

# 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, 17 September 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, 25 SEPTEMBER 2014 at 10.00 am.**

JANE G. MACEACHRAN  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **B U S I N E S S**

**Members Please Note That All Letters Of Representation, Including Those Not In The Report Pack, Are Available To View In The Members' Library**

### **MINUTES OF PREVIOUS MEETINGS**

- 1.1 Minute of Meeting of the Planning Development Management Committee of 21 August 2014 - for approval (Pages 1 - 18)

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

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

- 2.1 Plot 7 Prime Four Business Park, Kingswells - Approval of matters specified in conditions - Plot 7, Phase 2/3 (Pages 19 - 30)

Reference No – 141066

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141066>

- 2.2 Strathisla, 11 Baillieswells Road, Bieldside - Proposed new house (Pages 31 - 74)

Reference No – 140940

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140940>

- 2.3 Crombie Hall of Residence, College Bounds, Old Aberdeen - Installation of signage and refurbishment of cafe (Pages 75 - 90)

Reference No – 140681

Planning application documents can be viewed here –

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140681>

### **OTHER REPORTS**

- 3.1 Confirmation of Tree Preservation Order numbers 214, 219 & 220 - EPI/14/256 (Pages 91 - 96)

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

Should you require any further information about this agenda, please contact Martyn Orchard on 01224 523097 or email [morchard@aberdeencity.gov.uk](mailto:morchard@aberdeencity.gov.uk)

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 21 August 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Corall, Cormie, Crockett (as substitute for Councillor Grant), Greig, Jaffrey, Lawrence, Jean Morrison MBE, Samarai, Thomson, Townson and Yuill (as substitute for Councillor Jennifer Stewart).

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&Mid=2885&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 THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 24 JULY 2014

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

#### **The Committee resolved:-**

- (i) with reference to article 4 of the minute, to note that in this instance, the representatives in attendance on the conservation site visits would be allowed to address members of the Committee to provide information on the sites; and
- (ii) to approve the minute as a correct record.

### ABERDEEN LOCAL DEVELOPMENT PLAN SITE OP58, COUNTESSWELLS - 140438

2. 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 for a 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 in respect of Aberdeen Local Development Plan Site OP58 – Countesswells, lying west of Hazlehead Park, planning reference 140438, but to withhold the issue of the consent document until the applicant had entered into a legal agreement with the Council to address the following matters:- the provision of 25% affordable housing on site in accordance with the Development Framework and including a range of delivery options, including contributions towards a gypsy traveller halting site; 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; developer contributions towards

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community facilities, library, sports provision, playing fields and healthcare; developer contributions towards the Strategic Transport Fund; developer contributions towards mitigation on the local roads network together with the provision of mitigating infrastructure if necessary, following analysis of: existing and proposed junctions along Lang Stracht; Queens Road/Kings Gate; Springfield Road/Countesswells Road; Kirk Brae/A93 North Deeside Road; and, Friarsfield Road/Kirk Brae; and developer contributions towards the Core Paths Network, 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 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 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 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 block of development; b) a detailed Drainage Plan for the relevant block of development, including full details of the proposed means of disposal of surface water from the relevant 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 block of development; d) details of all cut and fill operations in the relevant block of the development; e) the details of all roads, footpaths and cycleways throughout the relevant block of the development; f) details of any screen walls/fencing to be provided within the relevant block of the development; g) details of all landscaping, planting and screening associated with the relevant block of the development; h) full details of the layout, siting, design and finish of all residential properties, throughout the relevant block of development; i) full details of the layout, siting, design and finish of all non-residential properties throughout the relevant 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.

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(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 block of the development shall show the proposed means of disposal of foul and surface water from the relevant block 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 block 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

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complete and available for use unless otherwise agreed in writing by the planning authority as part of an occupancy plan - in the interests of road safety; (6) 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; (7) 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 otherwise approved in writing by the planning authority - In the interests of road safety; (8) 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 or an equivalent financial contribution, 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; (9) 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; (10) 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; (11) 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; (12) 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; (13) That no development shall take place within any individual block 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; (14) 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

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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;

(15) 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;

(16) That no commercial development within the block that includes the 'town centre' (including the 2500m<sup>2</sup> 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;

(17) No development in any individual 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: (a) an investigation to determine the nature and extent of contamination; (b) a site specific risk assessment; (c) a remediation plan to address any significant risks and ensure the site is fit for the use proposed; and (d) verification protocols to demonstrate compliance with the remediation plan. No building(s) in the respective block shall be occupied unless (a) 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 (b) 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;

(18) 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

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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; (19) That no development in each independent block pursuant to this planning permission shall commence unless: (a) 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 block; and (b) 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; (20) Prior to the commencement of any work in any 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; (21) That 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



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connection is made to ensure satisfactory disposal of sewerage, and thereby maintain and improve standards of environmental quality, public health and amenity; (22) Development in any individual 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; (23) 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; (24) 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; (25) 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; (26) 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; (27) That no development within any individual 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'; (28) Development in any individual 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

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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; (29) That no development in any individual 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; (30) 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 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 15 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 15 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

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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.

At this juncture, Councillor Boulton, expressed disappointment that there was no school capacity information from the Education, Culture and Sport service contained within the report and moved as a procedural motion, seconded by Councillor Greig, that the Committee did not consider the application on this day.

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

There being an equality of votes, in accordance with 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 Committee then heard from Mr Paul Williamson, Senior Planner, Mr Tom Rogers, Team Leader (Roads Projects), and Mr Euan Couperwhite, Infrastructure and Assets Programme Manager, in relation to the application.

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Mr Couperwhite advised that officers from the Education, Culture and Sport Directorate were actively involved with the Developer Contributions team, as well as the developer itself. The first new primary school would only be viable with 120 to 150 pupils, and Mr Couperwhite explained that until this level of occupation was reached, the children would be educated at the former Braeside School. Until the new secondary school was in place, officers were comfortable that there was sufficient capacity at Hazlehead Academy to accommodate pupils in the short to medium term. Transport costs would form part of discussions with the developers and solicitors. Mr Couperwhite advised that the occupancy figures were 500 houses for the first primary, and 1400 for the second primary school. The Education, Culture and Sport Service would work closely with the developers to ensure that the first primary school would be started at the appropriate time. The Committee heard that until there were sufficient numbers in the new development to fill a class at Braeside School, the children would initially be accommodated at Airyhall Primary School. Mr Couperwhite explained that the consultation on the zoning for the new Countesswells development would be undertaken between October and December, and advised that this would also identify Braeside as an interim school which would negate the need to reconsult when that building was no longer in use. The detailed information from the Education, Culture and Sport Service is appended to this minute.

The Committee asked further questions of officers. As part of the discussion, Councillor Yuill asked if any traffic calming measures were needed on Countesswells Road when it was being utilised as the initial route for construction traffic, and it was agreed that any information on this matter could be emailed separately to Members.

The Convener moved, seconded by Councillor Cormie:-

That the Committee express a willingness to approve the application, in accordance with the recommendation contained with the report.

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

That the application be refused on the grounds that the surrounding roads infrastructure was currently unable to support the proposed development, and due to concerns over school capacity as a result of the proposed development.

On a division, there voted:- for the motion (7) – the Convener; and Councillors Corall, Cormie, Crockett, Lawrence, Jean Morrison and Townson; for the amendment (7) – the Vice Convener; and Councillors Boulton, Greig, Jaffrey, Samarai, Thomson and Yuill.

There being an equality of votes, in terms of Standing Order 15(5) the Convener exercised his casting vote in favour of the motion.

**The Committee resolved:-**

to adopt the motion.

**In terms of Standing Order 36(3), Councillor Boulton intimated she wished the matter to be referred to full Council in order for a final decision to be**

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**taken. Councillor Boulton was supported by Councillors Greig, Samarai, Thomson and Yuill in this regard.**

**39 ROSEMOUNT VIADUCT - 140863**

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

That the Committee approve the application for change of use from Class 1 (hairdressing salon) to Class 3 (coffee shop) in respect of the property at 39 Rosemount Viaduct, Aberdeen, 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; (3) 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; (4) 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; (5) 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.

**The Committee resolved:-**

to approve the recommendation.

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**LAND SOUTH OF SHIELHILL ROAD, MUNDURNO, DUBFORD - 131851**

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

That the Committee express a willingness to approve the application in respect of the erection of 99 No. houses with associated car parking, landscaping and drainage at the land south of Shielhill Road, Mundurno, Dubford, but to withhold the issue of the consent document until the issue of the consent document until the applicant had entered into a legal agreement with the Council to secure developer contributions, off site road infrastructure improvements, development contributions to the Strategic Transport Fund, and on site affordable housing, all as requested by the roads and developer contributions consultees; and until 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); 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) 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

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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

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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 specified 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.



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**INFORMATIVES**

The developer is advised that no dwelling should be occupied 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.

**The Committee resolved:-**

to approve the recommendation.

**LAND NORTH OF AIRYHALL HOUSE, CRAIGTON ROAD, PITFODELS - 131354**

5. The Convener advised that revised site plans had been submitted in relation to the application, and as such, he proposed that either a site visit be undertaken prior to the Committee taking a decision on the application, or that the item be deferred to allow the new plans to be assessed.

**The Committee resolved:-**

to defer the application to allow the revised site plans to be assessed.

**PLANNING DIGEST - EPI/14/232**

6. The Committee had before it a report by the Director of Enterprise, Planning and Infrastructure which advised of an appeal which had been upheld by the Scottish Government in relation to Bishops Court, 29 Albyn Place (131464).

The report also set out the proposed new procedure to be adopted in respect of the new Pre-Application Forum which was to be established following the publication of 'Guidance on the Role of Councillors in Pre-Application Procedures' by the Scottish Government, in conjunction with the Commissioner on Ethical Standards in Public Life, and COSLA.

**The Committee resolved:-**

- (i) to note the outcome of the appeal; and
- (ii) to note the procedure to be adopted in terms of the new Pre-Application Forum.

- **RAMSAY MILNE, Convener.**

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**COUNTESSWELLS DEVELOPMENT (140438) - EDUCATION COMMENTS**

**1. DEVELOPER CONTRIBUTION**

Negotiations are on-going with the developer and high level agreement has been reached that 2 primary schools and 50% of a secondary school will be required from the Countesswells development. The contribution includes serviced land and the capital cost of construction which will be indexed linked to the Building

**2. TIMESCALE FOR NEW SCHOOLS**

**Primary School**

Based on the housing build programme and the expected yield per house of 0.35 pupils it is anticipated that the first primary school will be required to be completed and open by August 2017. The second primary school is required by 2019/20.

Year	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22
<b>Pupils from Countesswells</b>	0	29	98	186	287	388	486	584

The projected pupil roll figures are based on the rate of house building specified by the developer. Should the actual development proceed at a lower rate, the numbers of pupils projected to arrive in the early year of the development would be lower than currently projected. It has been agreed with the developer that a review of pupil numbers arriving from the development will be conducted every 6 months. This will provide detailed information on when the school build is required, however Education, Culture and Sport planning has assumed the first primary school is needed for August 2017.

**Secondary School**

The area for the development lies within the zone of Hazlehead Academy and Cults Academy. The table below highlights the total projected additional roll of pupils who will come from the Countesswells development. It is recommended that a new secondary school is constructed for August 2020/21.

Year	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22
<b>Pupils from Countesswells</b>	0	11	40	82	133	191	251	316

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

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### 3. INTERIM ARRANGEMENTS

#### Primary School

For Primary education the Countesswells development is split between the zones for Cults School and Airyhall School. The majority of the development area is within the Airyhall zone.

Until there is a requirement for a new primary school in 2017/18 in Countesswells, pupils will attend primary education which will be managed by Airyhall School, which has a capacity of 360 pupils. Based on the projected pupil rolls of 2013, and taking account of the Countesswells development, the following numbers of pupils are anticipated in the next 5 years. In addition to Airyhall, there are 9 classrooms and 2 General Purpose areas in Braeside School which is intended to be utilised to accommodate pupils in the short term before a new school building is completed.

Year	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22
<b>Total Pupil Numbers</b>	<b>349</b>	<b>401</b>	<b>477</b>	<b>581</b>	<b>673</b>	<b>770</b>	<b>864</b>	<b>952</b>
<b>Excluding pupils from Countesswells</b>	<b>349</b>	<b>372</b>	<b>379</b>	<b>395</b>	<b>387</b>	<b>382</b>	<b>378</b>	<b>368</b>

#### Secondary

The area for the development lies within the zone of Hazlehead Academy. The school has a capacity of 1,008 pupils and the table below highlights the projected roll and those pupils within that roll who are expected to arrive from the Countesswells development.

Year	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22
<b>Total Pupil Numbers</b>	<b>817</b>	<b>811</b>	<b>826</b>	<b>884</b>	<b>969</b>	<b>1,047</b>	<b>1,142</b>	<b>1,251</b>
<b>Excluding pupils from Countesswells</b>	<b>817</b>	<b>800</b>	<b>786</b>	<b>802</b>	<b>836</b>	<b>856</b>	<b>891</b>	<b>935</b>

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## Planning Development Management Committee

PLOT 7 PRIME FOUR BUSINESS PARK, KINGSWELLS

APPROVAL OF MATTERS SPECIFIED IN CONDITIONS - PLOT 7, PHASE 2/3 IN RELATION TO CONDITIONS 3 PART I) ACCESS, II) SITING DESIGN AND LOCATION OF HARD SURFACES, III) DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS, IV) WASTE MANAGEMENT, V) PLOT BOUNDARY TREATMENTS, VI) PARKING, VII) LOW AND ZERO CARBON EQUIPMENT, VIII) LANDSCAPING; 15 PLOT SPECIFIC LANDSCAPING TREATMENT OF PERMISSION IN PRINCIPLE P120649

For: Drum (Kingswells) Business Park Ltd and Statoil Production (UK) Ltd

Application Type : Approval of Conditions for Planning Permission in Principle

Application Ref. : P141066

Application Date: 14/07/2014

Officer: Tommy Hart

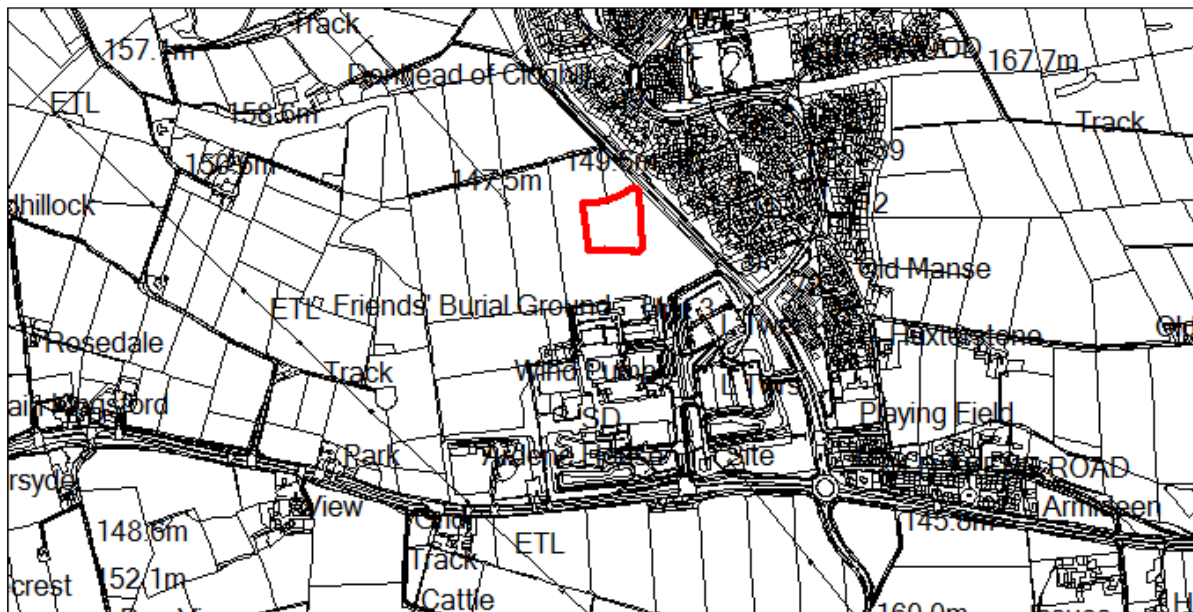
Ward : Kingswells/Sheddocksley/Summerhill (L Ironside/S Delaney/D Cameron)

Advert :

Advertised on:

Committee Date: 25 September 2014

Community Council : Comments



**RECOMMENDATION: Approve subject to conditions**

## **DESCRIPTION**

The application site covers an area of approximately 1.49 acres and lies within Phases 2 & 3 of the Prime Four Business Park, which extends to approximately 20 hectares some four miles west of Aberdeen city centre and two miles east of Westhill. The settlement of Kingswells lies to the east of Prime Four, on the opposite side of the C89 Kingswells Bypass.

