment, and the shared surface internal routes through the development can allow for east-west travel for cyclists from May Baird Avenue to Berryden Road.
12. Issues relating to increased vehicular traffic on May Baird Avenue are discussed in detail in the 'Access, Car Parking and Traffic' section above.
13. The consultation undertaken by the applicants met the requirements of the agreed Proposal of Application Notice (PoAN).
14. Schools capacity has been investigated through consultation with the Developer Contributions Team. This has established that Skene Square Primary School is projected to exceed capacity, and therefore the applicants are required to make financial contributions at a rate commensurate to the scale of development and as specified in the Council's Infrastructure and Developer Contributions Manual. Aberdeen Grammar School, the zoned secondary school, has capacity to accommodate the proposed development, therefore no contributions are required towards secondary schooling provision.
15. Existing parking problems at the Cornhill Hospital site are noted, however the car parking areas within the application site relate to the vacant buildings, and no car parking relating to the 'new' Cornhill Hospital site is to be removed. It is accepted that over time overspill car parking will have utilised the old Cornhill site as and when spaces were not available, however it does not follow that redevelopment of the site should be precluded by the perceived shortcomings of car parking provision available at the new hospital site.

Matters raised by local Community Council

The matters raised by the local Rosemount & Mile-End Community Council are discussed in detail in the 'Density', 'Access, Car Parking and Traffic' sections of this report.

Conclusion

The proposal does not demonstrate the high-quality, conservation led development of the Cornhill site that was envisaged by the Cornhill Development Brief. The proposal fails to adequately reflect the character and setting of the Cornhill site, and would result in the erosion of its landscape character through the removal of a substantial number of trees, many of which are of good quality and contribute significantly to local amenity. There would be a resultant adverse impact on the character of the Rosemount and Westburn Conservation Area. It has not been established that the development proposal would be accompanied by the necessary provision for vehicular and pedestrian access and associated

connections with the wider network. The absence of a bat survey is notable, as planning permission should not be granted until the presence of bats has been established through an appropriate survey – this cannot be the subject of a condition. In summary, the proposal is not considered to accord with the relevant provisions of the Development Plan, and no material considerations have been identified that would warrant determination other than in accordance with that Development Plan. It is therefore recommended that the planning permission be refused for the reasons listed below.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

1. The proposed development, by eroding the parkland setting of the Cornhill site and utilising a largely standardised approach to housing design, is not considered to demonstrate due regard for its context or make a positive contribution to its setting, as required by policy D1 of the Aberdeen Local Development Plan. The dominance of car parking and limited provision of landscaped open space demonstrates a failure to accord with the 'place-making' aspirations of the Cornhill Development Brief.
2. In failing to embrace the opportunities the site presents for the conversion of existing granite buildings and proposing a redevelopment which would not adequately reflect the character and architectural interest of the Cornhill estate, the proposal would result in the erosion of the character and appearance of the Rosemount and Westburn Conservation Area, and would be contrary to the aims of Scottish Planning Policy (SPP), Scottish Historic Environment Policy (SHEP) and policies D4 (Aberdeen's Granite Heritage) and D5 (Built Heritage) of the ALDP.
3. Extensive tree removal across the site, affecting high quality, mature specimens, would detract from the landscape character of the site and the 'parkland setting' which was identified as a reason for the designation of the Rosemount & Westburn Conservation Area, and would not reflect the high-quality landscape design envisaged by the Cornhill Development Brief. This adverse impact on the landscape character of the site would be contrary to policy D6 (Landscape) of the ALDP.
4. A failure to demonstrate that the development and its associated principal access via Berryden Road have been designed to an appropriate specification to fully integrate with the Council's designed proposals for the widening of Berryden Road, potentially leading to sub-standard visibility at the main access junction, indicates that site access arrangements are currently inadequate, contrary to the aims of policy T2 (Managing the Transport Impact of Development) of the ALDP.
5. The absence of a survey to establish the presence of bats and, if bats are found to be present, to propose appropriate mitigation measures, represents a

failure to demonstrate accordance with policy NE8 (Natural Heritage) of the ALDP, and is contrary to advice issued by Scotland's Chief Planner on planning authorities' obligations as regards European Protected Species (EPS).

6. The proposal, by failing to make adequate provision for pedestrians footways along May Baird Avenue, connecting to the wider network of pedestrian routes and nearby recreational green spaces, fails to enhance permeability, promote pedestrian movement and facilitate sustainable travel, and is therefore contrary to policies D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation) of the ALDP.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

~~130382~~
130381

ROSEMOUNT & MILE--END COMMUNITY COUNCIL

Head of Planning & Infrastructure
Planning Department
Aberdeen City Council
Marischal College
Broad Street
Aberdeen AB10 1AB.

9 April 2013.

Dear Sir,

Planning Reference P130382
Former Royal Cornhill Hospital Aberdeen.

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

- a) The number of dwellings planned for the site is in our view over development for this area. Indeed at the consultation exercise in August 2012 the first phase indicated 200 units followed by an additional 50 units. This application is for 300 units so the point made to the developers' agents in our submission in September 2012 has been ignored.
- b) With any development on this site traffic management will be an issue as entry from & exit to Berryden Road will cause major problems to an already busy thoroughfare.
- c) If the Aberdeen City Council's plans for a " Berryden Corridor " goes ahead presumably all site traffic would enter & exit from & to the northbound flow of traffic, otherwise it would mean access by crossing oncoming traffic from both directions. Furthermore the site is opposite a retail park which attracts a large volume of traffic over a lengthy period of opening hours seven days a week.
- d) The proposed use of traffic entry/exit from Ashgrove Road via Mary Baird Avenue raises concerns from a Health & Safety issue affecting patients, residents & visitors at the present Cornhill Hospital.

This is a large residential building proposal .The members of the RMECC hope that on this occasion some heed will be taken by the Planning Department & Committee in respect of the points mentioned above.

Yours faithfully,



George Duncan
Rosemount & Mile-End Community Council .

(19 Beechgrove Place Aberdeen AB15 5HF)

NOTE : THIS RESPONSE FROM ROSEMOUNT + MILE-END C.C. REASSIGNED TO P130381 AND WITHDRAWN FROM P130382 PER EMAIL EXCHANGE WITH WILLIE JAFFRAY, CHAIRPERSON, DATED 14/5/13. GCE

PI- Proposed plans for former Cornhill Hospital

09/04/13

From: "Willie Jaffray" [REDACTED]
To: "Aberdeen City Council Planning" <pi@aberdeencity.gov.uk>
Date: 09/04/2013 20:26
Subject: Proposed plans for former Cornhill Hospital
Attachments: Doc1.docx

Good evening Aberdeen City Council Planning Dept.

Please find attached correspondence on issues I am raising with regards to the proposed planning proposal for 300 units on the former Cornhill hospital Site.

Regards

Willie Jaffray
Resident of Rosemount.

Tel. [REDACTED]
E-m. [REDACTED]

In my opinion the granite buildings should be preserved and used as part of the proposed development.

Demolishing these granite buildings should not be allowed just because the developers will get more units built on the vacated area if these buildings are allowed to be demolished.

There are a number of new builds throughout the city where the existing granite buildings are being incorporated into the new plane to convert their former use into new housing units.

As I couldn't see any information on the plans regarding what the road layout was going to be at the Main and West entrances, I asked the planning Officer what provision had been made to integrate both entrances of the proposed new build with the present road layout for vehicles and pedestrians.

If the proposed plans for a "Berryden Corridor" go ahead the developers will have to consider now how they intend to integrate the entrance into the proposed plan for the road layout so there is no misunderstanding how this is going to be achieved.

I submit these issues for the Aberdeen City Council Planning committee to look and consider all the relevant issues raised.

Yours sincerely

Willie Jaffray

Willie Jaffray
Resident of Rosemount.

P&SD Letters of Representation		
Application Number: 130381		
RECEIVED 12 APR 2013		
Nor <input checked="" type="checkbox"/>	Sou <input type="checkbox"/>	MAP <input type="checkbox"/>
Case Officer Initials: GEE		
Date Acknowledged: 17/04/13		

GTE

From: EILEEN MARTIN [REDACTED]
Sent: 04 March 2014 23:17
To: PI
Subject: Development @ Former Royal Cornhill Hospital

From Eileen Martin & Brian Gibb
34 Chestnut Row
Aberdeen
AB25 3SD

Objections to Planning Application 130381 @ Former Royal Cornhill Hospital

1. Traffic

Berryden Road is regularly gridlocked as it is. Building 300 homes would involve a huge increase in traffic and cause utter chaos. Yet in the revised planning application there is no mention of any imminent improvement being made to Berryden Road. Since it struggles to cope at present the extra traffic would cause gridlock which would not only affect the residents of Berryden Road but also the surrounding streets and the Retail Park.

2. Environment

Cornhill has a huge variety of wildlife including endangered species. Yet there seems to be no mention of this in any of the planning application. I regularly hear owls. Many birds visit my garden most of which come from Cornhill. There are also foxes, hedgehogs, squirrels and I suspect bats.

Numerous trees would also be removed which as well as destroying perfectly healthy trees would also destroy wildlife habitat.

