

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, 13 August 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, 21 AUGUST 2014 at 10.00 am.**

JANE G. MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

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 24 July 2014 - for approval (Pages 1 - 10)

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 2.1 Aberdeen Local Development Plan Site Op58, Countesswells, Lying West of Hazlehead Park - Residential-led mixed use development including approximately 3000 homes, employment, education, retail, leisure and community uses and associated new and upgraded access roads, landscaping and ancillary engineering works (Pages 11 - 92)

Reference No – 140438

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140438>

- 2.2 39 Rosemount Viaduct - Change of use from Class 1 (Hairdressing Salon) to Class 3 (Coffee Shop) (Pages 93 - 108)

Reference No – 140863

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140863>

- 2.3 Land South of Shielhill Road, Mundurno, Dubford - Erection of 99 No. houses with associated car parking, landscaping and drainage (Pages 109 - 128)

Reference No – 131851

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131851>

WHERE THE RECOMMENDATION IS ONE OF REFUSAL

- 3.1 Land North of Airyhall House, Craigton Road, Pitfodels - Construction of 5 No. terraced houses and associated site works (Pages 129 - 154)

Reference No – 131354

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131354>

OTHER REPORTS

- 4.1 Planning Digest (Pages 155 - 160)

Website Address: www.aberdeencity.gov.uk

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 24 July 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Corall, Cormie, Dickson (substituting for Councillor MacGregor), Grant, Greig, Jaffrey, Lawrence, Jean Morrison MBE, Jennifer Stewart, Thomson and Townson.

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2884&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 19 JUNE 2014

1. The Committee had before it the minute of its previous meeting of 19 June 2014.

The Committee resolved:-
to approve the minute.

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 10 JUNE 2014

2. The Committee had before it the minute of meeting of the Planning Development Management Committee (Visits) of 10 June 2014.

The Committee resolved:-
to approve the minute.

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS) OF 26 JUNE 2014

3. The Committee had before it the minute of meeting of the Planning Development Management Committee (Visits) of 26 June 2014.

The Committee resolved:-
to approve the minute.

CONSERVATION AREAS - COVE BAY, OLD ABERDEEN AND PITFODELS

4. The Convener advised that correspondence had been received from Old Aberdeen Heritage Society, in connection with the above report by the Head of

Planning and Sustainable Development, which requested that consideration of the matter be deferred, and requested a deputation in the event that it was not deferred.

The Convener, supplemented by the Head of Planning and Sustainable Development, advised that there was no longer an immediate time pressure associated with the matter, and it was his intention that a site visit be undertaken to all three Conservation Areas in advance of a report back to the Committee at a later date.

The Committee resolved:-

to defer consideration of the matter for site visits to be undertaken at a date to be arranged.

FORMER ST NICHOLAS HOUSE, BROAD STREET - 140698

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

That the Committee defer consideration of the application in respect of planning permission for a mixed use development including office, hotel, retail, restaurant and leisure uses, civic space, car parking, access routes, landscaping, other infrastructure and public realm improvements, in order that a Public Hearing be held.

The Committee resolved:-

that a Public Hearing be held on 28 August 2014.

SITE 94-102 HARENESS ROAD, ALTENS INDUSTRIAL ESTATE - 140229

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

That the Committee express a willingness to approve the application in respect of planning permission for the erection of a five storey (with basement) office building with associated car parking and landscaping, but to withhold the issue of the consent documents until the applicant provided financial contributions towards the core path network, subject to the following conditions:-

- (1) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full;
- (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 (SUDS) 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;
- (3) That no development (other than site preparation and ground works) shall take place unless a scheme of all external finishing materials to the roof and walls of the development hereby approved has been submitted to

and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed; (4) That no development (other than site preparation and ground works) shall take place until details of all boundary treatments have been submitted to, and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed; (5) That no development (other than site preparation and ground works) shall take place until a scheme of all external finishing/planting to the walls of the decked car park hereby approved has been submitted to, and approved in writing by the planning authority. Thereafter the development shall be carried out in accordance with the details so agreed; (6) That no development shall take place until a Construction Method Statement (CMS) has been submitted to, and approved in writing by the planning authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved CMS unless otherwise agreed in writing with the planning authority; (7) That no part of the office building shall be occupied unless there has been submitted to and approved in writing a detailed occupier specific green travel plan which (a) shall be in general accordance with the travel plan framework included within the Travel Plan and Transport Statement (May 2014 - Revision B); and (b) must outline sustainable measures to deter the use of the private car, in particular single occupant trips and provide detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets; (8) 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; (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; and (10) That no part of the office building hereby approved shall be occupied unless the vehicular parking, motorcycle parking and cycle parking has been constructed, drained, laid-out and demarcated in accordance with drawing A1-01-02 (Revision A), or such other drawings as may subsequently be approved in writing by the planning authority. Thereafter such areas shall not be used for any purpose other than the parking of vehicles, cycles and motorcycles ancillary to the approved office development.

INFORMATIVE

That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place:

- (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays;
- (b) outwith the hours of 9.00am to 4.00pm Saturdays; or
- (c) at any time on Sundays

except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery].

The Committee resolved:-

to approve the recommendation.

LAND AT CHARLESTON ROAD, COVE - 140494

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

That the Committee express a willingness to approve the application in respect of planning permission for a proposed residential development consisting of the erection of 29 houses and 18 flats and associated infrastructure, but to withhold consent until a legal agreement was secured to deliver affordable housing and developer obligations contributions towards a new northbound lane on Wellington Road, sport and recreation facilities, library provision, community facilities and core paths, subject to the following conditions:-

(1) That no development pursuant to the development hereby approved shall take place unless a pre and post construction access strategy has been submitted for the further approval of the planning authority and thereafter, unless otherwise agreed in writing, no dwellinghouse shall be occupied unless said strategy has been implemented in full; (2) That no development pursuant to the planning permission hereby approved shall be occupied unless traffic orders have been promoted to (i) stop up the existing junction of Whitehills Road and Wellington Road; (ii) make the length of Whitehills Road, from its junction with the unsurfaced track that leads to Langdykes Road to its junction with Cove Road, a no through road (residents and emergency access only); and (iii) make the length of unsurfaced track from Whitehills Road to its junction with Langdykes Road a route for pedestrians and cyclists only (no vehicles) unless the planning authority has given written consent for a variation; (3) That no residential unit within the development hereby approved shall be occupied unless a paved and lit combined footway/cycleway link from the new community to the footway of Langdykes Road has been constructed via the existing route of the track that links Whitehills Road to Langdykes Road and in accordance with a further detailed scheme that has been submitted to, and approved in writing by, the planning authority; unless the planning authority has given written consent for a variation; (4) That no development pursuant to the planning permission hereby approved shall take place unless a site specific Construction Environmental Management Plan (CEMP) for construction work has been submitted to and approved in writing by the planning authority (in consultation with SEPA and other agencies). The plan will, inter alia, detail measures, including mitigation and monitoring, to minimise odour and dust and to control noise from plant, equipment and site operations to prevent any nuisance or public health risk on the occupants of adjacent residential properties. It will include a construction method plan detailing the impacts of heavy vehicles and any machinery to be operated including the timings and routings of lorry movements to and from the site with the aim of minimising movement along residential streets. No development shall be carried out unless in accordance

with the approved plan, unless a variation has been approved in writing by the planning authority; (5) That no development pursuant to the planning permission hereby approved shall take place unless a full site waste management plan for the processing of construction and demolition waste has been submitted to and approved in writing by the planning authority. No work shall be carried out unless in accordance with the approved plan unless the planning authority has given written consent for a variation; (6) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of hard and soft landscaping for the site which scheme shall include the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting, as well as materials to be used for pavements and roads; (7) 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 new areas of planting 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; (8) That all soft and hard landscaping comprised in the approved scheme 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; (9) That that no development pursuant to the planning permission hereby approved shall take place unless a scheme of street and footpath lighting has been submitted to, and approved in writing by the planning authority. No unit shall be occupied unless the scheme has been implemented in full accordance with the scheme of lighting approved in writing by the planning authority; (10) That the development hereby granted planning permission shall not be occupied unless all drainage works detailed on Plan No 100271/2200E 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; (11) That the development hereby granted planning permission shall not be occupied unless provision for facilities for storage of domestic waste and recyclable material as detailed on Plan No 1351/P/-/03 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; (12) That no development pursuant to the planning permission hereby approved shall take place unless a further detailed specification of the energy and water saving measures that would be installed in every residential unit is submitted to and approved in writing by the planning authority and no residential unit shall be occupied unless these have been installed, unless the planning authority has given written consent for a variation; (13) 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; (14) That no development pursuant to this planning permission shall take place, nor

shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety; and (15) That no development shall take place unless a scheme detailing all external finishing materials to the walls, doors and windows of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed.

INFORMATIVE

That, except as the planning authority may otherwise agree in writing, no construction or demolition work shall take place:

- (a) outwith the hours of 7.00am to 7.00pm Mondays to Fridays;
- (b) outwith the hours of 9.00am to 4.00pm Saturdays; or
- (c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery].

The Committee resolved:-

to approve the recommendation.

THE CHESTER HOTEL, 59-63 QUEEN'S ROAD - 140259

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

That the Committee approve unconditionally the application for retrospective planning permission for the installation of granite seating to the front of the hotel and fixed seating and pergola to the rear.

The Convener moved, seconded by Councillor Cormie:-

That the application be approved in accordance with the recommendation contained within the report, and that the Head of Planning and Sustainable Development write to the applicant expressing the Committee's concern at the retrospective nature of the application and emphasising the importance of associated licensing conditions being adhered to.

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

That the application be refused on the grounds that the associated impact of the structures had a detrimental effect on residential amenity in terms of noise nuisance.

On a division, there voted:- for the motion (11) - the Convener; the Vice Convener; and Councillors Boulton, Corall, Cormie, Dickson, Grant, Jaffrey, Lawrence, Jean Morrison and Townson; for the amendment (3) - Councillors Greig, Jennifer Stewart and Thomson.

The Committee resolved:-
to adopt the motion.

27 WHITEHALL TERRACE - 140440

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

That the Committee approve the application in respect of planning permission for change of use of the dwelling (Use Class 9) to a mixed use of dwelling and childminding (Use Class 10), subject to the following conditions:-

(1) That no more than 10 children shall be accommodated within the childminding element of the mixed use at any given time; and (2) That the childminding use be restricted to the hours of 8.00am to 6.00pm Monday to Friday.

Councillor Corall moved as a procedural motion, seconded by Councillor Greig:-

That a site visit be undertaken to allow members the opportunity to view the size of the garden in terms of its sufficiency for the number of children potentially using it.

On a division, there voted:- for the procedural motion (7) - Councillors Corall, Cormie, Grant, Greig, Jaffrey, Lawrence and Jennifer Stewart; against the procedural motion (7) - the Convener; the Vice Convener; and Councillors Boulton, Dickson, Jean Morrison, Thomson and Townson.

There being an equality of votes, in terms of Standing Order 15(5) the Convener exercised his casting vote against the procedural motion. The Committee, therefore, proceeded to determine the application this day.

The Convener moved, seconded by Councillor Corall:-

That the application be approved in accordance with the recommendation contained within the report, and that the applicant be requested to (1) consider possible screening for the garden in discussion with planning officers; and (2) submit a travel plan.

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

That the application be refused on the grounds that it failed to comply with Policy H1 within the Aberdeen Local Development Plan insofar as it could not be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity; and due to the detrimental impact there would be in terms of traffic and road safety in the immediate vicinity of the property.

Councillor Dickson moved as a second amendment:-

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

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

On a division, there voted:- for the motion (8) - the Convener; and Councillors Corall, Cormie, Dickson, Grant, Lawrence, Jean Morrison and Townson; for the amendment (6) - the Vice Convener; and Councillors Boulton, Greig, Jaffrey, Jennifer Stewart and Thomson.

The Committee resolved:-
to adopt the motion.

39 KING'S CRESCENT - 140715

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

That the Committee approve the application in respect of planning permission for a material change of use of the property, to allow use as a House of Multiple Occupation (HMO), which would allow more than five unrelated people to live in the premises together, subject to the following conditions:-

(1) That the proposal shall be implemented in accordance with drawing no. PL_7B, in that the maximum number of lettable rooms shall be 10; (2) That the use hereby granted planning permission shall not be occupied unless the cycle storage facilities as shown on drawing no. PL_7B have been provided; and (3) That prior to the date of occupation of the hereby approved HMO, the developer shall submit details, for written approval by the planning authority of how and what information will be provided at the property (e.g. cycle route maps and car club promotional literature) which support sustainable transport in the area.

DECLARATION OF INTEREST

At this juncture, the Convener spoke in support of the objections submitted by Old Aberdeen Community Council and Old Aberdeen Heritage Society, emphasising the high number of HMOs in the area, and expressed his preference that the application be refused, however if the Committee was minded to approve the application that certain conditions or informatives be attached.

Accordingly, in terms of Section 7.15 of the Councillors' Code of Conduct, the Convener declared an interest in the matter, vacated the Chair and withdrew from the meeting. Thereupon, the Vice Convener took the Chair.

Councillor Cormie moved, seconded by Councillor Dickson:-

That the application be approved in accordance with the recommendation contained within the report, and that an informative be attached to require the applicant to check with Building Standards in terms of any internal alterations which may require a building warrant.

Councillor Jean Morrison moved as an amendment, seconded by Councillor Boulton:-

That the application be refused on the grounds that the proposal is considered to result in an adverse impact on the amenity of the area, involving the loss of existing residential use in favour of a more intensive occupancy of a commercial nature, contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan. The proposal is also considered to make inadequate provision for off-street car parking for residents, and as such would fail to accord with Policy T2 (Managing the Transport Impact of Development) and the associated 'Transport and Accessibility' supplementary guidance.

On a division, there voted:- for the motion (6) - Councillors Corall, Cormie, Dickson, Lawrence, Jennifer Stewart and Townson; for the amendment (7) - the Vice Convener; and Councillors Boulton, Grant, Greig, Jaffrey, Jean Morrison and Thomson; absent from the division (1) - the Convener.

The Committee resolved:-
to adopt the amendment.

At this juncture, the Vice Convener vacated the Chair in favour of the Convener upon his return.

13 DEVONSHIRE ROAD - 140515

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

That the Committee approve unconditionally the application in respect of planning permission for the creation of a car parking area within the rear garden of the property and the removal of part of the site boundary wall and the erection of gates adjacent to Union Grove Lane.

The Committee resolved:-
to approve the recommendation.

SITE 17 PETERSEAT DRIVE AND SITE 49 MINTO AVENUE, ALTENS INDUSTRIAL ESTATE - 140028

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

That the Committee approve the application in respect of planning permission for retrospective hazardous substances consent for the storage and industrial use of various hazardous substances, subject to the following conditions:-

(1) That the hazardous substances shall not be kept or used other than in accordance with the particulars provided on the application form as amended by the supplementary information from the applicant (email dated 27/02/14), nor outside the areas marked for storage of the the substances on the plans which formed part of the application (specifically the 'Overall Site Plan', drawing No.

3388C01); and (2) That substances which are catergorised as Part B2 'Toxic' shall be restricted to those substances which exist in the liquid phase when held at ambient temperature and pressure conditions.

INFORMATIVE

In accordance with the provisions of section 28 of the Planning (Hazardous Substances) (Scotland) Act 1997, nothing in this hazardous substances consent hereby granted shall require or allow anything to be done in contravention of any of the relevant statutory provisions or any prohibition notice or improvement notice served under or by virtue of any of those provisions. To the extent that such a consent or notice purports to require or allow any such thing to be done, it shall be void. "Relevant statutory provisions", "improvement notice" and "prohibition notice" have the same meanings as in Part I of the [1974 c. 37.] Health and Safety at Work etc. Act 1974.

The Committee resolved:-

to approve the recommendation.

PLANNING DIGEST - EPI/14/214

13. The Committee had before it a report by the Head of Planning and Sustainable Development which provided an update on planning application 130918 - Hillhead of Clinterty, Tyrebagger Road, Kirkton of Skene - proposed explosives storage facility comprising six buildings access road, bunds and lighting towers, which had been considered at its meeting of 28 May 2014 (Article 5 of the minute refers).

The report recommended:-

that the Committee note the report.

The Committee resolved:-

to approve the recommendation.

- **RAMSAY MILNE, Convener.**

Agenda Item 2.1

Planning Development Management Committee

ABERDEEN LOCAL DEV' PLAN SITE OP58, COUNTESSWELLS
LYING WEST OF HAZLEHEAD PARK

RESIDENTIAL-LED MIXED USE DEVELOPMENT INCLUDING
APPROXIMATELY 3000 HOMES, EMPLOYMENT,
EDUCATION, RETAIL, LEISURE AND COMMUNITY USES
AND ASSOCIATED NEW AND UPGRADED ACCESS ROADS,
LANDSCAPING AND ANCILLARY ENGINEERING WORKS

For: Countesswells Consortium

Application Type : Planning Permission in
Principle

Application Ref. : P140438

Application Date: 27/03/2014

Officer: Paul Williamson

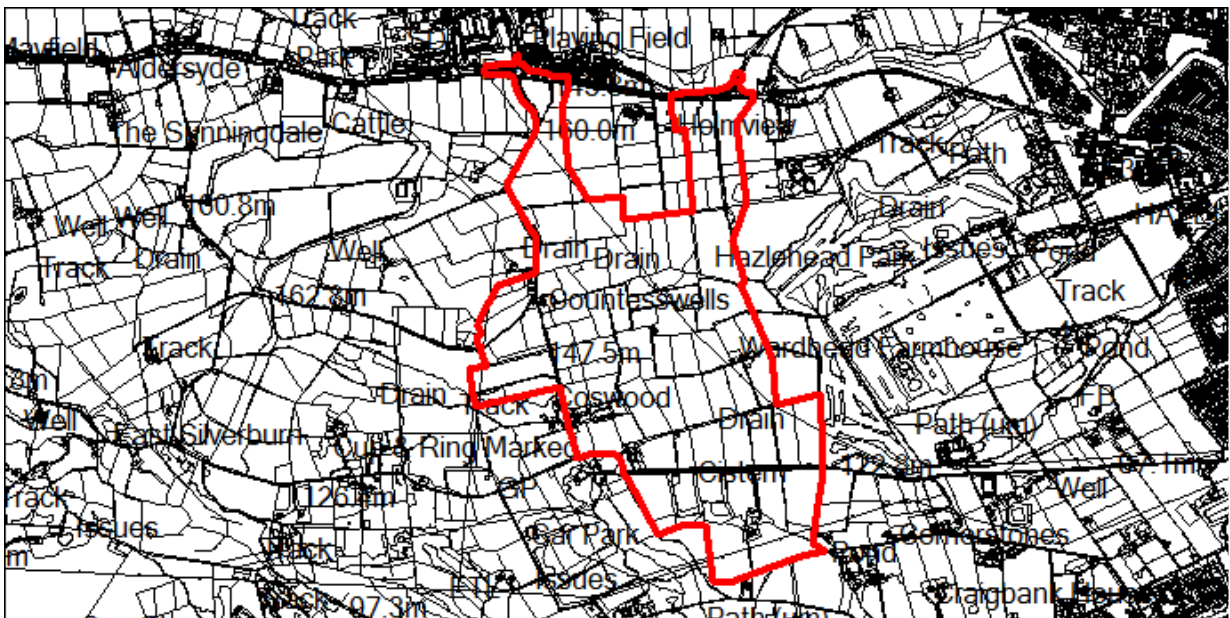
Ward : Lower Deeside (M Boulton/A Malone/M
Malik)

Advert : Can't notify neighbour(s)

Advertised on: 16/04/2014

Committee Date: 21 August 2014

Community Council : Comments



RECOMMENDATION:

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

1. **The provision of 25% affordable housing on site in accordance with the Development Framework and includes a range of delivery options, including contributions towards a gypsy traveller halting site;**
2. **Developer contributions towards primary education provision (one two stream and one three stream school) 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;**
5. **Developer contributions towards mitigation on the local roads network together with provision of infrastructure; and,**
6. **Developer contributions towards the Core Paths Network.**

DESCRIPTION

The application site covers 214.72 hectares of predominantly agricultural land between Kingswells to the north and Cults to the south, approximately 5.5 km from the City Centre.

To the west the site is bound by Kirk Brae (C128C) and Countesswells Wood. To the south, the site straddles Countesswells Road, and borders the Foggieton Wood. To the east, the site is adjacent to Hazlehead Wood, while to the north is the A944/Skene Road.

There are a number of sporadic dwellings spread over the application site, while the Loanhead Equestrian Centre has been vacant for some time, and is scheduled to be demolished as part of the wider development proposals.

Also within the site are a number of pockets of trees and woodland, together with the Cults Burn, drainage ditches and dykes. A core path also links the Countesswells Wood and Hazlehead Woods cutting west to east across the site.

In respect of the general topography, the site is contained within a natural bowl in the landscape, and is not readily visible from the surrounding settlements of Kingswells, Cults and Craigiebuckler. The land to the north of the site is slightly more elevated than that to the south, which is also contained by woodland blocks, which act as a backdrop.

RELEVANT HISTORY

In August 2012, the Consortium submitted a proposal of application notice (PoAN) to the Council indicating their intention to carry out public consultation on the proposed development.

An Environmental Impact Assessment (EIA) Screening Request (Ref: 110826) was responded to by the Council on 7 July 2011 advising that as a Schedule 2 development with potential significant effects on the environment, and

Environmental Impact Assessment would be required. A subsequent Scoping Request (Ref: 120826) was received by the Council on 6 June 2012, which sought to examine the specific content that would need to be covered within the environmental statement which would be required in support of the planning application.

On 3 June 2014, the Enterprise, Strategic Planning and Infrastructure Committee approved the Countesswells Development Framework and Masterplan as Interim Supplementary Guidance. This was subsequently sent to the Scottish Government for formal ratification, which was confirmed on 22 July confirming that they did not intend to intervene in the adoption of the Development Framework and Phase 1 Masterplan as Supplementary Guidance to the Local Development Plan. The Development Framework and Masterplan have therefore been formally Adopted as Supplementary Guidance.

Parallel detailed applications have also been submitted for Phase 1 infrastructure works (inc SUDS) (Ref: 140435), 124 dwellings at areas C1/C2 (Ref: 140730), and a further 1076 dwellings at area N10 (Ref: 141110), all of which remain pending at this time.

PROPOSAL

Planning Permission in Principle (PPiP) is sought for a residential development comprising of 3000 units, town and neighbourhood centre (including commercial. Retail and leisure uses), approximately 10 hectares of employment land, community facilities, open space, landscaping and supporting infrastructure including access.

Indicative proposals are shown in the submitted Design and Access Statement. The indicative proposals are identical to those shown with the Development Framework. It is expected that detailed layout and elevation details will be submitted for approval by way of Matters Specified in Conditions (MSC) applications, and will be in accordance with the adopted Development Framework and Phase 1 Masterplan.

The site is identified within the ALDP as an opportunity site (OP58) for a development of 3000 homes and 10 hectares of employment land, covering 165.1 hectares. The application boundary for the application extends to some 214.72 hectares to take into account provision of new roads connections to the A944 to the north. However, the physical areas for development of the dwelling and other built structures, would not extend beyond the allocated area within the ALDP.

The key aspects of the development are -

- The development will accommodate up to 3,000 residential units of which 25% will be affordable, equating to 735 units provided on site (when taking the gypsy traveller contribution into account). Up to 10 hectares of employment land would also be provided. This would include class 4 offices. small business space, retail (convenience), and hotel uses.

- The development shall comprise a total of 35 development blocks, split over the northern, central and southern sections of the site. In respect of phasing, it is envisaged that the development would be built out over 3 phases, each of a five year period, at an approximate construction rate of approximately 200-250 units per year.
- Two neighbourhood centres, one of which would include a town centre adjacent to the 2.6 hectare Central Park. The neighbourhood centres would also accommodate shops and community facilities.
- The development would also provide one secondary school, and two primary schools (with one being a two stream, with the other capable of being a three stream if deemed necessary).
- The Development Framework indicates that health facilities would include suitable NHS provision along with pharmacies and dentists delivered within appropriately sized commercial units within selected neighbourhood centre, thereby accommodating the demand from the new development.
- The proposed average density would be approximately 30 dwellings per hectare, although densities would vary across the settlement to provide variety in built form and create a range of distinctive areas. In the aspects of the development towards the edges, the development may be at below 20 units per hectare, although towards the centre, and primary distributor road would be between 30 – 50 units per hectare.
- Building heights would be between one and four storeys.
- Roads provision i.e. upgraded Jessiefield roundabout, and ultimate grade separation in form of a flyover connecting Lang Stracht to Westbound A944. Also formation of bus gate at Kirk Brae / Kingswells roundabout. Also potential for junction improvements at other points on the local road network.
- The indicative plan illustrates that each development phase could be within a 5 minute walk of potential bus stops, while schools would generally be to a maximum of a ten minute walk for the primary school.
- The development would accommodate open space, which would comprise a full range of uses such as formal recreational facilities and informal places to rest and relax, as well as natural, untamed areas that support biodiversity. The provision at Countesswells, in respect of each ACC space type would include:
 - Major Open Space – 17.52 hectares – Cults Burn Corridor Network, and School Campus/Community Sports facilities;
 - Neighbourhood Open Space – 6.8 hectares – Countesswells Central Park, Countesswells Road Avenue, and Hazleden Park
 - Local Open Space – 2.22 hectares – Core Path Link, Meadowbank Park, and Wardhead Park.

It should be noted that the names of the spaces provided above, have been chosen by the developer.

Environmental Statement (ES)

The proposal was subject to an environmental impact assessment as a “Schedule 2 Development” by virtue of its scale and location, in terms of Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations

1999 (as amended), in that the proposal falls within Table 10 Infrastructure Projects, sub-section (b) Urban development projects, specifically sports stadiums and it exceeds the specified site area threshold. An Environmental Statement (ES) was submitted with the planning application.

The ES reports on the findings of an environmental impact assessment (EIA) of the proposed development. EIA is the process of compiling, evaluating and presenting all of the significant environmental impacts of the proposed development, leading to the identification and incorporation of appropriate mitigation measures.

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=140438>

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

Specifically, the supporting documents include:

- Drawings
- Planning Statement;
- Pre-application Consultation Report;
- Drainage Assessment;
- Tree and Woodland Survey Report;
- Geo-environmental Desk Study;
- Geo-technical Interpretative Report;
- Transport Assessment;
- Design and Access Statement; and,
- Environmental Statement comprising:
 - Geology and Soils;
 - Land Use, Agriculture and Infrastructure;
 - Hydrology, Drainage and Water Quality;
 - Air Quality;
 - Noise and Vibration;
 - Ecology, Nature Conservation and Biodiversity;
 - Cultural Heritage;
 - Landscape and Visual Impact Assessment;
 - Pedestrians, Cyclists and Community Effects;
 - Traffic and Transport; and
 - Disruption due to Construction.

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation from May to October 2012 between the applicant and the local community, as required

for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations. The consultation involved:

- Initial public engagement in June 2012 at the respective meetings of: Kingswells Community Council; Cults, Bielside and Milltimber Community Council; and, Craigiebuckler and Seafield Community Council. It comprised exhibitions over a period of 6 hours where representatives of the consortium were on hand to provide information on the proposals and encourage public comments. Information leaflets were available at each venue along with a feedback form.
- 244 people attended over the three days with 96 on day one, 62 on day two, and 86 on day three. 42 feedback comments were received.
- Subsequent meetings with the respective Community Councils in August/September 2012 to update them on progress and address issues raised at the initial consultation events.
- The emerging Development Framework and Masterplan were presented to the Local Community and wider public at public exhibitions on 6-8 September 2012 at the Four Mile House, Kingswells, Airyhall Community Centre, and Cults Academy respectively. The format was similar to those held in June referred to above.
- Meetings with local residents were also held on 26/27 September 2012.
- Following refinement of the development proposals a further round of briefing meetings was held with the Community Council's on 2, 8 and 25 October 2012 respectively.
- In order to encourage participation: personal invitation letters were issued to individuals and organisations, as well as key stakeholders and local residents within notifiable distances; over 10,000 information leaflets were distributed to local homes lying to the west of Aberdeen; press and media releases, and posters promoting local events were distributed in local Community Centres, shops and libraries throughout the area.

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

The main concerns raised were in relation to-

- Open green spaces and woodland areas;
- Roads and vehicular congestion, and the linkages to the completion of the AWPR;
- Timings of education provision;
- Integrating the development with the countryside;
- Need for affordable housing;
- The need for infrastructure including schools, shops, health facilities, sport/leisure opportunities, recycling facilities, and a community centre;
- The style and size of properties to meet local needs;
- Impacts on existing property owners; and
- Cumulative impacts of Local Development Plan allocations.

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

- Creation of a new network of streets running through the development, in accordance with Designing Streets to achieve the aim of reducing speeding traffic on the country roads;
- Provision of the first primary school early in the development;
- Provision of the secondary school close to the centre of the development, which would also include community facilities;
- Inclusion of healthcare, leisure and retail facilities in the town centre;
- Concerns over various pinch points within the development have been addressed through provision of solutions within the site.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because the application has been the subject of twelve timeous letters of representation that express objection or concern about the proposal – representing a significant level of opposition to any major development proposal. Furthermore, the application has also been the subject of a formal objection by the Cults, Bieldside and Milltimber Community Council, whose boundary covers the overwhelming majority of the application site. An objection has also been received from Kingswells Community Council, albeit the extent of land relative to their boundary relates to the Jessiefield roundabout, and a small part adjacent to the Lang Stracht connection. The proposed development has previously been subject to a formal decision by the planning authority that Environmental Impact Assessment should be undertaken. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objections subject to the use of planning conditions, and appropriate clauses within a Planning Obligation (legal agreement) relating to the provision of off-site infrastructure works. Parking levels, pedestrian access and cycle access shall be ascertained as each subsequent planning application is submitted, and shall need to be provided in line with the Council's guidelines. Considerable discussion with the applicant has taken place, with a number of layout options considered for the Jessiefield junction. Accordingly, options for a staggered junction arrangement, or full signalised crossroads have been discounted.