Phases 2 and 3 of Prime Four were formally rolling agricultural grazing land. The Prime Four Business Park is generally rectangular in shape and broadly bounded as follows: to the north by greenfield land beyond which is the Kingswells Consumption Dyke, a Scheduled Ancient Monument and Category B Listed Building; to the east by the C89 Kingswells Bypass, with Kingswells village beyond; to the south, beyond Phases 1 and 2 and existing properties / businesses is the A944 dual carriageway with agricultural land beyond; and, to the west by the West Hatton Woods (an Ancient and Semi-Natural Woodland) with agricultural land beyond.

Phase 1 of the business park is fully occupied, whilst within Phase 2; plots 5 (De Vere Hotel), 8 (Nursery) and 6 (Premier Oil office), as well as the 'Four Court' are at varying stages of construction.

## **RELEVANT HISTORY**

A number of planning applications have been submitted in respect to Phases 1, 2 and 3 of Prime Four. With specific reference to Phases 2 and 3, the following:

Planning Permission in Principle (PPP) (ref: 120649) for Phases 2 & 3 was granted under delegated powers in November 2012, subject to Conditions and a legal agreement.

Approval of Matters Specified in Conditions (MSC) (ref: 121756), relating to internal road layouts (Phase 2) was granted under delegated powers in April 2013, subject to conditions.

Approval of Matters Specified in Conditions (MSC) (refs: 121757, 121758, 121759) relating to the 'Four Court', plots 5 and 6 (design & appearance boundary treatment; parking and landscaping) were granted permission under delegated powers by the Planning Development Management Committee, subject to conditions, in April 2013.

Approval of Matters Specified in Conditions (MSC) (ref: 131501) for the formation of an access road onto the C89 'Kingswells Bypass' was granted permission, subject to conditions, by the Planning Development Management Committee in March 2014.

## **PROPOSAL**

This application seek permission to purify conditions which were attached to Planning Permission in Principle 120649, as they relate to 'Plot 7', namely: Condition 3, parts: I-access, II-siting and design of hard surfaces, III-design and external appearance of the buildings, IV- waste arrangements, V-plot boundary

treatment, VI-motor vehicle and cycle parking, VII-details of any low and zero carbon equipment, VIII-landscape; and in relation to condition 15 - plot specific landscaping treatment.

The proposals for Plot 7 relate to an office building for Stat Oil.

### **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=141066>

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

Statement of conformity with Phase 2 and 3 Masterplan;  
McAlpine Management System Project Environmental Plan;  
Transport Statement (May 2014);  
Bird Management Plan;  
Planning Sustainability Statement; and  
Drainage Assessment – Plot 7.

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

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

### **CONSULTATIONS**

**Roads Projects Team** – no objections so long as the access and car/cycle/motorbike parking provision is as per drawing no A5176 PL 02 Rev C.

**Environmental Health** – no observations.

**Enterprise, Planning & Infrastructure (Flooding)** – no comments received.

**Community Council** – Kingswells Community Council object as they consider that as the development is three-storeys high, plus a plant room, and is located on the northern and eastern boundaries of the site there are sensitivities due to the proximity to the consumption dyke, and nearby housing. As such the development does not respect its surroundings and would be more suitable for another location within the Prime Four site. This plot should be reserved for low rise buildings.

**Aberdeen International Airport** - no objections. The proposal does not impact on the safeguarding of the airport, based on the conditions included within the 'Informatives' section below.

## **REPRESENTATIONS**

No letters of representation/objection/support have been received other than that of the Kingswells Community Council.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan (ALDP)**

#### **Policy LR1 - Land Release Policy**

The principle of development on greenfield allocations will be assessed against the land release policy in relation to the phases.

#### **Policy D1 – Architecture and Placemaking**

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

### **Supplementary Guidance**

A Development Framework establishing the principles for developing the overall business park and Masterplan for Phase 1 as well as a Masterplan for Phases 2 and 3 were adopted as Supplementary Guidance in January 2013 and these are relevant material considerations.

## **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that in determining a planning application, regard must be had to the Development Plan. Determination shall be made in accordance with the Plan unless material planning considerations indicate otherwise. The Development Plan consists of the Aberdeen City and Shire Structure Plan and the Aberdeen Local Development Plan.

### **Principle of Development**

In terms of Policy LR1 of the Aberdeen Local Development Plan (ALDP), the proposal is within opportunity site OP40 (West Hatton and Home Farm, Kingswells) which is a 2007-2023 release of employment land. Therefore the broad principle of employment related development has been established. Further to this PPP has been granted (ref: 120649) and the broad land uses were also identified within the Development Framework and Masterplan for Phases 2 & 3.

### **Condition 3, parts;**

#### **I - access, II - siting and design of hard surfaces**

The site would be accessed by vehicles and pedestrians from the recently approved C89 access road. Pedestrian access would also be available from the 'Four Court' to the south. The car park to the north and west of the building is the single biggest area of hardstanding within the application site. The access and internal road would be constructed of tarmac, whilst the car parking spaces would be porous pavements.



A Transport Statement has been submitted to establish the contribution of this proposal to traffic impact currently identified by the previous Phase 1 Transport Assessment. This proposed building represents 6,458m<sup>2</sup> GFA of Class 4 (Office) use, and this will be considered when reviewing other proposals within the PPIP site boundary. This level of development can be accommodated on the road network, through the mitigation requirements identified as part of the Phase 1 application require to be in place prior to any occupation. It should be noted that based on recent approvals for plots 8, 9, 10, 11a only around a further 1,089m<sup>2</sup> GFA of Class 4 equivalent, beyond that proposed in this application could proceed within Prime Four, prior to a further detailed Transport Assessment being approved.

The proposed development is around 250m from the existing bus services, currently terminating at Kingswells Park & Ride, to which there are pedestrian links, which conforms to policy requirements.

The access arrangements are in line with the approved Masterplan and Development Framework for the business park. Overall it is considered that the information provided is sufficient to purify this part of the condition.

### **III-design and external appearance of the buildings**

In design terms, the proposed office should be assessed in the context of the business park, rather than the general form or style of architecture, or height of buildings, of the wider Kingswells area. The business park is physically detached from the residential part of Kingswells to the east, by landscaping and the C89 Kingswells By-Pass. The immediate setting and context against which it will be read is that of the Prime Four business park and the Park and Ride site. Policy D1 seeks for development to be designed with due consideration for its context.

A glass corridor would give the impression that the building is split into two, both sides having a north-south emphasis, as per the approved Masterplan. The design and external finish of the eastern side of the building would be similar to existing approvals throughout Phases 1 and 2 of Prime Four, through the use of granite and vertical emphasis of the glazing. In respect to the western side of the building, an alternative contemporary approach has been taken to the external design and finish: a textured reddy/brown angled metal cladding, rather than granite, emphasising the prominence of the building at the head of the 'Four Court' (exact details are to be confirmed so a condition is attached). Overall it is considered that the building is of a high quality modern design with an appropriate choice of materials, all in keeping with the standard of the buildings as built and currently under construction within Phase 1 and 2.

It is considered that the information provided is sufficient to purify this part of the condition.

### Visual Impact

The building is to be set at the south east corner of the plot. It would have a footprint of around 6,750sqm (5,603sqm net internal floorspace in class 4 (Office) use) and be over 3 floors, with plant atop the flat roof. The main building

structure, to roof level, would be around 13.5m high, while the enclosed and recessed plant would extend up a further 2m, giving a maximum height of around 15.5m. The building lies on the edge of the Northern and Central Character Zones, and within the 'feature' zone, as identified within the approved Masterplan.

Generally, buildings within the Northern zone should be restricted to 2-storeys although at the southern edge slightly higher buildings will be permitted. Likewise, within the central and feature zone (around the 'Four Court') there is the potential for buildings to be 3-storeys or higher, in order to reflect their prominence as focal points at the heart of the Prime Four development and in that respect the building height is acceptable.

It is acknowledged that the building would be of a similar height to the approved hotel currently under construction. In terms of position on the brow of the hill, it is also acknowledged that the building would be visually prominent when viewed from the north - given the topography and fact that there are no other buildings in this direction. However, the Phase 2 & 3 Masterplan encourages greater height in the 'Hub' area, to create a focal point for the business park and the wider area. The building would be in an elevated position, around 10-15m above the road level of the A944 and around 600m away from the main entrance to the business park. If it was to sit in isolation, there would be an argument to say that it would have a significant impact on the surrounding area. However, when viewed within the context of the other development which is under construction in Phase 2, the height of the office is not considered to be excessive nor would it have a significant visual impact on the surrounding area. Consideration also has to be given to the position and scale of the hotel already approved and under construction on the eastern side of the 'Four Court'. A plan showing site sections indicates that, because of the proposed gradients of the land towards the south, the building would only be around 3m taller than the building on plot 3 (within Phase 1) in real terms. Likewise, the office would only be around 2-3m taller than plot 6 on the west side of the 'Four Court'. With that in mind, it is felt that this office building would be no more imposing when viewed from the east or north.

The nearest residential dwelling is around 200m to the east of the proposed office building, beyond a children's nursery under construction at plot 8 and the C89 Kingswells By-pass thereafter. When viewing the application site from the residential properties within Huxterstone Terrace and Drive specifically, the proposed office would not have any unacceptable negative impact on the residential character or amenity. Along the western edge of the residential area, there is a wide row of mature trees, which act as a visual buffer along the C89. These trees are around 12m in height and, particularly when in full foliage, act as a visual aid to enhance residential amenity within the rear gardens of the properties along this western edge of Kingswells. The likelihood is that there would be limited scope for viewing the office from the residential area of Kingswells and in that respect there is not considered to be any negative impact on the existing residential character or amenity afforded.

### Relationship with Consumption Dyke

An objection was received from Kingswells Community Council with respect to the potential impact on the nearby historic Consumption Dyke to the north, which is B-Listed and a scheduled ancient monument. Historic Scotland were consulted during the Planning Permission in Principle process for Phase 2 and 3. And although they did not object to the proposal, they did express some concerns about the spatial relationship between the wider business park development and the setting of the Consumption Dyke. It is also a material consideration that the Scottish Government Reporters, in their decision letter relating to the ALDP, which advised that, the overall development site should be contained within the line of the large 'Consumption' Dyke and both it and its immediate setting should be safeguarded. This was to be secured through the green space network designation which runs along either side of the dyke. The extent of the green space network shown on the ALDP proposals map is indicative, and its precise extent was to be confirmed through the subsequent master planning process. The connecting dykes extend southwards over a ridge were also noted. This approach was considered to be sufficient separation from the development so that the original agricultural function and setting of the dyke can be appreciated.

In relation to this application, it is not considered that impact on the consumption dyke is a particular issue, given that it lies around 175m to the north, in any case the approved Development Framework, Masterplan and strategic landscape proposals has taken account of the Consumption Dyke and will ensure that its setting is maintained. The proposals do not conflict with those documents.

### **IV- waste arrangements**

Bins are proposed to be stored in a free standing single-storey building to the immediate north of the building. The storage unit would be around 2.7m x 7.6m x 2.1m high in size and would be finished with vertical timber cladding.

It is considered that the information provided is sufficient enough to purify this part of the condition.

### **VI-motor vehicle and cycle parking**

The site layout plan shows there would be car parking provided for 217 cars (including 10 disabled), associated to this plot.

32 Long-term cycle parking spaces are proposed within an enclosed and covered unit (around 6m x 12m x 3m high and again finished externally with vertical timber cladding) within the car park to the immediate north of the building. Dedicated short-term cycle parking is proposed adjacent to the main entrance. This cycle parking provision is considered acceptable and in line with the supplementary guidance: *Transport and Accessibility*.

Ten motorcycle parking spaces would be provided which is considered acceptable.

It is considered that the information provided is sufficient to purify this part of the condition.

### **VII-details of any low and zero carbon equipment**

A sustainability statement was submitted in support of this part of condition 3. It has been found that significant energy and carbon savings are predicted for the development, in the form of an air source heat pump (around 16% reduction on 2007 regulations) and increased fabric 'U-Values' (around 25% reduction based on the 2010 regulations). These measures meet the intent of the condition, and thus it can be purified.

### **Landscaping**

Condition 3, parts: V-plot boundary treatment; & VIII-landscape; and Condition 15-plot specific landscaping treatment

The hard landscaping surrounding the building would be a mixture of grey coloured concrete feature paving, with the smaller path areas to be dark grey concrete pavers. The car park would be finished with tarmac and the parking spaces with grey coloured porous pavements.

In terms of soft landscaping, within the car park area, linear runs of tree planting on the north south axis would pick up elements from the landscaped 'Northern Park' and help 'bed' the development into the landscape setting in that direction. Hedging would also be introduced throughout the site and along the north, west and east boundaries.

The information provided in relation to the landscaping is considered to be in accordance with the general principles of the Development Framework, Masterplan and strategic landscaping plans and therefore the condition is considered purified.

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

The points raised in objection by the Community Council in relation to height have been dealt with above.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASONS FOR RECOMMENDATION**

The principle of development on the site has already been established through the approval of the Planning Permission in Principle for Phase 2 & 3 of the Prime Four business park and in that respect there is no conflict with Aberdeen Local Development Plan Policy LR1.

In terms of design, height and use of materials, the application is considered to conform to the defining principles of the overall Development Framework and Masterplan for Phases 2 and 3 of the Prime Four business park. The height of

the office is considered to fit in well with its context in the 'Four Court' area of the business park. Further, the high quality of design and materials proposed would fit in well into the setting of the business park when taking account of the other development which is underway and proposed.

The plans and information submitted in relation to this Approval of Matters Specified in Conditions application is sufficient to comply with conditions 3 parts I-access, II-siting and design of hard surfaces, III-design and external appearance of the buildings, IV- waste arrangements, V-plot boundary treatment, VI-motor vehicle and cycle parking, VII-details of any low and zero carbon equipment, VIII-landscape; and 15-plot specific landscaping treatment of planning permission in principle 120649 specific to plot 7.

**Subject to the following conditions;**

1. that no development shall take place unless samples of the aluminium cladding on the western part of the building 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 - in the interests of visual amenity.

**INFORMATIVES**

**Heights & Cranage**

The application has been assessed based on a maximum development height of 16.5m AGL. This application will need to be reassessed if the building height is above this maximum height. In the event that during construction, cranage or other tall construction equipment is required at a height above this, this will also require additional safeguarding.

We would 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.

**Landscaping Scheme**

All landscaping schemes should be considered in light of making them unattractive to wildlife and birds. Given the proximity of the site to the airport's flight path, any attraction of birds could result in a potential threat to flight safety.

**Lighting & Signage**

All lighting schemes and signage should be considered in light of not distracting air crew on approach or departure from the airfield. All lights should not spill above the horizontal, and be positioned so as not to cause glare to operating flight crew.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.

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**To:** Tommy Hart  
**Cc:** PI  
**Subject:** Planning application 141066 Plot 7 Prime 4

Tommy,

Please accept this email as Kingswells Community Council's comments on Planning application 141066 Plot 7 Prime 4.

The development is three storeys high plus a plant room, and is located on the northern and eastern boundaries of the site. The northern boundary is sensitive due to the proximity of the consumption dyke, and the eastern boundary is sensitive due to the nearby housing. The development does not respect its surroundings. The development is suitable for another location within the Prime Four site, but this plot should be reserved for low rise buildings.

Please take the views of the community into account when deciding this planning application.

Thanks

Ian Cox  
Kingswells Community Council.