3. Amenity

We live in a fairly quiet cul de sac and feel that a footpath through the wall at the end of our street is completely unnecessary as there are plenty of other exits from the site. The police report states that paths should be well lit. I cannot see that this one will be any better lit than those highlighted in the police report. The report also mentions that these paths may give access to those who may be potential offenders. What better access for someone like that than a quiet street leading to a poorly lit path. It would also be an excellent means of escape.

GET

PI

From: webmaster@aberdeencity.gov.uk
Sent: 28 February 2014 19:59
To: PI
Subject: Planning Comment for 130381

Comment for Planning Application 130381

Name : susie and george murray

Address : 72 barkmill road aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : lam objecting to this planning application as we feel that our privacy will be invaded with the residents on top floor flats at chestnut row being able to see into our living room.As for the removal of all the mature tree which we feel go,s against the environmental issues of this city.This will have a damaging effect on all sorts of wildlife in this area.

16/04/13

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 16/04/2013 11:18
Subject: Planning Comment for 130381

Comment for Planning Application 130381

Name : Aberdeen Cycle Forum
Address : 24 Loanhead Terrace
Aberdeen
AB25 2SY

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

Comment : ACF is disappointed that the Design and Access statement makes no mention of cycling, cycle linkages or cycle connectivity, within or outwith the development site. We are concerned at this lack of vision and request that the developer works to improve this element of the proposal.

Cornhill Lane is a quiet route for cyclists and walkers. It is well used to access ARI. The development should include an attractive and direct east-west cycle route through the site, connecting Berryden at an accessible crossing point, with Cornhill Lane. This would create a genuine addition to the cycle network and hugely improve east-west cycle connectivity in that area.

The minor access road on the western edge of the development, connecting Cornhill lane to Ashgrove Rd is a generally quiet and attractive route, well used by cyclists and walkers. ACF would be very concerned if it became an access point into the development. Access for vehicles should be off Berryden only.

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 23/04/2013 13:01
Subject: Planning Comment for 130381

Comment for Planning Application 130381

Name : Mrs Eileen Martin
Address : 34 Chestnut Row
Aberdeen
AB25 3SD

Telephone : [REDACTED]
Email : [REDACTED]

type :
Comment : Objections

1 Traffic

Berryden Road cannot handle the increase in traffic building 300 properties would involve. Unless the road system is improved the whole place would be gridlock causing chaos not only on Berryden Road and surrounding streets but also access to the Retail Park.

2 Environment

Cornhill has a huge variety of wildlife including endangered species. I regularly hear owls and many birds visit my garden and those of my neighbours including robins, blackbirds, goldfinches, greenfinches, great tits, coal tits, blue tits, bearded tits, sparrows, dunnocks, magpies and jackdaws most of which live over the wall in Cornhill. There are also foxes and I suspect bats.

There would also be the removal of numerous trees which as well as destroying many perfectly healthy trees would also destroy wildlife habitat.

3 Amenity

We live in a fairly quiet cul de sac and we feel that a footpath through the wall at the end of our street is completely unnecessary as there are plenty of other exits from the site

GTE

PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 February 2014 04:48
To: PI
Subject: Planning Comment for 130381

Comment for Planning Application 130381

Name : Iain Nicol

Address : Flat 45, The Bastille, 75 Maberly Street, Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I don't like the current trend by developers and the planning department of destroying the granite buildings and heritage and the "granite city". The planning department needs to encourage the developer to retain these buildings and sympathetically return them into useful spaces instead of demolishing them. I therefore object to the plan to demolish the building by Stewart Milne whole heartily.

9EE

PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 February 2014 10:17
To: PI
Subject: Planning Comment for 130381

Comment for Planning Application 130381

Name : Frank Adams
Address : 4 Lintmill Place

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object

Aberdeen needs to retain as many granite buildings as possible.. Another Stewart Milne project where the houses are thrown up as quick and as cheap as possible is not what Aberdeen needs... Conserve the site and convert the existing structures.....

CEE

PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 February 2014 20:10
To: PI
Subject: Planning Comment for 130382

Comment for Planning Application 130382
Name : Tracey carson
Address : 62 denmore gardens bridge of don

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Here we go again Aberdeen city council thinking of one thing only MONEY!! Don't think about the traffic congestion mess that Aberdeen city already suffers from. Old Cornhill hospital had some beautiful buildings which sat for years being wasted just like years before Kingseat hospital which was also "accidentally" burnt to the ground alma bells ring Nk!! The patients had a lot of greenery to walk around in but now you propose houses and flats crambled in making them prisoners. What a waste of money this has been as Corhill was suppose to take over from Kingseat and last which it has not. People visiting or working their will not be able to get parked or visit their loved ones. I myself worked at this hospital and the former Kingseat and I am appalled it has come to this. What a waste of lovely buildings.

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 28/03/2013 10:48
Subject: Planning Comment for 130381

Comment for Planning Application 130381

Name : Ian Stewart
Address : 45 Fairview Circle
Danestone
Aberdeen
AB22 8ZQ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : The area surrounding the proposed building development is one which is constantly congested with traffic, so adding an additional 300 properties, without any subsequent modification to existing road is the main reason I wish to object to this planning application.

If the planning committee wish to accept this application, then I would suggest additional crossings be in place, and/or widening of existing road networks, prior to any building works commencing.

GHF

PI

From: webmaster@aberdeencity.gov.uk
Sent: 03 March 2014 15:13
To: PI
Subject: Planning Comment for 130382

Comment for Planning Application 130382

Name : Mike Shepherd

Address : 18 Forbesfield road Aberdeen AB15 4PA

Telephone :

Email : 

type :

Comment : I object to this submission. The existing granite facades should be kept as part of Aberdeen's heritage. The construction should take this into account.

08/04/13

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 08/04/2013 23:28
Subject: Planning Comment for 130381

Comment for Planning Application 130381

Name : Ian Gossip
Address : 13 Craigs Rd
Ellon

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object on the grounds of over density of the site. I object regarding the access arrangements that will be required for the house sites to the roads surrounding. I have some doubts about the traffic that will be created by these properties and the car parking arrangements that they will require. I need comfort regarding the ability of the schools in the zone to be able to cope with the increase in population.

08/04/13

From: <webmaster@aberdeencity.gov.uk>
To: <pi@aberdeencity.gov.uk>
Date: 08/04/2013 21:21
Subject: Planning Comment for 130381

Comment for Planning Application 130381
Name : Shona Gossip
Address : 10 Chestnut Row
Flat 2
Aberdeen
AB25 3S

Telephone :
Email : [REDACTED]
type :

Comment : I wish to object to the planning application for 300 houses on the former Cornhill hospital site.

I believe the impact this development will have on traffic in the area will be significant, particularly since the developers plan to have the main access coming from the already-busy Berryden Road.

Having both worked in the retail park, and lived just off here for the last four years, I am aware of how often queues of traffic back up all the way from Hutcheon Street to the pedestrian crossing on Berryden Road. This is particularly bad during the weekends when cars often crawl along throughout the afternoon. At busier times of the year, such as Christmas, it is often gridlock.

The roads infrastructure is not capable of coping with the additional demand. The further 300 properties will also only worsen parking, which can be challenging in the evenings and weekends.

I see from the supporting documents that the developers say that only six people attended the public consultation. I was unaware of it, and feel the developers could have had the courtesy of doing a letter drop on the small street (Chestnut Row) that backs onto the site.

I am not against the redevelopment of the site, but I do feel there are far too many homes planned. It is an over development of an already busy area.

Agenda Item 2.5

Planning Development Management Committee

FRIENDVILLE, GREAT WESTERN ROAD,
ABERDEEN

CHANGE OF USE TO EVENTS/ FUNCTION
FACILITY WITH ASSOCIATED GUEST
ACCOMMODATION

For: Oakhill Apartments Ltd

Application Type : Detailed Planning Permission

Application Ref. : P140359

Application Date: 14/03/2014

Officer: Gavin Clark

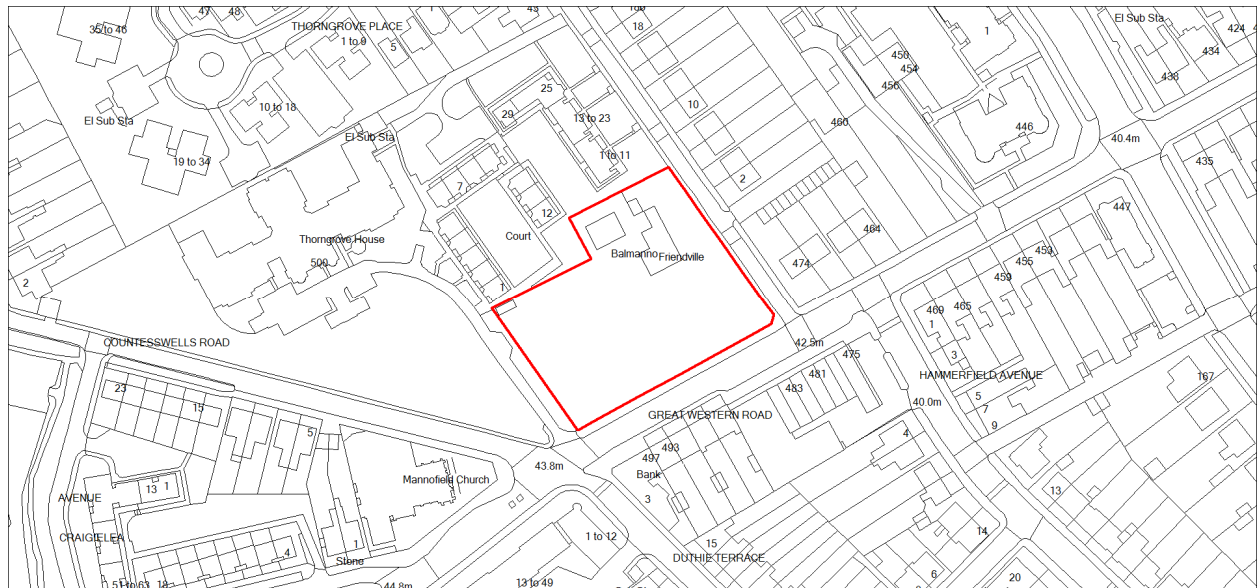
Ward : Airyhall/Broomhill/Garthdee (I Yuill/A
Taylor/G Townson)