A phased approach to the principle access for the development has been agreed, albeit further detailed work is required. The initial 300 units will be accessed from the C128C Kingswells to Countesswells Road, and the Kingswells Roundabout (A944/C89C/C128C junction). Beyond 300 units shows that the Switchback (Jessiefield) connection will be required to be provided by the developer. The switchback junction will be provided to a larger elongated roundabout, although

this shall have to undergo detailed design and the Roads Construction Consent process. This junction upgrade will allow the development to expand to 2000 housing units.

At this point a further upgrade to the access junction has been agreed in the form of partial grade separation with the construction of a flyover/overbridge from the Lang Stracht to the A944. This will remove the right turn from the Lang Stracht to Skene Road carrying vehicle towards Kingswells and Westhill/beyond. The construction of this flyover/overbridge will allow the development to be fully constructed.

The construction of the enlarged roundabout can be undertaken using land within the highway boundary, or under the control of the applicant. The construction of the grade separation will require additional land that is in third party control. The applicant shall therefore require to make a contribution to the Council for the cost of constructing this flyover/overbridge. This would therefore have to be catered for within the Planning Obligation (Legal Agreement).

The determination of the stage at which the C128C (Kirk Brae) connection into the Kingswells for private vehicles has still to be fully determined, and therefore a condition requiring analysis of the phasing and modelling of the junction shall be necessary. It is however expected that it shall be post AWPR.

In respect of wider traffic impacts, an impact has been identified on the Lang Stracht that will require to be mitigated. A condition requiring detailed analysis at junctions to be identified with the Roads Authority shall be necessary, and that any associated impacts be mitigated to the satisfaction of the Council. It is possible as an alternative to undertaking the mitigation directly, a contribution towards the cost of the works could be made. It is also noted that works to junctions at Queens Road/Kings Gate, and also Springfield Road/Countesswells Road are being undertaken through contributions from other developers, and the applicant shall require to demonstrate that the proposed works shall have sufficient capacity for the proposed development. Financial contributions may therefore be necessary. Further analysis is also required for the Kirk Brae/North Deeside Road, as well as Friarsfield Road/Kirk Brae junction. Both may also require the implementation of works or the provision of a financial contribution.

The provision of bus routes, and adequate bus stops will be developed through the subsequent planning applications on site. A condition requiring a public transport strategy shall be required for the application, and implementation necessary prior to the occupation of any dwellinghouse on site.

Provision of potential improvement/upgrades to Countesswells Road to improve safety for pedestrians, cyclists and equestrians will require to be controlled by a planning condition.

A contribution will be required to be provided towards the Strategic Transport Fund (STF). An estimate of the level of contribution has been identified to the developer in accordance with Council's Supplementary Guidance. The exact

level sought is dependant upon the specific types and number of properties to be provided. The planning obligation (legal agreement) shall therefore have to take this into account, and provide an appropriate clause.

Travel Plans, including residential Travel Packs, will be required for every aspect of this development, including residential and employment uses.

Environmental Health – No objection. Acknowledge that increased traffic will result in an imperceptible increase in the concentration of PM10, PM 2.5 NO₂ and there is no risk of exceedance of the national air quality objectives in the vicinity of the site. Development should be designed to minimise emissions and meet the requirements of the Air Quality Action Plan. Noise mitigation may be required for properties in close proximity to existing main roads. The final design of areas in the vicinity of Hazelhead Park should consider the impact of the development and ensure that tranquillity is preserved. Recommend that conditions be attached in relation to:

- Dust Management Plan outlining the dust mitigation measures and controls; and
- A scheme for protecting proposed residential properties from traffic noise at locations where WHO Guideline Values for Community Noise are exceeded.

Environmental Health (Contaminated Land) – No objection. The Desk Study for the whole development site has highlighted the potential for contamination in small areas of the overall site. Recommend that conditions are attached in respect of a contaminated land assessment; and the implementation of any necessary mitigation/remediation.

Housing and Environment (Waste) – No objection. Provide guidance on the specific requirements of Supplementary Guidance which shall require to be addressed through each subsequent detailed or Matters Specified in Conditions application.

Developer Contributions Team – Outline that developer obligations are required towards:

- Education: two primary schools, and one secondary school;
- Community Facilities;
- Sports and recreation;
- Playing Fields;
- Healthcare;
- Core Path Network;
- Gypsy Traveller Site; and
- Strategic Transportation.

Enterprise, Planning & Infrastructure (Flooding) - No objection. The main features considered for the design of the SUDS are in line with the requirements of ACC. A greenfield run-off rate of 5.77 l/sec/h remains within the usual range of figures considered in this area. The proposed use of several basins permits a local management of the surface water run-off, which is a better approach than designing large attenuation ponds at the end of the overall catchment. When detailed plans come forward it shall be necessary to take all existing watercourses into account.

Education, Culture & Sport (Archaeology) – No objection. A planning condition is required to secure the submission of a scheme of archaeology for each development phase/block of the development

Scottish Environment Protection Agency – No objection. Following the receipt of additional information, issues in respect of flood risk, ground water dependant terrestrial ecosystems, and private water supplies have been resolved. Also outlined the following points:

- Assume that the determination of the planning applications shall follow the approval of the Masterplan;
- In order to meet the objectives of the Water Framework Directive, developments should be designed to avoid engineering activities in the water environment wherever possible. We therefore welcome the objective to enhance existing watercourses and therefore incorporate them fully into the development layout.
- A habitat corridor between Hazlehead woodland and Countesswells woodland is also welcomed.
- Construction works have the potential to pollute the water environment. If not properly managed it can impact upon Aberdeen's drinking water supply.
- Confirmation should be obtained from Scottish Water that adequate infrastructure will be in place for both the transfer (pumping stations/sewers) and treatment (Waste Water Treatment Works) of foul water from this development.
- Discussions with Scottish Water to ensure that the necessary upgrades for water are in place for each phase of the development.
- The proposals have the potential to impact upon Air Quality Management Areas, and cumulative impacts require to be considered

Should the above objections be overcome, then conditions would be required in respect of:

- A detailed scheme for the protection/enhancement of the water environment;
- A detailed scheme illustrating the location and type of the Private Water Supplies serving Bogskethy and Upper Kingshill shall be provided;
- A detailed scheme for surface water drainage (SUDS) in any phase on site;
- A detailed Construction Environment Management Plan, including waste management proposals, to address all potential pollution prevention and environmental management issues related to construction works;
- Connection to the public waste water system;
- Water saving technologies throughout the development to reduce the need for local water abstraction; and,
- All works being carried out in accordance with the Summary of Environmental Commitments within Chapter 18 of the Environmental Statement.

Scottish Natural Heritage – The proposal could be progressed with appropriate mitigation in respect of the risk to fresh-water pearl mussels and salmon, two of

the interests of the River Dee SAC. No objection if conditions relating to the following aspect are attached:

- Detailed and Construction Environmental Management Plans for each phase of the development, including site specific construction method statements, measures to minimise the risk of sediment entering watercourses, and the mechanism for compliance;
- Details of the SUDS scheme, its adoption and maintenance, in order to manage sediments and pollutants from construction and operation of the development;
- A Water Efficiency Statement;
- Species Protection Plans; and,
- Landscaping and connectivity between Countesswells and Hazlehead Woods.

Scottish Water – No objection to this planning application. There is currently sufficient capacity in the Invercarnie Water Treatment Works to service the demands from this development. However a Water Impact Assessment is required to ensure that the network can supply adequate flow and pressure to the development and to ensure no detriment to existing customers in the area. Scottish Water is carrying out a strategic wastewater modelling study within the Aberdeen Area (Nigg and Persley catchments). The study will take account of all known developments in the area and will identify what mitigation works are required to serve these developments.

Transport Scotland - No objection. Requests that a condition be attached restricting the first phase of development to 1000 residential units, 1000 square metres of Class 4 office space, and 2500 square metres of Class 1 retail space, for the period prior to the Aberdeen Western Peripheral Route being open to traffic, and the subsequent removal of trunk road status for the A90 Anderson Drive.

Historic Scotland – No objection, as there would be no significant impacts on scheduled monuments, category A Listed Buildings, Gardens and Designed Landscapes, or battlefields.

Aberdeen International Airport – No objection. The proposal has been assessed from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. Require that conditions are attached in respect of: building heights; cranes; bird hazard management plan, and SUDS. Further advice was also provided in respect of landscaping schemes.

Aberdeen Western Peripheral Route Team - Indicated that additional information was required in respect of the development trip totals leaving/entering the site via the Kingswells roundabout.

NATS Safeguarding – No safeguarding objection to the proposals.

Cults Bieldside and Milltimber Community Council – Object for the following reasons:

- It is not satisfactory for comments to be sought on a planning application, before the deadline for comments on the Development Framework and Masterplan for the same site.
- Dates for the opening of the primary and secondary schools should be laid out in the planning application, and legal agreement.
- Concerns about the positioning of the secondary school under the alignment of the high voltage power line;

- The school design should incorporate adequate drop-off/picking up areas;
- The ownership and future management of greenspace areas must be established as part of the legal agreement, to ensure that future maintenance is provided/delivered;
- Concerns over proximity of houses to existing woodland in light of potential safety implications;
- Consideration should be given to preserving more of the wetland areas to the south west of block S9, to provide an amenity area;
- There should be a firm provision to provide single storey bungalows for housing the elderly;
- The quality and design of the affordable housing should be of a high enough standard that would be acceptable to housing associations;
- There is little reference within the plans to the opportunities for taking advantage of natural energy;
- Potential road closures of Kirk Brae could have significant implications on traffic flows. As such, no closure of this road should take place until the link to Jessiefield junction is available for use;
- The proposed route for the road to Jessiefield appears to run through the western edge of the garden of remembrance for Aberdeen Crematorium. This is inappropriate and should be moved;
- The City Council should consider the alignment of the road through the middle of the development, and instead route it around the edge of the new settlement;
- No imaginative solutions to travel modes in the Transportation Assessment i.e. Monorail, dedicated bus-road, or tram;
- The TA does not include surrounding committed developments such as Friarsfield or Oldfold;
- The model within the TA seems overly optimistic, with observed queues longer than modelled ones;
- It is doubted that simple signalling would resolve the ratio of flow to capacity of road junctions;
- The provision of high speed broadband through fibre optic cable should be mandatory for the development, and should be included within the legal agreement.

Kingswells Community Council – KCC approved of the main road access into the development being from the Jessiefield junction on the A944. It also supports the eventual restriction of the existing Cults-Kingswells road (C189) to a bus and cycle route that also allows access to existing properties. However, concerns are raised over the following aspects:

- The main access road is shown running through the area for the western expansion of the cemetery, and the existing garden of remembrance;
- There will be traffic problems on the C189 (Cults to Kingswells road) until the new connection at Jessiefield is provided;
- Little confidence in the traffic assessment calculations as the Blacktop Road is used as a rat-run from Westhill to Countesswells, and not suitable for high volumes of traffic;
- Small bungalows or flatted accommodation with lifts would be attractive to elderly people. Developers need to take this need into account;

- Claims over the amount of green space are misleading, as several green areas are wayleaves for overhead power lines;
- The development must be hidden as far as possible from Kingswells and Brimmond Hill. This may require a substantial belt of planting to blocks N1 and N3;
- The route of the main access through a forested area should not be used as an excuse for removing whole blocks of woodland. Trees should be replaced with indigenous species;
- SUDS basins should be used to encourage biodiversity. Unattractive and sterile grass basins, devoid of any water, are not acceptable;
- It is disappointing that the former reservoir shown in 3.3.1 of the consultation document is not being exploited to create an area of biodiversity and a possible water feature;
- The allocation of S9 is inappropriate;
- It is essential that maintenance arrangement for all communal spaces are set out transparently and in legal terms from the outset;
- There is considerable scope to increase the biodiversity on the Countesswells site. To achieve this, some of the green areas should be kept in a managed but un-manicured state; and
- All homes and businesses should have easy access to high speed, fibre optic broadband from the outset.
- However KCC did acknowledge support for the creation of the Central Park, use of existing watercourses, and the conversion of the tree lined section of Countesswells Road to a vehicle-free access;

Craigiebuckler and Seafield Community Council – CSCC welcomed the 25% allocation for affordable housing. However, concerns are raised over the following aspects:

- The existing roads infrastructure will be inadequate to cope with the traffic generated;
- Despite recent upgrades to the A944, the volume of traffic attempting to access the roads during rush hours will result in lengthy queues, which will in turn increase air pollution;
- There is no apparent record of hydrology surveys having been completed on this site, and therefore natural springs and watercourses have not been taken into account;
- Adjacent medical practices shall be overburdened until medical facilities have been provided on site; and,
- There are no details within the Development Framework as to the timing for the transition between the interim and permanent educational establishments. The strategy of utilising Braeside Infant School, which itself requires upgrading, could see class sizes increasing beyond the guidelines set by the Scottish Government.

REPRESENTATIONS

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

- 1) Support the comments made by the Cults, Bieldside and Milltimber Community Council;
- 2) Links to public transportation to the south should be provided as they are currently weak;
- 3) The planning application is premature given the context of the Countesswells Development Framework and Masterplan;
- 4) The routing of the proposed access to the Jessiefield Junction would cut through OP68 where an extension to the crematorium and cemetery is proposed. This element has not been properly consulted upon;
- 5) The transportation elements in the altered Countesswells Development Framework required detailed analysis before receiving Council approval;
- 6) The application description is inadequate to describe the site, and could prejudice consultees, and may be inadequate for the purposes of advertisement for the EIA;
- 7) The number of non-residential uses requires to be properly referenced;
- 8) The extent of retail floorspace is not quantified and could have serious implications upon the transportation network;
- 9) Considers the level of pre-application consultation was inadequate as most took place during 2012 with little thereafter;
- 10) No justification has been provided in the Pre-Application Consultation Report for the alteration to the northern means of access;
- 11) The application (including supporting statement and detailed Design and Access Statement) fail to address planning policy considerations such as: OP68 (Skene Road, Hazlehead), Green Belt (Policy NE2) and Green Space Network (Policy NE1);
- 12) The Environmental Statement (ES) fails to adequately assess elements of the proposed development outwith the OP58 designation, and therefore is not in accordance with the EIA regulations;
- 13) The loss of Green Belt and Green Space Network is unacceptable in both qualitative and quantitative terms;
- 14) Do not consider that alternatives to the access routes have been fully considered as per the requirements of Green Belt policy;
- 15) Matters within the Transportation Assessment do not seem to have been addressed in full and are therefore not a cohesive analysis of the traffic impact of the proposed development and proposes inconclusive validation of the case for a single vehicular access at the Jessiefield Junction;
- 16) The proposal would result in urban sprawl, and not the creation of a new community;
- 17) The proposal shall result in the loss of rural jobs/livelihoods, and in particular in the equestrian industry those impacting upon the 'horsicultural' designation by DEFRA;
- 18) The proposed paths through the sites are no substitute for the unhindered access enjoyed at present;
- 19) Materials and design previously imposed on other rural developments have been largely waived for major developers;
- 20) No development should be allowed until the AWPR is delivered;
- 21) The Kirk Brae Road between Countesswells and the Kingswells roundabout is already at capacity;

- 22)The site in Countesswells is an environmentally sensitive area. There are several areas of protected land and rare species which need to be protected;
- 23)The existing trees on site should be protected given their contribution to the character of the area;
- 24)The amenity of existing residents shall be impacted upon during the build out phase;
- 25) Input into specific design is essential as part of the consideration of future applications;
- 26)Any development in Countesswells is unsustainable in transport terms;
- 27)Potential impacts on biodiversity and wildlife;
- 28)The junction with the Kingswells Road should be a flyover, as enough money shall be made from the development to 'stump up' for the required infrastructure;
- 29)The developers have not addressed the major issues raised by attendees at pre-application meetings;
- 30)Access and water supply issues have not been adequately addressed;
- 31)There should be no houses built until the supporting infrastructure is in place such as roads, schools, shops, doctors etc
- 32)The principle of development on green belt has not been established over developing and enhancing existing established urban settlements;
- 33)Potential implications on development identified at the south field of the Craigiebuckler Campus (James Hutton Institute);
- 34)Traffic safety implications on the existing road network as a result of increased development; and,
- 35)Ribbon development ruins cities.

The following matters raised are not material planning considerations:

- Has the Treasury Bond been approved, will it be in place before commencement, and would it be lost following a Yes vote in the referendum;
- What process was adopted to select the Countesswells development for UK Government funding ahead of others;
- Is there sufficient funding in place to build out the development? If the oil price drops, is there sufficient economic backing;
- ASPC indicates that there is no shortage of properties available, and therefore the need for the whole development is questioned;
- The schooling provided must be of the same standard as the current zones schools (Cults Primary and Secondary). School catchment zones shall also have to be re-set; and,
- Dogs may be allowed to roam which may endanger animals as part of a crofting business.

Support was received from one organisation which highlighted the following positive aspects:

- We strongly support the creation of a mixed use development that provides jobs, spaces and amenities in addition to housing;
- Encourage and support the provision of affordable housing. A diverse mix of sizes and types of accommodation should be provided.

PLANNING POLICY

National Policy and Guidance

SPP (Revised June 2014) – 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, subject planning policies, and how they should be exercised to contribute to the objective of sustainable development. The principle policies relating to sustainability and placemaking and subject policies relating to: a Successful, Sustainable Place; a low Carbon Place; a Natural, Resilient Place; and, a Connected Place, are all relevant material considerations.

Creating Places (Architecture and Place Policy Statement) – Scotland’s new policy statement on architecture and place sets out the comprehensive value good design can delivery. 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 (Design Policy) – This planning policy statement was launched in 2001 and sets out government aspirations for design and the role of the planning system in delivering these.

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

Aberdeen City and Shire Strategic Development Plan (March 2014)

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

- Economic Growth – to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.
- 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 attractive choices.

Aberdeen Local Development Plan

Policy LR1 Land Release Policy

Opportunity Site OP58 Countesswells, which is the subject of this application, has been zoned under this policy for 2150 homes for the period 2007 – 2016, 850 homes for the period 2017-2030, and a total of 10 hectares of employment land across both periods.

The site is identified as opportunity site OP58 and is described as being a large new community covering 165.1 hectares. It further identifies that a Masterplan will be required.

Policy LR2 Delivery of Mixed Use Communities

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

Policy I1 Infrastructure Delivery and Developer Contributions

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Infrastructure requirements relating to Masterplan Zone sites are set out in Appendix 4. For Countesswells it identifies: contributions towards the cumulative impact of development on the transport network; new road links and major junctions at the A944, with appropriate design standards to accommodate forecasted traffic volumes; new development being served by comprehensive pedestrian and cycle network and frequent public transport services including new and extended services; new secondary school within the proposed development; two to three primary schools with the proposed development; possible contributions towards water supply and drainage infrastructure; a new five GP Health Centre (including land); New four chair Dental Surgery (including land), which could form part of the aforementioned health centre; and, two new community pharmacies

The level of provision or contribution required will relate to the development proposed either directly or to the cumulative impact of development in the area and be commensurate to its scale and impact.

Policy T1 Land for Transport

Transport infrastructure required to facilitate new development will also be supported in principle, including walking and cycling facilities, new and extended public transport services, and new and improved roads.

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. To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied. Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

Policy D2 Design and Amenity

Includes various principles to ensure the provision of appropriate levels of amenity.

Policy D3 Sustainable and Active Travel

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

Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on

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

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

Policy D6 Landscape

Development will not be acceptable unless it avoids:

1. 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;
2. Obstructing important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;
3. Disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them;
4. Sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Policy BI1 Business and Industrial Land

Aberdeen City Council will support the development of the business and industrial land allocations set out in this Plan. New business and industrial land proposals shall make provision for areas of recreational and amenity open space, areas of strategic landscaping, areas of wildlife value and footpaths, in accordance with the Council's Open Space Strategy, Open Space Supplementary Guidance and approved planning briefs/masterplans.

Policy H1 Residential Areas

Within existing residential areas and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

1. Does not constitute overdevelopment;
2. Does not have an unacceptable impact on the character or amenity of the surrounding area; and,
3. Does not result in the loss of valuable and valued areas of open space;

Policy H3 Density

The City Council will seek an appropriate density of development on all housing allocations and windfall sites. All residential developments of over one hectare must:

1. Meet a minimum density of 30 dwellings per hectare (net);
2. Have consideration of the sites characteristics and those of the surrounding area;
3. Create an attractive residential environment and safeguard living conditions within the development; and

4. 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 H5 Affordable Housing

Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing. Further guidance on the provision of affordable housing from new developments is available in Supplementary Guidance on Affordable Housing.

Policy H7 Gypsy and Traveller Requirements for New Residential Development

Sites listed below are required, as part of the 25% affordable housing contribution, to make contributions towards the provision of sites for Gypsies and Travellers. The contribution will be for small sites of six pitches, with a new area of approximately 0.5 ha.

Site: Grandhome
Newhills Expansion (Craibstone, Rowett South and Greenferns landward)
Countesswells
Greenferns
Loirston

With Grandhome, the Newhills expansion and Loirston sites, the provision must be provided on-site.

Policy CF2 New Community Facilities

Proposals for new community facilities shall be supported, in principle, provided they are in locations convenient to the community they serve and are readily accessible, particularly to public transport, pedestrians and cyclists. In significant greenfield and brownfield developments, where a likely need is identified through the masterplanning process, sites shall be reserved for new community facilities.

Policy RT5 Retail Development Serving New Development Areas

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

Proposals for retail development which serves a wider catchment area will be subject to a sequential test and retail impact assessment in accordance with Policy RT1.

Policy NE1 Green Space Network

The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted. Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments shall take into account the coherence of the network. In doing so measures shall be taken to allow access across roads for wildlife and for access and outdoor recreation purposes. Masterplanning of new development should determine the location and extent of the Green Space Network within these areas.

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

Policy NE4 Open Space Provision in New Development

The City Council will require the provision of at least 2.8 hectares of per 1000 people of meaningful and useful public open space in new residential development. The nature of the provision is set out in Supplementary Guidance on Open Space.

Communal or public open space should be provided in all residential developments, including those on brownfield sites.

Policy NE5 Trees and Woodlands

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

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

Policy NE6 Flooding and Drainage

Development will not be permitted if:

1. It would increase the risk of flooding;
2. It would be at risk itself from flooding;
3. Adequate provision is not made for access to water-bodies 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.

Applicants will be required to provide an assessment of flood risk where a development is likely to result in a material increase in the number of buildings at risk from flooding.

Where more than 10 homes is proposed, the developer will be required to submit a drainage impact assessment. Surface Water Drainage associated with development must:

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

Connection to the public sewer will be a pre-requisite of all development where this is not already provided.

Policy NE8 Natural Heritage

Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its natural heritage value will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy.

In all cases of development at any location:-

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 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 effect 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.

Policy NE9 Access and Informal Recreation

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

Policy NE10 Air Quality

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

Policy R2 Degraded and Contaminated Land

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

Policy R6 Waste Management Requirements for New Development

Housing developments should have sufficient space for the storage of residual, recyclable and compostable wastes. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and on other developments where appropriate. Details of storage facilities and means of collection must be included as part of any development which would generate waste.

Policy R7 Low and Zero Carbon Buildings

All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 standards. This percentage requirement will be increased as specified in Supplementary Guidance.

Supplementary Guidance

Countesswells Development Framework and Phase 1 Masterplan was considered at the meeting of the Enterprise, Strategic Planning and Infrastructure Committee on 3 June 2014, where Members were minded to approve the Development Framework and Masterplan as Interim Guidance to the Aberdeen

Local Development Plan (2012). The Scottish Ministers have subsequently confirmed on 22 July that they do not intend to intervene in the adoption of the Countesswells Development Framework and Phase 1 Masterplan as supplementary guidance to the Adopted Aberdeen Local Development Plan. The CDF has therefore been formally adopted as Supplementary Guidance to the LDP.

Affordable Housing

Air Quality

Archaeology and Planning

Drainage Impact Assessments

Gypsy and Traveller Sites

Infrastructure and Developer Contributions Manual

Landscape Strategy Part 2 – Landscape Guidelines

Low and Zero Carbon Buildings

Transport and Accessibility

Trees and Woodlands

Waste Management Requirements in New Development

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.

The proposed development is classed a 'major development' in terms of The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009.

An Environmental Statement (ES) was required as the development falls within Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended) and exceeds the thresholds set down in the Regulations. An ES has to identify the likely environmental effects of a project through the study and analysis of individual issues, predicting and assessing the projected impacts and proposing measures to mitigate the effects. Before determining the application the Council must take into consideration the information contained in the ES, including any further information, any comments made by the consultation bodies and any representations from members of the public about environmental issues. The ES is submitted in support of the planning application but it is not part of the application itself. However, provided it serves a planning purpose, any information from the environmental impact assessment process may be material and considered alongside the provisions of the development plan.

Adequacy of the Environmental Statement (ES)

Before considering the merits of the proposed development it is appropriate to comment on the ES submitted in support of the application. There is no statutory provision as to the form of an ES but it must contain the information specified in Part II and such relevant information in Part I of Schedule 4 of the Environmental Impact Assessment (Scotland) Regulations 2011 as is reasonably required to assess the effects of the proposed development and which the applicant can be reasonably required to complete. Whilst every ES should provide a full factual description of the development, the emphasis of Schedule 4 is on the 'main' or 'significant' environmental effects to which the development is likely to give rise. An ES must comply with the requirements of the Regulations, but it is important that it is prepared on a realistic basis and without unnecessary elaboration. It is for the Council to satisfy itself on the adequacy of the ES. If it is deemed to be inadequate, then the application can be determined only by refusal. In this instance, the ES is considered to be satisfactory as the submission has been fully assessed by experts both within the Council and through consultees, thus meeting the requirements of the Regulations.

Principle of Development

The site is identified in the Local Development Plan (LDP) as OP58 and under Policy LR1 as land released for housing and employment uses. The housing allocation on the application site is split between 2,150 houses in the period between 2007-2016, and 850 houses in the period between 2017-2023. The Strategic Development Plan illustrates that in light of the location within the City, the site forms part of the Strategic Growth Area., and would therefore meet with the spatial strategy of the SDP. Sufficient justification has been provided by the applicant for the need to include the phase 2 (2017-2023) land within the application. This is on the basis of the infrastructure costs associated with the delivery of such a large allocation. There is no prospect of achieving the entire 2,150 allocation within phase 1 before the end of 2016, and therefore the development shall result in a construction period over the next 15 years. The proposal is considered to comply with the aims and objectives of strategic development plan in this regard, and accords with the general principles contained within the Land Release Policy.

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

Mixed Use Communities

The proposal includes 10ha of employment land and this is defined in the development schedule as containing class 4 offices. Small business space, retail (convenience), and hotel uses. The applicant has outlined in supporting documentation that in light of the significant provision of class 4 office space within close proximity i.e. Prime 4 Business Park at Kingswells, which is an already established and growing destination, there is unlikely to be significant demand for a further roll-out of solely class 4 sites within the Countesswells

allocation. As such, a number of additional employment opportunities have been identified to help ensure that a continued supply of employment opportunities is brought forward. The proposal therefore complies with Policy LR2 (Delivery of Mixed Use Communities).

Housing

The Countesswells Development Framework and Phase 1 Masterplan (CDF) sets out the principles of the development, and aims to coordinate the planning and delivery of both the development and its associated infrastructure requirements. It also aims to establish a clear and exciting future at Countesswells; describe and explain the integrated land-use, landscape and transport proposals; and, set out a clear phasing strategy. In doing so, it has also set out the importance of place-making, and providing opportunities for living, working and recreational activities in a sustainable approach. The framework also indicates a range of densities and house types/sizes across the site, and has been adopted as Supplementary Guidance to the LDP. Conditions attached to this PPIp permission would require the submission of Matters Specified in Conditions applications to show the detailed site layout, and component parts for each phase, with subsequent detailed Masterplans (for Phases 2 and 3) that would require to be adopted as Supplementary Guidance in due course. With the attachment of such conditions, it can be ensured that the proposal does not constitute over development, is acceptable in terms of the level of amenity provided for future residents, as well as the residents of existing properties spread across the application site. The proposal therefore complies with the principles of Policies H1, H4, D1, and D2, albeit a full assessment shall be made in future applications.

In respect of density, the proposal ties in with the approved Development Framework in that it illustrates a range of densities across the site, with some areas being developed in excess of 50 residential units per hectare towards the proposed town centre, and outlying areas being developed at less than 20 units per hectare. Overall, once completed the development shall ensure that the overall density on site is provided at a level in excess of the 30 dwellings per hectare density requirement set within the Development Plan. As such the proposal is considered to accord with Policy H3 (Density) of the LDP.

A further aim of the SDP and the LDP is to ensure that new development provides an appropriate level of affordable housing in new development. Policy H5 outlines that housing developments are required to provide no less than 25% of the total number of units as affordable housing. In parallel to this, is a further requirement through Policy H7 to ensure that as part of the 25% affordable housing provision, contributions should also be made towards sites for Gypsies and Travellers. In this instance, the applicant has agreed to the provision of a total of 735 units (24.5 % of the overall total) for affordable housing on site, together with a financial contribution (equivalent to 0.5% of the overall total/15 units) towards a site for gypsies and travellers which shall be provided off-site on one of the sites identified through Policy H7 (Grandhome/Newhills Expansion/Loirston). The exact mechanism for the types of affordable housing

shall be incorporated into the Developer Obligations (legal agreement) for this development. This shall provide a degree of flexibility to cater for Registered Social Landlord developments, shared equity, low cost home ownership, national housing trust units etc. Accordingly, final arrangements for affordable housing delivery will be arrived at through discussions with housing officers, with due regard to the phasing of the development.