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# Agenda Item 2.2

## Planning Development Management Committee

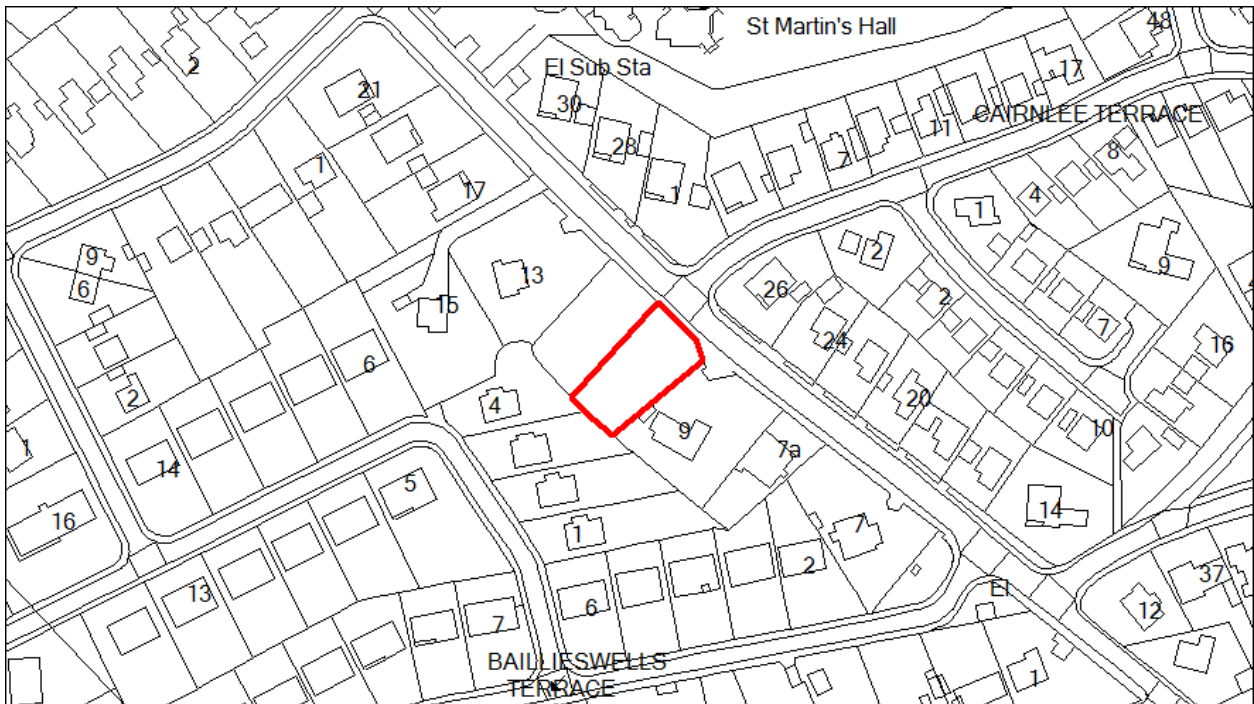
STRATHISLA, 11 BAILLIESWELLS ROAD,  
BIELDSIDE

PROPOSED NEW HOUSE.

For: Hot Property Developments Ltd.

Application Type: Detailed Planning Permission  
Application Ref.: P140940  
Application Date: 02/07/2014  
Officer: Andrew Miller  
Ward: Lower Deeside (M Boulton/A Malone/M  
Malik)

Advert: None  
Advertised on: N/A  
Committee Date: 25/09/2014  
Community Council : Comments



### RECOMMENDATION:

**Approve subject to conditions**

## **DESCRIPTION**

The application site forms a vacant site covering an area of 874 square metres, once housing a single storey detached dwelling which was demolished several years ago. It is situated within a residential area on the eastern side of Baillieswells Road, adjacent to the junction with Cairnlee Terrace. An established beech hedge forms the boundary of the site with Baillieswells Road, whilst the remainder of the site is bounded by mutual boundaries with neighbouring houses formed by a mix of timber fencing, hedges and trees.

The surrounding area is formed of a mix of dwellings dating from the 1970-80s, characterised by detached houses set within relatively large gardens with a degree of separation between each dwelling.

## **RELEVANT HISTORY**

P091403 – Demolition of existing house and erection of 2 detached dwellings at 11 Baillieswells Road, Bielside refused detailed planning permission by the Planning Development Management Committee 7 January 2010. Subsequent appeal to Scottish Government Directorate for Planning and Environmental Appeals (DPEA) dismissed 12 July 2010 (DPEA Case Ref: PPA-100-2010).

P101484 – Proposed new house and associated site works at site at Baillieswells Road refused detailed planning permission by the Planning Development Management Committee 26 November 2010. Subsequent appeal to DPEA allowed subject to conditions 20 June 2011 (DPEA Case Ref: PPA-100-2026). The appeal was allowed on the basis that the proposal was supported by the terms of then local plan policy 40 (Aberdeen Local Development Plan 2008) for new residential development, and other aspects including privacy, residential amenity, daylight and sunlight, design and materials and density, pattern and scale of development. This site forms the south western part of the vacant plot which is the site subject to this application.

P131698 – Proposed New House on site at 11 Baillieswells Road, Bielside. Application on site to north west of application site (other half of former vacant plot). Application pending consideration.

## **PROPOSAL**

Detailed planning permission is sought for the erection of a detached house on part of the vacant plot of land which once contained the house of Strathisla, 11 Baillieswells Road. The dwelling would be relatively large measuring 17 x 12 metres, reaching a height of 9.4 metres in height to ridge (Approximate measurements). Externally, the walls would be finished in a white render, with the right hand side gable on the principle elevation clad in granite. The windows

and doors would be timber framed and the roof natural slate. The proposal is identical to the scheme granted permission under application reference P101484/DPEA appeal reference PPA-100-2026.

### **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=140940>

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

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

The application has been referred to the Planning Development Management Committee because more than five in time letters of objection have been received, as well as an objection from Cults, Bielside and Milltimber Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

### **CONSULTATIONS**

**Roads Projects Team** – No objections. Informative note relating to footway crossings recommended for inclusion with any grant of consent.

**Environmental Health** – No observations.

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

**Community Council** – Object on basis that:

1. This application should be refused until an acceptable plan for the development of the overall plot has been submitted.
2. The proposed development is essentially a curtilage split which would be contrary to the requirements of policies D1 and D2 of the ALDP and the Council's Supplementary Planning Guidance on the Subdivision and Redevelopment of Residential Curtilages.
3. The proposals would have a negative impact on the surrounding area, contrary to the requirements of policy H1 of the ALDP.
4. The approval of the application would set an undesirable precedent for future application of a similar nature for the erection of houses in plots in the nearby area.

### **REPRESENTATIONS**

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

- 1) Design/Siting
  - a) The density of the overall building proposed on site is far greater than the surrounding area.
  - b) One house existed previously on the site and remains suitable for only one house, not two.
  - c) House takes up more than 24% of site area as stated on plans/supporting statement – this figure is more like 33%, over 50% of the site would be built over when driveways and paths are included.
  - d) The house is outwith the established building line.
  
- 2) Amenity
  - a) Development will compromise the privacy of adjoining and nearby houses.
  - b) Over dominance of the neighbouring dwellings due to scale and size of dwellings.
  - c) Loss of light for neighbouring dwellings.
  - d) Fence with 9 Baillieswells Road stops at Beech hedge, this should be reinstated to full length of previous fence on site.
  
- 3) Road Safety
  - a) Baillieswells Road is a busy road, creation of new accesses and potential for parking on the road itself
  - b) Roads issues should be investigated for two houses rather than one.
  - c) Impact on children walking or cycling to school.
  
- 4) Trees
  - a) Site originally contained mature trees, that were felled and in the process the protected trees within the feu of the neighbouring dwelling (no 13 Baillieswells Road) were damaged, which resulted in their felling for health and safety reasons. Suitable replacement planting should be put in place.
  - b) No information on protection of tree roots from 3 Baillieswells Drive, therefore this application cannot be complete and therefore must be refused.
  
- 5) Implication for Remainder of Site
  - a) Application cannot be considered unless both parts of the site are under a single application.
  - b) Possibility that there will be an undevelopable plot of land on remainder of site.
  - c) Should other half of the site be undeveloped then there will be an imbalance in the appearance of the site.
  
- 6) Supporting Statement
  - a) Dismissive nature against concerns of community within supporting statement.
  - b) Claim within Supporting Statement that dwelling was “Badly located to the rear of the site” is a matter of opinion rather than fact.
  - c) Site was well kept by the previous property owner and became poorly maintained when the site came into the applicant’s ownership.

7) Precedent

- a) Would set an undesirable precedent leading to deterioration of character of the area.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan (ALDP)**

#### D1 – Architecture and Placemaking

New development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, proportions, coupled with the physical characteristics of the surrounding area, will be considered in assessing that contribution.

#### H1 – Residential Areas

Within existing residential areas (designated R1), proposals for new residential development and householder development will be approved in principle if it:

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

### **Supplementary Guidance**

The Council's Supplementary Guidance "The Sub-division and Redevelopment of Residential Curtilages" is a material consideration in this instance.

### **Other Relevant Material Considerations**

Site history, in particular the appeal decision.

## **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 main considerations in this instance relate to the principle of the proposed house, the design and siting of the dwelling, the impact on the amenity of the surrounding area and the servicing provision.

## **Principle**

As outlined above, the site was originally occupied by a bungalow that was demolished in 2010. The area of the vacant plot on which the application is subject was consented for the erection of a dwelling identical to that proposed under this application (Application Ref: P101484, DPEA Appeal Reference: PPA-100-2026) though this expired in June 2014.

In relation to the principle of a dwelling on this site, the area in which the site is located is zoned as residential within the ALDP. Associated ALDP policy H1 creates a presumption in favour of residential uses within residential areas (subject to a number of considerations). Accordingly, the principle of the site being developed for residential uses is acceptable in principle.

## **Siting and Design**

The site is located in a residential area with a mix of house types and sizes, though the size and layout (dwelling fronting to road) of the plots are in large similar but with a 6 – 8 metre separation between the buildings (on average). Policy D1 of the ALDP states that new development should be designed with due consideration for its context and make a positive contribution to the surrounding area. The objections received (see section 1 of Representations above) stating that the scale and density of the development is unsuitable for the surrounding area are noted. In this case, the proposed house would be large, though the plot size is only just sufficient to accommodate a dwelling of this size without harm to the appearance of the surrounding area when compared to the housing in the surrounding area. However, any enlargements to the proposed dwelling could result in over development of the site, as such a condition removing permitted development rights for house extensions and alterations is recommended for inclusion in order that further consideration by the Planning Authority can be given to any potential alterations. The material finishes of the dwelling would be suitable for their location, in keeping with the surrounding area, which consist generally of light coloured rendered walls with darker coloured roofs.

One representation made comment that the proposed dwelling would be out of keeping with the established building line of the surrounding area (point 1(d)). It is considered that the western side of Baillieswells Road does not have an specifically defined building line, though it is broadly in line with the pattern of development on this side of the road. As such, it is considered that the dwelling is designed at a level appropriate for its context and would have a neutral impact on the character of the locality, in accordance with the requirements of policy D1.

In relation to the siting of the dwelling, policy H1 states that all new residential development should comply with the requirements of the Council's Supplementary Guidance on the Subdivision and Redevelopment of Residential

Curtilages (SG). Relating to the pattern of development, the SG states that any new dwelling should respect the established pattern of development in the surrounding area, have a frontage to the public and a private rear garden of at least 9 metres in length. In addition, the footprint of new dwellings should occupy no more than a third of the total site area as a general rule. But should the pattern of development in the surrounding area generally have a site coverage greater or less than this, then this figure would be applicable rather than 33%. 24% of the site would be occupied by the dwelling in this instance, and the plot size proposed is comparable to that of the dwellings to the south west (Baillieswells Drive), and slightly larger than those on Baillieswells Road where 20 to 30% (approximately) of the site area is built upon, though there are a few properties with densities less than this. As for the layout, the house would front on to the road, with sufficient enclosed garden space to the rear.

### **Amenity**

The SG also contains criteria for new dwellings to be assessed against in relation to the impact of the development on the amenity of neighbouring dwellings in respect of privacy, daylight and sunlight. In relation to privacy, a number of the representations made reference to the loss of privacy of neighbouring dwellings (outlined in Section 2 of Representations). Sufficient separation has been provided between windows of the proposed and neighbouring dwellings, though a condition is recommended so that further consideration by the Planning Authority can be given to the use of the flat roofed breakfast room to the rear of the dwelling as a balcony if necessary, which could overlook neighbouring gardens. Planting to the rear boundary would also aid in providing privacy to the neighbouring dwelling, as well as the occupants of the proposals.

Relating to the impact of the dwelling on the loss of sunlight and daylight, the orientation and siting of the closest house (9 Baillieswells Road to the south) is such that it would not result in any loss of sunlight/daylight to its occupants, nor would it have any significant over dominance on their amenity. Sufficient separation is provided between the other neighbouring dwellings and the proposed dwelling, noting that the closest dwelling to the south west has been assessed against the Building Research Establishment 25 degree approach in relation to daylight and sunlight, which states that if an obstructing building creates an angle of greater than 25 degrees from the horizontal, measured from the centre of the lowest window, then a more detailed check is required. In this instance the degree is far lower (10.1 degrees).

Consideration must also be give to trees, within or immediately adjacent to the site. In this instance tree root protection areas, with protective fencing for construction are provided in line with the requirements of BS 5837, the British Standard for trees in relation to design, demolition and construction. It is considered that insufficient information has been provided in support of this, and a suspensive condition is recommended requiring this to be submitted prior to development commencing.

The proposals are therefore considered to satisfy the requirements of the SG and policy H1.

### **Roads Access**

Concerns relating to the impact of the proposals on road safety raised in the objections are noted (section 3 of Representations). It is considered the previous use of the site access for one dwelling and no intensification of its use is acceptable, with sufficient parking provided on site. As such, it is considered that the development will not have an adverse impact on the road safety to pedestrians, cyclists and vehicles using Baillieswells Road, including children going to and from school as raised in point 3(c) of the objections. The Council's Roads Projects Team raised no objections to the proposals.

### **Matters Raised by Community Council**

Cults, Bieldside and Milltimber Community Council have objected to the proposals (as outlined in Consultations section above). In relation to point 1, the Council has a duty to consider each application as submitted and as such it would be unreasonable to refuse the application on this basis. Regarding points 2 and 3 of the response, as outlined above, it is considered that the proposals accord with the requirements of relevant development plan policies, as well as the SG. The concerns in point 4 regarding an undesirable precedent are not relevant in this instance, as the proposals are considered to comply with policy.

### **Matters Raised in Objections**

Point 2(d) of the representations made reference to the fact that the fence stops at the beech hedge, whereas it previously ran the full length of the boundary. The boundary as proposed is considered to be acceptable as submitted, with the existing beech hedge providing a suitable, softer boundary compared to a timber fence. Issues regarding damage to boundaries/private property are not a material consideration.

In relation to the concerns raised regarding trees (section 4 of representations), the application site contains no trees, though there are trees adjacent to the boundary in neighbouring gardens. Tree protection barriers have been proposed. New boundary planting has been proposed to the rear of the site.

In relation to the concerns raised relating to the remainder of the site (section 5), whilst there potentially could be a vacant site within the other half of the plot, each application has to be considered on its own merits and this application must be and can legitimately and properly be assessed and determined as submitted. It is considered that the possibility of the site being partly developed and partly undeveloped would not warrant a refusal of this application.

The matters raised in respect of the Supporting Statement (point 6 (a)) is not a material consideration. Points 6(b) and (c) refute the claims made in the Supporting Statement. The matters stated being a statement by the applicant in



support of their application and not necessarily a statement of fact rather their opinion and/or interpretation of policy or the situation and are considered as such. The concerns regarding an undesirable precedent (section 7) are not relevant in this instance, as the proposals are considered to comply with policy.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASONS FOR RECOMMENDATION**

Although now expired, the precedent for a house on the site is already established through the previous appeal decision on the site. The proposed dwelling would be sited and designed appropriately for its location, whilst having no adverse impact on the amenity dwellings within the surrounding area in terms of loss of sunlight, daylight or privacy, nor would it have an overbearing presence on neighbours. Sufficient landscape and protection to existing trees is afforded, whilst the dwelling would be served by suitable infrastructure, either existing or proposed. Accordingly it is considered the proposals satisfy the requirements of policies H1 – Residential Areas and D1 – Architecture and Placemaking of the Aberdeen Local Development Plan 2012, as well as guidance contained within The Council's Supplementary Guidance "The sub-division and redevelopment of residential curtilages".

## **CONDITIONS**

1. All planting, seeding and turfing comprised in drawing nos. D(0-)20 A and D(0-)21 shall be carried out in the first planting season following the completion of the development, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the planning authority - In the interests of the amenity of the area.
2. No materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority, and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks – in order to ensure adequate protection for trees adjacent to the site during the construction of the development.
3. Any tree work which appears to be necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on land adjacent to the

site shall be remedied in accordance with British Standard 3998: 1989 'Recommendation for Tree Works' before the buildings hereby approved are first occupied. Reason: In order to preserve the character and visual amenity of the area.

4. The development shall not be occupied unless the driveway hereby granted planning permission has been constructed, drained and laid out in accordance with the plans hereby approved, or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such area shall not thereafter be used for any purpose other than the purpose of the parking/turning of vehicles ancillary to the development and use thereby granted approval. Reason: In the interests of public safety and the free flow of traffic.

5. That notwithstanding the provisions of Article 2(4), Schedule 1, Part 1, Classes 1A, 1B, 1C, 1D, 3A and 3B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended by the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, no extensions, alterations or improvements which materially affect the external appearance of the dwellinghouse, nor any means of enclosure shall be erected or carried out either on, or in the curtilage, of the dwellinghouse hereby approved without a further grant of planning permission from the planning authority - in the interests of visual amenity.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), no doors shall be inserted at first floor level in the rear elevation of the house hereby permitted. The proposed handrail around the perimeter of the roof over the ground floor breakfast room shall be omitted - to prevent the roof from being used as a balcony, which would be to the detriment of the privacy of the properties to the rear.