Advert : Section 60/65 - Dev aff
LB/CA

Advertised on: 09/04/2014

Committee Date: 19 June 2014

Community Council : No response
received



RECOMMENDATION: Refuse

DESCRIPTION

The site is located on the north side of Great Western Road, immediately to the west of the junction with Thorngrove Avenue. It comprises a substantial detached granite property set within large grounds extending to approximately 5150sqm. The property contains two residential units with the dwellings located adjacent to Thorngrove Avenue, in the corner of the site. The buildings are Category "B" listed buildings and are located within the Great Western Road Conservation Area. Friendville was built in 1773; the walled gardens are listed separately, and are also Category "B" listed. Access to the properties is taken from Thorngrove Avenue.

The gardens at Friendville are of historic importance in themselves as well as affecting the setting of a listed building. Friendville plays a significant role in the development of the Great Western Road Conservation Area.

RELEVANT HISTORY

An application for listed building consent (Ref: 140362) was withdrawn on the 20th May 2014 for the formation of a gate and additional parking within the curtilage of the property.

PROPOSAL

The proposal seeks detailed planning permission for the change of use of the two dwellinghouses within the curtilage of the property to form an events function facility with associated guest accommodation. Following the submission of amended plans, no alterations to the dwellings are proposed internally or externally. The applicant proposes to access the site from the existing residential access on Thorngrove Avenue, with 11 no. car parking spaces to be provided on the existing hard standing on the north-east corner of the site.

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=140359>

On accepting the disclaimers 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 there have been 16 letters of representation. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – have advised that the car parking layout is not a layout which can be supported. The stacked layout offers very a very poor level of accessibility; in order for the objection to be removed this would have to be amended.

A minimum aisle width of 6m is required for vehicles reversing out of spaces; this has not been supplied in the proposed layout for the majority of the spaces. The applicant was also required to submit proof that a visibility splay of 2.4m x 25m from the access point could be provided.

The surrounding local road network to the site is not one that can accommodate overspill car parking; therefore it would be necessary to know the use of each property. Function facilities require 1 car parking space per 27 sqm.

Due to there still being issues that were raised and have still not been resolved since their initial observations, the Roads Projects Team object to the planning application.

Environmental Health – should planning permission be approved, the applicant would be required to submit a Noise Assessment to ensure the proposed impact on neighbouring amenity would be minimised.

Enterprise, Planning & Infrastructure (Flooding) – no observations

Community Council – no response received

REPRESENTATIONS

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

1. Concerns about the proposed change of use, and the resultant impact on the surrounding area;
2. Concerns in relation to an increase in noise levels, and the resultant impact on the surrounding residential area;

3. Concerns in relation to an increase in traffic levels, both within the site, and on the surrounding road network and the number of parking spaces provided within the application site;
4. Concerns in relation to the neighbour notification process/ advertising of the proposal;
5. Concerns about the impact of the development on the Category “B” Listed Building

PLANNING POLICY

National Policy and Guidance

Historic Scotland’s Scottish Historic Environment Policy (SHEP): states that the planning authority must pay special attention to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

Aberdeen Local Development Plan

Policy T2: Managing the Transport Impact of Development: states that new development will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

Policy D5: Built Heritage: states that proposals affecting Conservation Areas or Listed Buildings will only be supported if they accord with Scottish Planning Policy.

Policy H1: Residential Areas: states that, within existing residential areas, proposals for non-residential uses will be refused unless they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

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. In addition, 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 Development

Policy H1 (Residential Areas) of the ALDP advises that applications will be refused unless they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or nuisance to the enjoyment of existing residential amenity. The proposal would see a change of use of the property, and a significant increase in usage, with a number of visitors during the day and at night increasing considerably.

The proposed use would have an adverse impact on the character of the surrounding area, which is predominantly residential in nature, with the intensification in use likely to change the residential nature of the area. This would be due to an increase in noise disturbance from the function facility, an increase in people visiting the area and an unacceptable increase in vehicle movements both within the site, and in the surrounding area. The applicant has failed to demonstrate that the proposal would have a negligible impact on the character of the surrounding area.

In addition, the Council's Roads Projects Team, have objected to the application, with a reason being the potential impact for overspill parking on the surrounding road network. For the reasoning discussed above, and later in this evaluation, the proposal fails to accord with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan.

Design, Scale and Form of Development/ Impact on Historic Environment

Following the submission of amended plans, the application proposed no external alterations to the listed building. Previously, the applicant proposed to partially demolish an external wall and create additional car parking facilities. In addition, no external alterations are proposed to the listed building, following the submission of amended plans, the proposed use does not offend either Scottish Historic Environment Policy (SHEP) or Policy D5 (Built Heritage) of the ALDP.

Traffic impacts, access arrangements and car parking

In relation to access arrangements, the proposal seeks to use the existing residential access on Thorngrove Avenue. No alterations have been proposed, and plans showing the required visibility splay of 2.4m x 25m have not been provided and it is the view of roads officers that the existing access is insufficient for the proposed use.

Council parking standards for function facilities require 1 car parking space per 27 square metres of floor space. The parking layout submitted is insufficient, with 11 no. car parking spaces proposed. A number of the spaces shown on drawing no. 06a are considered insufficient (spaces 1, 5-7 in terms of stacking and 9-11 in terms of insufficient reversing space). Stacking of car parking spaces is not permitted by Aberdeen City Council Parking Standards, and a minimum aisle width of 6m is required for vehicles reversing out of spaces. Due to the limited area of parking within existing defined parking area, adequate parking could not

be provided within the site. The Roads Projects Team have therefore objected to the application in this regard.

The proposal previously sought to demolish an existing listed wall and form additional parking spaces within an existing paved area. This amendment was discussed with Historic Scotland, and was discouraged. The rest of the site forms landscaped grounds, and the Council would be unwilling to allow any other areas within the curtilage of the dwellinghouse to be taken over by car parking facilities as any additional parking area would have an adverse effect on the setting of the listed building, and surrounding conservation area.

The applicants had informed the Council that some parties would be dropped off by coach; however no details have been submitted about where and how this would take place. In addition no details have been submitted above how the premises would be serviced, this would be conditioned should planning permission be approved. Coach parking is not an issue which can be resolved, as it could not be accommodated within the site, on Thorngrove Avenue, or on Great Western Road.

The site has good public transportation links, with the number 19 (Culter – Tillydrone) bus stopping on Great Western Road, approximately 100m (towards Tillydrone) and approximately 20m (to Culter) from the application site boundary.

The provision of cycle parking facilities could also be conditioned, and provided within the curtilage of the property.

The surrounding road network to the site is not one that could accommodate overspill car parking, an issue which has been highlighted in a number of the letters of representation. For the reasons mentioned above, the proposal does not accord with Policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan.

Relevant planning matters raised in letters of representation

1. The proposed impact of the change of use on the surrounding area has been assessed elsewhere within this report.
2. Should planning permission be approved, Environmental Health has requested the inclusion of a condition in relation to the submission of a Noise Assessment. This would include surveys of people going to/ from the site, to assess the impact on neighbouring amenity.
3. A number of issues in relation to transportation, including car parking, impact on the surrounding road network, public transportation links and cycle parking have been discussed elsewhere in this report.
4. The correct neighbour notification measures, including advertisement of the application were undertaken, as well as re-notification following an amendment to the description of the proposal.

5. After amendments, no external alterations are proposed, and the proposed use would have a negligible impact on the character and appearance of the listed building/ conservation area.

Conclusion

In this instance there are no material planning considerations which would warrant approval of planning permission. Should Councillors be minded to approve the application, appropriate conditions would be required in relation to parking, servicing, cycle parking and the submission of a noise assessment.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

1. The proposal fails to comply with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan in that the proposed use would have an unacceptable impact on the enjoyment of existing residential amenity as the proposed use would result in an increase in noise disturbance, an unacceptable increase in the number of people accessing the premises and a significant increase in vehicular movements both within the site, and in the surrounding area.
2. The proposal fails to accord with Policy T2 (Managing the Transport Impact of Development) and its associated Supplementary Planning Guidance (Transport and Accessibility) in that insufficient levels of car parking would be provided within the existing car parking area, and the proposal would have an unacceptable impact on Thorngrove Avenue and the surrounding road network, including the potential for overspill parking.