Environmental Impact Assessment

Environmental Impact Assessment (EIA) is a means of drawing together, in a systematic way, an assessment of the likely significant environmental effects arising from a proposed development. The proposed development is of a type and scale listed in Schedule 2 to the 2011 EIA Regulations and, based on consideration of its likely effect on the environment, by virtue of factors such as its size, nature and location, the planning authority has adopted a formal opinion that EIA is required. In such cases, applications for planning permission must be accompanied by an Environmental Statement (ES) detailing, amongst other specified matters, a description of the aspects of the environment likely to be significantly affected by the development, including, geology and soils, land use, hydrology, air, noise and vibration, ecology, landscape and visual, community effects, and traffic to name just some of the aspects covered, and also by a 'non-technical summary' of the Environmental Statement'.

The non-technical summary provided in connection with this application for planning permission in principle describes the following mitigation proposals in relation to the effects predicted:

- Geology and Soils:
 - Risks are considered to be through contamination, infilling and radon gas. Geology features are considered to be a low sensitivity and importance. Crop production capabilities and mineral resources on site are of low to medium importance. Intrusive geo-environmental investigation and testing has been recommended to determine if remediation of soil and/or groundwater is required. Mitigation would be through any remediation measures identified at the detailed design stage for each subsequent application in the design blocks identified in the Development Framework.
- Land Use:
 - Predicted effects are anticipated to be loss of agricultural/grazing land, and temporary disruption to infrastructure and utilities. Particular attention to these elements is to be given during the construction phase. Enhancement shall take place to the public footpath and cycle network, landscaped open space, and new public realm/civic spaces.
- Hydrology, Drainage and Water Quality:
 - Potential impacts on water could occur during the construction phase, with impact to the Cults Burn being medium to large.

- Mitigation would be through an appropriate Construction Method Statement (CMS) and the use of best practice relating to SUDS.
- Impacts on the private water supplies of Bogskethy and Upper Kingshill shall require detailed analysis prior to commencement, and throughout the course of construction.
 - Air Quality:
 - Current concentrations of air pollution in the area are well within the Government's air quality objectives, the main source of which is road traffic.
 - The most considerable of the potential impacts arise through the construction phase as a result of dust emissions arising from earthworks, demolition, and stockpiles of material.
 - Construction traffic will also result in minor increases in local concentrations of PM₁₀ and NO₂.
 - Following completion of the development the main impact on air quality will be an imperceptible increase in concentrations of PM₁₀, PM_{2.5} and NO₂ due to increased traffic flow on local roads.
 - While ultimate levels will remain low in comparison to the Government's objectives, the development shall incorporate some features intended to minimise reliance on private transport that shall minimise the adverse air quality impacts.
 - Noise and Vibration:
 - While traffic shall increase as a result of the development, it is considered that there shall be no increase in noise levels (greater than 3 dB). Impacts on existing dwellings shall to an extent be buffered by the new development which shall screen noise pollution.
 - The Construction Environmental Method Statement shall include measures to reduce the impacts of noise and vibration, particularly to existing residential properties during the construction phase.
 - Ecology, Nature Conservation and Biodiversity:
 - The site is of a lower conservation interest due to a long history of agricultural use combined with local plantations dominated by non-native tree species.
 - The main bird interest is limited to a few farmland bird species, and mitigation is recommended to reduce the severity of potential impacts which are already in the negligible to low category.
 - A Badger Protection Plan is under preparation, and shall be subject to ACC and SNH review and agreement.
 - Cultural Heritage:
 - A total of 37 cultural heritage sites were identified within the study area, while the development area itself contains 19 sites of cultural heritage interest. There are 13 statutory designated sites, comprising one scheduled ancient monument, ten B-listed buildings, and three C-listed buildings, recorded within 1 km of the development area boundary (The Broad Dyke, East Dyke and Kingswells Consumption Dykes are both a Scheduled Ancient Monument and a B-Listed Structure)..

- None of the 19 known cultural heritage sites are of significant heritage interest, and only 8 of these sites will be directly impacted to a minor or moderate degree.
- Mitigation by archaeological work shall be the subject of a suspensive planning condition.
- It is assessed that the proposed development will have no indirect impact upon the setting of the thirteen statutory designated sites.
- Landscape and Visual Effects:
 - The site consists of an area of predominantly open and wooded farmland (as described in the SNH Landscape Character Areas) on the outskirts of Aberdeen. The area is typical of rural areas close to the edge of the city, with residential properties, equestrian facilities, golf courses, and paths and woodland managed for recreation.
 - The site is in a natural hollow and is surrounded to the east, south and west by large areas of forest, which shall be retained. Although the site is rural in character, it is undesignated and locally common, so generally landscape impacts will not be significant.
 - Effects on regional landscape character, despite the scale of development will also not be significant in the long term, with impacts on the green network surrounding Aberdeen becoming slight to moderate beneficial.
 - Mitigation shall be achieved through the management of the landscape within the application site, and the planting measures maturing over time.
 - The mixed use new community at Countesswells will have limited visibility, restricted to receptors within 1 km of the site boundaries. Views from nearby settlements are significantly restricted due to intervening trees and landform.
 - The redevelopment of the Countesswells site will lead to significant landscape and visual change to this part of the countryside surrounding Aberdeen. While landscape and visual impacts shall be predominantly adverse, where currently undeveloped open areas are lost. Significant impacts will be fairly localised due to the limited visibility of the site in its location.
 - Partial mitigation can also be achieved through requiring a high quality layout, and standards of design, to ensure that the resultant quality of place is achieved in line with the CDF.
- Pedestrians, Cyclists and Community Effects:
 - The application site is surrounded by a number of existing settlements including Kingswells, Cults and Craigiebuckler, as well as scattered individual dwellings. The key access routes that traverse the site include Kirk Brae and Countesswells Road. There is one core path that traverses the site, while a further 5 are in close proximity. Cycle Path 195 (National Cycle Network) passes to the south of the site.
 - Temporary impacts are anticipated during the construction phase on the amenity of residential dwellings on the local road network, together with community severance, and access to local recreation.

- The phased development will result in an increase in demand for public transport.
- The proposal is envisaged to have moderate positive effects on access, and community impacts, as access to community spaces and core paths will be improved, including pedestrian access to natural amenity points such as Hazlehead Park.
 - Mitigation requiring cycleways to be incorporated into the design, which shall improve access and connections to the wider cycle network.
 - The CDF and respective Masterplans shall also require an increase in leisure and recreation areas.
 - Careful mitigation is also required to reduce impacts during the construction of surrounding community infrastructure, particularly in relation to the road alignment through the most southern corner of Hazlehead Wood (Local Nature Conservation Site). Although this shall result in short term minor adverse impacts during construction, the development once operational, shall result in moderate beneficial impacts due to new connections and landscape improvements.
- Traffic and Transport:
 - Increased traffic flows during construction and operation have been identified.
 - Mitigation can be achieved through the delivery of good pedestrian and cycle links, with significant opportunities to maximise modal shift and journeys by walking and cycling, particularly for trips to employment centres.
 - A detailed Access and Connectivity Strategy shall be required that links internal routes on site to the wider strategic cycling and pedestrian network.
 - The AWPR will alleviate some pressure on the A944 and North Deeside Road (A93). It shall be located approximately 2 km west of the application site.
 - There may be a minor increase in air pollutants due to the increase in traffic, although these shall remain below Government levels.
 - Disruption Due to Construction:
 - The main receptors of construction impacts are likely to be the existing local residents and road users who shall experience disruption from construction activities.
 - The nature of construction works is that impacts are generally temporary, and localised as work progresses across a site of this size.
 - A draft Construction Environmental Management Plan (CEMP) has been produced as part of the EIA based on the key mitigation measures and environmental enhancement measures identified in the ES. The draft CEMP is a working document to illustrate the elements which will be covered in the final CEMP which will be produced once construction methods are finalised.
 - Some construction impacts will be controlled and mitigated through standard conditions, restrictions and responsibilities placed upon

- site development contractors. Measures to reduce potential impacts will be agreed prior to construction as part of the CEMP.
- Impacts from construction traffic have the potential to be significant and will be addressed through a Construction Traffic Management Plan produced by the contractor.

The submitted Environmental Statement is considered to be sufficient in setting out the likely environmental effects of the development, and demonstrating that the severity of such impacts is not likely to be so significant adverse as to warrant the refusal of this application, and that appropriate mitigation where effects are likely, can be provided.

Green Space Network/Landscape

There are parts of the site towards the centre adjacent to Countesswells Wood, and the vacated Loanhead Equestrian Centre, which lead up towards Hazlehead Wood, which are zoned as Green Space Network (Policy NE1). Supporting information from the applicant contains site plans from the Development Framework. Development Blocks C1, N11 and N8 would have a direct impact upon the Green Space Network allocation. However, the quality of these spaces is not considered to be of particular merit. Accordingly, in light of the significant benefits in enhancing connectivity, and green space linkages throughout the site, particularly near the Cults Burn Corridor/Core Path, it is considered that the loss of the aforementioned affected areas, including many of the trees contained therein, can be accommodated without significant detriment to the wider function of the adjacent Green Space Network. Notwithstanding, the detailed layout of green spaces and any associated new and replacement landscaping, would be the subject of subsequent applications for either Matters Specified in Conditions or Detailed Planning Permission. As such the proposal would not be contrary to Policy NE1 of the Adopted Local Development Plan.

In respect of the landscape impacts on site, and the provision of new landscaping, the detail contained within this PPIp application submission illustrates the content of the CDF, and would be the subject of detailed consideration as part of future planning applications. It must be acknowledged that the site is allocated for a residential led, mixed use development within the Local Development Plan, and therefore significant change in the landscape shall take place. However, as noted within the ES, the physical characteristics of the site and landscape, shall restrict the wider impacts to predominantly the local level (i.e. within 1 km of the site). The provision of a landscape strategy within the CDF would result in planting which would help enhance the overall quality of place, and mitigate the impact of the development. Accordingly, the development is considered to accord with the principles of Policy D6.

Vehicular Access / Traffic Impact

Vehicular access to the site would be taken from a variety of locations, although the principle access shall be taken through a new junction onto the Jessiefield Roundabout, which connects the Lang Stracht with the A944. New primary, secondary and tertiary streets would be created within the site in alignment with the concept layout within the CDF. The proposal shall eventually see the existing Kirk Brae connection to the Kingswells roundabout, become a public transportation and cycle connection, with a bus gate to prevent use by private vehicles (while maintaining access to existing properties). Countesswells Road would also face significant change in that it would become a tree-lined green corridor (which the developer has suggested would be named 'Countesswells Road Avenue') as part of the strategic path network, with new roads diverting traffic to the new distributor roads within the site. Connections to the south would continue to be provided by Kirk Brae and Friarsfield Road before connecting with North Deeside Road, while Blacktop Road would also continue to serve the west. The Design and Access Statement also outlines the broad connections that would be created through the site, in accordance with the CDF.

The table below, shows the timing of works to the local road network and indicates how these would be delivered either by direct works (D), or by developer contributions (C).

Summary of Infrastructure Thresholds

<p><u>Inception up to 300 Households</u></p> <p>The initial 300 units will be accessed from the C128C Kingswells to Countesswells Road, and the Kingswells Roundabout (A944/C89C/C128C junction). Thereafter, a connection shall be provided to the Jessiefield roundabout (see below).</p>
<p><u>Following the Closure of the southern arm of the Kingswells Roundabout (C128C Kingswells to Cults Road)</u></p> <p>An appropriate cycle connection to the south west of the Kingswells roundabout will be required to connect the development across the A944 towards Prime 4 Business Park and the connection to the Westhill to Aberdeen Cycleway (D).</p>
<p><u>Prior to Completion of AWPR (Anticipated Spring 2018)</u></p> <p>Transport Scotland have requested a condition be attached restricting the first phase of development to 1000 residential units, 1000 square metres of Class 4 office space, and 2500 square metres of Class 1 retail space, for the period prior to the Aberdeen Western Peripheral Route being open to traffic (anticipated Spring 2018), and the subsequent removal of trunk road status for the A90 Anderson Drive.</p> <p>After the opening of the AWPR, a bus gate shall be provided to the Kirk Brae road from the Kingswells roundabout.</p>

From 300 households to 2000 households

Beyond 300 units shows that the Switchback (Jessiefield) connection will be required to be provided by the developer. The switchback junction will be provided to a larger elongated roundabout, although this shall have to undergo detailed design and the Roads Construction Consent process. This junction upgrade will allow the development to expand to 2000 housing units. (D).

From 2000 Households to Development Completion (3000 households)

At this point a further upgrade to the access junction has been agreed in the form of partial grade separation with the construction of a flyover/overbridge from the Lang Stracht to the A944. This will remove the right turn from the Lang Stracht to Skene Road carrying vehicle towards Kingswells and Westhill/beyond. The construction of this flyover/overbridge will allow the development to be fully constructed. (D and C).

Wider Traffic Impacts

Potential contributions towards mitigation on Lang Stracht and associated junctions. (C)

Analysis of the following junctions, with the potential for implementation of mitigation measures, or provision of a financial contribution in lieu of works;

- Queens Road / Kings Gate;
- Springfield Road/Countesswells Road;
- Kirk Brae/North Deeside Road; and
- Signalisation of the Friarsfield Road/Kirk Brae Junction.

Provision of potential improvement/upgrades to Countesswells Road to improve safety for pedestrians, cyclists and equestrians.

Strategic Transport Fund (STF)

The applicant has indicated a willingness to make a contribution to the STF, in accordance with the established methodology, or its subsequent revision which is anticipated in the near future.

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

Travel Plans

Two conditions would be attached to any permission, requiring the submission of a framework travel plan, outlining how travel planning will be implemented into all aspects of the site, targets, measures and an action plan. A second condition for Travel Plans and Residential Travel packs would also be required, and

occupation of the component parts should not occur unless these aspects have been agreed.

Relationship with the Countesswells Development Framework

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

Retail and Town Centre Uses

The submitted documents indicate that two mixed use centres would be provided on site at the centre and towards the north of the site, which would align with the content of the Adopted CDF. Such areas, which extend to approximately 9.76 hectares, would include a mix of employment and ancillary opportunities to serve the local catchments created. This is likely to include local shops, and a number of services, together with employment and leisure opportunities. A supermarket to meet the needs of the new community and in line with the Council's 2013 Retail Study. As such, the proposal which shall be assessed once the exact details are submitted as part of a future application, are likely to accord with Policy RT1 and RT5.

Infrastructure

An indication has been given by the applicant that they have a broad agreement over the contributions outlined in the Assessment Report from the Developer Obligations Team. These consist of both financial contributions and the provision of land. As such the proposal complies with Policy I1 and T2, and the respective Supplementary Guidance on Infrastructure and Developer Contributions.

Matters raised by Community Councils

In respect of matters raised by the respective Community Councils which have not already been addressed above, are as follows:

- The application, while submitted at the same time as the consideration of the Development Framework, is not premature, as the determination of this application is after the Adoption of the CDF, and the proposals as set out, accord with the principles of the CDF;
- Appropriate provision shall be made through the legal agreement and conditions to ensure that the schools be provided in accordance with the requirements of the Council's Education Service; and, for maintenance of open spaces/landscaping
- The details of the specific house types to be delivered shall be determined through future planning applications. The CDF and Development Plan has a requirement to deliver a wide range of housing types and sizes to meet all housing needs on site;

- The development shall be conditional upon details of low and zero carbon generating technologies, which may include utilising natural energy resources;
- The routing of the access to the Jessiefield junction can be accommodated on land outwith the boundary of the Extension to the crematorium and cemetery, and the CDF has been amended to reflect this. The ultimate layout shall require to be considered in full once the relevant details have been submitted as part of an application;
- The alignment of the roads shown is deemed to reflect those contained with the CDF, and therefore a peripheral road around the site boundary has not been deemed necessary, as the current layout shall assist in delivering good connectivity across the site, and between development blocks;
- Further information has been provided in respect of the TA to clarify aspects which were not covered in the original submission;
- It is considered that there are substantial opportunities to roll out of high speed broadband across the site, although this is materially a consideration for the developer of the component parts of the site;
- The provision of Block S9 is shown in the CDF and is deemed appropriate. The specific layout shall be fully assessed against development plan policies and the CDF as part of a future application;
- Appropriate hydrology surveys (including existing watercourses) have taken part as part of the ES; and
- Discussions with NHS Grampian have taken place as part of the Developer Obligations negotiations, and appropriate timescales shall be placed into the Planning Obligation (s75 agreement).

Matters raised through Representations

In respect of matters raised through representations which have not already been addressed above, are as follows:

- The proposal is not considered to result in urban sprawl or ribbon development. The allocation of the land within the LDP offers an opportunity for a self-contained, yet well connected new community which would contain a mix of uses, together with recreational opportunities of a standard expected for new development in the City;
- The application description of the EIA is considered to meet the requirements of the relevant legislation, and the EIA itself is considered sufficient to set out the likely environmental impacts of the development, demonstrating that these are not likely to be significantly adverse, and that appropriate mitigation can be provided;
- The alteration to the northern means of access towards the Jessiefield junction has arisen following detailed discussion with the Roads Projects Team as to the best solution that can be achieved for connectivity. No built development (i.e. towards the 3000 households or 10 hectares of Employment land) would take place outwith the areas allocated within the LDP, and the appropriate notification has taken place. Further scrutiny of

- any detailed alignment will be possible through the submission of future applications;
- The materials and design that the developer has indicated within the Design and Access Statement illustrate that marked change in approach to delivering quality design, which is one of the key objectives within the LDP. As such, it is recognised that the attention to detail for Masterplanning the wider site, and ensuring design quality improvements in comparison to mass produced standard house types used previously, is welcomed. There shall be a further opportunity for members of the public to make representation upon specific design and layout matters as part of the subsequent applications that shall be submitted;
 - The level of pre-application consultation was considered appropriate for an application of this scale, and exceeded the minimum requirements of legislation. The developer has sought to address the concerns raised by attendees, particularly in respect of roads matters which were a primary concern;
 - As an allocated site within the LDP, and as part of the strategy for growth set within the Strategic Development Plan, it is considered that the need for the development has already been established, with the general location suitable for development, subject to the specific analysis of future applications against the Development Framework and associated Masterplans;
 - While the proposal will result in the loss of a small number of jobs in rural industries, and particular equestrian ventures, the development would result in significant employment opportunities both in the construction phase, and ultimate new community which would more than mitigate for such losses;
 - Supporting services and infrastructure such as roads, schools and healthcare shall have to be provided at appropriate junctures throughout the course of the development to meet the need of the new community. This is largely dealt with through the necessary Planning Obligation for this site; and,
 - The proposal is not envisaged to have any detriment to the deliverability of adjacent or semi-distant development plan allocations such as at the Craigiebuckler Campus (James Hutton Institute).

Conclusion

In conclusion, the proposal complies with the Land Release Policy as the particular circumstances, in terms of investment in infrastructure, justify the granting of planning permission. The matters raised by objectors have been dealt with above, and it is considered that the various conditions, including restricting the level of development that can be accommodated before the provision of key elements of infrastructure, as well as the payment of developer contributions to ensure the provision of schools and healthcare facilities, would satisfactorily mitigate the impact of the development. The details of each phase of the development will be dealt with by the separate applications for either Matters Specified in Conditions or Full Planning Permission. The proposal

complies with Scottish Planning Policy and the relevant policies within the Aberdeen Local Development Plan relating to Delivering Infrastructure, Transport and Accessibility, Promoting High Quality Design, Meeting Housing and Community Needs, Supporting Retail Centres, Protecting and Enhancing the Natural Environment, together with supporting the aims and objectives of the Strategic Development Plan.

RECOMMENDATION

Willingness to approve

- 1. The provision of 25% affordable housing on site in accordance with the Development Framework and includes a range of delivery options, including contributions towards a gypsy traveller halting site;**
- 2. Developer contributions towards primary education provision (one two stream and one three stream school) 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;**
- 5. Developer contributions towards mitigation on the local roads network together with provision of infrastructure; and,**
- 6. Developer contributions towards the Core Paths Network.**

REASONS FOR RECOMMENDATION

The proposal complies with Policy LR1 Land Release Policy, in that the development proposed including 3000 residential units and up to 10 hectares of employment land is in accordance with the direction for growth set within the Adopted Local Development Plan. The matters raised by objectors have been fully considered, and the various conditions proposed, including limiting the level of occupation of the development prior to the completion of the AWPR, as well as the payment and agreement on Developer Contributions to ensure the provision of schools and affordable housing, would satisfactorily mitigate the impact of the development. The details of each phase of the development will be dealt with by separate applications for Matters Specified in Conditions, with further opportunities for stakeholders comment on the full details. The proposal also complies with policies I1 Infrastructure Delivery and Developer Contributions; T2 Managing the Transport Impact of Development; D1 Architecture and Placemaking; D3 Sustainable and Active Travel; D6 Landscape, BI1 Business and Industrial Land, H4 Housing Mix, H5 Affordable Housing, H7 Gypsy and Traveller Requirements for New Residential Developments, NE1 Green Space Network, NE2 Green Belt, NE4 Open Space Provision in New Development, NE5 Trees and Woodlands, NE6 Flooding and Drainage, and NE9 Access and Informal Recreation within of the Aberdeen Local Development Plan.

CONDITIONS

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

(1) That no development shall be undertaken in any phase unless a detailed phasing programme outlining the delivery of buildings, open space and roads infrastructure across the entire application site has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application - in order to ensure development is progressively accompanied by appropriate associated infrastructure, and to inform the timescale for submission of further applications for 'Matters Specified in Conditions' specified in the planning authority's direction stated in this notice.

(2) No development in connection with each respective phase/block 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/block 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/block, and unless otherwise agreed in writing with the planning authority, the MSC applications shall include:

a) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant phase/block of development;

b) A detailed Drainage Plan for the relevant phase/block of development, including full details of the proposed means of disposal of surface water from the relevant phase/block of development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;

c) Full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase/block of development;

d) Details of all cut and fill operations in the relevant phase/block of the development;

e) The details of all roads, footpaths and cycleways throughout the relevant phase/block of the development;

f) Details of any screen walls/fencing to be provided within the relevant phase/block of the development;

g) Details of all landscaping, planting and screening associated with the relevant phase/block of the development;

h) Full details of the layout, siting, design and finish of all residential properties, throughout the relevant phase/block of development;

i) Full details of the layout, siting, design and finish of all non-residential properties throughout the relevant phase/block of development. This shall include but is not limited to; community facilities, health centre, schools, commercial premises, energy centres, pumping stations, and water treatment works;

j) Full details of all waste/recycling collection points, for residential and non-residential properties;

- 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 landscaping details to be submitted pursuant to Condition 2 above shall include:

a) Existing and proposed finished ground levels relative to a fixed datum point;

b) Existing landscape features and vegetation to be retained;

c) Existing and proposed services including cables, pipelines and substations;

d) The location of new trees, shrubs, hedges, grassed areas and water features;

e) A schedule of plants to comprise species, plant sizes and proposed numbers and density;

f) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;

g) An indication of existing trees, shrubs and hedges to be removed;

h) A Biodiversity Action Plan;

i) A Management Plan detailing appropriate management measures for all watercourse buffer strips;

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

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the

development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted - in the interests of protecting trees and ensuring a satisfactory quality of environment.

(4) The details to be submitted pursuant to Condition 2 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of the future long term maintenance of the system covering matters such as:

- a) Inspection regime relating to matters such as outlets/inlets;
- b) Frequency and method of cleaning of filter trenches, removal of silt etc.;
- c) Grass cutting (and weeding) regime for swales;
- d) Means of access for future maintenance;
- e) How to ensure that planting will not be undertaken over perforated pipes;
- f) Details of the contact parties for future factoring/maintenance of the scheme;
- to protect the water environment and help reduce flooding.

(5) Prior to the commencement of any phase of development, as identified in the approved phasing plan required by condition 1, 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, cycleway provision, gradients, level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the Planning Authority in consultation with the Roads Authority. 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.

(6) That no development shall commence unless further detailed analysis of:

- 1) Lang Stracht;
- 2) Queens Road/Kings Gate;
- 3) Springfield Road/Coutnesswells Road;
- 4) Kirk Brae/A93 North Deeside Road; and

5) Friarsfield Road/Kirk Brae

has been undertaken in order to assess the mitigation required to the local roads network, and submitted for the approval of the planning authority. Once agreed, any necessary mitigation shall be undertaken in complete accordance with the scheme as so agreed, unless otherwise confirmed in writing - in order to ensure there is no net detriment to the surrounding local roads network, and to assist the free flow of traffic.

(7) Unless otherwise agreed in writing by the Planning Authority, no more than 300 residential units within the development shall be occupied until an upgraded Jessiefield roundabout, and connecting road into the application site has been constructed in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority - In the interests of road safety.

(8) Prior to the opening of the AWPR, a scheme for the provision of a bus gate on Kirk Brae (C128C) close to the Kingswells roundabout shall be submitted to, and approved in writing by, the planning authority. Thereafter the scheme shall be implemented in complete accordance with the details as so agreed, unless other approved in writing by the planning authority - In the interests of road safety.

(9) Unless otherwise agreed in writing by the Planning Authority, no more than 2000 residential units within the development shall be occupied until a further upgrade solution to the Jessiefield roundabout, has been constructed in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority - In the interests of road safety.

(10) That no development shall commence until details of an appropriate segregated cycle connection to the crossing on the A944 towards the Prime 4 Business Park, has been submitted to, and approved in writing by the Planning Authority. Thereafter the approved connection shall be provided in complete accordance with the details as so agreed - in the interests of road safety and sustainable transportation measures.

(11) 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.

(12) That prior to the commencement of development, a Framework Travel Plan, setting out proposals for reducing dependency on the private car, shall be submitted to and approved in writing by the Planning Authority – in the interests of reducing travel by private car.

(13) 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.

(14) That no development shall take place within any individual phase unless there has been submitted, to and approved in writing by, details identifying safe routes to schools within the proposed development. This 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.

(15) That no dwellings shall be occupied 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. Thereafter the agreed strategy shall be implemented in full in accordance with such a scheme, unless otherwise agreed in writing with the Planning Authority - in the interests of encouraging the use of public transport.

(16) The proposed development shall be limited to Phase 1, comprising 1000 residential units; 1000 square metres GFA Class 4 office space; 2500 square metres GFA Class 1 retail space; and associated ancillary uses, for the period prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Anderson Drive - to limit the scale of the development to that considered within the supporting Transportation Assessment, in order to minimise the impact of development on the safety and free flow of traffic on the trunk road.

(17) That no development within the phase that includes the 'town centre' (including the 2500m² single unit of retail floorspace indicated in the approved Countesswells 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 Countesswells 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 centres - in order to ensure that the level of retail floorspace is appropriate to the size of settlement.

(18) No development in any individual phase/block 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; and
4. verification protocols to demonstrate compliance with the remediation plan

No building(s) in the respective phase/block 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 - to ensure that the site is suitable for use and fit for human occupation.

(19) that no development in any individual phase/block shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems (in accordance with the technical guidance contained in the SUDS Manual C697), including details of an appropriate level of treatment for all areas of the development, has been submitted to and approved in writing by the Planning Authority (in consultation with SEPA) and thereafter no part of the development in that phase/block shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(20) Notwithstanding the indicative layout in figure 96 of the Design and Access Statement (110342_das, Rev 140324), prior to the commencement of any works in any phase of the development, the location (NGR of source) and type (surface water or groundwater) of the Private Water Supplies serving BogskeAthy and Upper Kingshill shall be identified. Should they be groundwater fed and fall within 100m of roads, tracks or trenches or within 250 m of foundations as proposed within the development, a quantitative hydrogeological assessment shall be submitted and, where appropriate, a scheme of protection and/or mitigation shall be developed by the applicant and agreed with the planning authority in writing in consultation with SEPA. Once approved, the agreed scheme shall be implemented in full - in order to protect the water environment and its users.

(21) That no development in each independent phase/block pursuant to this planning permission shall commence unless:

- 1) a detailed and finalised Construction Environment Management Plan including site specific construction method statements, measures to minimise the risk of sediment entering watercourses on the site, and the mechanism for compliance, for that phase/block; and
- 2) details of the SUDS scheme, its adoption and maintenance, in order to manage sediments and pollutants from construction and operation of the development

have been submitted to and approved in writing by the planning authority in consultation with SEPA. The mitigation measures outlined in the CEMP shall be informed by the result of a full ground (water and soil) investigation study. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the planning authority - in order to prevent potential water pollution and to minimise the impacts of construction works on the environment.

(22) Prior to the commencement of any work in any phase/block of the development, a detailed scheme for the protection and enhancement of the water environment shall be submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. This shall include:

- a) Confirmation of the location of all existing water bodies on site and demonstration of how they have been positively incorporated into the layout of the development, including appropriate buffer zones between the top of the bank of the watercourse and the development.
- b) Full details relating to the realignment/deculverting of any watercourse on site including the Cults Burn. Any re-designed watercourses shall be designed to accommodate the 1 in 200 year flow from the whole catchment. This shall include a low flow channel designed to accommodate the 1 in 2 year flow set within a wider channel capable of conveying the 1 in 200 year flow. In addition, appropriate buffer zones shall be included between the edge of the wider channel (i.e. the extent of channel utilised during high flows) and the development.
- c) Full details relating to any other proposed engineering activities in the water environment, including the location and type of any proposed watercourse crossings. Any proposed watercourse crossings shall be designed to accept the 1 in 200 year flow.

All works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority in consultation with SEPA - to protect and improve the water environment and to protect people and property from flood risk.

(23) The the development hereby approved shall be connected to the public waste water system in line with PAN 79 Water and Drainage. Any necessary upgrades to the public waste water system should be in place prior to the occupation of the phase of development requiring the upgrade - in order to ensure the appropriate connection is made to ensure satisfactory disposal of sewerage, and thereby maintain and improve standards of environmental quality, public health and amenity.

(24) Development in any individual phase/block shall not commence until a water efficiency statement to illustrate the measures proposed to incorporate water saving technology, has been submitted to and approved in writing by the planning authority. The measures contained therein shall thereafter be implemented, as approved - in order to ensure targets towards sustainability measures are met.