7. No development shall take place unless a plan showing a scheme for the protection of all trees to be retained adjacent to the site during construction works has been submitted to, and approved in writing by, the planning authority and any such scheme as may be approved has been implemented - in order to ensure adequate protection for trees adjacent to the site during the construction of the development.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.



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

26 July 2014

Dear Mr Miller,

**Planning Application 140940: Proposed curtilage split and erection of new dwelling 11 Baillieswells Road**

I am writing on behalf of the Cults Bieldside and Milltimber Community Council (CBMCC) to share our views on the proposed building of a new house in the grounds of 11 Baillieswells Road, Bieldside. The Community Council objects to the house being built for the following reasons;

1. The applicant has submitted applications in the past (131698, 101484, 91403) with a view to building two large houses on a site originally designed for a single house and this has rightly been refused by the Aberdeen Council; planning permission to build a single house was granted after an appeal. This request for planning permission should be refused until an acceptable plan for the development of the overall plot at 11 Baillieswells Road has been submitted.
2. The proposed development of Site A and Site B at 11 Baillieswells Road is essentially a proposed curtilage split which would be contrary to Policies D1 (Architecture and Placemaking) and D2 (Design and Amenity) of the adopted local plan and the Council's Supplementary Planning Guidance on the Subdivision and Redevelopment of Residential Curtilages.
3. The proposed development would have a negative impact on the surrounding area, contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan.
4. Approval of the application would set an undesirable precedent for future applications of a similar nature for the erection of houses in plots in the nearby area.

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

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 07 August 2014 16:40  
**To:** PI  
**Subject:** Planning Comment for 140940

Comment for Planning Application 140940

Name : Jackie Fleming  
Address : 2 Baillieswells Drive  
AB15 9AS

Telephone : AB15 9AS

Email : [REDACTED]

type :

Comment : I believe that the proposed building will compromise the privacy of adjoining and nearby plots. Previously, the building on that plot was a bungalow screened by mature trees and shrubs - resulting in a high level of privacy for all neighbours. The trees and shrubs have been removed, leaving a bare site, and the proposal for a two storey building clearly indicates that the property will overlook the adjacent gardens to the rear. This is exacerbated by the elevation of the site. I believe that the most appropriate type of building for the site in question is single storey.

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PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 03 August 2014 20:57  
**To:** PI  
**Subject:** Planning Comment for 140940

Comment for Planning Application 140940

Name : Dr Philip Highton  
Address : 4 Baillieswells Drive,  
Bielside,  
Aberdeen  
AB15 9AS

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the planning application because of the unacceptable loss of privacy to my family due to the elevation of the plot in relation to my property. I also object due to the contrast between the planned property and the neighbouring properties. Previously the plot and the adjacent plot were occupied by a single bungalow and such a property would be more in keeping with the surrounding properties and the privacy of the neighbouring properties.

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PI

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 04 August 2014 09:55  
**To:** PI  
**Subject:** Planning Comment for 140940

Comment for Planning Application 140940

Name : Anna Porter  
Address : 7 Baillieswells Road  
Bielside  
Aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : For four years now we have lived with the local blight of a plot neglected by the owner while contentious attempts are made to secure planning permission for its development.

It is clear from the latest plan that the proposed house is the first of two planned for the plot as a whole. Previous applications have been objected to on the grounds that two large houses would, in local opinion, constitute over-development. Despite this, the proposed new house in this application appears to be possibly even larger than the previous one proposed. If ACC allows this to go ahead, it will set a precedent for its partner house to be built - either that or leave a very lopsided looking development.

There can be no doubt that this plot requires development but the obvious intended outcome here is the eventual erection of two large houses of a scale which would be out of character with their neighbours and the locale in general.

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3 Baillieswells  
Drive  
Bielside  
Aberdeen  
AB15 9AS

05 August 2014

Dear Sir/Madam,

Re: Application Number P140940  
11 Baillieswells Road, Bielside Proposed New Home.

A bit of history on this site over the past 5 and ½ years:

1st appeal by the developer was for 2 houses, July 2009, rejected by the Aberdeen council, 12/07/2010 rejected by the Scottish recorder.

2<sup>nd</sup> Appeal for 1 house on half of the plot (Plot B), 09/10/2010, refused by the Aberdeen council

This was accepted **with conditions** by the Scottish recorder, 20/06/2011

No building undertaken during the 3 year window allocated to the build and new submission sent in on the 17<sup>th</sup> of July 2014

A few comments on the Supporting statement, because as like previous statements for this plot there appears to be a lot of confusion: over what the statement is referring to with constant references to the overall plot rather than the specific part subject to this application.

1.1 Given that Hot Properties stated that "being local to Cults and Bielside they have a genuine interest in ensuring their developments are very much in keeping and enhancing the local area" it is difficult to understand that statement when looking at the photographs attached in **Appendix I**. They show the aftermath of the proposed development site, after every single tree on the site had been cut down. They also show what the original green site looked like before the tree felling and bulldozing.

1.2. The comment on "adverse impact on the amenity of the surrounding properties", clearly is not supported by reading the letters of objection on the previous applications. I lived for 10 years alongside this site and was invited both into the house and gardens of 11 Baillieswells Road many times. The picture painted of the plot by the developer is simply not true. This was a beautiful, well maintained Greenfield site of great importance to the amenity of the area.

1.3 The reporter said 2 houses not 2 large houses

1.4 The road report for July 2014 only refers to one house. Both plots need to be evaluated to ensure a key road into 2 schools has adequate protection from the proposed works.

1.6 Refer 1.4

1.7 Difficult to believe that when considering the stringent qualifications the Reporter applied to this plot which was due to the lack of quality documentation of the submission and all the details it failed to put forward. The following conditions were noted:

“subject to appropriate conditions, including the submission of a satisfactory landscaping scheme to supplement the screening on the boundary with 3 Baillieswells Drive, and measures to **protect trees adjacent to the site.**”

## 2 Conditions

1. No development shall take place unless there has been submitted to and approved in writing by the planning authority, a detailed scheme of plot boundary enclosures. The house shall not be occupied unless the said scheme has been implemented in its entirety. *Reason: In order to preserve the amenity of the neighbourhood.*
2. No development shall take place unless a scheme of all **drainage works** designed to meet the requirements of Sustainable Drainage Systems has been submitted to and approved in writing by the planning authority, and thereafter the house shall not be occupied unless the drainage has been installed in complete accordance with the said scheme. *Reason: In order to safeguard water quality in nearby watercourses (i.e. the River Dee) and to ensure that the development can be adequately drained.*
3. No development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development 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. *Reason: In the interests of visual amenity.*
4. No development shall be carried out unless there has been submitted to and approved in writing by the planning authority a detailed scheme of landscaping for the site, which shall **include indications of all existing trees adjacent to the land, together with measures for their protection in the course of the development**, and proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity of planting. *Reason: In the interests of the amenity of the area.*
5. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the planning authority. *Reason: In the interests of the amenity of the area.*
6. **No development shall take place unless a plan showing a scheme for the protection of all trees to be retained adjacent to the site during construction works** has been submitted to, and approved in writing by, the planning authority and any such scheme as may be approved has been implemented. *Reason: In order to ensure adequate protection for trees adjacent to the site*



during the construction of the development.

7. No materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted **within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority**, and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks. *Reason: In order to ensure adequate protection for trees adjacent to the site during the construction of the development.*

8. **Any tree work which appears to be necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority**; any damage caused to trees growing on land adjacent to the site shall be remedied in accordance with British Standard 3998: 1989 'Recommendation for Tree Works' before the buildings hereby approved are first occupied. *Reason: In order to preserve the character and visual amenity of the area.*

9. Before the development commences on site, details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SEM calculations, shall be submitted to and approved by the planning authority, and the completed development shall not be occupied unless the equipment has been installed in accordance with those approved details. *Reason: To ensure this development complies with the on-site carbon emissions objectives outlined in the Scottish Planning Policy (SPP) and the City Council's relevant published Supplementary Planning Guidance 'Reducing Carbon Emissions in New Development'.*

10. The development shall not be occupied unless the driveway hereby granted planning permission has been constructed, drained and laid out in accordance with the plans hereby approved, or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such area shall not thereafter be used for any purpose other than the purpose of the parking/turning of vehicles ancillary to the development and use thereby granted approval. *Reason: In the interests of public safety and the free flow of traffic.*

11. Notwithstanding the provisions of Article 3 and Schedule 1, Parts 1, 2 and 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) no extensions, alterations or improvements which materially affect the external appearance of the dwelling house, nor any means of enclosure shall be erected or carried out either on, or in the curtilage of, the dwelling house hereby permitted without a further grant of planning permission from the planning authority. *Reason: In the interests of visual amenity.*

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), no doors shall be inserted at first floor level in the rear elevation of the house hereby permitted. The proposed handrail around the perimeter of the roof over the ground floor breakfast room shall be omitted. *Reason: To prevent the roof from being used as a balcony, which would be to the detriment of the privacy of the properties to the rear."*

1.10 The balance of the site has been under an application for 5 years, the latest application is Application Number 131698, which was submitted last year and as with previous submissions, the quality of the submission is not clear on its intent and thus has created a gap site.

2.1 How is the amenity protected?

2.2 As a neighbour that is simply not true, a secluded bungalow is being turned into a treeless plot with houses that dwarf the neighbours.

2.3 And what privacy is afforded by the bedroom windows? Or by the scaling in a treeless plot that towers over the neighbours gardens.

2.6 But vastly greater than the original single story bungalow.

2.7 If the developer had a look at the neighbourhood they would see this is not true with the 2 bungalows on one side of the plot and the bungalow opposite.

I have had the opportunity to review the proposal and would like to object to it on the following grounds:

1. The total lack of clarity on how the site as a whole will be developed. Five and half years after developer created a brownfield site out of a beautiful secluded area bordering a single storey house. The developer, having been rejected in their previous Planning application 091403 for the two house split feu submission, by both Aberdeen council and the Scottish Recorder, then submitted another application for one house on half the original plot, this was rejected by the council. The recorder overturned that decision with a number of qualifications. 3 years after the approval was given the developer has not been able to develop the site, and now is applying for the 3<sup>rd</sup> time.
2. Given this proposal is to redevelop part of the site, the applicant should have at least blue lined the remainder of the site to indicate clearly to the committee that it is still in the control or ownership of the applicant. This would ensure that the whole site would be properly redeveloped from the outset. All issues on road access, safety, amenity, house numbers including number, location and size to be located on the site could then be addressed in their entirety. As it stands, the current proposal leaves the appearance of a future "gap site". Gap sites are generally not created by design and should not be "visually created" by the planning authority issuing consent to this proposal.

This proposal would be detrimental to the character and amenity of the area by virtue of its design and uncomfortable position on the site giving the appearance of a future gap site.

## 2 Loss of Amenity

The proposed relationship of a house, that is multi story, will severely affect our privacy and amenity. This is exacerbated by the intrusions of both multiple windows, a balcony and a breakfast room

Given the height of this proposed house is not clear and given the developer has been witness to the unfortunate damaging of protected tree roots of an existing neighbor, leading to 3 protected trees having to be taken down. The proposal has no feasible details on how the tree

roots from 3 Baillieswells Drive's trees will be protected. Until this is in the proposal , I respectively suggest that it cannot be complete and therefore cannot be passed.

- 3 Building Line – the proposed new building is wholly out of line with the existing row of single story houses and would adversely affect the ambience of the neighbourhood.
- 4 Precedent – were this proposal to be granted, it would create a precedent for subdividing feus and felling existing mature trees to create high density housing which would have a significant negative effect on the ambience of this community.

5 Road Safety

The road safety issues can only be assessed when all details of the development site have been put forward. The current proposal replaces a 3 bedroom bungalow with a 5 bedroom, 2 story house in only part of the development plot. The volume of cars using a significantly larger house in part of the plot, can only lead to safety issues on a main route into 2 schools. The council road department have not seen the full plans for site, this application only covers part of the feu. 1.10 states a further application is to follow. Until the details of this application are submitted, and given the proximity to Cairnlee Terrace, and this being a main route into a primary and secondary school, an objective safety view cannot be given for this development plot.

You have to live near the road to know how busy Baillieswells Road is. Safety must be everyone's priority.

For the above reasons I object to the splitting of the feu and the erection of a new dwelling house at 11 Baillieswells Road, Bieldside.