Dr Margaret Bochel

Head of Planning and Sustainable Development

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 09 April 2014 14:08
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Naomi Mandel

Address : 11 thorngrove avenue

Telephone :

Email : [REDACTED]

type :

Comment : Despite the plans having been resubmitted, it is still very unclear, exactly what changes are planned for the inside of Friendville.

I would like to know more about this, as I understood that Friendville is a listed building, so I very much want to know what is proposed.

More importantly, it is very unclear exactly what is proposed in the change of use, i.e. how often there will be Corporate Events/Functions, what times of the day these will occur, how many people are likely to be attending these events, what the impact on traffic will be, both within Thorngrove Avenue, and the surrounding streets, and for residents, how this will impact on parking, given that many residents struggle to find a parking space on Thorngrove Avenue when they come home from work.

On this basis, I have to object to the proposal.

Noise levels are likely to increase, and there is no indication of times of day or how often this is likely to happen. There will be an increase in traffic within and around Thorngrove Avenue. There will be an increase in people generally 'going about' the street. I am sure that alcohol will be served at these functions/Events, which will add to the foregoing problems.

This is a quiet, residential area, with many older/elderly residents. Nothing can be served by placing an entertainment facility in the middle of it.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 April 2014 19:59
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Sheena Anderson
Address : 2 Thorngrove Ave
Aberdeen
AB15 7XS

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Once again I feel that the road issue is unsustainable for this application. There is a single narrow access road on this part of Thorngrove Avenue with a disabled parking space opposite the entrance to this property. At present the small amount of residential traffic has great difficulty in accessing the property never mind delivery / catering and service vehicles this plan would imply . Are there any disabled spaces allowed for in the parking layout for the proposed development? It would seem from the plans that there is insufficient access/parking/toilets/kitchen facilities to support such a venture.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 April 2014 22:35
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Helen Yule/Elaine Elphinstone
Address : 6 Thorngrove Avenue
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I strongly object to the application 140359 on endless points. Please see as below.

Events/Function Facility in a residential area wholly inappropriate as per below.

Hours events are held ?

Nature of events ?

Frequency of events

Noise level of events

Indoor/outdoor events ?

Noise level ? DJ ? Bands ? Entertainment ?

Licensed ? Noisy drunks ?

Noise pollution ?

Access via local road structure wholly inappropriate as per below.?

Inadequate parking presently for existing residents.

Narrow street presently single file when cars parked Application mentions 'don't envisage buses and coaches'. (No guarantee) Application mentions 'Lay on staff to guide traffic' (how much traffic ?!) Lights and noise from vehicles late at night entering the property.

Property is Listed Building and Grounds

Given that this is a Listed Building will there be adequate air conditioning at events or will doors be left open, thus noise pollution.

Considering all of the above, I sincerely hope this application is rejected.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 April 2014 18:25
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Mr Alasdair MacKinnon
Address : 8 Thorngrove Avenue,
Abeddeen,
AB157XS

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I wish to comment on the grounds of the impact that this development will have on the street. In particular the increase in traffic turning from and onto Thorngrove Avenue on what is already a narrow street the turning circle would be very difficult and be an increased risk to existing road users as well as to cars parked on Thorngrove Avenue. There are also 2 disabled drivers with designated spaces, one being very close to the entrance of Friendville so any increased traffic flow could be detrimental to them. A function venue is also means reveller's who are likely to be making a lot of noise and some over indulging in alcohol which generally means some disruption in the neighborhood.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 22 April 2014 10:46
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Lesley C McIntosh
Address : 14 Thorngrove Crescent
Aberdeen
AB15 7FH

Telephone [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the proposed plans due to the following. Changing the use of Friendville from residential to business will add to the noise and traffic in that residential area; that end of Thorngrove Avenue is already very busy with traffic, especially at the junction with Gt Western Road. Parking is already difficult in that area and more traffic, especially turning in and out of Friendville will add to the traffic congestion and also the safety of pedestrians. Also, the area is well serviced with function rooms, such as the Cricket Club further along and off Gt Western Rd, the Palm Court Hotel and the Seafield Club, both on Seafield Road and the Airyhall Community Centre at the top of Seafield Rd, all in the area, so there is no need from the community for yet another function facility. It is likely that any function room would be used at night and this would add to the noise in the residential area (there is already a problem with this from the Cricket Club mentioned above).

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Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 10 April 2014 19:05
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Ronald Murdoch
Address: 8a Thorngrove Avenue
Aberdeen AB15 7XS

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : | Object :-

The condition of the road in this area is to say the least is dreadful.

At this end of Thorngrovethe road is narrow and two cars are unable to pass either way Lack of provision of car parking spaces is very limited due to residents having off street parking Where the gate is loacated on Thorngrove Avenue any 4 wheelers or maintenance vans have great difficulty in getting through as it is.

The road is used by traffic by passing the traffic lights on South Anderson Drive/Great Western Road this would be better if it was change to one way system.

Their is a disabled space directly opposite the main gate and this cause problems going in and out of the main gate. I believe the house is a listed building.

Regards

Ronnie Murdoch

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Robert Vickers

From: GERRY MULDOON [REDACTED]
Sent: 20 March 2014 12:08
To: PI
Subject: Neighbour Notification Notice 140359

Dear Sir, Madam

I have today received this neighbour notification regarding the Friendville property. Whilst the address is stated as Great Western Road the car park to this property is accessed from Thorngrove Avenue. I therefore have considerable concerns that as applicants hope to use this property for events/ functions that they do not have the necessary provision for car parking within the confines of their site and will therefore expect their customers to use on-street car parking. Any resident of Thorngrove Avenue, particularly at the Great Western road end, at any time of day but especially in the evening - when I assume many of these functions will take place - will bear witness to the fact that it is very very difficult to get parked anywhere near where one lives and often the residents have to park quite some distance from their homes. Customers to Friendville's events/functions will attempt to park their cars on Thorngrove Avenue at what is currently a very difficult place to park and it will become even worse and possibly unsafe as they, as people currently do now, will be tempted to park where there are currently restrictions close to Great Western Road. My deep concern therefore is the lack of car parking provision in this application and the ramifications it will have to local residents.

Regards

Mr G Muldoon
2a Thorngrove Avenue
Aberdeen
AB15 7XS

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 20 March 2014 13:34
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Anita Dorta

Address: 491 1F Great Western Road

Aberdeen

AB10 6NN

Telephone :

Email : 

type :

Comment : I object due to the following reasons. 1) My property overlooks Friendville Gardens, if regular functions are to be held this will have a detrimental effect on the area.

2) the disruption functions will cause to a quiet neighbourhood area. Loud/rowdy people, music, late night functions. People and cars coming and going at all hours.

3) This will cause parking problems in a already congested area. It is near impossible to get a parking space within a reasonable distance to my property due to the traffic the church, bank and shops bring.

Surely as Friendville is one of Aberdeen's "Oldest, most valuable and most beautiful properties the use should remain residential and not for events/functions

PI

From: webmaster@aberdeencity.gov.uk
Sent: 28 March 2014 14:28
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Diane Eveleigh
Address: 9 Thorngrove Avenue
Aberdeen
AB15 7XT

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I have received notification of the intent to further develop the property next door to me.

Since this was taken over by Oakhill, there has already been a substantial increase in the noise levels from this site.

My property directly overlooks this. The information suggests events and functions will take place here, I would like to know what these are likely to be and the volume of attendees expected. In my opinion the front of the site is not nearly large enough to incorporate all of the car parking spaces on the plans and the street already suffers an extreme lack of parking. In addition, the street itself is already in a bad state of repair and requires upgrading, especially if it is to cope with all this extra traffic. The gates proposed, will these further encroach on available parking opposite them?

Regards

Diane Eveleigh

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 06 April 2014 13:08
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359
Name : Michael McMillan
Address : 491 1st floor Great Western Road

Telephone : [REDACTED]

Email [REDACTED]

type :

Comment : I object to this application. It is already difficult to park in the area. Functions and events will undoubtedly bring more traffic congestion. This is a residential area, there is no requirement for a social venue. Events will cause there to be late night noise whether its people enjoying themselves or traffic leaving at the end. Walls and trees should remain as they are. I find the plans submitted are not exactly clear on what the intention is and are difficult to interpret.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 April 2014 23:15
To: PI
Subject: Planning Comment for 140359

Comment for Planning Application 140359

Name : Mr and Mrs Austin

Address: 10 Thorngrove Avenue

Aberdeen

AB15 7XS

Telephone :

Email : [REDACTED]

type :

Comment : We object to this planning application as the following points do not seem to have been considered:

1. Thorngrove Ave at the Gt Western Road end is a very narrow street with local residents parking on one side and traffic control bumps all the way down. The current and proposed entry gate to Friendville is quite narrow and we have witnessed on many occasions the difficulty that larger vehicles and delivery vans have had in accessing the property. The surveyor has stated that there wont be much traffic however they have not mentioned delivery vehicles (as I assume they will be delivering items to the function) Our concern with this aspect is potential damage to residents parked vehicles or indeed blocking the road with delivery vans. We ourselves have already had two of our vehicles damaged with through traffic.

