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To: Councillor Milne, Convener; Councillor Finlayson; Vice Convener; and Councillors Boulton (as substitute for 1 Labour member), Corall, Cormie, Dickson, Greig, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Jennifer Stewart, Stuart and Thomson; and 1 Labour member (to be advised).

Town House,
ABERDEEN, 29 October 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, 6 NOVEMBER 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 25 September 2014 - for approval (Pages 1 - 6)

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 2.1 Aberdeen Science and Technology Park, Land adjacent to Claymore Drive - Extension to Aberdeen Energy Park to provide 48,000 square metres of office / industrial / warehouse floor space (Pages 7 - 40)

Planning Reference – 131483

Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131483>

- 2.2 Aberdeen Local Development Plan Site OP58, Countesswells (Phase 1), West of Hazlehead Park - Provision of infrastructure including access, internal road layout, landscaping and drainage provision for Phase 1 of residential-led mixed use development (Pages 41 - 90)

Planning Reference – 140435

Planning Application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140435>

- 2.3 Former Police Station, Mid Stocket Road - Change of use of former police station to residential accommodation (amendment to 131363) (Pages 91 - 106)

Planning Reference – 141246

Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141246>

- 2.4 13 Manor Place, Cults - Erection of 2 storey side extension and roof terrace (Pages 107 - 132)

Planning Reference – 141008

Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141008>

- 2.5 59 Dubford Crescent, Bridge of Don - Erection of family room to rear of house (Pages 133 - 150)

Planning Reference – 141210

Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141210>

- 2.6 Provost Skene's House, Broad Street, Aberdeen - Removal of steps and balustrade to front of Provost Skene's House, re-profile and renewal of surface finishes between balustrade and Provost Skene's House, and relocation of stone arch (Pages 151 - 180)

Planning Reference – 140755

Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140755>

WHERE THE RECOMMENDATION IS ONE OF REFUSAL

- 3.1 11 Baillieswells Road (Site at), Bieldside - Proposed new house (Pages 181 - 240)
Planning Reference – 131698
Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131698>
- 3.2 25-29 Queens Road, Aberdeen - Change of use from flatted properties to 18 served apartments (to include 3 storey rear extension, associated car parking, demolition of rear boundary and formation of new entrance) (Pages 241 - 260)
Planning Reference – 140896
Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140896>

OTHER REPORTS

- 4.1 Planning Enforcement Activity - October 2013 to September 2014 (Pages 261 - 292)

Website Address: www.aberdeencity.gov.uk

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 25 September 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Cameron (substituting for Councillor MacGregor), Corall, Cormie, Grant, Greig, Jaffrey, Jean Morrison MBE, Samarai, Jennifer Stewart, Thomson, Townson and Young (substituting for Councillor Lawrence).

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=2886&Ver=4>

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

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 21 AUGUST 2014

1. The Committee had before it the minute of its previous meeting of 21 August 2014.

The Committee resolved:-

to approve the minute.

PLOT 7 PRIME FOUR BUSINESS PARK, KINGSWELLS – 141066

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

That the Committee approve the application to purify conditions attached to planning permission in principle (120649) relating to an office building at Plot 7 of the site, 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; and (viii) landscape; and in relation to condition 15 - plot specific landscaping treatment, subject to the following condition:-

(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.

INFORMATIVES

Heights and 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.

The applicant's attention is drawn 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 and 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.

The Convener moved, seconded by Councillor Corall:-

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

Councillor Cameron moved as an amendment, seconded by Councillor Samarai:-

That the application be refused on the grounds that the excessive height of the proposed office building represented overdevelopment of the site and was not in keeping with its surroundings.

On a division, there voted:- for the motion (12) - the Convener; the Vice Convener; and Councillors Boulton, Corall, Cormie, Grant, Jaffrey, Jean Morrison, Jennifer Stewart, Thomson, Townson and Young; for the amendment (3) - Councillors Cameron, Greig and Samarai.

The Committee resolved:-

to adopt the motion.

STRATHISLA, 11 BAILLIESWELLS ROAD, BIELDSIDE - 140940

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

That the Committee approve the application in respect of planning permission for the erection of a detached house on part of the vacant plot of land at the site, subject to the following conditions:-

(1) That 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; (2) that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority, and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks; (3) that 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; (4) that 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; (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; (6) that 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; and (7) that 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.

The Committee resolved:-

to approve the recommendation.

CROMBIE HALL OF RESIDENCE, COLLEGE BOUNDS, OLD ABERDEEN - 140681

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 for listed building consent for the installation of replacement signage and refurbishment of the café, subject to the following conditions and referral to Historic Scotland:-

(1) That no works shall take place to expose the mural, or to remove 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; and (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.

INFORMATIVES

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

DECLARATION OF INTEREST

At this juncture, the Convener spoke in support of the objections submitted by Old Aberdeen Community Council and Old Aberdeen Heritage Society, emphasising that the building was Category A listed and that the proposed illuminated signage was totally out of character in terms of the surrounding Conservation Area. The Convener therefore requested that the Committee refuse the application.

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

Councillor Jean Morrison moved as a procedural motion, seconded by Councillor Grant:-

That a site visit be undertaken to allow members to view the building in the context of the surrounding Conservation Area.

On a division, there voted:- for the procedural motion (6) - the Vice Convener; and Councillors Boulton, Grant, Jaffrey, Jean Morrison and Townson; against the procedural motion (7) - Councillors Cameron, Corall, Greig, Samarai, Jennifer Stewart, Thomson and Young; declined to vote (1) - Councillor Cormie; absent from the division (1) - the Convener.

The Committee resolved:-

to reject the procedural motion and therefore determine the application this day.

Councillor Corall moved, seconded by Councillor Townson:-

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

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

That the application be refused on the grounds that the proposed refurbishment works and signage, with particular reference to the illuminated sign, would have an adverse impact on the character and setting of the Category A listed building and the surrounding Conservation Area.

Councillor Boulton moved as a further amendment, seconded by Councillor Jennifer Stewart:-

That the application be approved in accordance with the recommendation

contained within the report subject to the following additional conditions:-

(3) For the avoidance of doubt, the existing external doors shall be retained, their replacement not forming part of this decision; and (4) notwithstanding the details shown in drawing numbers 140681 05, 140681 06 and 140681 36 hereby approved, no development shall commence unless revised drawings showing the signage with no illumination are submitted and approved by the Council (as planning authority). Thereafter, the development shall be implemented in accordance with these details.

In terms of Standing Order 12(4), Councillor Jaffrey indicated that she wished to withdraw her amendment in favour of the amendment by Councillor Boulton and this was accepted.

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

There being an equality of votes, in terms of Standing Order 15(5) the Vice Convener exercised his casting vote in favour of the amendment by Councillor Boulton.

The Committee further resolved:-

to adopt the amendment by Councillor Boulton.

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

CONFIRMATION OF TREE PRESERVATION ORDERS 214, 219 AND 220 - EPI/14/256

5. The Committee had before it a report by the Head of Planning and Sustainable Development which sought confirmation of three provisional Tree Preservation Orders made under delegated powers to provide long term protection for the relevant trees.

The report recommended:-

that the Committee confirm the making of Tree Preservation Orders 214, 219 and 220 without modifications and instruct the Head of Legal and Democratic Services to attend to the requisite procedures.

The Committee resolved:-

to approve the recommendation.

- RAMSAY MILNE, Convener.

Agenda Item 2.1

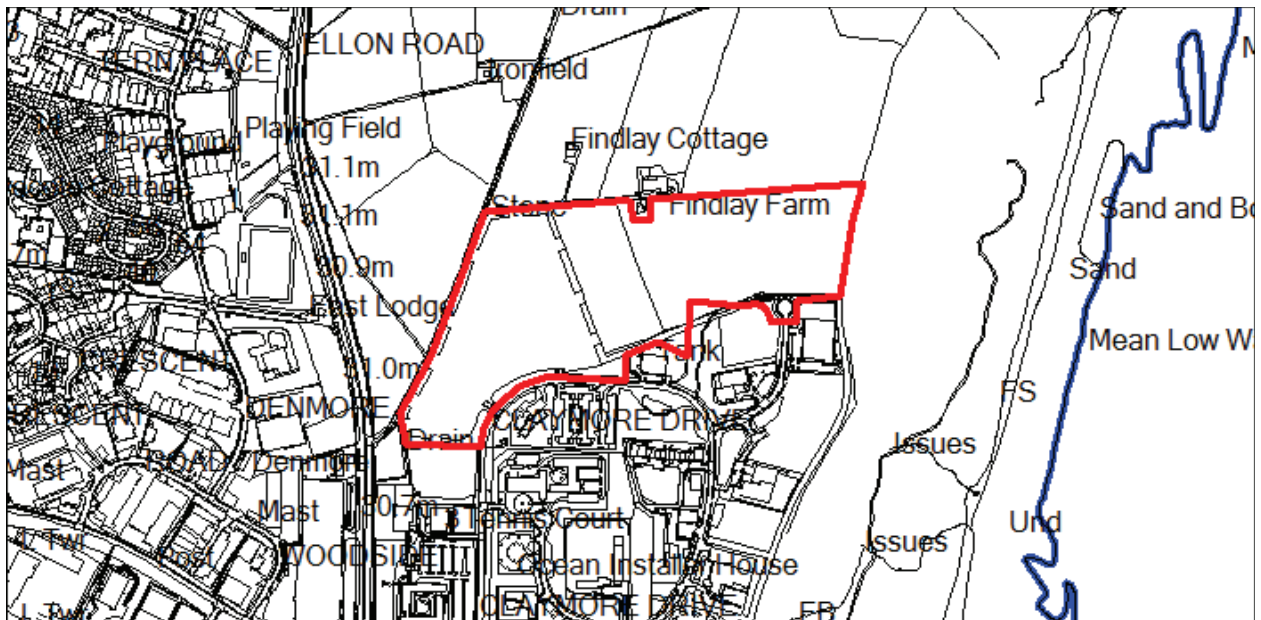
Planning Development Management Committee

LAND ADJ TO, CLAYMORE DRIVE, SCIENCE & ENERGY PARK

EXTENSION TO ABERDEEN ENERGY PARK TO PROVIDE 48,000SQM2 OF OFFICE/INDUSTRIAL/WAREHOUSE FLOOR SPACE

For: Aberdeen Science Parks LP

Application Type : Planning Permission in Principle	Application Ref. : P131483	Application Date: 10/10/2013	Officer: Kristian Smith	Ward : Bridge of Don (M Jaffrey/J Reynolds/S Stuart/W Young)	Advert : Can't notify neighbour(s)	Advertised on: 30/10/2013	Committee Date: 6 th November 2014	Community Council : no response received
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RECOMMENDATION: Approve subject to Conditions

DESCRIPTION

The site extends to some 17 hectares and is located to the north of the Aberdeen Energy Park at Claymore Drive, located to the north of Bridge of Don. The site comprises agricultural land, which generally slopes from the South West to the North East.

To the east is the Royal Aberdeen Golf Club, Murcar Links Golf Club and the Aberdeen coast. The north and west is agricultural land, with the A90 Trunk Road located just beyond to the west. There are a number of residential properties also located to the north.

RELEVANT HISTORY

88/1290: The first phase of the Science and Energy Park was granted Outline Planning Permission in March 1989 as an 'offshore technology park'. Particular care was taken with the landscaping of the site and to ensure that the buildings and plots were set within substantial structural planting.

92/0385: Granted outline planning permission, subject to conditions, for an extension to the Science and Energy Park in November 1992. That consent was restricted to: research, design, development of products or processes and ancillary educational activities/facilities only. No other uses were permitted, except with the prior written consent of the planning authority.

A5/2196: Granted outline planning permission, subject to conditions, for a further extension to the Science and Energy Park in November 2007. This consent was not implemented and expired on the 26th November 2010. This application related to the same 17ha site as the application subject of this report.

PROPOSAL

Planning permission in principle is sought for an extension to the Aberdeen Energy Park, to provide an additional 48,000 square metres of Class 4 (Office), Class 5 (Industrial) and Class 6 (Storage and Distribution / Warehouse) floor space.

A layout plan accompanying the application is for indicative purposes only, as other than the floor space proposed all other matters are to be reserved and considered via future Matters Specified in Conditions (MSC) applications.

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=131483>

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

1. Design and Access Statement
2. Planning Statement
3. Pre-Application Consultation Report
4. Landscape and Visual Impact Assessment (LVIA) (amended 01.11.2013);
5. Transport Assessment (amended 8th August 2013)
6. Sustainability Statement
7. Ecology Report
8. Archaeological Desk-Based Assessment.

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation on 17th and 18th January 2013, between the applicant and the local community, as required for applications falling within the category of 'major' developments as defined in the 'Hierarchy of Development' Regulations. The consultation involved a public exhibition which was organised on behalf of the applicants.

REASON FOR REFERRAL TO COMMITTEE

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

CONSULTATIONS

Roads Projects Team – No objection, subject to planning conditions. Advise that no Strategic Transport Fund contribution is required, given the site was identified within the 2008 Local Development Plan. Requested conditions are: no more than 15% of the proposed floor space (7,200m²) shall be developed until both the Aberdeen Western Peripheral Route (AWPR) and Third Don Crossing (TDC) are completed and open to traffic; submission of a Travel Plan for the site and each plot developed therein; submission of a Public Transport Strategy (PTS) incorporating the timing for a bus service link through the site, such timing to be agreed before more than 15% occupation; requiring that various junction mitigations be undertaken following 15% occupation; that improvements are made to the Ellon Road / Parkway roundabout before more than 45% occupation; that further junction mitigations be undertaken before more than 65% (31,200m²) occupation; that a 3m wide shared use foot/cycleway be provided on one side of a internal loop road, and also connecting to the costal path (Core Path 18); and, that a Drainage Impact Assessment (DIA) be submitted and approved prior to commencement of construction.

Trunk Roads Authority – No objection, subject to two conditions: (1) that the proposed development shall be limited to 15% of the total Gross Floor Area prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Parkway and A90 Ellon

Road; and (2) that no part of the development shall be occupied until a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

Environmental Health – No objections in principle. Advise that properties on the northern perimeter may be served by private drainage systems and that now is an opportune time to seek their connection to the main sewage disposal system, which may be improved as part of the proposed development. Conditions are requested in relation to: construction hours of work, because of the proximity of the houses to the north; that lighting does not affect existing properties: adequate bin storage within each unit area; that all proposals are connected to the mains sewage system; and, that measures to prevent deposit of mud or other debris on the public road are implemented.

Developer Contributions Team – Advise that the level of contributions required will be sought at the detailed (MSC or detailed planning permission) stages, when the: use class, gross internal floorspace and car parking detail is set out. Such contributions are to be secured by condition or legal agreement.

Enterprise, Planning & Infrastructure (Flooding) – No objection, subject to planning conditions requiring: a drainage impact assessment (DIA); surface water drainage (SuDS) proposals; and a flood risk assessment (FRA).

Education, Culture & Sport (Archaeology) – No objection, subject to a condition requiring a written scheme of investigation detailing: a programme of archaeological work, including all necessary post-excavation and publication work. It is noted that an archaeological desk-based assessment was submitted, in support of the application, but the report fails to make reference to the Bronze Age presence which was discovered just to the north. Given the sensitivity of the site, it is required that archaeological evaluation work be done in advance of any development.

Scottish Environment Protection Agency (SEPA) – No objection, subject to the imposition of conditions requiring: details of SUDS; a site specific construction method statement; details of existing private water supplies and appropriate mitigation to their sources.

Scottish Natural Heritage (SNH) – No objection, but note that the development should be carried out in accordance with the species protection plan outlined in the Ecology Report. The proposed control and removal of Japanese Knotweed and Giant Hogweed is welcomed.

Scottish Water – No objection.

Aberdeen International Airport (AIA) – No objection, subject to conditions to secure: a Bird Hazard Management Plan (BHMP); a SUDS scheme, including

bird deterrent measures; landscaping details (ensuring plants not attractive to birds).

National Air Traffic Service (NATS) – No objection, advise that the proposal does not conflict with safeguarding criteria.

Police Scotland (Architectural Liaison Service) – No comments at this stage. However, as plans become more detailed would welcome the opportunity to comment, to ensure the development is a safe and secure environment.

Community Council – No response received.

REPRESENTATIONS

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

Principle:

1. The Aberdeen Science and Energy Park (ASEP) was established as an R&D (Research and Development) centre of excellence, whereas this application makes no distinction as to the nature of potential occupiers;
2. The proposal is contrary to development plan, where the site is zoned as Specialist Employment Land (policy BI2) and should only be diverted from R&D use in exceptional circumstances. Given the strong supply of general industrial land in Aberdeen there is no valid justification for departing from this policy position; to do so is a departure from the local plan.
3. The R&D function should be protected for the site for the wider benefit of the City and Shire economy.
4. Indicative layout shows many of the plots as a mix of office and industrial uses where the offices generally appear ancillary. Therefore the reality is that the proposal is for Class 5 (General Industrial) rather than Class 4 (Offices).
5. Given the application seeks permission in principle, it is possible that the exact balance of uses could alter over time, as future Matters Specified in Conditions (MSC) applications are lodged, which could create the potential for a general industrial development site. The opportunity to move away from R&D should be avoided.
6. The fact that the proposal seeks permission in principle, suggests that the proposal is speculative, combining this with the indicative layout and use types will dilute the importance and impact of the ASEP and undermine its aim to support energy related R&D uses.

7. Policy BI2 only allows the Council to consider other uses than Class 4 in exceptional circumstances and in all circumstances the merit of that change must be clear, justifiable and considered. The fact that this proposal seeks permission in principle does not allow the Council to consider the proposals properly and on their merits.
8. The Murcar Development Framework (SG) was examined in the preparation of the Local Development Plan (LDP) 2012, and found to be up to date and relevant. It states that development on the extension to the ASEP at Findlay Farm will be restricted to companies that are significantly engaged in research and development. The application is contrary to this and therefore contrary to the LDP.
9. The application is contrary to the aims and objectives of Energetica.
10. The ASEP is considered unique in the oil and gas industry worldwide as the only single site facility which can cater for most of the industry's R&D requirements. The proposal is contrary to this aim.
11. Policy allows for a mix of uses (BI2) but only where the merits of such uses can be justified and are exceptional. There are no exceptional circumstances presented.
12. The City and Shire Structure Plan sets out pre-requisites prior to the building within the Aberdeen to Peterhead corridor, including delivery of vital infrastructure such as AWPR, duelling of A90 between Balmedie and Tipperty, etc. until the infrastructure is in place development in the southern part of the corridor will be limited. None of these works have started, let alone delivered.
13. Note that the AECC will be relocating so why is there a need for all this development on greenfield land when a very sizeable area will become available?
14. Within the whole proposed site, and specifically in the case of the plots surrounding Findlay Farm, are not suitable for Class 5 development given the close proximity to residential development.

Design

15. The supporting documents suggest that the development will be a high quality landscaped park, but this is not reflected in the indicative layout. The layout is likened to a general industrial layout accessed off a central road. An inappropriate layout to attract R&D type uses.
16. Lack of significant structural landscaping around the edges and the access roads.

17. There is limited public or private open space within the development. The layout is not an inward facing landscaped park.
18. Object to three storey high building which would dominate the landscape and spoil the area from views at the adjacent golf club. The building would appear incongruous with existing buildings in ASEP which are generally no higher than two storeys in height; all the other proposed buildings are no higher. This building would be contrary to Policy D6 – Landscape, as it would create a significantly adverse landscape impact which would be to the detriment of the recreational enjoyment of the golf course. It is contrary to the Murcar Development Framework (SG) which states that all new building is expected to be responsive to context and integrated within a landscape structure and particular regard is required in the areas that lies adjacent to the two golf courses
19. Lack of significant landscaping along the eastern boundary adjacent the golf course. Figure 8 of the LVIA shows an absence of any screening; the landscape masterplan shows very few trees, being largely grassed, thus providing little or no visual barrier on the boundary, or acoustic boundary.
20. The proposal as submitted would cause a detrimental impact on the golf clubs ability to attract major events and tourists in the future (such as Walker Cup, Scottish Open, which generates significant money to the economy, and as a destination of golf tourism).

Residential Amenity

21. Impact on amenity of neighbouring dwellings to the north in terms of no screening measures, buffer zones and noise mitigation.
22. The submitted LVIA notes that Findlay Farm would experience high adverse visual impacts, the effects are substantial adverse, and there are no mitigation measures set out.
23. Areas of green space along the northern boundary would further mitigate the impact of the proposal to the residential properties on the northern boundary.
24. The submitted LVIA fails to take into account views from residential property closest to the proposal, but has considered others.
25. The proposal could be amended to minimise impact on the residential developments to the north, by relocating the largest buildings from the northern boundary, and moving the single storey height buildings to the north from the middle of the site. The larger buildings are more likely to give rise to noise pollution, being used for longer periods including possible night shifts, and visual impacts.

26. External lighting should take into account residential amenity and minimise light spillage into adjoining areas and the sky (policy D2). No measures have been identified to take into account the impact of lighting on adjacent residential properties.
27. Water supplies to residential properties run through the application site, but there have been no assurance that no damage would be caused.

Ecology

28. The proposal fails to consider impact on the wildlife that occupy and surround the area. Objector indicates that deer, foxes, squirrels, heron and birds of prey, and bats within the water tower to the north.

Traffic/Transport

29. Traffic in Bridge of Don, and Aberdeen in general, already suffers serious congestion and a small incident, such as accident or adverse weather, puts the entire city at gridlock.
30. Mention is made to improvements to public transport and re-opening of outlying community railways stations to alleviate cars on the road. The existing public transport has not improved, with increased fares and reduced service, and believe no local railway stations has re-opened in the last five years. Fail to see how this would happen when funds are being cut and local residents lose existing services.
31. Submitted Transport Assessment (TA) is unacceptable, does not present an accurate picture of the potential impact of traffic from the proposed development.
32. Consider the infrastructure network will be unable to support further open class 4, 5 and 6 developments without further major upgrades.
33. The submitted TA considers that as permission was previously approved in 2007 that no regard has to be given to that previously committed; however in response the previous consent has since expired. Referred to as 'uplift', i.e. the TA only assesses the traffic impact based on the additional level of development now sought above that which was approved in 2007 (since elapsed), and not the whole proposal.
34. The Strategic Transport Fund should be applied to the whole development, not just the 'uplift'.
35. Over provision of car parking, when taking into account Supplementary Guidance Transport and Accessibility (SG- TA) of 8 car parking spaces.

36. The parking layout should be informed with clarification on the proposed uses. Warehousing for example would equate to 96 spaces, not 192 as proposed in accordance with SG-TA
37. No modelling results on the Parkway East/Exploration Drive/Claymore Drive have been presented within the TA.
38. The already congested network in the Bridge of Don area can only be exacerbated by the expansion proposals.
39. The private road which serves the domestic properties to the north has been maintained at cost to those properties. Seek assurances that the road will remain private and no traffic associated with pre or post construction will use it; or if it is agreed that it can be used that it would be upgraded and tarred at no expense to the occupiers of the residential properties.

Other travel modes

40. Note that the TA identifies a need for enhanced crossing facilities for pedestrians and cyclists;
41. The link from Berryhill development to the north and the existing Aberdeen Science and Energy Park is only possible with co-operation of the developers of the Berryhill development, the TA makes no indication of the accessibility of the site without this provision coming forward for which the developer is benefitting without having to make a fair contribution to its delivery.
42. Consider that the TA over estimates the modal share for public transport, and consequently an optimistic view of the trip generation.

Other

43. The TA disadvantages other developers in a number of ways: in that a fair comparison of impacts at the respective sites cannot be derived; with respect to development viability, sharing the burden of mitigation costs, and compliance with Circular 3/2012 Planning Obligations and Good Neighbour Agreements.
44. Aberdeen is already well served by general industrial land, no need to release other non-industrial land for that purpose;
45. A different approach in the TA compared with the Berryhill TA which is adjacent.
46. No mention within the TA of traffic surveys being undertaken to inform an observed level of traffic.

47. No mention within the TA of the origin and year of the baseline data has been submitted. Questions relevance of some of the data given time elapsed.
48. Questions a number of statements made within the TA relating to the Berryhill TA, which are considered inaccurate.
49. There are industrial developments taking place across the city, whilst existing buildings stand empty in Altens, Tullos and Kirkhill industrial estates. In addition the High Speed rail network will not serve Scotland, let alone Aberdeen, to the impacted sum of several millions. Understand need to ensure that Aberdeen is viable and attractive place to do business and that the city offers opportunities for employment and future investment but need to make sure that at the onset have the infrastructure in place and that there is demand in the pipeline for investment in the city.
50. Flooding – seek assurances that any damage caused as a result of inadequate maintenance and inefficient drainage would be repaired at no cost to neighbouring residents.
51. The watercourse that runs between the site and the private lane has remained as an unresolved ownership issue, but it has been blocked and caused flooding in the past causing damage to adjacent property. The proposal could impact on the watercourses adjacent. Drainage and the issue of flooding should be investigated and clarified to ensure that the developers are accountable for maintenance to ensure it accords with planning policy NE6 (Flooding and Drainage).
52. Environmental Impact Assessments (EIA) are used to establish the acceptability of a proposal, even in principle. In such cases the level of detail of the proposal must be sufficient to enable a proper assessment of the likely environmental effects and mitigation. This application is deficient in terms of mitigation measures.
53. Security measures for the site should be considered to prevent illegal encampments during and post construction, which have already occurred at Claymore Drive and within the ASEP.

PLANNING POLICY

National Policy and Guidance

SPP (Revised June 2014) – SPP is the statement of Scottish Government Policy on land use planning, and includes the Government's core principles for the operation of the planning system, subject planning policies, and how they should be exercised to contribute to the objective of sustainable development. The principle policies relating to: sustainability and placemaking; and subject policies

relating to: a Successful, Sustainable Place; a low Carbon Place; a Natural, Resilient Place; and, a Connected Place, are all relevant material considerations.

Aberdeen City and Shire Strategic Development Plan (SDP)(March 2014)

Recognises Aberdeen as the principal strategic growth area within the region, as is the Energetica corridor, which the site sits within, at its southern end. Sustainable travel is promoted, as are improvements to transport infrastructure, all to support and enable new development. The southern end of the Energetica corridor is recognised as a focus for developing energy technology and energy efficiency, whilst the corridor itself is recognised for its important strategic assets, high environmental quality and significant potential for development. The creation of a global hub for the energy sector is a strong focus. It is also recognised that until significant infrastructure improvements are made, including the AWPR and 3rd Don crossing, that development will be restricted. Further focus issues are: diversifying the economy; and quality of environment.

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

- Economic Growth – to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.
- Sustainable Development and Climate Change – to take the lead in reducing CO2 emissions, adapts to the effects of climate change and limits the amount of non-renewable resources it uses.
- Population growth – to increase the population of the city region and achieve a balanced age range to help maintain and improve people’s quality of life.
- Quality of the environment – to make sure new development maintains and improves the region’s important built, natural and cultural assets.
- Sustainable Mixed Communities – to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to;
- Accessibility – to make sure that all new development contributes towards reducing the need to travel and encourages people to walk, cycle or use public transport by making attractive choices.

Aberdeen Local Development Plan

Policy LR1 Land Release Policy

Opportunity Site OP4 Findlay Farm, Murcar, which is the subject of this application, has been zoned under this policy for 16.4ha of specialist employment land and as an opportunity to extend the Aberdeen Science and Energy Park. The site was similarly identified in the 2008 Local Development Plan and is considered to be suitable for commencement immediately.

Policy BI2 Specialist Employment Area

Indicates that a mix of Class 4 (Business) and 5 (General Industrial) uses shall be permitted, the latter being considered on their merits. Research, design and development activities, together with related educational/training activities are encouraged. Ancillary facilities aimed primarily at meeting the needs of businesses and employees may be permitted where they enhance the attraction and sustainability of the specialist employment area for business investment.

Policy I1 Infrastructure Delivery and Developer Contributions

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

Policy T1 Land for Transport

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

Policy T2 Managing the Transport Impact of Development

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

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

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

Policy D1 Architecture and Placemaking

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied. Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

Policy D3 Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that

opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles.

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

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

D5 Built Heritage

Development affecting archaeological resources should comply with the further details set out in the SG on 'Archaeology and Planning'.

Policy D6 Landscape

Development will not be acceptable unless it avoids:

1. Significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct sense of place which point to being either in or around Aberdeen or a particular part of it;
2. Obstructing important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;
3. Disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them;
4. Sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

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

Policy NE5 Trees and Woodlands

Presumes against development which would see the loss of or damage to established trees and woodlands which contribute significantly to nature conservation, landscape character or local amenity. Appropriate measures should be taken to protect and thereafter manage existing and new trees both during and after construction. A tree protection plan should accompany detailed applications. Native species should be used in new planting.

Policy NE6 Flooding and Drainage

Development will not be permitted if:

1. It would increase the risk of flooding;
2. It would be at risk itself from flooding;
3. Adequate provision is not made for access to water-bodies for maintenance; or
4. It would result in the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

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

Where more than 100m² of floorspace is proposed, the developer will be required to submit a drainage impact assessment. Surface Water Drainage associated with development must:

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

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

Policy NE9 Access and Informal Recreation

New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, other paths and rights of way. Core Paths are shown on the Proposals Map. Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel. Further guidance is available in the Infrastructure and Developer Contributions Manual, Supplementary Guidance on Transport and Accessibility, and Open Space Supplementary Guidance.

Policy NE10 Air Quality

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

Policy R6 Waste Management Requirements for New Development

Details of waste storage facilities and means of collection must be included as part of any planning application for development which would generate waste.

Policy R7 Low and Zero Carbon Buildings

All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon

dioxide emissions by at least 15% below 2007 standards. This percentage requirement will be increased as specified in Supplementary Guidance.

Supplementary Guidance

- Murcar development framework
- Infrastructure and developer contributions manual
- Energetica
- Air Quality
- Archaeology and Planning
- Drainage Impact Assessments
- Landscape Strategy Part 2 – Landscape Guidelines
- Low and Zero Carbon Buildings
- Transport and Accessibility
- Trees and Woodlands
- Waste Management Requirements in New Development

Other Relevant Material Considerations

The previous grant of outline planning permission (Ref: A5/2196) is a strong material consideration.

EVALUATION

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

Principle of Development

The submitted Planning Statement accompanying the application summarises the proposal seeks planning permission in principle 48,000m² of floorspace across use Classes 4 (Business), 5 (General Industrial) and 6 (Storage and Distribution / Warehouses), with the predominant use being Class 4. The Class 6 use will primarily be ancillary to Classes 4 and 5 (para 4.8).

The site is allocated within the Local Development Plan as a Specialist Employment Area (BI2). This policy states that proposals at the Aberdeen Science and Energy Park for a mix of Class 4 Business and Class 5 General Industrial, the latter of which will be considered on their merits.

The Murcar Development Framework Supplementary Guidance notes that Opportunity Site 4: Findlay Farm, Murcar, is a 16.4 hectare extension to the Science and Energy Park. “Development on the extension to the Science and Energy Park at Findlay Farm will be restricted to companies that are significantly engaged in research and development”.

As such the principle of Class 4 and 5 uses is considered acceptable. However, it is not considered appropriate to include Class 6 as a standalone alternative. This reflects the Local Development Plan intention to restrict the site to a 'Specialist Employment Area', rather than general business and industry. As the existing Science and Energy Park has passed through the planning process it has been restricted to encourage primarily Class 4 uses, in particular those related to research and development. On the basis of the above it is not considered appropriate to grant an 'open' or unrestricted consent allowing for any mix of Class 4, 5 or 6 uses.

The developers have requested that consideration be given such that up to 20% of the floorspace could be used for Class 6 purposes, and this has come forward in various formats including: stand alone plots for warehousing, and as ancillary to Class 4 and 5 development. The latest indicative layout plan has not included any reference to Class 6 Use. However, it is acknowledged that the developer would like this to be considered.

In giving this matter consideration it is not felt appropriate to allow an uncontrolled 20% allocation for Class 6 development, so as to avoid the development of individual plots coming forward as principally for Class 6 purposes. However, in recognition of the fact that there may be elements of warehousing associated with Class 4 or 5 uses, it is accepted that an element of related class 6 development could be permitted. It is noted that The Town and Country Planning (Use Classes) (Scotland) Order 1997 and General Permitted Development Order allows changes of use from Class 4 and/or 5 to Class 6 up to a maximum of 235 square metres, without a requirement for planning permission. Extrapolating this permitted development right across to the indicative plan, and taking a flexible and proportionate approach, it is considered that allowing 20% of the yard or floorspace to be used for Class 6 purposes (within each plot) is reasonable and likely to reflect what potential occupiers would require. That way such a condition ensures that the warehousing element remains ancillary, and importantly is also not too far beyond what can be done without planning permission. This approach would not prevent any submission of a detailed application being made and be assessed on its own merits, should the developer of any plot require more than 20%.

Although a number of the representations raise concern about the nature of the proposal and refers to the Murcar Development Brief outlining that "Development on the extension to the Science and Energy Park at Findlay Farm will be restricted to companies that are significantly engaged in research and development." and primarily Class 4 Use. As such, subject to suitable planning conditions, the proposal is considered to comply with the aims and objectives of strategic development plan in this regard, and accords with the general principles contained within the Land Release Policy LR1 and Policy B12 (Specialist Employment Areas), as well as the Murcar Development Framework Supplementary Guidance.

Traffic and Road Safety

The Trunk Roads Authority (TRA) response notes no objections, but requests two conditions seeking limiting the proposed development to 15% of the total Gross Floor Area (7,200m²) for the period prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Parkway and A90 Ellon Road; and (2) a Travel plan (considered as being for the site and each plot developed therein).

Aberdeen City Council as Local Roads Authority raise no objections, subject to a number of matters to be controlled via suitable planning conditions. These conditions reflect the advice of the TRA, but also relate to: limiting development to 15% of GFA until the Third Don Crossing is open to traffic; submission of a Public Transport Strategy (PTS) incorporating the timing for a bus service link through the site, such timing to be agreed before more than 15% occupation; requiring that various junction mitigations be undertaken following 15% (7,200m²), 45% (21,600m²) and 65% (31,200m²) occupation; that a 3m wide shared use foot/cycleway be provided on one side of an internal loop road, and also connecting to the coastal path (Core Path 18); and, that a Drainage Impact Assessment (DIA) be submitted and approved prior to commencement of construction.

Subject to these conditions it is considered that the principle of the proposed development is acceptable in terms of traffic and road safety, in that: infrastructure to serve the development will be made available, and that development levels will be restricted accordingly.

Detailed matters associated to the means of access, layout, design, parking arrangements, etc. will be considered via applications for Matters Specified in Conditions (MSC) or detailed planning permission.

In principle the development does not conflict with the aims of Policies T1 (Land for Transport) or T2 (Managing the Transport Impact of Development).

Flooding and Drainage

The Councils flood officers, raise no objections, subject to conditions requiring: a drainage impact assessment (DIA); surface water drainage (SuDS) proposals; and a flood risk assessment (FRA). Similarly SEPA have no objection, subject to conditions requiring: SuDS; a site specific construction method statement; details of existing private water supplies and appropriate mitigation to their sources.

Subject to satisfying these conditions the principle of the development would comply with the requirements of Policy NE6 (Flooding and Drainage). The details of such matters shall be assessed via MSC or detailed planning applications for developments within the site.

Ecology

Issues have been raised about the possibility of bats being present within the water tower which is in the north western corner. The water tower is located within the landscape strip on the edge of the development. The agents have confirmed that the tower will be retained. On that basis it is not considered necessary to seek a bat survey. However, it is considered prudent to apply a condition which seeks the retention of the water tower (as detailed on drawing number (SK)021).

Equally Giant hogweed and Japanese Knotweed have been identified and a suitable condition can ensure that suitable control measures are undertaken, via the submission of a method statement, at both a strategic level and then in relation to each plot.

Conditions can also be applied to ensure that watercourses are suitably treated and incorporate suitable landscaped buffers along them, in the interests of providing suitable habitats and links between existing habitats. Such submissions can be guided by the SG relating to Landscape Strategy.

A detailed Badger Protection Plan is also required, to: detail suitable buffers during periods of construction; lighting arrangements; storage of chemicals; exposed trenches; open pipes; etc. Such matters can be required via a suitable condition.

As such it is considered that the principle of the development is acceptable, in terms of Policy D6 (Landscape), again matters of detail shall be assessed in due course and guided by the above conditions.

Design

As this proposal seeks approval of planning permission in principle only, and the submitted layout and other plans showing detail are simply for illustrative purposes only. Subsequent detailed submissions will be subject to compliance with any attached conditions, which would be reflective of the context of relevant Development Plan policies (T1, D1, D6, R6 and R7) and guidance (Landscape Strategy Part 2 – Landscape Guidelines; Low and Zero Carbon Buildings; Trees and Woodlands; and, Waste Management Requirements in New Development).

Air Safety

Both Aberdeen International Airport (AIA) and the National Air Traffic Service (NATS) have been consulted and have no objections. However, AIA require that conditions be attached requiring: a Bird Hazard Management Plan (BHMP); a SUDS scheme, including bird deterrent measures; landscaping details (ensuring that plants do not attract birds).

Archaeology

The Councils Archaeology advisors raise no objections, subject to the submission of a written scheme of investigation, setting out a programme of archaeological work, including all necessary post-excavation and publication work. This action is to be undertaken in advance of any development.

Such an approach would comply with the principles of the SG (Archaeology and Planning)

Planning Contributions

The Developer Contributions Team advise that contributions required will be sought at the detailed (MSC or detailed planning permission) stages, when specific information relating to the detail of each element of any proposal will be available and can be used to provide accurate advice. Such contributions can be secured by condition or legal agreement.

Discussion of earlier approval Ref: A5/2196

As indicated above the site has previously been subject of a grant of outline planning permission in November 2007, however this was not implemented and expired three years later in 2010.

At the time of that applications consideration, it was considered compliant with the then Structure Plan, but contrary to the Green Belt zoning in the adopted Local Plan. However, the site was allocated for an extension to the Science and Energy Park in the then Finalised Local Plan (the 2008 LDP), and complied with the broad principles of the then relevant 1991 Aberdeen City District-Wide Local Plan. This emerging situation was also supported by the then Community Plan, Scottish Planning Policy and the National Planning Framework Also a consideration was the fact that there was considered to be an imminent shortfall of land on the existing Science and Energy Park.

This 2007 permission was to be phased, with appropriate junction improvements, to minimise traffic impacts on the A90(T) and Ellon Road to the south of the Parkway roundabout. However, it is anticipated that this would still cause additional delays at the Balgownie Road and Beach Esplanade junctions until such time as either the AWPR or Third Don Crossing have been completed.

There were no significant environmental impacts considered to arise from the proposal.