**Not signed as this was sent as part of an attachment to an e mail.**

Yours Sincerely

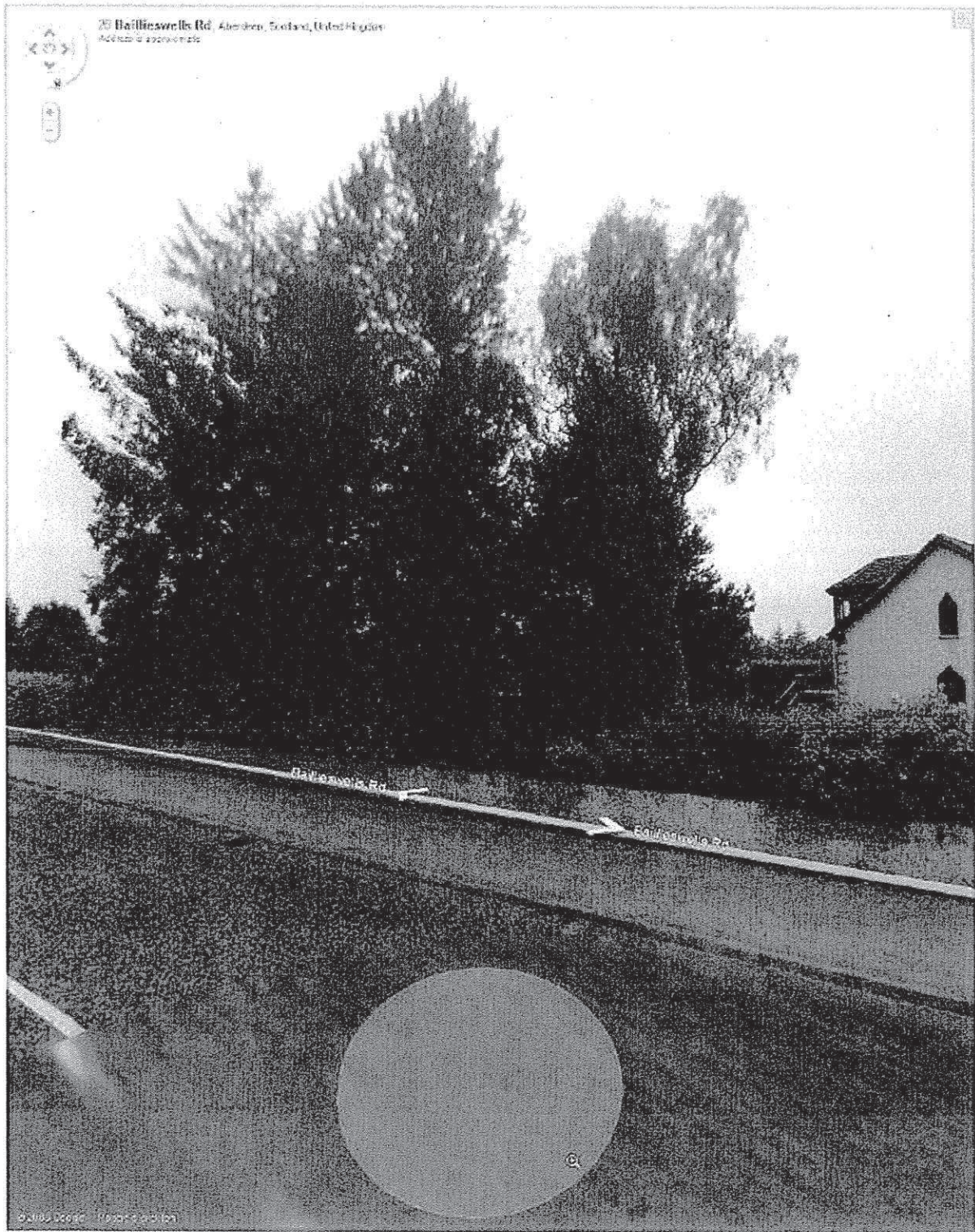
Colin and Lynne Kennedy

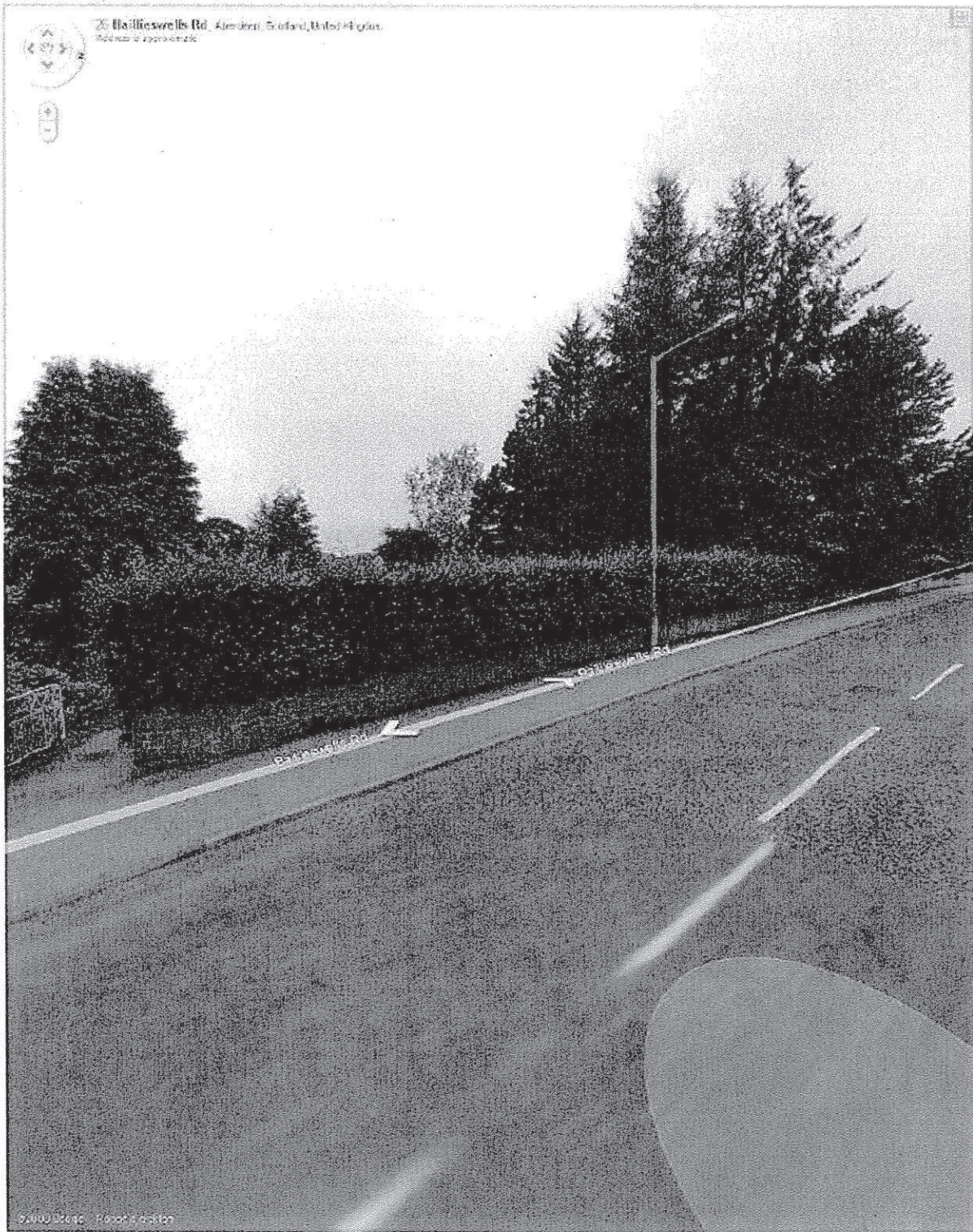
Enclosed Appendix I.



Picture 1 above illustrates the original Green field and the amenity it afforded to surrounding properties. It shows the site site opposite Cairnlee Terrace prior to the developer taking down all the trees and the single story bungalow.

Pictures 2 and 3 below show the original frontage to the plot from Baillieswells Road.





Picture 4 below original view and amenity from 3 Bailliswells Drive



Picture 5 above from 3 Baillieswells Drive, overlooking number 4 Baillieswells Drive



Picture 6 below What is left from the site pictured below.

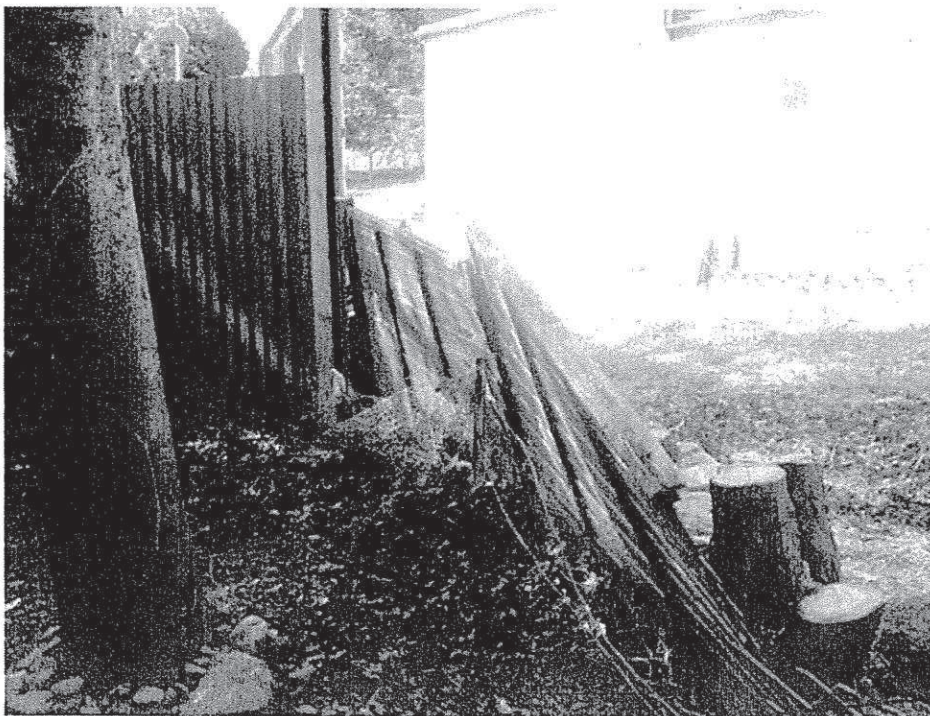


Picture 7 below Original amenity and barrier between 11 Baillieswells Road and 3 Baillieswells Drive





Pictures 8 and 9 below how the developer, with no warning, chose to leave no amenity or barrier in place when taking down the trees adjacent to 3 Baillieswells Drive.



P&SD Letter #		
Application Number:		
RECEIVED - 6 AUG 2014		
For	See	Map
Case Officer: Initials		
Date Acknowledged		

PI

---

**From:** andrew macaulay [REDACTED]  
**Sent:** 30 July 2014 10:40  
**To:** PI  
**Subject:** P140940 Planning Objection (11 Baillieswells Road)  
**Attachments:** P140940 planning objection.pdf  
  
**Importance:** High

Sirs,

Please find attached my objection to the planning application P140940 relating to 11 Baillieswells Road

Please acknowledge receipt at your convenience.

Regards,  
A.Macaulay

encl.

15 Baillieswells Road  
Bieldside  
ABERDEEN  
AB15 9BB

29th July 2014

Aberdeen City Council  
Planning & Infrastructure  
Marischal College  
Broad Street  
ABERDEEN

Dear Sirs,

**OBJECTION TO PLANNING APPLICATION No. 140940 (11 BAILLIESWELLS ROAD)**

I wish to object to the above planning application and request that it be rejected by the Planning and Infrastructure Department.

I have studied the proposals with care and object on several grounds. I note that the '*Supporting Statement*' is inaccurate and is misleading in several respects.

*Lack of a Holistic Plan for the Site*

The application makes references to a previous decision by the Reporter. This decision dates back several years and has since lapsed. Conditions set out in the decision were not met. The justification that a planning application be made for only part of the site '*on commercial grounds rather than to delay the development of the entire site*' (1.10) does not withstand scrutiny given that the site has remained undeveloped for over three years since the Reporter's decision. It is over five years since the demolition of the bungalow that occupied the site and the felling of the trees in the garden. There is therefore no reason for supporting a planning application that addresses only part of the site.

It would not be appropriate to consider the application for development of only half of the site until proposals for the whole site have been put forward. The developer has not been able to put forward proposals for two houses on the site that meet planning requirements. Fundamental planning issues such as tree protection and road safety issues associated with opening a second driveway so close to the junction with Cairnlee Terrace remain unresolved and it remains unclear how a second house could be built on the site. The assertion that the previous application and appeal process established that the site '*is capable of accommodating two large detached houses*' (1.3) has not been borne out.

If the decision is taken that the site is not suitable for sub-division, then the proposed house would appear unbalanced in being sited so close to the southerly perimeter of the site.

The whole of the no.11 site should be considered as a single site for planning purposes. It would appear to me that the site remains suitable for only one house.

*Inappropriate Scale and Massing*

The scale and massing of the development is out of proportion with the surrounding neighbourhood. The Supporting Statement (2.7) is misleading in its description of the surrounding properties. All of the properties leading up to the proposed development are cottage or bungalow style houses and are significantly smaller than the proposed house. A house referred as of '*three stories*' is in fact of two stories with a low level garage and is set back from the road in a large, well planted plot.

I am unable to reconcile the statement in the Supporting Statement (2.6) that 'less than one quarter (24%) of the overall site area' is to be built upon with the 'Proposed Site' drawing which appears to show that the property would occupy a figure over 33% of the site and that over 50% of the plot would be built over by the building, driveway and paths.

The building line of the street would be disrupted by the development. There is no accurate illustration of the relationship between the proposed buildings and the adjoining properties. The document entitled 'Visual' gives a wholly inaccurate representation of the building line by failing to show the bungalow adjacent to it that would be dominated by the proposed building. It also shows a green space adjacent to the proposed building which contradicts separate lapsed planning applications that show that the intention of the developer is to build a second house on this green space immediately adjacent to the proposed house.

#### *Loss of Urban Green Space*

The Supporting Statement is incorrect in its description of the site prior to its acquisition (1.2). The site was occupied previously by a modest bungalow that was well maintained. Mature trees occupied the northern part of the garden. The 'Existing Site / Topographical Survey' is also inaccurate in that it omits the mature trees that occupied the northern part of the garden. 'Bing maps' illustrates this: <http://binged.it/1o9VJSS>. The garden was well tended and was significant as urban green space.

The trees in particular had a positive impact on the neighbourhood. It is regrettable that they were felled seemingly in presumption of gaining planning consent to split and redevelop the plot and that damage was caused to neighbouring trees which then had to be felled for safety reasons. It is important that this urban green space is reinstated. The planning application as proposed will not achieve this due to overdevelopment of the site with little space remaining for re-planting.

The 'Proposed Site Showing Boundary and Tree Protection Treatment' diagram shows the existing beech hedge as being retained yet previous planning applications submitted for a second house on the same site show the beech hedge being largely removed to make way for a second driveway onto Baillieswells Road. This is a one of several contradictions caused by the pursuit of separate uncoordinated planning applications for two houses on the one site.

#### *Road Safety Concerns*

I do not believe that road safety issues associated with the application have been resolved. As is evident from the plans included within the application, the turning area available has been greatly reduced when compared with the turning area in front of the house that occupied the site previously. The scaled drawings suggest that there will not be adequate room provided for turning. The garages proposed appear to be too small to be used for parking. It would be expected therefore that two cars would ordinarily be parked on the driveway. When two cars of typical size are overlaid on the proposed turning area it is clear that it will be necessary to reverse out onto the main road to exit the property. This would be dangerous given the speed and density of traffic on the road and the use of the pavement at this point by school children crossing to/from Cults Primary and Secondary Schools. Furthermore, were two houses to be built on the site it remains unclear how safe vehicle access would be provided for the second house. Would the second house have to share the driveway shown on this planning application for example? The road has become busier since 2013 with the recent development of offices in Westhill and Kingswells and there has been much concern voiced by residents around the volume and speed of traffic on Baillieswells Road.

For the above reasons, I respectfully ask the Planning and Infrastructure Department to reject this planning application.

Yours faithfully,

[Redacted Signature]

Andrew Wacaulay

P&SD Letters of Representation		
Application Number: P140940		
RECEIVED 31 JUL 2014		
Nor	Sou <input checked="" type="checkbox"/>	MAP
Case Officer Initials: AMI		
Date Acknowledged: 06/08/14		

**From:** Keith Smith [REDACTED]  
**Sent:** 04 August 2014 17:01  
**To:** PI  
**Subject:** Objection to Planning Application 140940  
**Attachments:** Planning Application 140940 - letter of objection.pdf

Dear Sirs,

Please find attached my letter of objection to the aforementioned Planning Application.

Please acknowledge receipt of this e-mail and its attachment.

thanks & regards,  
Keith H Smith

3rd August 2014

28 Baillieswells Road  
Bielside  
Aberdeen  
AB15 9BB

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

Dear Sirs,

**Objection to Planning Application Number 140940 – 11 Baillieswells Road, Bielside Aberdeen.**

I have been informed of the above named planning application by a neighbour. I did not receive formal notification of this planning application which is not consistent with prior planning applications submitted in relation to said address.

I wish to object to the planning application for the reasons set out below and so I request that it is rejected by the Planning and Infrastructure Department. I have reviewed the drawings and the Supporting Statement and I will refer to this planning application as applying to Site B. A prior application (No. 131698) was made in respect of Site A by Hot Property Developments Ltd.

Firstly, with regard to the Memo from Roads Projects, clearly this application has been considered in total isolation of the application for Site A. If the applications for Sites A and B were to be considered by the Roads Project together, the Roads Project may not arrive at the same conclusion. Baillieswells Road is an extremely busy road, even moreso following the recent development at Kingswells and the further industrial development at Westhills. The road is frequently used (perhaps inappropriately) by heavy goods vehicles. The layout of the driveway suggests that there will not be turning space for a vehicle which entered the driveway forwards and it will be extremely dangerous for a vehicle to have to reverse into Baillieswells Road from the property, particularly so close to a road junction.

I contend there is a risk that by considering this application in isolation, solely on its own merits, may result in an inappropriate conclusion, and not only from the perspective of the Roads Project. I cannot see any reason for supporting a planning application which addresses only part of the site. The original application by Hot Property Developments relating to both Sites A and B was the subject of much local objection for various reasons. Later the Applicant submitted a planning application for half of the site (Site B) and that went through a due process of objections, refusal, appeal and ultimately the Reporter granted planning permission. The Reporter's opinion was however founded upon an application for part of the whole site. The Applicant now relies on the opinion of the Reporter in Supporting Statement 1.10 in this planning application. The two-stage application process which has been followed by the Applicant appears to be a cynical attempt by the Applicant to circumvent the objections in principle by local neighbours to allow the residential curtilage to be split and to build two large houses. The entire site (A+B) was originally occupied by a single 'low level' bungalow which was not intrusive to any of the immediately neighbouring properties. I note with dismay that the applicant makes a disparaging reference (Supporting Statement 1.2) to the prior large single

house and garden which occupied the site. I think that the owner of said former property would be properly offended by the comment. In complete contrast, the proposed developments (and specifically the proposed development which is the subject of this application) overlook, dominate and will almost certainly invade the privacy of all immediately neighbouring properties.

With reference to Supporting Statement 1.1, I have to disagree with the comment that "the applicants have a genuine interest in ensuring that their developments make a positive contribution to the surrounding area", this is a secondary consideration; the comment at 1.10 probably captures the true intent of the application being "commercial grounds" (positive cash flow is more attractive to the developer than positive contribution to the surrounding area).

I question the accuracy of the Supporting Statement 2.6 that less than one quarter (24%) of the overall site area is to be built upon, this is not consistent with the drawings submitted. Supporting Statement 2.7 is quite misleading as a description of the surrounding properties. The house referred to as being three storeys is arguably a two storey house at street level with a low level garage.

For all of the forgoing reasons I respectfully request that the Planning and Infrastructure Department rejects this planning application.

Yours faithfully,



Keith H Smith

PI

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 05 August 2014 09:40  
**To:** PI  
**Subject:** Planning Comment for 140940

Comment for Planning Application 140940

Name : Mike Tuckwell  
Address : 9 Baillieswells Road  
Bielside  
Aberdeen  
AB15 9BB

Telephone : [REDACTED]  
Email : [REDACTED]  
type :  
Comment : 9 Baillieswells Road  
Bielside  
Aberdeen  
AB15 9BB

5th August 2014

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

Dear Sir/Madam,  
Re: Application Number 140940

Proposed development at Strathisla, 11 Baillieswells Road, Bielside, Aberdeen AB15 9BB

We write to object to the proposed new house by Hot Property Developments Ltd.  
Given the history of the original planning applications for 2 houses on this piece of land, we believe that the developer is attempting to continue his intention to erect 2 houses by stealth on the whole plot by submitting one application at a time. It is obvious from the plans that the remaining half of the land will in time be developed in a similar manner to this application.

We therefore contend that this is a disingenuous approach to a planning application, which, should this proposal be successful, will:

&#8226; Lead to wholly unreasonable over-domination of adjacent houses due to the sheer scale, height and massing of the proposed building.