(25) No development in any particular phase of the development hereby approved shall take place unless surveys for protected species (red squirrel / bats /badgers) for that phase have been carried out and submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place within the relevant phase of the development unless detailed mitigation measures to safeguard any identified protected species have been submitted to and approved in writing by the Planning Authority. 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 protected species.

(26) That all works should be carried out in accordance with the approved Summary of Environmental Commitments containing within Chapter 18 of the Environmental Statement carried out by Ironside Farrar dated March 2014 - in order to ensure that appropriate mitigation measures are in place to minimise the environmental impacts of the development.

(27) No development shall take place within any individual block until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The programme of archaeological work will include all necessary post-excavation and publications.

(28) No demolition of any traditional farmstead buildings or development shall take place prior to a photographic survey being undertaken by the developer and approved by the planning authority. All elevations, both internal and external, together with the setting of the farmstead, and any unusual feature/s, shall be photographed and clearly annotated on a plan. Photographs, which should be digital on cd, shall be clearly marked with place name for identification, national grid reference and planning reference and deposited in the local Sites and Monuments Record – in order to ensure a historic record of the building

(29) that no development within any individual phase/block shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - 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'.

(30) Development in any individual phase/block shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority - 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.

(31) 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 and the operation of Aberdeen Airport.

(32) that no development in any individual phase/block shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

(33) 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) in any individual phase/block 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.

DIRECTION UNDER SECTION 59 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997:

that the subsection (2)(a)(i) of section 59 shall apply as respects the permission with the substitution for the period of 3 years referred to in that subsection of 10 years, as is considered appropriate by the planning authority in this instance on the basis of the scale of the allocation. The provisions of section 59(2) shall therefore be read as follows; that this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all condition(s) attached to this grant of planning permission in principle across the entire site has been made before whichever is the latest of the following;

(i) the expiration of 10 years from the date of this grant of planning permission in

principle;

(ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused;

(iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;

- pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

INFORMATIVE 1: that this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration – 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.

INFORMATIVE 2: For the avoidance of doubt, the term 'phase' within any condition shall refer to the phases as have been approved under the terms of Condition 1 of the planning permission in principle hereby approved.

INFORMATIVE 3.

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 4

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 5

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 and the operation of Aberdeen Airport.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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Comments by Kingswells Community Council

ACCESS

KCC approves of the main road access into the development being from the Greenhedges/Jessiefield junction on the A944. It also supports the eventual restriction of the existing Cults-Kingswells road (C189) to a bus and cycle route that also allows access to existing properties. This should help to limit future traffic congestion at the Kingswells roundabout.

However, KCC also has some real concerns about access arrangements:

- (1) The main access road from the A944 is routed through the area (OP68) designated in the current Local Plan for future cemetery expansion. More seriously, the road would cut through the western end of the Garden of Remembrance at Hazlehead Crematorium. The garden is currently a very peaceful place and is not appropriate for the construction of a busy access road. A large number of trees within the garden bounds will need to be felled. Mourning relatives have recently scattered loved ones' ashes at the bottom of some of these trees. The Garden of Remembrance also recently achieved notoriety in connection with the possible disposal of the ashes of dead babies without the knowledge their parents. Routing the main access road through this very sensitive area could result in adverse publicity for planners and councillors. KCC would urge that the road be re-routed further to the west at this point.
- (2) Until the new access road and AWPR are built, there will be traffic problems on the C189 where it approaches the Kingswells roundabout. This section is already nose-to-tail at peak times and congestion will only increase as the first tranche of new homes is built. It will be essential to disallow traffic hold-ups due to construction work at peak times.
- (3) KCC has little confidence in the traffic assessment calculations for Countesswells. In particular, the use of the Blacktop road as a "rat-run" to access Westhill from Countesswells is being underestimated. This country road is totally unsuited to high traffic volumes and is potentially unsafe. Ways will need to be found to discourage drivers from using this road as a shortcut to Westhill from south Countesswells.

HOUSING TYPES

It is unsatisfactory that the needs of elderly people are being overlooked in this development. The demographic projections for Scotland are quite clear and need to be properly addressed. Many elderly people are looking to "down-size" and relocate to single-storey homes. Small bungalows or flatted accommodation with lifts would help to meet their needs. In seeking to maximise profit, the developers involved are not taking this matter seriously enough and are not providing sufficient homes of the right type.

ENVIRONMENTAL ASPECTS

KCC supports, in particular, the creation of a central park, the use of existing watercourses, and the conversion of the tree-lined section of Countesswells Road to a vehicle-free access.

Claims about the overall amount of green space, however, are misleading as several of the "green" areas are simply wayleaves for overhead power lines. SSE will insist on keeping these areas free of any planting. This will considerably limit opportunities for landscaping.

The Countesswells development must be hidden as far as possible when viewed from Kingswells and prominent viewpoints like Brimmond Hill. To achieve this, the northern

boundary including residential blocks N1 and N3 needs to be screened off by a thick belt of substantial trees, both deciduous and non-deciduous.

The routing of the main access road through a forested area should not be used as an excuse for removing whole blocks of woodland. As far as possible, trees that need to be felled should be replaced with indigenous species.

SUDS basins should, wherever possible, be used to encourage biodiversity. Unattractive and sterile grass basins, devoid of any water for most of the year, are not acceptable.

It is very disappointing that the former reservoir (now a wetland area) shown in 3.3.1 of the consultation document is not being properly exploited to create an area of biodiversity and a possible water feature. It is inappropriate that residential block S9 has been allocated to this site. On the Prime Four site at Kingswells, the creation of an attractive pond from a similar area of marshland is a good example of what can be achieved with a bit of imagination and concern for the environment.

MAINTENANCE OF COMMUNAL SPACES

It is essential that maintenance arrangements for *all* communal spaces, including green areas, are set out transparently and in legal terms from the outset. No residents or employers should be left in any doubt about the persons/agencies responsible for the upkeep and safety of areas next to their properties.

There is considerable scope to increase biodiversity on the Countesswells site which is mostly just fields at present. To achieve this, some of the green areas should be kept in a managed but "un-manicured" state. This is likely to include the edges of watercourses and ponds.

OTHER INFRASTRUCTURE

All homes and businesses should have easy access to high-speed, fibre optic broadband from the outset (not as an afterthought). This is already happening at Chapelton of Elswick, for example.

CRAIGIEBUCKLER AND SEAFIELD COMMUNITY COUNCIL

Head of Planning and Sustainable Development
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

10 Craigiebuckler Drive
Aberdeen
AB15 8ND

Email:

12 April 2014

Dear Sir/Madam

Application Number: P140438. Aberdeen Local Development Plan Site OP58
Countesswells Lying West of Hazlehead Park.

Residential-led mixed use development including approximately 3000 homes, employment, education, retail, leisure and community uses and associated new and upgraded access roads, landscaping and ancillary engineering works

We are concerned that the existing roads infrastructure will be inadequate to cope with the traffic generated by this proposed development. It is our contention that, despite recent upgrades to the A944 (Aberdeen to Westhill) dual carriageway, the volume of traffic attempting to access the roads during the rush hours will result in lengthy queues which, in turn, will increase air pollution.

There is no apparent record of hydrology surveys having been completed on this extensive site. The plans do not take the natural springs and watercourses into account.

Until after the initial phases of homes are sold primary health care will have to be provided by the existing local GP practices. We contend that those medical practices will be overburdened by an overwhelming number of new patients from the proposed development until a sufficient number of homes are sold to fund the construction of a health centre within the development.

At the last Liaison Group Meeting it was mentioned that one secondary and two primary schools are to be built. During the construction of the first primary school the first children from Countesswells are to be transported to Braeside Infant School, which will be upgraded to make it suitable for P1 to P7 pupils. The first primary school will be ready for the 400th house. Then construction will begin on the second primary school. The Countesswells site is to be re-zoned to Hazlehead Academy until the secondary school is completed in 2018/2019. However, the Development Framework Document does not specify the timing of the transitions from the interim to the permanent educational establishments. We contend that the occurrence of this transition is dependant on the continued strength of the housing market and therefore expect that the period of dependency on the interim educational resources will be of indeterminate length. Furthermore, the strategy for the interim provision of primary school places is perceived by us as fragile because it is dependant on the completion of one construction project – the upgrade of Braeside Infant school. If this falls through, class sizes could increase well beyond the guidelines set by the Scottish Government.

We welcome the 25% affordable housing allocation. The developers stated their commitment, at the last liaison group meeting, to the delivery of the full amount of affordable housing

Yours sincerely
William Sell
Chair



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

25 April 2014

Dear Mr. Williamson,

Planning Application 140438: Planning Permission in Principle. Residential-led mixed use development including approximately 3000 homes, employment, education, retail, leisure and community uses and associated new and upgraded access roads, landscaping and ancillary engineering works.

I am writing on behalf of the Cults Bielside and Milltimber Community Council (CBMCC) to raise some objections and concerns that need to be addressed relating to Planning Application 140438 for Planning Permission in Principle at the Countesswells site before approval should be granted.

We object to the application as proposed because;

General

It is not satisfactory for Aberdeen City Council to seek comments on Planning Applications related to a Development Framework and Masterplan by a deadline which is earlier than the date set for comments on the Development Framework and Masterplan (initially by 17 April 2014 when date set for Masterplan comments is 29 April 2014; it is noted that the deadline for Application comments has now been revised to 30 April 2014).

Education

The Development Framework and Phase 1 Masterplan does not set out firm dates by which the first Primary school (PS01) and the Secondary school will be operational. This should be set out in the planning application and legal agreement, either a date or number of houses occupied. The timing should take account of the fact that Braeside Primary is proposed as an interim location and Braeside is currently being used to teach pupils from the recently closed Hamilton school.

The proposed Secondary school campus appears to be located under an existing high voltage power line. The safety aspects of this proposal for people using the campus, and construction, need detailed consideration and if necessary the campus should be relocated.

While we recognise the aim of Aberdeen Council is to encourage pupils to walk to school, there will be times when parents have to drive them to school and the school design should ensure an adequate drive-in and drop-off/pick-up area is incorporated.

Environment

We note that much of the planned greenspace runs under the existing high voltage power lines – the developer is not really justified in claiming this area as part of his contribution to green space provision.

The ownership and future management of the greenspace areas must be established as part of the legal agreement to ensure that the future maintenance is provided for and future residents are clear on how this will be delivered.

Peter Roberts, Planning Liaison Officer CBMCC
6 Marchbank Road, Bielside, Aberdeen AB15 9DJ

While we recognise that the detailed plans may change, it appears some properties will be located directly adjacent to woodland e.g. S13, and this represents a safety risk from falling trees onto property. A clear safety margin should be preserved between housing and woodland.

We request that the Aberdeen City Council and Developer look at preserving more of the wetland area to the south west of the site, block S9, and turn it into an amenity area. An example of how this has been done successfully is in the Nexen office development at Prime 4, Kingswells. SUDS areas should be designed to be holding water at all times, to create an attractive appearance, rather than being left to stand dry in times of low rainfall.

There should be sufficient tree planting along the northern edges of the site to shield the development from view.

Housing

There is only a passing mention of the need to consider single storey housing for the elderly (ref. section 5.5.2, page 69 and 6.2.7 page 87 of the Development Framework and Phase 1 Masterplan). There should be a firm commitment to build bungalows with small garden areas to accommodate elderly and disabled people. It is recognised that these are likely to be best built when facilities such as shops and health services are available.

The quality and design of the proposed affordable housing should be of a high enough standard which would be acceptable to housing associations and encourage them to purchase properties. This has not always been the case.

There does not appear to be any mention of planned opportunities to take advantage of natural energy in the housing design e.g. the installation of solar powered water heaters, use of ground source heat pump arrangements or a central heating ring main. If these ideas are incorporated early on they can be installed at very low cost with significant energy saving potential.

Roads and Transport

The supporting documents for the development refer to the potential risk of lengthy closure of the Kirk Brae/C189 road due to construction and installation of utilities. This road is a key route for people travelling north to Kingswells, Westhill, the airport and other locations north of Aberdeen and we expect the Aberdeen Council to impose strict limitations on road closures of the C189 until the new link road to the Jessiefield junction is available for use. Road closures should not take place at peak travel times. An obvious way to avoid the risks of road closure is to build the new link road very early in the development. We expect the developer to coordinate activity with utility providers to minimise the amount of disruption.

The proposed route for the road to the Jessiefield junction appears to run through the western end of the remembrance garden at the Aberdeen Crematorium (ref. map page 61 and elsewhere). Given that many families will have spread ashes of loved ones in this area we feel it is inappropriate to route the road through the garden and it should be moved sufficiently west of the garden to minimise noise disturbance in the garden.

We suggest the Aberdeen City Council also reconsider the desirability of routing traffic moving South to North through the middle of the Countesswells development and to look at the value of having the main route running around the edge of the settlement.

Comments on the Countesswells Transport Assessment:

1. Generally very disappointed that the report is not proposing any imaginative solution to the travel needs of this new township. The only travel modes considered are the traditional and available bus and car modes supplemented by a desire to increase the use of bicycles. The latter being available only to the fitter section of the population and much affected by inclement weather conditions.
2. Rather than suggest a forward looking novel means of transporting the new residents to the city and places of work – monorail across Hazlehead? dedicated bus-road? tram? - it is

proposed to tinker with the overloaded junctions around the development to squeeze in the expected extra traffic. The report's calculations and its conclusions have failed to convince us that the travel from, to, through and around Countesswells will be without problems even after completion of the AWPR. Some details to illustrate our doubts are as follows:

- a) The 'committed developments' included in the base traffic loads do not appear to include the major new developments in Friarsfield and Oldfold Farm (see 8.2.3). The additional traffic from these areas has already been shown to overload some of the North Deeside Road junctions and cannot be neglected when evaluating a new town in the immediate vicinity.
- b) The model used seems overly optimistic. The check on its calibration reported in Appendix J - 1.2.2, table 3, shows that the observed maximum queue lengths are significantly longer than the modelled ones (8 vehicles instead of 1, and 10 vehicles instead of 3 to 4!!). On the basis of this comparison it can not possibly be concluded that the model is valid.
- c) It is doubted that simple signalling can return the performance of a junction that has been shown to have a Ratio of Flow to Capacity of 125% to acceptable levels – see Appendix J, 1.2.6 and 1.2.7. In previous submissions by Fairhurst it was explained that by agreement with the City a maximum RFC of 90% would be allowed for signalised junctions instead of the normal accepted standard of 85%.

Utilities

The provision of high speed broadband through fibre optic cable should be mandatory for the development and this should be part of the legal agreement with the developer.

Please contact me if you have any questions.

Yours sincerely,

Peter Roberts

Planning Liaison Officer

Copy to: Councillor Marie Boulton, Councillor Aileen Malone, Councillor Tauqeer Malik

PI

From: on behalf of Aberdeen Civic Society

Sent: 20 April 2014 20:54

To: PI

Subject: Planning Ref 140438 & 140470

Attachments: 140438 Countesswells.docx; 140470 SRU Craibstone.docx

Dear Sirs

Please see attached representations from the Society relating to Planning Ref s140438 (Countesswells OP58) & 140470 (SRU Craibstone Campus)

Kind regards

--

Alastair Struthers
Honorary Secretary

On behalf of
Aberdeen Civic Society
www.aberdecivicsociety.org.uk



Registered with the Scottish Civic Trust
Registered Charity Number SC003089
Honorary Secretary: Mr A Struthers

Aberdeen Civic Society

Aberdeenshire
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Enterprise, Planning & Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal Collegé
Broad Street
Aberdeen
AB10 1AB

21 April 2014

Dear Dr Bochel

Ref: 140438 – Mixed Use Development at Countesswells (OP58)

The Society has considered the above applications and wishes to comment as follows:-

We strongly support the creation of mixed use development that provides job spaces and amenities in addition to housing and would urge the members to ensure that the mixed use provision is both generous and created timeously with the residential aspect of the development.

We would also encourage and support the provision of affordable housing and mixed tenure housing within the development rather than through commuted sums. In order to create truly mixed developments a diverse range of sizes and types of accommodation must be provided and the proposed 3000 houses is more than sufficient to allow an excellent variety to be made available to purchasers at all stages of the property ladder.

Finally we are very wary of the impact that development of this scale will have on the City's infrastructure and would urge that its approval be conditioned upon the first completion not being until after the AWPR has been completed.

We would be grateful if our representation could be given consideration.

Yours sincerely

Alastair Struthers

Glasgow
60 York Street Glasgow G2 8JX
DX GW 70 GLASGOW

Our Ref: DCL/DCL/MAN/58/2 6404182V2

Your Ref:

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

Dear Sir

**R&M Mann and the Mann Family – Bellfield Farm, Kingswells, Aberdeen
Countesswells Development and Planning Application Numbers 140435 and 140438**

We act on behalf of R&M Mann and other members of the Mann family who own land adjoining the proposed Countesswells development described in the abovementioned planning applications.

On the Aberdeen City Council website it states that today is the deadline for making representations in respect of these applications.

However we understand there has been a failure to correctly advertise certain aspects of these applications.

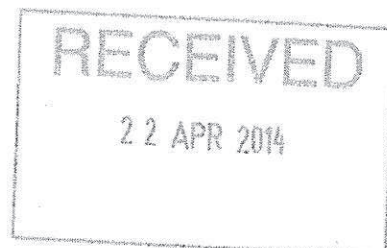
We also note that the information pertaining to these applications as listed on the Council website is incomplete and key information has yet to be uploaded (for example one of the application notices is not on the planning portal).

We therefore presume that the deadline for making representations has been extended?

Please can you confirm to us the actual timescales for representations to be made, when all information will be uploaded to the planning portal and what is happening on advertising the applications?

Our clients propose to submit detailed objections to these applications. Please therefore treat this letter as a holding objection to both applications.

Our clients reserve the right to make full detailed representations in future when a full and accurate understanding of the position is available. Our clients also reserve their overall position in relation to the applications.



Meantime we look forward to hearing from you as a matter of urgency acknowledging receipt of this holding objection for both applications, and confirming the actual timescales for lodging representations on the applications.

Yours faithfully



Partner,
MacRoberts LLP

Glasgow

60 York Street Glasgow G2 8JX

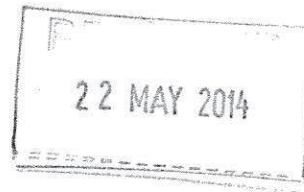
* GW 70 GLASGOW

Our Ref: DCL/MHB/MAN/58/2 6467851V2

Your Ref:

21 May 2014

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



Dear Sir

**Representation on behalf of R & M Mann, Bellfield Farm, Kingswells, Aberdeen
Planning Application Reference 140438: Residential-Led Mixed Use Development including
approximately 3,000 Homes, Employment, Education, Retail, Leisure and Community Uses and
Associated New and Upgraded Access Roads, Landscaping and Ancillary Engineering Work at
Countesswells**

We act for Robert and Marion Mann as partners of and trustees for the Firm of R&M Mann of Bellfield Farm, Kingswells, Aberdeen, AB15 8PX. Our clients are the owners of Bellfield Farm which lies adjacent to the proposed Countesswells development.

Our clients wish to object to the above application for planning permission (**the Application**) on the grounds set out in more detail below.

Prematurity in the context of the Countesswells Development Framework

The Countesswells Development Framework and Phase 1 Masterplan (**the CDF**) is the subject of a formal consultation process currently being undertaken by Aberdeen City Council (**the Council**). Our client has responded separately to this process, and in summary, considers that the CDF has been the subject of inadequate publicity and consultation in relation a fundamental change in the access strategy associated with the development of the OP58 site.

The CDF will, once approved by the Council (and this is programmed for a Committee on 3 June 2014) form part of the development plan, and all future planning applications will require to be in accordance with the CDF. The CDF, as drafted in its consultation form, authorises the principle of the main access to the OP58 site through an existing crematorium and Garden of Remembrance, and through the site allocated in the Local Development Plan (**the LDP**) for phased cemetery development. In addition, the draft CDF authorises the principle of the western access to the A944 to be a bus-only access. Neither of these fundamental changes to the previous version of the CDF was the subject of consultation in 2012, nor the subject of any meaningful consultation since.

In addition, neither of these proposed access changes has been informed by a detailed assessment of the implications for the strategic road network, a matter raised by the Council Committee in agreeing to release the CDF for formal consultation purposes.

These matters require to be addressed in some detail before the CDF is approved, and this will not be possible by the proposed June Committee date. Only when the Council has satisfied itself that they have been addressed comprehensively should the CDF be taken to a Committee for approval. In accordance with the Council's Masterplanning guidance, there should be no decision taken on the current planning applications relating to the OP58 site until this is the case.

The detailed representation on the Application follows.

Application Documentation

There are a number of inconsistencies across the Application documentation, including a number of fundamental elements. For example, the site address on the planning application form is '*Aberdeen Local Development Plan Site OP58, Countesswells lying to the west of Hazlehead Park between Cults and Kingswells*', which describes only part of the proposed development site. The application site includes a significant extent of land to the north, beyond the OP58 boundary, through which the accesses to the development site are proposed to be taken. The description provided is therefore inadequate to describe the site, and could prejudice potential consultees.

Furthermore, the discrepancy in the address will have significant implications for the advertising of the application, particularly from a regulatory perspective. Regulation 17 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (**the EIA Regulations**) requires at paragraph 2(a) that such a notice includes "*a description of the location of the development to which the statement relates.*" Setting aside concerns over its scope (see below), the Environmental Statement (**the ES**) must relate to the entirety of the proposed development, in which case the address provided is inadequate to fully describe its location.

Another example of an inconsistency in the application form lies at Section 15, which fails to reference and quantify a number of the non-residential uses referenced within Section 5 (description of the proposal) of the forms. Only Class 4 (Business) floorspace is referenced and it is unclear whether this is the 'employment' use referenced within Section 5. The extent of retail floorspace is not quantified; and depending upon its type and quantity there may be significant transportation and planning policy considerations. Leisure, education and community uses are also referenced within Section 5 of the forms but are not quantified at Section 15.

Pre-Application Consultation

The majority of pre-application consultation with communities and other stakeholders dates back to 2012. No consultation was undertaken in 2013 and in 2014 there has been just a single meeting with selected stakeholders.

Significantly, throughout the pre-application process consultation was based upon an alternative access to that shown. The access proposed in the Application, which crosses the Hazlehead Cemetery Garden of Remembrance, has not been widely consulted upon and differs substantially

from that with which the majority of local communities and other stakeholders will be familiar. Such a substantial change in the proposed development should be the subject of wider consultation. Without undertaking further consultation, there is conflict with the requirements of Paragraphs 2.14 and 2.15 of Planning Series Circular 3/2013: Development Management Procedures.

Paragraph 4.8 of the Pre-Application Consultation Report provides one example of the change to access proposals. Preceding paragraphs have highlighted the changes to the proposed development in response to issues raised during consultation. Paragraph 4.8 simply references a change in the proposed development, specifically in relation to the exclusive public transport use of the western access road. That change was not made as result of feedback obtained during the pre-application consultation process.

Furthermore, Paragraph 4.9 makes only passing reference to the eastern access. The purpose of the reference in the context of the Pre-Application Consultation Report is unclear. It provides no justification in consultation terms for the changes to the access route, which is unsurprising given that the change was certainly not a result of feedback from the community.

As a whole, our clients consider the pre-application process to have been inadequate. The majority of consultation dates back to 2012 and there has been insufficient consultation on significant changes to the proposed development made in the time since. In this regard, the nature of the changes, and their potential impacts on the Hazlehead Cemetery Garden of Remembrance, are of particular significance.

General Approach to Planning Policy

In general terms, despite the submission of a Planning Statement and a lengthy Design and Access Statement, the Application fails to adequately address planning policy considerations beyond the site specific OP58 designation. Such considerations are particularly relevant in the context of the proposed access from the A944, which impacts upon the following:

- OP68: Skene Road, Hazlehead;
- Green Belt – LDP policy NE2; and
- Green Space Network – LDP policy NE1.

The Application documentation entirely fails to assess the proposed development against these policy designations. In the case of Green Belt and OP68, relevant ES Chapters (including Chapter 3: Project Description (which includes a description of the site and its surroundings), Chapter 4: Consideration of Alternatives, Chapter 6: Policies and Plans, and Chapter 8: Land Uses), the Planning Statement and the Design and Access Statement all fail to make even passing reference to these policy considerations.

EIA Regulations

The ES fails to adequately assess elements of the proposed development outside the OP58 boundary and as a result does not satisfy the fundamental requirements of an ES, as prescribed in Schedule 4 of the EIA Regulations. The ES does not permit the Council to assess the likely significant effects of the proposed development on the environment.

There is evidence of this throughout the ES, for example (and note that the following is not an exhaustive list of deficiencies):

- Section 3.7.2 describes the 'proposed access'. However, the description of private transport proposals is insufficient and leaves uncertainty over the approach to assessing access routes, i.e. does the ES assess an access to the A944 via the eastern 'arm' of the development site, or the specific access route shown within the Design and Access Statement (which we note is not badged as 'indicative' or 'illustrative');
- Table 6.4 makes no reference to either site OP68 or Green Belt designations, both of which are specifically relevant to the site, outside of the area covered by OP58;
- Table 6.4 also considers the Green Space Network. Its discussion on relevant policy considerations relates only to the area of Green Space Network within OP58, ignoring elements of Green Space Network outside the OP58 boundary, but within the planning application boundary;
- The impact of the development upon the Garden of Remembrance and the wider OP68 site is not assessed anywhere within the ES. This includes both the temporary operational impacts and more permanent impacts. We note that in assessment of visual impacts the Crematorium is classed as a commercial receptor, and that in relation to impacts such as noise, vibration or visual impact there is no appraisal of the Garden of Remembrance as a separate and very sensitive receptor;
- Chapter 11 – Noise and Vibration commences: *"This Chapter presents the noise and vibration impacts that are predicted to affect the proposed Countesswells development..."* This approach is contrary to the EIA Regulations which principally require the assessment of the impact of a development upon the environment, not, as this sentence suggests, an assessment of the environment upon the proposed development. Beyond that, the Garden of Remembrance is a particularly sensitive receptor from a noise perspective, yet there is no reference within Chapter 11 – Noise & Vibration; and
- Chapter 16 – Traffic & Transportation begins: *"This chapter reviews potential environmental impacts arising from the proposed development and traffic generated as part of the proposals."* Our do not consider that Chapter 16 does what it purports. Table 16.1 considers transport proposals in the context of relevant LDP policies but fails to assess against OP68, Green Belt and Green Space Network policies. Similarly, Table 16.2 considers the various potential construction impacts, whilst Table 16.3 considers the various potential operational impacts. At no point, do they tables, nor indeed any other part of Chapter 16, consider impacts upon the Garden of Remembrance or the wider OP68.

The principle of residential development at Countesswells is not in doubt; it is well established within the development plan and is the subject of various references and a site specific allocation (OP58). Notwithstanding, there is an obligation under the EIA Regulations to consider potential alternatives to what is proposed. The Application considers alternative forms of development at Chapter 4 of the Environmental Statement.

In doing so at Sections 4.6 and 4.7, the ES focuses upon the residential-led mixed use element of the site which, in terms of: (i) the principle of development from a land use planning perspective, and (ii) the potential environmental sensitivity of land outside OP58, the least contentious element of the proposed development. Since access to the allocated site is required from the A944, through land which is the subject of various potential constraints, it would have been appropriate in the context of the EIA Regulations for the ES, under the 'Detailed Options Appraisal' heading, to have considered potential alternative access routes, i.e. considering 'micro' alternatives in addition to the 'macro' alternatives currently outlined. In particular, the ES should consider avoiding designated open space in the form of OP68 and minimising land take within the designated Green Space Network.

In light of its deficiencies, we do not consider that the ES meets the requirements of the EIA Regulations on the following grounds:

- It fails to provide a complete *"description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases"* (inconsistent with the requirements of Schedule 4 of the EIA Regulations);
- It fails to provide a complete *"description of the aspects of the environment likely to be affected by the development..."* (inconsistent with the requirements of Schedule 4 of the EIA Regulations);
- It fails to provide a complete *"description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development..."* (inconsistent with the requirements of Schedule 4 of the EIA Regulations); and
- It fails to provide a complete *"description of the measure envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment"* (inconsistent with the requirements of Schedule 4 of the EIA Regulations).
- It does not permit the Council, as decision maker in respect to the Application, to adequately assess the likely significant effects of the proposed development on the environment.

Planning Policy Considerations

Beyond the deficiencies of the Application documentation, there are a number of fundamental planning policy issues which have not been addressed. Whilst the provision of access routes through the Green Belt and Green Space Network can potentially be acceptable in policy terms, in its current form and without detailed assessment against relative policy considerations both in terms of the quality and quantity of Green Belt/Green Space Network lost to the development and the impact upon OP68, the Application is unacceptable.

OP68: Skene Road, Hazlehead

OP68 is designated for the extension of Hazlehead Cemetery and includes the existing Crematorium and associated Garden of Remembrance. The proposed access illustrated within the Application documentation crosses directly through part of the Garden of Remembrance.

In very general terms, an access through OP68 would sterilise a significant area, requiring Aberdeenshire Council to identify appropriate provision elsewhere. Beyond that, it is very apparent why an access route through land dedicated to an existing Garden of Remembrance is unacceptable, particularly when a more appropriate route, west of the OP68 site, is available for the eastern access.

For the avoidance of doubt, our clients have concluded a contract with members of the Countesswells Consortium to construct access road ways through land within the PAN boundary both to the East of Kirk Brae / Kingswells Roundabout and to the west of the Crematorium, thus entirely avoiding this highly sensitive area.

A further implication of OP68 relates to open space. LDP Policy D1 – Architecture and Placemaking requires, among other things, that proposals consider open space, both the provision of new open space and the impact of development on existing open space. Detailed policy on open space is

provided by the relevant Supplementary Guidance, which in turn refers to Aberdeen Open Space Audit 2010. That document includes a definition of open space as including cemeteries. As such, in failing to consider the impact of the development on OP68 and negatively impacting upon defined open space, the application is contrary to LDP Policy D1.