2. Also they have discussed the position that guests will be parked inside the property curtilge however they have made no mention of staff vehicles. Our on street parking is very difficult and limited as it is and we would not welcome random visitors or staff cars being parked to the detriment of local residents.

3. Finally have the developers considered moving the vehicle entrance gate to opposite the land access nearer great western Road and this coupled with allocating staff parking spaces inside the garden would address both our concerns.

Please acknowleged receipt of these comments.

Mr and Mrs Austin

PI

From: Neil Simpson
Sent: 02 April 2014 16:04
To: PI
Cc: Claire Reith; Graham Souter
Subject: APPLICATION NUMBER: 140359

Hi

I refer to the above application for development at : Friendville, Great Western Road, Aberdeen, AB10 6NP

Aberdeen City Council own the 12 cottage type properties Numbered as 1 - 12 Thorngrove Court adjacent to the proposed development. These cottages are managed by the Housing Service.

These cottages are let as Sheltered Housing or Amenity Cottages to tenants who are generally of pensionable age, are vulnerable and will have some disabilities.

The proposed development is to use the Friendville property for events and functions. It is our concern that this could cause considerable noise nuisance to the elderly and vulnerable residents at Thorngrove Court through amplified music or voices as well as loud antisocial behaviour particularly late in the evening or early mornings at the end of events/functions as a consequence of excess alcohol consumption.

Further, there are considerable pressures relating to parking in the area, particularly on Thorngrove Avenue and it is unclear where patrons to the proposed development will park vehicles. This is again of concern.

Neil Simpson
Senior Housing Officer
Housing Management
Housing and Environment
Aberdeen City Council
Lower Ground Floor
West Wing
Business Hub 1
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Email [REDACTED]

Tel. [REDACTED]

Fax [REDACTED]

[REDACTED]

18 Thorngrove Avenue
ABERDEEN
AB15 7XS
23/04/2014

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

Ref No P140359

In reference to the planned alterations for Friendville House, Great Western Road, Aberdeen I am writing to lodge a complaint about the nature of proposal.

I believe the premises are to be used for Corporate Events/Function Facility including formation of Gate and Additional Facilities.

The sign attached to the lamp-post, is too small and possibly a lot of the neighbours will not know of this planning application and surely the neighbours should have been contacted directly by post.

What exactly are these Additional facilities? This is not stated and I fear for the residents of the surrounding area.

There will be excessive traffic, noise at night time hours, possible parking problems, Congestion in a street that is not wide enough at the moment to cope with the traffic, inadequate road structure and layout, the supporting document states staff to direct traffic, how much extra traffic is envisaged? The building is a Grade B listed building, will there be air-conditioning added or will windows and doors need to be opened, causing noise pollution. Possible drunk people walking up and down the street, a build up of traffic on the main Great Western Road, possible bottles and glasses being discarded on the street, loud music late at night, will the on-street parking still stay? Taxis and cars passing late at night. All in all this is a wholly appropriate site for a change of use to a function venue with hundreds of residents being affected in the local area.

I moved to this area, as it was a quiet residential area and I would like it to stay that way. I look forward to your reply.



Elaine Ruxton

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Agenda Item 2.6

Planning Development Management Committee

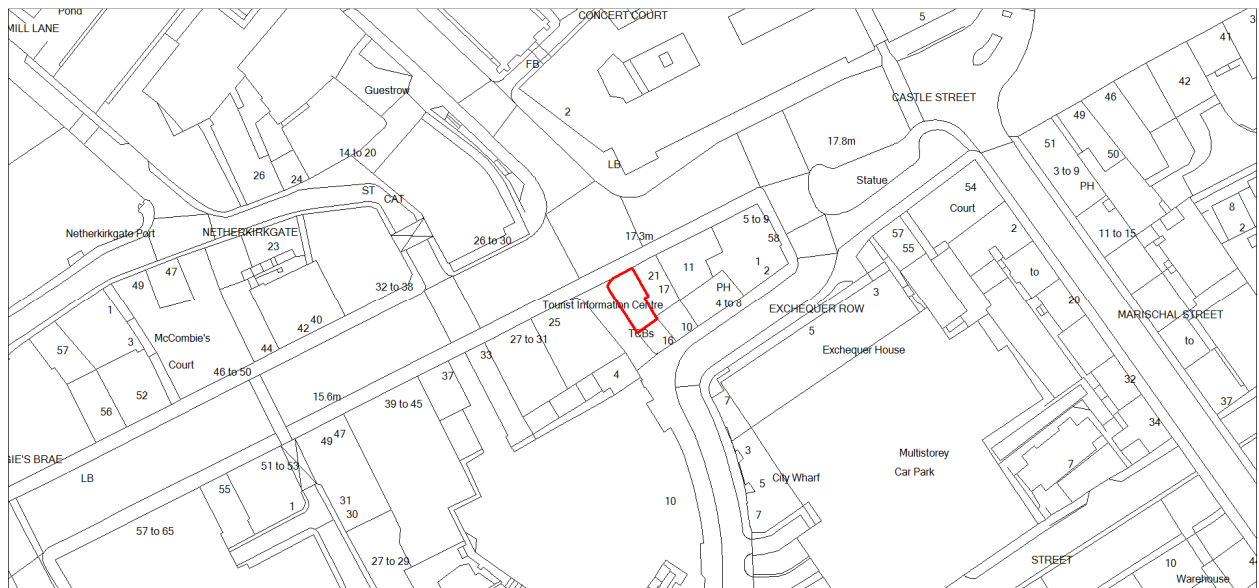
21 UNION STREET, ABERDEEN

CHANGE OF USE FROM CLASS 1 RETAIL TO
HOT FOOD TAKE-AWAY (SUI GENERIS) AND
INSTALLATION OF FLUE

For: Mr Cemal Kuccuk

Application Type : Detailed Planning Permission
Application Ref. : P140273
Application Date: 07/03/2014
Officer: Gavin Clark
Ward : George Street/Harbour (A Morrison/N Morrison)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on: 19/03/2014
Committee Date: 19 June 2014
Community Council : No response
received



RECOMMENDATION: Refuse

DESCRIPTION

The application site is a vacant class 1 (Shop) unit formerly occupied by Footlocker. The site is located on the eastern end of Union Street, opposite the Town House and situated on the ground floor of a five storey terrace. The building was designed by the renowned architect Archibald Simpson and constructed over time to create the 'Union Buildings'. Formally Category 'A' listed, the building was re-classified by Historic Scotland in 2007 to Category 'B'. The site is also located within the Union Street Conservation Area.

The unit is located on the western corner of the building, adjoining a class 1 newsagent to the east. The west elevation faces a pedestrian link, which separates Union Street and Exchequer Row. The upper floors of the building are currently being converted into serviced apartments. On the ground floor there are two vacant public houses, "The Athenaeum" facing onto Union Street and the "Henry's Bar" facing Exchequer Row. The basement is currently unoccupied, but is licenced as an entertainment venue / nightclub formerly known as "Snafu".

RELEVANT HISTORY

There is no relevant application history, relating to the unit, however, an application seeking planning permission (Ref: 130946) for the change of use/conversion of the first to fourth floors of the Union Buildings to form 40 serviced apartments, including the replacement of windows and associated dormer windows and rooflights was approved by the Planning Development Management Committee on the 26th September 2013. A further application (Ref: 131611) which sought permission for a further five serviced apartments, was thereafter approved by the Planning Development Management Committee on the 14th January 2014.

PROPOSAL

The application seeks planning permission to allow for a change of use from a shop, which falls within Class 1 of the Town and Country Planning (Use Classes Order) 1997, to a hot-food takeaway, which is considered a sui-generis use not falling within any class within the same order. The proposal also includes the reopening of an existing boarded up window on the western ground floor elevation, to allow for the installation of a ventilation flue outlet. No other external alterations are proposed to the property.

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=140273>

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

- Supporting Statement (dated 31st March 2014)

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee as 17 timeous letters of representation have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – no objection in terms of parking provision, however, they have requested the submission of details in relation to cycle storage and insertion of an advisory note to ensure that proper access arrangements for disabled and mobility impaired people are provided. The applicants would also be required to identify how refuse and delivery vehicles access / egress arrangements would be undertaken.

Environmental Health – confirm that the proposed flue / extract system appears to be adequate for the proposed operation. But require additional information in relation to the menu items eg: what types of food are proposed. These matters are discussed in greater detail in the evaluation section of this report.

Enterprise, Planning & Infrastructure (Flooding) – no observations

Community Council – no response received.

REPRESENTATIONS

17 letters of representation have been received. The objections raised relate to the following matters –

1. The proposal does not comply with Local Plan policy; specifically Policy C2: City Centre Business Zone and Union Street and the associated Supplementary Planning Guidance on Union Street Frontages;
2. The level of Class 1 retail uses would be reduced to less than the 65% minimum level of retail required in Sector H (Market Street to Exchequer Row) as prescribed in the Local Development Plan and Supplementary Guidance;
3. Adverse impact of the development in terms of odours and noise on residential amenity; Further evidence should be submitted regarding the effectiveness of the flue system and the means of collection of waste

- generated by the proposed use; and the proposal would lead to an increase in litter rubbish, and would have an adverse effect on the character and appearance of the surrounding area;
4. Potential parking issues which may be caused by home deliveries or collection of take-away orders
 5. The hot-food take-away is not compatible for the eastern end of Union Street, such uses are more appropriate towards the western end of the street; and
 6. Concerns raised in relation to potential anti-social behaviour associated with the proposed use.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy: states that Town Centres should be the focus for a mix of uses including retail, leisure, entertainment, recreation, cultural and community facilities as well as homes and businesses. SPP also outlines that any change to a listed building should be managed to protect its special interest while enabling it to remain in active use.