&#8226; Set an unwanted and undesired precedent leading to the deterioration of the existing character and amenity of the area.



&#8226; Provide a precedent for building a second property on the other half of the site on an equally large scale, thereby leading to even greater over-domination of the site over its neighbours.

&#8226; Cause the proposed development to have a negative impact on the surrounding area, contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan.

The request for planning permission should therefore be refused until an acceptable plan for the development of the overall plot at 11 Baillieswells Road has been submitted in keeping with the original plot and the surrounding area. Moreover, approval of this application would set an undesirable precedent for future applications of a similar nature for the erection of houses in plots in the nearby area.

With reference specifically to the document entitled &#8220;Proposed Site Plan Showing Landscaping, Boundary Treatment and Tree Protection treatment,&#8221; the drawing shows that there will be a 1.8m high fence separating 9 and 11 Baillieswells Road, running from the rear of the property and which will stop at the existing beech hedge.

We wish to point out that the existing fence (which belongs to 9 Baillieswells Road) ran the full length of the property and did not stop at the beech hedge. A number of sections of the existing fence have been blown down due to the fence being damaged and weakened when the original property at 11 Baillieswells Road was demolished. We therefore object to the proposal to stop the fence at the beech hedge and ask that the original fence of a similar type and quality be replaced and reinstated to its full length.

Turning to the points made in Hot Property&#8217;s supporting documents to 11 Baillieswells Road with respect to their previous application, number 131698, we would like to point out that the following points were made and these still remain valid:

1.2 refers to previous house on 11 Baillieswells Road as being, &#8220;...badly located to the rear of the site.&#8221; This is a matter of opinion rather than fact and indeed, before Hot Property demolished the original house on the plot at No.11, both No. 9 and No.11 complemented each other by being sat well back from the main road. This proposal completely ignores the fact that the house that previously occupied the site was a single-storey house and that as it was set back from the road in line with my property at No.9, there were no privacy issues as its scale, height and massing were comparable with No.9, allowing a simple, standard wooden fence to provide privacy to each other. Hot Property&#8217;s development proposal is of a completely different scale, removing any semblance of privacy. Refer Appendix A.

2.7 states that, &#8220;...The scale and massing of the proposed houses at two storeys is very much in keeping with near neighbours (one of which actually extends to three storeys).&#8221;

We would contend that this is wishful thinking on Hot Property&#8217;s part. The original house on the site was a single storey property and as stated above, complemented our property at No.9. There are also numerous single storey properties in the immediate area. What is not the norm in the vicinity, however, are properties that are over-dominant due to their height, scale and massing as exemplified and proposed in this planning application.

In relation to the supporting documents claims:

## 2 Design Proposals

2.1 The proposals have been designed to:

&#8226; Ensure privacy for adjacent properties and the proposed new house &#8226; Have a public face to the street and a private face to an enclosed garden &#8226; Provide residents with access to an attractive garden &#8226; Make the most of the opportunities for views and sunlight

2.2 The proposed development does not prejudice the development of adjacent land or adversely affect existing development.

2.4 Due to the generous size of the proposed plots it has been possible to locate the house in a way which does not prejudice sunlight or daylight penetration to adjacent properties.

The above is not correct, the development will have serious and detrimental impact on our property and quality of life, namely: by virtue of the development&#8217;s sheer scale, height and massing it would over-dominate the surrounding properties causing intrusion to privacy, lead to a serious loss of light and cause a potential and significant increase in noise pollution, particularly with regard to 9 Baillieswells Road. Hot Property omit to make any reference to the detrimental impact their development would have to the front and side of No.9 both in terms of privacy, loss of light and potential increase in noise due to the over-dominance of their proposed building.

Road Safety

In the Background and Project Brief it states:

1.7 The Reporter also dismissed the concerns expressed in the second reason for refusal in relation to the creation of a public road safety hazard and adopted the position of the Council's own roads officer in expressing no concerns in respect of road safety. A totally dismissive statement based on a report that is now over 4 years old. The developer has to take accountability for the safety of their proposed buildings. Creating in effect a 4 way junction on Baillieswells Road at a time when the road is so busy with the increase in office developments in the city. The Cairnlee Terrace entrance is a main road to a primary and secondary school. This is completely unacceptable on the basis of safety. Refer Appendix A.

In concluding, we would contend that Hot Property's proposal once again totally fails to address the reasonable and justified objections from objectors and officers of Aberdeen City Council over the last 4 years.

As stated earlier, this seems like a simple attempt to get both houses from the original rejected application through by submitting them one at a time. This is backed up by references to both plots throughout the original proposals.

For these reasons we object in the strongest possible terms to this proposal.

Yours faithfully,

Mike and Morag Tuckwell

**IMPORTANT NOTICE:** This e-mail (including any attachment to it) is confidential, protected by copyright and may be privileged. The information contained in it should be used for its intended purposes only. If you receive this email in error, notify the sender by reply email, delete the received email and do not make use of, disclose or copy it. Whilst we take reasonable precautions to ensure that our emails are free from viruses, we cannot be responsible for any viruses transmitted with this email and recommend that you subject any incoming email to your own virus checking procedures. Unless related to Council business, the opinions expressed in this email are those of the sender and they do not necessarily constitute those of Aberdeen City Council. Unless we expressly say otherwise in this email or its attachments, neither this email nor its attachments create, form part of or vary any contractual or unilateral obligation. Aberdeen City Council's incoming and outgoing email is subject to regular monitoring.

9 Baillieswells Road  
Bielside  
Aberdeen  
AB15 9BB

5<sup>th</sup> August 2014

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

Dear Sir/Madam,

Re: Application Number 140940

Proposed development at Strathisla, 11 Baillieswells Road, Bielside, Aberdeen AB15 9BB

We write to object to the proposed new house by Hot Property Developments Ltd.

Given the history of the original planning applications for 2 houses on this piece of land, we believe that the developer is attempting to continue his intention to erect 2 houses by stealth on the whole plot by submitting one application at a time. It is obvious from the plans that the remaining half of the land will in time be developed in a similar manner to this application.

We therefore contend that this is a disingenuous approach to a planning application, which, should this proposal be successful, will:

- Lead to wholly unreasonable over-domination of adjacent houses due to the sheer scale, height and massing of the proposed building.
- Set an unwanted and undesired precedent leading to the deterioration of the existing character and amenity of the area.
- Provide a precedent for building a second property on the other half of the site on an equally large scale, thereby leading to even greater over-domination of the site over its neighbours.
- Cause the proposed development to have a negative impact on the surrounding area, contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan.

The request for planning permission should therefore be refused until an acceptable plan for the development of the overall plot at 11 Baillieswells Road has been submitted in keeping with the original plot and the surrounding area.

Moreover, approval of this application would set an undesirable precedent for future applications of a similar nature for the erection of houses in plots in the nearby area.

With reference specifically to the document entitled "Proposed Site Plan Showing Landscaping, Boundary Treatment and Tree Protection treatment," the drawing shows that there will be a 1.8m high fence separating 9 and 11 Baillieswells Road, running from the rear of the property and which will stop at the existing beech hedge.

We wish to point out that the existing fence (which belongs to 9 Baillieswells Road) ran the full length of the property and did not stop at the beech hedge. A number of sections of the existing fence have been blown down due to the fence being damaged and weakened when the original property at 11 Baillieswells Road was demolished. **We therefore object to the proposal to stop the fence at the beech hedge and ask that the original fence of a similar type and quality be replaced and reinstated to its full length.**

Turning to the points made in Hot Property's supporting documents to 11 Baillieswells Road with respect to their previous application, number 131698, we would like to point out that the following points were made and these still remain valid:

1.2 refers to previous house on 11 Baillieswells Road as being, "...badly located to the rear of the site." This is a matter of opinion rather than fact and indeed, before Hot Property demolished the original house on the plot at No.11, both No. 9 and No.11 complemented each other by being set well back from the main road. This proposal completely ignores the fact that the house that previously occupied the site was a single-storey house and that as it was set back from the road in line with my property at No.9, there were no privacy issues as its scale, height and massing were comparable with No.9, allowing a simple, standard wooden fence to provide privacy to each other. Hot Property's development proposal is of a completely different scale, removing any semblance of privacy. Refer Appendix A.

2.7 states that, "...The scale and massing of the proposed houses at two storeys is very much in keeping with near neighbours (one of which actually extends to three storeys)."

We would contend that this is wishful thinking on Hot Property's part. The original house on the site was a single storey property and as stated above, complemented our property at No.9. There are also numerous single storey properties in the immediate area. What is not the norm in the vicinity, however, are properties that are over-dominant due to their height, scale and massing as exemplified and proposed in this planning application.

In relation to the supporting documents claims:

## 2 Design Proposals

2.1 The proposals have been designed to:

- Ensure privacy for adjacent properties and the proposed new house
- Have a public face to the street and a private face to an enclosed garden
- Provide residents with access to an attractive garden
- Make the most of the opportunities for views and sunlight

2.2 The proposed development does not prejudice the development of adjacent land or adversely affect existing development.

2.4 Due to the generous size of the proposed plots it has been possible to locate the house in a way which does not prejudice sunlight or daylight penetration to adjacent properties.

The above is not correct, the development will have serious and detrimental impact on our property and quality of life, namely: by virtue of the development's sheer scale, height and massing it would over-dominate the surrounding properties causing intrusion to privacy, lead to a serious loss of light and cause a potential and significant increase in noise pollution, particularly with regard to 9 Baillieswells Road. Hot Property omit to make any reference to the detrimental impact their development would have to the front and side of No.9 both in terms of privacy, loss of light and potential increase in noise due to the over-dominance of their proposed building.

#### Road Safety

In the Background and Project Brief it states:

"1.7 The Reporter also dismissed the concerns expressed in the second reason for refusal in relation to the creation of a public road safety hazard and adopted the position of the Council's own roads officer in expressing no concerns in respect of road safety."

A totally dismissive statement based on a report that is now over 4 years old. The developer has to take accountability for the safety of their proposed buildings. Creating in effect a 4 way junction on Baillieswells Road at a time when the road is so busy with the increase in office developments in the city. The Cairnlee Terrace entrance is a main road to a primary and secondary school. This is completely unacceptable on the basis of safety. Refer Appendix A.

In concluding, we would contend that Hot Property's proposal once again totally fails to address the reasonable and justified objections from objectors and officers of Aberdeen City Council over the last 4 years.

As stated earlier, this seems like a simple attempt to get both houses from the original rejected application through by submitting them one at a time. This is backed up by references to both plots throughout the original proposals.

For these reasons we object in the strongest possible terms to this proposal.

Yours faithfully,

Mike and Morag Tuckwell

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**From:** Lisa WOOD [REDACTED]  
**Sent:** 06 August 2014 17:09  
**To:** PI  
**Cc:** [REDACTED]  
**Subject:** 140940 Planning Objection  
**Attachments:** 140940 appeal objection LW 060814.docx

Please find attached an objection letter to the proposed development at 11 Baillieswells Road, Bieldside

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Mr & Mrs M Wood

24 Baillieswells Road  
Bielside  
Aberdeen  
AB15 9BB

6th August 2014

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

Dear Sir/Madam,

**Re: Application Number 140940**

Proposed development at 11 Baillieswells Road, Bielside

We are writing in order to object to the above referenced planning application and to request that the application be rejected.

As a general point, we do not feel that the revised plans sufficiently address the concerns we have raised in previous objection letters. In fact even the tone of the objective of the supporting statement continues to be dismissive of the nature of the buildings in the neighbourhood and the continuing disregard for the feelings of the community is evident in the lack of changes being made in consideration of our concerns and in direct contradiction to their claim to be "ensuring that their developments make a positive contribution to the surrounding area".

Our objection to the plan falls into three main categories

1. Amenity of Area

The developer has continued to ignore the concerns of the local residents about the plans being out of keeping with the local area in terms of density and scale. The manner in which the developer insults the design and quality of surrounding houses only serves to highlight his disregard for the sensitivities of the community. In several places reference is made to the semi-derelict and overgrown condition of the property at 11 Baillieswells Road. In fact the property was very well-maintained by the long-term previous owners, and only fell into dereliction when it passed to the developer's ownership. The scale and density of the site will be completely out of keeping with the rest of the properties in the area.

2. Road Safety –

Whilst this has been previously dismissed, road safety continues to be a real concern for residents in the area that have children who walk or cycle to school – something that Health Authorities are trying to encourage for the health of our future generations. Residents continue to drive their children to school though they live within easy walking distance for fear that they will be seriously injured crossing Baillieswells Road at this particular junction. My own children are drilled continually on staying clear of the junction as much as possible, to walk past it quickly and the stay close to the boundary walls to protect themselves. A larger house with more cars and an additional residence at the junction to Cairnlee Avenue will increase the risk of accidents at the junction which is already very busy at school drop-off and pick-up times. Road safety has become an increasing concern with higher traffic volumes and speeds that are only likely to worsen with the new high capacity offices being built in Westhill and Kingswells.

3. Trees –

The developer has shown complete disregard for the protection of the green spaces in the area and in particular the mature trees that are such a key feature of the neighbourhood. Protected trees were felled without consultation and prior to any planning permission for the demolition carried out on the site. Remaining trees had to be felled for safety reasons. It appears highly unlikely that the existing trees on the site can be adequately protected from root damage that will lead to their being felled also. Even the beautiful established beech hedge has been neglected since the planning application process began.

In summary, the revised plans fail to take consideration of the concerns of residents whose amenity is affected by the development. The residents are uniformly of the opinion that the development is neither in keeping with the local style, nor being conducted in a way that demonstrates respect either for the environment, the community or for due process. For the above reasons I object to the erection of the new dwelling houses at 11 Baillieswells Road, Bielside.

Yours Faithfully,

*Not signed as submitted electronically*

Lisa Wood  
Resident, 24 Baillieswells Road

P&SD Letters of Representation		
Application Number:	P140940	
RECEIVED	- 7 AUG 2014	
Nor	Sou <input checked="" type="checkbox"/>	MAP
Case Officer Initials:	AM1	
Date Acknowledged:	11/08/2014	



PI

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**From:** James Buckley [REDACTED]  
**Sent:** 07 August 2014 00:11  
**To:** PI  
**Subject:** Letter of Representation - Planning Application 140940  
**Attachments:** 140940 Representation.docx

Dear Sir,

Please find attached my Letter of Representation regarding Planning Application 140940 - 11 Baillieswells Road, Bieldside.

I would be grateful if you would acknowledge receipt of this letter. Thanks.

Best Regards,  
James W. Buckley

Westwinds,  
13, Baillieswells Road,  
Bielside,  
Aberdeen  
AB15 9BB

3rd August 2014.

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

**Ref : Application Number 140940 – 11 Baillieswells Road, Bielside  
Proposed new house and Sub-division of Residential Curtilage**

Dear Sir,

I have reviewed the above application which is a proposal to sub-divide a single residential plot at 11 Baillieswells Road, with a proposal for a new house on one half.

#### **1. Incomplete application for sub-division of plot**

I contend that a proposal to sub-divide a residential plot cannot be properly considered unless the plans for both halves are proposed under a single application.

This current application is for 'plot B' on the southern side of the existing single plot. A planning application that included development on the balance of the plot on the northern side, 'plot A', was submitted in 2009 and refused by the local planning authority, and also refused upon appeal to the Scottish Government. In the years since, the developer seems to have been unable to submit a viable plan for this plot A. A recent application was made in November 2013, this is still pending, but makes minimal compromise on the previous grounds for refusal made by both authorities. That is on grounds of proximity to protected trees, over-development and privacy.

I recognise that the application under discussion here is 'plot B', however while resolution on any development on 'plot A' remains open, we continue to run the risk of a long-term non-viable unkempt gap between houses. The possibility of this cannot be allowed.

Upon appeal in 2011 the Government Reporter approved development on plot B, the approval for which has now lapsed. In doing so, reporter Mr Timothy Brian expressed several concerns about the viability of plot A, substantiating earlier reasons for refusal made by the local planning authority, and also Government Reporter Mr David Buylla who had rejected an appeal for the same reasons. Given the passage of time and the non-development of plot B in the meantime, any reason to split the application now seems to lack credibility, it would not apparently be on the 'commercial grounds' as stated in the first application for plot B alone made in 2010.

## **2. Sub-division of Residential Curtilage and proposed density of development**

The fact remains that when the property at 11 Baillieswells Road was bought by the developer, the site contained several mature conifer trees, which were quickly felled. In addition, damage was sustained to protected trees at a neighbouring site, which then had to be felled for safety reasons. Supplementary planning guidance states that "...With this in mind there will be a presumption in favour of retaining semi-mature and mature trees either within the site or immediately adjacent to it regardless of whether they are protected by a Tree Preservation Order or sited in a Conservation Area".