Green Belt

Access to the development site is required from the A944, which lies to the north of the allocated site. Land in between the A944 and the allocated site forms part of west Aberdeen's wider Green Belt and as such it is not possible to avoid the designation. In such cases, the exception to the general presumption against development in the Green Belt provided by paragraph 2 of LDP Policy NE2 – Green Belt (i.e. "...roads planned through the masterplanning of new housing and employment allocations, which cannot be accommodated other than in the green belt."), applies. Setting aside the failure of the application to assess the proposed development against Green Belt policy, our clients do not disagree with the principle of taking an access through the Green Belt and consider that such a route could be acceptable under the provisions of LDP Policy NE2. However the application does not sufficiently consider the implications of the development on the wider Green Belt.

Paragraph 163 of Scottish Planning Policy states that development within the Green Belt may be acceptable if required "to meet an established need if no other suitable site is available." It is acknowledged that there is an established need for an access through the Green Belt (albeit not one demonstrated within the Application documentation), but it has not been demonstrated that this particularly sensitive part of the Green Belt (i.e. the Garden of Remembrance) is the only suitable and available site.

Green Belt designations cover a significant proportion of the land in the vicinity. That land is subject to a number of land uses and performs varying functions. Its existing and future cemetery use means that the area of Green Belt through which access is proposed performs a particularly sensitive function and it is therefore appropriate in Green Belt policy terms to consider alternative, less sensitive areas of Green Belt in order to meet the 'need' test prescribed by local and national planning policy.

Green Space Network

As with the Green Belt, it is acknowledged that the requirement for an access from the A944 into the site means that there is a requirement to utilise land identified as part of the wider Green Space Network. That is potentially justifiable in the context of LDP Policy NE1 – Green Space Network which, whilst stating that 'proposals for development that are likely to destroy or erode the character or function of Green Space Network will not be permitted', acknowledges that development within the Green Space Network that is a necessity to delivery other development, can be permissible.

The ES and the wider Application documentation fail however to demonstrate that crossing the Green Space Network to the extent proposed is a necessity. Indeed, our clients consider that, in quantitative terms, the extent of land take within the Green Space Network is far in excess of what is necessary. Specifically, the area of Green Space Network within the OP68 designation is not required for the development.

The Design and Access Statement submitted as part of the planning application acknowledges the value of the Green Space Network and at Section 5.2.3 states: 'The site at Countesswells benefits

from a quality Greenspace Network in the surrounding areas containing a range of habitats.' A sensible approach therefore would be to minimise development within and impacting upon the Green Space Network, in this case by shifting the eastern access route to the west (whilst remaining within the planning application boundary).

Since the wider development does not therefore 'necessitate' development in this part of the Green Space Network, the proposal should be considered contrary to LDP Policy NE1 – Green Space Network. As such, and in the context of the reference within NE1 that '*proposals for development that are likely to destroy or erode the character or function of Green Space Network will not be permitted*', the proposed development is unacceptable in its current form.

Access Strategy

A Transport Assessment (**the TA**) has been prepared and has been submitted to support the Development Framework, Application and Phase 1 Masterplan. The TA indicates that the analysis was based on parameters discussed and agreed with the Council which resulted in an agreed position in January 2014 as presented in a Scoping Report (**the SR**) included in the Appendix to the TA. The SR is dated October 2012 and does not include reference to January 2014 agreements. There is no indication that the Council are in agreement with the assumptions stated in the SR.

The traffic analysis presented in the TA uses traffic flows developed from TRICS rates and other parameters identified in the SR. Distribution of traffic to the A944 is summarised in Appendix G and clearly identifies significant traffic at Phase 1, 2 and 3 using the Kingswells roundabout. At full development it is estimated that the Countesswells traffic will have a 104% impact at Kingswells roundabout. This level of traffic and impact does not correlate with the strategy of providing a bus only access to Kingswells roundabout after the initial phase is complete.

A statement is made that the link capacity of Kirk Brae (north) and the approach to Kingswells roundabout can accommodate up to 400 units however neither a traffic distribution for this scenario nor a link capacity analysis is included in Appendix G.

In section 11 of the TA it is stated that there will be road upgrades with the introduction of a flare on the northbound approach to the Kingswells Roundabout and an additional lane on its circulatory. In Table 12.1 the timescale for these upgrades is suggested as beyond 400 units. The purpose of these upgrades is not made clear and is inconsistent with the aspiration for a bus only link.

Options for a replacement junction at Jessiefield are presented and assessed in the TA. Of the four options presented it is Option 3 (a staggered signalised crossroads) that is chosen for further analysis (Drawing No 92762/8006A). This further analysis does not appear to be presented in the TA. The junction layout for Option 3 is inconsistent with the link road and junction location identified in the Development Framework. Additionally an Option 5 layout (Drawing No 92762/8003B) is included in Appendix K of the TA which is not discussed in the main body of the TA although the results are presented in the Modelling Note included in Appendix J. The operational results for Option 5 indicate less delay and higher capacity than the results for Option 3.

The TA assesses the traffic impact on the local network and it appears from the details in the modelling note that the modelling has assumed two accesses to the A944 which can accommodate all modes of traffic. There is no summary or results from the modelling analysis to support a single all

vehicle access and no analysis shown to determine the link capacity of Kirk Brae *prior to the Jessiefield junction upgrade* as required by the ESPIC.

There is no substantiating analysis presented in the TA in respect of the initial phases of development either as part of the phasing of the whole development as presented in the PPP or to support the Phase 1 Masterplan (prior to the Jessiefield junction upgrade) application.

It is therefore our clients' position that the TA as submitted in support of the Countesswells applications and the Development Framework does not present a cohesive analysis of the traffic impact of the proposed development and proposes inconclusive validation of the case for a single vehicular access at the Jessiefield junction as indicated. The assessment is inconsistent with the Development Framework as it presents inconsistent analyses and conflicting design layout options.

However, the TA does present an analysis that indicates that the access strategy of two all vehicle accesses to the A944 via an enhancement of Kingswells roundabout and upgrade of Jessiefield to a signalised cross roads as presented through the consultations process in 2012 will provide an appropriate access solution that will accommodate the addition of the proposed development traffic to the local road network. The two access solution as presented previously and modelled in this TA, over land which is already under the control of the Countesswells Consortium, does not require to provide a link road through the Garden of Remembrance associated with Hazlehead Crematorium, located within Hazlehead Cemetery.

Next Steps

In view of the above, we do not consider that the Application is acceptable in its current form and consider that the following is required:

- Deficiencies and inconsistencies in the planning application forms must be remedied and, in the event of the aforementioned site address being referenced in advertisements, the Application should be re-advertised in order to not prejudice potential respondents and to meet regulatory requirements;
- Further community and stakeholder consultation must be undertaken in order to inform the community and others of fundamental changes to the proposed development since the majority of consultation was undertaken, and thereafter to allow further time for the submission of representations;
- Deficiencies in the EIA process and the associated ES must be addressed through the submission of additional environmental information;
- Following the submission of this additional information and the satisfactory progression of the Application, including the acceptance of the A944 access arrangements, planning permission can only be granted subject to a suitably worded planning condition requiring access to the site to be taken from the A944 Jessiefield Junction following a route to the west of site OP68, and requiring the access route from the Bellfield junction to be for 'all-vehicle' use; and
- Determination of the Application must be deferred until the formal approval of the CDF as Supplementary Guidance by the Scottish Ministers.

We trust this objection will be taken into account in the determination of the Application and we would welcome the opportunity to discuss the various issues referenced above in further detail with representatives of the Council.

Paul Williamson

9

21/05/14

We would be grateful if you would acknowledge receipt of this representation.

Yours faithfully



Partner
MacRoberts LLP

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 16 April 2014 14:00
To: PI
Subject: Planning Comment for 140438

Comment for Planning Application 140438

Name : Sandy Hutchison
Address : Boskeathy House
Countesswells Road
Aberdeen
AB15 9BX

Telephone : [REDACTED]

Email [REDACTED]

type :

Comment : I would make the following comments in relation to the application:

1. The intent as I understand is that the development appears to be funded in part by a UK Government bond. In the event of a "Yes" vote in the Referendum in September how do we know there will be sufficient funding in place to develop such a project given the financial limitations of the Scottish Government? and (ii) has any funding from the UK Government been approved yet? If the answer to either of these questions is No I am not clear how any planning application can take place let alone provide consideration to the development viability.

1.(a) What process was adopted to select the Countesswells Development by Aberdeen City Council for UK Government funding ahead of any other development in the Aberdeen area?

2. Is there sufficient funding in place to build out such a material development and how will developer financial risk short/medium and long term given the time period associated with any development.

3. Major developments such as this are in part driven by forward economic projections. If the oil price was to drop significantly what considerations have been given to the economics of the development? How do we avoid a situation in Spain and Ireland where the building of some housing estates have been incompleting because of a financial downturn?

4. I had previously understood than any development for Countesswells was subject to the Western Peripheral Route being implemented and being in operation - I expect this to be the case.

5. The road pressures on Countesswells Road and on the road across to the Kingswells roundabout are hugely significant already. It is not clear to me how any development will fit given the existing road pressures and any major development appears to create a "bust" at the Kingswells Roundabout and in other areas.

6. The site in Countesswells is an environmentally sensitive area. There are several areas of protected land and rare species which needs to be protected as part of any development and it is not clear to me if this is taken into consideration.

7. There are several badger sets throughout the proposed development and given these are protected species will need to be addressed before any development can take place.

8. Many of the trees on the site and around surrounding houses has been there for many years and to ensure the look and feel of the development of this area is not adversely affected I would recommend that a detailed plan is put in place to protect any of these trees.

9. The current school catchment area for Countesswells is Cults Primary and Secondary. If any development gets approved what assurance will there be that the schooling to be provided will be of at least as good a standard as that which is currently available.

10. It is not clear the specific timing for any build phase if it was to get approval.

11. What consideration is going to be given to existing residents and the land and housing that they currently enjoy - they need to enjoy a quality of life and how will this be protected for and compensated for during the build out phase.

12. Will school catchment zones need to be re-set given this development and all the other developments that are happening - Oldfold at Milltimber, CALA at Friarsfield and DANDARA at Countesswells? - would these developments all be schooled at Countesswells if schooling is going to be provided and how to we ensuring a cohesive education policy in the area given several large developments currently in flight.

13. The Process adopted by Aberdeen City Council seems a little out of step-here in that we are being asked to review planning applications before approval of the Development Framework. What is the reason for this and is this not contrary to planning policy, legislation and therefore open to challenge?

14. There are several other questions and issues I have with the proposal but in the first instance it would be helpful to have responses to the above questions.

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P&SD Letters of Representation		
Application Number: 160438		
RECEIVED 16 APR 2014		
Nor	Sou	MAO
Case Officer Initials: PMU		
Date Acknowledged: 24-4-14		

Robert Vickers

From: Emma [REDACTED]
Sent: 30 April 2014 21:31
To: PI
Subject: Aberdeen local Development Plan site OP58
Categories: Awaiting Responce

Dear Sir/Madam,

I write in response to the planning application of the Aberdeen Local Development Plan site OP58. As a local resident in the Countesswells/ Bielside area it gives me great cause for concern. In particular I would like to highlight the following concerns;

1. Infrastructure plans for the proposed development appear to be nil. My understanding is that the Green Belt Review states that there are no bus routes that could easily be extended to serve Countesswells. Any development in Countesswells will be unsustainable in transport terms, with the Kingswells park and ride is over 1.5 km away. Countesswells road is already being used as a 'rat -run' and is poorly maintained with potholes and crumbling verges.

This development would create huge problems with additional traffic, which would not be relieved by the WPR which makes no provision for a junction that would serve Countesswells.

2. The recreational importance of the Countesswells FNC area and to its function as a link between Hazelhead Park and Countesswells Woods can not be over stated. These are two of the city's most important outdoor recreation areas. The development site will also wipe out three established equestrian centres.

3. Any development at Countesswells would damage the green belt and would constitute erosion of a green area. In principle, I believe that future developments should not be located in or adjacent to Countesswells or Foggieton Woods, which are popular destinations with a diversity of wildlife.

4. 3000 proposed homes need schools. The local primary schools are already almost at capacity and the Academy's (Cults/ Hazelhead) could not saturate the number of school request that families moving to the area will make. Will the new schools that are proposed to be built within the development be ready for these family's and how does the council propose to fund the teaching staff and running of the schools?

In reality the list of concerns I and local residents share is one of great length, but the above highlights our main worries. I would be most grateful for the Planning Department to take serious consideration to the implications that the above development will have on the large number of local residents in the Countesswells/ Bielside and Cults area.

Yours sincerely,

Emma MacKintosh
West Stables,
Countesswells House
Bielside
AB15 9BT

Sent from my iPad

ROTH
1404350
140438

Alex Shand,
Rainbows End,
Jack's Croft,
Kingswells,
Aberdeen. AB15 8QB

6 April, 2014.

Letter of objections re proposed Housing Development – Counteswells.

Dear Sir/Madam,

I recently read in the local press that the proposed above development was due to be heard at a Planning Committee meeting in relation to outline planning permission and advising that objection required to be submitted within 14 days. I was surprised by this given that the development borders my property and yet I have had no official notification in regard to this matter. I have a number of issues in relation to this development. I attended previous meetings with the proposed developers and felt that they did not address the major issues raised by everyone. My objections are as follows-

- 1- This proposed development will obviously effect my property and my business as a crofter whereby there will be a lot more people in the area and they might not fully appreciate the impact that they may have and may encroach on my property. There is also the likelihood that dogs etc will be allowed to roam without being under control and this will probably lead to issues for my livestock.
- 2- I am interested in what is likely to happen to the access farm road to my property as this was not answered at any of the meetings. Also my water supply goes through one of the fields from the main road.
- 3- The most important issues for myself and everyone else who resides in the area is the impact that building 3,000 homes will have in regard to traffic management. The road is over used at the moment and it is difficult to get access from my property at certain times of the day. Thousands of vehicles use this road on a daily basis and to add all this extra vehicles will cause major problems. This will be further impacted upon by the nearby industrial estate traffic and also the proposed development at Lang Stracht. The current roads network is not designed to cope with this volume of traffic and I fear for what the outcome for traffic will be. These issues have never been satisfactorily answered either to myself or any of the other residents who are to be affected by the development.

Due to the above factors I would like my objection to be placed with the Planning Committee.

Can you also acknowledge receipt of this objection.

Yours sincerely

Alex Shand



FROM THE CHAIRMAN

Eric G Baird
Avon
Glen Tanar
Aboyne
AB34 5EU

25th April 2014

Dr M Bochel
Head of Service
Enterprise, Planning and Infrastructure
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
ABERDEEN AB10 1AB

Dear Dr Bochel,

PLANNING APPLICATIONS REF. 140~~3~~38 AND 140435 PROPOSED HOUSING, MIXED USE AND INFRASTRUCTURE AT COUNTESSWELLS

REPRESENTATION FROM THE JAMES HUTTON INSTITUTE AND THE MACAULAY DEVELOPMENT TRUST

We are writing to ask that, in considering the determination of the above applications from the Countesswells Consortium, you and the Council take full account of the work undertaken as part of the previous 2008 Local Plan and updated in our response to the Council's Main Issues Report. We are concerned that the positive impact of development on the South Field at our Craigiebuckler Campus (allowed for in the Craigiebuckler Development Brief) is capable of implementation and not thwarted by the impact of the road network arising from the large scale residential and other development as described in the above applications.

The effect of providing two new state-of-the-art environmental friendly buildings in the South Field will act as a key ingredient in helping to transform the James Hutton Institute into becoming the premier agriculture and environmental research organisation in Europe and reinforce further its reputation as a market leader in the U.K. The Institute is already embedded within the fabric of the social, environmental and land based communities across Scotland. Its ambition is to become the best research organisation in these sectors.

Our vision is to create facilities that underpin greater understanding of land use planning. The facilities would be a Research and Knowledge Exchange Centre that would serve the interaction of institute scientist's with the general public, agencies, local authorities, the international scientific

Macaulay Development Trust, Craigiebuckler, Aberdeen AB15 8QH

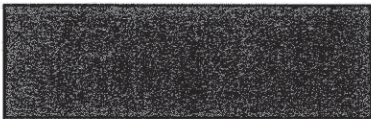
community, government and businesses in tackling the issues around land use planning in Scotland and globally. We wish to create flexible meeting space with state of the art visualization facilities that can be used to engage audiences in the process of doing land use planning science.

We wish to repeat our invitation to visit the Craigiebuckler Campus at your earliest convenience to learn more about the future plans of the institute and appreciate the wide range of research currently being carried out by the institute's 300 employees. It is suggested that you and relevant elected members and officials spend some time with us so that your Council's decision making at both the emerging Development Plan stage and the approach to the release of land at Countesswells can be fully informed.

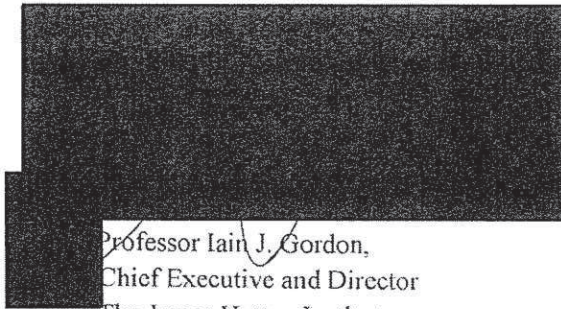
We look forward to your early response to this invitation and the acknowledgement of this letter as an indication of our concern so that one of the strengths of the North East can be supported in its ambition to become the premier research body in Europe. We know that this ambition is within our grasp and with the Council's support and understanding a global reach can be based at Craigiebuckler.

I look forward to your early reply and please contact Faith McDonald () to arrange a convenient date for your visit to Craigiebuckler.

Yours sincerely,



Eric Baird
Chairman
The Macaulay Development Trust



Professor Iain J. Gordon,
Chief Executive and Director
The James Hutton Institute

"The Stables",
Colthill Farm,
Bieldside,
Aberdeen AB15 9DA.

19 May, 2014

Sus,

Application number: 140438 Countesswells Consortium.

Objections:

The plans intend the development of 3000 homes. Aberdeen and environs already has recently completed or recently commenced major housing developments which make the "need" for a further development suspect. Aberdeen Solicitors Property Centre, which represents the major percentage of housing sales and purchases, indicate there is no shortage of available urban properties at all financial levels of the market. Rural properties, in contrast, are reducing in availability.

The oil industry, which is seen as producing the major source of high income house purchasers, is on the decline with no comparable

long term substitute industry in prospect.

The majority of the decreasing numbers of offshore personnel continue to live outwith the highly priced Aberdeen area. A business migration has already commenced from the area and will accelerate should Scotland become independent.

The plan purports the myth of "creating a community". The plan is to destroy an existing, strong rural community and to replace it with urban sprawl. The very factors which are highlighted to attract would be purchasers of the new houses will no longer exist when the area becomes a housing estate instead of countryside. With developments at neighbouring Kungsweils, Hazlehead | Pinewood, Ynaisfield | Kirk Brae the proposed Countesswells development is not the idyllic village development suggested but a continuum of Aberdeen suburban sprawl.

The plan talks about job creation in the new "community". Employment already exists

in the area which is directly or indirectly dependent on agricultural land. Without the availability of land, businesses will cease and staff will lose employment. There is no honest mention in the development of the degree of rural job / livelihood to be sacrificed.

lip service is paid to the equestrian industry and the implication is that with the break up of the former, Stuart Milne owned, headhead Equestrian Centre and the subsequent dispersal of some 60 horses most of the equestrian activity in the area has been dealt with. On the contrary, some one hundred and fifty plus horses remain to be affected. The area is designated as "horticultural" by DEFRA being second only to the Newmarket area in density of equines. Together with the WFR, the development will see the demise of some nine equestrian centres in the area. There is no point in paying lip service by providing

green corridors and bridleways. Without suitable grazing land, horses cannot exist within the statutory five freedoms.

The misconception is that horse related activity is the prerogative of the rich, but in many cases that is not the case. The proximity of the development site currently provides the opportunity for city dwellers from less affluent areas of the city (eg Mairick, Northfield) to be involved in the employment market the equestrian activity creates as well as opportunities for the numerous recreational pursuits. Pushing equestrian activity further and further away from the city at spiralling supply v. demand costs denies the well documented health and social benefits to many. The intended occupants of the high end market new housing would not have such financial constraints.

In a city so dominated by flats as Aberdeen, accessible, affordable green space is at a premium. When national and local politicians emphasise

the need for healthier and greener patterns of living despoiling an accessible and green area like Countesswells is totally contradictory. The area is one of the very few which is still accessible without a car and provides much needed natural resources for relaxation and exercise - for walkers, cyclists, riders, dog walkers. A wide path through the middle of a housing estate with encumbent noise pollution and bereft of most wildlife is no substitute.

Finally, it is of note that all previous Council demands imposed on current residents' planning applications e.g. natural stone, dotness guttering have been totally waived for major developers.

Yours faithfully,



PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2014 22:52
To: PI
Subject: Planning Comment for 140438

Comment for Planning Application 140438

Name : Jonathan Smith
Address : Colthill Farmhouse
Bielside
AB15 9DA

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

Comment : I support all the comments made by the Cults, Bielside and Milltimber community council in their letter of 24th April available on your website. When you consider those comments, I ask that you do so knowing that they reflect my view and those of my wife.

Additionally, I believe that the comment in sections 3.7.2 and 5.4.2 "links to these modes will be provided where feasible" regarding access to public transport to the south are weak, and that "where feasible" should be deleted. There should be a provision of access towards public transport to the south of the site because much of the natural traffic flow will be in that direction, as it is at the moment. Not to make such a provision will mean that public transport is under-used; and that is contrary to the stated aspiration of the development.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 30 April 2014 15:48
To: PI
Subject: Planning Comment for 140438

Comment for Planning Application 140438

Name : john mathieson laing
Address : red gables
bielddside
ab159bt

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : My wife and I strongly object because; We have had no direct personal notification regarding this project which will encapsulate our home.

We have no clear details of this project on which to base plans for moving home or staying.

This project will deny us the environment and quality of life which we currently enjoy.

We have found on this public site a picture of our home with plans for the trees on the site.

The City has given the Developers the easy option of building on our precious Green Belt instead of developing and enhancing the established urban settlements.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 23 April 2014 08:23
To: PI
Subject: Planning Comment for 140438

Comment for Planning Application 140438

Name : Sandy Hutchison
Address : Bogskeathy House
Countesswells Road
Aberdeen
AB15 9BX

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : In looking at the applications I will be a neighbour directly affected by the Phase 1 development. As an existing resident it would be clearly beneficial if I was able to ensure that any development was able to benefit the setting of my property, eg. be able to provide input to the design and development of the site to ensure that me and my family are not adversely affected - to that end it would be beneficial to ensure that any road design was done sympathetically like some of the road designs in Bielside and Cults but in addition to ensure that my house was going to be located on a corner site or close to open space to ensure that my plot is maintained as a good site.

In addition in reviewing the application I note that construction works could take place between 7am and 7pm at night - this would be most inconvenient given that impacts "social" time that we would have in the house and surrounding forest area. We would expect that any building time be limited to a time period between 9am and 5pm so to avoid any building outwith normal working hours.

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Planning Development Management Committee

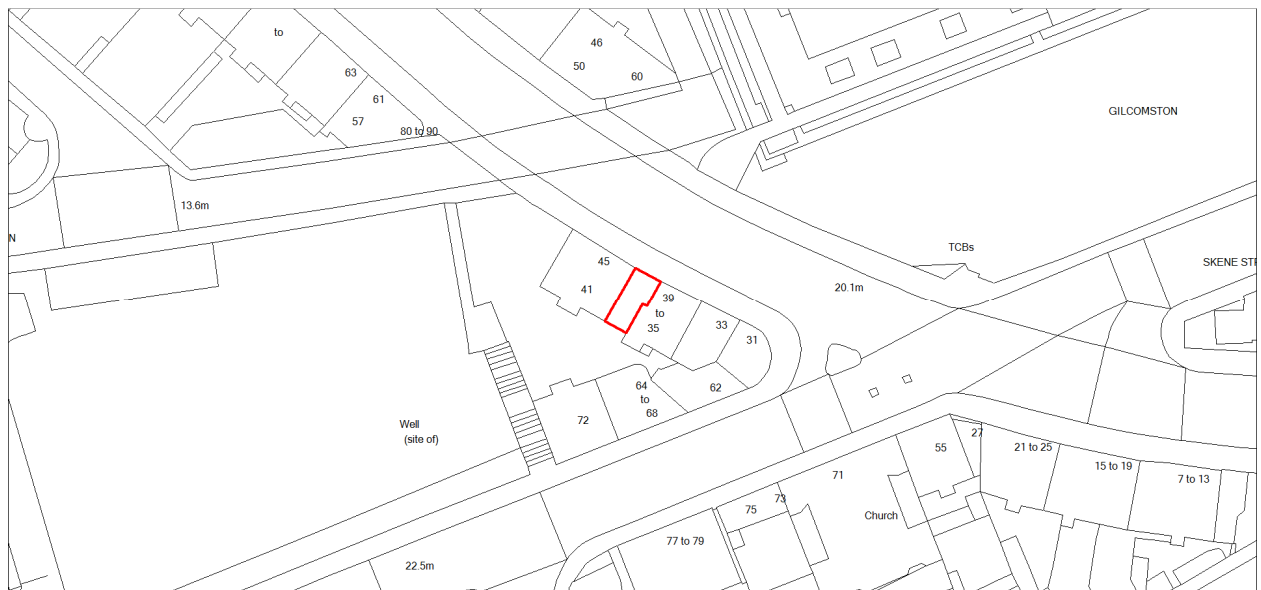
39 ROSEMOUNT VIADUCT, ABERDEEN

CHANGE OF USE FROM CLASS 1
(HAIRDRESSING SALON) TO CLASS 3
(COFFEE SHOP)

For: Pastor Jonathon Morgans

Application Type : Detailed Planning Permission
Application Ref. : P140863
Application Date: 25/06/2014
Officer: Gavin Clark
Ward : Midsocket/Rosemount (B Laing/F Forsyth)

Advert :
Advertised on:
Committee Date: 21 August 2014
Community Council : No response received



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application site lies on the southern side of Rosemount Viaduct, close to its junction with Skene Street and comprises a ground floor retail unit which forms part of a four storey unlisted building with residential accommodation located above. The property has a fully glazed aluminium framed frontage. The surrounding area is mixed use in nature and includes a public house, cafes, business premises, shops and residential properties at upper floor levels. The site is also located within the Union Street Conservation Area.

RELEVANT HISTORY

None

PROPOSAL

Detailed planning permission is sought for a change of use of the premises from Class 1 (Shop) to Class 3 (Food and Drink), with an ancillary element of takeaway food, no external alterations to the property are proposed.

The applicant has indicated that the property would serve coffees, teas and cold drinks, along with sandwiches, soup, baked potatoes, pies, simple breakfasts, paninis, cakes and tray bakes either for consumption within the premises or for take-away. The shop would provide seating over two levels, with 20 seats at ground floor, and a further 12 seats at basement level. The applicant has also stated that no deep-fat cooking would take place on site.

It should be noted that the applicant's have applied for Class 3 Use only, which would allow for the consumption of food within the premises with ancillary take-away facilities. If the applicants wished to apply for a take-away on a more intense scale, then a further application for planning permission would be required.

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=140863>

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 six 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

Environmental Health – no objection to the application, but have requested the insertion of conditions in relation to deep fat frying, means of ventilation, filtration and dispersal of cooking fumes, submission of a noise assessment to identify potential noise sources, restriction on hours of delivery and operation and provision of suitable means of waste storage including recycling.

Enterprise, Planning & Infrastructure (Flooding) – no objection

Community Council – no response received

REPRESENTATIONS

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

1. The proposed development would constitute over-development of the premises and would result in over-provision in the surrounding area, with seven charity shops and coffee shops of a similar nature located in the surrounding area;
2. The cooking facilities required for soup and baked potatoes do not appear to have been factored into the submitted plans. Inadequate cooking spaces and preparation areas to be provided within the site;
3. The proposed opening hours are excessive for a café;
4. No provision has been made within the site for waste storage facilities;
5. That the proposed use may attract drug/ alcohol abusers, who may have a negative impact on occupiers/ workers of neighbouring uses;
6. No provision has been made for disabled access on the ground floor. The only facilities are located at lower ground floor level, which is accessed by an impractical stairwell;
7. The department of hot drinks, soup and other food stuffs present an unacceptable and unavoidable risk of scalding and/ or falls and injuries to members of staff and the public;
8. Allowing pedestrian access to the lower ground floor levels could provide a security risk;

9. The facilities appear cramped, which in turn would make the premises difficult to clean and would result in inadequate levels of hygiene;
10. No provision has been made within the site for staff changing facilities.

The letters advised of no objection to the objectives of helping long-term employed back into work, but feel that the current proposals are “inappropriate, misguided” and capable of providing difficulties to neighbouring uses.

PLANNING POLICY

Aberdeen Local Development Plan

Policy H2: Mixed Use Areas: states that applications for development or change of use within mixed use areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity.

Policy D5: Built Heritage: proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

Policy R6 (Waste Management Requirements for New Development): 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.

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:

Policy H2 (Mixed Use Areas) of the ALDP states that applications for change of use in mixed use areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity.

The proposal is located within an area that includes cafes, public houses, business premises and residential flats. The addition of a further café would not alter or degrade the character of the surrounding area. The proposed use would have no “cooking” and would relate mainly to the re-heating/ preparation of cold

food within the premises. The proposed “take-away” element would be ancillary to the Class 3 use, with a lower number of people entering/ existing the building. Any necessary extraction/ ventilation system would ensure that issues relating to odours would be minimised. The impact on the residential properties above would therefore be negligible. The proposed use would not conflict with adjacent properties, and it is considered that the proposal does not offend the general principles of Policy H2 (Mixed Use Areas) of the ALDP.