Aberdeen Local Development Plan

Policy C2: City Centre Business Zone and Union Street: states that proposals for a change of use from retail (Class 1 of the Use Class Order) to other uses in the City Centre Business Zone will only be acceptable if The proposal is in Union Street it must accord with the Union Street Frontages Supplementary Planning Guidance; and

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

Policy D5: Built Heritage: states that proposals affecting Listed Buildings or Conservation Areas will only be permitted if they comply with Scottish Planning Policy.

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

Policy R6: Waste Requirements for New Developments: there should be sufficient space for the storage of residual, recyclable and compostable waste.

The proposal should accord with Supplementary Guidance on Waste Management.

Supplementary Guidance

- Transport and Accessibility
- Waste Management Requirements in New Development
- Union Street Frontages
- Harmony of Uses

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 Development/ Union Street Frontages Supplementary Planning Guidance

Policy C2 (City Centre Business Zones and Union Street) advises that proposals for a change of use from retail to other uses, within the city centre, will only be acceptable, if amongst other things, they accord with the Union Street Frontages Supplementary Planning Guidance.

Union Street Frontages policy has existed since 1977, with the aim of maintaining an appropriate mix and location of shopping, service and commercial leisure functions on Union Street. It does this by applying minimum percentages of ground floor retail frontage that are required in individual sections of Union Street.

Proposals for a change of use away from retail (Class 1) to non-retail uses such as cafes, restaurants, hotels, leisure and financial and professional services are measured against these minimum percentages, as well as other relevant criteria. Proposals which would be considered to enhance the vitality and viability of Union Street, as a key retail location within the city centre, will be supported.

The percentage required to be maintained for each sector varies, depending on the relative desirability of maintaining retail use in that sector or alternatively encouraging a diversity of uses.

The application site is within Sector H (Market Street to Exchequer Row; 3-67 Union Street). The current level of retail frontage required at ground floor level in

this sector is 65% and at present the actual ground floor retail frontage is slightly above this. Whilst there is limited flexibility of up to 1% below the minimum required level, should planning permission be approved, Sector H would see a reduction to 61% Class 1 use; and as a result the proposal fails to accord with the above guidance. There are examples in recent years where applications have been approved contrary to the Union Street Frontages SPG, including the application for HSBC at 95-99 Union Street (Ref: 110114). However, applications such as these have provided significant improvements to the building (such as reuse of a long term vacant upper floors and stone cleaning of the building). It is not considered that sufficient mitigating material circumstances, such as alterations / improvements to the current building could be provided, or justify departing from policy to allow approval of planning permission, contrary to the provisions of the development plan.

As such it is considered that the proposal fails to accord with Policy C2 (City Centre Business Zones and Union Street) in that the proposal does not comply with the Union Street Frontages Supplementary Planning Guidance.

Harmony of Uses – Supplementary Planning Guidance

Proposals for hot-food takeaways require to be given careful consideration as they raise sensitive amenity issues for neighbouring properties and land uses. The guidance advises that, on Union Street, hot food shops at ground floor level will require to comply with Union Street Frontages Guidelines and Policy C2 (City Centre Business Zone and Union Street), before a number of criteria are applied. As mentioned in the paragraphs above, the proposal does not accord with either issue, therefore the principle of a change of use could not be supported and the proposal therefore fails to accord with the Harmony of Uses Supplementary Planning Guidance.

Response to Supporting Statement

The applicants submitted a supporting statement, which advised that the premises have lain vacant since April 2013 and have been marketed for retail use since this time. The statement also provides a background to the site, analysis of planning policy, discussion of amenity issues and a conclusion.

The supporting statement has been assessed in detail, and whilst the applicant have tried to justify that the proposal accords with the development plan, and the proposal has been marketed for a period of more than one year, this does not outweigh the proposals failure to accord with the terms of the ALDP, as the proposal fails to accord with the Union Street Frontages SPG, as discussed earlier in this report.

Traffic impacts, access arrangements and car parking

The Council's Roads Projects Team has made a number of comments in relation to the application. They have confirmed that they are generally content with the application, and should planning permission be approved, conditions in relation to

cycle storage and disability access could be attached. The applicants have indicated space for refuse storage and an additional condition could be applied to ensure this is clarified/ provided. The proposal does not offend the objectives of Policy T2 (Managing the Transport Impact of Development) or the associated Supplementary Planning Guidance (Transport and Accessibility).

Environmental Health Issues/ Installation of Ventilation System

The proposal has been assessed by colleagues in Environmental Health, who advise that the proposed ventilation system appears adequate for the proposed take-away use. An appropriate condition in relation to waste pick up/ refuse storage would be inserted to ensure compliance with Policy R6 (Waste Requirements for New Developments) of the Aberdeen Local Development Plan.

The proposal includes the installation of insulation panels, and a ventilation system which would be lagged, with high performance acoustic insulation. The system would also include pre-carb filters, two carbon filters and a motor. The point of discharge would be via an existing opening (currently a boarded window) on the western elevation, adjacent to the Tourist Information Centre. The system has been assessed by colleagues in Environmental Health, who have advised of a general acceptability of the scheme.

Environmental Health have requested additional information in relation to proposed menu items, this information has not been submitted, and were councillors minded to grant permission, this information should be provided prior to granting planning permission, to ensure that adequate systems are in place prior to occupation of the premises, such information would require to be subject to consultation with Environmental Health.

In terms of the proposed flue, this would be sited in place of an existing boarded window. Were councillors minded to approve the application further consideration would have to be given to these elements of the proposal on receipt of more detailed plans, which would allow the impact on the Listed Building and Conservation Area in greater detail, this element of the proposal would also require an application for listed building consent. These details are not considered to be pertinent at this time due to the recommendation of refusal.

Issues raised in letters of representation

1. For the reasons mentioned earlier in the evaluation section of this report, the proposal is not considered to comply with local planning policy; specifically Policy C2: City Centre Business Zone and Union Street and the associated Supplementary Planning Guidance on Union Street Frontages;
2. The proposal fails to accord with the Union Street Frontages Supplementary Planning Guidance, in that the proposal, if approved, would result in 61% retail use within Sector H, below the minimum 65% threshold;

3. Environmental Health has been consulted on the application and have confirmed that the proposed system appears to be adequate for the proposed type of premises (see comment on menu items above).
4. The proposal has been assessed by colleagues in Roads, and the parking arrangements are considered acceptable. In addition, streets within the vicinity are subject to parking restrictions, and as such it would be difficult for drivers to stop and pick up deliveries.
5. Point noted, each application is assessed on its own individual merits.
6. The potential for an increase in anti-social behaviour is not a material planning consideration.

Conclusion

The proposal fails to accord with planning policy, and in this instance there are no material planning considerations which would warrant approval of planning permission contrary to the provisions of the development plan.

Should Councillor's wish to approve the application, appropriate conditions in relation to window details, cycle parking, disability access, refuse/ delivery details, as wells as conditions in relation to the ventilation system and types of food associated with the proposed use.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The proposed use fails to accord with Policy C2 (City Centre Business Zone and Union Street) of the Aberdeen Local Plan, and its associated Supplementary Planning Guidance Notes on Union Street Frontages and Harmony of Uses in that the proposal would see a reduction of class 1 uses in the Union Street area to 61%, below the recommended Sector H percentage of 65%. There are no material considerations, or significant improvements proposed to the shop frontage which would merit departing from policy.

Dr Margaret Bochel
Head of Planning and Sustainable Development

2nd April 2014;

Our Ref: LE/214411

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

F.A.O. Mr Gavin Clark

Dear Gavin,

OBJECTION TO PLANNING APPLICATION REF: 140273 FOR THE CHANGE OF USE FROM CLASS 1 RETAIL TO HOT FOOD TAKE AWAY (SUI GENERIS) AND INSTALLATION OF FLUE AT 21 UNION STREET, ABERDEEN, AB11 5BU

Keppie Planning and Development have been instructed by our clients Markten Ltd, the owners of The Atheneum, 15 Union Street to submit this letter of objection in response to the application for the change of use from Class 1 retail to hot food take-away (sui generis) and installation of flue at 21 Union Street, Aberdeen.

Our clients wish to object to this application based on the following grounds:

- The proposals do not comply with local planning policy; specifically they do not comply with Policy C2: City Centre Business Zone and Union Street and the associated Supplementary Guidance on Union Street Frontages March 2012.
- The level of Class 1 retail uses will be reduced to less than the 65% minimum level of retail frontage required in sector H (Market Street to Exchequer Row) as prescribed in the Local Plan and Supplementary Guidance;
- Likely adverse impact of the development in terms of odours and noise on residential amenity;
- Potential parking issues which may be caused by home deliveries or collection of take-away orders;
- The hot food take-away is not a compatible use for the eastern end of Union Street, such uses are more appropriate towards the western end of the street;
- Further evidence should be provided regarding the effectiveness of the flue system and the means of collection of waste generated by the proposed use.