Matters raised through Representations

In respect of matters raised through representations responses are as follows:

Issues

1. Suitable conditions can control the use classes considered appropriate for development within the site, as discussed in the above discussion on the principle of development. Specific users and the nature of their operation will not be known until MSC or detailed applications come forward. It is not considered that the principles set out in the recommendation on this application are inappropriate.
2. As indicated in 1. a suitably restrictive recommendation is put forward, which will limit the level of Class 6 use permitted. It is considered that this approach is justified, taking account of the circumstances and notwithstanding the detailed narrative of Policy B12 or the Murcur Development Framework SG.
3. See 2.
4. See 1, 2 and 5.
5. See 1 and 2. Otherwise, it is considered that accepting the principle of both Class 4 and 5 uses would allow R&D occupiers to locate within the Park. It is not considered necessary to be overly onerous by further restricting the nature of occupiers.
6. See 1, 2 and 5.
7. See 2.
8. See 10.
9. See 10.
10. The relationship between the site and adjacent land uses will be considered at the detailed application stage. At this time it is not known what the physical detail of the proposals are, thus the impacts cannot be fully considered. It is not considered that the principle of the sites development is unacceptable. Overall it is not considered that the proposals are contrary to the purpose of the SG, the Energetica Corridor, nor the Energy Park itself, as it would: facilitate an extension to the Aberdeen Energy Park, thus provide opportunity to expand and attract energy technology and energy efficiency businesses; result in the improvement of the corridors strategic assets, all within a development of high environmental quality, and acting on the significant potential for development within Energetica. All these factors would improve the potential to create a global hub for the energy sector.
11. See 1, 2, 5 and 10..
12. As detailed in the above, conditions can be applied, limiting the extent of development to 15% prior to the completion of the AWPR and Third Don Crossing and thereafter require suitable road network interventions on reaching specified trigger points (45 and 65% occupation).
13. SGThe future of the AECC site is not subject to this application and thus is not a material planning consideration.
14. The layout plan submitted in support of the application has been provided for illustrative purposes only; as such the details shown therein are not subject to assessment through this application for planning permission in principle. Subsequent detailed applications will assess the impact of proposed layouts and uses on residential property.
15. As indicated above this application is for PPIp and landscaping proposals at both strategic and plot levels will be considered via subsequent detailed applications. Planning conditions can require such details
16. See 15.
17. See 15.

18. See 14. Similar assessments will be made at detailed application stages in respect of impacts on the landscape, and that proposals (buildings and landscaping) are appropriate in their context.
19. See 18.
20. See 18. Subject to these issues being suitably addressed the impact on the adjacent Golf Club, although changing would be considered to be acceptable.
21. See 10 and 14.
22. See 14 and 18.
23. See 14 and 18.
24. See 14 and 18.
25. See 14. .
26. A suitable condition can require that a lighting plan guides the design of any external lighting.
27. A suitable condition can require information detailing private water supplies running through the site and any proposed mitigations, to ensure that adequate supplies are maintained.
28. Scottish Natural Heritage (SNH) have been consulted and raise no objection. Specifically conditions can require that the development follows the species protection plan within the submitted Ecology Report.
29. Both Transport Scotland and Aberdeen City Council as Roads Authority have been consulted and have no objections, subject to conditions which include the phasing of development, to reflect the available capacity of the road network, etc. Although this position has followed a period of discussion on the scope and methodology of the originally submitted Transport Assessment (TA), which resulted in subsequent updates.
30. An increased service level by public transport operators is outwith the scope or control of this application. However, suitable conditions can require that a bus route connection is provided through the site to the land to be developed to the north (a similar requirement has been placed on the planning consent relating to that site). Subsequent use of such a route is subject to the business plans of public transport operators
31. See 29.
32. See 29.
33. See 29.
34. As the site has been identified in the Local Development Plan since 2008, no STF contribution is required.
35. Parking provision within subsequent applications will be considered at detailed application stage. Presently the Councils Maximum Parking Standards as set out in the transport and Accessibility SG will apply.
36. See 35.
37. See 29.
38. See 29.
39. A suitable condition can be attached to any planning permission requiring that a 'routing plan' be submitted detailing access and egress arrangements during the construction period, in advance of upgrades to the road network. Otherwise, the suitability of the road network has been considered and there is no indication that the private roads referred to are to be used, whether pre or post development.

40. Policy T2 requires that a Travel Plan be submitted, this can be secured via a suitable planning condition, equally the exact layout of roads and footpaths will be considered at detailed application stage. A suitable condition can also ensure that a shared foot/cycleways are provided within the development, and link to external routes, as required by Policy T1.
41. Again the RPT consultation response advises that a road link with the development to the north is required and that details shall be required, via a suitable planning condition, to be submitted for prior approval of the planning authority.. It is accepted that the developers of both sites will require to agree a solution to the routing and timing of the bus route connection and an informative can be attached to remind the applicants that it is expected that negotiation with interested parties will inform any submissions relative to the link.
42. See 29.
43. See 29. Additionally plot related S75 agreements, as required by a suitable planning condition, will ensure an equitable share of mitigation costs and compliance with Circular 3/2012.
44. Suitable conditions can restrict the level of use, falling outwith Class 4/5, and into Class 6. It must also be remembered that a reasonable and flexible approach must be taken, such that sustainable economic development can be supported and that unnecessary barriers are not placed in the way of otherwise appropriate development.
45. See 29.
46. See 29.
47. See 29.
48. See 29.
49. The site has been identified as an opportunity site within the Local Development Plan since 2008 and was subject to an outline planning consent in 2007. As such its development has been accepted and expected for a considerable time. The impact of High Speed Rail on the development is not considered particularly relevant.
50. An 'Assessment of Flood Risk' and 'Drainage Impact Assessment', at both strategic and plot by plot level, can be required by suitable planning conditions, as would: details of SuDS; a site specific construction method statement; details of existing private water supplies and appropriate mitigation to their sources. This approach would reflect the consultation responses from SEPA and ACC's Flood Team.
51. See 50.
52. No Environmental Statement was considered necessary to support this application, as such the proposals are not considered EIA development. Notwithstanding an Ecology Report has been submitted in support of the application. It is also noted that Scottish Natural Heritage (SNH) have been consulted and raise no objections, advising that the development should be carried out in accordance with the species protection plan outlined in the Ecology Report, this can be controlled via a suitable planning condition. The proposed control and removal of Japanese Knotweed and Giant Hogweed is also welcomed.
53. The control of unauthorised 'encampments' is a matter for the landowner to control. Should such 'encampments' remain in place for more that 28 days the

planning authority could consider formal enforcement action, although such action would be upon the landowner and any other interested parties.

Other Matters

Suitable arrangements for waste can be controlled via a suitable planning condition, to address the requirements of Policy R6 of the ALDP, and the associated SG.

As is discussed above it is considered that the proposals, controlled via suitable conditions would adequately address the thrust of the Murcar Development Framework.

A suitable condition can control the level of relevant Infrastructure and Developer Contributions, in line with the advice from consultees, Policy I1 of the ALDP and the associated SG.

Environmental Health do not raise any issues regarding 'Air Quality', as such it is considered that the application complies with NE10 and the associated SG.

Education, Culture & Sport (Archaeology) have been consulted and recommend a suitable condition to address archaeological issues, as such it is considered that the application complies with D5 and the associated SG.

A suitable planning condition can be applied to the consent to address the issues set out in Policy R7 – Low and Zero Carbon Buildings and the associated SG.

CONCLUSION

It is concluded that the proposal, subject to a conditions restricting: the range and nature of uses permitted to be developed; the level of development permitted prior to infrastructure improvements being in place, complies with the underlying land use policy (BI2).

Matters raised by objectors have been dealt with above, and it is felt that the various conditions, would satisfactorily mitigate the impacts of the development.

The details of each phase of the development will be dealt with by the separate applications for either Matters Specified in Conditions or Full Planning Permission. The proposal complies with Scottish Planning Policy and the relevant policies within the Aberdeen Local Development Plan relating to: Delivering Infrastructure; Transport and Accessibility; Promoting High Quality Design; Protecting and Enhancing the Natural Environment, together with supporting the aims and objectives of the Strategic Development Plan.

RECOMMENDATION

- 1. Willingness to approve subject to conditions**

REASONS FOR RECOMMENDATION

The proposal complies with policy LR1 (Land Release Policy) and site specific policy BI2 (Specialist Employment Area), within the Adopted Local Development Plan (ALDP), in that it proposes an extension to the Aberdeen Science and Energy Park and conditions can control the nature of uses such that they are reflective of the aims of the Park. The matters raised by objectors have been fully considered, and various conditions proposed, including limiting the level of occupation of the development prior to the completion of the AWPR and Third Don Crossing. Additional Developer Contributions will be determined at MSC of detailed planning application stage. All such as the impacts of the development will be mitigated. As details of each phase of the development will be dealt with by further separate applications, there will be further opportunities for stakeholders to comment on the full details. The proposal, again subject to the listed conditions, also complies with ALDP policies: I1 (Infrastructure Delivery and Developer Contributions); T1 (Land for Transport); T2 (Managing the Transport Impact of Development); D1 (Architecture and Placemaking); D3 (Sustainable and Active Travel); D5 Built Heritage; D6 (Landscape); NE5 (Trees and Woodlands)?; NE6 (Flooding and Drainage); NE9 (Access and Informal Recreation)?; NE10 (Air Quality); R6 (Waste Management Requirements for New Development); and R7 (Low and Zero Carbon Buildings), within of the Aberdeen Local Development Plan.

It is recommended that permission is approved subject to the following Conditions:

Overall Phasing Programme and Preparatory Works

(1) That no development shall be undertaken in any phase of the development hereby approved unless a detailed phasing programme, outlining the delivery programme for the key elements of strategic infrastructure required for the entire site, has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application. The phasing programme shall include any platforming/regrading, strategic landscaping, delivery programme for buildings, open space and roads infrastructure. The development shall not be implemented otherwise than in accordance with any such approved phasing programme unless the planning authority has given written consent for a variation - 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) that none of the elements of the strategic infrastructure referred to in Condition 1, that are to be implemented prior to any development in direct connection with the construction of any individual building, shall take place unless the details of any such element (along with any supporting studies or information) have been submitted to and approved in writing by the planning authority. Development shall not occur otherwise than in full accordance with any such approval unless the planning authority has given written consent for a variation - in order to ensure development is progressively accompanied by appropriate

associated infrastructure, and to enable the coherent development of the entire site

Primary Reserved Matters

(3) No development in connection with any individual building of the planning permission hereby approved shall take place until full details of the: siting, design, external appearance of buildings; hard and soft landscaping within the relevant phase of the development and the means of access serving the relevant phase/block of development have been submitted to and approved in writing by the Planning Authority. The development shall then be implemented in complete accordance with the approved details, or those subsequently approved. Depending on the phase/block, and unless otherwise agreed in writing with the planning authority, the MSC applications shall include:

- a) A detailed levels survey of the respective site, subject to any individual application, and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant phase/block of development, as well as sectional details giving a contextual position relative to surrounding land;
 - b) A detailed Drainage Plan for the relevant phase/block of development, including full details of the proposed means of disposal of surface water from the relevant phase/block of development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;
 - c) Full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase/block of development;
 - d) Details of all cut and fill operations in the relevant phase/block of the development;
 - e) The details of all roads, footpaths and cycleways throughout the relevant phase/block of the development and how they will connect to wider such networks;
 - f) Details of any screen walls/fencing to be provided within the relevant phase/block of the development;
 - g) Details of all landscaping, planting and screening associated with the relevant phase/block of the development;
 - h) Full details of the layout, siting, design and finish of all buildings, including: energy centres, pumping stations, and water treatment works, throughout the relevant phase/block of development; and
 - i) Full details of all waste/recycling storage and collection points, for all plots/buildings.
- In order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

Landscaping

(4) The landscaping details to be submitted pursuant to Condition 1 and 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, particularly linear and boundary elements. Where trees are to be retained, measures for their protection and maintenance both during and after construction shall be provided ;
- 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.

Foul and Surface Water Drainage

(5) The details to be submitted pursuant to Condition 3 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of the future long term maintenance of the system covering matters such as:

- 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.

'Roads' Layout

(6) Prior to the commencement of any phase of development, as identified in the approved phasing programme required by condition 1, for each respective phase full details of the proposed road design, 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 roads and parking areas for the respective phase are complete and available for use - in the interests of road safety.

Limits on Development (Roads)

(7) no more than 7,200m² of the proposed floor space shall be occupied until: both the Aberdeen Western Peripheral Route (AWPR) and Third Don Crossing (TDC) are completed and open to traffic; and such time that the trunk road status of the A90 Parkway and A90 Ellon Road has been removed – as required by the Roads Authority.

(8) Unless otherwise agreed in writing by the Planning Authority, the following restrictions on the phasing of development shall apply:

No more than 7,200sq.m. of gross floorspace shall be occupied until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Parkway / Balgownie Road Junction Improvement (generally in accordance with Drg. No. 92071/sk1009);
- A90 Parkway / Whitestripwes Avenue / Buckie Farm Roundabout Improvement (generally in accordance with Drg. No. 96377/8001-1);
- A90 Parkway / Laurel Drive Junction Improvement (generally in accordance with Drg. No. 96377/8014-1);

Following this occupation in excess of 21,600sq.m. shall not take place until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Parkway / Ellon Road Roundabout Improvement (generally in accordance with Drg. No. 88000/1302); and

Thereafter occupation in excess of 31,200sq.m. shall not take place until such time as mitigation to the following has taken place, or contributions in lieu are made:

- A90 Ellon Road toucan crossing (at a location to be determined, unless it can be incorporated into the above A90 Parkway / Ellon Road Roundabout Improvement);
- A90 Murcar Roundabout Improvement (generally in accordance with Drg. No. 96377/8010-1A);

- A90 Parkway / Scotstown Road Roundabout Improvement (generally in accordance with Drg. No. 96377/8004-1B); and
 - A90 Parkway / Laurel Drive Junction Improvement (contribution to improvement which will likely be required to be built by Grandholme developer prior to this threshold being met by Aberdeen Energy Park).
- Such mitigation works shall be in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority - In the interests of road safety.

Restrictions on Approved Uses

(9) that the uses within the approved development shall be restricted to those falling within Classes 4 and 5 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any subsequent replacement Order; or, the provision of services that can justifiably be located on the application site, including ancillary support services related to the management and operation of the science and energy park; or ancillary educational activities/facilities; or other activities that can be demonstrated to be ancillary to, in support of, and provide enhancement to the development as a science and energy park - in order to preserve amenity levels and to ensure an appropriate focus and high standard of development within the Aberdeen Science and Energy Park.

Permitted Class 6 Element

(10) that the level of any class 6 use, of the Town and Country Planning (Use Classes) (Scotland) Order 1997, or the equivalent Classes in any subsequent replacement Order, within any individual plot shall be limited to 20% of the floor/operational site area, any breach of this limitation shall require to be considered on their merits by way of a further application for planning permission - in order to preserve amenity levels and to ensure an appropriate focus and high standard of development within the Aberdeen Science and Energy Park.

Public Transport Strategy

(11) Prior to the commencement of development there shall be submitted a Public Transport Strategy (PTS) indicating the bus service provision to the site for each phase of the development and details of temporary bus stops within the site. The PTS shall also incorporate the timing for a bus service link through the site, such timing to be agreed before the occupation of more than 15% (7,200m²) of the hereby approved floorspace therein – In the interests of sustainable transportation.

Shared Use Foot/Cycleway

(12) Prior to the commencement of development there shall be submitted details of a 3m wide shared use foot/cycleway which shall be provided along the length of one side of the internal loop road, as well as the link road to the north, and to the costal path (Core Path 18), such details shall include a phasing plan, all of which shall require to be approved in writing by Aberdeen City Council as

Planning Authority – In the interests of sustainable transportation, connectivity and as required by the Roads Authority.

Parking Provision

(13) that the number of parking spaces (car/motorcycle/bicycle/etc.) laid out in each individual site shall be in accordance with the standards set out within the relevant Aberdeen City Council document at the time of consideration of each individual phase of development - in the interests of sustainability and to encourage the use of transport modes other than the private car, all to ensure appropriate parking standards.

Routing Plan

(14) Prior to commencement of development on any one plot a 'vehicle routing plan' shall be submitted and approved in writing by the Planning Authority, detailing access and egress arrangements during the construction period and means put in place to avoid materials (Mud/Dust/Etc.) being transferred to the public road network – in the interests of road safety and to avoid adverse impacts on road drainage systems.

Framework Travel Plan

(15) 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.

Travel Plan

(16) That no part 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.

Impact on Private Drainage Water Supplies

(17) Prior to the commencement of development an assessment of any private drainage systems or private water supplies which occupy any part of the site, which is at that time to be developed, shall be undertaken and any potential impacts upon them mitigated, the preferred solution being their connection to the main sewage disposal system or water supply, which may be constructed/improved as part of the proposed development. Details of any such measures shall be submitted to and approved in writing by Aberdeen City Council as Planning Authority, in consultation with SEPA – to ensure no adverse impact on existing private drainage arrangements and water supplies.

Lighting Plan

(18) that no development of any individual plot shall take place unless there has been submitted to, and approved in writing by, the planning authority a scheme for the external lighting of that site both during and after construction. No individual site shall be occupied unless the approved scheme of external lighting has been implemented and is operational. None of the access roads shall be constructed unless a scheme of street lighting has first been submitted to, and approved in writing by, the planning authority and no individual site shall be occupied unless the street lighting thereto has been implemented and is fully operational - in order to preserve the amenity of the neighbourhood and in the interests of residential amenity and public safety.

Waste Facilities

(19) that no development shall take place on any individual site unless a detailed scheme for the storage (including recycling facilities) and collection of waste arising from within that site has been submitted to, and approved in writing by, the planning authority. No individual site shall be occupied unless the scheme approved in compliance with such an approved scheme has been implemented and is fully operational - in the interests of sustainability.

Connect to Public Sewer

(20) all phases of the development shall be connected to the public mains sewage system – to ensure appropriate disposal of sewage.

Developer Contributions

(21) no development on any individual plot shall commence until full agreement has been reached between the developer and the Planning Authority in terms of a signed Section 75 legal agreement or other agreement, or the developer has paid a cash contribution to cover the impact of the development as assessed against the Council's Policies and Supplementary Guidance on developer contributions in relation to core paths to the satisfaction of the Planning Authority – in order to ensure appropriate upgrades to the core path network, such that impacts associated to the development can be addressed.

Flood Risk Assessment

(22) that no development shall take place unless a Flood Risk Assessment for the whole site has been submitted to, and approved in writing by, the planning authority. No part of the site shall be occupied unless any mitigation measures identified in the approved Flood Risk Assessment have been implemented and are fully operational - to ensure that the site is not adversely affected by flooding.

Archaeology

(23) No development shall take place within any individual phase 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 – in order to adequately address archaeological interests.

Construction Environment Management Plan (CEMP)

(24) That no development in any individual phase/block shall commence unless a detailed and finalised Construction Environment Management Plan (CEMP) including site specific construction method statements, measures to minimise the risk of sediment entering watercourses, and the mechanism for compliance, for that phase. 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 – in the interests of protecting the environment.

Ecology

(25) All development shall be carried out in general accordance with the recommendations outlined in the Ecology Report dated October 2013, but supplemented by site specific mitigations reflective of the individual development proposed. Full details of such mitigations shall be set out in relation to each phase of development and shall relate to both flora and fauna issues – in the interests of the environment.

(26) Unless otherwise agreed in writing by the planning authority the water tower detailed on drawing number (SK)021 shall be retained – in the interests of preserving bat habitat.

(27) A detailed Badger Protection Plan shall be submitted prior to any development taking place, such a plan shall contain matters such as: details of suitable buffers during periods of construction, as well as post development; lighting arrangements; details for storage of chemicals; measures to deal with exposed trenches, open pipes, etc. Such a Plan shall be updated as necessary through the course of development – in the interests of protecting badgers.
Bird Hazard Management Plan (BHMP)

(28) Development in any individual phase shall not commence until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of: any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds; SUDS scheme bird deterrent measures; and details of how landscaping schemes shall not include plants which would attract 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 development. 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.

Strategic Plot Enclosure Framework

(29) Prior to the commencement of development a strategic and plot enclosure framework, including a phasing plan for non-plot elements, shall be submitted for the prior written approval of Aberdeen City Council as Planning Authority – in the interests of visual amenity.

Plot Enclosure

(30) that no individual plot within the application site shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a scheme showing details of the proposed boundary enclosures for that plot and the approved scheme has been implemented in full, such submissions shall demonstrate compliance with the plot enclosure framework required by condition 29 - in the interests of visual amenity.

LZCB

(31) that no development within any individual phase shall commence 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 shall thereafter be 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'.

Phased Structural Landscaping

(32) 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 detailed scheme of phased structural landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. The landscaping scheme shall also include screen planting, of varying width but a minimum of 20 metres wide, unless otherwise agreed (such reductions below 20m shall be clearly indicated in any submissions), along the boundaries of the application site and proposals for the maintenance thereof. The scheme shall further include specific proposals for visual screening and sound attenuation through

landscaping in the vicinity of the private house located adjacent to the north boundary of the application site - in the interests of the amenity of the area.

Provision of Landscaping and Maintenance

(33) 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.

Buildings close to Eastern Boundary

(34) that any buildings shall be of a height or design, or be set back from the eastern boundary of the site in line with a visual impact and landscape assessment which shall be submitted to and approved by Aberdeen City Council as Planning Authority - in order to minimise the visual impact of the development in views from the adjacent golf course and dunes and to preserve the amenity of the coastal area.

Informatives

ACC Roads

It will be expected that the landowners/developers will contact and work with other landowners/developers/interested parties in the formulation of proposals associated to matters such as bus route/penetration, shared footpath/cycleway routes and road network mitigations. Such processes should be set out in any submissions relating to these relevant matters which will require such co-operation between parties.

ACC Environmental Health

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.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

Planning Development Management Committee

ABERDEEN LOCAL DEV' PLAN SITE OP58,
COUNTESSWELLS (PHASE 1), WEST OF
HAZLEHEAD PARK

PROVISION OF INFRASTRUCTURE
INCLUDING ACCESS, INTERNAL ROAD
LAYOUT, LANDSCAPING AND DRAINAGE
PROVISION FOR PHASE 1 OF RESIDENTIAL-
LED MIXED USE DEVELOPMENT

For: Countesswells Consortium

Application Type : Detailed Planning Permission
Application Ref. : P140435
Application Date: 27/03/2014
Officer: Paul Williamson
Ward : Lower Deeside (M Boulton/A Malone/M
Maik)

Advert : Can't notify neighbour(s)
Advertised on: 16/04/2014
Committee Date: 6 November 2014
Community Council : Comments



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site covers 26.54 hectares of predominantly agricultural land between Kingswells to the north and Cults to the south, approximately 6 km from the City Centre.

To the west the site is bound by Kirk Brae (C128C) and Countesswells Wood. To the south, the site partially adjoins the Blacktop Road, opposite the Foggieton Wood. To the east, the site comprises open fields which lead up towards Hazlehead Wood, while to the north is Newton of Countesswells Farm and the A944/Skene Road beyond.

In respect of existing buildings on site, the Loanhead Equestrian Centre has been vacant for some time, and is scheduled to be demolished shortly as part of the wider development proposals.

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

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

RELEVANT HISTORY

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

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

A parallel application for planning permission in principle (Ref: 140438) for the overall residential development comprising of 3000 units, town and neighbourhood centre (including commercial, retail and leisure uses), approximately 10 hectares of employment land, community facilities, open space, landscaping and supporting infrastructure including access, was recently considered by Members at Full Council on 8 October 2014. Members were minded to accept the officer recommendation for a willingness to approve

planning permission subject to a s75 legal agreement, and a number of planning conditions.

Parallel detailed applications have also been submitted for 124 dwellings for part of blocks C1/C2 (Ref: 140730), and a further 107 dwellings for part of block N10 (Ref: 141110), remain pending at this time.

PROPOSAL

Detailed Planning Permission is sought for the provision of infrastructure including access, internal road layout, landscaping and drainage provision for part of the first phase of the residential led mixed use development.

The submitted plans show the provision of roads, drainage and landscaping associated with development blocks C1/C2 (188 units); N10 (215 units); C3/C4 (139 units plus small office, retail and commercial property); C5 (Hotel, office and small business units); together with the Cults Burn corridor. It represents approximately half of the initial first phase of the development. Substantial detail is also contained with the Design and Access Statement. The proposals expand upon the detail contained within the Development Framework.

The site of 26.54 hectares is identified within the ALDP as part of the opportunity site (OP58) for a development of 3000 homes and 10 hectares of employment land, covering 165.1 hectares.

The key aspects of the development proposals relating to this application include the provision of infrastructure (roads, drainage and servicing) together with significant landscaping for 6 of the overall 35 development blocks. Those 6 blocks would ultimately include the following uses:

- Approximately 542 residential units;
- Office, commercial, business units;
- Small scale retail; and
- a hotel.

which shall be subject to further detailed or matters specified in conditions applications in due course.

In respect of the formal submission, the Design and Access Statement provides an insight into 4 detailed design areas, and outlines:

- general aspects of landform;
- pedestrian, cyclist and equestrian circulation;
- bus stops, cycle and car parking;
- wayfinding/signage;
- hydrology/SUDS;
- play areas;
- street layouts;
- lighting; and,
- hard/soft landscaping including materials and species palletes.

Supporting Documents

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

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

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

Specifically, the supporting documents include:

- Drawings
- Planning Statement;
- Pre-application Consultation Report;
- Drainage Assessment;
- Tree and Woodland Survey Report;
- Geo-environmental Desk Study;
- Geo-technical Interpretative Report;
- Transport Assessment; and,
- A Design and Access Statement; and,

It should be noted that the parallel application for planning permission in principle (Ref: 140438) required the submission of an Environmental Statement. Many of the component chapters for that ES, have been copied over for this application, although the proposal in this instance would not require as ES on its own. The chapters include:

- Geology and Soils;
- Land Use, Agriculture and Infrastructure;
- Hydrology, Drainage and Water Quality;
- Air Quality;
- Noise and Vibration;
- Ecology, Nature Conservation and Biodiversity;
- Cultural Heritage;
- Landscape and Visual Impact Assessment;
- Pedestrians, Cyclists and Community Effects;
- Traffic and Transport; and
- Disruption due to Construction.

PRE-APPLICATION CONSULTATION

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

- Initial public engagement in June 2012 at the respective meetings of: Kingswells Community Council; Cults, Bieldside and Milltimber Community Council; and, Craigiebuckler and Seafield Community Council. It comprised exhibitions over a period of 6 hours where representatives of

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

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

The main concerns raised were in relation to-

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

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

- Creation of a new network of streets running through the development, in accordance with Designing Streets to achieve the aim of reducing speeding traffic on the country roads;

- Provision of the first primary school early in the development;
- Provision of the secondary school close to the centre of the development, which would also include community facilities;
- Inclusion of healthcare, leisure and retail facilities in the town centre;
- Concerns over various pinch points within the development have been addressed through provision of solutions within the site.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because the application has been the subject of ten timeous letters of representation that express objection or concern about the proposal – representing a significant level of opposition to any major development proposal. This figure of ten also includes objections from Kingswells Community Council, and Craigiebuckler and Seafield Community Councils, whose boundaries fall outwith the current application boundary. Furthermore, the application has also been the subject of a formal objection by the Cults, Bielside and Milltimber Community Council whose boundary covers this application site. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objections subject to the use of planning conditions, particularly into the proposed gradients on roads within the application site. The full detail of roads design shall be considered through the Roads Construction Consent (RCC) process.

Environmental Health – No observations.

Environmental Health (Contaminated Land) – No direct response to this application, although the parallel application indicated that the Desk Study for the whole development site has highlighted the potential for contamination in small areas of the overall site. Recommend that conditions are attached in respect of a contaminated land assessment; and the implementation of any necessary mitigation/remediation.

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

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

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

- A detailed scheme for the protection/enhancement of the water environment;
- A detailed scheme for surface water drainage (SUDS) on site; and,
- A detailed Construction Environment Management Plan, including waste management proposals, to address all potential pollution prevention and environmental management issues related to construction works.

Scottish Natural Heritage – The proposal could be progressed with appropriate mitigation in respect of the risk to fresh-water pearl mussels and salmon, two of the interests of the River Dee SAC. No objection if conditions relating to the following aspect are attached:

- Detailed and Construction Environmental Management Plans for each phase of the development, including site specific construction method statements, measures to minimise the risk of sediment entering watercourses, and the mechanism for compliance; and
- Details of the SUDS scheme, its adoption and maintenance, in order to manage sediments and pollutants from construction and operation of the development.

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

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

Dee District Salmon Fisheries Board – Acknowledge that it is unlikely that Salmon would be present within the Cults Burn which runs through the site. Main concern relates to the potential for sediment entering the burn and ultimately being discharged into the River Dee SAC during the various construction phases of the development. Pollution Prevention Guidelines should therefore be followed.

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

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

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

REPRESENTATIONS

10 number of letters of representation/objection have been received, with 8 from members of the public (predominantly local residents), and two from the adjacent Community Council's representing Kingswells, and Craigiebuckler and Seafield. The objections raised relate to the following matters –

- 1) The potential closure of Kirk Brae for 12 months to facilitate the installation of utilities for Phase 1 is too lengthy a period;
- 2) Such a closure would cause congestion on surrounding roads, and result in prolonged and frustrating difficulties for commuters travelling north to Kingswells, Westhill and Dyce;
- 3) Kirk Brae should not be closed at peak travel times;
- 4) The new link road should be built early in the development;

- 5) Suggest the routing of traffic through the middle of the site, thus acting as a distributor road;
- 6) The proposed route for the road for the Jessiefield Junction appears to go through the Garden of Remembrance for Aberdeen Crematorium;
- 7) The provision of high speed broadband through fibre optic cable should be compulsory;
- 8) Concern over the amount of planned green space that runs under the existing high voltage power lines, which also run through the proposed secondary school;
- 9) Properties should not be located close to woodland in light of the risk of falling trees;
- 10) Hydrology surveys should be carried out through the site to detect natural springs and watercourses;
- 11) SUDS areas and wetlands should be integral to all landscaping strategies;
- 12) The Countesswells Development Framework has been the subject of inadequate publicity and consultation, and requires an additional round of consultation in light of amendments to transportation aspects including access;
- 13) No details are provided for the connection of the new link road to the Jessiefield Junction which is required for Phase 1;
- 14) The Countesswells Road and Kirk Brae are not up to modern day standards, and are significantly overused;
- 15) Appropriate markings are essential on such roads;
- 16) The new link road should be completed prior to any houses being constructed;
- 17) No imagination has been used for meeting the travel needs of a new township;
- 18) The development needs to provide adequate education infrastructure i.e. new schools;
- 19) The development would create huge problems with additional traffic, which would not be relieved by the AWPR;
- 20) The recreational importance of the Countesswells FNC area, and its linkages between Hazlehead Park and Countesswells Woods cannot be overstated;
- 21) The development shall wipe out three established equestrian centres;
- 22) Any development at Countesswells would damage the green belt, and would constitute the erosion of a green area;
- 23) Ribbon development ruins cities;
- 24) Potential impacts on biodiversity and wildlife;
- 25) Potential implications on development identified at the south field of the Craigiebuckler Campus (James Hutton Institute);
- 26) The submitted TA is significantly flawed;
- 27) Development at Countesswells is reliant upon the AWPR being operational first;
- 28) Existing trees should be protected throughout the development;
- 29) The planning application is premature given the context of the Countesswells Development Framework and Masterplan;
- 30) The amenity of existing residents amenity needs to be protected and compensated for during the build out phase.

Kingswells Community Council – KCC provided a joint response to both applications 140438 (Planning Permission in Principle), and the current application 140435 (Detailed Planning Permission for Initial Infrastructure). In this instance their submission is treated as a representation given that their boundary does not include any of the land falling within the application site boundary. They have indicated their approval of the main road access into the development being from the Jessiefield junction on the A944. They also support the eventual restriction of the existing Cults-Kingswells road (C189) to a bus and cycle route that also allows access to existing properties. Aspects which are not relevant to this specific application have not been listed below, but were assessed as part of the parallel application for planning permission in principle. However, concerns are raised over the following aspects:

- There will be traffic problems on the C189 (Cults to Kingswells road) until the new connection at Jessiefield is provided;
- Little confidence in the traffic assessment calculations as the Blacktop Road is used as a rat-run from Westhill to Countesswells, and not suitable for high volumes of traffic;
- Claims over the amount of green space are misleading, as several green areas are wayleaves for overhead power lines;
- SUDS basins should be used to encourage biodiversity. Unattractive and sterile grass basins, devoid of any water, are not acceptable;
- It is essential that maintenance arrangement for all communal spaces are set out transparently and in legal terms from the outset;
- There is considerable scope to increase the biodiversity on the Countesswells site. To achieve this, some of the green areas should be kept in a managed but un-manicured state.

The following matters raised in the representations received are not material planning considerations:

- Has the Treasury Bond been approved, will it be in place before commencement, and would it be lost following a Yes vote in the referendum;
- What process was adopted to select the Countesswells development for UK Government funding ahead of others; and,
- Is there sufficient funding in place to build out the development? If the oil price drops, is there sufficient economic backing.

PLANNING POLICY

National Policy and Guidance

SPP (Revised June 2014) – SPP is the statement of Scottish Government Policy on land use planning, and includes the Government’s core principles for the operation of the planning system, subject planning policies, and how they should be exercised to contribute to the objective of sustainable development. The principle policies relating to sustainability and placemaking and subject policies relating to: a Successful, Sustainable Place; a low Carbon Place; a Natural, Resilient Place; and, a Connected Place, are all relevant material considerations.

Creating Places (Architecture and Place Policy Statement) – Scotland’s new policy statement on architecture and place sets out the comprehensive value good design can delivery. Successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy. The document contains an action plan that sets out the work that will be taken forward to achieve positive change. The statement is in four parts:

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

Designing Places (Design Policy) – This planning policy statement was launched in 2001 and sets out government aspirations for design and the role of the planning system in delivering these.

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

Aberdeen City and Shire Strategic Development Plan (March 2014)

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

- Economic Growth – to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.
- Population growth – to increase the population of the city region and achieve a balanced age range to help maintain and improve people’s quality of life.
- Quality of the environment – to make sure new development maintains and improves the region’s important built, natural and cultural assets.
- Sustainable Mixed Communities – to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to;
- Accessibility – to make sure that all new development contributes towards reducing the need to travel and encourages people to walk, cycle or use public transport by making attractive choices.

Aberdeen Local Development Plan

Policy LR1 Land Release Policy

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

land across both periods. The site is identified as opportunity site OP58 and is described as being a large new community covering 165.1 hectares.

Policy LR2 Delivery of Mixed Use Communities

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

Policy I1 Infrastructure Delivery and Developer Contributions

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed.

Policy T1 Land for Transport

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

Policy D1 Architecture and Placemaking

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied. Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

Policy D3 Sustainable and Active Travel

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

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

Policy D6 Landscape

Development will not be acceptable unless it avoids:

1. Significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct sense of place which point to being either in or around Aberdeen or a particular part of it;
2. Obstructing important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;

3. Disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them;
4. Sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Policy NE1 Green Space Network

The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted. Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments shall take into account the coherence of the network. In doing so measures shall be taken to allow access across roads for wildlife and for access and outdoor recreation purposes. Masterplanning of new development should determine the location and extent of the Green Space Network within these areas. Development which has any impact on existing wildlife habitats, or connections between them, or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network.

Policy NE5 Trees and Woodlands

There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable. Appropriate measures should be taken for the protection and long term management of existing trees and new planting both during and after construction. Buildings and services should be sited so as to minimise adverse impacts on existing and future trees and tree cover. Native trees and woodlands should be planted in new development.

Policy NE6 Flooding and Drainage

Development will not be permitted if:

1. It would increase the risk of flooding;
2. It would be at risk itself from flooding;
3. Adequate provision is not made for access to water-bodies for maintenance; or
4. It would result in the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

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

Policy NE8 Natural Heritage

Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its

natural heritage value will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy.

Policy NE9 Access and Informal Recreation

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

Policy R2 Degraded and Contaminated Land

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

Supplementary Guidance

Countesswells Development Framework and Phase 1 Masterplan was considered at the meeting of the Enterprise, Strategic Planning and Infrastructure Committee on 3 June 2014, where Members were minded to approve the Development Framework and Masterplan as Interim Guidance to the Aberdeen Local Development Plan (2012). The Scottish Ministers have subsequently confirmed on 22 July that they do not intend to intervene in the adoption of the Countesswells Development Framework and Phase 1 Masterplan as supplementary guidance to the Adopted Aberdeen Local Development Plan. The CDF has therefore been formally adopted as Supplementary Guidance to the LDP.

Archaeology and Planning

Drainage Impact Assessments

Infrastructure and Developer Contributions Manual

Landscape Strategy Part 2 – Landscape Guidelines

Transport and Accessibility

Trees and Woodlands

EVALUATION

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

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

Principle of Development

The site is identified in the Local Development Plan (LDP) as OP58 and under Policy LR1 as land released for housing and employment uses. The parallel application for planning permission in principle was considered at the meeting of the Full Council on 8 October 2014, where Members were minded to agree with the Officers Recommendation to agree a willingness to approve Planning Permission in Principle subject to the completion of a s75 legal agreement, and a number of planning conditions. Progress is being made with the finalisation of the associated legal agreement. As such, the principle of development has already been established on site. The Strategic Development Plan illustrates that in light of the location within the City, the site forms part of the Strategic Growth Area., and would therefore meet with the spatial strategy of the SDP. The proposal is considered to comply with the aims and objectives of strategic development plan in this regard, and accords with the general principles contained within the Land Release Policy.

Housing

The Countesswells Development Framework and Phase 1 Masterplan (CDF) sets out the principles of the development, and aims to coordinate the planning and delivery of both the development and its associated infrastructure requirements. It also aims to establish a clear and exciting future at Countesswells; describe and explain the integrated land-use, landscape and transport proposals; and, set out a clear phasing strategy. In doing so, it has also set out the importance of place-making, and providing opportunities for living, working and recreational activities in a sustainable approach. This application relates purely to the provision of infrastructure associated with the initial phase for this mixed use development. The layout of the roads shown are considered to align with the layout shown with the Development Framework and Masterplan. Thereafter, the finer detail for each development block shall be assessed as part of applications either for Matters Specified in Conditions, or Detailed Planning Permission.