Environmental Health Response/ Issues:

Environmental Health have been consulted formally on the proposal and have made comment with regards to the nature of the proposed use and lack of information in relation to the proposed methods of cooking and use of the building. As a result they have requested the insertion of conditions in relation to the proposed means of filtering, extraction and disposing of cooking fumes, the submission of a noise assessment, sound attenuation, delivery times, refuse storage, litter and construction hours. They have also provided an informative in relation to refuse storage and litter bins.

In response to the above paragraph, the applicant has indicated the proposed methods of cooking within the site (cooking of baked potatoes, making of toasties and preparation of cold food etc.), and has advised that no deep-fat frying/ cooking would take place on site.. In this regard, it is considered appropriate to insert a condition requiring that no cooking/frying operations or hot food preparation shall be carried out on the premises other than the use of Paninis/ sandwiches etc. Given the fact that the proposed use would have a negligible impact on the upper floor residential properties and the nature of uses in the surrounding area, it is not considered necessary to impose a condition requiring the submission of a noise assessment in this instance. Conditions in relation to delivery times waste and litter, which were all requested, would be incorporated into the planning consent.

The proposal would also see the imposition of a condition restricting the hours of delivery between 7.00am - 7.00pm Monday to Saturday and 10.00am - 4.00pm Sundays. It is considered appropriate to impose this condition to restrict noise disturbance to during daytime hours.

Built Heritage:

No physical alterations are proposed, and there would be no impact on the character and appearance of the surrounding conservation area. The proposal therefore does not offend Policy D5 (Built Heritage) of the ALDP.

Waste Management:

The applicants have indicated that waste will be dealt with alongside existing arrangement, however, no further details have been provided, subsequently, a condition has been inserted requiring the submission of additional information

and providing clarification for on-site refuse storage and uplift arrangements. The proposal is therefore deemed to be in accordance with Policy R6 (Waste Management Requirements for New Developments) of the ALDP.

Issues Raised in Letters of Representation:

1. No physical alterations are proposed to the building, so the proposal could not be constituted as overdevelopment. In addition to this, the issue of over-provision is not a material planning consideration;
2. This issue has been discussed elsewhere, no deep fat frying/ cooking would be undertaken on site, the proposal would include paninis, soup, hot potatoes etc.; in addition, any concerns in relation to the cooking of foods/ fumes would be controlled by Environmental Health;
3. The opening hours are consistent with a number of other consented cafes. A condition restricting the opening hours between 8am and 10pm is considered appropriate;
4. This further information would be requested via planning condition;
5. This matter is not a material planning consideration;
6. This matter is not a material planning consideration; provision could be made at upper floor level for a disabled toilet (within the area annotated as cleaners store on the annotated drawings);
7. This matter is not a material planning consideration;
8. This matter is not a material planning consideration;
9. This matter is not a material planning consideration;
10. A staff room has been provided within the premises; however this is not a material planning consideration.

Conclusion:

In light of the above comments, the proposal is considered to be acceptable, there are no material planning considerations in this instance which would warrant refusal of planning permission. The proposal is therefore recommended for conditional approval.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed development would have a negligible impact on the surrounding area, which is predominantly mixed use in nature, with a number of bars, cafes, shops and residential properties in situ, the proposal does not offend the principles of Policy H2 (Mixed Use Areas) of the Aberdeen Local Development Plan. Adequate waste facilities can be provided within the site, and have been requested via planning condition, the proposal therefore does not offend the general principles of Policy R6 (Waste Management Requirements for New Development) of the Aberdeen Local Development Plan. The proposal would have a neutral impact on the character of the conservation area.

CONDITION

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

(1) that no cooking/frying operations or hot food preparation shall be carried out on the premises other than the re-heating of pre-cooked produce by means of a microwave oven, unless the planning authority has given prior written approval for a variation - in order to prevent the creation of nuisance by the release of odours.

(2) that the use hereby granted planning permission shall not take place unless a scheme showing the proposed means of filtering, extracting and dispersing cooking fumes from the premises has been submitted to and approved in writing by the planning authority and that the said scheme has been implemented in full and is ready for operation – in order to preserve the amenity of the neighbourhood.

(2) That service deliveries/uptime to and from the premises be restricted to occur only between the hours of 7.00am - 7.00pm Monday to Saturday and 10.00am - 4.00pm Sundays - in order to preserve the amenity of the neighbourhood.

(3) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and recycling 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) that the hours of operation of the proposed cafe shall be restricted to 8.00 am until 10.00 pm, unless the planning authority has given prior written approval for a variation - in order to preserve the amenity of residents in the adjacent properties.

INFORMATIVES

The applicant should contact Mr Jim Arnott (Tel: 01224 489272) of the Council's Cleansing Client Section in order to discuss the number and size of bins required and the proposed location of the bin storage area.

Dr Margaret Bochel

Head of Planning and Sustainable Development



Registered Office:- 6, 8 & 10 Thistle Street, Aberdeen AB10 1XZ

LP 3 Aberdeen | dx AB 36

Dr Margaret Bochel
Head of Planning & Sustainable Development
Aberdeen City Council
Business Hub 4
Ground Floor North
Marshall College
Broad Street
Aberdeen

Our Ref: AB10 1AB

Your Ref:

Date:

SB/LS

21.07.2014

Dear Dr Bochel,

The Breadmaker

39 Rosemount Viaduct, Aberdeen

The Town and Country Planning (Scotland) Act 1997 – Application for change of use from class 1 (hairdressing salon) to class 3 (coffee shop)

Application Ref: P140863

We act on behalf of The Breadmaker whom, as you may be aware, are a well-established social firm operating from 50/52 Rosemount Viaduct in the centre of Aberdeen. Our clients are a registered charity whose function is to provide meaningful and productive training, education, employment and social opportunities to adults who are constrained by learning difficulties. Our client's primary purpose is to allow its apprentices to integrate both fully and widely into the community. It is a very special and much cherished organisation.

Our purpose in writing to you is to object to the above noted planning application – and would be obliged if this letter could be read in conjunction with the objection already lodged under reference CAC/P140863(ZIA). For the avoidance of doubt, The Breadmaker has no objection whatsoever to the laudable objective of helping long term unemployed back into work but the current proposal does seem to be inappropriate, misguided and capable of creating both real and immediate difficulties to The Breadmaker and its body of apprentices. Our client's particular objections are as follows:-

1. The proposal would, in our submission, constitute over-development. The residents and businesses of Rosemount Viaduct already support 7 charities and the suggested additional coffee shop offers no diversity to an area which is already saturated. All of these organisations are competing for the same range of customers and provide very similar

Members:
Peter D. Anderson
Stuart M. Bain
Robin J. Leith
Calum I. Bell
Kevin W. Rattray
Scott Allan
Neil K. Finlayson
Associate:
Alison Jackson



Property Managers:
Mary McDonald
Audrey Pope
Morag Reaper
Sylvia Kuzminski

Office Manager:
Fiona Fraser

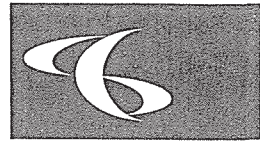
Offices also at:- 125 Bruntsfield Place, Edinburgh EH10 4EQ

• 3, Edinburgh 31



products and services. It should be noted that both the YMCA and 3 local churches are already at hand to offer food and shelter facilities to the homeless.

2. The Breadmaker is situated directly opposite the proposed development. The Breadmaker supports 22 adults with learning difficulties already, with more placements in contemplation. The prospect of the apprentices graduating to either a secure alternative placement or indeed employment would be grievously compromised if the organisation's financial viability is threatened by the proposed development.
3. The vast majority of the apprentice group supported by The Breadmaker are provided on a placement basis by Aberdeen City Council. The fees which are paid by the local authority are extremely low and far below the level which a commercial organisation would and could charge. This business model is only sustainable by virtue of the income and profit generated by a successful commercial operation involving an integrated bakery and coffee shop.
4. Without in any way wishing to impugn the charity making the application, it must be a real concern that if its client group includes or could reasonably be expected to attract drug/alcohol abusers then this would be a very real risk to The Breadmaker's vulnerable adults. Necessarily, the close proximity of such an enterprise is certain to have a negative impact on the profitability of the organisation as well.
5. There are several practical and safety issues which are inextricably linked to the application and which do not appear to have been given any consideration. These are as follows:-
 - a) No provision has been made for disabled toilet access on the ground floor. The only toilet facilities are on the lower floor which in turn is accessed by a tight and wholly impractical spiral staircase. This represents an evident risk of falls, accidents and injury.
 - b) The department of hot drinks, soup and other food stuffs also presents unacceptable and unavoidable risks of scalding and/or consequent falls and injuries to both members of staff and the public.
 - c) It is possible that allowing the public access to the lower ground floor could present a security risk. In the recent past, there have been several attempted break-ins in the Rosemount Viaduct areas together with attempts to remain onsite on or around closing time. Supervision by staff is virtually impossible without sophisticated CCTV and attendant monitoring. The situation will only be aggravated by the public requiring constant access to the lower ground floor in order to access the toilet facilities.
 - d) The cooking facilities required for soup and baked potatoes do not appear to have been fully considered or factored into the plans which have been made available. For example, it seems inconceivable that a full sized cooker would not be required. Furthermore, there is a need for proper storage and segregation of food ingredients, together with an



- adequate and appropriate area for the preparation of sandwiches and paninis. No reference to such an area appears in the detailed plans.
- e) The facilities appear very cramped which in turn would make the premises difficult to clean and indeed would derogate against adequate levels of hygiene being maintained.
 - f) No provision appears to have been made for staff changing or clothes storage facilities. It is clearly unhygienic for members of staff to wear street clothes while preparing and serving food.

We note that no response has yet been made available online from Aberdeen City Council Environmental health department. We imagine that this response, when it is made known, will very much reinforce the concerns of our clients in relation to both the facilities and the proposed arrangements for the production, selling and consumption of foodstuffs on the premises.

We would be grateful if you would acknowledge receipt of this note of objection and confirm that it has been timeously received. We look forward to receiving notification of the outcome of the application in due course. In the meantime if any further information or explanation is required of our clients please contact the writer directly.

Yours sincerely

STUART M. BAIN
Partner & Member
andersonbain LLP
Email -

PI

From: webmaster@aberdeencity.gov.uk
Sent: 07 July 2014 12:23
To: PI
Subject: Planning Comment for 140863

Comment for Planning Application 140863

Name : Gordon Bell
Address : 45 Rosemount Viaduct
Aberdeen

Telephone :

Email :

type :
Comment : I do not feel that another coffee shop in the area is of a benefit and will put pressure on the Bread Maker who are running a similar scheme on the same street. I do feel that a good business idea, I think that it should be situated elsewhere in the city.

This is a positive comment and by no means negative.

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PI

From: linmasters '
Sent: 22 July 2014 18:01
To: PI
Subject: PLANNING APPLICATION REFERENCE 140863

I wish to lodge an objection to the above planning application. My premises are at 85 Rosemount Viaduct, Aberdeen AB25 1NS. I operate a small Legal Firm. In or about the immediate vicinity there are already quite a number of eating establishments one of which caters to those who are on low incomes, namely Reddys opposite my offices. Nearby are several public houses serving food, a new food outlet and also the Breadmaker. The Breadmaker is an excellent establishment that provides facilities for Apprentices who are perhaps otherwise unemployable and/or unlikely to secure employment with an opportunity to work and in some cases learn the skill of baking etc. It is a charity. The establishment is excellent and entirely dependent upon the local community on a daily basis for its cash flow. Should any more establishments open in the area in my view the Breadmaker would be under threat from an economic perspective and that would be very distressing for those disabled persons who live their whose jobs could be threatened.

There is also a church next door to my offices that offers such facilities I believe for those who wish to "drop in" and have a chat and a drink. A drop in centre would do nothing to enhance the area and could threaten local businesses.

Yours faithfully

Lin Masters

PI

From: webmaster@aberdeencity.gov.uk
Sent: 18 July 2014 15:50
To: PI
Subject: Planning Comment for 140863

Comment for Planning Application 140863

Name : Laura Ingram
Address : 17 Baker Place
Rosemount
AB25 2WD

Telephone :

Email :

type :

Comment : I would like to object to the application based on the following:

- Communal bins are for residents only not for business use. There is no storage facilities for recycling and waste.
- There is no disable toilet access on the ground floor.
- There is a health and safety risk transporting hot drinks up and down a spiral staircase.
- There does not seem to be any proper cooking/heating facilities within the premises at all.
- There is no mention of ventilation within the property.

I hope you take my points into consideration when looking at this application.

Kind Regards

Laura Ingram.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 July 2014 13:01
To: PI
Subject: Planning Comment for 140863

Comment for Planning Application 140863

Name : lynne Anderson
Address : 35 Stevenson Court
Stevenson Street
Aberdeen
AB25 1GT

Telephone :

Email :

type :

Comment : I would like to object to the application at 39 Rosemount Viaduct.

o Waste facilities or storage of rubbish is shown on plans.

Stair case poses H&S risks on hot food and slip and trip risk.

Opening opening are excessive for a café possibly encouraging loitering.

No cooking facilities are shown in the plans.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 07 July 2014 11:54
To: PI
Subject: Planning Comment for 140863

Comment for Planning Application 140863

Name : Donald Anderson
Address : 50-52 Rosemount Viaduct
Aberdeen

Telephone :

Email :

type :

Comment : My objection to a 8th eatery within 100 meters is simply that there is too many within a small area with dwindling footfall.

Rosemount Viaduct now offers a limited choice of retailers with hairdressing or food outlets dominating the area.

a charity we rely on custom to support our charitable aims , as there are already 5 charities within Rosemount Viaduct another will put added pressures to those in the vicinity.

As a resident within Rosemount Viaduct for eight years I am concerned about the quality of establishments , I do not see this venture adding value to an already overcrowded market and another café catering for the lower end of the market.

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Planning Development Management Committee

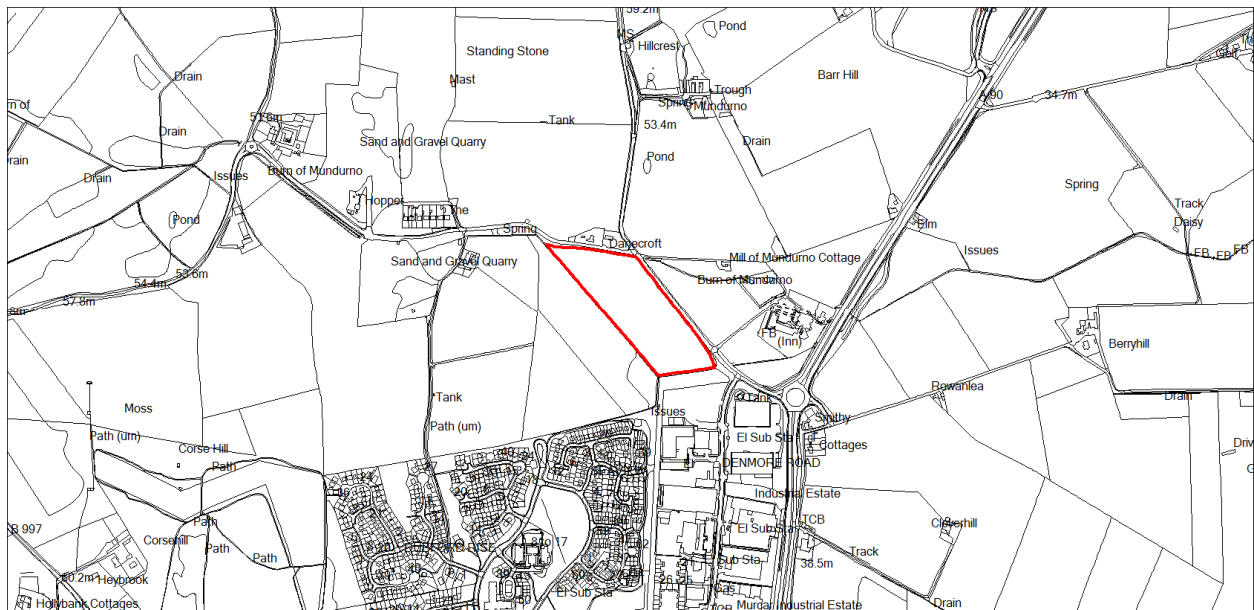
(LAND SOUTH OF), SHIELHILL ROAD,
MUNDURNO, DUBFORD

ERECTION OF 99 NO. HOUSES WITH
ASSOCIATED CAR PARKING, LANDSCAPING
AND DRAINAGE.

For: Chingmere Limited

Application Type : Detailed Planning Permission
Application Ref. : P131851
Application Date: 18/12/2013
Officer: Robert Forbes
Ward : Bridge of Don (M Jaffrey/J Reynolds/S
Stuart/W Young)

Advert : Dev. Plan Departure
Advertised on: 08/01/2014
Committee Date: 21 August 2014
Community Council : Comments



RECOMMENDATION:

Willingness to approve, subject to conditions, but to withhold the issue of the consent document until:-

- the applicant has entered into a legal agreement with the Council to secure developer contributions, off site road infrastructure improvements and on site affordable housing, all as requested by the roads and developer contributions consultees; and
- the applicant has demonstrated that the land required to secure the provision of the path and road links required to connect with the development located outwith the site to the west is within their control, by means such as entering into a legal agreement with the adjacent landowner(s).

DESCRIPTION

This 4 hectare site is located at the northern edge of the built up area of Bridge of Don and is undeveloped. It is gently undulating with a slight southerly aspect. The site drains towards the Mundurno Burn, which runs along the west and south boundaries. The site was previously used as arable farmland and contains no vegetation or landscape features protected by designation, although scrub is present along the burnside and native orchids have been recorded in the marshy grassland present at its north-west and south-east corners. Giant hogweed is also present at the north-west site corner and along the burn. To the north of the site, across Shielhill Road, lies farmland and a row of detached houses. To the south, beyond an area of buffer woodland, the site is bounded by an industrial estate, with typical late 20th century suburban housing located further to the west. The western boundary is formed by the Burn of Mundurno, beyond which a residential development is underway.

RELEVANT HISTORY

Outline planning permission for the residential development of the adjacent site to the west, including community facilities and improvements to an area of adjoining green belt (ref A3/1922) was refused at committee in 2003. A subsequent planning appeal was dismissed, following a public inquiry, in October 2004, as was a related claim for expenses against the Council. The reasons for dismissal included: contravention of structure and local plan policies; prematurity in light of pending local plan review; conflict with national policy regarding sustainable transport, including reducing the reliance on private cars; and potential adverse impact on the local and trunk road networks due to uncertainty regarding the proposed closure of Shielhill Road to vehicular traffic.

Planning permission in principle for erection of 550 dwellings on the adjacent land (which forms the main part of the OP25 allocation within the current Local Development Plan) was granted at Committee in 2013 (ref. 120723). Various companies (Scotia, Barratt and Cala) are currently developing various parts of this site, under various detailed approvals.

Detailed planning permission (ref. 121387) for erection of 191 houses on the immediately adjacent site, to the west, was granted in 2013 and is currently under construction (by Barratt). This approval indicated future access links to connect with the current application site across the Mundurno Burn, however, there is no obligation for the that developer to construct such links, neither are

details required to be submitted or approved, as that site is able to connect southwards to existing bus services and community facilities.

PROPOSAL

Detailed planning permission is sought to erect a 'major' residential development. A mix of dwelling types is proposed, including detached, semi-detached and terraced houses, together with associated open space, parking and roads infrastructure. The houses are of 2 storeys and of a style relatively typical of many current suburban developments in the city, with pitched roofs clad with concrete tiles and harled walls. Landscaped open space is proposed along the burn and the northern site boundary. A beech hedge is proposed alongside the B999.

The main access is from the B999, to the east. A path is proposed to the south, along the B999, to connect with Denmore Road. Pedestrian / cycle links are indicated to the west, to connect with adjacent housing development, across the Burn of Mundurno. A secondary access road is also indicated to provide potential emergency access. However, these path and emergency access routes require development on land outwith the site boundaries, are controlled by a third party, and no details of such links have been provided.

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=131851>

Design Statement; Landscape Plan; Transport Assessment; Air Quality Assessment; Flood Risk Assessment; Ecological Assessment; Drainage Layout; Noise Report; Archaeology Report; and Habitat Report

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

PRE-APPLICATION CONSULTATION

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

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because the local Community Council object to the proposal. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objection regarding traffic generation or parking. Note that provision of acceptable links to public transport nodes is dependent on

provision of off-site footpath links, via the adjacent development to the west (currently under construction by Barratt). Also advise that a contribution to the strategic transport fund (STF) is required. Contributions are also required for minor road improvement schemes in the vicinity.

Environmental Health – No objection, subject to implementation of noise attenuation measures, due to exposure to traffic and industrial noise.

Developer Contributions Team – Request on-site provision of affordable housing, and developer contributions for enhancement of education, community facilities, healthcare, sports and recreation, libraries, and STF. Also advise that on site core path connections are required.

Enterprise, Planning & Infrastructure (Flooding) - Advise that full surface water drainage proposals and a drainage impact assessment are required.

Education, Culture & Sport (Archaeology) – No objection. Request that a condition is imposed to allow site investigation prior to development works.

Scottish Environment Protection Agency – No objection, subject to imposition of conditions regarding: provision of a 6m buffer strip to protect the burnside from development; foul drainage measures; flood risk mitigation; and environmental management.

Community Council – Object due to: alleged inadequate on site car parking provision; the proposed reduction of the speed limit on the B999; traffic congestion; lack of provision of pavements within the site; and potential development to the north of the B999.

REPRESENTATIONS

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

Traffic impact / inadequate road infrastructure; disturbance during construction; giant hogweed infestation along the burn; overdevelopment of housing / lack of amenities; inadequate provision of landscaping along the northern boundary (to soften the impact on neighbouring houses).

A letter of support has been submitted on behalf of the applicant, which sets out their intentions regarding delivery of the path connections to the adjacent site.

PLANNING POLICY

National Policy and Guidance

The key objective of the Scottish Government is sustainable economic growth. SPP (Scottish Planning Policy) as it relates to housing and transport is of particular relevance. SPP expresses a presumption in favour of development that contributes to sustainable development.

Designing Places / Designing Streets and PAN 44 (Fitting New Housing Development into the Landscape) are of direct relevance and emphasises the importance of good design.

Aberdeen City and Shire Strategic Development Plan (ACSDP)

The ACSDP sets a target to increase the population of the city region to 480,000 by 2030. It identifies Aberdeen City as a key growth area and allocates a total of

16,500 housing units for the period 2007- 2016.

Aberdeen Local Development Plan 2012 (ALDP)

The site is zoned as Land Release policy LR1 within the ALDP. It is also identified within the Dubford and Murcar Masterplan zone. Table 5 of the ALDP and policy LR1 allocate the site within the phase 1 housing release (2007-2016) and states that housing development will be approved in principle. The ALDP also identifies the site as part of opportunity site 25 (OP25). OP25 allocates the wider site for some 550 residential units but notes a risk of flooding. ALDP appendix 4 identifies a possible requirement for contributions for additional secondary school capacity at Bridge of Don academy and the extension of medical / dental practices at Dubford.

Other policies of relevance include: I1, T2, D1, D2, D3, D6, H3, H4, H5, CF2, NE1, NE4, NE6, NE8, NE9, NE10, R6 and R7.

Supplementary Guidance

The site lies within the Dubford Development Framework, which was approved by Committee in 2012 and confirms the suitability of the site, and adjacent land to the west, for residential and associated development.

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.

Development Principle

The site has been allocated for housing development in the adopted local development plan, and a development framework for the development of it and the adjacent land to the west as housing has been approved by the Council. The provision of housing on the site also accords with the growth aspirations of the strategic development plan. Subject to agreement between the applicant, the Council and the owner / developer of adjacent housing sites, the required infrastructure to support the development can be provided and made accessible to prospective residents, in accordance with the objectives of local plan policy I1. Although there is currently a degree of uncertainty regarding delivery of the required path links through the development to the west of the site, the applicant has advised that they are in discussion with the adjacent developer/landowner regarding this matter. Conditions and a legal obligation are required in order to address amenity and public safety matters and to secure the required developer contributions and off site road / transport infrastructure.

Land-Use

The above paragraph establishes the principle for residential development. However, in order to see a mix of uses in the wider development (in the interests of sustainable development and minimisation of traffic generation, and in accordance with the objectives of local plan policies T2 and CF2 and SPP), the

approved Development Framework envisaged this part site would be of an entirely residential nature, but that commercial uses are envisaged within the adjacent land to the west, which is not controlled by the applicant. It is therefore considered unreasonable to insist that non-residential uses are provided within the site, given the wider Framework. However, it is essential that pedestrian linkage is provided to the west in order that such facilities and existing further afield supporting facilities (e.g. schools / shops / bus stops) are accessible to residents of the proposed housing, all in the interests of sustainable development.

It should be noted that local plan policy does not specifically require that a mixture of uses or supporting facilities are delivered within such major greenfield housing release sites. In this specific case, the local plan OP25 designation makes no reference to the need for delivery of non housing uses within the wider site.

Density

The gross density of development proposed is approx. 25 units per hectare. The net density (excluding public open space, etc.) is about 34 units, which complies with policy H3. The extent of open space provision (approx. 1 Hectare) is considered to accord with policy NE4. These figures are considered acceptable in the context within which the site is located, being a suburban, mixed density development with areas of open space, adjacent to the green belt boundary. The proposal is therefore not considered to be overdevelopment.

Cumulative Impacts

Whilst OP25 envisaged a total of 550 units being delivered for the whole of the opportunity site and the proposal would result in a potential overall total of 650 units, the local plan figure is considered to be indicative and given the above discussion this variance is considered acceptable. The potential cumulative impacts resulting from implementation of the combined developments at Dubford have been examined by the relevant consultees and are not considered to be unacceptable.

Design / Layout

As regards the layout and form of development envisaged, the proposal is considered to conform with the expectations of the Development Framework. The two storey suburban nature of the development is in keeping with historic forms of settlement expansion within the wider Bridge of Don area and is appropriate to that context, notwithstanding the undeveloped land across the B999. Although the proposed development lacks a strategic buffer zone along the boundary with the B999 (which is the green belt boundary), this is not required by the Development Framework and the development layout has been amended, during the application process, in attempt to create a suitable boundary treatment along this prominent approach to the city. It is considered that this boundary treatment would be further enhanced by the provision of a low stone dyke, in recognition of the rural context across the B999 and this is a matter that can be addressed by condition. The wider extent and disposition of open space within the site is considered to be appropriate, as it emphasises existing assets such as the burn

and adjacent woodland and provides adequate screening at the northern and southern edges.

Although the urban form of the development would be heavily influenced by the road layout, the standard of design is considered to be compatible with 'designing streets' and takes some account of 'designing places'. Thus it is considered acceptable in terms of policies D1 and D2. The proposed materials and finishes are compatible with those of the adjacent 'Barratt' development currently under construction. A mix of dwelling types and sizes would be provide in accordance with policy H4.

Landscape / Wildlife Impact

Implementation of the development will clearly result in landscape change, due to urbanisation. However, the existing nature conservation value of the site is limited due to its pre-existing use as farmland and the absence of woodland. Given that no housing development is proposed within the western edge of the site, which is designated in the LDP as green space network, there is no fundamental conflict with policy NE1. In the longer term, the natural heritage value of the burnside would be enhanced by the proposed native woodland planting along its edge and within proposed public open space areas. In addition to providing open space of landscape benefit and allowing the development to integrate with its setting, in accordance with the objectives of PAN 44, such open space would also enable the translocation of native orchids which are present within the site and would be affected by the development. Subject to imposition of conditions, the proposal is therefore considered to accord with policies D6, NE1 and NE8.

Drainage

The development avoids encroachment of housing onto the functional floodplain of the Mundurno Burn and suitable SUDS would be incorporated within the open space, in accordance with the objectives of policy NE6. The layout has been amended in order to ensure that a suitable buffer area is preserved between the burn and the proposed housing, with intervening open space areas. SEPA now have no objection to the development subject to conditions in order to protect the aquatic environment.

Traffic

The Council's roads officers are satisfied that the traffic generation resulting from the development would have no insurmountable impact on the local road network. Notwithstanding the comments of the Community Council, they are also satisfied with the level of car parking provision on site, and with the internal layout and pedestrian facilities within the development. The proposed road access position is acceptable in terms of public safety. Provision of the secondary emergency access to the west is not required, at the outset of the development, and therefore does not preclude commencement of development at the site. A condition can require a limit of 50 units being developed prior to provision of this secondary access. Provision of off site road infrastructure required can be secured by conditions / legal obligation and developer contributions relating to traffic impact.

Developer Contributions

A range of contributions have been sought by the Council's advisors and negotiations with the applicant are ongoing. Although the specific type and extent of affordable housing proposed is to be finalised, the applicant has no objection to on site provision - in accordance with the objectives of policy H5. It is anticipated that 15% of units proposed on site would be affordable (in accordance with the ratio achieved at the adjacent site) and that an additional financial contribution would be secured for off site provision, subject to future negotiation.

Objector Concerns

The concerns regarding traffic impact and alleged inadequate local road infrastructure are not accepted, as the Council's road's officers have no objection. Reduction of the traffic speed limit on the B999 is desirable in the interest of public safety and can be achieved by implementation of road traffic orders. Given that it is not in the interest of sustainable development to encourage overprovision of car parking; given the requirement to provide open space, SUDS and garden ground within the development; and in order to ensure adequate amenity for occupants and address environmental concerns, it is not considered appropriate to amend the development to address the Community Council's concerns regarding lack of parking and footpaths.

No development is currently planned to the north of the site, or across the B999, and such land lies within the green belt as designated in the adopted local plan. The prospect of any future development there is therefore not a material consideration in determination of this application.

The matter of control of giant hogweed on the site and adjacent land is primarily a matter for the existing landowners to address. This is not a matter for the planning authority to intervene in, as other statutory controls exist to address this concern.