Planning Policy Review

With regard to the assessment of the application in planning policy terms, it is submitted that the proposed development should be reviewed against the following Aberdeen City Local Development Plan 2012 policies and other relevant Council guidance:

- Policy C2: City Centre Business Zone and Union Street;
- Policy R6: Waste Management Requirements for New Development;
- Supplementary Guidance: Union Street Frontages March 2012

Policy C2 states that *"proposals for a change of use from retail (Class 1 of the Use Classes Order) to other uses within the City Centre Business Zone will only be acceptable if (1) the proposal is in Union Street it must accord with the Union Street Frontages Supplementary Guidance"*.

As the proposed development site is located on Union Street, it is therefore appropriate to move onto the assessment of the proposals against the Supplementary Guidance (SG) as detailed above.

The Supplementary Guidance relating to Union Street frontages states that *"proposals to enhance the vitality and viability of Union Street as a key retail location within the City Centre will be supported"*. It is submitted that the current proposals to introduce a Sui Generis use into this retail frontage is not appropriate and would not enhance the vitality and viability of Union Street as a key retail location as the unit will be devoid of a suitable retail occupant.

The guidance seeks to provide minimum ground floor retail frontage percentages which will be acceptable in the different sectors of Union Street (as annotated in plan 1). The proposed development site lies within Sector H: Market Street to Exchequer Row (3-67 Union Street).

Sector H sets a current minimum level of retail frontage required at ground floor level at 65% and it is noted that this level *"has been reasonably constant for some time"*. Table 1 of the SG highlights that at the time of preparation (25th November 2011) Sector H had an actual retail percentage of 68.3% which resulted in a spare capacity of +3.3% over the minimum 65% retail frontage level.

Prior to the preparation of this representation a site visit was carried out on 26th March 2014 to establish the current retail provision within Sector H, the survey details are provided in the table below:

Union Street Unit Current Occupant	Use Class (as per the Use Classes Order)	Notes
The Atheneum (vacant)	3	Last known use pub/restaurant
RS McColl	1	-
Vacant (application site)	1	Last known use shoe shop
Tourist Information	2	-
Gift Shop	1	-
Pawn shop	2	-
British Heart Foundation	1	-
Amplifan Hearing Specialist	1	-
Vue Cinema	11	-
Convenience Store	1	-
Annie Mos	1	-
Pound stretcher	1	-
First Bus Travel Centre	2	-
Semi Chem	1	-
Greggs	1	-
Vacant	2	Last known use Santander
Poundland	1	-
Vacant	1	Last known use JJB Sports
Sports Direct	1	-
Total Number of Units		
19		

From the table above it can be concluded that the 19 units within Sector H can be broken down as follows:

Class 1 = 13 units

Class 2 = 4 units

Class 3 = 1 unit

Class 11 = 1 unit

The SG notes that where a unit is vacant, its last known use is used to calculate the actual ground floor retail frontage, except where a vacant unit has an extant planning permission that has not yet been implemented. From review of the Council's online planning portal, we were unable to establish any extant consent's relative to this sector.

On this basis, the current retail percentage for Sector H equates to 68.4% which is in line with the SG levels and allows a spare capacity of +3.4%.

The proposed change of use to remove the Class 1 use and replace it with a Sui Generis use would then reduce this percentage to 63.1% with a spare capacity of - 1.9% which would result in the proposed development being unacceptable in terms of the retail frontage levels in this Sector. The SG does provide a limited flexibility of up to 1% below the minimum required level provided that the proposals comply with any other relevant criteria in the SG. It is submitted that the proposals would exceed the flexibility level as it would result in a negative value of 1.9% below the required 65% retail frontage levels.

The SG also notes that there is a desirability to encourage the *"diversity of city centre uses and activities at the west-end"* of Union Street. It is considered that the proposed hot food take-away use would be more appropriate within the west-end area of Union Street where minimum retail percentages are lower. It is inappropriate to allow the reduction of retail frontages in an area which has been able to maintain levels of 65% or above for some time and therefore the current application should not receive Council support.

With regard to the above, it is strongly suggested that the proposed change of use would result in the retail frontage levels of Sector H falling unacceptably below the 65% level as prescribed by the SG and therefore the proposals do not comply with the provisions of either Policy C2 of the Local Development Plan or the provisions of the Supplementary Guidance: Union Street Frontages.

Policy R6 states that *"details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste"*. Due to the nature of the proposals it is fully expected that there would be substantial levels of waste generated from a hot food take-away. It is suggested that further details of where the waste will be collected from should be submitted by the applicant to allow the Council to fully assess the impacts of the proposed change of use. Until such time, it is considered that the proposed development does not comply with the provisions of Policy R6.

With regard to the above, it is considered that the proposals do not comply with the Council's Development Plan.

Odours, Noise & Parking

The Council will be aware of the level of recent investment that has been put forward by our clients in order to bring The Athenaeum building back into use and re-invigorate the eastern end of Union Street through the introduction of serviced apartments. It is with this in mind that our clients have further concerns regarding the proposed hot food take-away being located in such close proximity to the new serviced apartments within the Listed Building.

It is submitted that the proposed change of use will give rise to issues relating to odours, noise and parking.

Whilst a flue is proposed, there is no evidence that the system proposed will adequately eliminate the unwanted odours from the hot food take-away which would ultimately lead to unacceptable residential amenity issues.

In terms of noise, disturbance could be created from the noise of the flue system and from the increase in customers late into the evening. If the Council were to consider approving this application, it is requested that suitable conditions should be applied to the consent to impose maximum noise levels and to specify the hours of operation.

The proposed change of use to a hot food take-away could also give rise to inappropriate/illegal parking due to home delivery vehicles or vehicles parking to collect orders. The increase in vehicles could result in road and pedestrian safety issues. If the Council were to consider approving this application, it is requested that a suitable condition be imposed to restrict the home delivery and collection facility.

Conclusions

We would finally like to reiterate that this representation seeks to object to the proposals subject of application 140273 on the following grounds:

- The proposals do not comply with local planning policy; specifically they do not comply with Policy C2: City Centre Business Zone and Union Street and the associated Supplementary Guidance on Union Street Frontages March 2012.
- The level of Class 1 retail uses will be reduced to less than the 65% minimum level of retail frontage required in sector H (Market Street to Exchequer Row) as prescribed in the Local Plan and Supplementary Guidance;
- Likely adverse impact of the development in terms of odours and noise;
- Potential parking issues which may be caused by home deliveries or collection of take-away orders;
- The hot food take-away is not a compatible use for the eastern end of Union Street, such uses are more appropriate towards the western end of the street;
- Further evidence should be provided regarding the effectiveness of the flue system

We trust that the Council will take the above mentioned points into consideration when assessing the suitability of this site for the development and ultimately recommend that the application be refused given that the proposals do not accord with the policies and guidance of the Local Development Plan.

We trust that the above is clear; however should you require any further clarification on any of the information provided, please do not hesitate to contact me. In the meantime we would be grateful if you could confirm receipt of this objection prior to the deadline for comments.

Yours sincerely,



Laura English
Senior Planner

P&SD Letters of Representation		
Application Number: 140 273		
RECEIVED - 3 APR 2014		
Ncr	Sou	MAp
Case Officer Initials: GAC		
Date Acknowledged: 4-4-14		

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 April 2014 13:33
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : Christopher Forbes

Address : 32 Ruthrieston Circle, AB10 7JX

Telephone :

Email : [REDACTED]

type :

Comment : Hi.

I'm not satisfied with the fact that there is going to be a new kebab shop on Union Street. This Street is full of well-established companies and I am not quite sure if that is going to go well with them. Most of them are Class 1 and a new kebab shop definitely will not help them to keep the class level.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 03 April 2014 09:38
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : Sarah Colquhoun
Address : 46 Market Street,
Aberdeen
AB11 5QE

Telephone :

Email : [REDACTED]

type :

Comment : As the operator of an independent Beauty clinic on Market Street I feel I have to object to this application.

My business currently sits between two take-away's with another hot food outlet at the top of the road and another a stone's throw away around the corner.

I fear that this application would have a detrimental impact on an area of the city where everyone is working together to make improvements.

I have first hand experience of how, through no fault of their own, take away's become a beacon for noise, bad smells, mounds of litter and loitering late at night.

Having taken the time to inspect the location for this application - my first thought was of the bad behavior that would ensue late at night along the laneway to Exchequer Row which is already dark and unsafe.

Here on Market Street, we are constantly trying to improve the image of the area so that successful independent business can survive and I strongly believe that encouraging a similar business model to those that are already in existence yards away is a mistake.

Would it not be better to encourage a new shop or store to open its doors on Union Street which was once the place to go in the city?