Environmental Impacts

As part of the assessment of the parallel application for planning permission in principle (Ref: 140438), an Environmental Impact Assessment (EIA) was deemed necessary. The Environmental Statement (ES) detailed, amongst other specified matters, a description of the aspects of the environment likely to be significantly affected by the development, including, geology and soils, land use, hydrology, air, noise and vibration, ecology, landscape and visual, community effects, and traffic to name just some of the aspects covered, and also by a 'non-technical summary' of the Environmental Statement'. As such the submitted Environmental Statement was considered in depth, both internally, and by external consultees. The aspects which are of particular relevance to this application include the following mitigation proposals in relation to the effects predicted:

- Geology and Soils:

- Mitigation would be through any remediation measures identified through a contaminated land assessment which would be required by condition.
- Land Use:
 - Enhancement shall take place to the public footpath and cycle network, landscaped open space, and new public realm/civic spaces.
- Hydrology, Drainage and Water Quality:
 - Mitigation would be through an appropriate Construction Method Statement (CMS) and the use of best practice relating to SUDS.
- Air Quality:
 - The most considerable of the potential impacts arise through the construction phase as a result of dust emissions arising from earthworks, demolition, and stockpiles of material.
- Noise and Vibration:
 - The Construction Environmental Method Statement shall include measures to reduce the impacts of noise and vibration, particularly to existing residential properties during the construction phase.
- Ecology, Nature Conservation and Biodiversity:
 - The main bird interest is limited to a few farmland bird species, and mitigation is recommended to reduce the severity of potential impacts which are already in the negligible to low category.
 - A Badger Protection Plan is under preparation, and shall be subject to ACC and SNH review and agreement.
- Cultural Heritage:
 - Mitigation by archaeological work shall be the subject of a suspensive planning condition.
- Landscape and Visual Effects:
 - Mitigation shall be achieved through the management of the landscape within the application site, and the planting measures maturing over time thus securing a high quality layout, and standards of design, to ensure that the resultant quality of place is achieved in line with the CDF.
- Pedestrians, Cyclists and Community Effects:
 - The proposal is envisaged to have moderate positive effects on access, and community impacts, as access to community spaces and core paths will be improved, including pedestrian access to natural amenity points such as Hazlehead Park. Mitigation requiring cycleways to be incorporated into the design, which shall improve access and connections to the wider cycle network.
- Traffic and Transport:
 - Mitigation can be achieved through the delivery of good pedestrian and cycle links, with significant opportunities to maximise modal shift and journeys by walking and cycling, particularly for trips to employment centres.
- Disruption Due to Construction:
 - A draft Construction Environmental Management Plan (CEMP) has been produced as part of the EIA based on the key mitigation

measures and environmental enhancement measures identified in the ES. The draft CEMP is a working document to illustrate the elements which will be covered in the final CEMP which will be produced once construction methods are finalised.

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

In respect of the proposal to demolish the building associated with the former Loanhead Equestrian Centre, and the adjacent tree belts, an updated Bat Surveys contained that the buildings and adjacent trees contained no bat roosts, and therefore their removal could proceed without the need for a bat licence.

Green Space Network/Landscape

There are parts of the site towards the north adjacent to Countesswells Wood, and the vacated Loanhead Equestrian Centre, which lead up towards Hazlehead Wood, which are zoned as Green Space Network (Policy NE1). Supporting information from the applicant contains site plans from the Development Framework. Development Blocks C1, N10, C6 and N7 could have a direct impact upon the Green Space Network allocation. However, in light of the significant benefits in enhancing connectivity, and green space linkages throughout the current application site, particularly near the Cults Burn Corridor/Core Path, it is considered that the loss of parts of the aforementioned affected areas, including many of the trees contained therein, can be accommodated without significant detriment to the wider function of the adjacent Green Space Network. Notwithstanding, the detailed layout of green spaces and any associated new and replacement landscaping, would be the subject of subsequent applications for either Matters Specified in Conditions or Detailed Planning Permission. As such the proposal would not be contrary to Policy NE1 of the Adopted Local Development Plan.

In respect of the landscape impacts on site, and the provision of new landscaping, the detail contained within this detailed application submission illustrates the content of the CDF. It must be acknowledged that the site is allocated for a residential led, mixed use development within the Local Development Plan, and therefore significant change in the landscape shall take place. However, as noted within the ES, the physical characteristics of the site and landscape, shall restrict the wider impacts to predominantly the local level (i.e. within 1 km of the site). The landscape strategy within the CDF would result in planting which would help enhance the overall quality of place, and mitigate the impact of the development. The detail contained in the Design and Access Statement goes a long way to illustrate the quality of the intended finished appearance, and compliance with the CDF. However, a specific condition is

required to obtain the finite details of all planting and maintenance. Accordingly, the development is considered to accord with the principles of Policy D6.

Vehicular Access / Traffic Impact

New primary, secondary and tertiary streets would be created within the site in alignment with the concept layout within the CDF. The Design and Access Statement also outlines the broad connections that would be created through the site, in accordance with the CDF.

The general principle of development has already been established through the allocation of the entire site within the Aberdeen Local Development Plan, and through the willingness to approve the parallel application for planning permission in principle (Ref: 140438). As such, detailed analysis of the Transportation Assessment has concluded that the impacts upon the existing road network are acceptable. Ultimately a number of conditions shall be attached to the parallel application which require the provision of key pieces of infrastructure such as the connection to the Jessiefield junction, the provision of the bus-gate to the Kingswells roundabout leg of Kirk Brae, and limitations on dwelling completions prior to their installation.

With regard to this current application, Roads Officers are satisfied with the level of details provided, although request a condition be attached in respect of the proposed gradients of roads within the application site. It has also been outlined that a slight revision to the T-junction arrangement at the south east corner is recommended. The applicant has indicated that this can be accommodated, and revised plans are to be submitted.

As such, the proposal is considered to accord with the Principles of Local Development Plan policies T1, and D3, in that the proposals provide infrastructure to facilitate new development, and help to maintain and enhance permeability through the site.

Relationship with the Countesswells Development Framework

The application proposal contains detail that reflects that shown within the CDF, and therefore the application is considered to accord with the required detail.

Matters raised by Community Councils

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

- The application, while submitted at the same time as the consideration of the Development Framework, is not premature, as the determination of this application is after the Adoption of the CDF, and the proposals as set out, accord with the principles of the CDF;
- The future management of greenspace areas shall be a matter for the applicant to address, subject of the planning authorities satisfaction; and,

- The City Council should consider the alignment of the road through the middle of the development, and instead route it around the edge of the new settlement – the routing is considered to accord with that illustrated within the adopted CDF.

It must however be acknowledged that due to representations essentially being copied between the respective applications for planning permission in principle, and this application for detailed planning permission, the following comments were not applicable in this instance and shall be the subject of assessment of future applications:

- Dates for the opening of the primary and secondary schools should be laid out in the planning application, and legal agreement – these matters are dealt with through the parallel planning application.
- Concerns about the positioning of the secondary school under the alignment of the high voltage power line – the secondary school does not form part of this application;
- The school design should incorporate adequate drop-off/picking up areas – the school does not form part of these proposals;
- Concerns over proximity of houses to existing woodland in light of potential safety implications – this is not under consideration;
- Consideration should be given to preserving more of the wetland areas to the south west of block S9, to provide an amenity area – that area does not form part of this application.;
- There should be a firm provision to provide single storey bungalows for housing the elderly – such details shall be assessed in future applications;
- The quality and design of the affordable housing should be of a high enough standard that would be acceptable to housing associations – this shall be subject to future applications;
- There is little reference within the plans to the opportunities for taking advantage of natural energy – such matters shall be addressed through future applications;
- Potential road closures of Kirk Brae could have significant implications on traffic flows – the traffic impacts have already been addressed through the parallel application for planning permission in principle;
- The proposed route for the road to Jessiefield appears to run through the western edge of the garden of remembrance for Aberdeen Crematorium - This does not form part of this application;
- No imaginative solutions to travel modes in the Transportation Assessment i.e. Monorail, dedicated bus-road, or tram – there is a requirement for consideration of Modal shift through the parallel application for planning permission in principle;
- The TA does not include surrounding committed developments such as Friarsfield or Oldfold – the Roads Officers are satisfied with the detail provided;
- The model within the TA seems overly optimistic, with observed queues longer than modelled ones – the Roads Officers are satisfied with the detail provided;

- It is doubted that simple signalling would resolve the ratio of flow to capacity of road junctions – the Roads Officers are satisfied with the detail provided; and,
- The provision of high speed broadband through fibre optic cable should be mandatory for the development, and should be included within the legal agreement – this does not form part of this application, and there is no legislative requirement for the developer to do so. It is however understood that consideration is being given to this provision as a matter of good practice.

Matters raised through Representations

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

- The level of pre-application consultation was considered appropriate for an application of this scale, and exceeded the minimum requirements of legislation. The developer has sought to address the concerns raised by attendees, particularly in respect of roads matters which were a primary concern;
- Hydrology surveys have been carried out as part of the wider planning permission in principle application, with SEPA and Flooding Officers satisfied with the details provided;
- SUDS areas have been incorporated into proposals, and shall be through the subsequent application which are to be submitted in the future;
- This application relates purely to the initial half of Phase 1. An application for the associated link road to the Jessiefield Junction is anticipated shortly; and,
- While the proposal will result in the loss of a small number of jobs in rural industries, and particular equestrian ventures, the development would result in significant employment opportunities both in the construction phase, and ultimate new community which would more than mitigate for such losses.

The following matters while material planning considerations, related more to the wider application for planning permission in principle (Ref :140438), and not the specifics of the current application for the initial infrastructure:

- Supporting services and infrastructure such as roads, schools and healthcare shall have to be provided at appropriate junctures throughout the course of the development to meet the need of the new community. This is largely dealt with through the necessary Planning Obligation for this site;
- The proposal is not envisaged to have any detriment to the deliverability of adjacent or semi-distant development plan allocations such as at the Craigiebuckler Campus (James Hutton Institute);
- While concern was raised over urban sprawl, the site is allocated within the LDP for a new community which would contain a mix of uses, together with recreational opportunities;

- The routing of the access to the Jessiefield junction can be accommodated on land outwith the boundary of the extension to the crematorium and cemetery, and the CDF has been amended to reflect this. The ultimate layout shall require to be considered in full once the relevant details have been submitted as part of an application;
- It is considered that there are substantial opportunities to roll out of high speed broadband across the site, although this is materially a consideration for the developer of the component parts of the site.

Conclusion

In conclusion, the proposal complies with the Land Release Policy as the general principle of development on site has already been established through the allocation of the wider site (OP58) within the Adopted Aberdeen Local Development Plan, and the willingness to approve the parallel application for planning permission in principle. The proposal in this instance to form the initial road layout for part of the first phase, together with the provision of appropriate SUDS, and landscaping arrangements for this section of the Cults Burn corridor, is considered to accord with the relevant policies of the development plan. The finer details of each development block identified through the CDF, will be dealt with by the separate applications for either Matters Specified in Conditions or Detailed Planning Permission. The proposal complies with Scottish Planning Policy and the relevant policies within the Aberdeen Local Development Plan relating to Delivering Infrastructure, Transport and Accessibility, Promoting High Quality Design, Protecting and Enhancing the Natural Environment, together with supporting the aims and objectives of the Strategic Development Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal complies with Policy LR1 Land Release Policy, in that the development proposed forms part of the wider allocation of 3000 residential units and up to 10 hectares of employment land is in accordance with the direction for growth set within the Adopted Local Development Plan. The matters raised by objectors have been fully considered, and the various conditions proposed, would satisfactorily mitigate the impact of the development. The proposal also complies with policies: D1 Architecture and Placemaking; D3 Sustainable and Active Travel, D6 Landscape, NE1 Green Space Network, NE2 Green Belt, NE5 Trees and Woodlands, and NE6 Flooding and Drainage, within of the Aberdeen Local Development Plan.

Conditions

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

(1) that the roads layout hereby approved shall be constructed, drained, laid-out and demarcated in accordance with drawing No's. 92762/1193 Rev A,

92762/1107, 110342_Ph1a_Infra_X01, 110342_Ph1a_Infra_X02, 92762/1100 Rev B, 92762/1101 Rev B, 92762/1102 Rev B, 92762/1200 Rev A, 92762/1201 Rev A, 92762/1202, 92762/1203 Rev A, and 92762/1204 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority - in the interests of public safety and the free flow of traffic.

(2) No road gradients within the application site boundary should exceed 1 in 16 (6.25%) - in the interest of road safety.

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

(4) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of hard and soft landscaping for the site (including play areas), which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting, all in accordance with Countesswells Development Framework/Phase 1 Masterplan, and the submitted Design and Access Statement (Dated March 2014) - in the interests of the amenity of the area.

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

(6) No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been approved in writing by the planning authority. The scheme shall follow the procedures outlined in "Planning Advice Note 33 Development of Contaminated Land" and shall be conducted by a suitably qualified person in accordance with best practice as detailed in "BS10175 Investigation of Potentially Contaminated Sites - Code of Practice" and other best practice guidance and shall include: (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.

(7) Prior to the commencement of works on site, a detailed scheme for surface water drainage shall be submitted to and agreed by the Planning Authority, in consultation with SEPA. The scheme shall detail an appropriate level of sustainable drainage SUDS treatment for all areas of the development. All work shall be carried out in accordance with the approved scheme - to ensure adequate protection of the water environment from surface water run-off.

(8) Prior to the commencement of any works on site, a site specific Construction Environment Management Plan (CEMP) shall be 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 in site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority - In order to minimise the impacts of necessary demolition/construction works on the environment.

(9) Prior to the commencement of any work in this 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.

(10) 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 connection is made to ensure satisfactory disposal of sewerage, and thereby maintain and improve standards of environmental quality, public health and amenity.

(11) No development 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 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 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

(12) 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.

(13) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport, and thereafter implemented in full accordance with said scheme - in the interest of public safety.

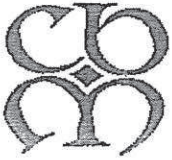
Informatives

1) The proposed SUDS have the potential to attract feral geese and waterfowl, therefore details of the pond's profile and its attenuation times are requested from the applicant. If the pond is to remain dry for the majority of the year and has a rapid drawdown time, it should not be an attractant. However, should this not be the case, the scheme must outline the measures to avoid endangering the safe operation of aircraft through the attraction of birds.

2) All landscaping plans and plantations should be considered in view of making them unattractive to birds so as not to have an adverse effect on the safety of operations at the Airport by encouraging bird feeding/roosting and thereby presenting a bird strike threat to aircraft operating at the Airport. Expert advice should be sought on trees and shrubs that discourage bird activity as described above.

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

25 April 2014

Dear Mr. Williamson,

Planning Application 140435: Provision of infrastructure including access, internal road layout, landscaping and drainage provision for Phase 1 of residential-led mixed use development.

I am writing on behalf of the Cults Bieldside and Milltimber Community Council (CBMCC) to raise some objections and concerns that need to be addressed relating to Planning Application 140435 for infrastructure development at the Countesswells site before approval should be granted.

We object to the application as proposed because;

General

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

Education

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

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

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

Environment

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

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

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

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

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

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

Housing

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

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

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

Roads and Transport

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

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

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

Comments on the Countesswells Transport Assessment:

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

city and places of work – monorail across Hazlehead? dedicated bus-road? tram? - it is proposed to tinker with the overloaded junctions around the development to squeeze in the expected extra traffic. The report's calculations and its conclusions have failed to convince us that the travel from, to, through and around Countesswells will be without problems even after completion of the AWPR. Some details to illustrate our doubts are as follows:

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

Utilities

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

Please contact me if you have any questions.

Yours sincerely,

Peter Roberts

Peter Roberts

Planning Liaison Officer

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

Comments by Kingswells Community Council

ACCESS

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

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

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

HOUSING TYPES

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

ENVIRONMENTAL ASPECTS

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

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

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

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

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

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

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

MAINTENANCE OF COMMUNAL SPACES

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

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

OTHER INFRASTRUCTURE

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

P&SD Letters of Representation	
Application Number:	140438
RECEIVED	
No:	30 APR 2014
Date:	30 APR 2014
Class Officer Initials:	PAUL
Date Acknowledged:	25-7-14
	MAG

CRAIGIEBUCKLER AND SEAFIELD COMMUNITY COUNCIL

Mr Paul Williamson
Planning and Sustainable Development
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

10 Craigiebuckler Drive
Aberdeen
AB15 8ND

Email: [REDACTED]

28 April 2014

Dear Mr Williamson,

Application Number: P140435 – Detailed Planning Permission.

Site Location: Aberdeen Local Development Plan Site OP58, Countesswells (Phase 1) West of Hazlehead Park.

Proposal: Provision of infrastructure including access, internal road layout, landscaping and drainage provision for Phase 1 of residential-led mixed use development.

Applicant: Countesswells Consortium.

Roads and Transport

It is our contention that a possible 12 month closure of Kirk Brae, to facilitate the installation of the utilities for Phase 1, is too lengthy a period. Kirk Brae is an integral part of the city's established roads infrastructure. The closure of Kirk Brae will cause congestion on the surrounding roads and closing it for such a long period will result in prolonged and frustrating difficulties for commuters travelling north to Kingswells, Westhill, Dyce and other locations to the north of the city. This road should not be closed at peak travel times. We believe that its closure could be avoided if the new link road was built very early in the development.

Bearing in mind that a 3000 home development is being planned, we disagree with the tendency of the roads infrastructural design to direct traffic towards Aberdeen's urban routes because such a solution is unsustainable in terms of increases in congestion and pollution.

In our opinion, Aberdeen City Council should consider the advantage of routing traffic, moving South to North, through the middle of the proposed development. This route could also serve as a distributor road for the streets throughout the phases of their construction. The main route for the proposed development could be constructed round its periphery.

The proposed route for the road to the Jessiefield junction appears to run through the western end of the remembrance garden at the Aberdeen Crematorium (ref. map page 61 and elsewhere). We submit that this aspect of the proposal lacks sensitivity because it seems to take no account of the fact that many families will have spread ashes of loved ones in this area. We feel that it would be more appropriate to route the road to the west of the garden.

Utilities

This is a development for the 21st century. Therefore the provision of high speed broadband through fibre optic cable should be compulsory by virtue of a legal agreement with the developers.

Landscaping and Drainage

We are concerned that a significant amount of the planned greenspace runs under the existing high voltage power lines and therefore contend that any claim by the developer which states that this area is part of his contribution to green space provision is questionable.

It is also worrying that there is a powerline crossing the playing fields of the proposed secondary school.

We advise against locating properties in close proximity to woodland because of the safety risk from falling trees. We favour the provision of a clear safety margin between the housing and wooded areas.

Hydrology surveys should be conducted throughout the site to detect natural springs and watercourses as a preliminary to planning the systems of drainage. Sudds areas and wetlands should be integral to all landscaping strategies.

Yours sincerely

William Sell

Chair

Robert Vickers

From: webmaster@aberdeencity.gov.uk
Sent: 16 April 2014 14:05
To: PI
Subject: Planning Comment for 140435

Comment for Planning Application 140435

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

Telephone : [REDACTED]

Email : [REDACTED]

type :

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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P&SD Letters of Representation		
Application Number: 140435		
RECEIVED 16 APR 2014		
Nor	Sou	MAp
Case Officer Initials: DAW		
Date Acknowledged: 24-4-14		

PI

From: Douglas Lamb [REDACTED]
Sent: 17 April 2014 13:22
To: PI
Cc: Paul Williamson
Subject: FW: R&M Mann and the Mann Family – Bellfield Farm, Kingswells, Aberdeen - Countesswells Development and Planning Application Numbers 140435 and 140438
Attachments: R&M Mann Letter re Countesswells Planning Applications.PDF
Importance: High

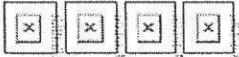
Dear Sirs,

We forward our message to the planning officer of the Council on the above 2 applications today.

Douglas Lamb
Partner
MacRoberts LLP

DD
T
M [REDACTED]

Capella, 60 York Street, Glasgow G2 8JX



www.macroberts.com

From: Douglas Lamb
Sent: 17 April 2014 12:29
To: PaWilliamson@aberdeencity.gov.uk
Subject: R&M Mann and the Mann Family – Bellfield Farm, Kingswells, Aberdeen - Countesswells Development and Planning Application Numbers 140435 and 140438
Importance: High

Dear Sir,

I attach a letter on behalf of my above named clients coming out to you today.

Please respond as a matter of urgency.

macROBERTS

MacRoberts Dundee Office Opens
[Click here for more details](#)

River Court
5 West Victoria Dock Road
Dundee DD1 3JT
Tel: 01382 339 340

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Glasgow
60 York Street Glasgow G2 8JX
Tel: 0141 303 1100 DX GW 70 GLASGOW

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

Your Ref:

Paul Williamson
Senior Planner (Development Management)
Planning and Sustainable Development
Enterprise Planning and Infrastructure
Aberdeen City Council
Business Hub 4, Ground Floor North
Marischal College
Broad Street
Aberdeen, AB10 1AB

Dear Sir

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

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

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

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

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

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

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

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

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

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

Yours faithfully



Partner
MacRoberts LLP

P&SD Letters of Representation		
Application Number: 140435		
RECEIVED 21 APR 2014		
Nor	Sou	MAp
Case Officer Initials:		
Date Acknowledged: 26-6-14		

Dysartbank Steading
Countesswells Rd
Aberdeen
AB15 9QG

28th April 2014

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

Dear Sir / Madam,

Objection to Application Reference No. 140435

Provision of infrastructure including access, internal road layout, landscaping and drainage provision for Phase 1 of residential-led mixed use development. Countesswells Consortium

We wish to lodge an objection to the plan submitted above on the grounds of road safety.

Our property at Dysartbank Steading accesses the Countesswells Rd as a T junction one field's width from the proposed exit of the development onto the Countesswells Rd. The width of the Countesswells Rd at our junction is exactly 5 metres bounded on the north side by a stone dyke. At the present moment despite several representations to the traffic department of Aberdeen Council the speed limit on this stretch is 60mph. Cars approach at speed in both directions along the Countesswells Road and it is very difficult at times of peak flow both to exit and enter Dysartbank. If approaching the junction with the property the width of the farm track at the junction requires cars to almost stop on the Countesswells Rd in order to turn into the junction. This is the case when a car is coming towards the junction from the property as the entrance is not wide enough to accommodate two cars together. Stopping on the Countesswells Rd is extremely dangerous.

(I enclose photographs with this letter of objection to illustrate this point.)

In summary the junction as it stands at present is a significant hazard to current users irrespective of the situation that will pertain once the increased flow of traffic that is expected during all phases of this planned development occurs. One of the **Aims of the Aberdeen Local Transport Strategy** is to permit only "**safe**" development. Should this development go ahead with no change to the access arrangements to the Countesswells Rd this will evidently not comply with this strategy.

In the documents that the Consortium submitted there are numerous comments in various sections to the effect that,

"The development will result in a significant demand in all types of transport..."

"Potential Operational Impacts: Significant increase of traffic as a result of the new development."

So the developers acknowledge this consequence but have done nothing to mitigate against it.

The traffic report submitted by Fairhurst is disappointing to say the least as it deals only with the major junctions and makes no mention whatsoever of the impact of the increased traffic on the current accesses onto the Countesswells Rd along its length from the exit from the development to the new development by Dundara. I consider this to be a major flaw in this submission.

In the Fairhurst document under section 3.5.9 it is acknowledged that,

“Along Countesswells Road (which also has a national speed limit along much of its length) [actually this is 60mph as previously stated] the majority of accidents are again damage only and occurred due to vehicles losing control, colliding with other vehicles which were manoeuvring at junctions or at corners and points of reduced visibility.”

The dangers of manoeuvring at junctions is precisely the problem I wish to bring to the attention of the planners because absolutely no provision has been made for this by the Consortium.

Furthermore in the table 7.7

The impact of increased traffic flow at the end of Phase 1 shows that 12% of the new traffic will access and leave the development by the Countesswells Rd

New traffic after Phase 1
15 in and 67 out AM and 47in and 24 out PM

But
From Table 7.15 new trips will be significantly increased.

Final development with employment	IN / OUT AM	IN / OUT PM
COUNTESSWELLS RD	106 135	118 130

It is therefore clear from the submission that,

- A. The impact of this development on the already strained infrastructure of the Countesswells Rd from the developments at Kingswells(Prime 4) and Westhill, will be significant.
- B. Existing junctions bordering onto the Countesswells Rd will become more dangerous
- C. Access to properties along the Countesswells Rd including Dysartbank House and Dysartbank Steading will become very difficult.
- D. The increased traffic flow down the Countesswells Rd will be unmanageable.

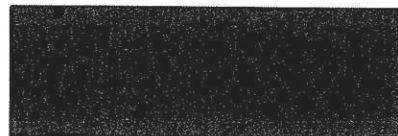
I urge the Planning Department, Elected Councillors, and the Planning Committee to refuse this detailed planning application until the traffic issues I have raised are addressed by making every access onto the Countesswells Rd. safer (following consultation with the Roads Dept.) and by widening and realigning the road itself to accommodate the extra traffic volume.

We would welcome the opportunity for the Planning Committee to experience for themselves our concerns on site and invite them to make a site visit prior to their determination.

Yours faithfully



Dr John Read



Mrs Jane Read

Incls.



Junction with Dysartbank and the Countesswells Rd



FROM THE CHAIRMAN

Eric G Baird
Avon
Glen Tanar
Aboyne
AB34 5EU

25th April 2014

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

Dear Dr Bochel,

PLANNING APPLICATIONS REF. 140⁴38 AND 140435 PROPOSED HOUSING, MIXED USE AND INFRASTRUCTURE AT COUNTESSWELLS

REPRESENTATION FROM THE JAMES HUTTON INSTITUTE AND THE MACAULAY DEVELOPMENT TRUST

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

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

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

Macaulay Development Trust, Craigiebuckler, Aberdeen AB15 8QH

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

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

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

I look forward to your early reply and please contact Faith McDonald (faith.mcdonald@hutton.ac.uk) to arrange a convenient date for your visit to Craigeibuckler.

Yours sincerely,



Eric Baird
Chairman
The Macaulay Development Trust



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

P&SD Letters of Representation		
Application Number: 140435		
RECEIVED - APRIL 28 MAY 2014		
Nor	Sou	MAp
Case Officer Initials: PAU		
Date Acknowledged: 2-5-14		

Citizen

Ref. No (4038)
(And 4035)

DYSARTBANK
COUNTESWELLS ROAD
CULTS
ABERDEEN
AB15 9QG

Tel [redacted] 25/4/14.

Planning Dept.
Marischal College
Broad St. Aberdeen.

Dear Sir,

With reference to the above plans I
enclose my comments.

- 1) The Countesswells Rd. is already
over subscribed and exceedingly dangerous
with traffic racing along at over 60.m.p.h
It is impossible to exit my drive safely
- 2) 3000 extra houses, called near 6, 7 & 8
extra cars - impossible - especially as an
extra housing development has commenced,
already by Danforsa opposite Robert Gordon's
playing fields where children abound.
- 3) Ribbon development, ruins cities and
sadly Aberdeen has few remaining beautiful
entirely left. This road is much loved
by cyclists, walkers, riders etc. who need a
safe path installed for their recreation.
- 4) Dysartbank + surroundings, was ordained
a nature reserve by far sighted planners of
the past. I trust you will respect their
views. I have deer, foxes, herons, sparrows, hawk
and many other special birds and butterflies
which need protection in my garden. I trust
you will give this to them and save our heritage

(Mrs) [redacted]

p. 10

③ If there is any hold-up ^{this on} Springfield Road at present, like an accident, the queues of cars can extend past Haglehead entrance as far as my drive. I have seen this happen on several occasions with the present volume of traffic!

This advertisement was drawn to my attention. All planning applications were once advertised in the G. J. but sadly the general public have no knowledge any more of major changes to their lives if they do not receive the "Citizen". Can you advise me about this? The citizen has very limited circulation.

P.P.S. I forgot to mention that, happily, due to the efforts of the conservation groups, the red squirrel has returned after many absent years to this area. It is in my garden and has been seen on the Counterswells Road near the Haglehead woods and Golf practice areas it won't last long if these plans progress.

P&S Letters of Representation		
Application Number:	140135	
RECEIVED	28 APR 2014	
Nor	Sou	MAP
Case Officer Initials:	PAU	
Date Acknowledged:	25-14	

Robert Vickers

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

Categories: Awaiting Responce

Dear Sir/Madam,

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

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

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

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

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

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

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

Yours sincerely,

Emma MacKintosh
West Stables,
Countesswells House
Bielside
AB15 9BT

Sent from my iPad

POTH
1404350
140438

PI

From: Myles MacKintosh [REDACTED]
Sent: 20 May 2014 22:53
To: PI
Cc: [REDACTED]
Subject: Planning Application 140435 Concerns

Dear Sir/Madam,

I write this email to raise concerns that need to be addressed in relation to the ALDP OP58 or Planning Application 140435.

1. Infrastructure concerns. Countesswells Road and Kirk Brae are currently overused and act as a commuter run travelling north to Kingswells, Westhill, Airport, Cults and other traffic for city centre destinations. During peak travel times Countesswells Road is significantly overused and gives me great concern that not only has this road been neglected over the past 10 years that there are still no white lines to determine the centre of the road. The verges are non-existent coupled with very poor patch work to pot holes. This 'country road' will be the result of fatality in the very near future unless immediate action is taken place to bring this road up to the standard of 21st century driving and volume of traffic. We have little confidence that the traffic calculations for Countesswells are correct. This is a country road being used by commuters and the traffic volumes have been significantly underestimated on a substandard road network for the city.
2. The city council have recently tarred Lady Hill road and yet did not have the foresight to paint white lines on this road either nor attend to the degrading verges. This is yet another oversight to road safety and this should be paramount to councils concerns and is clearly not taken seriously enough.
3. With regard to Phase 1 construction and installation of utilities the new link road should be installed prior to any houses being completed and preferably started. If 300 homes are to be part of phase 1 this could lead to an additional 600 cars on the above roads which in my opinion will end in a fatality. I urge the council to take the logical step of improving the road infrastructure prior to any construction or installation of utilities.
4. What I have read to date proves that next to no imagination has been developed for the travel needs of a new township or surrounding areas and I therefore ask the council to consider the above points and reconsider the routing of traffic.
5. The development would create huge problems with additional traffic which would not be relieved by the WPR and makes no provision for a junction that would serve Countesswells.
6. 3000 proposed homes need schools. The local primary schools are already at capacity could not saturate the number additional pupils with families moving to the area. When do the new schools plan to be built and how will this coincide with each housing phase. Will the council allow the developers to build the first few phases of homes without the completion of new primary and secondary schools? The council should have a legally binding agreement with the developers outlining when the schools and other amenities will be operational which is not detailed in the planning information.
7. There also appears to be no consideration for the existing high voltage power lines. How do the council and developers plan to remove these from the site of the proposed secondary school in a safe manner with minimal disruption to surrounding area?


I look forward in hearing from you soon.

Yours faithfully,

Myles & Emma MacKintosh

West Stables
Countesswells House
Bieldside
Aberdeen
AB15 9BT

Myles MacKintosh
Senior Partner | Shipbroker

 The Stewart Group

Main +44 (0) 1224 256 600 (24/7)
Direct +44 (0) 1224 256 663
Email aberdeen@stewartgroup.co.uk
Address City Wharf, Shiprow, Aberdeen, AB11 5BY.

This email is bound by terms and conditions available to view [here](#)

P&SD Letters of Representation		
Application Number:		
RECEIVED 21 MAY 2014		
Nor	Sou	MAo
Case Officer Initials:		
Date Acknowledged:		

Our Ref: DCL/MHB/MAN/58/2 6467846V2

Your Ref:

21 May 2014

Paul Williamson
Senior Planner (Development Management)
Planning and Sustainable Development
Enterprise Planning and Infrastructure
Aberdeen City Council
Business Hub 4, Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Dear Sir

Representation on behalf of R & M Mann, Bellfield Farm, Kingswells, Aberdeen
Planning Application Reference 140435: Provision of Infrastructure including Access, Internal Road Layout, Landscaping and Drainage Provision for Phase 1 of Residential-Led Mixed Use Development at Aberdeen Local Development Plan Site OP58 Countesswells (Phase 1), West of Hazlehead Park, between Cults and Kingswells

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

Our clients wish to object to the above application for planning permission (**the Application**) on the ground that the Application is, for the reasons set out in more detail below, inconsistent with the Countesswells Development Framework.

The Countesswells Development Framework and Phase 1 Masterplan (**the CDF**) is the subject of a formal consultation process currently being undertaken by Aberdeen City Council (**the Council**). Our clients have responded separately to this process, and in summary, consider that the CDF has been the subject of inadequate publicity and consultation in relation a fundamental change in the access strategy associated with the development of the OP58 site. Amendments to the CDF are recommended, together with an additional round of public consultation.

The CDF will, once approved by Council, form part of the development plan, and all future planning applications will require to be determined in accordance with the CDF. In this regard, the CDF defines the phasing of the development at Section 5.6. At paragraph 5.6.2 it states "*The new link road and junction proposed to the east at Jessiefield will be provided during the first phase*".

Paul Williamson

2

21/05/14

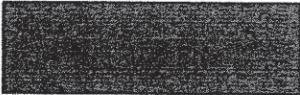
Despite this statement, the details provided within the Application relate, in fact, only to Phase 1a, and not Phase 1 in its totality as is required by the CDF. In particular, the new link road and junction details are not provided for consideration as part of this Phase 1 planning application. The description of development in the Application makes no distinction between phases within Phase 1 and is a detailed planning application for Phase 1 as a whole. Yet the details required for two key elements within the description – the new link road and the Jessiefield junction – are absent.

On this basis the Application is clearly inconsistent with the CDF and is incomplete. The Application must either be revised to include the new link road and junction, as dictated by the CDF, or should be refused as contrary to the CDF and therefore contrary to the development plan.

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

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

Yours faithfully,



Partner
MacRoberts LLP

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Agenda Item 2.3

Planning Development Management Committee

"FORMER POLICE STATION", MID STOCKET ROAD

CHANGE OF USE OF FORMER POLICE STATION TO RESIDENTIAL ACCOMMODATION (AMENDMENT TO 131363)

For: Mr Stanley Wood

Application Type : Detailed Planning Permission
Application Ref. : P141246
Application Date: 14/08/2014
Officer: Paul Williamson
Ward : Midsocket/Rosemount (B Laing/F Forsyth)

Advert : Section 60/65 - Dev aff LB/CA
Advertised on: 27/08/2014
Committee Date: 6 November 2014
Community Council : Comments



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The site to which this application relates comprises a single storey flat roofed building which was formerly used as a Police Station. The existing walls are of granite block construction, with white Upvc windows, and cast iron rainwater goods (painted grey). The property is located towards the eastern end of Midstocket Road, near its junctions with Beechgrove Terrace, Argyll Place, Craigie Loanings, and Rosemount Place.

In respect of neighbouring property, there is a small area of unused ground to the east, with 1 ½ storey properties beyond containing a mix of retail and residential flats. To the south is a bank at ground floor level, with two storeys of residential accommodation above. To the west is the four storey flatted development of Midstocket Mews, while to the north are the rear gardens and garages associated with Argyll Place.

Bus stops are located within 40 metres of the application site to the west on Midstocket Road.

RELEVANT HISTORY

A planning application (Ref: 131363) was considered by Members at the meeting of the Planning Development Management Committee on 28 November 2013. In that instance, the only change in comparison to this current application was that the size of the rooftop extension measured 4.2 by 2.1, thus covering approximately 8.8 square metres.

14-16 Midstocket Road (Adjacent site to east)

94/0173 Shop on Ground Floor with Flat Above. Refused at Planning Committee on 25 April 1994.

94/1217 Shop on Ground Floor with storage above (1 ½ storey). Approved Conditionally on 4 August 1994. This was never implemented.

94/2165 Erection of 2 no. flats. Refused at Planning Committee on 29 November 1994.

PROPOSAL

Detailed Planning Permission is sought for the change of use of this former Police Station to form a one bedroomed residential unit. The submitted plans show the premise comprising of one bedroom, a living area, a shower room, and a kitchen.

In addition, the proposals show the provision of a staircase leading up to roof level, to an area which would be utilised as roof garden/amenity space. This

would be enclosed to the north and east by the provision of a 2.3 metre high screen wall, which would be clad with horizontal timber linings. To the southern edge of the roof garden would be a mild steel balustrade (painted grey). At the north eastern corner of the roof terrace would be an enlarged (beyond that previously approved) sun lounge of approximately 16.8 square metres (Approximately 4.3 x 3.9m) which would enclose the stair leading to the ground floor level.

The submitted plans show that a further external change would be the drop of window cill level to the site frontage to Midstket Road. The new windows and doors would be timber painted white.

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=141246>

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 the Planning Development Management Committee because the application is being recommended for approval and has been the subject of a formal objection by the Rosemount/Mile End Community Council within whose area the application site falls. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No observations.

Environmental Health - In principle there is no objection to the proposals, however due to the close proximity of the dwelling to the road and nearby junction, there are concerns over road traffic noise disturbance to future occupants. A suitable noise survey is required through a condition, to ascertain whether mitigation is required.

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

Rosemount and Mile-End Community Council – Make the following points for consideration:

- The roof area should not be built upon, and the scale of the latest sun lounge extension is inappropriate;
- This is a very limited site which offers no parking facilities near a busy road junction;
- The ownership of the adjacent land to the east is questioned; and,
- The Committee should undertake a site visit.

REPRESENTATIONS

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

- No provision for an external wheelie bin stance;
- The proposal constitutes the overdevelopment of the site due to the increase in size of the first floor level, and comparison to the original built form of the building;
- The plans submitted are not detailed enough, and consist of inaccuracy between the plan and elevation (staircase enclosure);
- Loss of amenity;
- A previous application for a two storey property on the adjacent site was previously refused;
- Lack of car parking;
- Dangerous access from kitchen on to a busy back lane;
- Detriment to privacy;
- The design may lead to a potential traffic hazard;
- The design is inappropriate for the location; and
- The construction may lead to detriment impacts on adjacent residents.

The following matters raised are not material planning considerations:

- No right of access to adjacent garden for construction or maintenance;
- Two elevations are landlocked;
- Alleged flaunting of legislation, and quality of previous developments by the same applicant; and,
- Behaviour of the applicant.

PLANNING POLICY

Scottish Planning Policy

Scottish Planning Policy states in paragraph 110 that “The historic environment is a key part of Scotland’s cultural heritage and it enhances national, regional and local distinctiveness, contributing to sustainable economic growth and regeneration. It is of particular importance for supporting the growth of tourism and leisure, and contributes to sustainable development through the energy and material invested in buildings, the scope for adaptation and reuse and the unique quality of historic environments which provide a sense of identity and continuity for communities. Planning authorities can help to safeguard historic assets through development plans and development management decisions. Paragraph 115 states “A proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. The design, materials, scale and siting of new development within a conservation area, and development outwith the conservation area that will impact on its appearance, character or setting, should be appropriate to the character and setting of the conservation area. Planning permission should normally be refused for development, including demolition, within a conservation area that fails to preserve or enhance the character or appearance of the area”.

Aberdeen Local Development Plan

Policy RT3 – Town, District and Neighbourhood Centres states that proposals for change of use from retail to non-retail use in town, district and neighbourhood centres will only be allowed if in compliance with five set criteria.

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

Policy D2 – Design and Amenity states that in order to ensure the provision of appropriate levels of amenity the following principles will be applied:

- 1) Privacy shall be designed into higher density housing;
- 2) Residential development shall have public face to the street and a private face to an enclosed garden or court;
- 3) All residents shall have access to sitting out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the council; etc.

Policy D4 – Aberdeen’s Granite Heritage states that the City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured.

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

Supplementary Guidance

Transport and Accessibility

Other Relevant Material Considerations

None relevant to this application.

EVALUATION

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

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

The application site is located within the Town Centre of Rosemount. As such proposal RT3 technically applies. However, as the site is already out of retail use, the conversion of this former Police Station to form a small residential unit would not result in any conflict with policy RT3.

As noted above, a similar application was approved by Members at the meeting of the Planning Development Management Committee on 28 November 2013. The applicant has subsequently approached the planning service to increase the size of the sun lounge upon the roof. As acknowledged in the previous report, the existing building is not particularly inspiring, and adds little to the character of the wider Rosemount/Westburn Conservation Area, which the site is within, yet on the boundary of. Accordingly, the provision of a slightly larger sun lounge upon the roof (an increase of 8 square metres), would still ensure the provision of an area of external amenity space upon the roof, and would not diminish the overall appearance of the development. The proposal is still considered to result in the sustainable re-use of this property which is also supported through Scottish Planning Policy.