Disturbance during construction is considered to be a transient matter that does not warrant imposition of planning conditions or refusal of the development . The Council has separate powers in relation to control of noise nuisance, should there be concerns expressed in relation to that during construction.

Whilst it is recognised that the wider Bridge of Don area is perceived as being deficient in terms of provision of amenities, the developer has agreed, in principle, to the provision of developer contributions to address the deficiencies identified by the Council's Planning Gain advisor. Provided that the necessary off-site footpath and cycle links are delivered to allow prospective residents to sustainably access such facilities (e.g. schools, shops, community and sports facilities), it is considered that this is not a matter which warrants refusal of the application.

It is also considered that adequate buffer planting is proposed along the northern site boundary and conditions are suggested requiring details of and implementation of landscaping.

RECOMMENDATION

Willingness to approve, subject to conditions, but to withhold the issue of the consent document until :-

- **the applicant has entered into a legal agreement with the Council to secure developer contributions, off site road infrastructure improvements and on site affordable housing as requested by the roads and developer contributions consultees; and**
- **the applicant has entered into a legal agreement with adjacent landowners to secure the provision of the path and road links required to serve the development located outwith the site to the west;**

REASONS FOR RECOMMENDATION

The site has been allocated for housing development in the adopted local plan and a development framework for development of it and the adjacent land to the west has been approved. Subject to agreement between the applicant, the Council and the owner / developer of adjacent housing sites, the required infrastructure to support the development can be provided. Conditions and a legal obligation are required in order to address amenity and public safety matters and to secure the required developer contributions and off site road infrastructure.

CONDITIONS

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

(1) No development, including land raising, or temporary construction works / site compounds, shall take place within the functional flood plain as shown on figure 3.4 of the flood risk assessment by Envirocentre, dated December 2013. Finished floor levels for all properties shall be a minimum of 600mm above the design flood level as reported in table 3.2 of that flood risk assessment. No development shall take place pursuant to this permission unless a detailed plan showing finished ground levels and floor levels for each property within the development has been submitted to and approved in writing by the planning authority - In order to minimise the risk of flooding.

(2) No development shall take place pursuant to this permission unless a plan indicating a 6m buffer strip adjacent to all watercourses has been submitted to and approved in writing by the planning authority. This buffer strip shall be maintained free of development and construction activity during the construction and implementation of the development. No construction activity or development shall take place within it without the written agreement of the planning authority - in order to protect water quality and ecology.

(3) No development shall take place pursuant to this planning permission unless a site specific environmental management plan has been submitted to and approved in writing by the planning authority. This shall include site specific details for the protection of the watercourses including detailed site plans showing protection and mitigation proposals - in order to protect water quality and ecology.

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

(5) That no development pursuant to this planning permission shall commence unless a detailed site specific construction method statement for the site has been submitted to and approved in writing by the planning authority. The method statement must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS. Such statement shall be implemented in full for the duration of works on the site - in order to prevent potential water pollution.

(6) That no development shall take place unless there has been submitted to and agreed in writing by the planning authority a scheme for provision of footpath and cycle connection to the site from Denmore Road. Thereafter none of the dwellings shall be occupied unless the said foot / cycle path has been implemented in full, unless otherwise agreed in writing with the planning authority? - in the interests of pedestrian / cycle connection and sustainable development.

(7) That no development shall take place unless a scheme for the provision of proposed footpath / cycle links, together with associated bridge crossings over the burn of Mundurno, to connect the proposed dwellings with the adjacent housing development under construction to the west of the site, has been submitted to and approved in writing by the planning authority, or planning permission has been secured for such links. Thereafter none of the dwellings shall be occupied unless the said foot / cycle path has been implemented in full - in the interests of pedestrian / cycle connection and sustainable development.

(8) That no development shall take place unless a scheme for the provision of a secondary emergency access route, together with associated bridge crossing over the burn of Mundurno, to connect the proposed dwellings with the adjacent housing development under construction to the west

of the site, has been submitted to and approved in writing by the planning authority or planning permission has been secured for such link. No more than 50 dwelling houses shall be occupied unless the proposed emergency access road and bridge link as detailed has been the approved details and is fully operational - in the interest of public safety and provision of secondary emergency access.

(9) That no development shall take place within the application site, other than with the agreement of the planning authority, unless 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 / recording items of historical importance as may exist within the application site.

(10) 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. The dwellings hereby granted planning permission shall not be occupied unless the required boundaries have been implemented in full, unless the planning authority has agreed to vary such requirements - in order to preserve the amenity of the neighbourhood and protect the approach to the city.

(11) That no dwellings hereby granted planning permission shall be occupied unless the areas of public open space (softscape, excluding private gardens, as identified on Drawing No.294/ P3 of the plans hereby approved, or such other drawing as may be subsequently approved) have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the Planning Authority. No development pursuant to this planning permission shall take place unless such a scheme detailing the manner in which the open space is to be phased, managed and maintained has been submitted to and approved in writing by the planning authority. Such scheme shall include provision for a play area comprising at least five items of play equipment and a safety surface - in order to preserve the amenity of the neighbourhood.

(12) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing landscape features on the land, and details of any to be retained, together with measures for the protection and translocation of the northern march orchids within the site 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.

(13) 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.

(14) that no dwelling hereby granted planning permission shall be occupied unless a Childrens' Play Area is completed, laid out and equipped as a play area in accordance with a scheme that has been approved in writing for the purpose by the Planning Authority, unless the planning authority has given prior written approval for a variation. The said area shall not thereafter be used for any purpose other than as a Play Area - in order to ensure the timeous provision of play facilities.

(15) that the dwellings hereby approved shall not be occupied unless provision has been made within the site for the off-street parking of motor vehicles in complete accordance with Plan No.A5143/P12C, or such other scheme as may be subsequently approved in writing by the planning authority - in the interests of road safety and the free flow of traffic.

(16) that the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions pecified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(17) The dwellings hereby approved shall not be occupied unless the required noise mitigation measures, as detailed in the approved noise assessment and shown on drawing no. A5143/P02N, have been implemented in full, unless the planning authority has given prior written approval for a variation - in the interests of residential amenity.

INFORMATIVES

The developer is advised that no dwelling should be ouccupied unless there has been submitted to and approved in writing by the Council a detailed Residential Travel Plan, which outlines sustainable measures

to deter the use of the private car, in particular single occupant trips and encourages other transport modes- in order to encourage more sustainable forms of travel to / from the development. Please contact the Council's Transport Strategy Planner on 523327.

The applicant is advised that giant hogweed is present within the site and is advised to contact SNH and SEPA if further information is required in relation to the responsibilities of the landowner / developer regarding management and eradication of this invasive and potentially hazardous plant species.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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From: webmaster@aberdeencity.gov.uk
Sent: 03 January 2014 16:45
To: PI
Subject: Planning Comment for 131851

Comment for Planning Application 131851
Name : Mark Duffy
Address : c/o Bridge of Don Community Council

Telephone :

Email : [REDACTED]

type :

Comment : As planning officer for BoD CC we wish for some clarity in the issues below.

"Off Street Parking for Terraced Houses". There looks to be 37 Terraced houses yet the number of off Street parking doesn't lend itself to people having more than once vehicle or friends visiting. We think there should be much more accommodation for off street parking and an overflow for visitors. Also due to the location of this development it is very likely cars will be the transport of choice, so much more parking is needed, beyond the Councils Guidelines (which has proven inadequate in every development so far, a walk round Seaview shows an average of 2.3 cars per house).

"B999 Reduction to 30MPH". This is a main route into the city, reduction of the speed limit here will only slow things down further. Bridge of Don is infamous for traffic problems, here we have another development which will only add to the problem (solutions are still far away), and a reduction in speed for those who already live here. We ask it remains as it is presently. People moving into these houses should be aware they are living next to a tributary route into the city.

"Development across the road", there is no LDP approval for any development to the North of the B999, so lets not punish those already resident for something that SHOULD NOT be going ahead.

"On Street Parking and Pavements", the whole development position does not lend itself well at all to parking, and the lack of pavements in the "Minor" roads could cause problems for those walking, people on 5m width roads is far from ideal, even at 20MPH.

We know houses will be built, but we can see from the design it won't be long till there are neighbourhood problems due to parking (allocation of parking places, etc).

We hope you agree and asked the developer to put in place pavements through out and off street parking as a minimum (1 space per terrace house) plus overflow.

Regards,

Robert Forbes
Aberdeen City Council
Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

T
M

OFFICE:
2ND FLOOR
23 CASTLE STREET
EDINBURGH
EH2 3DN

26th March 2014

Dear Robert,

(Land South of) Shielhill Road, Mundurno, Dubford
Application Ref: P131851

We write in relation to recent discussions and correspondence between yourself and Jacquie Forbes, Halliday Fraser Munro in relation to access from the above development site to the land to the west and vice versa.

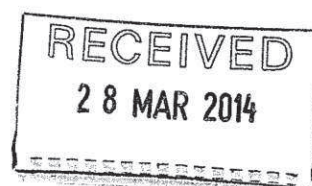
We have discussed the connection points with Scotia and Barratt Homes and there is agreement between the parties that the links are to be formed as shown in the proposed plans. Scotia confirmed that they held discussions with yourself and your colleagues through the Planning and Section 75 process and are committed to ensuring that this connection would take place, and there would be no resistance to this connection. We will be working with Scotia / Barratt to ensure that these links are formed and this is agreed between the parties. Dennis Watt, Scotia Homes is copied in on this letter in order to confirm the position between us and given his previous involvement.

We would appreciate if you could arrange a meeting with a member of your legal team such that we can meet and discuss / agree how the provision of these connections would work in terms of timing of delivery, logistics and on site practicalities. We are keen to ensure like the Council and Scotia/Barratt that the links to the west of our site / east of their development are made in terms of vehicular and pedestrian links and are sure that we can work together to deliver same in a timescale that works for all parties.

If you have any further questions or require any further information at this stage please do not hesitate to contact myself or Malcolm in this regard.

Justin Lamb
DIRECTOR

cc Dennis Watt, Scotia Homes
Jacquie Forbes, HFM



4 Seaview Avenue
Aberdeen AB23 8RJ

15th January 2014

Planning Authority
Aberdeen City Council
Aberdeen


Dear Sir/ Madam

Planning Application No 131851

I should like to register strong objections to the above application as this development will cause further transport congestion on roads which are already heavily used particularly at rush hours. Presently, Ellon Road/King Street and access to the Persley Bridge via the Parkway suffer lengthy delays at peak times. There would be a further increase in vehicles using the road through the industrial area which is heavily used at rush hour and not well monitored regarding the speed limit.

Until the City Council becomes more pro-active in providing a third crossing across the Don and there are improvements made at the Haudagin Roundabout, it seems inappropriate to build more houses in Bridge of Don - the infrastructure is poor enough at the present time.

Yours faithfully


Mrs Alexis Darg

Mr & Mrs A Laird
Danecroft,
Bridge of Don,
Aberdeen.

6th January 2014

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

Dear Sirs,

Application No 131851
Proposed Development at (land south of) Shielhill Road, Mundurno, Dubford,
Aberdeen

We refer to the Neighbour Notification Notice received on 30th ult.

We would wish to highlight the following and would wish your comments and serious consideration given to following:-

1. Given the current level of traffic in the area and the proposal of yet another 100 new dwellinghouses, serious consideration should be given to the fact that there will be at least another 200/300 additional cars on this road in addition to what you have already agreed with the properties already being presently constructed. The road structure itself cannot cope with the volume of cars presently and the number of unrecorded accidents on this road is a major issue and no doubt has been or should be highlighted to the Council. Bridge of Don is merely becoming to a standstill in the rush hour traffic without further numerous vehicles using same. At this point, we would also mention, as you are aware, that parts of Shielhill Road is subsiding into the burn and is being closely monitored by the Council given the present volume of traffic using same. This obviously is without taking into account the Barratt and Scotia development's under construction with potential use by much further volume of vehicles.
2. Having had our property damaged on more than one occasion, we contacted the Council to be advised by a Senior Roads Official that the road (particularly the very sharp bend alongside our property) is to be repositioned at the costs of the current developer given this would be a proposed planning requirement and confirmed to be completed towards the Autumn of the current year. The plan and the actual link to the development on the Council's website shows no such mention of this. We also have had numerous near misses from traffic coming from both directions when trying to gain entry/exist to our property with the speed

encountered – some vehicles passing as trying to turn right into the driveway. The speed on the roads is becoming more and more dangerous especially that of Shielhill Road which is constantly being used with speed by both cars and a substantial amount of Class 1 and 2 lorries as a fast track through to Dyce. Since moving into the property, it is noted of the vast increase in all types of vehicles, particularly of Classes 1 and 2. The junction into Shielhill Road also poses severe problems due to the lack of turning area.

3. We would also make mention of the mess of the road due to the movement of the existing construction vehicles and this of course can create accidents. Another development will of course undoubtedly increase the condition of the state of the roads.
4. As you are or should be aware, there is a significant problem in the area with invasive Giant Hogweed on all existing/proposed development sites and to that of the area of ground around the small burn adjacent to our property. We had been lead to believe that the land owner was not willing to hand over ownership to the developers to the area of the burn however note from the plan that the developers site appears to include this area within the boundaries. The onus must therefore pass to the developers to ensure that the Hogweed is kept in control as you have been made aware already that this infestation has now passed onto Council property and to that of private properties within the area. We would advise that it also encroaches now onto the Industrial Estate. This is a serious and dangerous problem and of course the Council is or should by now be aware that a 15 year period in which to ensure total eradication must be made by the developers given the destruction it can cause to the ground and in particular to the harm it can cause to persons to include the children in the area.

Surely, in summarizing, severe thought and consideration must be made to the above points and specifically to the volume of traffic as you will appreciate it is not only one car per household, it can be up to three cars for each and every property being constructed and this is a substantial increase in traffic to roads that are already at breaking point in the Bridge of Don.

Yours sincerely,

A large black rectangular redaction box covers the signature area. A small vertical line extends downwards from the bottom center of the redaction box.

PI

From: webmaster@aberdeencity.gov.uk
Sent: 11 January 2014 21:15
To: PI
Subject: Planning Comment for 131851

Comment for Planning Application 131851

Name : Eric WJ Anderson
Address : ARDBRECK
MUNDURNO
BRIDGE OF DON
ABERDEEN
AB23 8BJ

Telephone :

Email : [REDACTED]

type :

Comment : I wish to object to the application number 131851 for the following reasons:

DENSITY

The application is for 100 houses. However, in reality this is 100 more houses added to the Bridge of Don conurbation. And it is 100 more houses added to the 450 houses currently being built in the adjacent field. Therefore, if the application is granted it will mean an extra 500+ houses built in the neighbourhood within a period of 2 years. I would consider that this is too many given the location and the dearth of amenities to provide for these houses. If Bridge of Don has to grow outwards it must be allowed to do so with adequate amenities to serve the burgeoning population. This development does nothing but stick up another 100 houses which cannot be right given the location.

TRANSPORT

The application forecasts about 254 occupiers. Most will require vehicular transport because of the location. The exit onto the already congested B999 especially at rush hour will add to the detriment to the amenity of the area. It is currently very poor and will require substantial, complementary transport facilities to be introduced in order to prevent even more transport problems in the area. It should be remembered that the growth in the north east of the smaller villages and towns to the north of Aberdeen all contribute to the transport problems. Let the proposals for transport improvements be made a reality before adding to the current problem by building more houses in this location.

CONCLUSION

If houses have to be built why do they have to be built in this field? The development is 100 houses in a field and that's it. No amenities nearby so therefore travel will be by car. Exit onto the B999 adds to existing traffic problems. If building is essential then at least wait until transport is improved or until the nearby building project is completed so a proper assessment can be made on the additional impact to the neighbourhood that this development will make. Remember it is the cumulative effect which will be a telling point in the years to come if this proposal is granted. Make the developers provide some amenities - where are the children going to play? Where are the shops? None can be accessed without transport. There may be a desire to build houses but this has to be properly planned. What happens when the good times are ended? We have 100 houses (+the 450) sitting with no nearby facilities or amenities. Building nothing but houses and squeezing them into the field is not good planning for the city. If these suggestions are not acceptable then at least reduce the number of houses in the development and make the developer provide some amenities for their customers. Otherwise the place will end up another urban ghetto. I pity those houses that will be built on the swamp part of the site. Further landscaping should be considered at the north part of the site to cushion the impact of the houses from the neighbouring roadways. Members, visit the site and see for yourself if you have not already done so. Better still refuse the application and wait until you receive a proposal that suits Aberdeen and not the developer.

Planning Development Management Committee

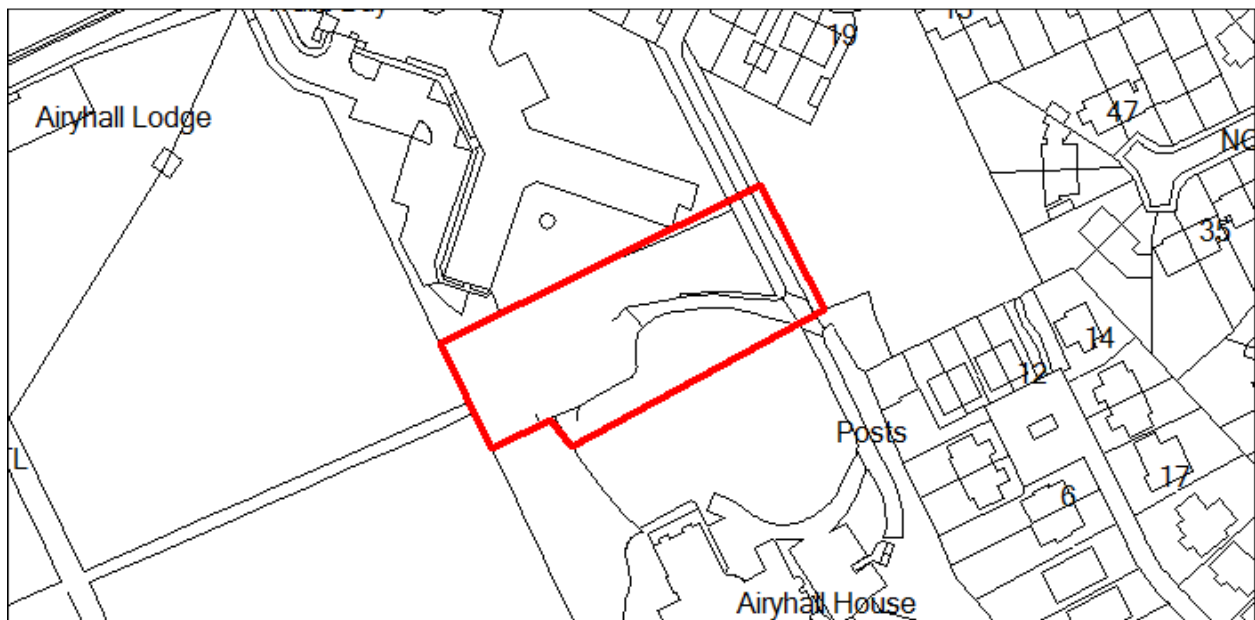
AIRYHALL HOUSE LAND NORTH OF,
CRAIGTON ROAD, PITFODELS

CONSTRUCTION OF 5 NO.TERRACED
HOUSES AND ASSOCIATED SITE WORKS

For: Bancon Developments Ltd

Application Type : Detailed Planning Permission
Application Ref. : P131354
Application Date: 12/09/2013
Officer: Garfield Prentice
Ward : Airyhall/Broomhill/Garthdee (I Yuill/A
Taylor/G Townson)

Advert : Section 60/65 - Dev aff
LB/CA
Advertised on: 25/09/2013
Committee Date: 21 August 2014
Community Council : No Community
Council



RECOMMENDATION:

Refuse

DESCRIPTION

The site is located between Airyhall Road and Craigton Road, sitting between Airyhall House and the recently constructed Northcote Care Home and forms part of the original policies of Airyhall House. The site, which is rectangular in shape and extends to 0.35 hectares, is substantially wooded, containing a significant number of large mature trees. The site is reasonably level, except for that part of the site next to the south boundary which rises up by 1.5-2.0 metres. An existing access lane to Airyhall House runs through the eastern part of the site. That lane is closed to through traffic south of the application site.

Northcote Care Home, to the north of the site, is a 2 storey building of irregular shape. Airyhall House, to the south, is 3 storeys high. To the east is an area of public open space containing a large number of medium sized trees. Immediately to the west is undeveloped green belt land.

RELEVANT HISTORY

Planning permission for the conversion and extension of Airyhall House to form 23 retirement flats was granted, subject to a legal agreement restricting occupancy to over 55s, in March 2006 (application A5/1298). That permission has been implemented and completed.

Planning permission for the construction of a nursing home on land immediately to the north of Airyhall House and adjoining the current application site was granted in April 2010. That permission has been implemented and completed.

PROPOSAL

Detailed planning permission is sought for the construction of five terraced houses and associated site works. The proposed houses would be located in the western part of the site, some 50 metres from the access lane leading to Airyhall House and just under 20 metres to the south of the recently constructed nursing home. The terrace would be some 50 metres from the nearest part of Airyhall House. The proposed houses would be 2 storey with an open plan living/kitchen area on the ground floor and two bedrooms and bathroom on the first floor. Each house would measure 6 metres by 8.2 metres (including porch) and would attain a height of 7.5 metres. The overall length of the terrace would be 30 metres. The walls of the house would be finished mostly in white render with some areas of brown stained timber cladding. Concrete roof tiles would be used on the roofs. Upvc windows and doors are proposed.

Parking for 10 cars would be provided in the eastern part of the site, close to the access lane leading to Airyhall House. Bin stores would also be located in that area. It is proposed to widen the access lane to 5.5 metres wide from its junction with Northcote Crescent to just beyond the car park entrance. New footpaths would be formed between the car park and the terrace of houses.

A schedule of trees on the site has been submitted with the application, although there is no accompanying report (as suggested in the Design Statement) on the impact of the development on the trees.

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=131354>

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

- Schedule of Trees
- Design Statement

REASON FOR REFERRAL TO COMMITTEE

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

CONSULTATIONS

Roads Projects Team – The 10 parking spaces proposed would comply with the Council's parking standards. Details of access road width are required. Details regarding drainage proposals are also required. A swept path analysis has been submitted showing that two-way traffic, on a shared surface between the proposed development and Northcote Crescent, is achievable. Strategic Transport Fund contributions would be required.

Environmental Health – The hours of construction should be controlled in order to protect the residents in the surrounding area.

Enterprise, Planning & Infrastructure (Flooding) – The SUDS Strategy for the site has been reviewed and it is noted that surface water drainage would discharge to soakaways. However, no design calculations and drawings have been submitted. A SUDS scheme designed for a 1 in 200 storm event and identification of the receiving drainage infrastructure are required.

Education, Culture & Sport (Archaeology) – A condition should be applied requiring a programme of archaeological works on the site in accordance with a written scheme of investigation which has been submitted to and approved by the Planning Authority

Community Council – No community council

REPRESENTATIONS

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

1. The loss of green space and a large number of mature trees which would adversely affect the amenity of the area
2. The design of the houses does not match the existing houses in the surrounding area
3. The density of housing in the area arising from recent developments and the resultant impact on the character of the area
4. The continued coalescence of Aberdeen and Cults
5. The proximity of the development to the adjacent nursing home and other over 55s residential accommodation
6. Noise and trespass issues arising from pets owned by the occupants of the proposed houses, exacerbating an existing problem
7. The access lane from Northcote Crescent is poorly lit and single lane
8. Concerns regarding privacy – access through the ground of Airyhall House should be restricted
9. Concerns regarding the delineation of boundaries
10. Safety concerns arising from the increased traffic using the access from Northcote Crescent and the close proximity to an area used by children for playing.
11. Potential overspill parking on to Northcote Crescent
12. The site has a right of way across it
13. The impact of the development on wildlife and local habitat
14. Potential oversupply of houses in the area
15. The location plan provided is out of date, in that it does not show the adjacent fields have been developed

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP)

SPP sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. It is a statement of Government policy on how nationally important land use planning matters should be addressed across the country. It is non-statutory. SPP introduces a presumption in favour of development that contributes to sustainable development.

The following Scottish Government national outcomes are relevant –

“A successful, sustainable place” – supporting sustainable economic growth and regeneration and the creation of well-designed, sustainable places (*para. 14-16*)

“A natural, resilient place” – helping to protect and enhance our natural and cultural assets and facilitating their sustainable use (*para. 20-21*)

Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the heritage asset and ensure that its special characteristics are protected, conserved or enhanced (*para. 137*). Proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area (*para. 143*).

Scottish Historic Environment Policy (SHEP)

SHEP advises there is a duty on planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Aberdeen Local Development Plan

Policy LR1 – Land Release Policy

The site forms part of land identified as an Opportunity Site (OP64) for a development of 20 homes. Policy LR1 'Land Release Policy' states that housing development on sites allocated in Phase 1 (2007-2016) will be approved in principle within areas designated for housing. OP64 is a Phase 1 development opportunity.

Policy D1 – Architecture and Placemaking

To ensure high standards to design, new development must be designed with due consideration for its context and make a positive contribution to its setting.

Policy D2 – Design and Amenity

In order to ensure the provision of appropriate levels of amenity the following principles will be applied: designing in privacy, ensure residential development has a public face to a street and a private face to an enclosed garden or court, providing access to outdoor sitting areas, ensuring car parking does not dominate the spaces around buildings, making most of opportunities for views and sunlight, designing out crime and ensuring external lighting takes account of residential amenity.

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.

Policy D5 - Built Heritage

Proposals affecting conservation areas will only be permitted if they comply with Scottish Planning Policy.

Policy D6 – Landscape

Development will not be permitted 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 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.

Policy NE9 – Access and Informal Recreation

New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, other paths and rights of way.

Policy R7 – Low and Zero Carbon Buildings

All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by a least 15% below 2007 building standards. This percentage requirement will be increased as specified in Supplementary Guidance.

Supplementary Guidance

The Supplementary Guidance on 'The Redevelopment and Sub-division of Residential Curtilages', 'Transport and Accessibility', 'Trees and Woodlands' and 'Low and Zero Carbon Buildings' are relevant material considerations. The Pitfodels Conservation Area Appraisal and Management Plan is also a material consideration.

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 pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Accordingly, considerable weight is required to be given to this matter.

Scottish Planning Policy (SPP), the Aberdeen Local Development Plan and its associated supplementary guidance are relevant material considerations.

SPP states that in meeting the policy principle of the "*presumption in favour of development that contributes to sustainable development*", the aim is to achieve the right development in the right place: it is not to allow development at any cost (*para. 28*).

A Pitfodels Conservation Area Appraisal was produced in 2002 but has now been superseded by an updated Conservation Area Character Appraisal and Management Plan, which was put out for consultation in March this year. It has not yet been adopted as supplementary guidance. SPP advises the planning system should promote the care and protection of the designated and non-designated historic environment and its contribution to sense of place and cultural identity. SPP supports positive change in the historic environment which

is informed by a clear understanding of the importance of the heritage assets affected. However, such change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset and ensure that its special characteristics are protected, conserved or enhanced. Proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area.

Land Allocation – Policy LR1

The main considerations in assessing the proposal are compliance with Policy LR1 and whether the proposal preserves or enhances the character or appearance of the conservation area.

Whilst the site forms part of an Opportunity Site (OP64) for 20 houses in the local development plan, that allocation of 20 houses has already been taken up by the applicant through securing planning permission for development on the two fields to the east of Airyhall House. That development was completed recently. In identifying the Opportunity Site through the local development plan process, it was considered the overall Opportunity Site was suitable only for 20 units. A greater density would not be in keeping with the character of the surrounding area. Given the extensive land allocations for residential development in the local development plan and the numerous planning permissions granted for a substantial number of houses across the City, there is no justification in terms of meeting housing supply needs to grant planning permission for a number greater than the 20 houses already consented and built, which is the maximum number envisaged for this area by the local development plan. Any increase in the amount of development over and above that allocation would be detrimental to the character of the conservation area for the reasons set out below.

Impact on Character of Pitfodels Conservation Area

To the south of Airyhall Road, Pitfodels Conservation Area is characterised by large detached properties set within extensive wooded grounds. There are many imposing small country houses or large mansion style houses, along with their spacious garden layouts and the generous planting of trees. That character has, to some extent, been altered in recent years by developments at the Marcliffe at Pitfodels Hotel, the International School and Northcote Care Home. To the north of that road the character is of undeveloped open fields to the west of Airyhall House, beyond which is the Woodlands residential development on the grounds of the former hospital site. The wooded nature and substantial number of large mature trees in Pitfodels is a key defining characteristic of the conservation area. Another defining characteristic is the sense of space between properties arising mostly from the extensive grounds around buildings. The juxtaposition of Airyhall House and the care home to the north and the spaces between and around them are reflective of and reinforce that character.

In order to maintain the prevailing character of the conservation area it is important that there is sufficient distance between buildings that will provide substantial areas for intervening landscaping and open space and for buildings to

be distributed in such a way that one building will not be readily seen from another. It is also important for new buildings to be of high quality in terms of design, the materials used and the external spaces around the buildings.

The proposed terrace of houses would be located approximately 20 metres from the adjacent Northcote Care Home. The associated car parking and bin store would be less than 5 metres from that building. Accordingly, in terms of all the built elements of the development, the proposal would be located in relative close proximity to the adjacent care home. Whilst there would be a significant area of woodland between the terrace of houses and Airyhall House, there would be limited space between the development and the care home, especially in relation to the area of car parking. Substantial landscaping and open space could not be provided that would ensure the proposed development would not be readily seen from or in conjunction with the adjacent properties. The cumulative effect of cramming further houses into the locality would result in an unacceptable density of development. Accordingly, the proposal would not preserve the character or appearance of the conservation.

The Design Statement submitted by the applicant suggests that the site is a 'gap site' lying between two existing buildings. However, it is considered that the site cannot reasonably be regarded as a gap site for two reasons. It is within the curtilage of and thus an integral part of the grounds of Airyhall House. A defining characteristic of Pitfodels is the green spaces between buildings. Such spaces are not 'gap sites' for development. Whilst the proposal would not in itself lead to the physical coalescence of Aberdeen and Cults, it could visually give the impression of development creeping further west towards Cults.