With regard to the application, I maintain that the nature of the site before the removal activity should be considered. It is regretful that the trees are now gone, but a suitable re-planting process could be put in place.

I maintain that the Density of the overall building area is excessive in relation to the surrounding area.

## **3. Road Safety**

This application is for a single property, but of course road safety issues must be assessed on the basis of an application for two houses. Both proposed houses would allow for significantly greater person occupancy than the one they replace, and have density of building that reduces the potential parking/turning space within each plot.

Large detached 'executive' houses such as these generally attract occupants with multiple vehicles. As a consequence, due to the inadequate parking/turning space within each of two sites, there is an increased risk that unsafe manoeuvres will be attempted on to Baillieswells Road, up an incline and potentially in reverse gear. Given that Baillieswells Road is a busy one generally and increasingly so over the last couple of years, and that the Cairnlee Terrace route is a common one for school traffic and school children, such a manoeuvre at the proposed exit would be highly dangerous. I know the road well as I have lived here for many years and have children crossing the road daily to school.

The other likely consequence of inadequate parking/turning space within each site will be that vehicles are more likely to be parked on Baillieswells Road itself. Currently, you rarely see vehicles parked on Baillieswells Road, at any point. Most residents, like myself, would encourage (even short-term) visitors to park in the driveway for safety reasons. This is due to the steepness of Baillieswells Road and the speed that traffic travels along it. A parked vehicle on this road presents a hazard to passing vehicles, that can often only safely be negotiated by one vehicle yielding. If vehicles are parked on the road outside the proposed sites this would force northbound traffic into the middle of the road at a dangerous point opposite the mentioned junction with Cairnlee Terrace.

These safety issues can be resolved by retention of a single development with appropriate turning/parking space within it.

I do not object to the replacement of the previously existing property, but contend that it is better replaced with a single dwelling located appropriately within a single plot.

Yours Faithfully,

James Buckley

## Planning Development Management Committee

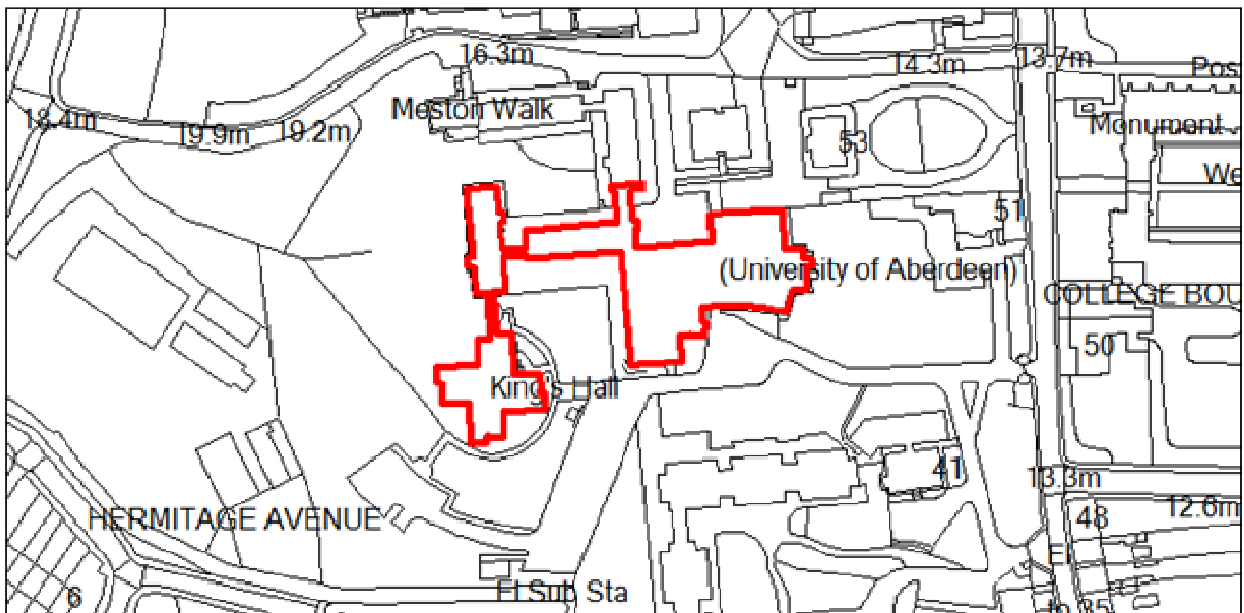
CROMBIE HALL OF RESIDENCE, COLLEGE  
BOUNDS, OLD ABERDEEN

INSTALLATION OF REPLACEMENT SIGNAGE  
AND REFURBISHMENT OF CAFE

For: Compass Group UK and Ireland Ltd

Application Type: Listed Building Consent  
Application Ref.: P140681  
Application Date: 17/06/2014  
Officer: Andrew Miller  
Ward: Tillydrone/Seaton/Old Aberdeen (J  
Noble/R Milne/R Grant)

Advert: Listed Building  
Advertised on: 02/07/2014  
Committee Date: 25/09/2014  
Community Council : Comments



### RECOMMENDATION:

Willingness to approve, subject to Conditions and referral to Historic  
Scotland (Category A listed building)

## **DESCRIPTION**

Crombie Hall lies within the grounds of the University of Aberdeen. This proposal relates to only part of the building, which is currently used as a restaurant/café, and it is the element which is situated to the eastern part of the building. The building is surrounded by other University buildings.

The building is a Category A listed building and lies within the Old Aberdeen Conservation Area. The listing notes that Crombie Halls are an excellent and almost unaltered example of the early post-war private practice work of Sir Robert Matthew. They are among the very best 1950s Modern Movement buildings in Scotland. It was designed 1953-56 and built 1957-60.

## **RELEVANT HISTORY**

P140682 - 2 No. illuminated suspended disks and pin mounted lettering. Advertisement Consent application, pending consideration.

## **PROPOSAL**

Listed building consent is sought for the following works:

1. Individual lettering signage, externally illuminated sited on a rail above the entrance into the building on the eastern elevation. Letters to be 168mm high and 2.5 metres in length;
2. A roundel sign to be sited internally behind the front glazed façade (east elevation), which would be internally illuminated;
3. A roundel sign to be sited internally behind the glazed façade adjacent the rear entrance of the building (south elevation), which would be internally illuminated;
4. Internal hit and miss timber screen;
5. Installation of sign on internal post;
6. Works to expose a mural.
7. General refurbishment of the serving/bar area.

## **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=140681>

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

## **REASON FOR REFERRAL TO COMMITTEE**

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

## **CONSULTATIONS**

**Roads Projects Team** – No observations.

**Environmental Health** – No observations.

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

**Historic Scotland** – Content that proposed works should not have a significant adverse impact on the building's special architectural and historic interest as an outstanding example of a 1950's Modern Movement building. Requested conditions requiring further detail on the design of the proposed partitions between café area and computing/communal area; details of which were subsequently provided.

**Community Council** – Object to the application. There is no illuminated signage anywhere in the Old Aberdeen Conservation Area and this would create an unacceptable precedent. Replacement door would alter appearance of building (NOTE - this was subsequently amended and the existing door retained).

## **REPRESENTATIONS**

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

- Proposals would destroy vernacular and special character of the building, imposing a new and entirely different character on to the main façade of the building.
- More suited to a busy city centre full of brash signs, corporate logos and brand names rather than the modest "village within a town" character of the area.
- Illuminated signage would be completely at odds with character of Crombie Hall.
- Application address as Crombie Annex – this is incorrect, the building forms part of the main building and is the main façade at the front of the building.
- Not strictly accurate to state it is replacement signage, there is virtually no signage at all bar a non illuminated sign in the window.
- Applicant claims it is a category C listed building, whereas it is category A.
- Replacement door is unsuitable. (NOTE - this was subsequently amended and the existing door retained.)

- Recommend application withdraws application until the matter of retrospective consent for work already carried out at Crombie Hall is settled.

## **PLANNING POLICY**

### **National Policy and Guidance**

#### Scottish Planning Policy (SPP)

The design, materials, scale and siting of development which would affect a listed building, or its setting, should be appropriate to the character and appearance of the building and setting. There is a presumption against works that will adversely affect a listed building or its setting. Furthermore, Scottish Planning Policy states that development should be refused permission within a conservation area that fails to preserve or enhance the character or appearance of the area.

#### Scottish Historic Environment Policy (SHEP)

There is a presumption against work that would adversely affect the special interest of a listed building or its setting.

### **Aberdeen Local Development Plan (ALDP)**

#### Policy D1 - Architecture and Placemaking

Ensures that high standards of design are achieved through a number of considerations, including context, to ensure that the setting of the proposed development and its design is acceptable.

#### Policy D5 Built Heritage

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

### **Supplementary Guidance**

- Managing Change in the Historic Environment Guidance Notes – Shopfronts and Signs; Interiors by Historic Scotland (October 2010) (MCHE)

## **EVALUATION**

Where a proposal affects a listed building Sections 14(2) and 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining an application for listed building consent to have special regard to the desirability of preserving the building or its setting and any features of special architectural or historic interest which it



possesses. This is the primary consideration in the determination of applications for listed building consent.

The signage which would be sited above the porch is considered acceptable. It is considered that its appearance would compliment the style of building and the level of illumination would be acceptable. Furthermore, the lettering would be attached to a bar to minimise the fixings to the listed building, which would result in there being minimal intervention with the building.

The two illuminated roundel signs will be fixed internally. It is considered that they would not adversely affect the setting of the listed building, or any feature of historical and architectural importance. Overall, the illuminated signage would be a relatively small intervention within the building and as such the signage scheme is considered acceptable.

The internal hit and miss timber screen would be free standing. Due to the design of the screen which is not full height, and it allowing daylight through, as opposed to a wall, it is considered that this element of the proposal would not have an adverse impact on any historical or architectural features of the building. The proposal is considered to not undermine the modernism style of the building.

An internal column would be wrapped with new cladding on three sides, but not affixed to the column itself, rather it would attached to the freestanding timber screen. The internal signage would be attached to this cladding. The bar/kitchen area and customer order points proposed are also free standing, with the furniture scheme provided claiming to be 'Scandinavian' in style, which can be linked back to the design origins of the building. As a result of the works, the proposals maintain the architectural historic interest of the building whilst being fully reversible. As such they are considered to be acceptable.

Works to expose a mural are also proposed however, it is unknown as to whether the mural is hidden or the blue glass that covers it is the mural itself. As such, a suspensive condition is recommended for inclusion, requiring a detailed method statement to be submitted in order that further consideration can be given to these works.

It is judged that the signage and proposed works would not have an adverse impact on the setting of the listed building or on any historical or architecturally important features, in line with the requirements of policy D1 of the ALDP, SHEP, SPP and subsequently policy D5 of the ALDP, as well as guidance contained within the MCHS. Therefore it is recommended that listed building consent is approved subject to two conditions requiring: a method statement for revealing the murals, and to ensure that no proposals attach to the internal column.

## **RECOMMENDATION**

Willingness to approve, subject to Conditions and referral to Historic Scotland (Category A listed building).

## **REASONS FOR RECOMMENDATION**

The proposed refurbishment works and signage would not have an adverse impact on the character or setting of the Category A Listed Building, and therefore accords with Scottish Planning Policy, Scottish Historic Environment Policy and the Aberdeen Local Development Plan, in particular policies D1 (Placemaking and Architecture) and D5 (Built Heritage).

## **CONDITIONS**

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

(1) No works shall take place to expose the mural, or to remove of the covering blue glazing until a detail method statement has been submitted to and approved in writing by the Planning Authority. The works shall clearly specify what will be removed, and how. The works thereafter, in exposing the mural, shall take place fully in accordance with the approved method statement. – The mural is hidden, and it is unclear whether the blue glass is the mural itself. To avoid any adverse impact on any aspect of the historical interest of this feature it is important that the works are carried out sensitively and it is understood that it can only be fully explored through on site works, therefore it is imperative that a method statement is agreed in the interests of the historical importance of such a feature.

(2) For the avoidance of doubt there shall be no fixings to the internal columns. The timber screens and internal signage shall not be fixed to the internal columns. – For the avoidance of doubt, and to ensure that the development does not have an adverse impact on these internal features.

## **INFORMATIVES**

For the avoidance of any doubt you are advised that the works hereby approved do not include the removal of the light fixtures or wooden structures, all of which are protected by the listing.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.

## Sally Wood

---

**From:** Christine Burgess [REDACTED]  
**Sent:** 29 July 2014 10:05  
**To:** Sally Wood  
**Cc:** PI  
**Subject:** Planning Application 140681

6 St Machar Place, Aberdeen AB24 3SF.

29 July 2014

Planning Department,  
Attn Sally Wood  
Aberdeen City Council  
Marischal College,  
Aberdeen

Dear Sirs,

### **Planning Application 140681 - installation of illuminated signage**

Old Aberdeen Community Council wishes to draw attention to the fact that Crombie Hall of Residence was awarded a **category 'A' listing** by Historic Scotland in 2004 as one of the very best 1950s Modern Movement buildings in Scotland and is not a category C listed building as stated in the application.

Consequently, Old Aberdeen Community Council wishes to OBJECT to the current application to erect a suspended illuminated logodisk and front-lit pin mounted acrylic lettering above the door. To date there is no illuminated signage anywhere within the Old Aberdeen Conservation Area and this would be to create an unacceptable precedent.

We have concerns too that the signage and the replacement door may well alter the appearance and original character of the building, and on all these grounds we request that the application be refused.

Yours faithfully,

Christine Burgess

for and on behalf of Old Aberdeen Community Council

PI

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 23 July 2014 13:41  
**To:** PI  
**Subject:** Planning Comment for 140681

Comment for Planning Application 140681

Name : Clive B Fenton (DOCOMOMO Scotland) Address : 19/2 Downfield Place, Edinburgh, EH11 2EJ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : DOCOMOMO Scotland wishes to lodge objections to this application as the work proposed is inappropriate for a category A listed building. Replacement of an original door with one of an unsuitable design and installation of an illuminated sign are unacceptable. Prominent external advertising is also detrimental to the character of a Conservation Area.

Furthermore, we recommend that the applicant withdraw this application until the matter of retrospective consent for work already carried out at Crombie Hall is settled.

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OLD ABERDEEN HERITAGE SOCIETY

COPY

Development Management Team,  
Planning Department,  
Aberdeen City Council

11 Greenbrae Crescent,  
Denmore,  
Bridge of Don,  
Aberdeen  
AB23 8LH

28<sup>th</sup> June 2014

Dear Sirs,

Crombie Hall of Residence, College Bounds, Old Aberdeen  
Application for Consent to Display Adverts

The Society wishes to register a strong objection to the above proposal to display two illuminated disks and pin mounted lettering on the front of this Category 'A' listed building in the Old Aberdeen Conservation Area.

It is our view that the said illuminated signs would be detrimental to the visual amenity both of the building itself and of the surrounding Conservation Area. The picturesque setting of this building is one of mature woodland, with historic buildings beside it. Bright, probably brash, illuminated signs of a kind suited only to City Centre commercial and retail centres, would damage the visual amenity of this tranquil corner of the Conservation Area.

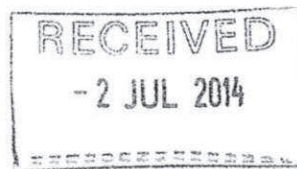
An important concern is also that the approval of illuminated signs in this the centre of the Conservation Area, could set an undesirable precedent which could cause further damage to the visual amenity of Old Aberdeen.

We therefore request that the City Council refuse permission for these signs.

Yours faithfully,

PP (Mrs) B. McPetrie  
Planning Secretary

Copies to: Councillors Ramsay Milne, Ross Grant, Jim Noble  
Sandy Beattie, Bridget Turnbull, Planning Dept.





## OLD ABERDEEN HERITAGE SOCIETY

Planning Reception,  
Aberdeen City Council

11 Greenbrae Crescent,  
Denmore,  
Bridge of Don,  
Aberdeen  
AB23 8LH

27<sup>th</sup> July 2014

Dear Sirs,

Application for Listed Building Consent:  
**Category "A" Listed Building: - Crombie Halls, Old Aberdeen**

Application for Installation of signage and refurbishment of café  
(though other works are included, too)

Application Reference no. 140681

The Society wishes to register an objection in the strongest terms to the above application.

Crombie Halls are a Category 'A' listed building of both architectural and historic interest, and also of special value because of the rarity of their kind, and their integrity; closeness to the original fabric.

This building is of considerable national importance, and its particular "special character and special interest" is demonstrated by the following excerpts from authoritative sources:-

1) Historic Scotland Listing Page

**"Crombie Halls are an excellent and almost unaltered example of the early post-war private practice of Sir Robert Matthew. They are among the very best 1950s "Modern Movement" buildings in Scotland"**

**"Matthew himself commented that the character of Crombie Hall was influenced by the small-scale informal civic character of the university. Materials and form were influenced by vernacular traditions."**

2) Press handout by the architect at time of Opening, (1960)

“The choice and use of materials has been influenced by local domestic tradition...”