At present, the height to the top of the parapet wall is 3.7 metres. As part of the proposals, the overall height including the two enclosing walls to the north and east would still be 5.6 metres in height in comparison to the previously approved development. Such an increase in height is not considered to lead to a significant detriment to either the visual amenity nor the character of the area. The 1 ½ storey properties to the east (8-12 Midstocket Road), are estimated to have a ridge height of approximately 6.5 metres, while the scale of properties to the south (containing the bank), and Midstocket Mews to the west, are even larger still. It is not considered therefore that the proposal would have a level of impact in respect of over-shadowing or loss of daylight that would warrant the refusal of this application.

In respect of Scottish Planning Policy, it is clear in identifying that “a proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance”, and can therefore be granted. In this instance, while not to the liking of objectors, the use of timber linings in enclosing two sides of the proposed roof terrace, helps to illustrate that the works are an extension to the heavier original granite materials below. Given the scale of surrounding buildings, the proposals while contemporary would not be out of scale with surrounding properties. The shape of the building at the corner of Midstocket Road and the rear lane, would not necessarily lend itself to putting a more traditional hipped roof solution on the property, and would most likely end up having a greater height to ridge than is currently proposed. Accordingly, the proposal continues to accord with SPP and Policies D1, D4, and D5 of the Local Development Plan.

In relation to the remaining policies of the development plan, the proposal does provide access to sitting out areas through the formation of the roof garden. The provision of 2.3 metre high boundary treatments to the east and north elevations would effectively enclose this roof garden and prevent overlooking to the adjacent land to the east, and the rear gardens of Argyll Place to the north. Therefore, the only areas that could be seen would be onto Midstocket Road itself, and across the road junction to Beechgrove Terrace. This would therefore accord with the requirements of Policy D2.

As the site is effectively land-locked, there is no prospect of providing car parking, without the prospect of demolition, and providing accommodation above. This is unlikely to be acceptable from both a road safety perspective, and design solution. Furthermore, the Roads Officer has confirmed that he has no objection to this planning application, and the Council have already accepted the principle of residential use with no car parking in this location. Turning to the response from Environmental Health, they have outlined that there is a requirement for a noise survey in light of the proximity to a busy junction. This can be effectively controlled by planning condition, with development being dependant upon a positive response.

Relevant Planning Matters Raised by the Community Council

In respect of the points raised within the objection from the Rosemount and Mile End Community Council not already addressed above, the concerns in respect of the scale of the increase to the proposed sun lounge is at the limit of acceptability to the planning authority, as it strikes a balance between the built area upon the roof, while still retaining an area of external amenity space. The query with regard to the neighbouring land is not material at this time, as it is not incorporated into the existing planning application site boundary. The lack of parking facilities was not objected to by Roads Officers in respect of public safety.

The alleged conduct of the applicant is not a material planning consideration.

Relevant Planning Matters Raised in Written Submissions

Turning to the issues raised within the objections received, that have not all been addressed above, there is no scope for external bin storage areas to be provided, and therefore communal street bins would have to be utilised in this instance. Initial inaccuracies on the submitted plans have subsequently been rectified. The door from the kitchen is an existing access point, and no objection has been received from Roads in respect of public safety. The proposal is not considered to result in a road safety hazard as no objection was received from Roads Officers. The proposal is not considered to result in any detriment to adjacent privacy.

In summary, the proposal which would see the re-use of the existing building, and the provision of a roof terrace through a contemporary design solution is considered to comply with Scottish Planning Policy, and the relevant policies of the Aberdeen Local Development Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

That the proposal to convert a vacated former police station in order to form a one bedroomed residential property is considered to accord with policies D1 Architecture and Placemaking, D2 Design and Amenity, D4 Aberdeen's Granite Heritage, and D5 Built Heritage of the Aberdeen Local Development Plan. In addition, while incorporating an enlarged contemporary extension onto the roof terrace in comparison to the previously approved proposals, the proposed development is considered to be of sufficient quality for its location within the Rosemount/Westburn Conservation Area, and would sustain the character of the area.

CONDITIONS

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

(1) That no development pursuant to this planning permission shall take place nor shall the building be occupied unless there has been submitted to and approved in writing for the purpose by the Planning Authority an assessment of the noise levels likely within the building, unless the planning authority has given prior written approval for a variation. The assessment shall be prepared by a suitably qualified independent noise consultant and shall recommend any measures necessary to ensure a satisfactory noise attenuation for the building. The property shall not be occupied unless the said measures have been implemented in full - in the interests of residential amenity.

(2) that no development shall take place unless a scheme detailing all external finishing materials to the roof terrace and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.

(3) that no development shall commence until full details of the replacement window(s) hereby approved (including detailed cross section(s)) has been submitted to and approved by the Planning Authority. The visible part of the outer frame of the front windows hereby approved shall not exceed 25 mm in width at the top and sides of the window opening with the remainder of the frame being concealed behind the masonry window check, unless the planning authority has given prior written approval for a variation. Thereafter, the windows shall be implemented in accordance with the approved plans - in order to preserve the character of the conservation area.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

ROSEMOUNT & MILE-END COMMUNITY COUNCIL

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

September 2014

Dear Sir / Madam,

Planning References : P131363 & P 141246
Former Police Station Midstocket Road Aberdeen .

In September 2013 I submitted a letter on behalf of Rosemount & Mile-End Community Council in respect of planning application P131363. This application was surprisingly approved by the Planning Committee. However a subsequent application P141246 has now been submitted & again the following points are made for your consideration.

- a) It was our view that the roof area should not be built upon. This latest application proposes an increase to the size of the building on the roof area which is inappropriate .
- b) This is a very limited site & offers no parking facilities being at a busy road junction. The planning authorities ignored this issue therefore we ask this to be reconsidered.

In our initial response we questioned the ownership of the ground adjacent to the former police building & the building to the east of the site. We received no reply from your department regarding this point. From the information obtained locally ownership has not been established. Therefore it is inappropriate for development to be further approved in accordance with this application.

A site visit seems to be in order for the planning committee.

Finally when the first application was submitted by the applicant in September 2013 it is clear that my home details were disclosed to the applicant. He subsequently visited my home when he conducted himself in a most unfriendly & threatening manner . I would ask the planning department to warn the applicant regarding his conduct in such matters as a repeat of this nature will be subject to a Police complaint.

Yours faithfully,



George A. Duncan
(On behalf of the Rosemount & Mile-End Community Council)

8 Midstocket Road

Aberdeen

AB15 5NE

3rd September 2014

Planning & Sustainable Development

Aberdeen City Council

Marischal College

Broad Street

Aberdeen

AB10 1AB

Reference Application Number 141246 (amendment to 13163. Change of use to former police station to residential accommodation).

Dear Sir/Madam

With regard to the above amendment to the planning application reference, I hereby wish to object to its proposal for the following reasons:

- 1) Wheely Bin Stance to be added? This former police station owns no part of any adjacent grounds. Any stance added would mean the erection of this stance either on someone else's land, or in a public area.
- 2) The overdevelopment of this site due to the increase in size of the first floor and awareness of bulk of building from original.
- 3) The plans submitted are not detailed enough and consist of inaccuracy between the Plan and the Elevation (staircase enclosure).

I also list (again) my objections to you on my letter dated 4th October 2013:

- 1) Loss of amenity
- 2) Previous application (some time ago) for two storeys was refused.
- 3) No right of access to garden for either build purpose or maintenance.

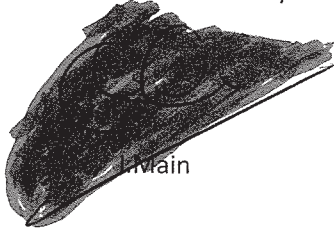
- 4) Lack of parking spaces (minimum requirement provision of 2 spaces)
- 5) Dangerous access from kitchen on to a busy back lane.
- 6) Two elevations land locked (north and east elevations)
- 7) The proposer has recently 'converted' another property next door to this one where several building regulations were contravened, to name but a few these included putting a window into a mutual gable wall (without other owners consent) on the boundary of a mutual piece of ground which the council gave him permission as he advised them that he solely owned this piece of ground. (I have the deeds to prove that this is not true).

I sincerely hope that his plans are treated with extreme caution by the planning department this time.

Please can you note my request that I wish to be notified of all further amended plans.

Thank you

Yours faithfully



Wain

ROSEMOUNT & MILE-END COMMUNITY COUNCIL

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

1 September 2014

Dear Sir / Madam,

Planning References : P131363 & P 141246
Former Police Station Midstocket Road Aberdeen .

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- a) It was our view that the roof area should not be built upon. This latest application proposes an increase to the size of the building on the roof area which is inappropriate .
- b) This is a very limited site & offers no parking facilities being at a busy road junction. The planning authorities ignored this issue therefore we ask this to be reconsidered.

In our initial response we questioned the ownership of the ground adjacent to the former police building & the building to the east of the site. We received no reply from your department regarding this point. From the information obtained locally ownership has not been established. Therefore it is inappropriate for development to be further approved in accordance with this application.

A site visit seems to be in order for the planning committee.

Finally when the first application was submitted by the applicant in September 2013 it is clear that my home details were disclosed to the applicant. He subsequently visited my home when he conducted himself in a most unfriendly & threatening manner . I would ask the planning department to warn the applicant regarding his conduct in such matters as a repeat of this nature will be subject to a Police complaint.

Yours faithfully,



George A. Duncan
(On behalf of the Rosemount & Mile-End Community Council)

From: webmaster@aberdeencity.gov.uk
Sent: 22 September 2014 18:48
To: PI
Subject: Planning Comment for 141246

Comment for Planning Application 141246
 Name : Graham
 Address : 9 Beechgrove Terrace
 Aberdeen
 AB15 5DR

Telephone :
 Email : ~~lezley.graham@aberdeencity.gov.uk~~
 type :

Planning & Sustainable Development	
Mail ID	30939
RECEIVED	26 SEP 2014
REPLY	
Section	DM
Officer	PAU

Comment : We vehemently object to this applicants proposal to have a "sunroom"and "roof terrace" built on the roof of the police box.
 It encroaches on our privacy as the occupants will have a direct line of vision into our front room. We also think that having a "greenhouse" on the top of a "pillbox" is a potential traffic hazard, especially given its location at the "awkward" junction of Mid Stocket Road and Beechgrove Terrace and could result in a major distraction to all road users when they catch sight of this structure .
 We have no objection to a another storey being built if the applicant so wishes.
 I trust that whoever makes the final decision, will in their wisdom consider the potential result if they give their permission to build this kind of structure, it may open the way for any future applicants to have roof terraces and roof sun rooms on any building citing this application as a precedent.

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.

Inveree, 5 Beechgrove Terrace
ABERDEEN
AB15 5DR
Telephone: [REDACTED]
Fax: [REDACTED]
E-mail: [REDACTED]

PTO

understand "now to market".
understand "care what's advertising
to be a company that on the
lands of the world of us using the
legs after advice.

instead we are copying to download
information operators to our property
I read and specifications would/would
be denied.

The Planning Dept/committee is clearly
convinced by the building operators
and I returned that of it our goals
also and (and safety is same already)
If his causes news/difficulties/
unpleasantness as in his previous
and appearance - he will be responsible
and responsible otherwise

Case Off: 16/09/14
 RECEIVED
 16 SEP 2014
 141246
 Registration Number
 P&S, Office of Registration
 141246

You are very very
 welcome to come.
 I will be doing that
 to discuss that &
 how "new" my
 view "is" is

21 ABERDOROUGH & NEWBROOKS WICK/RAIN PROS AND

Inverce, 5 Beechgrove Terrace, Aberdeen AB15 5DR

14/9/14

PLANNING OBJECTION REF 141246
 APPLICANT TO REF. 131363
 FORNER SUBSIDIARY PARTICIPATION

contaminated site or as before - several
 instances have occurred for which area
 properly previously developed by other
 applicant not sold due to market
 conditions - no reason to assume it
 will be improved so now this
 area continues to exist properties - further
 this existing works (presumably to include the
 the design and other ground so much
 not sold for a while - proper regulation
 and very publicly do not consider that
 no parking at all in the area.

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Planning Development Management Committee

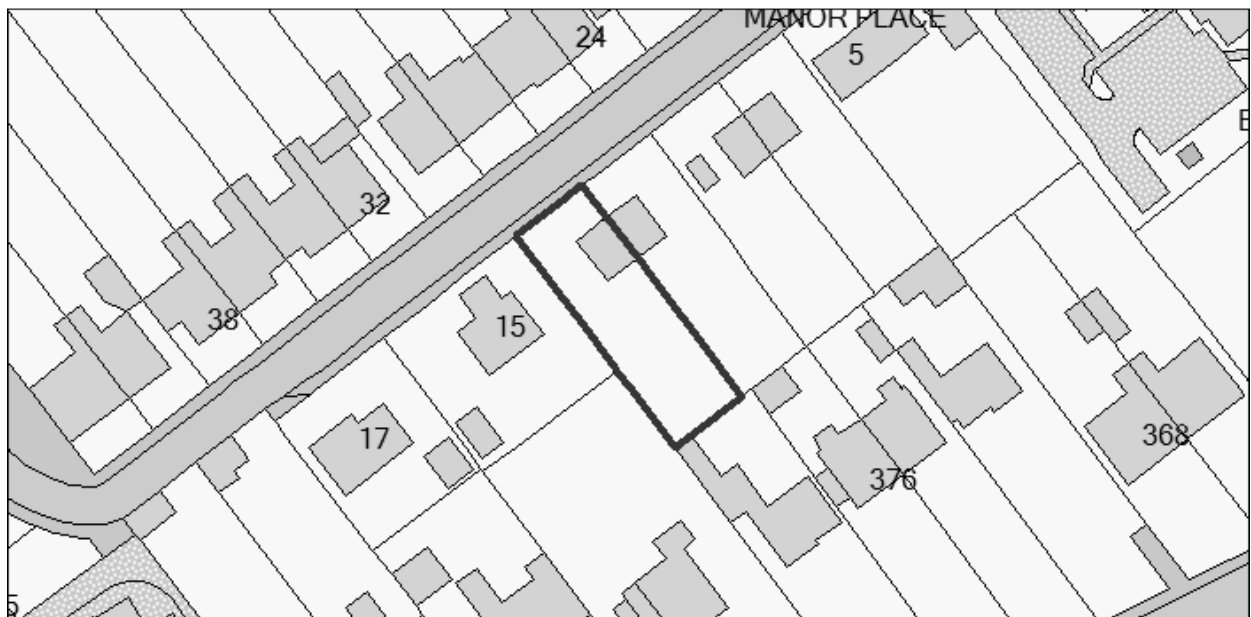
13 MANOR PLACE, CULTS

ERECTION OF 2 STOREY SIDE EXTENSION
AND ROOF TERRACE

For: Mr & Mrs McGeown

Application Type : Detailed Planning Permission
Application Ref. : P141008
Application Date: 01/07/2014
Officer: Alex Ferguson
Ward : Lower Deeside (M Boulton/A Malone/M
Malik)

Advert :
Advertised on:
Committee Date: 06/11/2014
Community Council : No comments



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site comprises a 2 storey semi-detached dwellinghouse situated on the southern side of Manor Place, Cults. The circa 42sqm dwelling sits in a 485sqm plot with a rear garden area of approximately 370sqm. The traditional hipped-roof building is finished with pink granite with grey granite quoins, white uPVC windows and doors and grey natural roof slates.

The front boundary of the property is lined with a c. 1m high hedge with an opening at the western end for a gravel driveway that runs adjacent to the property's western mutual boundary.

The property's rear garden extends approximately 25m to the southeast of the dwelling's rear elevation and it is screened by a masonry wall and mature trees on the southwestern boundary and timber fencing of different types along the northeastern mutual boundary shared with the other half of the semi-detached building of which the application property forms part.

RELEVANT HISTORY

P900452 – Outline Planning Permission was refused for the 'Erection of a dwellinghouse within part of the curtilage of the dwellinghouse' by the Planning Committee in 1990.

PROPOSAL

Permission is sought for the erection of a contemporary 2 storey wraparound side and rear extension to the existing dwellinghouse. The proposed extension would have a flat aluminium roof, an unorthodox fenestration pattern and would be finished with a smooth pink render to closely resemble the existing granite at ground floor level and vertical timber (Siberian Larch) linings at first floor level.

The extension would be set 2.7m back from the front building line of the dwellinghouse and would project 5.2m out from the southwestern side elevation of the dwelling. At the rear, the extension would project 3.3m out from the rear building line of the house and would be set 3.4m and 2.1m in from the northeastern and southwestern mutual boundaries respectively.

The extension would be set on slightly lower ground than the existing dwelling, with the site's ground levels also changing from the front to the rear of the property. As a result, the ground level of the front elevation of the extension would be set 300mm below that of the main dwelling (the internal floor level would be 500mm lower), whilst the rear elevation of the extension would sit 450mm below the rear elevation of the dwellinghouse. The extension would have

a total height of 5.8m, with a 6.3m high pink-rendered external chimney stack situated toward to the rear of the extension's southwestern side elevation.

The 47sqm footprint extension would incorporate a terrace at first floor level which would be built above the ground floor wraparound section of the extension. The terrace would have a glazed balustrade on its rear, southeastern facing elevation, whilst the northeastern elevation of the balcony/terrace would be finished with a 1.55m high timber privacy screen.

The proposed extension would contain 1no large panel of glazing on the western corner of the front elevation, with just 1no small high level window on the southwestern side elevation of the extension's first floor level. The rear elevation of the extension would be predominantly glazed at ground floor level and would contain 2no large windows at first floor level. The northeastern side elevation of the extension would contain 1no window at ground floor level and a set of glazed patio doors at first floor level which would provide access to the first floor terrace.

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=141008>

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 18no letters of objection to the proposals have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Comments received. The number of off-street car parking spaces proposed to be provided is acceptable. However, it has been requested that a condition be attached to any consent requiring further details of the property's proposed front boundary treatment to be submitted and agreed upon in order to protect vehicle and pedestrian safety.

Environmental Health – No observations

Enterprise, Planning & Infrastructure (Flooding) – No observations

Community Council – No comments received

REPRESENTATIONS

18no letters of objection have been received. The objections raised relate to the following matters –

- The proposed extension's design and materials would be out of character with the other buildings on the street which are of a traditional design. Particular reference was made to the use of white brick at ground floor level and aluminium for the roof;
- The scale of the extension is too large and would in-effect, double the floor area of the existing property; and,
- Loss of privacy.

PLANNING POLICY

Aberdeen Local Development Plan (ALDP)

Policy D1 - Architecture and Placemaking

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

Policy H1 - Residential Areas

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

- Does not constitute over development;
- Does not have an unacceptable impact on the character or amenity of the surrounding area;
- Complies with the Supplementary Guidance contained in the Householder Development Guide.

Supplementary Guidance - Householder Development Guide

General Principles:

- Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling.
- Any extension or alteration should not result in a situation where amenity is 'borrowed' from an adjacent property. Significant adverse impact on privacy, daylight and general residential amenity will count against a development proposal.

- The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.
- No more than 50% of the front or rear curtilage shall be covered by development.

Rear and side extensions to semi-detached dwellings:

- Single storey extensions will be restricted to 4m in projection along the boundary shared with the other half of the semi-detached property. In all other cases, the maximum size of single storey extension will be determined on a site-specific basis, with due regard for the topography of the site and the relationship between buildings.
- On properties of 2 or more storeys, two storey extensions may be possible, subject to the design considerations set out in the 'General Principles' section, above. The projection of two-storey extensions will be restricted to 3m along the boundary shared with the other half of the semi-detached property.

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.

Policy D1 (Architecture & Placemaking)

Design & materials

The proposed extension would be contemporary in design and would be finished with suitably modern materials. The use of traditional materials would not work in an extension of this design which has clearly been designed as a contemporary addition to the traditional dwelling. It was initially proposed to use white-painted brick at ground floor level of the extension. However, this was deemed to be too stark a contrast with the existing pink granite dwellinghouse and the plans have subsequently been revised to incorporate the use of a more sympathetic pink render at ground floor level, to match as closely as possible the colour of the main dwellinghouse's pink granite walls. The flat roof of the extension would be finished with aluminium trim and would be barely visible from street level.

The use of timber linings at first floor level of the extension helps to visually differentiate between the two storeys and minimise the impact of its massing, whilst adding a clearly contemporary look to the structure. The timber to be used in the linings at first floor level would be Siberian Larch. Over time, Larch cladding weathers to a soft grey colour which would blend sympathetically with the pink granite and grey slates of the main dwellinghouse as well as the pink render and grey aluminium roof trim of the rest of the extension.

The choice of materials is considered to be acceptable in principle, although a condition has been added to ensure that further confirmation of the exact finishes to be used for the extension's external walls and roof will require to be submitted and agreed upon prior to any work taking place.

In terms of design, the extension would have recessed wall and roof junctions which would help to visually separate the contemporary extension from the traditional dwellinghouse. Although the roof junction between the extension and the main dwelling would sit slightly above the eaves level of the existing house, this element of the design would not have a significant detrimental impact on the character of the existing dwellinghouse and would only be visible from directly in front of the dwelling.

Scale, prominence and visibility from the street

Whilst the proposed extension would have a 2 storey appearance its positioning to the side of the main dwelling, with its front elevation set significantly back from that of the front building line of the street, is enough to ensure that the extension would not dominate the original dwelling in terms of appearance and would be a subservient addition to the existing house.

The flat-roofed extension, largely because of its front elevation being set sufficiently far back from the front building line of the existing dwellinghouse, would not dominate the appearance of the existing dwelling. The extension would be set 2.7m back from the front of the existing building which would ensure that it would not be visible from the majority of the street, except from immediately near to and opposite No. 13 Manor Place. From the northeast, the extension would be predominantly obscured from sight by the existing dwellinghouse, whilst a large mature tree, high level boundary walls and a front extension to the neighbouring dwellinghouse at No. 15 Manor Place would obscure views of the extension from the majority of the street to the southwest.

Impact upon the character of the area

There are a mixture of house types on Manor Place including a modern 2-storey block of flats at the northeastern end, 2-storey 4-in-a-block flats and 1½ storey semi-detached dwellings on the northern side of the street and pink granite 2-storey semi-detached houses on the southern side of the street, of which the application site forms part. Immediately to the southwest of the application property lie 2no detached dwellings presumably of late-20th Century construction, finished with rendered walls and concrete roof tiles. Therefore Manor Place, whilst consisting of predominantly traditional buildings, does not have a standard house type which typifies the street nor does it have a consistent architectural style.

Manor Place's mix of housing types and designs, combined with the extension being a contemporary, subservient addition to the existing house and not being clearly visible from the majority of the street, is sufficient to ensure that its erection would not have a detrimental impact upon the character of the area.

Policy H1 (Residential Areas) & Supplementary Guidance (Householder Development Guide)

Footprint

The proposed extension would increase the footprint of the dwellinghouse by 47sqm and would more than double the footprint of the existing dwellinghouse, increasing the footprint from 42sm to 89sqm. However, whilst the Householder Development Guide states that *'the built footprint of a dwelling house as extended should not exceed twice that of the original dwelling'*, it should be noted that this is a guideline and discretion can be used where the specific characteristics of the proposal and the site mean that a larger extension can be accommodated without detriment to amenity and streetscape. In this particular circumstance, whilst the proposed extension would exceed twice the footprint of the original house, it is considered that the small amount of just 5sqm by which it would exceed that threshold is acceptable.

Part of the reasoning behind the general principle of not permitting extensions to more than double the footprint of the original dwellinghouse is so that the original dwelling remains visually dominant and would not become secondary to any subsequent additions. This would not be the case, as has been explained in the foregoing evaluation, as the proposed extension, whilst slightly larger in footprint, would remain subservient to the original dwelling.

Furthermore, the 47sqm proposed extension would only cover approximately 14% of the site's 370sqm rear garden area. Combined with the original dwellinghouse, the built coverage of the site would rise to 19% and it is therefore considered that the proposed extension would not constitute overdevelopment of the site.

Daylighting and overshadowing

The extension would have a single storey appearance on its northeastern elevation - plus 1.8m high terrace screening – and would be set 3.4m in from the mutual boundary. Daylighting and overshadowing calculations demonstrate that the proposed extension would be sufficiently set off the mutual northeastern boundary to ensure that no issues would affect the neighbouring property at No. 11 Manor Place in this regard. Any overshadowing cast by the extension in this direction would fall onto the applicant's own rear garden, whilst no neighbouring windows would be affected by the extension in terms of daylight receipt.

In the opposite direction, several mature trees line the mutual southwestern boundary and they would ensure that no overshadowing or daylighting issues would affect the neighbouring property to the southwest at No. 15 Manor Place.

Privacy

With regard to privacy, no windows are proposed on the southwestern side elevation of the extension which would allow for the overlooking of the adjacent property to the southwest. The proposed first floor level terrace would have 1.55m high timber privacy screening running along the length of the terrace's

northeastern elevation. The screening would be of a sufficient height to prevent direct overlooking of the neighbouring property's immediately usable rear garden ground, whilst the nearest neighbouring window at first floor level would be situated 4m away from the terrace. The terrace would be positioned at an acute angle in relation to the nearest window and would have a floor level 450mm below that of the neighbouring property's first floor level. Because of the line of sight, users of the terrace would not be able to look directly into the nearest first floor neighbouring window and would need to look upward to gain partial views into the affected room.

The terrace would allow for some overlooking down toward to the middle and end of the neighbouring property's rear garden to the northeast of the application site. However, the area of the neighbouring garden which would be overlooked is already overlooked by the first floor windows of the existing dwelling and does not include the immediately usable rear garden ground adjacent to the neighbouring property's rear elevation. The proposed terrace, which is relatively small in scale and serves a bedroom, is unlikely to be used for significant periods of time whilst standing and would not result in an unacceptable increase in the amount of overlooking of the neighbouring property's rear garden compared to the existing situation.

The terrace would allow for southeastward views along the application property's rear garden. The terrace would be situated at least 22m from the rear gardens of the nearest properties to the southeast on North Deeside Road. The separation distance is sufficient to ensure that no overlooking would occur in this direction. Therefore it is considered that the proposed terrace would not allow for a significant amount of overlooking of any neighbouring properties to warrant refusal of the application.

Sufficient screening is in place along the existing northeastern mutual boundary which would ensure that no overlooking would be possible from the ground floor window proposed to be installed on the northeastern side elevation of the extension.

Summary of amenity issues

The proposed extension would be sympathetically located a significant distance off both mutual boundaries to ensure that no daylighting or overshadowing issues would arise as a result of the erection of the proposed extension whilst the proposed first floor level terrace would be sufficiently screened along its northeastern elevation to ensure that there would not be a significant impact on the privacy currently enjoyed by any of the neighbouring properties.

Driveway and parking

The Roads Projects Team are satisfied that the existing driveway to the front of the property would be extended sufficiently to accommodate the required number of off-street parking spaces. However, they have noted concerns regarding the front boundary treatment and the possibility that vehicles could access the driveway from points other than at the existing footway crossing. They have requested that a condition be applied to any consent requiring a boundary

treatment along the frontage of the property sufficient to prevent any vehicles from being able to enter the site at points other than the footway crossing. Such a condition is therefore recommended.

Matters raised in letters of objection

The concerns raised in the letters of objection to the proposals have been addressed in the foregoing evaluation.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposed extension complies with Aberdeen Local Development Plan Policies D1 (Architecture & Placemaking) and H1 (Residential Areas) as it would be of suitable scale, design and materials, would not have a detrimental impact on the character of the surrounding area, nor an adverse impact upon the residential amenity of any neighbouring properties.

CONDITIONS

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

(1) that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.

(2) that no development shall take place unless a plan incorporating the retention or formation of a front boundary treatment sufficient to ensure that no vehicles can access the property's driveway other than by using the existing footway crossing is 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 vehicular and pedestrian safety.

(3) The raised terrace on the rear and side elevations of the extension hereby approved should not be used unless the 1.55m high timber screening shown along the northeastern elevation on drawing no. A3-03 Rev A, or other as agreed in writing with the planning authority, is in place and thereafter shall remain in perpetuity - in the interests of protecting residential amenity.

Dr Margaret Bochel
Head of Planning and Sustainable Development.

4MP.

P141008 - ALF

Application number 141008

41 Manor Place, Cults, AB15 9QN

I object to the proposed extension. at no 13 Manor Place Cults Aberdeen.

It would be out of character with other housing in the street.

Most of the housing in this part of Manor Place is late Victorian and early Nineteen Thirties.

Buildings mainly built with granite with slate roofs. Proposed extension using none of these materials.

The use of white painted brick and wood is not in keeping with character of main house as is the aluminium flat roof.

Previous extensions in Manor Place have been done sympathetically using traditional granite and slate (No 5).



(D.B. EVANS)

29MP

29 MANOR PLACE
CULTS

Application no:-

141008 ALF

I object to the proposed extension.

It would be out of character with other housing in the street.

Most of the housing in this part of Manor Place is late Victorian and early Nineteen Thirties.

Buildings mainly built with granite with slate roofs. Proposed extension using none of these materials.

The use of white painted brick and wood is not in keeping with character of main house as is the aluminium flat roof.

Previous extensions in Manor Place have been done sympathetically using traditional granite and slate (No 5).



SOMP.

Application no: 141008
-NSF

38 Manor Place

Culbts
Abse-oleen

29 July 2014

I object to the proposed extension, as: no 13 Manor Place Culbts.
It would be out of character with other housing in the street.

Most of the housing in this part of Manor Place is late Victorian and early Nineteen Thirties.

Buildings mainly built with granite with slate roofs. Proposed extension using none of these materials.

The use of white painted brick and wood is not in keeping with character of main house as is the aluminium flat roof.

Previous extensions in Manor Place have been done sympathetically using traditional granite and slate (No 5).



38 Manor
Place
Cults
Aberdeen
AB15 9QN

29 July 2014

Dear Sir or Madam,

Subject: Objection to the Proposed Side Extension at 13 Manor Place
Planning Application Number: 141008
Proposed development at 13 Manor Place, Cults, Aberdeen, AB15 9QN
Description: Erection of 2 storey side extension and roof terrace

Please note that I object to the proposed planning application for a side extension to number 13 Manor Place on the following basis;

1. Design

- 1.1 The proposed flat roof design is out of keeping with the dual pitch roof of all the other properties in Manor place.
- 1.2 The arrangement, proportion, and design of the windows and doors of the proposed extension are not in keeping with late Victorian style of the surrounding properties in Manor Place.
- 1.3 The type of construction of the proposed extension, i.e. white brick and wood, deviates starkly from the granite walls and slate roofs of both the surrounding properties and Manor Place properties in general.
- 1.4 The scale of the extension, in effect doubling the floor area of the existing property makes the clash of design styles even more obtrusive.

2. Compatibility with other uses in the area

The design shows a lack of compatibility with, and sympathy for both surrounding properties the other property users in the street.

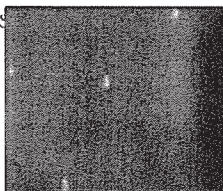
3. Precedent

Previous extensions to properties in Manor Place have made very considerable effort in both design and construction to blend in with the character and 'street-scape'. In my view the proposed design should be withdrawn and a more suitable design put forward influenced by, and in keeping with those earlier extensions and the street-scape of Manor Place as a whole.

The Aberdeen City Council Planning Department are requested to take my objections to the proposed house extension into account when assessing the planning applications.

I would be most grateful for an acknowledgement of receipt of this letter.

Yours



(Mr. J. Etchells)

36MP *

P141008 - ALF

36 Manor Place *
Cults
ABERDEEN
AB15 9QN

29 July 2014

Dear Sir or Madam

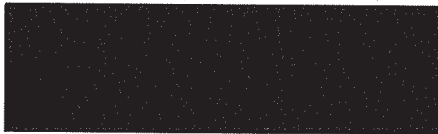
I am writing to object to the proposed extension to 13 Manor Place, Cults. When number 5 Manor Place extended their property they were told the front had to be in granite to match the existing house and it looks good... why does this not apply to the application from number 13?

All the other houses in the same part of the street are built with granite and have pitched, slated roofs. The proposed extension will be built from totally different materials and the style would be at odds with the surrounding houses, and with the existing house they are extending.

It also breaks the building line, making the extension stick further out into the back garden than is necessary. The balcony at the back would totally overlook their neighbours garden and all windows, including bedroom, severely encroaching on their privacy.

I would hope that good reason will prevail and the plans can be modified to take into account the age and style of the existing buildings and to minimise intrusion to the neighbouring property at number 11.

Yours sincerely



Glenys Mathewson

36MP

P141008 - ALF

36 Manor Place *
Cults
ABERDEEN
AB15 9QN

29 July 2014

Dear Sir or Madam

I am writing to object to the proposed extension to 13 Manor Place, Cults. When number 5 Manor Place extended their property they were told the front had to be in granite to match the existing house and it looks good... why does this not apply to the application from number 13?

All the other houses in the same part of the street are built with granite and have pitched, slated roofs. The proposed extension will be built from totally different materials and the style would be at odds with the surrounding houses, and with the existing house they are extending.

It also breaks the building line, making the extension stick further out into the back garden than is necessary. The balcony at the back would totally overlook their neighbours garden and all windows, including bedroom, severely encroaching on their privacy.

I would hope that good reason will prevail and the plans can be modified to take into account the age and style of the existing buildings and to minimise intrusion to the neighbouring property at number 11.

Yours sincerely



David J Mathewson

28 ml. \$

PI

From: webmaster@aberdeencity.gov.uk
Sent: 29 July 2014 23:03
To: PI
Subject: Planning Comment for 141008

Comment for Planning Application 141008

Name : Samuel Wallace
Address : 28 Manor Place ✕
Cults
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the proposed plans at 13 Manor Place as the extension is completely out of character in relation to the design of the original house which is a traditional build. All the houses on street are granite with slate roofs. The proposed extension is modern and will look out of place.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 24 July 2014 13:23
To: PI
Subject: Planning Comment for 141008

Comment for Planning Application 141008

Name : Richard Wallace

Address : Roseville

28 Manor Place,

Cults,

Aberdeen.

AB15 9QN

Telephone :

Email [REDACTED]

type :

Comment : I object to the proposed extension.

It would be out of character with other housing in the street.

Most of the housing in this part of Manor Place is late Victorian and early Nineteen Thirties.

Buildings mainly built with granite with slate roofs. Proposed extension using none of these materials. The use of white painted brick and wood is not in keeping with character of main house as is the aluminium flat roof.

Previous extensions in Manor Place have been done sympathetically using traditional granite and slate (No 5).

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28MP. *

P141008 - ALF

PI

From: webmaster@aberdeencity.gov.uk
Sent: 29 July 2014 21:34
To: PI
Subject: Planning Comment for 141008

Comment for Planning Application 141008

Name : Elaine Wallace
Address : 28 Manor Place *
Cults
Aberdeen
AB15 9QN

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to the proposed extension at 13 Manor Place as I look directly onto property and:

1. proposed extension out of character to existing house
2. proposed extension out of character to the rest of the traditional granite, slate roof houses in street
3. proposed extension is using materials which are not in keeping with existing house
4. proposed extension is using materials which are not in keeping with traditional granite, slate roof houses in the street
5. the use of white painted bricks, wood and aluminium are not in keeping with character of house or rest of the street
6. bricks and wood could be painted an offensive colour after planning permission given
7. proposed extension is modern and not suited to the traditional house at no. 13

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Application NO 141008

* 26 Manor Place
Culds
AB15 9RN

Dear Sir/Maam

regarding the proposed extension at
13 Manor Place
I would like to lodge a strong complaint
about the size, shape and style of the building,
for obvious reasons.

Notwithstanding the fact that this once quiet
and tranquil street has been plagued by one
building or extension after another, and now we
have another two at the same time, both right
opposite this house.

And once they are finished it is we who
have to look out our windows at this proposed
monstrosity for the rest of our lives.

sincerely


Application no - 141008 - ALF

Sir,

I am now 92 years old
and would like some peace and quiet.

I protest at the building at No. 13 -
MANOR PLACE - CULTS - ABERDEEN.

Its ugly and horrible and an eyesore.

Surely something so cheap and nasty
will not be allowed.

~~26~~ MANOR PLACE
CULTS
ABERDEEN

2c n.p.


Application no: -
141008
ALF

MRS Teresa Pentzwee
24 Manor Place
Cullts
Aberdeen AB15-9@N.

I wish to object to the proposed
extension at no 13 Manor Place Cullts
Aberdeen.

Most of the houses in Manor Place
are old and granite built. This
proposed extension is wood on a
white washed wall with flat roof
and not slate.

I feel this would be out of character
with the beautiful granite houses of
Manor Place.



PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 July 2014 10:59
To: PI
Subject: Planning Comment for 141008

Comment for Planning Application 141008

Name : Prof Roger Pertwee
Address : 24 Manor Place
Cults
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : My wife (Teresa Pertwee) and I strongly object to the very poor design/appearance of this proposed extension to 13 Manor Place. More specifically this proposed extension:

- (1) is totally "out of character" with (a) the rest of Manor Place and (b) the rest of 13 Manor Place;
- (2) is very ugly with regard both to its appalling "style" and to its colouring;
- (3) resembles some kind of "temporary" building.

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PI

From: [REDACTED]
Sent: 01 August 2014 15:21
To: PI
Subject: erection of extension at 13 MANOR PLACE,CULTS ABERDEEN AB15 9QN

LYDIA MACGILLIVRAY 16 MANOR PLACE CULTS.

I wish to lodge an objection to the planning application No 141008

My reasons for this are ----- the proposed building is completely at odds with the character of this pleasant street ,most of the houses having been built around the end of 19th century.

-----The design and materials are not in keeping with surrounding homes

-----there exists an issue of loss of privacy to the adjoining neighbour particularly as top window and deck look directly on to that property.

I trust that this inappropriate design which faces the street is reconsidered and withdrawn.

Yours sincerely, Lydia MacGillivray

11 Manor Place

P141008 - ALF

PI

From: david webster [REDACTED]
Sent: 29 July 2014 20:28
To: PI
Subject: Proposed Extension at 13 Manor Place Cults Aberdeen

I wish to object to the proposed extension at 13 Manor Place Cults Aberdeen. Application number 141008. My reasons for the objection are the invasion of privacy regarding the bedroom patio doors opening onto our bedroom window. This is an open view at the moment but will be very restricted if the extension goes ahead as well as our neighbours being able to look in to our bedroom. It would be more sensible to open out to the garden area facing south.

I also feel that the proposed extension is out of character with the rest of the street. These are all granite buildings and as such have a defined look. The extension would not merge in with the other houses and would look completely different. It looks like a wooden container placed on top of a white wall.

I hope my objections will be listened to and if the extension has to go ahead at least make alterations.

Mr D. Webster
11 Manor Place ✱
Cults
Aberdeen
AB159QN

Sent from my iPad

11 MR *

P141008 - ASF

PI

From: Alison [REDACTED]
Sent: 29 July 2014 22:08
To: PI
Subject: objection ..13 Manor Place Cults aberdeen

11 Manor Place, *
Cults,
Aberdeen.

Application number, 141008.

I wish to object to the proposed development at no 13 manor Place Cults aberdeen.