It is considered that the design and external finishes of the houses are not of the quality expected and required and the terraced form of the development would not be in keeping with the conservation area. Buildings in Pitfodels are typically detached properties, many of which are constructed of granite. Two nearby properties, Airyhall House and The International School, have been extended in recent years, the latter comprising substantial modern extensions. Whilst acknowledging these and the presence of the recently constructed care home, there is nevertheless a strong and defining character of detached properties. A terrace of houses, which is a high density form of development, would conflict with that prevailing character to the extent it would be detrimental to and thus not preserve or enhance the conservation area.

The design and external finishing materials of the proposed houses do not reflect the prevailing character and appearance of buildings in the conservation area. The use of white render on the walls, in particular and concrete tiles on the roof is not appropriate. The design and appearance of the terrace would have a rather suburban appearance. It would not include the specific design features, detailing or external finishes one would expect in this conservation area. The Design Statement draws attention to the solid to void relationship and the vertical proportions of the windows. However, these matters do not overcome the design failings of the proposal. The development would neither preserve nor enhance

the character of the area and thus would be contrary to SPP and Policies D1 and D5 of the local development plan.

Car parking provision and the access arrangements discussed later in this report. However, it is appropriate to consider not only the technical aspects of these matters but also the impact there would be on the character and appearance of the conservation area. The provision of a communal car parking area within the site, which would involve the formation of a relatively large hard surfaced area, would have the effect of urbanising this part of the conservation area and diminishing the natural appearance and value of the site. Formation of the access from Northcote Crescent to the car park would necessitate the widening of the existing lane to 5.5 metres with the loss of vegetation along its edges. The additional width, together with the loss of vegetation, would alter significantly the character and appearance of the lane, to the detriment of the conservation area.

Policy D2 - Design and Amenity

Policy D2 of the local development plan requires new residential development to satisfy several criteria, as listed in the policy. The proposed development would not satisfy the following criteria – the proposal would not have a public face to a street, the car parking area would dominate the north west part of the site and the position and orientation of the houses do not provide opportunities for views. No details have been provided on how crime has been designed out or on external lighting in the development and thus compliance with Policy D2 of these issues cannot be assessed.

Impact on Trees and Habitat

The construction of the new footpath east-west through the site would be likely to cause significant harm to a number of trees. In order to form the footpath at an acceptable gradient and avoiding the inclusion of steps it would be necessary to make significant changes to ground levels immediately adjacent to mature trees. Changes in ground levels would likely cause damage to the roots of a number of trees, to the detriment of the health of the trees. In this regard, the proposal would be contrary to Policy NE5 of the local development plan.

The actual construction of the houses would not result in the loss of any significant trees. However, this assumes access for those works can be gained via adjacent land to the west. Achieving this has not been demonstrated by the applicant. To construct the development from the east, via the access lane, could not be done without damaging/removing trees. Given the close proximity of the houses to large trees, there would likely be significant risk to the long term retention of a number of the trees. The threat to the trees would arise primarily due to the physical and potentially overbearing presence of the trees close to the houses (the trees are up to 20 metres high and only 10 metres from the nearest house), and also because a significant part of the gardens would be in the shade for parts of the day, except for during summer months and the maintenance issues caused by falling leaves, branches etc. Given the value of the trees to the character of the site and the surrounding area, the potential threat to their long

term retention is an important consideration in the determination of the application. Any significant loss of trees would impact on an important characteristic of the area, contrary to Policy D6 of the local development plan.

The construction of the houses and car park and the widening of the lane would impact significantly on the habitat of the site. The current overgrown nature of the site has a wildlife and habitat value. However, the area has no specific habitat designations and is of only limited value to the wider area.

Impact on Core Paths

The Design Statement states the site is “*neglected and tends to look overgrown*”, although it acknowledges the site is well used by local residents as footpaths traverse it. Whilst it is accurate to describe the site as overgrown, that is part of its charm and value both in terms of its habitat and its attractiveness for walkers.

Attention is drawn in the objections to the proposal of claimed rights of way through the site, one along the lane from Northcote Road to Airyhall Road (a core path) and one east-west through the application site. It has been claimed that these routes have been used for over 30 years. The Council has previously considered this matter and had no reasons to doubt or dispute the validity of the claim. It appeared to meet to relevant criteria for being a Right of Way. Accordingly, it is accepted that such Rights of Way through the grounds of Airyhall House, including the application site exist. This development will not prejudice public access along the north-south route, but would change the alignment and character of the east-west route. The developer has indicated that access would be allowed to continue through the site. Notwithstanding, it would appear that the public has a legal right to use these routes and therefore no further action is required through this planning application to secure continued access.

Notwithstanding the above, the character of the well used route through the site would be changed substantially. The area would be developed and more manicured. Its natural feel would be lost. Also, and importantly, it would likely be less attractive to walkers because the realigned footpath would pass close to the front of the houses, which would potentially give the impression of entering a private or semi-private area.

Access Arrangements, Car Parking and Accessibility

Car parking would be provided in a communal area in the north west part of the site. There would be 10 parking spaces and thus would accord with the Council's Parking Standards. It would be unlikely that overspill parking to the surrounding area would occur. The proposed access, utilising the existing lane, would be widened in accordance with Council requirements. It would be a shared surface for vehicles, cyclists and pedestrians. The amount of vehicular traffic using the lane would be low, given it would relate to only 5 houses. The Roads Projects Team has raised no safety concerns with regard to any potential conflict between the various users. A swept path analysis submitted by the applicant shows that

two-way traffic is achievable. There are currently no proposals to install/improve lighting in the lane. If Members resolved to approve the application, improvements to lighting could be secured through a planning condition. The site is relatively close to the bus route on Craigton Road. A little further away would be the bus route on North Deeside Road. The site is reasonably accessible to the cycle network.

Impact on Residential Amenity

Given the juxtaposition of the proposed development with other nearby properties, there would not be in any significant adverse impacts on residential amenity in terms of loss of daylight and sunlight or loss of privacy. There would be some impact, more particularly for residents of Airyhall House, resulting from the increased activity on the site, noise from vehicles entering and leaving the development and to a degree, from light pollution from the proposed houses. It would likely result in residents of the new houses walking through the grounds of Airyhall House (a publicly accessible core path runs through the property), although the impact rising would unlikely be significant. The wider impacts on amenity would arise from the change in the character of the area and how local residents experience the area when walking in and through it.

Matters is Raised in Written Representations

The matters raised in objections in relation to the loss of green space and mature trees (1, above), the design of the houses (2), the density of housing in the area (3), coalescence of Aberdeen and Cults (4), the access lane (7), privacy and access to Airyhall House (8), safety concerns from increased traffic (10), potential overspill parking (11), the right of way (12), the impact on wildlife/habitat (13) and the oversupply of housing (14) have been discussed earlier in this report.

The proximity of the development to the adjacent nursing home and other over 55s residential accommodation – the proximity to over 55s residential accommodation is not directly relevant to the consideration of this application. Issues regarding residential amenity have been discussed above.

Noise and trespass issues arising from pets owned by the occupants of the proposed houses, exacerbating an existing problem - this is not a relevant material consideration in the determination of the application.

Concerns regarding the delineation of boundaries – boundaries between the application site and Airyhall House are a matter for the land/property owners.

The location plan provided is out of date, in that it does not show the adjacent fields have been developed - notwithstanding the location plan not showing the recently completed housing to the east, the application was assessed taking account of the presence of those houses.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

That the proposal would not preserve or enhance the character and appearance of the conservation area, being detrimental to that character and appearance due to (a) the inappropriate location, form, design and external finishing materials of the proposed houses, (b) the inappropriate density of development and juxtaposition with adjacent buildings resulting in a pattern of development that is not reflective of or in keeping with the area, (c) the loss of green space and the damage to and potential loss of mature trees, all of which would be contrary to Scottish Planning Policy, Scottish Historic Environment Policy and Policies D1 (Architecture and Placemaking), D2 (Design and Amenity), D5 (Built Heritage), D6 (Landscape) and NE5 (Trees and Woodlands) and the associated supplementary guidance of the Aberdeen Local Development Plan.

That the proposal would be contrary to Policy LR1 of the Aberdeen Local Development Plan in that the proposal would exceed the number of residential units allocated for the area, to the detriment of the character of the area arising from the inappropriate density of development.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

Mr A Wotherspoon
24 Airyhall House
ABERDEEN
AB15 7TF

2nd October 2013

P & SD, E P & I ACC, Business Hub 4
Ground Floor North
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Dear Sirs

Planning Application Number 131354
5 Terraced houses by Bancon to the rear of Airyhall House

My apartment is on the top floor of Airyhall House facing to the rear therefore I will be overlooking this development.

My concerns / queries are as follows in no particular priority -

- 1 - Although these are not large houses, they will probably attract young families and others with pets. I think siting this between a nursing home for the elderly and Airyhall House which is restricted to residents aged 55 and over will lead to problems of noise and trespass in future.
- 2 - We already have instances of children and people exercising dogs trespassing therefore I feel a substantial fence or wall defining the boundary between the properties will be necessary.
- 3 - The entry lane to the new development from Northcote Avenue is poorly lit and is single lane. Will this be improved?
- 4 - I hope that the privacy of the residents of Airyhall House will be respected by not giving access to the new housing residents through the private property of Airyhall House

Yours Sincerely

A large black rectangular redaction box covering the signature of A Wotherspoon.

A Wotherspoon

8 Northcote Crescent
ABERDEEN
AB15 7TJ

10 October 2013

Dr Margaret Bochel
Head of Planning and Sustainable Development
Aberdeen City Council
Marischal College
Broad Street
ABERDEEN
AB10 1AB

Dear Dr Bochel

Proposals Affecting the Setting of Listed Buildings or the Character
of Conservation Areas (Sections 60 and 65of the Planning (Listed Building
and Conservation Areas) (Scotland)Act 1997)
Airyhall House Land north of Craigton Road Pitfodels
Aberdeen AB15 7TP Conservation Area 010
Construction of 5 Terraced Houses
and Associated Site Works
Bancon Developments Ltd - Ref.No. 131354

1. Preamble

With regards to the application noted above I submit a formal objection to the proposals.

The suggested construction of 5 Terraced Houses and associated Site Works is basically a rerun of a similar proposal submitted along with the planning application a number of years ago for the Care Home – Nazareth House. Whilst the Care Home received Planning Consent from the Committee against advice from the Planning Officers and is now built the Cottages part of the application did not proceed at that time to Committee. Instead of Cottages this application is for Terraced Houses on the same site.

2. Objections

1. The entrance to the Houses is up what in fact is a narrow Lane and I seem to recall the Emergency Services raised on the previous application concerns in that they would not have reasonable safe and quick access.
These concerns must still apply.
2. I have lived within the area for over 60 years and the proposed site has always been a Right of Way used by Walkers and Dog Walkers over that period
3. At the time of the previous application a Tree Survey was done and several Trees were felled as it was suggested these were diseased. At that time during a Site Visit I was assured by a Planning Officer that the remaining Trees were protected and no more could be removed.
In this proposal a large area of mature trees is suggested for felling. This should not be allowed particularly when the Council and Governments are recommending more Trees be planted.
4. This is a Conservation Area and although with the developments which have already happened in the area numbers have reduced wild animals are still seen in the area – Roe Deer etc. The Application must not be allowed to happen as it would further reduce the habitat for these animals.
5. In conclusion I trust my objection will be taken into account in determining the application.

I would also request to be allowed to address the Committee on the matter as the case in certain other Authorities. I am available at any time to also discuss my concerns with the Planning Officers. It does seem to be somewhat unfair that they discuss matters with Applicants but not any Objectors.

Yours sincerely


Fred Robertson.

Copy:- Councillor Ian Yuill
Mr Saemus MacInnes.

A.Mck.D.Innes
16 Airyhall House
Airyhall Road
Aberdeen
AB15 7TF
26/09/2013

P & SD, E P & I ACC, Business Hub 4
Ground Floor North,
Marischal College,
Broad Street,
Aberdeen
AB10 1AB

Dear Sir,

I write to make comments and ask questions concerning the planning of development of 5 terraced by our houses in the area of Airyhall House @ Pitfodels. The planning application number is 131354.

My queries are not in any order of importance or priority.

1/ I am concerned that permission will be given to build 5 houses that will sit between an establishment for people aged 55 and over and a nursing home for old and elderly people.

2/ Will there be a defining fence or border be built between the new properties and Airyhall House?

3/ There is an entry gate at east side of our walled garden that is used by our residents as access to the garden. This gate will have to continue to be used by our residents and not blocked off.

4/ The entry to new houses will be from Northcote Avenue via lane that was the old entrance to the original Airyhall House. I hope that there will be consideration that the new housing residents will **not** have access through the private property of Airyhall House.

5/Will Bancon be made to reconnect the lamp standards they disconnected during the construction phase of Airyhall House. This lane has no lighting and is extremely unsafe during winter months when getting access for local transport buses. This will effect the new residents of the 5 terraced houses as well as ourselves.

Yours Sincerely



11 AIRYHALL HOUSE

A. Innes
Secretary Residents Association

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 22 October 2013 14:12
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : David Clark
Address : 26, Gordon Road,
Mannofield,
Aberdeen

Telephone

Email : 
type :

Comment : Seems to me that this proposed development will greatly impact on the surrounding vegetation given that the only access to the site is by way of a narrow lane which would need to be widened considerably to allow construction traffic, notwithstanding the effect of the proposals on the site itself which will see many mature trees being felled.

The existing road network in the area is already strained so adding even more vehicles will only make this worse. Whilst not wanting to comment on behalf of the immediate residential dwellings I would have thought that with regard to those in Northcote Lodge, these houses would not be in their best interests.

Finally if granted would the development not simply add to the pressure on the green belt to the west of the site and give credence to future proposals thereon.

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 13 October 2013 19:04
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Lynne & Ian Martin-Beattie
Address : 16 Northcote Crescent
Aberdeen

Telephone :

Email :

type :

Comment : We wish to object against this planning application for the following reasons :

- 1 Loss of green space in the area - once lost this is irreversible. There are wild deer, foxes, and birds of prey which are all being squeezed into unsustainably small habitats
- 2 Further building on the Green Belt - the Green Belt seems to be disappearing completely in our area. This is hugely disappointing for all the local residents.
- 3 This will contribute further to the coalescence of Aberdeen and Cults, which we understood was to be avoided
- 4 If it is intended that the road coming out onto Northcote Crescent is to be reopened for vehicular access, which is not clear from the plans, then traffic in a quiet near culdesac will increase substantially. There are a number of small children who currently play in our street who will no longer be able to. In addition any overflow parking will likely be in our street, which is narrow and busy with parked cars. Our driveway is directly opposite the access road, and we already have difficulties manoeuvring in and out.
- 5 Aggravation of traffic problems in general e.g on Craigton Road & Airyhall Road, both of which are already busy.
- 6 Potential oversupply of housing - there are new houses at Airyhall Rd, Friarsfield and also proposed at Countesswells & Kingswells. Surely there is no need for more in this area?

Yours, Lynne & Ian Martin-Beattie

Dawn Ramsay

From: webmaster@aberdeencity.gov.uk
Sent: 14 October 2013 22:09
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Sandra Macdonald
Address : 187 Craigton Road
Aberdeen
AB15 7UB

Telephone : _____

Email : _____

type : _____

Comment : I object to the application as I believe it is inappropriate to build in a wooded area with many protected trees, with an historic pathway. The overdevelopment does not have adequate access to the site.

From: webmaster@aberdeencity.gov.uk
Sent: 01 October 2013 13:04
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Dr Maureen Gillan
Address : 6 Airyhall House
Airyhall Road
Aberdeen
AB15 7TF

Telephone :
Email :
Type :

Comment : I am concerned that the building of these 5 houses is inappropriate in the proposed location between an establishment for people aged 55 and over and a nursing home for elderly people.

Will there be a defining fence or border be built between the new properties and Airyhall House?

Access to the new houses appears to be from the lane leading onto Northcote Crescent (originally the entrance to the old Airyhall House). It has been poorly maintained and not of adequate width to permit two way traffic which will lead to traffic congestion from cars (albeit only from 5 houses) entering and leaving the development. It is poorly lit and is unsafe as an access route to the bus route on Craigton Road, especially in winter.

I hope that there will be consideration that the new housing residents will NOT have access through the private property of Airyhall House.

From:
Sent: 01 October 2013 16:09
To: PI
Subject: 131354: Airyhall: Construction of 5 No.terraced houses and associated site works

Dear Sir,

My house backs onto the road leading up to the proposed houses and I am writing to ask that Aberdeen City Council refuse this planning application 131354 from Bancon Developments Ltd.

Here are my comments and objections relating to this planning application. My main objection is the use of the road leading up to the proposed houses.

Impact on parking

At certain times of the day parking can be a problem along the top end of Northcote Crescent. There is plans for 10 spaces but now a days 2 cars per household is the norm. This would mean visitors would park on Northcote Crescent which would further increases the parking issue.

Impact on road safety

The pedestrian road leading up to the houses is a well known area for dog walkers who tend to let their dogs off the lead. Increasing car traffic will lead to a safety hazard for motorists, dog owners and dogs.

In addition this road is used by children in the area to play in. There is minimal traffic as this road is currently not being permanently used. This a safe area for children to ride their bikes and scooter. If this was used as a through road then increased traffic can lead to a safety hazard for children.

Impact on traffic

Currently this application is just for 5 houses but there is the potential for more houses. This would increase traffic along Northcote crescent substantially causing traffic and safety hazard problems.

Destruction of greenery

I have been informed that the current pedestrian road will have to be widened to accommodate traffic and large vehicles, this will lead to trees and plants being removed. Currently this path forms a nice pleasant safe area for the elder people in this vicinity to walk along. Removing trees and plants will have a detrimental impact on the visual appeal of the area.

Further to the visual appeal there are a number of mature trees in the area.

Noise/Privacy

The entrance road leading to the houses is adjacent to my home and garden which will increase noise, pollution and dust. The current road/pederstian walkway was not built to accommodate constant traffic and has not been used for a number of years. It is a quiet secondary road leading to Airyhall house. This is a quiet area and widening this road to accommodate more vehicles will increase my exposure to noise and traffic. I have a bedroom window a few metres from the entrance road and increased traffic will disturb my sleep. My garden will back onto the road, increased traffic will increase noise and impact the peacefulness.

In addition the hedges that back onto my garden provides privacy from the public who walk their dogs along this road. If the hedges were to be removed due to the widened of the road this would effect my privacy.

Incorrect plans

The location file does not show the recent Bancon development along Airyhall Road. The plans mislead the general public regarding the use of the surrounding land.

Design

I feel the 5 terraced houses are not in keeping with the semi detached houses that dominate the surrounding area.

Should you require any additional information, clarification of any comments made do not hesitate to contact me.

Regards,
Ellen Mo

P&SD Letters of Representation		
Application Number: 131354 - 131354		
RECEIVED 02 OCT 2013		
Nor	Sou	MAp
Case Officer Initials: GMP		
Date Acknowledged: 3-10-13		

From: webmaster@aberdeencity.gov.uk
Sent: 26 September 2013 20:35
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Brian & Mary Morrison

Address : 5 Airyhall House

Airyhall Road

Aberdeen

AB15 7TF

Telephone :

Email :

Type :

Comment : We wish to object to planning permission being granted on the basis that we feel that the development would be intrusive to the development at Airyhall house . On looking at the plans it looks like a large number of mature trees would have to be cut down which is not good for the environment. We have only moved to this property in August and one of the factors which helped us make up our mind to move here was that the property was secluded and private which this proposed development would deprive us of.

Brian & Mary Morrison

From: webmaster@aberdeencity.gov.uk
Sent: 21 September 2013 19:33
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Andrew Liddle
Address : 23 Northcote Cr.
Aberdeen
AB15 7TE

Telephone ? _____
Email ? _____
type :

Comment : Dear Sir/Madam,

I have viewed the proposed plans and would wish to make two observations.

1- The plan that is being used is out of date, 2 of the 3 fields in the diagram (SSE,SE) of the proposed development are no longer vacant. These have now been developed and have people residing in them.

2- The Proposed development does not match any of the existing houses in the surrounding area.

The questions I wish to be answered are;

a - Were only documentation without the recent developments reviewed by the council? And if this is not the case can you provide me with documentation showing the new development in relation to all the property in the area.

b - Where were these documents for the development design obtained from, if it was the council, what management of change process do the council use to update their records of real-estate development? and were they followed here?

c - Do the addition of the recently developed properties affect the density of housing here in character of this area?

I believe it is strange that myself was initially denied a housing redevelopment proposal, due window sizes being "too small" and therefore not fitting the character of the street. This was later reviewed and it was found to be a mistake by an individual in the planning department. Following this logic, how does this development (terraced housing) fit within the character of the area of low density housing.

I am aware that in the past that this area was denied development for sports field, and now I find planning has been accepted for terraced housing.

Regards

Andrew Liddle



P&SD Letters of Representation		
Application Number: 131354		
RECEIVED 23 SEP 2013		
Nor	Sou ✓	MAp
Case Officer Initials: GDL		
Date Acknowledged: 23/9/13		

PI

From: webmaster@aberdeencity.gov.uk
Sent: 23 September 2013 15:27
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Steven Fraser
Address : 185 Craigton Road
Aberdeen

Telephone :

Email :

type :

Comment : We would like to highlight our objections to the this plan due to traffic and access concerns. If the access is to be off Northcote then this would cause issues for what is a small busy road at the best of times. There is also a small grass area which is used by many kids for the playing and any additional traffic would raise safety concerns.

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management Committee	
DATE	21 August 2014	
LEAD HEAD OF SERVICE Margaret Bochel		DIRECTOR Gordon McIntosh
TITLE OF REPORT	Planning Digest	
REPORT NUMBER	EPI/14/232	

1. PURPOSE OF REPORT

- 1.1 To advise Committee about recent appeal decisions, recent updates in Scottish Government Planning Advice and other aspects of the planning service.

2. RECOMMENDATION

- 2.1 To note the outcome of the appeal decision.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from these appeal decisions.

4. OTHER IMPLICATIONS

- 4.1 The report is for information and does not have any implications for any legal, resource, personnel, property, equipment, sustainability and environmental, health and safety and/or policy implications and risks.

5. BACKGROUND/MAIN ISSUES

Digest Item for Planning Committee of 21st August 2014

In February this year the Scottish Government (in association with the Commissioner on Ethical Standards in Public Life and COSLA) published formal "Guidance on Role of Councillors in Pre-Application Procedures" (included in the Agenda Papers). The guidance stems from Scottish Government's wish to ensure that councillors are confident and clear as to their roles and responsibilities when engaging at the pre-application stage on substantial development proposals, thus adding value to the process, while continuing to act within the terms of the Councillors' Code of Conduct.

The Scottish Government states that each local planning authority should establish its own pre-application procedures as a matter of priority. This digest item outlines the procedures to be put in place henceforth for Aberdeen City to comply with this Guidance.

Context

The responsibility which Councillors have to make reasonable decisions on planning matters is provided in the Councillors Code of Conduct. Once a planning application has been submitted the Code seeks to reinforce the principles of fairness and impartiality in relation to statutory processes. Councillors must not be biased, predetermined or to have been influenced by improper or inaccurate consideration.

The Code also makes it clear that it is appropriate for councillors to attend public meetings and events, including those relating to statutory and pre-application procedures.

As a matter of Scottish Government policy the early engagement of Councillors in pre-application discussion has been encouraged as part of the wider reform of the planning system. It is seen as a further example of front loading the system. The guidance emphasises that Councillor involvement at this stage in the planning process is not a substitute for formal consideration and decision-making on development proposals. Rather it is intended to better inform Councillors of proposals that may subsequently come before them, support a degree of certainty by enabling an early exchange of views and discussion of key issues that Councillors want to see addressed, and assist officers of the authority in negotiating on those issues.

Whilst taking part in these discussions Scottish Government guidance reminds Councillors that any opinions or views expressed must be made mindful of the operating requirements of fairness and impartiality and of keeping an open mind. It is also vital that any provisional view as to whether or not the authority might be minded in principle, to consider granting planning permission made only as part of the planning authority considering and forming such a provisional view.

This is seen as particularly important as any conduct inconsistent with these requirements may compromise the determination of any subsequent planning application.

Key Considerations for Pre-Application Discussion

The Scottish Government provides the following key considerations that they require authorities to take into account when they are deciding on what procedure they will adopt.

1. Emphasis should be given to providing meaningful guidance as part of a helpful service that adds value to the preparation of planning applications.
2. Councillors should be able to air points of view at the pre-application stage on the understanding that the general issues raised will be placed into the public domain.
3. Any procedures must be compliant with the requirement of the Councillors Code of Conduct.

4. Local Authorities should consider their own procedures in implementing this guidance and set out which Councillors are to be involved. This could be the relevant Committee which determines planning applications.
5. Procedures should be conducted in a consistent and transparent manner to avoid suspicion that councillors may have prejudiced their position.
6. This discussion should be held in public and a minute of the meeting should be made public.
7. The unique status of pre-application proposals should be clearly identified in any agenda and material relating to the process should be separated from other development management issues.
8. Any procedure introduced should be kept under review.

Proposed New Procedure

Taking into account the foregoing the following procedure will be implemented:-

1. a Pre-Application Forum will be established with its meetings held in open public session to enable discussion of all national and major development proposals.
2. the Forums will be held as soon as possible after the submission of a Proposal of Application Notice (POAN) for all national and major development proposals and, in all cases, prior to the lodging of any associated planning application (this allows a period of 12 weeks following submission of the POAN).
3. the members of the Planning Development Management Committee constitute the most appropriate members of such a Pre-Application Forum.
4. Ward Members for the Ward in which a specific pre-application proposal under discussion is located will be invited to the Forum but will be allowed to participate in the Forum only in relation to that specific pre-application proposal.
5. if a Forum is required it will take place after formal business of the Planning Development Management Committee is concluded – with a short recess recommended between the formal business and the Forum to emphasise the clear differences in status, process and procedure between the two meetings.
6. the prospective case officer for the proposal will produce a very brief report for the Forum outlining the proposal and identifying the main planning policies, material considerations and issues associated with it and the key information that will be required to accompany any application. The report will not include any evaluation of the planning merits of the proposal.
7. developers will be offered the opportunity of presenting their development proposal to the members of the Forum and there will be an opportunity for

Councillors to discuss these with them, to ask questions and indicate key issues they would like the applicants to consider and address in their eventual application/s

8. Members, either individually or collectively, can express concerns about aspects of any proposal that comes before the Forum but (to comply with the terms of the Code of Conduct) will not express a final settled view of any sort on whether any such proposal is acceptable or unacceptable.
9. A minute of the meeting will be produced and made publicly available.
10. Training sessions will be offered to Councillors to assist them in adjusting to their new role in relation to pre-application consultation and its relationship with the Code of Conduct.

Appeal Upheld

Bishops Court, 29 Albyn Place, Aberdeen: The erection of an extension to provide additional office accommodation and associated infrastructure works

Planning permission was refused by the Planning Development Management Committee on 13th February 2014 on the grounds that (1) the proposal, if approved, would be detrimental to and thus not preserve or enhance the character of Conservation Area 4 (Albyn Place/ Rubislaw) and the setting of the Category B listed buildings on the site and the adjacent site due to the excessive length, the loss of the sense of open space within the feu and the inappropriate design of the extension and its relationship to the existing building, contrary to Scottish Planning Policy, Scottish Historic Environment Policy and Policies D1 (Architecture and Placemaking) and D5 (Built Heritage) of the Aberdeen Local Development Plan and (2) the proposal, if approved, would set an undesirable precedent for similar developments in Conservation Area 4 (Albyn Place/ Rubislaw) that would significantly adversely affect and undermine the special character of the area.

The Reporter stated that due to the earlier change of use to offices and the construction of the associated extension and car park, the setting of the listed building has been altered very significantly in extent and character that the important and historic setting is now essentially related to the frontage of the building. Accordingly, the Reporter concluded that the additional extension would have little visual impact when viewed from Albyn Place, being “tucked-in” and thus would not have further impact on the setting of the listed building.

There Reporter was of the opinion that, although being a large structure, the extension would not overwhelm nor unduly dominate the listed building because of the limited visibility from Albyn Place, the existing extension obscuring much of the original rear elevation and its height would be lower than the listed building. The Reporter also concluded that the extension would not appear to result in an exceptionally high proportion of the built development on the plot and that a reasonable degree of openness would be retained. He also stated that he did not gain the impression that a rear building line, formal or informal, has been established and thus the proposal does not offend in

this respect. The Reporter decided that the design of the extension is satisfactory and accords with Policy D1 (Architecture and Placemaking) of the Local Development Plan.

The Reporter determined that the proposal would have little visual impact on the wider conservation area, being virtually unseen from Albyn Place and due to the presence of a substantial wall to the rear, thus preserving the character of the area, in compliance with Scottish Planning Policy and Policy D5 (Built Heritage) of the Local Development Plan.

Accordingly, the Reporter upheld the appeal and granted planning permission subject to two conditions.

The appeal decision letter can be viewed at:

<http://www.dpea.scotland.gov.uk/Document.aspx?id=208125>

6. IMPACT

The Scottish Government has stated that an effective planning service is fundamental to achieving its central purpose of sustainable economic growth. As such the information in this report relates to a number of Single Outcome Agreement Outcomes:

1 - We live in a Scotland that is the most attractive place for doing business in Europe;

2 - We realise our full economic potential with more and better employment opportunities for our people;

10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need;

12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations;

13 - We take pride in a strong, fair and inclusive national identity; and

15 - Our public services are high quality, continually improving, efficient and responsive to local people's needs.

Public – The report may be of interest to the development community and certain matters referred to in the report may be of interest to the wider community.

7. BACKGROUND PAPERS

None.

8. REPORT AUTHOR DETAILS

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