This included red pantiles, white harling, sandstone, and local granite for retaining walls and boundary walls.

3) Guide to Crombie Hall, written by the Hall Warden, early 1960s

“A large part of (Old Aberdeen’s) charm lies in its informality. This latter quality has been considered specially desirable in designing the new buildings”

4) ‘Aberdeen: An Illustrated Architectural Guide’ by W.A.Brogden RIAS 1986

“Crombie Hall, quintessentially 50s Scandinavian, stands in wooded grounds between two Georgian houses.”

The current application for works to this building would have an adverse impact on the special interest of this Category ‘A’ listed building.

Crombie Halls were built in an informal, semi-rural, wooded setting in a style strongly influenced by what Matthews’ biographer, Miles Glendinning, has called the “generally small-scale, intimate, townscape of Old Aberdeen”.

The materials and form were much influenced by local domestic tradition, featuring red pantiles, white harling, sandstone and granite walls.

Other features show what Professor Brogden calls its “quintessentially 50s Scandinavian” character, in the form, for instance, of extensive timber cladding, and clean, simple lines with no fussy detail.

The overall impression is of a modest building sitting unobtrusively in picturesque wooded surroundings, itself incorporating many natural materials and simple, clean lines, which fit it perfectly to its quiet setting.

The current proposal would destroy this special character, by imposing a new, entirely different character on to the very front, main façade of this building.

The proposed changes, we contend, all impart to this building the character of an urban context, a busy commercial centre, which is completely at odds with its true character, as follows:

1) New door

The application contains (on Sheet A-2001), reference to a replacement door. (This was not, regrettably, mentioned in the application itself).

The new double door would be emblazoned across its full width and height with a representation of Starbucks' corporate logo image of a "Siren" figure.

This, needless to say, featuring on the main entrance on the main façade, would immediately destroy the "vernacular" feel of the building, which reflects the local distinctive modest scale and style. Such an entrance would be anything but modest, either in scale or design. It is decidedly brash in style, but most importantly it is decidedly urban in character, belonging not to modest 'village within a town' character, but to the context of a city centre full of brash signs, corporate logos and brand-names.

2) Front-lit Pin-mounted Starbucks 'Logodisk' on roof of entrance porch

The affixing of illuminated stand-alone lettering proclaiming the whereabouts of "STARBUCKS COFFEE" above the entrance porch is another assault on the integrity of this building. This is a dining-room and restaurant which, according to this proposal, is to be converted in to a coffee-shop, but it does not need to shout its presence in such a loud way. The existing, University-run, restaurant, 'Zeste' has only one small (unilluminated) sign, in the window.

Again, it must be stated that this proposed signage is aggressively commercial in character, and indeed characteristic of the sort of signage seen only in the commercial centres of cities.

This kind of sign, along with proposed artwork on the door, can only damage the overall character of Crombie, which is one of a modest building built with simple lines and materials chosen to reflect the modest character of Old Aberdeen.

3) The huge illuminated, suspended disc, proposed to be hung in the front window of the building.

This disc, also, would be emblazoned with Starbucks' corporate logo, but this time fully illuminated.

This, also, is completely at odds with the character of Crombie Hall. This is a building designed to fit in with its quiet, wooded surroundings, and the proposal would destroy that quality by shouting out loud its presence with an illuminated advertising sign.



In summary, this is the main problem with the current application:-

The proposed advertising signage is brash, loud, and of a design suited to a commercial urban context, and not to a quite, wooded setting. Particularly, however, it is not suited to this superb building by the eminent Sir Robert Matthew, who designed it particularly to reflect local vernacular tradition, and to respect the intimate character of Old Aberdeen.

This is at the heart of what makes the special interest of Crombie Halls, as is attested by the sources quoted, and it must not be compromised or damaged in any way.

It is our view that the present proposals do indeed damage the special interest and character of this Category 'A' listed building, and we therefore request that this application be refused.

Yours faithfully,



(Mrs) B. McPetrie,  
Planning Secretary

Copies to:-

Historic Scotland  
DOCOMOMO Scotland  
20<sup>th</sup> Century Society, London  
Architectural Heritage Society of Scotland

## Footnotes

The following **errors** in the **application documents** must be noted, as they are fundamentally misleading, and give a wrong impression of both the building, and also of what is proposed:-

- a) The application refers throughout to the building as "Crombie Annex". The building affected by the proposals is **in no way** an '**annex**', but is the main building and indeed **the main façade at the front of this important building**.
- b) It is not strictly accurate to call the proposed works "replacement signage". There is, at present, virtually no signage at all, and that consists of only one small, unilluminated sign in the window.
- c) Lastly, but most importantly, it is completely false to claim, as the applicants do, that this is a Category 'C' listed building.

**Crombie Hall is a Category 'A' listed building:- a building of national importance.**

## ABERDEEN CITY COUNCIL

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COMMITTEE	Planning Development Management Committee
DATE	25 September 2014
DIRECTOR	Gordon McIntosh
TITLE OF REPORT	Confirmation of Tree Preservation Order numbers 214, 219 & 220
REPORT NUMBER:	EPI/14/256
CHECKLIST RECEIVED	Yes

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### 1. PURPOSE OF REPORT

To have confirmed three provisional Tree Preservation Orders made by the Head of Planning and Sustainable Development under delegated powers. The Orders currently provide temporary protection for the trees, but are required to be confirmed by the Planning Development Management Committee to provide long term protection.

### 2. RECOMMENDATION(S)

It is recommended Members confirm the making of Tree Preservation Orders 214, 219 and 220 without modifications, and that the Head of Legal and Democratic Services attends the requisite procedures.

### 3. FINANCIAL IMPLICATIONS

The cost of confirming the Orders will be met through existing budgets.

### 4. OTHER IMPLICATIONS

A Tree Preservation Order gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality. As outlined in Local Development Plan Policy NE5: Trees and Woodland, the Council will take the necessary steps to ensure that trees are protected in the longer term.

The making of any Tree Preservation Order is likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees. This is, however, contained within existing staffing resources.

The process of applying for work to protected trees allows for Elected Members, Community Councils and members of the public to have an opportunity to comment on work to protected trees.

The making of Tree Preservation Orders reduces the risk of losing important trees, groups of trees and woodlands, hence protecting the local amenity. Protecting trees has the further benefit of contributing to the Council's policies on improving air quality and helping combat climate change.

Promoting the improvement and maintenance of environmental quality and townscapes supports investment and economic competitiveness.

## 5. BACKGROUND/MAIN ISSUES

- **Tree Preservation Order Number 214, Former Mile-End School, Midstocket**

The reason for making the Tree Preservation Order is to protect the amenity of this area of Aberdeen City. The trees in this part of the City make an invaluable contribution to the attractiveness, character and amenity of the area.

The loss of trees would be detrimental to the amenity value of the site. The making of a Tree Preservation Order will afford the trees a level of protection throughout the redevelopment of the site, ensure the long term retention of trees and secure future tree cover in this area.

Making of a Tree Preservation Order here would ensure that the trees could not be removed or worked on without the express permission of the Council.

- **Tree Preservation Order Number 219, Land at Edgehill House, North Deeside Road, Milltimber**

The woodland area in question contributes to the character and amenity of the area. The loss of these trees would have an adverse effect on this character.

There is interest in developing the site and a Tree Preservation Order would ensure that trees could not be removed or worked on without the consent of the Council who would then have an opportunity to consider the environmental implications of any proposals.

- **Tree Preservation Order Number 220, May Baird Avenue**

The trees in question contribute to the local character of the area. The loss of these trees would have an adverse effect on this character. There is interest in developing the site and a Tree Preservation Order would ensure that trees could not be removed without the consent of

the council who would have an opportunity to have regard to the environmental implications of any proposals.

6. IMPACT

There are no anticipated impacts on equalities with this proposal hence an Equalities and Human Right Impact Assessment is not required. As outlined in Local Development Plan Policy NE5: Trees and Woodland, the Council will take the necessary steps to ensure that trees are protected in the longer term thus the need to confirm the aforementioned Tree Preservation Orders.

7. MANAGEMENT OF RISK

There is a risk of loss of the trees if the recommendations are not accepted which would impact on people and the environment. If recommendations are accepted the Orders will ensure the long term protection of the trees on each of the sites by ensuring the trees could not be cut down or otherwise damaged without the express permission of the Council, hence securing the public amenity and environmental value of each site.

8. BACKGROUND PAPERS

Files of Tree Preservation Orders 214, 219 and 220; maps attached

9. REPORT AUTHOR DETAILS

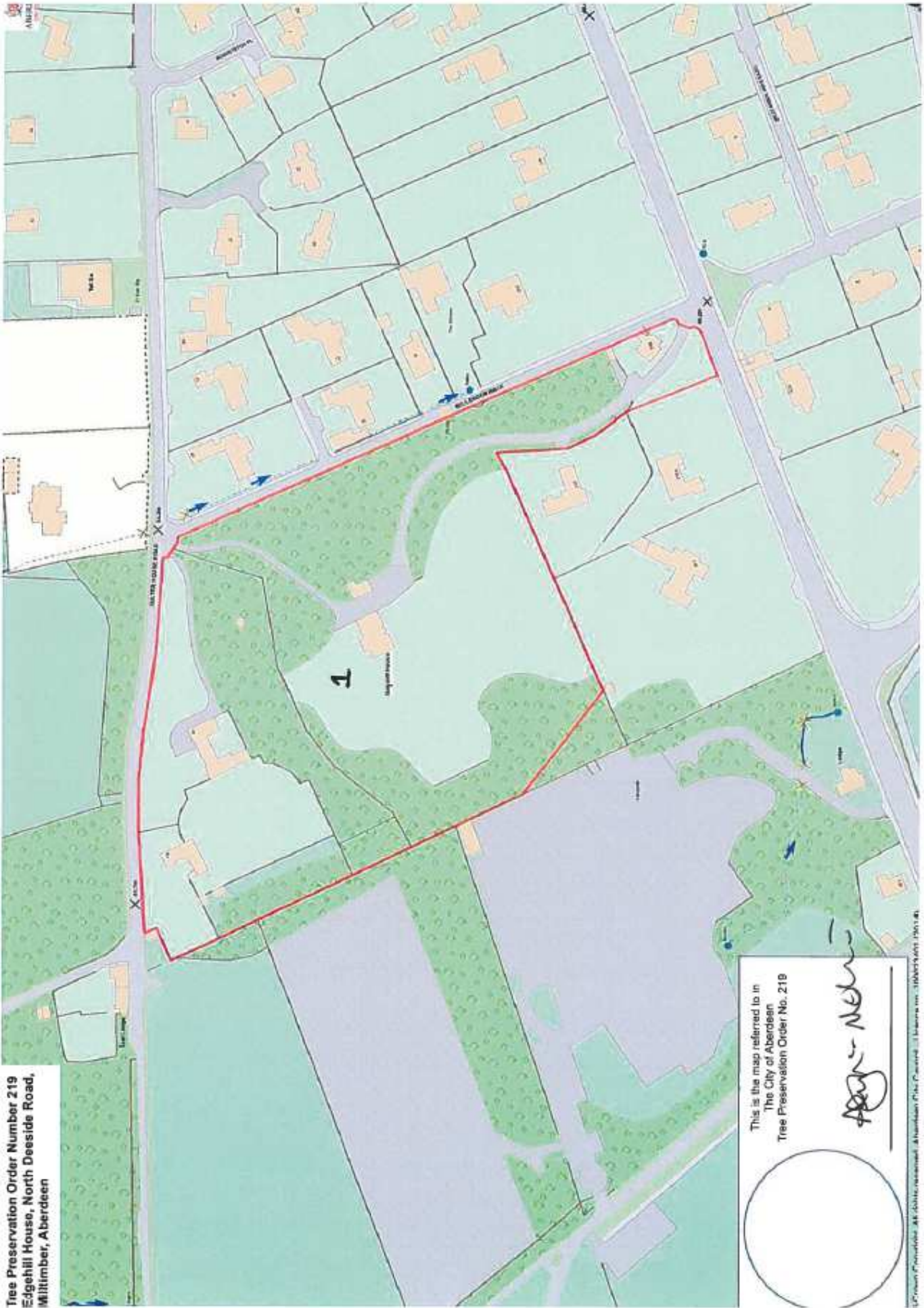
Kevin Wright  
Environmental Planner  
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(01224) 522440



Tree Preservation Order Number 214  
 Former Mile End School, Midstocket Road,  
 Aberdeen

This is the map referred to in  
 The City of Aberdeen  
 Tree Preservation Order No. 214

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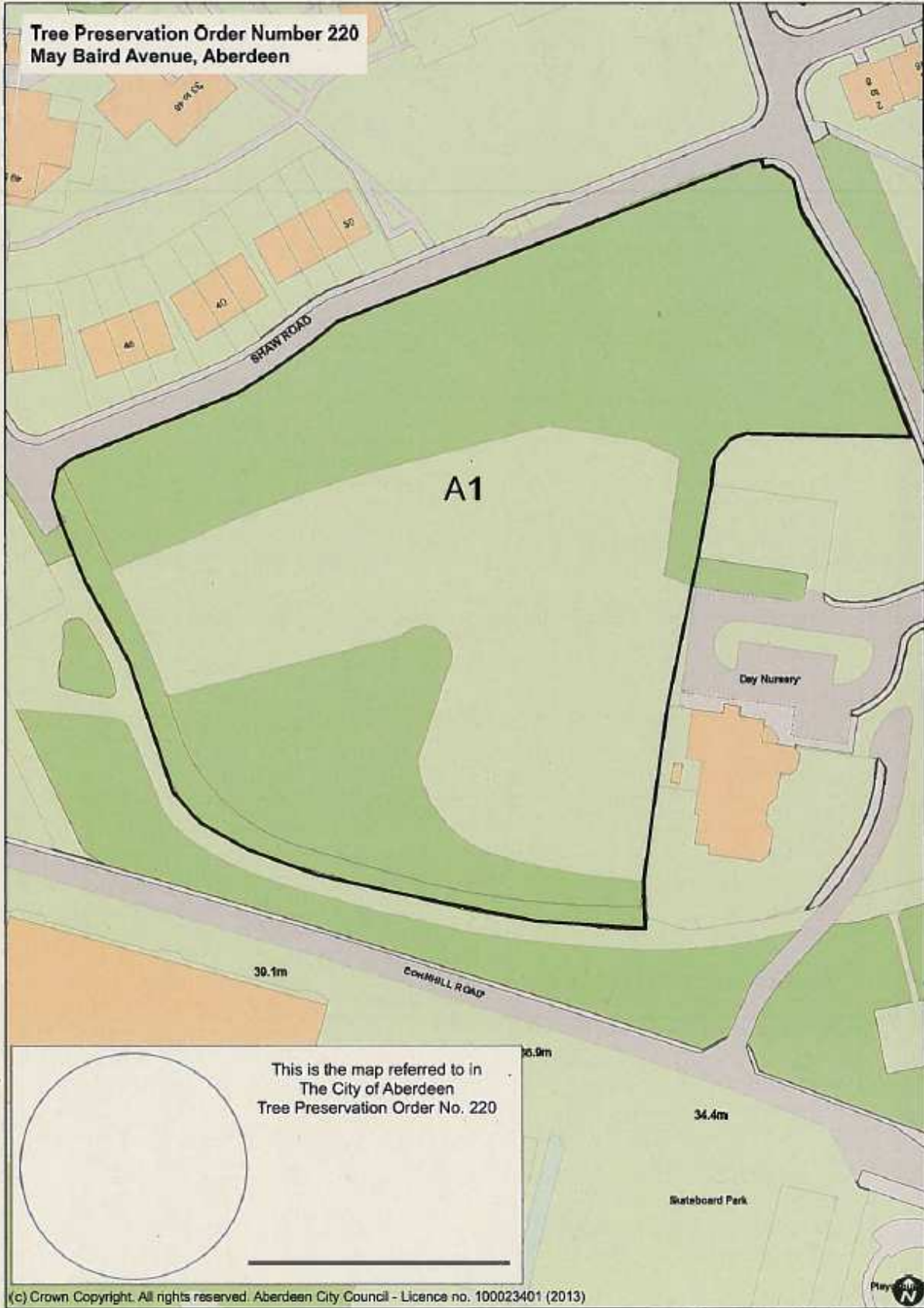
Tree Preservation Order Number 219  
Edgehill House, North Doeside Road,  
Miltimber, Aberdeen

This is the map referred to in  
The City of Aberdeen  
Tree Preservation Order No. 219

*Agnes McNeil*

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**Tree Preservation Order Number 220  
May Baird Avenue, Aberdeen**



This is the map referred to in  
The City of Aberdeen  
Tree Preservation Order No. 220