1) Manor Place is a street with mostly old granite built houses with slate roofs and this proposed extension will look completely out of character. This proposed extension looks like a porta-cabin sat onto a white wash dyke with its white painted bricks, wood and aluminium roof, all these materials are out of character with the original house at no. 13 as well as the rest of the houses in Manor Place.

My neighbour at No 5 had to ensure that pink granite was used on the face of their new extension to keep in character with the other similar houses in Manor Place.

As I said before, the buildings in Manor Place are mostly traditional, granite with slate roofs, the proposed extension uses none of these materials.

2) I strongly feel that this proposed extension with a roof terrace will be a complete invasion of my privacy. I feel the windows to the back east of the proposed extension will look onto my patio where I sit and enjoy my terrace and garden, morning, noon and night.

The roof terrace at the proposed height and position will have a direct view and occupants will be able to look into my bedroom which is really not acceptable and I am deeply concerned about.

Position of roof terrace is an invasion of my privacy and I feel that if owners want to get the sun, south, south west to west are the best options and the roof terrace would be in a better position and would not invade my or anybody's privacy.

I have no objection to my neighbours building the extension if the proper materials are used to keep in character with the rest of Manor Place and the Roof Terrace is altered, so it doesn't invade anyone's privacy.

Alison Webster.

Agenda Item 2.5

Planning Development Management Committee

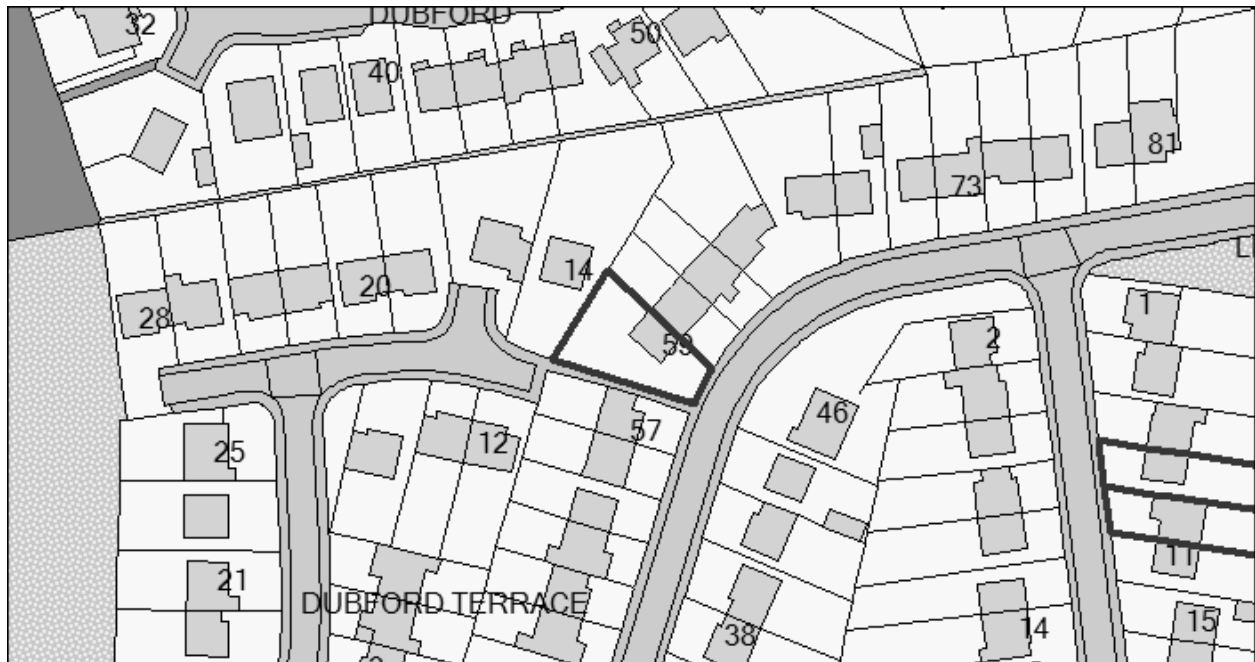
59 DUBFORD CRESCENT, BRIDGE OF DON

ERECTION OF FAMILY ROOM TO REAR OF HOUSE.

For: Mr. Steven Burnett

Application Type : Detailed Planning Permission
Application Ref. : P141210
Application Date: 07/08/2014
Officer: Alex Ferguson
Ward : Bridge of Don (M Jaffrey/J Reynolds/S Stuart/W Young)

Advert :
Advertised on:
Committee Date: 06/11/2014
Community Council : No comments



RECOMMENDATION:

Approve Unconditionally

DESCRIPTION

The application site comprises a 2 storey semi-detached dwellinghouse situated on the northwestern side of Dubford Crescent, Bridge of Don. The 82sqm dwellinghouse sits in a c. 360sqm plot with a rear garden area of 225sqm, approximately 34sqm (15%) of which is occupied by an existing 2 storey side extension and single storey front porch built off the southwestern gable end.

The pitched roof dwellinghouse was constructed in the late 20th Century, and is finished with Fyfestone at ground floor level, a light grey roughcast external wall finish at first floor level, white uPVC windows and doors and grey/brown concrete roof tiles.

The application site is bound to the east by Dubford Crescent, to the south by a public footpath which leads to the northern end of Dubford Terrace, to the northwest by a neighbouring detached dwellinghouse at 14 Dubford Terrace and to the northeast by the other half of the applicant's semi-detached building which comprises No. 61 Dubford Crescent.

The rear garden of the application property is lined with high level hedging along the southern and western boundaries. The mutual north-eastern boundary of the site, shared with No. 61 Dubford Crescent, is lined with timber fence of approximately 1.7m in height.

The topography of the site is such that there is a slight change in ground levels between the application site and No. 61 Dubford Crescent to the northeast. No. 59 Dubford Crescent sits approximately 300-400mm lower than the neighbouring property at No. 61.

RELEVANT HISTORY

P081709 – Permission was granted under delegated powers in September 2008 for the addition of a first floor level side extension above the existing single storey garage.

P972190 – Permission was granted under delegated powers in January 1998 for the addition of a first floor level side extension above the existing single storey garage. This permission was not implemented.

P900329 – Permission was granted under delegated powers in March 1990 for the erection of a single storey garage and front porch extension. The original dwellinghouse had a footprint of 48.6sqm, measuring 6m wide by 8.1m deep. The existing 34sqm side extension containing the garage and front porch was added in 1990 and increased the dwelling's footprint to the current 82sqm size.

PROPOSAL

Permission is sought for the erection of a single storey extension to the rear of the dwellinghouse. The proposed extension would have a flat roof with a height of 3m and a central glazed lantern rooflight which would measure 600mm in height. The extension would project 3.7m out from the rear elevation of the dwellinghouse with a width of 7.3m. The 27sqm extension would be set 750mm in from the mutual boundary with No. 61 and 1.1m in from the southwestern gable end of the dwellinghouse.

The extension would be predominantly glazed on its rear elevation and would contain 3no windows on its southwestern elevation. There would not be any glazing on the northeastern elevation which faces towards No. 61. The proposed extension would be finished with a cream wetdash external wall render and a smooth cement basecourse.

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=141210>

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 8no letters of objection have been received. 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

Community Council – No comments received

REPRESENTATIONS

8no letters of objection have been received. The objections raised relate to the following matters –

- Loss of daylight to a neighbouring properties ground floor windows;

- Overshadowing of a neighbouring property's rear garden ground;

PLANNING POLICY

Aberdeen Local Development Plan (ALDP)

Policy D1 - Architecture and Placemaking

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

Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

Policy H1 - Residential Areas

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

- Does not constitute over development;
- Does not have an unacceptable impact on the character or amenity of the surrounding area;
- Complies with the Supplementary Guidance contained in the Householder Development Guide.

Supplementary Guidance - Householder Development Guide

General Principles:

- Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling.
- Any extension or alteration should not result in a situation where amenity is 'borrowed' from an adjacent property. Significant adverse impact on privacy, daylight and general residential amenity will count against a development proposal.
- The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.
- No more than 50% of the front or rear curtilage shall be covered by development.

Rear and side extensions to semi-detached dwellings:

- Single storey extensions will be restricted to 4m in projection along the boundary shared with the other half of the semi-detached property. In all other cases, the maximum size of single storey extension will be

determined on a site-specific basis, with due regard for the topography of the site and the relationship between buildings.

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.

Policy D1 (Architecture & Placemaking)

The proposed extension has been designed so that it would not dominate the original dwellinghouse. The scale, mass and proportions are considered acceptable in relation to the existing building and plot size. The single storey extension would be built off the rear elevation of the dwellinghouse and it would not be visible from a public viewpoint. The extension would not detract from the character of the street or have a detrimental impact upon the visual character of the surrounding area.

Policy H1 (Residential Areas) & Supplementary Guidance (Householder Development Guide)

Footprint

The proposed extension would increase the footprint of the dwellinghouse by 27sqm, increasing the footprint of the dwelling from 82sm to 109sqm. The footprint of the original dwelling when first constructed was 48.6sqm. The combination of the existing extension and the addition of the proposed extension would increase the footprint of the dwellinghouse to 224% of the size of the original dwellinghouse, which is contrary to one of the General Principles of the Householder Development Guide which states that *'the built footprint of a dwelling house as extended should not exceed twice that of the original dwelling'*.

However, it should be noted that this is a guideline and other factors should be taken into consideration before determining whether an extension would constitute overdevelopment of the site. In this particular circumstance, whilst the proposed extension would lead to the footprint of the original dwellinghouse more than doubling, it is considered that the small amount of just 12sqm by which it would exceed that threshold is acceptable. Furthermore, the proposed extension, combined with the existing 34sqm side extension would only cover approximately 27% of the site's 225sqm rear garden area which is acceptable in accordance with the Householder Development Guide. The proposed extension would not be visible from any public viewpoint, would not affect the character of the area, would comfortably sit within the large plot's rear garden and would therefore not constitute overdevelopment of the site.

Daylighting and overshadowing

Daylighting calculations demonstrate that there would be no adverse impact upon the amount of daylight received by the nearest ground floor window on the rear elevation of No. 61. Using the 45 degree method for daylight assessment as set out in the Householder Development Guide, the line taken at 45 degrees from the top corner of the proposed extension would not cross the centre point of the nearest ground floor window. Therefore, the extension is deemed to satisfy the 45 degree method for daylighting assessment. The 750mm gap between the proposed extension and the mutual boundary, as well as the fact that the extension would sit on a slightly lower ground level than the neighbouring property, ensures that the impact upon the amount of daylight received by the neighbouring window would be minimal.

Overshadowing calculations demonstrate that the proposed extension would cast a minimal amount of 'adverse overshadowing' onto the rear garden ground of No. 61. The amount of overshadowing over the guideline of 2m in plan form would be minimal and the adversely affected area would account for just over 1sqm of the neighbouring property's 100sqm rear garden. The rear access door and immediately usable rear garden ground for the neighbouring property is located at the other end of the dwelling's rear elevation, approximately 6m away from the mutual boundary. Therefore, whilst acknowledging that a small amount of adverse overshadowing would occur, using the calculation method as described in the Householder Development Guide, it would not affect the neighbouring property's immediately usable rear garden ground and is not considered to be a significant enough amount of adverse overshadowing to warrant refusal of the application.

It is worth noting that for much of the day, direct sunlight to the immediate rear garden area is already blocked by the existing 2 storey semi-detached building which houses the application property and that of the neighbours at No. 61. The southwestern orientation of the proposed extension relative to No. 61 means that it would block some sunlight in the mid-to-late afternoon but not to a significant level given the current situation.

Privacy

There would be no glazing on the extensions northeastern side elevation which would face toward the neighbouring property at No. 61 Dubford Crescent. The western and southern boundaries of the site are well screened by high level hedging and therefore no privacy issues would arise as a result of the erection of the proposed extension.

Other material considerations

It is worth noting that the only reason that the proposed extension requires planning permission and does not constitute Permitted Development is because the dwellinghouse has already been extended to the side and the proposed extension would increase the footprint of the resultant dwellinghouse to more than double the size of the original dwelling.

With regard to the height of the extension, its projection from the rear elevation of the dwelling and its proximity to the boundary, these aspects would all be

acceptable with regard to the Permitted Development rights for single storey rear extensions to semi-detached properties. In this regard, as the current Permitted Development Regulations permit the erection of a 4m extension directly along the mutual boundary, it would seem unreasonable to refuse permission for the proposed extension which would project just under 4m out from the rear elevation of the dwelling at a height of 3m, would be set 750mm in from the boundary and built on slightly lower ground than No. 61.

Matters raised in letters of objection

The following concerns raised in the letters of objection to the proposals have been addressed in the preceding evaluation:

- Loss of daylight to a neighbouring properties ground floor windows; and
- Overshadowing of a neighbouring property's rear garden ground.

It should be noted that after the neighbour notification period for submitting letters of representation expired and objections had been received, the applicant subsequently amended the plans for the proposed extension, bringing it in 750mm off the boundary and incorporating the use of a flat-roof instead of the originally proposed mono-pitched roof. Therefore, whilst the neighbouring properties were not re-notified and the objections to original submission still stand, the proposed extension is an improvement on the initial submission in terms of its impact on daylight and sunlight receipt for the occupants of No. 61, which were the main reasons given by the objectors for objecting to the proposal.

Summary

In summary, despite the proposed extension increasing the footprint of the resultant dwellinghouse to more than double that of the original dwelling and the fact that the extension would have a small adverse impact upon the neighbouring property in terms of overshadowing, it would not impact upon the character of the area and would not have a significant adverse impact upon the amenity currently enjoyed by any neighbouring properties that would warrant refusal of the application. The application is therefore recommended for approval.

RECOMMENDATION

Approve Unconditionally

REASONS FOR RECOMMENDATION

The proposed extension complies with Aberdeen Local Development Plan Policies D1 (Architecture & Placemaking) and H1 (Residential Areas) as it would be of suitable scale, design and materials, and would not have a detrimental impact on the character of the surrounding area. The extension would be contrary to one of the Householder Development Guide's General Principles as it would lead to the footprint of the resultant dwellinghouse more than doubling that of the original dwelling. However, It is considered that in this circumstance, the

proposed extension would be acceptable as it would not have a significant adverse impact upon the residential amenity of any neighbouring properties.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

PI

From: Gordon Ellis
Sent: 01 September 2014 19:22
To: Alexander Ferguson; PI
Subject: Objection to Planning Application reference number 141210

Dear Sir

Re Planning Reference 141210

Applicant
Mr. Steven Burnett
59 Dubford Crescent
Bridge Of Don
Aberdeen, Aberdeen City
AB23 8FT

I am writing in relation to the above application and wish to lodge my objection, on the grounds of "Compatibility with other uses in the area". In particular, I am concerned about the effect that this extension will have on Mr. and Mrs. McCombie at 61 Dubford Crescent. The effect on them, through loss of natural light, will be most severe and I would urge that this be taken into account in the review process. I feel very strongly that this application should be subject to very detailed scrutiny and go to a full review.

Yours Faithfully

Gordon Ellis
44 Dubford Crescent
Bridge of Don
Aberdeen
Ab23 8FT

From: webmaster@aberdeencity.gov.uk
Sent: 01 September 2014 22:18
To: PI
Subject: Planning Comment for 141210

Comment for Planning Application 141210

Name : Katrina Tosh
Address : 55 Dubford crescent
Bridge Of Don
Aberdeen

Telephone :

Email :

Type :

Comment : Although this extension would have no effect on my property, I share the concerns of my neighbours that it would however have a huge impact on the amount of natural light /sun light falling on the rear of the property at number 61 Dubford Crescent, essentially creating permanent shade. My objection is that the scale and position of the proposed building would block light to number 61 Dubford Crescent.

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PI

From: Bob Spence
Sent: 28 August 2014 13:43
To: PI
Subject: Planning Ref: 141210

R, Spence
M. Spence
18 Dubford Terrace
Aberdeen
AB23 8GE
28th August 2014

Dear Sir

REF : 141210

We are writing to object to the proposed erection of a family room at 59 Dubford Crescent. Our good friends live next door at No 61, and we feel that their quality of life will be destroyed due to the loss of natural light and sunshine that this extension will cause. The proposed extension borders their property and puts their garden into total shade and the rear of their house into darkness. Please reconsider these plans for the sake of the neighbours, who have happily lived in their house for over 30 years but may be forced to move because of this proposed extension.
Yours faithfully

Robert & Margaret Spence

Sent from my iPad

From: webmaster@aberdeencity.gov.uk
Sent: 28 August 2014 08:33
To: PI
Subject: Planning Comment for 141210

Comment for Planning Application 141210

Name : Mr & Mrs Fleming
Address : 65 Dubford Crescent
Bridge of Don
Aberdeen
AB23 8FT

Telephone :

Email :

type :

Comment : We wish to support the objections of Mr & Mrs McCombie at 61 Dubford Crescent to this application on grounds that it would adversely affect their property. It would severely restrict the amount of sunlight to their back garden, the amount of natural light to their rear ground floor areas and would cause over-shadowing.

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P141210 - ALF

PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 August 2014 09:32
To: PI
Subject: Planning Comment for 141210

Comment for Planning Application 141210
Name : Mr Craig & Christine Robb
Address : 46 Dubford Crescent, Bridge of Don, Aberdeen, AB238FT

Telephone :
Email :
type :

Comment : Our names are Craig & Christine Robb and we stay at 46 Dubford Crescent, Bridge Of Don, Aberdeen AB238FT.

We wish to object to the proposed extension of 59 Dubford Crescent (ref 141210). Our reason for the objection is the reduced daylight/ sunlight to number 61 Dubford Crescent in the back garden and more importantly the rear window. The back window would be directly affected & considering the availability of the building plot to the south of No 59 Dubford Crescent we see it are unfair and unacceptable to build the proposed plan. Please can you acknowledge receipt of this objection. Thank you.

sincerely
Craig & Christine Robb

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Dear Sir/ Madan

Our names are Craig & Christine Robb and we stay at 46 Dubford Crescent, Bridge Of Don, Aberdeen AB238FT.

We wish to object to the proposed extension of 59 Dubford Crescent (ref 141210). Our reason for the objection is the reduced daylight/ sunlight to number 61 Dubford Crescent in the back garden and more importantly the rear window. The back window would be directly affected & considering the availability of the building plot to the south of No 59 Dubford Crescent we see it as unfair and unacceptable to build the proposed plan.

Furthermore if planning permission was granted I see this as being detrimental to Mr & Mrs McCombies health and wellbeing .Please can you acknowledge receipt of this objection. Thank you.

sincerely

Craig & Christine Robb 25th August 2014

I think
this is
already
logged.

Cora

ALS

From: webmaster@aberdeencity.gov.uk
Sent: 31 August 2014 19:15
To: PI
Subject: Planning Comment for 141210

Comment for Planning Application 141210

Name : Athol McCombie

Address : 61 Dubford crescent, Aberdeen

Telephone :

Email :

Type :

Comment : My wife and I reside at 61 Dubford Crescent, our home for the last 31 years, We are objecting to planning application number 141210 applied for by our neighbours at 59 Dubford Crescent. The first we heard of this was on Friday 15th August, 2014 when Mrs Burnett from 59 mentioned to my wife of the application and the notification was also in the newspaper that day. No informal meeting between us to discuss what their plans were to be.

To explain why we are objecting it is best to begin by stating the position of our gardens. Both gardens face north west and the gable end of a large detached house on Dubford Terrace, with 59 on the south west of 61.

Most of the morning no sunlight reaches 61's back garden due to both 61 and 59 naturally blocking the sun.

As it is at the moment there is a small window of opportunity for sunlight to reach parts of 61's garden between 59 and the large detached house. With the proposed extension on the boundary line there will be large parts of 61's garden that will never see any sunlight.

The living room back window, next to the extension, will also be in darkness with little or no daylight and the view will be blocked with only the extension and gable end of the detached house.

Referring to Aberdeen Local Development Plan, Supplementary Guidance, Topic: Householder Development Guide, Appendix C: Daylight and Sunlight:- Our objections fit all the criteria in this appendix.

With all this in mind and on a purely emotional level our quality of life will be decimated if this extension gets the go ahead. We are not exaggerating here and I know it must look like 2 middle aged fuddy duddies complaining for the sake of it. But I implore you to come and see, for yourself, our predicament.

We look forward to receiving acknowledgement of this email.

Regards,

Athol & Wilma McCombie

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 September 2014 21:21
To: PI
Subject: Planning Comment for 141210

Comment for Planning Application 141210

Name : Mr&Mrs D Burns

Address :

63 Dubford crescent,
Bridge of Don,
Aberdeen.
Ab238ft

Telephone

Email :

type :

Comment : We feel we should put in a objection to the planning application at no. 59 Dubford crescent for the following reason.

After looking at the plans we feel the size of the proposed extension looks to be on the large side, therefore unfairly restricting the amount of natural light into the property at no. 61 Dubford crescent. As natural light is important in everyone's life , no. 61 should not have theirs restricted to such a large degree

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Mrs MARGARET BISSET
42 DUBFORD CRESENT
BRIDGE OF DON

Application no 14/210

ABERDEEN

AB23 8FT

To whom this may concern

Although this does not affect myself or my property I am objecting on behalf of my neighbours Mr & Mrs A McCombie 61 Dubford Crescent next door to Mr STEVEN

Burnett who is applying for an extension at the rear of his home. I feel this will affect my neighbours health and their quality of life as said structure will block out any daylight and sunlight and overshadow their back garden. Everybody has the right to enjoy their garden especially when we have so few summers

Regards


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Planning Development Management Committee

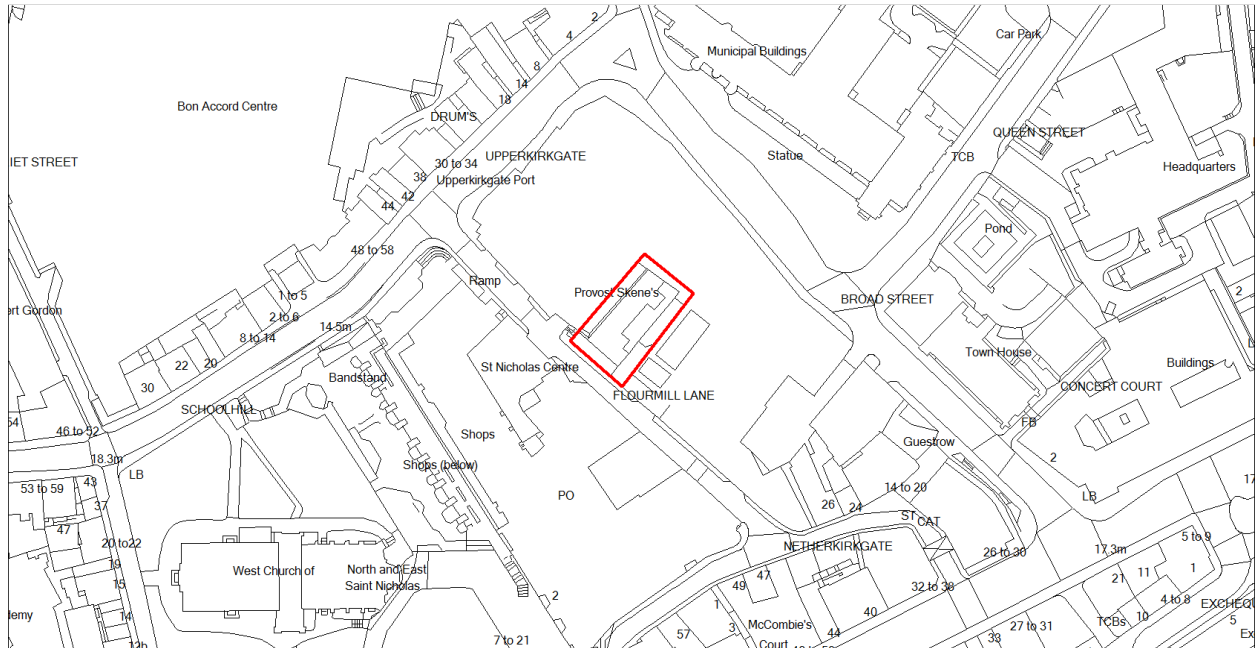
PROVOST SKENE'S HOUSE, BROAD STREET,
ABERDEEN

REMOVAL OF STEPS AND BALUSTRADE TO
FRONT OF PROVOST SKENE HOUSE, RE-
PROFILE AND RENEW SURFACE FINISHES
BETWEEN THE BALUSTRADE AND PROVOST
SKENE HOUSE AND RE-LOCATION OF
STONE ARCH

For: Muse Developments Ltd

Application Type : Listed Building Consent
Application Ref. : P140755
Application Date: 20/05/2014
Officer: Gavin Evans
Ward : George Street/Harbour (A Morrison/N Morrison)

Advert : Listed Building
Advertised on: 11/06/2014
Committee Date: 6 November 2014
Community Council : No response received



RECOMMENDATION: Willingness to approve, subject to notification to
Historic Scotland

DESCRIPTION

This application relates to works affecting Provost Skene's House, a category A listed building which is located in a roughly central position within the former St Nicholas House site, which itself lies between Broad Street to the north-east and Flourmill Lane to the south-west. Historic Scotland's listing description identifies Provost Skene's House as having 16th century origins, but dating largely from the 17th century. It is recognised as the oldest surviving house in Aberdeen and one of the few remaining examples of early burgh architecture in the city.

Originally, the house was located in a row of similar town houses with a broadly south-west facing aspect over long garden feus towards St Nicholas Kirk. The north of the house fronted Guestrow and access would have been taken through a close to the narrow south-east facing entrance façade.

The listing description makes reference to the archway having been moved here from Union Terrace Gardens in the 1930s, with the random rubble wall constructed in the 20th century to form an entrance courtyard. This rubble wall incorporates a plaque/armorial panel, positioned to the left-hand side of the archway.

RELEVANT HISTORY

Application P140698, which sought detailed planning permission for a *'Mixed use development including office, hotel, retail, restaurant, leisure, civic space including car parking, access, landscaping, infrastructure and public realm improvements'*, was referred to the full Council meeting of 8th October, at which time members expressed a willingness to grant planning permission, subject to conclusion of a legal agreement to secure financial contributions towards the Council's Strategic Transport Fund (STF), and subject to conditions as contained in the report.

PROPOSAL

This application proposes the removal of the existing archway and random rubble wall and steps, both 20th century additions to the site, and to grade the local ground levels of the redeveloped St Nicholas House site to marry in with the existing ground floor level of the house.

The archway, though dating from the 17th century, was not sited at Provost Skene's until post-1930. It is proposed that this archway be relocated within the site, being turned 90 degrees repositioned to adjoin the southern corner of the building and to define the entrance to the redeveloped site from Flourmill Lane.

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=140755>

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 the Planning Development Management Committee because more than 5 representations have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No observations.

Environmental Health – No observations.

Education, Culture & Sport (Archaeology) – Request that a condition be attached, securing the implementation of a programme of archaeological work in accordance with a written scheme of investigation, submitted to and approved in writing by the planning authority.

Historic Scotland – Generally content with the proposals, which form part of the major regeneration project for the former St Nicholas House site. The LBC application relates specifically to the proposed public space/gardens beside Provost Skene's House, including site levelling to align with the existing entrance to Provost Skene's. In the context of this wider scheme, HS are satisfied that the removal of the 20th century courtyard rubble wall and steps, together with the re-positioning of the archway, would not diminish Provost Skene's House's special interest as an outstanding surviving example of Aberdeen's early burgh architecture.

HS suggest that further submissions be made on a number of points of finer detail, either prior to determination or through the use of suspensive conditions (requiring action before works can commence):

- Submission of large scale elevation drawings and plan showing re-positioned archway and adjoining walls.
- Submission of methodology /specification for the careful dismantling of 20th century rubble wall and repositioning of the archway.
- Submission of details for salvaging and re-using the armorial panel, currently within part of the 20th century wall beside the archway. This could be similarly incorporated in a section of wall adjoining the proposed repositioned archway.
- Clarification of the significance of the freestanding wall to the north east of Provost Skene's House (shown as a dotted line in the currently submitted

plans). In the event of this being original or of historic significance to Provost Skene's, we suggest that proposals for its retention be provided.

- Submission of full specification, together with large scale elevation/section drawings and plans, for the detailed treatment for the existing Provost Skene's entrance courtyard, as well as the outdoor spaces adjoining its other three sides, as part of the wider public realm scheme for the Marischal Square project. This should include details of any new surfacing, planter walls, seating, lighting, and other alterations to the outdoor spaces immediately adjoining Provost Skene's House.

Community Council – No response.

REPRESENTATIONS

92 written representations have been received. The objections raised relate to the following matters –

- Fabric should not be affected in any way whatsoever
- The existing courtyard provides a charming setting for Provost Skene's House
- Removal of these features would destroy part of the character of the building
- Objections relating to the design and appearance of the Marischal Square development
- New development on the St Nicholas House site should be more sympathetic to Provost Skene's House
- The archway, which is understood to originally be from a house in Guestrow, should be retained in the surrounding area
- Call for the St Nicholas House site to be re-designated as open space, with Provost Skene's House at its heart
- Suggests that a new brief for the site be drawn up, incorporating civic open space with Provost Skene's House retained in its entirety
- Reference to poor stewardship of historic buildings in the past
- Risk of a precedent being set for alterations to other notable listed buildings
- Queries whether the developer will seek to challenge the listed status of Provost Skene's House
- To accept such a proposal would be un-democratic

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP)

SPP sets out national planning policies for operation of the planning system and for the development and use of land. Principal policies relating to sustainability

and placemaking are of relevance, as are subject policies, including those on valuing the historic environment.

Scottish Historic Environment Policy (SHEP)

This sets out Scottish Ministers' policies for the historic environment, and complements Scottish Planning Policy. In its section relating to Listed Building Consent, SHEP outlines general duty to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. It is highlighted that listed buildings, once lost, cannot be replaced, and that they can be robbed of their special interest either by inappropriate alteration or by demolition. In recognition, there is a presumption against works that would adversely affect the special interest of a listed building or its setting. Listed buildings will, however, require alteration and adaptation from time to time if they are to remain in beneficial use, and will be at risk if such alteration and adaptation is unduly constrained. In most cases such change, if approved carefully, can be managed without adversely affecting the special interest of the building.

Section 3.48 of SHEP states that, *'where a proposal involves alteration or adaptation which will sustain or enhance the beneficial use of the building and does not adversely affect the special interest of the building, consent should normally be granted'*.

Aberdeen City and Shire Strategic Development Plan (SDP) 2014

The SDP sets out a series of key objectives for the growth of the City and Aberdeenshire. The SDP recognises the importance of the city centre as an asset, and highlights that its regeneration is vital for the economic future of the area, stating a need to attract more major office developments to the city centre. A stated objective of the Plan is provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries. This must be balanced against another key objective to make sure new development maintains and improves the region's important built, natural and cultural assets.

Aberdeen Local Development Plan

D1: Architecture and Placemaking

In order to ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Landmark or high buildings should respect the heights and scale of their surroundings, the urban topography and the city's skyline, and should aim to preserve or enhance important views.

D5: Built Heritage

Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy. In relation to development affecting archaeological resources, further details are set out in the 'Archaeology and Planning' supplementary guidance document.

Supplementary Guidance

City Centre Development Framework

Other Relevant Material Considerations

Bon-Accord Quarter Masterplan

Historic Scotland 'Managing Change in the Historic Environment' guidance note: 'Boundaries'.

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.

In assessing the impact of these proposals on the special interest of the listed building, it is appropriate to first consider where that special interest lies. In the case of Provost Skene's House, its special interest relates to it being a rare example of an early Aberdeen town house, dating from the 17th century onwards. The historic external and internal fabric of the building is therefore of particular importance. It is noted, however, that the works proposed, which are entirely external, would not result in any direct physical impact on the original fabric of the building pre-dating the 1930s, after which the archway, wall and steps were introduced. Whilst the archway itself possesses historic interest, dating as it does from the 17th century, it was relocated from Union Terrace Gardens in the 20th century and was not an original part of the building, though it is understood it may have its origins in a now-demolished building on Guestrow. Its historic interest is therefore not directly related to that of Provost Skene's House, offering scope for re-siting in an appropriate alternative location without adversely affecting the special interest of Provost Skene's House.

The submitted heritage statement contends that the rubble wall was of entirely new construction in the 1930s, however images dating from the Queen Mother's opening of the building in 1953 show a balustrade at the development frontage, where the wall is currently sited. It is understood that the wall may have been added as part of the development of St Nicholas House, erected in 1968. Whilst the wall is of a sympathetic design and configuration, it nevertheless does not form part of the essential special interest of the building. The setting of Provost Skene's House is not mentioned in the listing description, which is reflective of the significant change from its original setting which has occurred over time. The removal of the wall, archway and steps, and the associated re-grading of the development site levels to marry in with the ground floor level of the house would improve its accessibility, and the removal of the wall allows opportunity for Provost Skene's House to be integrated into the redevelopment of the wider site, with an enhanced setting provided through a reconfigured landscaped space.

The applicants propose that the archway be utilised in defining the threshold of the development to Flourmill Lane. This would involve the existing archway being turned through 90 degrees and relocated to adjoin the southern corner of the building. In doing so, the archway and its historic interest can be retained as a prominent and useful part of the wider redevelopment, without detriment to the setting or historic interest of Provost Skene's House. Clearly any re-siting of historic fabric must be done carefully, and this necessitates further consideration of any methodology for this work. It is noted also that an armorial panel currently located in the wall beside the archway might be retained and utilised as a feature in the redevelopment. Such details can be secured before any works are undertaken through the use of an appropriately worded condition.

It is noted that Historic Scotland's consultation response suggested that further details of the freestanding wall to the north-east of the house be provided, in order that an informed assessment of its historic interest can inform any proposals for removal, re-siting or retention, as appropriate. This information can be similarly secured through use of a condition attached to any listed building consent.

The archaeological condition requested by the Council's Lead Curator of Local History and Archaeology was included within those stated in relation to the associated application for planning permission, though it is recognised that different works are considered by these two applications, and therefore it remains appropriate to state such a condition on any approval of listed building consent.

Matters raised in representations

Matters relating to the impact of the proposed works on the character and special interest of Provost Skene's House have been addressed in this report, which establishes that the listing of a building does not preclude alterations and that Scottish Government policy supports alterations which are underpinned by a clear understanding of the historic fabric and which would not adversely affect the special interest of a building.

Objections relating to proposals for the wider redevelopment of the St Nicholas House site are not relevant to this assessment, the purpose of which is to assess the impact of the proposed works on the special interest of this historic building. The planning merits of the wider proposal have been assessed through a separate application for planning permission, and cannot legitimately be revisited through assessment of this application.

Comments relating to the re-designation of the St Nicholas House site as open space in the Local Development Plan are not relevant to consideration of this application, which is based on the provisions of the Development Plan (meaning both the Strategic Development Plan and the Local Development Plan in tandem) as it stands, along with any other material considerations. Similarly, suggestions that a new brief for the site be drawn up are not within the remit of the planning authority in consideration of this application for listed building consent.

The historic interest of the existing archway is recognised, though it has also been established that the historic interest of this feature is not directly related to Provost Skene's House, as it was not present on the site until well into the 20th century. Nevertheless, the historic interest of the archway warrants its relocation and retention, as set out in this report.

Comments relating to a perceived poor stewardship of historic building in the past are noted, but similarly are not relevant to this assessment. Approval of any works to a listed building would not set a precedent for other works elsewhere, as each application will be considered on its own merits, based on the nature of the works proposed and their relative impact on the special interest of a historic building. Any person can propose a building for listing, seek a review of an existing listing, or seek to have a building delisted. Historic Scotland is responsible for assessment of such proposals, and any move to de-list a building would be considered by Historic Scotland in due course. That process runs independently of the planning authority's assessment of an application for listed building consent. As members will be entirely aware, applications for planning permission or listed building consent are not determined solely based on the weight of public opinion for or against a proposal, and whilst any matters raised in written representations are relevant to that assessment, the planning authority must have regard to the provisions of the Development Plan in coming to a determination.

Conclusion

The proposal would have negligible impact on the original fabric of the listed building, relating principally to the removal and re-siting of non-original features. Whilst the existing wall, steps and archway contribute towards the building's current setting, it has been demonstrated that the setting of Provost Skene's House has been subject to various changes over time, and it has been established that its current setting is not central to the building's special historic interest. The redevelopment of the wider St Nicholas House would allow for a new and enhanced setting, which would place emphasis on the entrance façade of Provost Skene's House and allow for better integration with the surrounding spaces. Taking these matters into account, the proposed works are not considered to result in adverse impact on the building's architectural or historic interest. The retention of the existing archway and its incorporation within the wider redevelopment is consistent with the principles of SHEP, SPP and the provisions of the Aberdeen Local Development Plan in relation to historic buildings. In summary, the proposal is not considered to adversely affect the special interest of Provost Skene's House, and appropriate conditions can ensure submission of further information detailing the specifics of the works and an appropriate methodology, for the further agreement of the planning authority, in consultation with Historic Scotland, prior to commencement of works. It is therefore recommended that members express a willingness to approve the application, subject to notification being given to Historic Scotland, giving them the opportunity to call-in the application for their own determination.

RECOMMENDATION

Willingness to approve, subject to notification to Historic Scotland

REASONS FOR RECOMMENDATION

These works allow for the redevelopment of the wider St Nicholas House site as part of an office-led mixed use scheme, consistent with the Strategic Development Plan's stated aim to attract major office development to the city centre. The works proposed relate to exterior elements such as boundary walls, steps and ground level treatments, and it has been demonstrated that those features affected are non-original, having been introduced to the site post-1930. The works are therefore not considered to adversely affect the special historic interest of Provost Skene's House. The historic interest of the archway, though not an original part of the house, is recognised and its retention and reuse as part of the proposal is welcomed as being consistent with the principles expressed in Scottish Planning Policy (SPP). The proposal is considered to demonstrate due consideration for its context, and would allow for the enhancement of the setting of Provost Skene's House by better integrating the historic building with its surroundings as part of the wider redevelopment scheme. In demonstrating compliance with SPP, the proposal accords with policy D5 (Built Heritage) of the Aberdeen Local Development Plan (ALDP). As the proposed alterations would allow for the beneficial use of the building to be sustained, and the special interest would not be adversely affected, section 3.48 of Scottish Historic Environment Policy (SHEP) supports the granting of consent. The proposed works would underpin a wider redevelopment which has, in broad terms, been found to accord with the relevant provisions of the City Centre Development Framework (CCDF) and the Bon-Accord Quarter Masterplan (BAQMP).

CONDITIONS

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

(1) That no part of the works hereby authorised shall be undertaken unless the following information has been submitted to, and agreed in writing by, the planning authority, in consultation with Historic Scotland. Thereafter, all works shall be carried out in full accordance with the details so agreed, unless otherwise agreed in writing by the planning authority:

(i) large-scale drawings and plans showing the re-positioned archway and adjoining walls

(ii) a detailed methodology/specification for the careful dismantling of the 20th century rubble wall and the repositioning of the archway.

(iii) Details for salvaging and re-use of the armorial panel, currently within part of the wall beside the archway.