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 April 2014 16:55
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : John Healy
Address : Flat B
6 Trinity Street
Aberdeen
AB11 5LY

Telephone :

Email : [REDACTED]

type :

Comment : I live close to this and already have issues with rubbish in our street from hot food takeaways and the mess created as a result. There have been great steps forward with restaurants being refurbished in the area and the new signage going in empty shops to brighten in the area. I don't want to see Union Street, Exchequer Row and Shiprow filled with rubbish, crowds of youths at all hours of night disturbing local residents and spilling out all over the roads and footpaths creating a nuisance of themselves. It is great to see development in the area and buildings being brought back into use, but this is at the cost of local residents, visitors and the street cleaners who will inevitably end up having to clear up all of this mess which will blow along our main street and gather in door ways taking away any of the appeal which Aberdeen Inspired have tried to inject into the city as a whole. There will also be a surge in irresponsible parking and abandonment of cars near the unit to collect food, as this already happens elsewhere in the city with double parking, blocking of the road and clear breach of parking restrictions when the parking wardens are no longer in action, and the police have bigger things on their plates. I hope this application is seriously considered for the impact it will have on all senses - smell, sound, sight and the feel of the grease which will inevitably coat windows, doors and stairwells that local residents have to use, and hope it is not allowed to proceed.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 April 2014 17:23
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : Rose Hickey
Address : Caversham Management
Adelphi Business Centre
19 Adelphi
Aberdeen
AB11 5BL

Telephone :

Email : [REDACTED]

type :

Comment : On behalf of Caversham Management who own a number of properties in the area, I would like to object to the application to allow a hot food outlet at 21 Union Street. There is already an ample provision in the area of takeaways and sit in restaurants - these restaurants are doing their best to capture trade and keep it in the city centre, not attract passing drunken and potentially destructive groups of people, or taxis/other vehicles to park precariously whilst collecting food or passengers. We are also concerned about the lack of parking in the area or appropriate space to pull in to collect people or food from these outlets. It is important to see developments happen, and we are fully in support of this, but the right developments and the right uses have to be put together. There is a recommended minimum level of retail frontage required at ground floor level which if this development proceeds would be reduced below the level set. there will also be a lot of noise, smell, litter and loitering in the area which will have a detrimental effect on existing and proposed residential, mixed use and retail units in the area. There will be very few retail units that would wish to move in next to a hot food outlet so the %of retail in the area will only decrease.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 April 2014 12:35
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : catherine shaughnessy

Address : 4 shiprow

Telephone :

Email : [REDACTED]

type :

Comment : I would like to object to the proposed development of a take away opening at 21 Union Street on the grounds that I feel the area has become more developed in recent months, noise levels late at night have become less of an issue with the closure of the night club in the area as has the level of anti social behaviour that comes with late night premises been open. The idea of another take -away opening in the area will have serious consequences when it comes to the issue of littering on the streets, people loitering late at night, which I feel as a tenant living in close proximity will have a very negative effect on the area.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 April 2014 14:16
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : Gavin Paterson
Address : 43-45 Market Street
Aberdeen
AB11 5EL

Telephone : [REDACTED]

Email : [REDACTED]

type :
Comment : OBJECTION TO PLANNING APPLICATION REF: 140273 FOR THE CHANGE OF USE FROM CLASS 1 RETAIL TO
SUI GENERIS CLASS 3 HOT FOOD TAKE AWAY AND INSTALLATION OF FLUE AT 21 UNION STREET, ABERDEEN, AB11
BU

I would like to object to the above application for the following reasons:

- • It would reduce the amount of Class 1 retail use within that stretch of union street taking it to below the percentage that is allowed for within the union street shop front policy
- • The potential for smells coming from the business affecting the flats above
- • The potential for loitering of youths outside and disposal of litter
- • Late night disturbance

The hotel is investing in the Athenaeum building with apartments which are desperately required within the Aberdeen market and feel this application would cause on going disturbances for this development.

Regards

Gavin Paterson

PI

From: webmaster@aberdeencity.gov.uk
Sent: 03 April 2014 10:13
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : Robin Keane
Address : Alcore Construction
19 Adelphi
Aberdeen
AB11 5BL

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Having worked on a numerous refurbishment jobs for local retail owners I feel that the opening of another kebab shop would go against everything they have been trying to achieve within the merchant quarter. Having worked in the area over the past 15 years we have recently seen a real change in the area for the better and the opening of another late night fast food business, and the problems that go with it, would only harm all the good work thats been done. (anti social behaviour, litter, noise pollution etc)

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 April 2014 16:36
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : Natalie Floris
Address : Aberdeen Best Kebab
26 Market Street
Aberdeen
AB11 5PL

Telephone :

Email : [REDACTED]

type :

Comment : On behalf of Aberdeen Best Kebab i would like to object to the application for a hot food takeaway on Union Street as it is in breach of the councils policy on the number of retail units present on the street. This requirement is outlined in the Local Plan and Supplementary Guidance where the are 21 Union Street is in is referred to as 'Sector H'. The area is well served with existing sit in restaurants, bistros as well as hot food outlets operating at night and during the day and we do not feel that the area needs nor could sustain another hot food business

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 03 April 2014 16:04
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : ENSCO 330 Ltd
Address : 2 Guild Street
Merchant Quarter
Aberdeen
AB11 6NE

Telephone :

Email : [REDACTED]

type :

Comment : OBJECTION TO PLANNING APPLICATION at 21 Union Street, Aberdeen, AB11 5BU

We own a number of properties on Market Street, and Guild Street and have been working with other business owners to improve the appearance and atmosphere along Market Street and within the wider 'Merchant Quarter' We are delighted to see the progress and support new businesses and developments appearing in the area and along Union Street. It is great to see the investment by the council and private owners. I do however, object to the introduction of a kebab shop in this unit which was formerly the foot factory, at 21 Union Street. The noise, smell and litter that will be generated will have a detrimental effect on a number of businesses in the area including the tenants of our properties. There are plenty of 'sit in' restaurants and several takeaways in the area, so I don't believe there is a need or demand for an additional hot food unit. There are recommendations in place and the change of use from a retail unit to a class 3 hot food outlet would be in breach of the councils own guidelines, as well as being a big step backwards for the area which has seen great improvement in recent years. The building the shop sits in is a listed building and as such the frontage will need to be in keeping with the style of the building similar to the restrictions in place on Market Street that ourselves and our tenants have to adhere to, and there is no information on the proposed frontage of the Kebab shop, or very much detail on the actual extraction proposed it seems very generic the brands of extraction. I would be concerned about the noises of the fans, the opening hours of the shop, the litter and the groups of people hanging around in the evenings outside the kebab shop. For the reasons above, we would like to object to the application.

Regards

Robert Keane
ENSCO 330 Ltd

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 03 April 2014 16:24
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : Margaret Colquhoun

Address : 14 Beaver Road

Belle Vue

Carlisle

Cumbria

CA2 7PS

Telephone :

Email : [REDACTED]

Type :

Comment : I am a frequent visitor to Aberdeen, and have witnessed the recent decline on Union Street as people move to shop in the shopping centres or online. It is a tragedy to see these main shopping streets in town centres dying, and once they are allowed to descend into pound shops and greasy spoon takeaways retail will never return - recently Union Street has seen the introduction of Jamie's Italian, Cafe Nero and nearby this unit there are new apartments going in which will bring a lot of business people to the area as well as the Micasa Apartments which are a little further down, there are several offices nearby and a kebab shop doesn't really fit with these. The little lane which goes down to Marks and Spencers had recently been done up and is beautiful as is the artwork on the Adelphi lane there is clearly a lot of investment in the area and these lane ways should not be full of cigarette ends and kebab papers and half eaten remnants of the night before smeared all over them. The laneway to the cobbled shiprow could become a hangout for kids and drunken people drawn to the kebab shop blocking the pavement and spilling onto the road which is intimidating to walk past in the evening, and also will disturb a lot of the residents living nearby. The smell of a kebab shop doing their preparation for evening trade, service and even after they close will be extensive and it will prevent shoppers progressing down and into the castlegate which has a number of shops and a lovely square which visitors and residents should feel comfortable and safe to enjoy like the squares and parks are enjoyed in other cities, rather than being surrounded by litter, food waste and seagulls squabbling for the remains of a discarded kebab. It's also a terrible impression for a visitor to the city coming out of the visit Scotland shop to walk into kebab mess and smell - hardly a great first impression! Welcome to Aberdeen - sorry we would have tidied up if we knew you were coming! The council offices and a court are just across the way as well so it's not very nice for a function at the town house to be surrounded by the smell and litter of the kebab shop. I hope that this permission is not granted and a more suitable use for the property is found to fit in with the other lovely buildings and businesses nearby.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 April 2014 19:50
To: PI
Subject: Planning Comment for 140273

Comment for Planning Application 140273

Name : Kate O'Neill
Address : 19 Adelphi,
Merchant Quarter,
Aberdeen
Ab11 5BL

Telephone :

Email : [REDACTED]

type :

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

As someone who works on Adelphi Lane – I was upset to get such late notice that there has been application submitted to introduce yet another take away to the area.

All we hear about now is the demise of Union Street – so it would be a huge disappointment to many to hear of another space for a retail store of some kind to open in this part of Union Street has been lost.

I can only imagine the effect this would have on this area – I regularly use the Shiprow area and Exchequer Row and I often work late.

There would be more rubbish, more people gathered there hanging around and traffic would be seriously effected – work vans already use this area so delivery vans would add even more to the chaos.

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