(iv) Details of the provenance, significance and estimated age of the freestanding wall to the north-east of Provost Skene's House, along with proposals/recommendations for its removal, retention or re-siting as appropriate

(v) Full specification, together with large scale elevation/section drawings and plans, for the detailed treatment for the existing Provost Skene's entrance courtyard, as well as the outdoor spaces adjoining its other three sides, as part of the wider public realm scheme for the Marischal Square Project. This should include details of any new surfacing, planter walls, seating, lighting and other alterations to the outdoor spaces immediately adjoining Provost Skene's House.

(2) No development shall take place within the area indicated (in this case the area of the whole development) until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The programme of archaeological work will include all necessary post- excavation and publication work - in the interests of protecting items of historical importance as may exist within the application site.

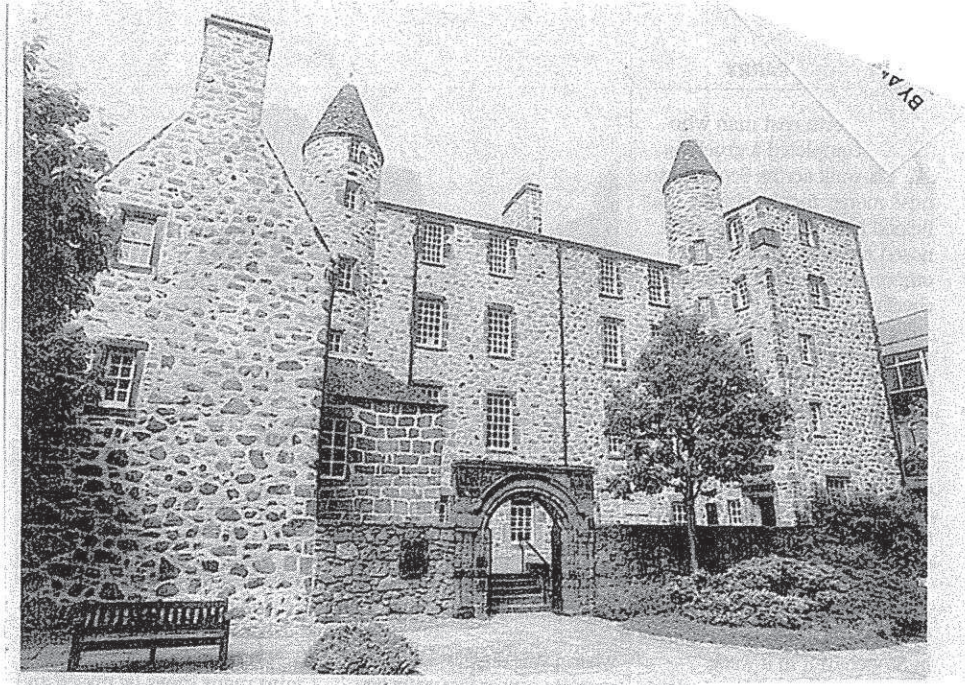
Dr Margaret Bochel

Head of Planning and Sustainable Development.

To Whom it may concern.

RE PLANNING REFERENCE 140755

Look at this —



What you see is

ICONIC

UNIQUE

HISTORIC

COMPLETE

Why then is MUSE proposing changes
in removing the historic archway, stairs, walk & paving?

Please leave it as it is — design around
it but stop the desecration of our history

— and please modify the glass
fronted buildings planned too — let us see it
from all sides.

Margaret Hadley.

DATE ACKNOWLEDGED	7/1/2014
CASE OTHER NUMBER	551-01
NOT	
RECEIVED	
DATE	1 JUL 2014
POSTAL NUMBER	551-01
POSTAL NUMBER	

Objection submitted by

Mrs Margaret Hadley
 5 Kirk Crescent North
 Cults
 ABERDEEN
 AB15 9RP

fel



46, PRIMROSE HILL DRIVE,
ABERDEEN.

AB 24 4 ER.

1ST JUNE, 2014.

To, ABERDEEN CITY COUNCIL,

RE ARTICLE IN "EVENING EXPRESS" OF
29TH MAY, 2014 "BIG TO AXE STEPS AND
BALUSTRADE FROM HISTORIC SITE."

I AM OBJECT STRONGLY TO THE REMOVAL
OF THESE STEPS AND BALUSTRADE FROM
PROVOST SREWE'S HOUSE AS THEY ARE AS
MUCH PART OF THE HOUSE AND TO REMOVE
THEM WOULD SPOIL THE SURROUNDINGS. THIS
HOUSE IS A VERY MUCH LOVED HOUSE WITH
SO MUCH HISTORY AND IT WOULD BE A TRAVESTY
TO DECIMATE ITS SURROUNDINGS.

FOR THESE DEVELOPMENTS TO RENEW FACIALS
AND RELOCATE A STONE ARCHWAY SHOWS THAT
THEY HAVE NO FEELINGS TOWARDS THE
HISTORY AND SURROUNDINGS OF PROVOST SREWE'S

HOUSE. NOTHING WAS SAID OR SHOWN IN
THE PLANS SUBMITTED BEFORE APPROVAL FOR
BUILDING.

PLEASE, PLEASE LEAVE THE STEPS AND
BALUSTRADE ETC., AS PART OF PROVOST SKENE'S HOUSE
IT DESERVES TO BE TREATED WITH RESPECT.

YOURS SINCERELY,
[REDACTED] (MRS)

SEE

PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 May 2014 15:36
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : Stuart Sim

Address : 17 Rowan Terrace, Hatton, Peterhead, AB420HU

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I heavily object to the alterations to this fabulous historic building. The council should be working to preserve the historic buildings in the city. Not hide them behind a monstrous class box or butcher them to suit the ends of a company who is not interested in heritage but only in making a quick buck.


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CEE

PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 May 2014 15:26
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755
Name : Frances McIntosh
Address : Balmoral Terrace

Telephone :
Email : 
type :

Comment : This historic building should not be tampered with. Absolutely NO to the moving of the stone arch.

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4TE

PI

From: webmaster@aberdeencity.gov.uk
Sent: 26 May 2014 18:28
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : Pamela Swanson
Address : 163 Hardgate
Aberdeen
AB11 6XQ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : For goodness sake leave it alone! Something else from Aberdeens history which people feel the need to tamper with. Will there be NOTHING left in this city that hasn't been touched, demolished or amended!!!!!!!!!!

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External cladding.
+ Chilling

Land Use

3 Double Road

Fish filletting property - cat U to allow for fish storage.
Empty for 3 yrs, prior to that potentially

Food processing plant - making sausages/cheese rolling etc.

1990 → consent in 1995 to allow for retail.

Certificate of lawful proposed use.

- cladding of building

PI

From: webmaster@aberdeencity.gov.uk
Sent: 24 June 2014 16:32
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : JAMES SINCLAIR

Address : 57 CASTLE STREET

Telephone :

Email : 

type :

Comment : NO WALL OR ARCHWAY SHOULD BE TOUCHED BY GREEDY DEVELOPERS WHO WOULD DESTROY YET MORE OF ABERDEEN'S HISTORY. THESE PEOPLE HAVE ONLY ONE GOAL - TO MAKE MONEY FOR THEMSELVES. OUR PAST HISTORY IS PRICELESS AND THIS PROPOSAL MUST NOT BE GIVEN APPROVAL.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 07 June 2014 10:17
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : Suzanne Kelly
Address : 204 Victoria Road
Aberdeen AB11 9NP

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : This is a listed building of architectural, historic and cultural importance to the city; the building and its footprint should not be altered or encroached upon for any purpose. It is certainly possible to create the new proposed building without doing so. Proceeding with this application shows a complete contempt for the city's heritage, and the city is aware of public feeling - that no building should be created in place of St Nicholas House, and the area should be left as an open square to enhance the Provost's house. Since a building is to go ahead on the St Nicholas site, it is up to the architects to create their building without damage or alteration to the existing, protected Provost's House

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 07 June 2014 14:16
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755
Name : Iona macdonald
Address : 174 skene street aberdeen ab10 1qn

Telephone :

Email : 

type :

Comment : This is an unacceptable proposal and cannot be allowed to proceed any further through the planning process. provost skene's house must remain untouched and aberdeen city council have a civic duty to protect it.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 07 June 2014 23:09
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : IAN SMART

Address : 16

Rosehill Place

Telephone :

Email : [REDACTED]

type :

Comment : No way, Leave it alone. It's a listed building.

These proposals are against the wishes of the people of Aberdeen.

Tamper with our heritage in this way and you will lose the confidence of your people.

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PI

From: [REDACTED]
Sent: 07 June 2014 18:31
To: PI
Subject: comment on planning application 140755

COMMENT ON PLANNING APPLICATION 140755

'Removal of steps and balustrade (sic) to front of Provost Skene House, renew surface finials between the balustrade (sic) and Provost Skene House and relocation of stone arch.'

So far as I was able to ascertain, under less than satisfactory viewing conditions at Marischal College, this plan seems to propose the dismantling of the arch, wall and steps which lead to the raised stone courtyard area on the south facing side of Provost Skene's House.

Why the planners keep referring to a 'balustrade', when it looks like a wall to me I do not know. Perhaps they were working from an old photograph which shows the Queen Mother opening the House in 1953, when indeed there was a balustrade in place and, furthermore, no arch.

The arch, which at present forms a most characterful entrance to the small, pleasantly secluded courtyard, will be salvaged and re-erected on the south-west corner to run alongside Flowermill Lane. The courtyard, of course, will disappear to allow for the further extension of the Marschal Square development in the form of two additional rectangular planted areas.

It really is remarkable that the planners, given the vast area at their disposal, stretching from Flowermill Lane to Broad Street and from the Upper Kirkgate to Carnegies Brae, cannot achieve, by their own lights, a satisfactory design without nibbling away at the edges of the Skene House in this way.

Perhaps they would argue that the arch and wall etc. while old are not part of the original building and, consequently, are fair game for demolition. This is to miss the point of conservation which is not to reduce everything to its absolutely original state but to have the wit to distinguish additional features, which have gathered over time and enhance the original, from those harmful accretions which damage the original and should be removed.

In the present case the arch, wall and intimately sheltered courtyard, so formed, are clearly in the former category of enhancement. They provide for a valuable period of adjustment to a more historically aware state by the visitor before entering Provost Skene House itself and should be preserved at all costs.

I, therefore, object to this application.

Yours sincerely,

Roddy Millar

PI

From: webmaster@aberdeencity.gov.uk
Sent: 24 June 2014 01:38
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : Bryony Revell

Address : 78 Union Grove, Aberdeen, AB10 6SA

Telephone :

Email : 

type :

Comment : I object to any changes to the existing structure and building composition of Provost Skene's House, including archway, exterior wall and the neighbouring water pond. The area has an opportunity to be retained and restored as a historic and quirky part of our city, not dwarfed or 'upgraded' with glass and steel and offensive office developments right next to it.

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From: webmaster@aberdeencity.gov.uk
Sent: 24 June 2014 08:58
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : E Bulman

Address : 21 Fairview Circle

Telephone :

Email : 

type :

Comment : I object to any alteration to provost skene house. This building is of historic quality and must not be butchered by modern day enthusiasm

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 23 June 2014 16:15
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : Melanie Torrance
Address : 48 St Michael's Road
Newtonhill
AB39 3RW

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

Comment : I must object to the proposed removal of the archway, stairs and wall of Provost Skene's house in order to make way for the adjacent new development. This building is of historical significance, and should be being showcased, not damaged and hidden from sight. Aberdeen City Council would be guilty of vandalising our heritage were this to go ahead.

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From: webmaster@aberdeencity.gov.uk
Sent: 25 June 2014 00:47
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : Nicolas Le Blgre

Address : 176 (Top Left) Crown Street

Telephone :

Email : 

type :

Comment : I am greatly concerned by MUSE's application to remove the steps and balustrade of Provost Skene House, and re-locate the stone arch.

My first concern is that MUSE wishes to remove these items in order to build the development as closely as possible to this historic house. MUSE should be required to keep a distance of several meters around all sides of Provost Skene's house, in order to allow visitors to appreciate the unique historic property from different perspectives, albeit in the shadows of MUSE's development.

Secondly, though I realize the balustrade and archway at Provost Skene's house are not original parts of the building, the archway was however taken from a neighbouring house on the Guestrow. The Guestrow was one of Aberdeen's most important streets, and it is important to keep the archway in Guestrow (not moved elsewhere, as it was when in Union Terrace Gardens) as a vestige of Guestrow's importance to the city.

These are my essential comments with regard to MUSE's application. More generally, however, I think it sad that the city has dropped an opportunity to promote one of its unique and historic sites. Promotion has as much to do with marketing as it does with literal visibility, and no one will be able to see Provost Skene's House in the new plans. St Nicholas House was demolished largely because of its reputation as an eyesore and for hiding Provost Skene's house. MUSE's development is essentially swapping an old bad idea for a new bad idea, and is prioritizing a boring development that really could be found in any city around Europe, rather than a unique, almost 500-year old building that contains a great deal for which Aberdeen should be proud. I have lived in Washington, D.C., Toronto, Paris, and Japan, so I say this as someone who has traveled the world and witnessed other councils in action. I know what attracts people to visit and stay in a city, and MUSE's development only detracts from both Marischal College and Provost Skene's house, two things that attract people to visit and stay.

Thank you for considering these comments.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 24 June 2014 18:00
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : Emma Rochford
Address : 86 Rose Street
Aberdeen
AB10 1UE

Telephone [REDACTED]
Email : [REDACTED]
type :

Comment : This is a historic listed building that should be preserved as it is for future generations and as the developer said it would be.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 24 June 2014 18:43
To: PI
Subject: Planning Comment for 140755

Comment for Planning Application 140755

Name : Innes Heron
Address : Crud Yr Awel
Taliesin
Machynlleth
SY20 8JW

Telephone [REDACTED]

Email [REDACTED]

type :

Comment : The arch and balustrade are an integral part of the existing building and of historical importance and should remain in place as part of any development.

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Agenda Item 3.1

Planning Development Management Committee

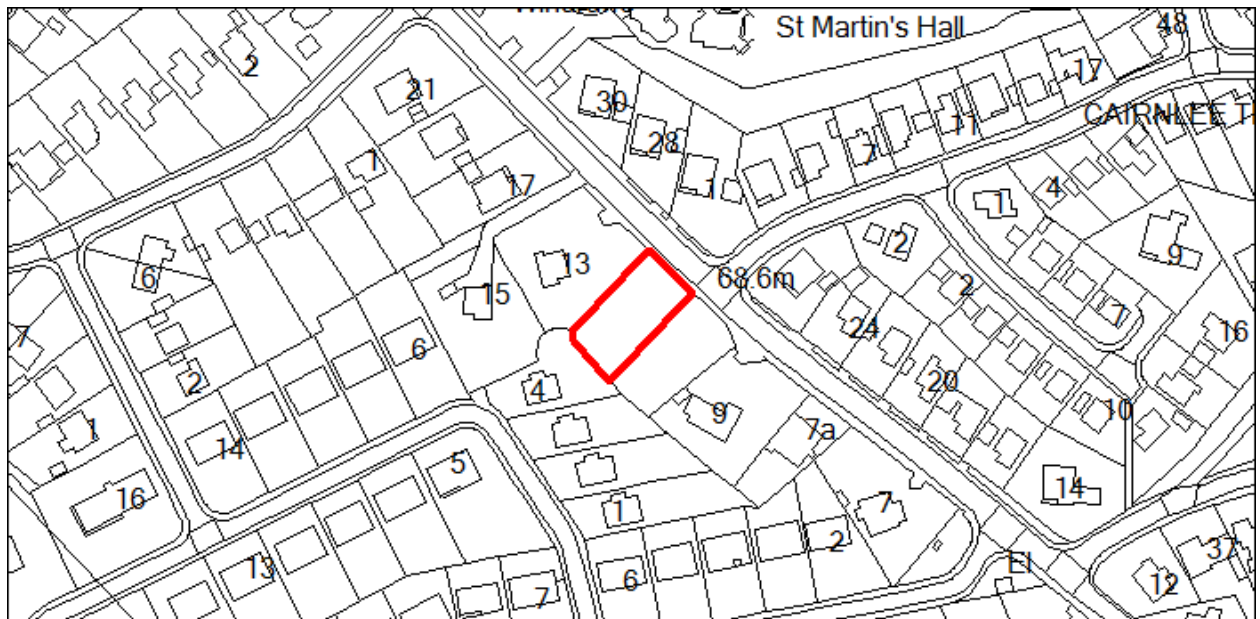
11 BAILLIESWELLS ROAD (SITE AT),
BIELDSIDE

PROPOSED NEW HOUSE

For: Hot Property Developments Ltd.

Application Type: Detailed Planning Permission
Application Ref.: P131698
Application Date: 26/11/2013
Officer: Andrew Miller
Ward: Lower Deeside (M Boulton/A Malone/M
Malik)

Advert: Dev. Plan Departure
Advertised on: 11/12/2013
Committee Date: 6 November 2014
Community Council: Comments



RECOMMENDATION:

Refuse

DESCRIPTION

The application site forms a vacant site covering an area of 809 square metres, once housing a single storey detached dwelling that 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, Bieldside 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 other half of the vacant plot which is adjacent to the site subject to this application.

P140940 – Proposed new house at 11 Baillieswells Road granted detailed planning permission by the Planning Development Management Committee 25 September 2014. The submission was identical to that consented under application P101484 via DPEA Case Ref: PPA-100-2026 which had expired prior to submission of the application. This site forms the other half of the vacant plot which is adjacent to the site subject to this application.

PROPOSAL

Detailed planning permission is sought for the erection of a detached 2 storey dwelling within the north western half of the vacant plot. The proposed house would be relatively large, with the principle block of the dwelling measuring 16 x 12 metres, reaching a height of 8.9 metres to the roof ridge. A rear wing stepped

down to take account of the topography of the site would protrude by 7 metres at the rear of the house. The house would also contain an integral double garage.

Externally, the walls of the house would be finished in an off white render though the left hand side gable on the principle elevation would be clad in granite. The roof would be finished natural slate. A new access to the house would be taken from Baillieswells Road to the west of the site, with a driveway/turning area to the front of the house.

Supporting Documents

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

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131698>

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, Bieldside and Milltimber Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objections following amendments to access arrangement. Visibility splay to be provided at access of 2.4 m x 90 m free of obstruction above 1 metre in height. Refuse to be collected from kerbside.

Environmental Health – No observations.

Enterprise, Planning & Infrastructure (Flooding) – Clarification sought on drainage/treatment of surface water.

Community Council – Object on the basis that the proposed house is detrimental to the amenity and appearance of the location. This application appears to be an attempt to circumvent the original decision to refuse the original decision or refuse permission to build two houses within the curtilage. It is inappropriate for two houses of the scale proposed to be allowed for this site.

REPRESENTATIONS

11 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) The house is outwith the established building line.
 - d) Addition of sheds and greenhouses over time would result in a greater density over time.
 - e) Site is only suitable for single storey dwelling.
 - f) Whilst there are a variety of house types in the area, the main theme is spacious plots, not over-jarring development.
- 2) Amenity
 - a) Development will compromise the privacy of adjoining and nearby houses.
 - b) Closest window to rear of proposed house and conservatory of 4 Baillieswells Drive will have a separation of 19.82 m and whilst this is within the 18 metres advocated by the Council's guidance, taking account of the 2 metres elevation of the proposed house, this will result in a loss of privacy.
 - c) Over dominance of the neighbouring dwellings due to scale and size of dwellings.
 - d) Loss of light for neighbouring dwellings.
 - e) Possible increase in noise due to the over-dominance of proposed house.
 - f) House is closer to 4 Baillieswells Drive than that refused under application P091403.
 - g) Privacy of any future residents of proposed house should also be taken into consideration.
 - h) Any necessary screening to the rear of the property would restrict sunlight to the proposed house.
- 3) Road Safety
 - a) Baillieswells Road is a busy road, creation of new accesses will have implications on road safety.
 - b) Insufficient parking on site will result in visitors parking on Baillieswells Road, having implications for road safety.
 - 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. Replacement planting in place should be offered protection on account of previous destruction.
 - b) Can loss of significant trees be a reason for refusing planning permission on a retrospective basis, taking account of planning guidance?
 - c) Development would impact on protected trees within boundary of 13 Baillieswells Road.
 - d) Beech hedge along Baillieswells Road has been neglected since the first planning application was submitted for the site.
 - e) Two entrances within hedge rather than one as existing.

- f) Removal of trees on site should have been referred to council with the planning application before they were taken down.
 - g) No information in supporting statement relating to protected trees that were a reason of refusal of application P091403.
 - h) The developer must replant the extensive trees that previously existed on site.
- 5) Flooding
- a) Development of site will exacerbate flooding at lower part of the hill.
 - b) No information submitted in respect of drainage of the site.
- 6) Supporting Statement
- a) Claim within Supporting Statement that dwelling was “Badly located to the rear of the site” is a matter of opinion rather than fact.
 - b) Site was well kept by the previous property owner and became poorly maintained when the site came into the applicant’s ownership.
 - c) Discrepancies between measurements in supporting statement and details shown in plans.
- 7) Precedent
- a) Would set an undesirable precedent leading to deterioration of character of the area.
- 8) Submission
- a) Disingenuous approach to a planning application by submitting one application at a time to erect two houses taking account of refusal of application in 2010.
- 9) Housing Numbers
- a) Council targets for housing should not be an excuse to squeeze two large houses into the site.

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.

NE5 – Trees and Woodlands

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

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

Supplementary Guidance

The Council's Supplementary Guidance documents on "The Sub-division and Redevelopment of Residential Curtilages" and "Trees and Woodland" are material considerations in this instance.

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, the servicing provision and the impact of the development on trees.

Principle

The site was originally occupied by a single storey dwelling that was demolished in 2010. 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).

Relating to the development of the site, the plot in question is in effect a vacant plot, with the southern part of what was originally one plot having consent for a dwelling under application reference P140940. The plot does not form part of the garden ground of that consented under P140940.

Application P091403 was refused, with a subsequent appeal dismissed (DPEA Ref PPA-100-2010). The reporter for the appeal noted that the site was capable in principle of accommodating two dwellings. The appeal was dismissed on the basis that the dwelling proposed for the house on the site to which this application is subject would overlook the neighbouring garden of 4 Baillieswells Drive, as well as the impact of the development on trees to the north of the site, which are protected under a Tree Preservation Order. Accordingly, the principle of the site being developed for a residential uses is considered to be acceptable. However consideration must be given to the how the dwelling would be accommodated on the site, paying regard to the design and siting of the dwelling, the impact on the amenity of the surrounding area, how the dwelling would related to the recently approved house on the other half of the site, the servicing provision and the impact of the development on trees.

Design and Siting

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 generally 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. It is also noted that the reporter, in considering the appeal for decision P091403 stated that the site was capable of accommodating two houses, and that the houses would fit in well with the surrounding area.

The proposed house in this instance is of a similar style to that subject to the previous appeal, though it is of a differing design. Whilst it would be large, the plot size is only just sufficient to accommodate a dwelling of this size without harm to the appearance of the surrounding area. In relation to the spacing between the proposed house and that of the consented dwelling, the relationship of the dwelling to its boundaries is a mirror of that consented under P140940 to the south. When compared to the other dwellings in the surrounding area, the space between the two houses would be smaller than that of the average, but taking account of the varying plot densities on the western side of Baillieswells Road (such as 7A Baillieswells Road), as well as those within the wider Bieldside area, the proposed dwelling is considered acceptable in this respect.

Enlargements to the proposed dwelling, as well as the erection of outbuildings could result in over development of the site, as pointed out in one of the representations received (Point 1(d)). An appropriate condition could overcome this issue however.

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(c)). It is considered that the western side of Baillieswells Road does not have a specifically defined building line, though it is broadly in line with the pattern of development on this side of the road and follows that of the house consented to the south under P140940. 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 involving the redevelopment of residential curtilages should comply with the requirements of the Council's Supplementary Guidance on the Subdivision and Redevelopment of Residential Curtilages (SGRC). 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, where dwellings are to be three or more storeys in height should have garden lengths of at least 11 metres. As for the layout, the house would front on to the road and has an enclosed rear garden length varying between 16 and 18 metres (excluding the rear wing of the house).

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 SGRC 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). The separation distance between the proposed house and 4 Baillieswells Drive are greater than the recommended 18 metres, and at approximately 27 metres, the distance between the windows of the upper floors of the proposed house and 4 Baillieswells Drive are considered to be sufficient.

As stated above, the loss of privacy of the rear garden of 4 Baillieswells Drive formed one of the reasons of refusal of the previous application and dismissed appeal for the site. The stepped arrangement of the proposed house is considered to prevent the overlooking of the rear garden in comparison to the

house previously proposed. It is considered there is sufficient separation between the rear windows of the proposed house and the garden ground of 4 Baillieswells Drive.

Relating to the impact of the dwelling on the loss of sunlight and daylight, the orientation and siting of the closest house (13 Baillieswells Drive) 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 neighbouring dwellings and the proposed dwelling, noting that the dwelling to the south west (4 Baillieswells Road) 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 (15.6 degrees).

In relation to the point raised in respect of noise from the house (point 2(g)), the noise from the house would not be out of keeping with an established residential area and it would be unreasonable to refuse an application on this basis.

Servicing

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 proposed site access for one dwelling 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.

No details of surface water drainage were provided with the application, though the application form indicated SuDS would be utilised for this. The matters raised in section 5 of the representations are noted, though in principle the use of a SuDS system to treat surface water run off is considered acceptable.

Trees

Trees to the north west of the site within the curtilage of 13 Baillieswells Road are protected under a Tree Preservation Order. Policy NE5 of the ALDP states that there is a presumption against development or activities that would result in the loss of trees that contribute to nature conservation, landscape character or local amenity (regardless of any formal protection) and buildings and services should be sited so as to minimise adverse impact on existing and future trees and tree cover.

A number of representations raised concerns about the impact of the development on trees surrounding the site, highlighting the importance of the trees within the landscape of the local area (section 4 of the representations).

The Council's Supplementary Guidance on Trees and Woodlands (SGTW) also contains guidance on tree issues that should be taken into consideration during the development process, whilst the SGRC recognises the importance of trees and their contribution to the landscape setting of urban areas.

Submitted in support of the application, a tree survey recommended that a root barrier membrane which allows/encourages roots to grow parallel to the retaining wall proposed to the north of the proposed house. The retaining wall proposed encroaches on part of the Root Protection Area (RPA) of the large Sitka Spruce within the southern corner of 13 Baillieswells Road, as well as a Lodgepole Pine in the eastern part the same feu.

In this instance, it is considered that the proposed development would impact on the existing trees adjacent to the site boundary due to excavation/works proposed within the RPA. Whilst disturbing/excavating within part of the RPA is acceptable in some instances under BS 5837 2012, taking account of the species of trees and their shallow rooting, it is not considered that a reduction in the RPA is appropriate, with the RPA not taking account of the larger rooting area necessary as a tree grows. It is therefore considered the proposals would result in the premature removal of the two trees described above.

In addition, as a result of the restricted rooting capacity provided for the existing young trees that are adjacent to the site, there may be a requirement for their loss due to the proximity to the proposed dwelling and may result in their premature removal (trees 2 – 5 and the young tree planting as detailed within the tree survey provided with the application).

Taking account of the issues outlined above, it is considered the proposed dwelling would have an adverse impact on locally significant trees that are important to the amenity of the surrounding area, as recognised by the Tree Preservation Order in force within the feu of 13 Baillieswells Road. As such, it is considered that the proposals are contrary to the requirements of policy NE5 – Trees and Woodlands, as well as guidance contained within the SGTW and SGRC.

Matters Raised in Representations

Section 6 of the representations raised concerns regarding statements made within the Supporting Statement provided with the application. The matters stated are a statement by the applicant in support of their application and not necessarily a statement of fact, rather it is their opinion and/or interpretation of policy or the situation and are considered as such. In relation to point 6(c) regarding the discrepancies in measurements, notwithstanding any errors (e.g. units of measurement), measurements from the plans submitted are taken into consideration.

Relating to the establishment of a precedent raised in section 7 of the representations, this point is noted. Taking account of the matters relating to

trees above, whilst acknowledging all application are considered on their individual merits, it is considered the proposals would create an undesirable precedent on this basis.

Section 8 of the representations raised concerns about the approach taken for the submission of applications on the site. The applications have been submitted legitimately and determined in line with planning legislation, and the council have a duty to consider all valid applications. The matter raised in respect of housing targets (Section 9) is not a material consideration, housing targets not forming part of this consideration.

Conclusion

In light of the above considerations relating to the impact of the development on trees surrounding the site, it is recommended the application be refused on this basis. Should members be minded to approve the application, then it is recommended conditions are placed in relation to visibility splays, boundary treatment, obscure glass being placed in the secondary window of bedroom three on the north west elevation, landscaping, details of SuDS provision and refuse/recycling. In addition, a condition removing permitted development rights for extensions, outbuildings and decking is also recommended should the application be approved (as detailed under Design/Siting section above).

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The siting of the proposed house would result in an adverse impact upon important trees outwith the application site (covered by a Tree Preservation Order) as the works would interfere with the roots of the trees that are important to the landscape setting of the local area. In addition, the proposed house would restrict the growth of younger trees within the Tree Preservation Order, limiting the area available for root growth. As such the proposals are considered to be contrary to the requirements policy NE5 – Trees and Woodlands of the Aberdeen Local Development Plan 2012, as well as guidance contained with the Council's Supplementary Guidance documents "Trees and Woodlands" and "The Sub-division and Redevelopment of Residential Curtilages".

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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

24 December 2013

Dear Mr Miller,

Planning Application 131698: Erection of new house in grounds of 11 Baillieswells Road, Site A

I am writing on behalf of the Cults Bielside and Milltimber Community Council (CBMCC) to share our views on the proposed building of a new house on site A in the grounds of 11 Baillieswells Road, Bielside. The Community Council objects to the house being built on the basis that the size of the proposed house is detrimental to the amenity and appearance of the location. Referring to history of planning applications for this site, the initial application (91403) to build two houses on the site was refused. The owner subsequently returned with a request to build a single house (101484) and this was granted on appeal. No house has yet been started on the site and this latest application appears to be an attempt to circumvent the original decision to refuse permission to build two houses within the curtilage. Our view remains that it is inappropriate for two houses of the scale proposed to be allowed for this site.

Yours sincerely,

Peter Roberts

Peter Roberts

Planning Liaison Officer

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

PI

From: Peter Roberts [REDACTED]
Sent: 24 December 2013 10:11
To: Andrew Miller; PI
Cc: Marie Boulton; M.Tauqeer Malik; Aileen Malone
Subject: Objection Planning Application 131698 for 11 Baillieswells Road
Attachments: 131698 11 Baillieswells Road Planning Application.doc

The Cults, Bielside and Milltimber Community Council objects to the request for planning permission to build a second house on the site at 11 Baillieswells Road. Please see our letter of objection attached. If you have any questions, I can be reached on Aberdeen [REDACTED] or [REDACTED]

Regards,
Peter Roberts

3 Baillieswells Drive,
Bielside,

Aberdeen

AB15 9AS

23/12/2013

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 131698

Proposed development at 11 Baillieswells Road, Bielside

Having had the opportunity to review the above proposal, we would like to object to it on a number of grounds listed below:

Background and Project Brief stated that:

1.1

Given that Hot Properties stated that it is "a Cults based Development Company which specialises in small high quality housing developments often utilising brownfield sites with a view to maximising their potential by careful and thoughtful regeneration. Being local to Cults and Bielside the applicants have a genuine interest in ensuring that their developments make a positive contribution to the surrounding area."

It is difficult to understand that statement when looking at the photographs attached. They show the aftermath of the destruction of the area that was a Greenfield site and an enhancement to the community and what has been left, a proposed development site, now that every single tree on the site has been cut down.

Refer Appendix 1, pictures 1 to 9

1.2

"The application site was previously occupied by a large single house with poor architectural characteristics and an unkempt appearance. The house was badly

located to the rear of the site in close proximity to properties in Baillieswells Drive. The garden had become grossly overgrown with inappropriate shrubs and conifers. In all, the house and its immediate surroundings had an adverse impact on the amenity of the surrounding properties."

A statement that has been shown to be untrue as evidenced by the photos attached in Appendix 1 and the number of letters of objections to the developer over their various development proposals over the last 4 years. Who would know better, a developer who does not live near the site or the house owners adjacent to the site? I 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. It housed a single story bungalow, not a large single house.

1.3

A misleading statement, the only previous application for 2 houses was rejected both by the council and the Scottish Ministries.

1.4

That report is 3 years old and was written before this application was made, again a misleading statement

1.5

Is the developer agreeing this would create an undesirable precedent?

1.7

Public Road Safety

The developer is referring to a 3 year old report (15 September 2010) as being relevant for this development. The details of this proposed house were not known at the time, so it can no longer be relevant. The proposed house will create an unsafe driveway accessing Baillieswells Road and thus in effect forming a 4 way junction. Opposite the proposed drive way is Cairnlee Terrace which is a key road for 2 schools in the local area, born out by there being the 20 mph signs in place when school's are opening and closing for the day.

Since the report was written, 1000's of extra office workers are now travelling to the new business centres in Dyce, Kingswells and Westhill, with many more to follow next year. Baillieswells Road is a key route for cars on this route. This house and its driveway need to be reassessed in line with safety requirements that must be in everyone's interest.

1.8

Interesting that after 4 years the developer is suggesting it is the "misreading of the application drawings". Could it be that the drawings and supporting documents were lacking in detail such that both the council and the Scottish ministries rejected the first proposal for the 2 houses.

1.10

What have been omitted from this point were the stringent qualifications the Reporter applied to plot B 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.**

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.*"

2 years on nothing more has been heard from the developer in relation to the site that these conditions referred to.

Using those conditions as a reference background in relation to this application, it is clear the developer has once again not answered basic issues.

Drainage

The application is silent on the matter, the site was a single story building set in mature grounds, it had the ability to drain rainfall. The proposal now has over 65% of the site either as housing/garaging/driveways/paths. Where would the protection be to the properties at the rear of the sites? There is a significant slope on this site, but no indication on managing basic drainage.

Tree Protection and Amenity.

Clearly this is an issue that affects all the houses surrounding this application, and the previous ones. In the 2011 appeal, the reporter specifically mentions the trees of 3 Baillieswells Drive ("There is a row of trees within the boundary of 3 Baillieswells Drive, which would help to screen the development when the trees are in leaf. At other times the house would be more prominent in the outlook from that property") and again 4 of the conditions on a previous application relate to Tree issues. Can this be because this developer already has taken down every tree on this site and thus severely affected all adjoining houses amenity? This in turn means the trees that are left on adjoining properties have to be protected. It is not clear, and given the developer has already been witness to the unfortunate damaging of protected tree roots of 13 Baillieswells Road on this site, leading to 3 protected trees having to be taken down, how will the proposal protect the tree roots from 13 Baillieswells Road's trees. These trees directly affect my amenity and thus need to be addressed.

On the same subject, during the course of any activity on the site, what will the protection plan be for the trees roots from 3 Baillieswells Drive, the pictures in attachment 1, pictures 8 and 9, show how close the boundary of the overall site is to the tree roots of 3 Baillieswells Drive. The site plan only shows 2 trees adjacent to the garden of 3 Baillieswells Drive, yet there are 3, a worrying omission. Given these 3 trees are mentioned as key to some form of amenity, by having no mitigation as to their protection, this application cannot be passed.

Density

Nothing in this proposal explains how 1 large house in half a plot that used to contain one bungalow is in keeping with the original plot's density. The developers agent's design proposals stating that this development will "ensure privacy for adjacent properties, is simply not true. The development cannot fail to prejudice amenity.

One of the main issues in which this application fails, and it is the second application for a single house on half a plot, which whatever way you add it up, is replacing a small bungalow with 2 high density houses, hopelessly out of character with the design and settings of other houses on the street and neighbouring plots. Is it is, detrimental in character and plot ratio of the existing houses down that side of the road. They are typically good sized houses characterised by their placement on large plots.

This particular site and proposal is to a degree cramming the site, which in effect is contrary to the design and setting of the houses either side, surely the development should be homogenous with its surroundings, basically of the same. Council housing targets is not justification for site cramming either, if there is to be a 2nd house here, the plot should be divided in a way which is not out of character with plots either side – e.g. 1 larger house or 2 much smaller houses/larger areas of open space.

The proposal is written with no consideration for any of the properties that have already been so badly affected by what this developer has done so far. It should be rejected on the basis of precedent, density, amenity and safety. If it is passed it will create a dangerous junction for a house that adversely affects the amenity of the area and encourage site cramming.

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

Yours

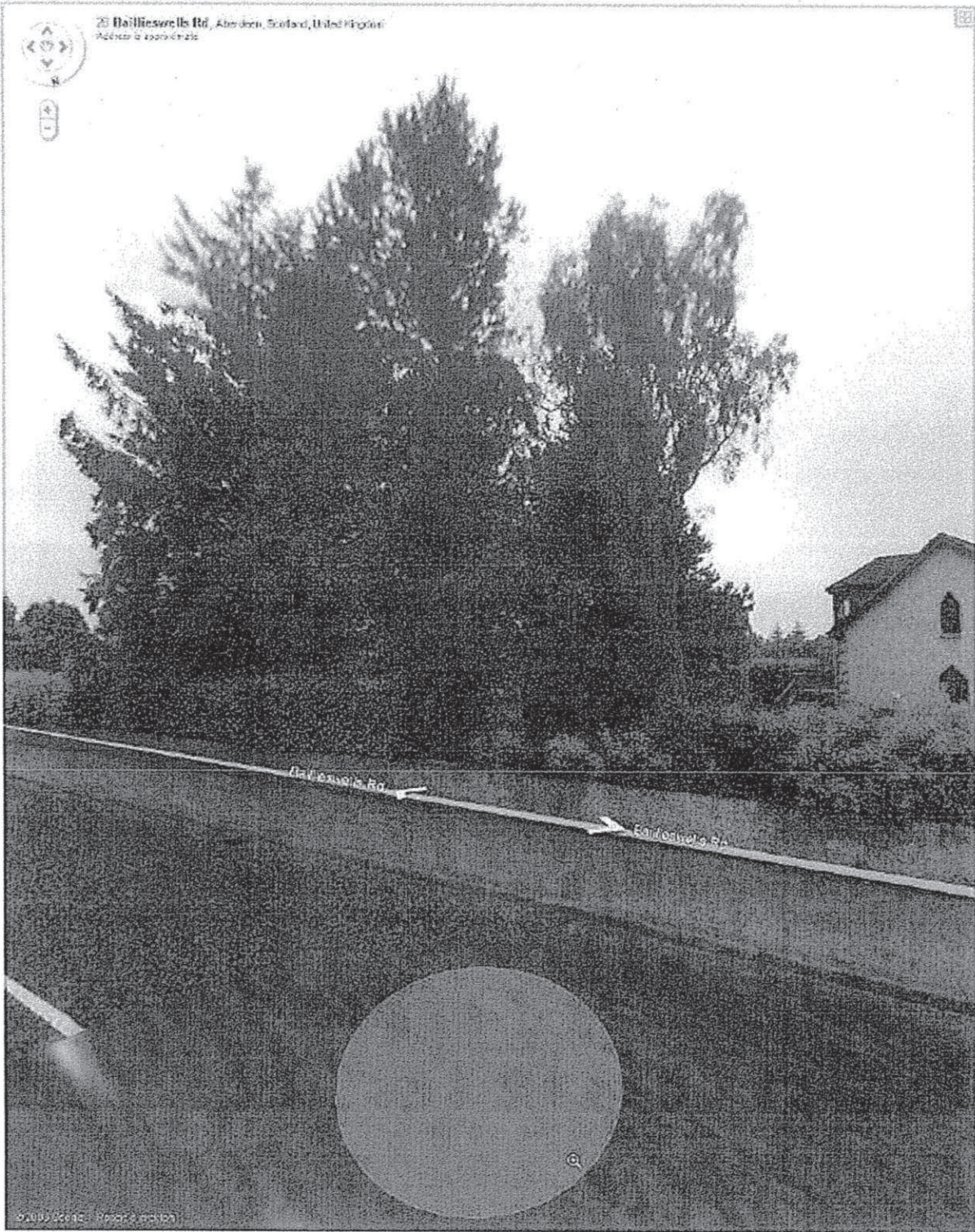
Sincerely

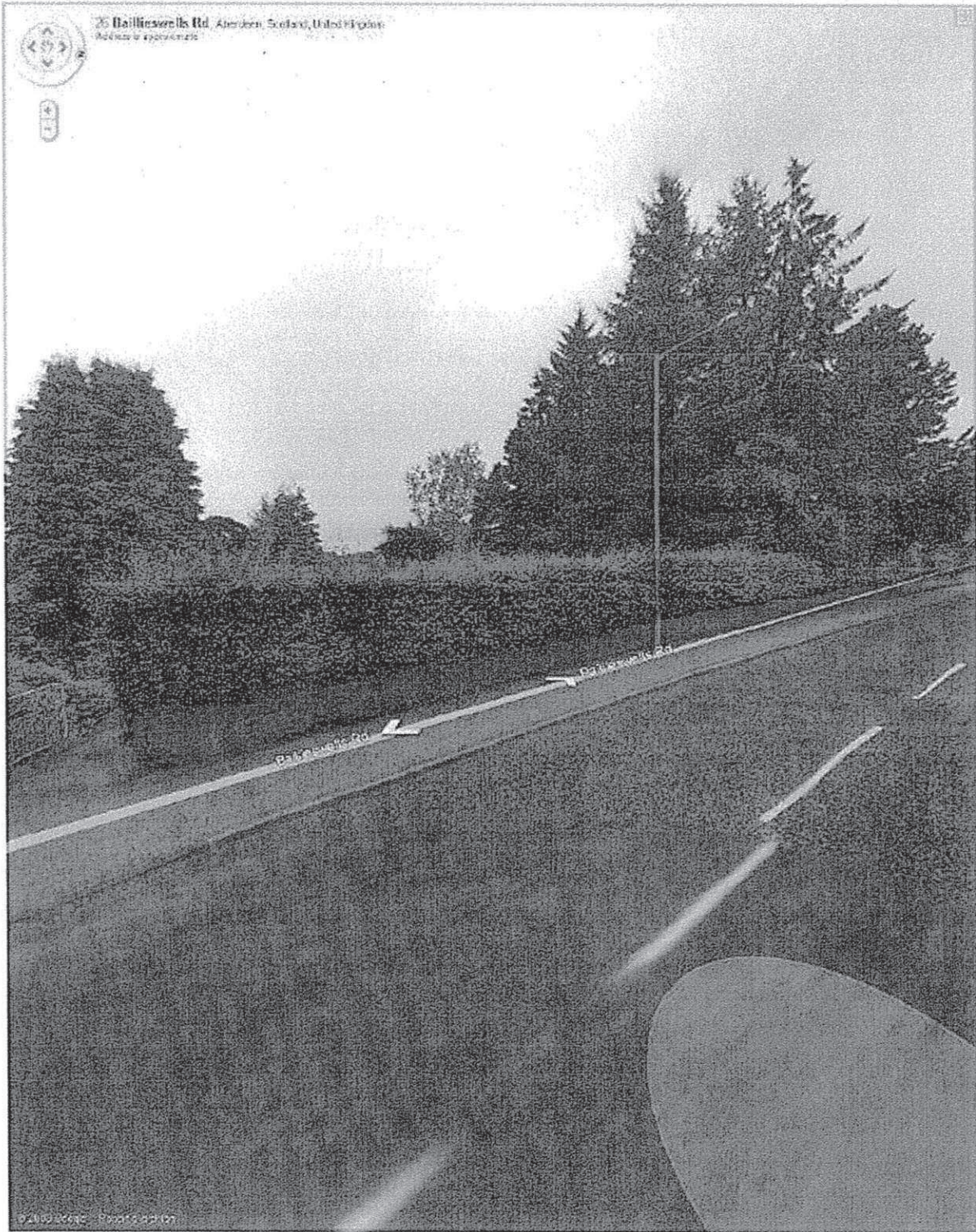
Colin and Lynne Kennedy



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 from 3 Baillieswells Drive, overlooking number 4 Baillieswells Drive



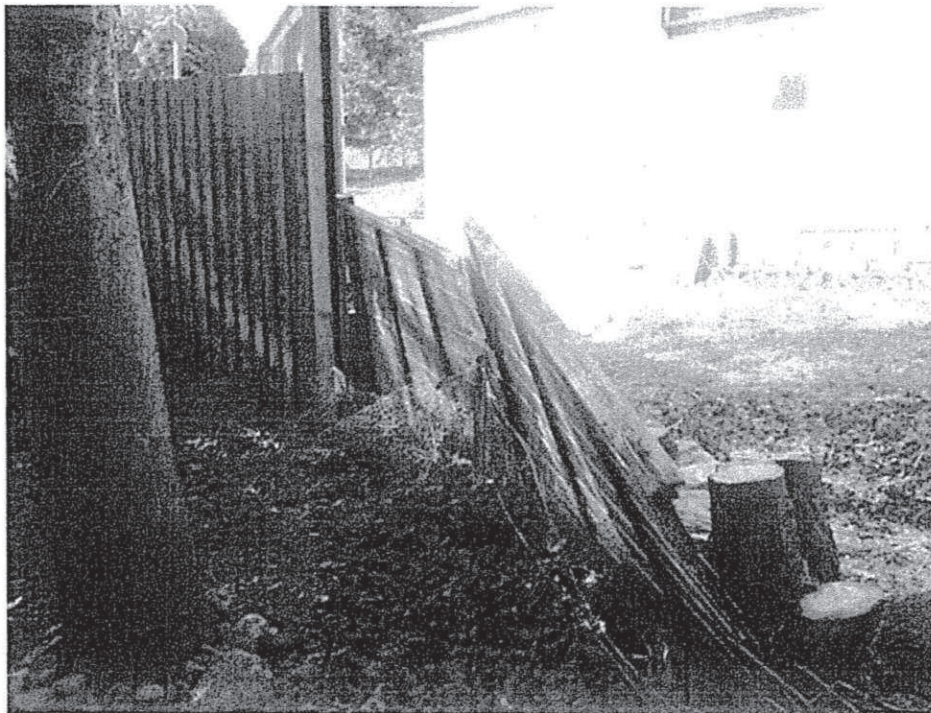
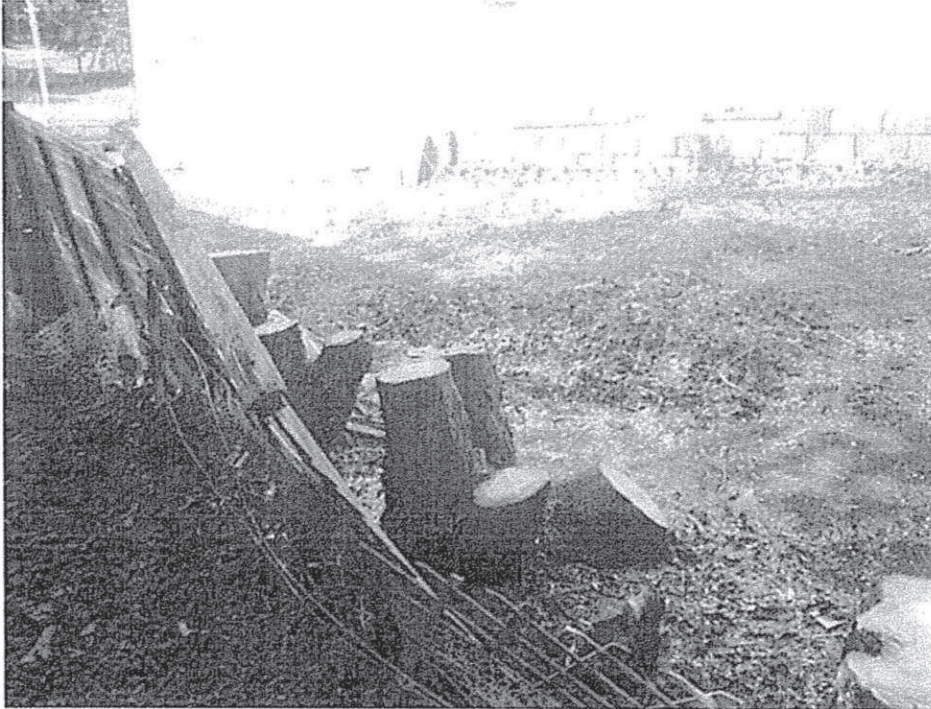
Picture 6 below What is left from the site pictured below.



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



Pictures 8 and 9 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 Letters of Representation		
Application Number: 131898		
RECEIVED 24 DEC 2013		
Nor	Sou <input checked="" type="checkbox"/>	MAp
Case Officer Initials: AM		
Date Acknowledged: 24/12/13		

9 Baillieswells Road
Bielside
Aberdeen
AB15 9BB

21/12/2013

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 131698

Proposed development at 11 Baillieswells Road, Bielside

I write with regard to the above planning appeal submitted by Hot Property Developments Ltd.

Given the refusal in 2010 of the original planning application for 2 houses on this piece of land, I believe that the developer is attempting to continue his intention to erect 2 houses on the whole plot by submitting one application at a time.

I therefore contend that this is a disingenuous approach to a planning application, which, should this appeal 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.

Turning to the points made in Hot Property's supporting documents to 11 Baillieswells Road :

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)."

I 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 my 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 my 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 3 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, I 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 previously 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 submission.

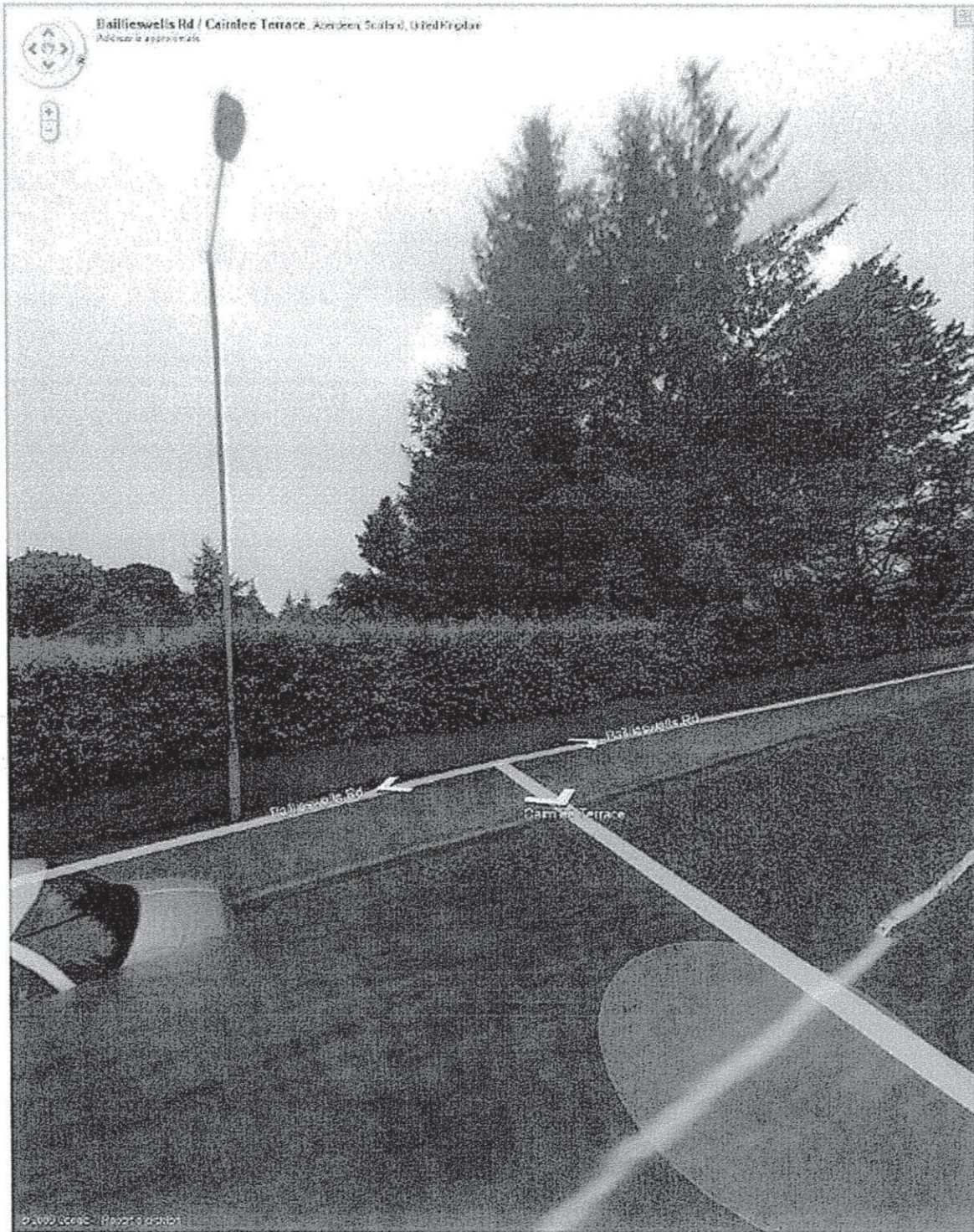
For these reasons I object in the strongest terms possible to this planning appeal.

Yours faithfully,

Mike and Morag Tuckwell

Appendix A To Appeal from 9 Baillieswells Road

Original site which shows how good the original amenity was and no entrance opposite Cairnlee Terrace



Appendix A To Appeal from 9 Baillieswells Road



Inese Paulina

From: webmaster@aberdeencity.gov.uk
Sent: 22 December 2013 19:29
To: PI
Subject: Planning Comment for 131698

Comment for Planning Application 131698

Name : Dr T J S Sykes& Ms Anna Porter Address : 7 Baillieswells Road, Bielside, Aberdeen AB15 9BB

Telephone : [REDACTED]

Email : [REDACTED]

type :
Comment : We object to the application to build as proposed on the site at this address. As with previous applications, the property is to be divided without proper consideration for the local amenity and impact on existing residents.

The proposal states an interest in the local area but the wanton demolition of both the previous house and, in the process, protected trees clearly demonstrates no regard whatsoever. One of the arguments put forward is that the demolished house was 'unkempt' and the garden 'grossly overgrown.' It is a fact that the site was never so unkempt or grossly overgrown as it has been in the last few years that this planning issue has been ongoing and the failure to maintain it shows there is no 'genuine interest in ensuring.....a positive contribution to the surrounding area' (Supporting Statement from proposer) unless it is commercially attractive. The best solution for this site is, therefore, yet to be put forward.

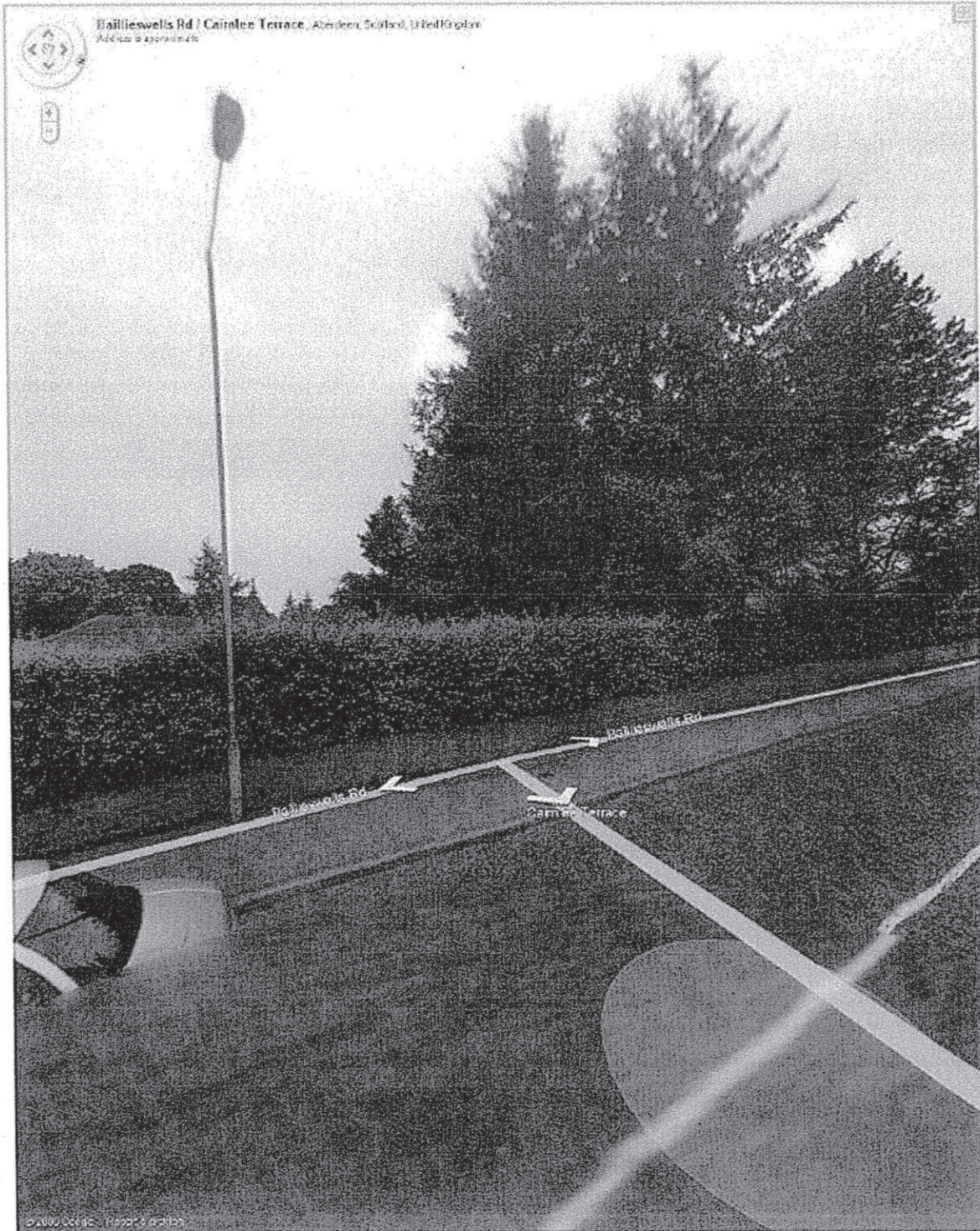
There is an assertion made that the reporter dealing with previous applications is accepting of the placing of two houses on this site. Even if that were the case, the question of scale should be considered by the applicant, not blithely ignored, and common sense applied. The size of the houses proposed is still completely out of proportion with the surrounding properties; they will be shoe-horned into the available space. While there is a mixture of styles of building along Baillieswells Road, the common theme - especially along the part in question - is that of spacious plots, not jarring over-development.

Further down the hill from this site, we have issues with flooding during periods of very wet weather. I am concerned that the situation can only be worsened if the greater proportion of this site is to be built on or tarmacked over as the plans suggest. If passed, this would undoubtedly set a precedent as it has elsewhere in the city and we possibly then begin to see more and more land hard-surfaced, green spaces lost (because, although referred to constantly as brownfield in the proposal, gardens are, by their very nature, green spaces) and flooding worsened.

Despite the reported shortage of housing in Aberdeen (being addressed in part by huge developments just up the road from here), I appeal to the council to disallow this development on the above grounds. Please consider that existing residents want to live here precisely because properties are not highly massed together and that the city council has responsibility to those residents whose interests they represent. It is time for common sense and not profit to prevail.

Appendix A To Appeal from 9 Baillieswells Road

Original site which shows how good the original amenity was and no entrance opposite Cairnlee Terrace



4 Baillieswells Drive

Bieldside

Aberdeen

AB15 9AS

Planning and Sustainable Development,

Marischal College

Broad Street

Aberdeen

16 December 2013

Dear Sirs

Objection to Planning Application 131698: 11 Baillieswells Road AB15 9BB

We wish to object to the planning application submitted by Hot Property Developments on 2.12.13. Our prime objection is on the grounds of loss of privacy. We would like to see a house on 11 Baillieswells Road, but this is not an appropriate development for this site.

Site A has never had a building on it before (see Photo 1). The previous bungalow was largely on Site B and the land directly behind our house was part of their mature, wooded garden. Our house was built within this setting without any privacy issues arising. Unfortunately Hot Property Developments removed the 6m high line of trees along the boundary exposing our garden to their site and creating the privacy problem (see Photo 2).

We have looked at the Aberdeen City Council *Supplementary Guidance* document regarding the *sub-division and redevelopment of residential curtilages* (Planning Guidance Note March 2012). We would like to draw your attention to the following:

Privacy

Your planning guidance note states that there should be a minimum separation of 18 metres between windows however:

3. ... there will be circumstances in which greater distances are appropriate – for instance where there are differences in ground levels or where higher buildings are proposed.

This is just such a circumstance. The distance from our conservatory window to the nearest window (glazed patio doors) of the proposed house is apparently 19.892m. However the ground floor will be 2 meters higher than our ground floor and the existing garden fence will offer little protection from being overlooked by future residents.

The proposal's 'Supporting Statement' suggests: *'The lower ground floor window to the guest bedroom / study is at a distance of 9.5m...'* However the submitted drawings show that the window is in fact a large patio door with two skylights in the roof and the distance to the boundary is stated as 9.32m. Furthermore, stating that the *'closest first floor window on the south west elevation is at 17.1m from the boundary'* is not true as the closest first floor windows must surely be the skylights 9.32m from the boundary. These discrepancies between the statement and the plan should be questioned and investigated.

As you will know, a previous proposal had been submitted for this site by Hot Property Developments on 2.9.09 (no. P091403). This went to appeal and the Reporter, David Buylia, wrote the following in his Appeal Decision Notice (PPA-100-2010):

4...."in the case of 4 Baillieswells Drive, due to the higher floor level of the house proposed for site A and the lack of any effective tree screening along the boundary, the neighbour's garden would experience a significant reduction in privacy. Substantial landscape planting along the rear boundary of site A could potentially address this issue. However I have no details of this and I am concerned that it would unreasonably obstruct sunlight to the garden of the proposed house."

The previously submitted proposal was for a house 21.34 metres away from our conservatory window. The new proposal brings the development 1.448 metres closer to our house than the proposal which was refused by the Reporter in 2010.

The privacy of any future residents of the proposed site should also be considered. Our house has four windows, two velux opening roof windows, a large glazed patio door and a glazed conservatory all facing the proposed house. Compared to the privacy enjoyed by houses in the surrounding mature gardens along Baillieswells Drive and Baillieswells Road this is clearly creating a precedent. It is without doubt that any future residents will immediately try to secure some privacy by planting trees along the boundary.

Sunlight

Your planning guidance states:

3.11 New dwellings should be designed and orientated to make the most of the opportunities offered by the site for views and sunlight in order to provide a pleasant living environment and maximise passive solar gain.

Unfortunately, because of the severe privacy issues involved with the planning proposal it will be necessary for both ourselves and any future residents of the proposed house to maintain a high screen between the gardens (see Photo 3). We estimate that a line of thick trees would be

required to the height of at least 6 meters to preserve the privacy in our house and garden. Because of the orientation of the site this would mean a significant loss of sunlight for the residents of the proposed house. We would estimate that a vegetative screen of that height would stop sunlight reaching their garden from 10am onwards, and in the winter months, it would even block out sunlight to their rear windows.

Density, Pattern and Scale of the Development

The adjoining neighbours all seem to have large gardens with a high degree of privacy and diversity. Houses are well spaced and people are generally not overlooking each other.

The proposed plan introduces a density and layout which is more frequently seen elsewhere on the Bielside / Cults estates. From the submitted plans it looks as though the distance between the house to be built on site A and that on site B is at a minimum of 2-3metres. It will be just about wide enough for residents to gain access to their back gardens. This 'massing' of buildings will give an overpowering feel to the site. As already stated Site A has never had a building on it before and the area enjoys a low residential density.

If the development is tightly placed onto a plot then the addition of greenhouses and sheds will make it appear even more overpowering over time.

Trees and garden ground

Your Planning Guidance states:

6.1 Trees make a valuable contribution to the landscape setting of urban areas and the loss of significant trees can be valid reason for refusal of planning permission.

We wonder whether this point could be applied retrospectively? The developers removed the mature line of 6m high trees which protected the privacy of our site and indeed protected the privacy of their site too. Having created the privacy problem through their initial actions they should not be rewarded with permission to profit from the site at the expense of its neighbours' privacy. It sets a dangerous precedent to allow developers to detrimentally change the amenity of their sites before they seek planning permission.

We are also concerned about the impact of the development on the mature spruce tree growing on the boundary with 13 Baillieswells Drive. The use of a root barrier on such a large tree (with the potential to double its size) could have a significant destabilizing effect. Compromising its roots along its south facing side would surely make it more likely to fall in that direction if high wind conditions occurred.

As already stated, we would like to see a development on 11 Baillieswells Road, but this is not an appropriate development for this site. With its size, aspect and location it deserves to have something good put on it. In our view, one large house, with a garden which extends all the way

around it would best fit in with other houses and gardens nearby, and would probably meet with little resistance from neighbours. The new residents would then have room to make the most of the sunlight and develop their garden and house in an appropriate way to maximize their privacy needs.

The concluding remarks of David Buylla (Reporter for PPA-100-2010) are just as relevant to this application as they were to the last; which was refused. He said:

"...the house proposed for Site A would cause an unacceptable loss of privacy to the rear garden of 4 Baillieswells Drive and would be too close to protected trees on the northern boundary. I do not consider that these problems could be overcome by planning conditions."

If any Council officers or elected representatives would like to view the site from our house or garden they would be welcome to visit. We would urge you to refuse planning permission.

Yours faithfully

Dr and Mrs Highton



Photo 1 : This aerial photo shows that Site A was never developed in the past. The bungalow behind 4 Baillieswells Drive was placed on Site B and the two houses were screened from each other by a mature line of trees.



Photo 2. Once the trees and bungalow were removed by the developer a significant privacy problem was created from this sloping site.



Photo 3. This shows the line of 6m trees which were removed by the developer and which protected the privacy between the gardens. Because of the sloping site this height of vegetative screening would be required again leaving the garden of the proposed house small and heavily shaded.

P&SD Letters of Representation		
Application Number: P131698		
RECEIVED 17 DEC 2013		
Nor	Sou	MAp
Case Officer Initials: Am,		
Date Acknowledged: 20-12-15		

Mr & Mrs M Wood

24 Baillieswells Road
Bielside
Aberdeen
AB15 9BB

22nd March 2011

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 131698

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, Bieldside.

Yours Faithfully,

Not signed as submitted electronically

Lisa Wood
Resident, 24 Baillieswells Road

P&SD Letters of Representation	
Application Number:	P131698
RECEIVED	20 DEC 2013
Ncr	Sou
Case Officer Initials:	AMT
Date Acknowledged:	20-12-13
	MAP

Inese Paulina

From: webmaster@aberdeencity.gov.uk
Sent: 23 December 2013 10:02
To: PI
Subject: Planning Comment for 131698

Comment for Planning Application 131698

Name : Jackie & Mike Fleming

Address : 2 Baillieswells Drive

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : We object to the planning application for a two storey house at this site. We have objected to previous applications at this site.

The reason for our objection is that the privacy of the proposed dwelling and the adjacent properties will be severely compromised. The application purports to have resolved any privacy issues, but we do not believe that this has been achieved. Indeed, we believe that the shape and the elevation of the site is such that it is suitable only for a single storey dwelling. Any two storey buildings on the site will be overbearing for adjacent properties and also for nearby properties such as ours.

Therefore, we urge the council to reject this application.

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

26 Baillieswells Road
Bieldside,
Aberdeen
AB15 9BB

Dear Sir/Madam,

Re: Application Number 131698

Proposed development at 11 Baillieswells Road, Bieldside

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

1. Loss of Amenity

The proposed relationship of the house that is multi story in place of the existing single story building will severely affect my privacy and amenity, as I will now be overlooked by a house with several windows. Following on the previous application for this site, there would now be 2 entrances in the existing hedge, whilst now there is only one.

2. Sub-division and Redevelopment of Residential Curtilages

The developer, by proposing a second house on this section of the existing plot, will affect the density of the houses which is not in keeping with area and bungalows on that side of the road.

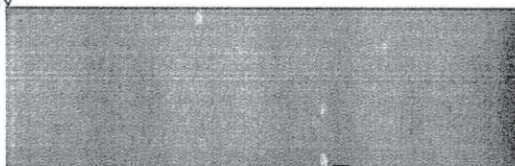
3. Trees –Following on from point 2 above, by taking all the existing mature trees down. The whole character of the area has changed. This should have been referred to the council with the planning application before they were taken down.

4. Safety- The plot now has to 2 houses proposed to be being built on it. Even with one 2 story house of 5 bedrooms replacing a 3 bedroom bungalow there will be an increase of cars in a location in an extremely dangerous junction of a main school access area. I see clearly every day, the traffic turning into Cairn Terrace increases monthly. Unlike the developer and his agent, I live on the corner of Baillieswells Road and Cairn Terrace. The increase in traffic in the last year has been very significant. During the school term, this junction has a constant stream of cars turning with parents taking school children to school. The drive way in this house will in effect form a cross roads, which will be an accident waiting to happen.

I expected the existing house to be replaced but with only one and in a similar type of building.

For the above reasons I object to the construction of this multi story house and the splitting of the feu.

Yours Faithfully



PI

From: James Buckley [REDACTED]
Sent: 30 December 2013 18:16
To: PI
Subject: Letter of Representation - Planning Application 131698
Attachments: 131698 Representation.docx

Dear Sir,

Please find attached my Letter of Representation regarding Planning Application 131698 - 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

24th December 2013.

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

Application Reference 131698 – 11 Baillieswells Road, Bielside - Proposed new house

Dear Sir,

I have reviewed the above application and object according to the following points :

Protected Trees

Section 1.3 of the supporting statement for this latest application refers to the previous application (P091403) for two houses and refers to the first reason for refusal, stating it "included" a reference to the adjacent house at 9 Baillieswells Road. However, another part of the Council's first reason, not mentioned in the supporting statement, was the '**... potential disturbance / future loss of a protected spruce tree at the boundary with no.13 due to the extent of groundworks proposed, the proximity of the building and likely shading of the house.**'

Upon appeal of this same application, PPA-100-2010, the Reporter Mr David Buylla concurred with this reason for refusal, stating '**I am particularly concerned over the potential harm this would cause to tree 6, a mature spruce tree in the garden of 13 Baillieswells Road.**' Mr Buylla elaborated further in points 9, 10 and 11 of the same document with regard to other trees, stating "**There is no evidence that the implications of development in such close proximity to these protected trees, several of which will grow significantly over time, have been satisfactorily considered.**"

But despite these statements from the previous application, there is no mention of these trees whatsoever in the supporting statement for this latest application, and so they clearly have not been 'satisfactorily considered'. The design of the proposed house and site plan show that a minor and insufficient concession has been made in the proximity of the building to these trees. The extent of groundworks and paved areas is not clear. The root protection barrier serves to confirm that building work will impact on the root areas of these protected trees.

It should also be recognised that the developer's second application P101484, for plot B only, did not dispel any of these issues concerning trees at number 13 Baillieswells Road. The Council referred to

them in point 2 of their refusal, and further, in the Appeal Notice Decision PPA-100-2026, the Reporter Mr Timothy Brian stated 'I understand the anxiety of the council and neighbouring residents that the development of the adjoining plot could impact on protected trees and on the amenity of the adjacent properties. However, that proposal is not before me'.

In summary, both appeal decision notices have included concerns about the impact on the protected trees, in support of Aberdeen City Councils same view. Nothing is now presented to dispel those concerns.

As a reminder, six of the trees along the boundary of the application plot and 13 Baillieswells Road are newly planted because the roots of three of the previous mature boundary trees in my garden were damaged during excavation and tree-felling within the application site. These three trees were required to be felled on safety grounds, as assessed by two separate professional tree surveys. No protective fencing had been in place for these protected trees during the excavation work at number 11. These new trees are protected and were planted under the stipulation of the Arboricultural Planner.

Regrettably several trees in the applicant's site are now felled, but this makes the remaining trees all the more important and deserving of proper protection. The three felled protected trees in my site had Root Protection Areas considerably larger (minimum radius of 5.40, 4.56 and 4.44 metres, according to professional survey) than that being allowed for in the proposed application. Further, the required distance goes beyond that needed for the roots, as the proposed building presents an obvious obstruction of sunlight that the trees require. At the same time, consideration must be given to the other remaining protected mature trees along this same boundary. Indeed, the protected Sitka Spruce has a much larger RPA than those quoted above, and will clearly be impinged upon by the proposed building work. I have submitted the tree survey documents with previous applications and can do so again upon request.

I include a picture of the excavation work (Attachment 1) after clearing of the applicant's plot in 2009, which indicates the extent of the roots, and the root damage sustained at that time. Attachment 2 shows a view of the same trees, before and after their felling on safety grounds. These attachments confirm that the trees are located on the boundary, for clarification with regard to the proposed site layout of this latest application (Attachment 3).

So I reasonably ask that the root protection areas and sunlight requirement of these protected trees, and the ones that were felled and replaced, be preserved. This is a reasonable request for several reasons:

- For development to benefit from excavation in a neighbouring site without fencing with regard to protected trees, would be alarming for many reasons.
- Root protection areas of trees are calculated in order to allow for their proper growth and sustainment, clearly their existence and safety would be compromised were building work and development to take place too close to them.
- The trees have protected status, I would expect this to be demonstrably upheld.

Road Safety

Both of the applicant's proposed houses would allow for significantly greater person occupancy than the one they replace, and have density of building that means there is insufficient parking/turning space within each plot.

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 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.

The other likely consequence of inadequate parking/turning space within each site will be that vehicles are more likely to be commonly parked on Baillieswells Road itself, directly opposite the junction with Cairnlee Terrace. Currently, vehicles are infrequently parked on Baillieswells Road, at any point. Most residents, like myself, would encourage 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. Vehicles parked outside the proposed sites would force northbound traffic into the middle of the road at a dangerous point opposite the mentioned junction with Cairnlee Terrace.

Reference is made to the application for plot B raising no objection with the Roads Section, but that was on the basis of an application for one property. I would be grateful if the road safety issues can be re-assessed in view of this application for a second property. It should also be recognised that Baillieswells Road has become noticeably busier since the time of the previous applications and may do so even further with development of Business Parks in Westhill and Kingswells.

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

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

Yours Faithfully,

James Buckley

Attachment 1 : Root areas of protected trees
Attachment 2 : Felled trees
Attachment 3 : Site layout – newly-planted trees



ATTACHMENT 1



Fig 5: Root damage to Sitka Spruce 10 apparent.

These protected trees in my
land at number 13

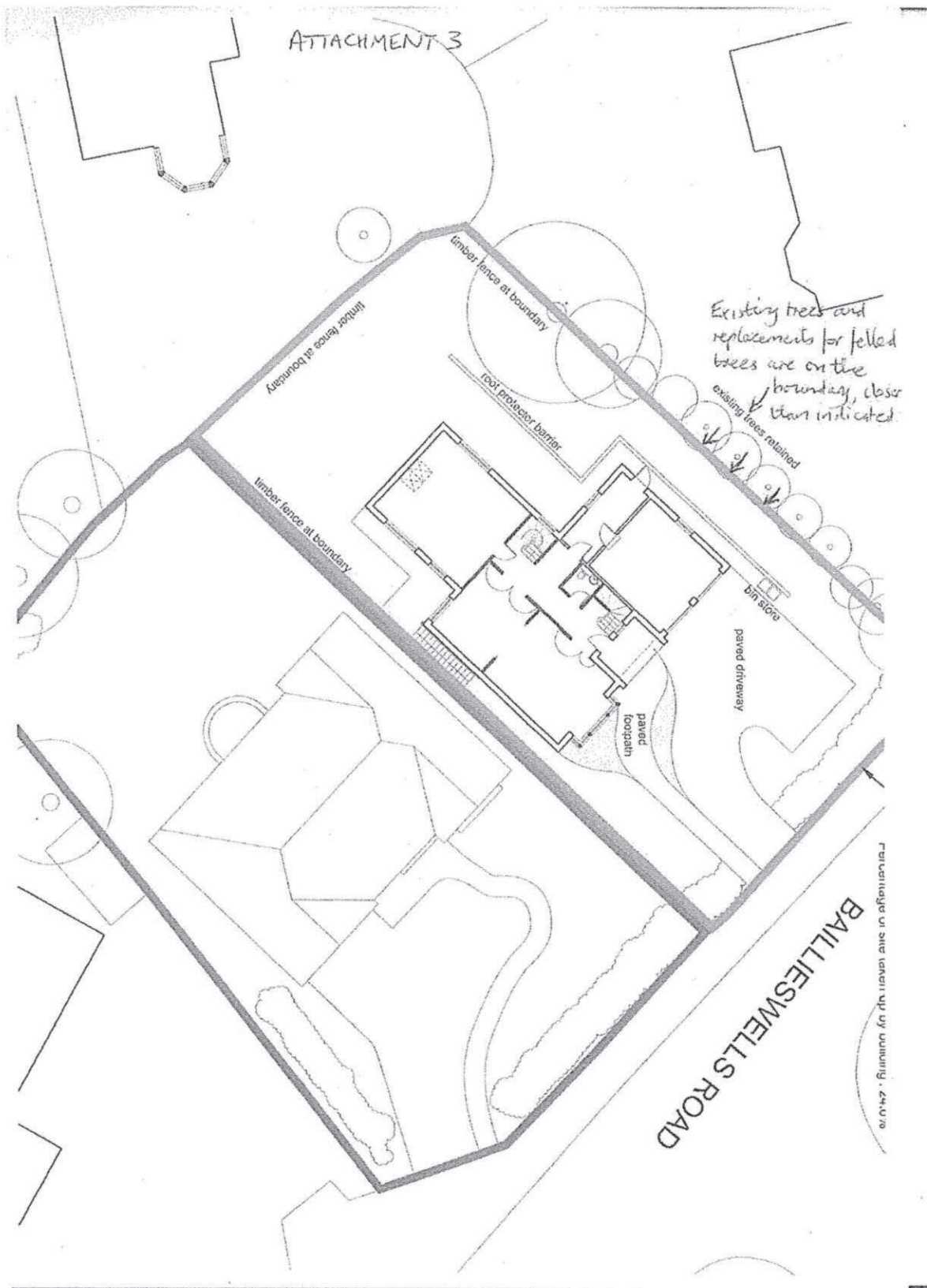


Trees now
felled on
safety ground
Replaced by
6 others.

Fig 6: Root damage close to fence, within 1.0m of tree trunks and 2.5m from Sitka Spruce 10.

Attachment 2 : Three damaged protected trees in my own site at number 13 (above) now felled (below) on safety grounds.





P&SD Letters of Representation			
Application Number:		131698	
RECEIVED - 3 JAN 2014			
Nor	Sou	<input checked="" type="checkbox"/>	MAp
Case Officer Initials:		AM	
Date Acknowledged:		06/01/14	

PI

From: Janette Kennedy [REDACTED]
Sent: 26 December 2013 15:56
To: PI
Subject: Objection to application No. 131698 - Proposed Development at 11 Baillieswells Rd. Bielside
Attachments: JKennedyObjection.pdf

Dear Sirs,

Attached is my objection letter to the Planning Application No. 131698.

yours sincerely,

Janette Kennedy

27 Baillieswells Drive,
Bieldside,
Aberdeen
AB15 9AT

26/12/2013

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 131698

Proposed development at 11 Baillieswells Road, Bieldside

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

The developer and their agent have once again failed to answer the following

Density

Nothing in this proposal explains how 1 large house in half a plot that used to contain one bungalow is simply in keeping with the original plot's density. The developers agent's design proposals stating that this development will "ensure privacy for adjacent properties, is simply not true. The development cannot fail to prejudice sunlight and daylight penetration.

Amenity

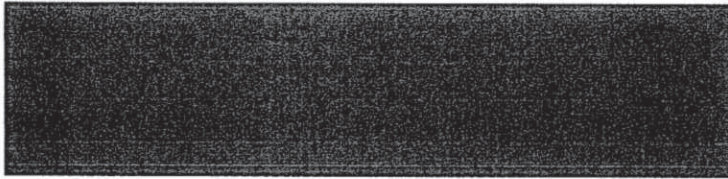
I have reiterated my previous comments. "This site had beautiful old trees. I was horrified when the trees were taken down to see the destruction of such a vast area of trees with total disregard to how this would affect the surrounding area. Surely the developer must replant the trees as per Section 3.7.1 of "The Sub-division and Redevelopment of Residential Curtilages". The developer has ruined the amenity of this area in the callous destruction of the trees on site. The Brownfield site referred to was created deliberately to put in over scaled high-density houses.

Road safety.

I have lived in this area for over 32 years. I constantly use Baillieswells Road when walking my dog. The traffic on that road, and specifically going into Cairnlee Terrace at school times, is incredibly busy with schoolchildren and cars. How can a second entrance, so close to the junction with Cairnlee Terrace be safe, safety does not feature in any part of this proposal. The original house had ample driveway and parking space.

The proposal is written with no consideration for any of the properties that have already been so badly affected by what this developer has done so far. And if this proposal is allowed it, will create a dangerous junction for a house that adversely effects the amenity of the area.

Sincerely



Janette Kennedy

P&SD Letters of Representation		
Application Number: 131698		
RECEIVED - 3 JAN 2014		
Nor	Sou <input checked="" type="checkbox"/>	MAp
Case Officer Initials: AM		
Date Acknowledged: 06/01/14		

20th December 2013

28 Baillieswells Road
Bieldside
Aberdeen
AB15 9BB

Aberdeen City Council
Planning and Infrastructure
8th Floor
St Nicholas House
Broad Street
Aberdeen
AB10 1BW

Dear Sirs,

Re: Planning Application Number 131698 – Proposed development at Site ‘A’ 11 Baillieswells Road, Bieldside Aberdeen.

I am in receipt of a notification of and information pertaining to an application for planning permission as referenced above for a proposed development at 11 Baillieswells Road, Bieldside, Aberdeen (referred to as “Site A” by the Applicant) and I write to express my objections to the development as proposed.

The Applicant had originally submitted a planning application (ref no 091403) in September 2009 for the entire area of 11 Baillieswells Road and this application was the subject of much local objection for various reasons. Later the Applicant submitted a planning application for half of the site (referred to as Site B) and that went through a due process of objections, refusal, appeal and ultimately the Reporter granted planning permission. The two-stage application process which has been followed by the Applicant therefore 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 whereas 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.

A new driveway for access to Site A is very close to (almost opposite) the junction with Cairnlee Terrace, such proximity is potentially hazardous for traffic movements.

Site A was originally dominated by mature trees and the owner of Sites A and B attempted to render the Site A suitable for the construction of a house by felling the mature trees, the presence of the trees would certainly have precluded the development as now proposed. The trees were felled with undue haste when the owner took possession of 11 Baillieswells Road and, I suspect, without such consents as may have been required. (The Site, as it was before the trees were felled may be seen by viewing the address on ‘Street View’ at the ‘Google Earth’ website.)

I consider it is highly probable that the proposed development will erode/invoke the privacy of my property and that will in turn have a detrimental impact upon the value and my own personal enjoyment of my property.

I am further concerned that an approval of the proposed development will set a precedent for, and hence encourage the acquisition of other properties in the area by developers wishing to split residential curtilages for profit which would not be in the interests of, nor for the benefit of, the greater community.

For all of the forgoing reasons I object to the proposed development at Site A.

Yours faithfully



Keith H Smith

P&SD Letters of Representation	
Application Number:	13/698
RECEIVED	23 DEC 2013
Nor	Sou <input checked="" type="checkbox"/>
Case Officer Initials:	AM
Date Acknowledged:	24/12/13
	MAP

15 Baillieswells Road
Bielside
ABERDEEN
AB15 9BB

13th December 2013

Aberdeen City Council
Planning & Infrastructure
Marischal College
Broad Street
ABERDEEN

Dear Sirs,

OBJECTION TO PLANNING APPLICATION No. 131698 (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 misleading in several respects.

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 that are significantly smaller. A house referred as of 'three stories' is in fact of two stories with a low level garage and is set in a large, well planted plot. There is no accurate illustration of the relationship between the proposed buildings and the adjoining properties and the building line of the street would clearly be disrupted by the development.

I am unable to reconcile the statement in the Supporting Statement (2.6) that '*less than one quarter (24.6%) of the overall site area*' is to be built upon with the scale plans which appear to show that the property would occupy around 33% of the site and that nearly 50% of the plot would be occupied by the building, driveway and paths. When compared with surrounding properties, the developer is clearly proposing to over develop no.11 Baillieswells Road.

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 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 trees that remain on adjacent properties be protected and inadequate information is provided in the application on how this will be achieved. There is no information on how the plot will be re-planted to compensate for the loss of trees removed.

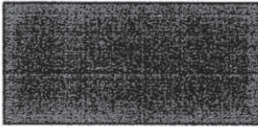
Road Safety Concerns

Road safety issues associated with the application have not been resolved. The information referred to in the Supporting Statement is outdated. As is evident from the plans included with the application, the turning area available is wholly inadequate and cars would have to reverse out onto the main road at a dangerous junction. The turning area has been greatly

reduced when compared with the turning area of the house that occupied the site previously and safe vehicular access onto the main road has not been provided. This is hazardous given the speed and density of traffic on the road and the use of the pavement at this junction on school days by children crossing to/from Cults Primary School and Cults Academy. The pavement is used also by residents of the neighbouring Simeon Homes. The road is becoming busier 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 and use of the road by HGVs.

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

Yours faithfully,



Andrew Macaulay

P&SD Letters of Representation		
Application Number: P131698		
RECEIVED 17 DEC 2013		
Nor	Sou	MAp
Case Officer Initials: AMR		
Date Acknowledged: 20-12-13		

24th December 2013



Aberdeen City Council
St Nicholas House Broad Street
Aberdeen
AB10 1BX

SCOTTISH WATER

Customer Connections
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Customer Support Team

W: www.scottishwater.co.uk

Dear Sir Madam

PLANNING APPLICATION NUMBER: P131698
DEVELOPMENT: Bieldside 11 Baillieswells Roa
OUR REFERENCE: 645327
PROPOSAL: Proposed New House

Please quote our reference in all future correspondence

In terms of planning consent, Scottish Water does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by Scottish Water when the appropriate application and technical details have been received.

Invercarnie Water Treatment Works currently has capacity to service this proposed development.

Nigg Waste Water Treatment Works currently has capacity to service this proposed development.

In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the Developer will be required to fund works to mitigate the effect of the development on existing customers. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules.

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

If the connection to public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

Should the developer require information regarding the location of Scottish Water infrastructure they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB. Tel – 0845 601 8855.

If the developer requires any further assistance or information on our response, please contact me on the above number or alternatively additional information is available on our website: www.scottishwater.co.uk.

Yours faithfully

645327_Sir Madam_P2 DOM Capacity Available_Applicant_10-10-14

Lynsey Horn
Customer Connections Administrator
Tel:

DESCRIPTION

The application site, which lies within Conservation Area 4 (Albyn Place & Rubislaw), is located on the south side of Queen's Road, at a distance of some 25 metres to the west of its junction with Forest Avenue. The site, which extends to an area of approximately 1804m², comprises an 1870's granite-built detached 2 storey residential dwelling with basement and attic levels. The property, which was listed Category C in 1992, was sub-divided during the mid to late 1980's to form 3 flats, at basement, ground, and 1st and upper floor levels, and subsequently extended to the rear at basement and ground floor level in 1987. The property is accessed off Queen's Road via a gravel drive and fronts north across an area of hardstanding and garden ground which includes mature trees and shrubs.

The site is bound to the rear by Queen's Lane South, and was until recently fully enclosed along this boundary by means of 2 single detached garages and a 1.8 metre high traditional granite rubble wall. As a result of unauthorised work which took place on site during February 2014, much of the boundary wall has been demolished. The rear garden, which extends some 70 metres from the rear building line of the dwelling to the southern boundary of the site was also largely cleared of all mature trees and shrubs at this time, with the exception of an area of soft landscaping which lies within a depth of some 10 metres of the garden lying immediately to the rear of the property.

RELEVANT HISTORY

In June 1987, unconditional planning consent was granted for the erection of a rear extension to the ground floor flat (Ref 87/0698).

PROPOSAL

This application seeks detailed planning permission for the construction of a 3 storey, flat roofed extension to the rear (south) of the existing dwelling, and for a change of use to serviced apartments. As a result of the drop in ground levels between the rear of the dwelling and the rear boundary of the site, the proposal incorporates development at 2 storey level, increasing to 3 storeys as it projects southwards. The proposal would comprise the formation of a total of 18 serviced apartments (11 x 1 bed & 7 x 2 bed), with associated car parking and landscaping to the rear of the site. The proposed extension would provide an additional 910m² of floorspace and would be linked to the original property by means of a 2 storey, 2.4 metre wide, flat roofed glazed walkway. The proposal would form an L-shaped development extending some 38 metres from the existing rear building line, and would range in height between 6.5 and 9.3 metres, at a width of between 7.4 and 12.8 metres. Along the northern, 2 storey section of development, the extension would lie 2 metres off the east (side) boundary and 7.3 metres off the western boundary. Beyond this, where the proposed extension would rise to 3 storeys, and be increased in width to 12.8 metres, a distance of 2 metres would lie between the development and the side boundaries (east and west), and a depth of 33.5 metres between the proposed rear building line and the rear (south) boundary. The design would be contemporary, and finished in a range of materials to include granite block, copper cladding and glazed screens. Amended plans submitted following comments from the Roads

Projects Team propose the creation of 14 car parking spaces to the rear of the extension, in addition to 2 disabled spaces to the front, and secure cycle parking for 9 cycles to be accommodated within the lower ground floor level of the development. An existing garage building which lies within the south-east corner of the site would also be retained and utilised for bin storage purposes. The amended layout includes replacement planting and landscaping, within an area lying to the west of the extension, and overlooked by the neighbouring care home extension; to the rear of the development, thereby providing a buffer between the extension and the proposed hardstanding; and finally within the south-west corner and close to the rear boundary of the site.

Supporting Documents

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

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140896>

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

The following documents were submitted by Keppie Design (agent for the applicant) in support of the proposal:

- Supporting Planning Statement
- Heritage Report
- Design & Access Statement

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because there are six or more objections to the proposal. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – The revised parking layout, which reduced the proposed number of spaces on site from 22 spaces to 14 spaces to the rear of the property and 2 disabled spaces to the front, is considered acceptable. Likewise, the revised secure cycle storage arrangements are also deemed appropriate. Additional information submitted in relation to the Residential Travel Pack and the drainage arrangements is deemed satisfactory. The re-instatement of part of the rear boundary wall to its original height and location, thereby allowing for the retention of an opening to provide vehicle access to the proposed parking area has raised concerns, given the intensification of use being proposed on site.

Environmental Health – No observations.

Enterprise, Planning & Infrastructure (Flooding) – The proposal as submitted was deemed satisfactory, although Scottish Water should agree with the discharge rate for the development.

Community Council – No response received

REPRESENTATIONS

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

- The proposed development would result in an increased volume of traffic on Queen's Road and along Queen's Lane South, with access to/from the site raising safety issues for both vehicles and pedestrians
- The proposal would adversely affect the character of the conservation area
- The principle of extending the property and the proposed change from residential to commercial use is unacceptable
- The scale of development constitutes overdevelopment of the site
- Removal of the rear boundary wall and of all mature trees within the site took place without the necessary consent
- Inadequate notification undertaken in relation to the application, resulting in neighbours not having sufficient opportunity to comment on the proposal

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) – This states that 'in determining applications for planning permission or listed building consent in relation to development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.' It further states that 'proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area.' Finally, SPP outlines that prior notice is required for any proposed works to trees in conservation areas.

Scottish Historic Environment Policy (SHEP) July 2009 - SHEP states that 'when considering a developer's proposals to integrate listed buildings into an overall development, Ministers expect planning authorities to take into account not only the desirability of preserving the building's historic fabric but the need to maintain it in an appropriate setting.'

SHEP also highlights that 'it is character or historic interest of an area created by individual buildings and open spaces and their relationship one with the other which the legislation covering conservation areas seeks to preserve.'

Managing Change in the Historic Environment (Guidance notes on 'Setting', 'Extensions' and 'Boundaries') - These documents include the following key issues which should be considered:

Setting

- Current landscape or townscape context
- Visual envelope, incorporating views to, from and across the historic asset or place
- Relationships between both built and natural features
- Aesthetic qualities
- Character of the surrounding landscape
- A 'sense of place': the overall effect formed by the above factors

Extensions

- Importance of protecting the character and appearance of the building
- Subordinate scale and form of proposed development
- Location of proposed development on secondary elevation
- High quality design of development, including the use of appropriate materials

Boundaries

- Age, design, materials, and associated features contribute to the interest of historic boundaries
- Importance of protecting key characteristics
- Physical or documentary evidence should inform reinstatement of boundary treatments

Aberdeen Local Development Plan

Policy D1 (Architecture and Placemaking) - This policy outlines an expectation that all new development must be designed with due consideration for its context and make a positive contribution to its setting.

Policy D5 (Built Heritage) - This policy states that proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy (SPP).

Policy B13 (West End Office Area) - This is the appropriate zoning policy for the area in which the site is located. There is a presumption in favour of office uses, while residential uses will also be encouraged subject to the establishment of a satisfactory residential environment, and the continuing operation of existing uses not being prejudiced. Where there is scope to provide access to properties from rear lanes this will only be considered acceptable if satisfactory traffic management measures are in place, or can be provided by the developer, along the rear lanes. The conversion of existing front gardens to car parks, and the subsequent erosion of associated landscaping, will not be permitted. The reinstatement and restoration of car parks to front gardens will be encouraged by the Council.

Supplementary Guidance

Aberdeen City Council's Supplementary Guidance on 'Serviced Apartments' is of direct relevance to the development proposal.

The Albyn Place/Rubislaw Conservation Area Appraisal is also a relevant material consideration.

EVALUATION

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

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

Principle of Proposed Change of Use and Extension

The Category C listed detached property which occupies the application site at 25-29 Queen's Road has been in residential use since it was built circa 1879, until its recent acquisition by the applicant in January 2014. The site lies within an area zoned under Policy B13 (West End Office Area) in the Aberdeen Local Development Plan, which supports the principle of a change of use for office purposes, whilst also encouraging applications for residential use. Although the proposal relates to a change of use from residential to serviced apartments, given the existing mix of development already present within the area, which includes hotels, a school and a care home, along with numerous properties in office use, it has been established that the general principle of such a use for this application site would be considered appropriate.

The application site forms part of a wider row of large, detached and semi-detached, granite-built properties with a relatively regular building line fronting onto Queen's Road, and set within long, generously proportioned plots. The property at No 25-29 is one of the few along this stretch of Queen's Road, including a detached Category B property immediately to the east at No 3 Queen's Gate, and 9 no. Category B and C listed properties within the neighbouring plots immediately to the west, which until very recently had remained in residential use. The property has been the subject of some relatively minor alterations to the rear elevation, including a dormer window extension, for which there is no planning record, along with a rear extension which was granted consent in the late 1980's, but has otherwise very much retained its original footprint. An unauthorised site clearance took place in February 2014, prior to which the property had benefitted from an expansive rear garden, fully enclosed by means of 2 single garages and a traditional 1.8 metre high granite rubble wall with brick coping, and a substantial cover of mature trees and shrubs. The trees, shrubs and soft landscaping which were removed as part of the site clearance had provided a degree of screening along all three of the rear boundaries.

Many of the surrounding properties have benefitted from extensions, including at the neighbouring Maryfield Nursing Home at 31 Queen's Road, and immediately to the west of that site at No 33. Whilst it is noted that several of the properties which lie at some distance to the west of the application site have historically

been extensively altered and extended, this in itself does not set a precedent for developing all remaining properties along Queen's Road to a similar scale, without taking full consideration of the merits of a detailed proposal and the cumulative impact of such extensions. Notwithstanding the above, it is nevertheless considered reasonable that a degree of change, including the potential for an extension, should be achievable for a listed property. Such intervention should take account of modern requirements and thereby ensure the continued use of the property, but must also take account of the historic interest of the building and that of neighbouring properties, in addition to any impact that such change may have on the conservation area within which the property lies. On this basis, it has been established that the principle of extending the property would be acceptable, following full consideration of the detail of the proposal.

So whilst establishing that both the principle of a change of use to serviced apartments and that of extending the property at 25-29 Queen's Road is acceptable, it is necessary to assess the detail of the proposal against all other relevant policies and guidance.

Impact on Residential Amenity

In terms of assessing the proposal against Policy D1 (Architecture and Placemaking), the design of the proposed extension is considered within the context of the site and surrounding area, with the aim of securing a positive contribution to the setting. Factors such as siting, scale, massing, colour, materials and orientation are amongst those considered in assessing such contribution. In this instance, taking full account of the neighbouring properties, it is considered that the scale and massing of the proposed rear extension is inappropriate for this property, given that it would project a total of 38 metres from the existing rear building line of the property, with 15 metres of that projection extending beyond the rear building line of the neighbouring extension at Maryfield Care Home. This proposal would result in a particularly dominant massing of development onto which residents of the care home at both ground and 1st floor level on the eastern elevation would face. Whilst some amendment was made to the original proposal, following discussion with the agent at pre-application stage, and this introduced an area of landscaping in place of development along part of the western elevation of the development, the separation distance between the eastern elevation of the care home building and that of the proposed extension at its narrowest point, would nevertheless remain at just 10.4 metres, resulting in a particularly oppressive visual impact from the neighbouring site, given that the extension would then project a further 15 metres beyond the rear building line of the care home, and at 3 storeys in height. It is clear that with such a scale and projection of development, any semblance of an open outlook which the care home currently enjoys along this eastern elevation would be entirely lost. The impact of this scale of development and at such close proximity to windows serving bedroom accommodation occupied by elderly residents who in some circumstances may have little opportunity of any outlook other than towards this neighbouring site, and who have to date been able to enjoy a relatively open aspect across garden ground, would be particularly negative, both on the setting of the property, and on the existing amenity of residents, and as such the proposal is deemed wholly unacceptable.

The proposal must be assessed against the council's Supplementary Guidance on Serviced Apartments, and this guidance also highlights the need to address any potential impact on existing residential amenity. The guidance states that serviced apartments should fit into their surroundings and should not adversely affect residential amenity. Although it has been established that the principle of serviced apartments within this location is acceptable, and appropriate parking provision as outlined in the guidance has been achieved on site; as outlined in some detail above, it is apparent that the scale and massing of development being proposed would have a significant impact on the amenity of the neighbouring care home residents, given the proximity of the care home windows at ground and 1st floor level, and that the eastern elevation of the care home lies at just 2.5 metres off the common boundary.

Impact on the Listed Building and Character of the Conservation Area (Design and Scale of Development)

As outlined above, the application site is located within the Albyn Place/Rubislaw Conservation Area, and comprises a Category C listed property which lies immediately adjacent to a Category B listed property to the east and a Category C listed property to the west. Although the Planning Statement submitted in support of the proposal questions whether the listed building demonstrates the same quality as those properties which lie to the west of the site, it is nevertheless apparent that the property is of some merit, and which prior to the rear garden having been extensively cleared of all trees and landscaping by the applicant, had retained much of its original character. Key characteristics for this area, identified as Area B in the Albyn Place/Rubislaw Conservation Area Appraisal, and which are deemed worthy of retaining/protecting/conserving, include large rear gardens and back lane high walls in coursed rubble, topped with coping stones. It is apparent, given the scale of development which is being sought as part of this application, that the proposal would have a considerable impact on these same characteristics, and it is unclear how the loss of such an extensive area of garden ground to both the extension and the associated car parking, could be deemed acceptable in terms of the aforementioned Appraisal, or how such development would allow for the character of the conservation area to be either preserved or enhanced.

Scottish Historic Environment Policy not only outlines the need to take account of maintaining an appropriate setting for historic properties, when considering proposed development, but also highlights the importance of preserving open spaces and the resulting relationship created between individual buildings within a conservation area in order to ensure the character and historic interest of that area are not compromised. The scale and massing of the proposed extension are therefore of particular relevance in the assessment of its impact on the neighbouring listed properties and the wider conservation area within which the site lies, and are deemed to be of some significance in this instance. Both neighbouring properties at No's 31 and 33 Queen's Road have two storey extensions, projecting 23 and 20 metres respectively, with associated car parking and landscaping acting as a buffer between the developments and the rear lane. With a projection of some 38 metres, and increase in height from 2 to 3 storeys

within the final 15 metres of development which fronts towards the lane and the southernmost section of the site, it is apparent that the proposed extension would far exceed the scale and massing of existing development within the neighbouring sites, and that insufficient regard has been given to the context of the site in this regard. The level of site coverage resulting from the proposal would be approximately 31%, which appears excessive when compared with the 21% and 19% plot ratios of the neighbouring properties at No's 31 and 33, given that both of these properties have been extended. It is perhaps worth mentioning at this stage that removing the southernmost, 3 storey section of the extension, and retaining the 2 storey development proposed within the eastern section of the rear garden, would reduce the plot ratio to approximately 22%, and which would clearly fit more closely with that of the neighbouring sites.

The appellants argue that the proposal is justified, having regard to the precedents set by other rear extensions to nearby properties, with specific reference made to development undertaken at other locations along Queen's Road, such as at the Malmaison Hotel, Chester Hotel, former Hamilton School and Albyn School. It is apparent, notwithstanding that much of the development in question is historic, with these properties having operated as commercial or educational establishments for many years, and many of the development proposals having therefore been assessed against quite different policy requirements as a result, that of particular relevance in this instance is that the application site under consideration has remained relatively unaltered, and lies within a row of some 11 properties where extensions are more modest and an established rear building line has been relatively well maintained.

Furthermore, whilst the precedent which has been set by these aforementioned developments detracts from the character and amenity of their immediate surroundings, it has clearly not destroyed the character of the wider area in which the application premises themselves are located, and as such should not be considered to carry any weight. Given that the length of extension proposed would reach 38 metres, which is more than double the length of the existing dwelling which stands at just 15.2 metres, it is apparent that the proposed scale and projection of development is disproportionate, making the proposal out of scale with the main building and failing to be subordinate to it. The increase in width and height of the proposed extension within the 15 metres of development which faces south towards the rear of the site would result in a significant massing and dominating elevation when viewed from the rear lane, with little sight of the original rear building line of the listed property remaining from this angle. Furthermore, with a relatively open aspect along the eastern boundary of the site when viewed from Forest Avenue, and across the car park which lies to the rear of the neighbouring property at No 3 Queen's Gate, and this having become more 'open' as a result of the removal of the mature trees and shrubs along this boundary, the visual impact of a 2, rising to 3 storey development at just 2 metres off that boundary, would be considerable. All of these factors must be given significant weight when assessing the proposal in terms of any adverse impact which it may have on the setting of the building and neighbouring properties, and the context within which these properties lie. The disproportionately long extension proposed would neither preserve nor enhance

the character and appearance of the conservation area, and would therefore breach section 64(1) of the 1997 Act, and taking into account that the neighbouring property at No 3 Queen's Gate is Category B listed, it is considered, once again, that the impact of such scale and massing of development on the setting of the building, but also on the conservation area, would appear wholly inappropriate.

The front elevations of properties on Queen's Road are generally very well preserved. The rear elevations are less distinguished, with as detailed above, several properties lying to the west of the application site having been marred by inappropriate extensions which are seen not only from the rear gardens nearby, but also from points on the back lane (Queen's Lane South). However, within the row of properties immediately to the east and some distance west of the application site, and along Queen's Road, the original structures remain dominant, with the character largely retained.

The Supporting Planning Statement states that the proposed development would be 'virtually invisible from most angles of view from the surrounding area'. On this point, whilst it is clear that the proposed extension would have no visual impact on the principal elevation of the property, the scale and massing of this development would be clearly visible from both Queen's Lane South and from Forest Avenue, and would in no way either preserve or enhance the existing building or its setting, nor seem appropriate in terms of their character or setting. Whilst it is worth noting the recent success of an appeal against a decision to refuse a large scale rear extension to a listed property at 29 Albyn Place, of particular relevance is the fact that the proposal was for an extension to a previously extended building; the property in question was deemed to 'be "tucked-in" - visually and physically separated from the settings of nearby listed buildings'; and the resulting plot ratio compared favourably with that of neighbouring sites. On these criteria alone, it is felt that this current application under consideration raises quite different issues, and therefore little weight can be given to the aforementioned appeal.

The original rear boundary rubble wall, which is included in the listing of the property, was largely demolished as part of the unauthorised works which took place on site in February of this year, and involved excavation work to remove trees, shrubs and general landscaping from the rear garden. The original proposal for development of the site proposed a total of 22 parking spaces within the rear garden area, the re-instatement of part of the rear boundary wall and installation of an entrance gate, along with replacement planting to include 6 trees and landscaping, with 3 of the 6 trees located within the enclosed area of garden ground adjacent to the care home extension. Amended proposals have since been submitted in an attempt to address concerns which had been raised relating to the over-provision of parking spaces and lack of open space available for replacement planting. Whilst these amendments have clearly sought to address certain concerns which the Roads Projects Team raised, and where the level of parking being proposed is now deemed appropriate, a certain level of conflict remains between trying to secure re-instatement of the original boundary wall, and securing an appropriate level of garden and replacement planting,

whilst addressing road safety issue raised by the Roads Team. On this basis it has been accepted that a compromise is necessary which allows for the current proposal to be deemed compliant with Historic Scotland's guidance on 'boundaries', but which would result in reduced visibility onto the rear lane from the proposed car park.

Taking all of the above into account, it is apparent that the proposed extension would have a serious negative effect on the setting of the building stemming from the disproportionate length of the proposed extension. The proposal would therefore be contrary to the requirements of the 1997 Act as regards the need to have special regard to the desirability of preserving the listed building and its setting, whether in the context of applications for listed building consent or planning consent. The proposal would be contrary to Scottish Planning Policy and therefore inconsistent with Policy D5 of the Aberdeen Local Development Plan. Finally, it is considered that the proposal would fail to comply with Scottish Historic Environment Policy and the aforementioned Guidance Notes on Setting and Extensions.

Relevant Planning Matters Raised in Written Representations

The proposed development would result in an increased volume of traffic on Queen's Road and along Queen's Lane South, with access to/from the site raising safety issues for both vehicles and pedestrians – this issue is addressed in the section entitled 'Impact on the Listed Building and Character of the Conservation Area (Design and Scale of Development)'

The proposal would adversely affect the character of the conservation area - this issue is addressed in the section entitled 'Impact on the Listed Building and Character of the Conservation Area (Design and Scale of Development)'

The principle of extending the property and the proposed change from residential to commercial use is unacceptable – this issue is addressed in the section 'Principle of Proposed Change of Use and Extension'.

The scale of development constitutes overdevelopment of the site – this issue is addressed in the section entitled 'Impact on the Listed Building and Character of the Conservation Area (Design and Scale of Development)'

Removal of the rear boundary wall and of all mature trees within the site took place without the necessary consent – As soon as the Planning Authority were alerted to the aforementioned works taking place on site, the applicant and agent were contacted and made fully aware that these works were unauthorised. In the event of an appropriate level of replacement planting and the reinstatement of the boundary wall not being achievable through the formal planning process, enforcement procedures will be utilised.

Inadequate notification undertaken in relation to the application, resulting in neighbours not having sufficient opportunity to comment on the proposal – Neighbour notification was undertaken by the Planning Authority on the 18th of

July, allowing 21 days for any representation. In addition to this the application was advertised in the local free press on 21 July, as a proposal affecting the setting of a listed building/character of the conservation area, and this also allowed for a period of 21 days for any representation to be submitted.

Conclusion

The proposal would have a particularly negative impact on the character of the conservation area and the setting of listed buildings, both within the application site and the adjacent sites, as a result of the scale and massing of the proposed extension. The proposal would have a substantial detrimental effect on the existing amenity of the residents occupying the neighbouring care home at 31 Queen's Road, given the scale and overall length of the proposed extension and its proximity and resultant impact on the care home. The proposal would therefore be contrary to Scottish Planning Policy, Scottish Historic Environment Policy and Policies D1 (Architecture and Placemaking) and D5 (Built Heritage) of the Aberdeen Local Development Plan. Approval of the application would undoubtedly set a precedent for other similar proposals within the surrounding conservation area, with this leading to the further erosion of its special character and amenity.

However, should members be minded to approve this application, a suitable condition should be attached which would require the submission and agreement of the planning authority to a servicing strategy for the site. In addition to this, a legal agreement should also be sought with the applicant in order to ensure the serviced apartments remain in single ownership and that the length of occupancy does not exceed 90 days for any individual occupant, in accordance with the Council's supplementary guidance.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

That the proposal, if approved, would be significantly detrimental to and thus not preserve or enhance the character of Conservation Area 4 (Albyn Place/ Rubislaw), and would adversely affect the setting of the Category C listed building on site and those Category C and B listed buildings on adjacent sites, due to the excessive length of the proposed development, the loss of the sense of open space within the site and the inappropriate scale of development in relation to the existing building which would result in over-development. The proposal would therefore be contrary to Scottish Planning Policy, Scottish Historic Environment Policy and Policies D1 (Architecture and Placemaking) and D5 (Built Heritage) of the Aberdeen Local Development Plan.

That the proposal, if approved, would set an undesirable precedent for similar developments in the surrounding Conservation Area 4 (Albyn Place/ Rubislaw) which would have a significant adverse effect and undermine the special character of the area.

That the proposal, by virtue of its scale and massing, and its proximity to the neighbouring property at 31 Queen's Road which currently operates as a care home, would have a substantial negative impact on the amenity of those residents of the care home whose bedroom accommodation at either ground or 1st floor level would face onto the proposed development.

Dr Margaret Bochel

Head of Planning and Sustainable Development

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Stephen Forrest
6 Thomson Street
Aberdeen
AB25 2QR

15th August 2014

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

Dear Sirs

Ref - Planning application no P140896
25-29 Queens Road, Aberdeen

I wish to formally object to the above planning application on the following grounds –

1. There will be an increased volume of traffic on Queens Road at peak times given the nature of serviced apartments.
2. We object to the principle of any further commercial developments on Queens Road.
3. We object to the principle of an extension and / or change to the existing residential villas currently in place.
4. We object to the change of character of the conservation area on Queens Road that this application will cause.

We look forward to hearing from you further and trust our points will be taken into consideration in the planning process.

Yours faithfully

Stephen Forrest

8 Westholme Avenue
Aberdeen
AB15 6AA
18th August 2014

To

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

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25-29 Queens Road, Aberdeen

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We look forward to hearing from you further and trust our points will be taken into consideration in the planning process.

Yours Sincerely

Gary Walker

From: webmaster@aberdeencity.gov.uk
Sent: 17 August 2014 20:44
To: PI
Subject: Planning Comment for 140896

Comment for Planning Application 140896

Name : E FLETT
Address : 8 HARLAW ROAD
ABERDEEN
AB15 4YY

Telephone :

Email :

type :

Comment : 1 - Overdevelopment of the site - for example the proposed extension is much larger than the extension serving the Nursing Home adjacent

2 - The proposed parking spaces at the rear will lead to an unacceptable level of traffic joining the already busy lane. Many lorries serving the hotels reverse up the lane and with parking spaces between the site and Forest Avenue it will make access onto Forest Avenue more difficult. When added to the fact that Albyn School is directly opposite the lane and more pedestrian traffic already using the lane which has no footpavement there is a major safety concern. The proposal will increase the traffic from the existing 2 garages to 18 parking spaces. It is disappointing that the Roads Dept have not addressed this issue in their observations.

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Scott Robertson
58 Queens Road,
Aberdeen
AB15 4YE

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

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- d. I object to the change of character of the conservation area on Queens Road that this application will cause.

I look forward to hearing from you further and trust the above points will be taken into consideration in the planning process.

Should you have any queries, please do not hesitate to contact myself.

Yours faithfully,

Kenneth Cope
12 Harlaw Road
Aberdeen
AB15 4YY

14th August 2014

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

Dear Sirs

Ref - Planning application no P140896
25-29 Queens Road, Aberdeen

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Yours faithfully

Kenneth Cope

ABERDEEN CITY COUNCIL

COMMITTEE Planning Development Management COmmittee

DATE 6 November 2014

DIRECTOR: Pete Leonard

TITLE OF REPORT: Planning Enforcement Activity – October 2013 to September 2014

REPORT NUMBER EPI/14/???

1. PURPOSE OF REPORT

- 1.1 To inform Members of the planning enforcement work that has been undertaken by the Planning and Sustainable Development Service from 1st October 2013 to 30th September 2014.

2. RECOMMENDATION

- 2.1 That Members note the contents of this report.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no specific implications for revenue and capital budgets, priority based budgeting, or state aid arising from consideration of this report. Some cost may be incurred if direct action to secure compliance with an enforcement notice is necessary. This can generally be accommodated within existing budgets, actions outwith budget parameters will trigger a specific report being submitted to Committee to seek authorisation or other instructions.

4. OTHER IMPLICATIONS

- 4.1 Normal Health & Safety at Work considerations apply. If successful enforcement is not carried out, there may be implications for health and safety in relation to specific unauthorised works. Scottish Ministers attach great importance to effective enforcement as a means of sustaining public confidence in the planning system. The long term credibility of the planning service is dependent on effective enforcement activity. Effective enforcement should result in greater protection for the environment. There would be no direct impact on any of the Council's property functions, unless breaches of planning control have occurred on land within the ownership of the Council. In such cases, the use of planning enforcement action against the Council as owner is not considered appropriate, and use of alternative powers by the Council as landowner is sought to resolve such breaches.

5. REPORT

- 5.1 This report provides an annual update for the Development Management Sub-Committee of the enforcement work that has been pursued by the Development Management Section. The previous report, which was presented to the Development Management Sub-Committee in January 2014, advised of the enforcement work that had been pursued by the Development Management Section for the 6 months up to 30th September 2013.
- 5.2 This report identifies all cases which have been investigated in the period from 1st October 2013 to 30th September 2014 with a view to determining whether or not a breach of planning control has taken place and whether it is expedient to take enforcement action. It details those cases that have been resolved and updates those cases that were under investigation prior to October 2013 and those that have required formal enforcement action. The attached spreadsheets provide a summary of the complaint / breach and an update of the current status and any related action.
- 5.3 It is evident that a number of cases have been resolved through negotiation and discussion, without recourse to formal enforcement action. In a number of circumstances, particularly where householders are concerned, the breaches are relatively minor and may have taken place because the parties were unaware of the requirement of the need for first obtaining planning permission. In many cases, the submission of a planning application and eventual grant of planning permission has resolved the situation.
- 5.4 A total of 176 new cases have been investigated since the last report. The majority (125) have been resolved without recourse to formal action by the approval of a retrospective planning application, by informal negotiation, or were found not to constitute a breach of planning control. The remainder (51 cases) are still under investigation and may require formal enforcement action if negotiation proves unsuccessful and if there is found to be a breach of planning control which has resulted in significant disamenity or threat to public safety. Four enforcement notices have been served during the current reporting period.
- 5.5 It is a continuing trend that a significant proportion of complaints received are of a relatively minor nature and are frequently householder related cases (approximately half of all complaints). As these cases often do not relate to properties in conservation areas or involve protected trees, and often do not raise issues of public amenity or public safety concern, they are likely to be of lower priority in terms of consideration of possible enforcement action. However, these cases can give rise to very strong feelings between those affected, often taking up a good deal of officers' time in investigating / resolving a dispute.
- 5.6 The commitment of the Scottish Government to ensuring sustainable economic development places increased emphasis on considering the

economic implications of enforcement activity. Factors such as employment retention and creation are therefore of increased weight in considering whether, in any given situation, it is expedient to take enforcement activity. There is also increased need to ensure that burdens imposed on developers in terms of planning conditions and planning obligations / legal agreements are proportionate and reasonable.

- 5.7 A significant issue within the reporting period is the scale of major development which is currently ongoing within the City. This often relates to greenfield sites located at the edges of the City (e.g. Stoneywood / Dyce / Kingswells / Bridge of Don). This has placed a significant burden on the role of planning enforcement given that such applications are often subject to numerous conditions / legal obligations which require post approval monitoring / action. A recurring issue with many of these sites is the commencement of development in advance of all the relevant conditions having been purified within the required timeframe, or in the case of approval of planning permission in principle, all the relevant applications for approval of matters specified in condition having been granted. Bearing in mind the need to be proportionate and reasonable, the general approach of the service in these circumstances has been to try and resolve the relevant matter by negotiation with the developer, rather than by use of formal enforcement powers. However, in cases raising potentially serious environmental / amenity impacts, it may be necessary to use such powers.
- 5.8 With regard to brownfield sites, the deteriorating condition of the nationally important Category A listed complex of former mill buildings at Broadford Works is a continuing area of concern, notwithstanding the recent granting of planning permission for major development at the site. In light of ongoing discussions between the Council and the landowner in relation to restoration of the listed building, no formal enforcement action has been undertaken. However, given the potential risk of loss of these buildings and their major historic / architectural importance, which has been recognised by Historic Scotland, monitoring and review of this position is required. Depending on future action by the owner to arrest the decline in the fabric of the buildings and implement the relevant planning permission / listed building consent, planning enforcement action may not be required. However, given the potential financial implications of this for the Council, significant intervention (e.g. compulsory purchase, or action beyond making the buildings wind and watertight), would be likely to be subject of a separate report to Committee. Although unlisted, similar concerns exist in relation to the derelict former hospital buildings at Cornhill located within Rosemount Conservation Area, which are the subject of a currently underdetermined application for planning permission for redevelopment. Notwithstanding the deteriorating condition of these buildings, no enforcement action is considered expedient at this time in light of ongoing negotiations with the applicant for planning permission and site owner.
- 5.9 Within the reporting period, enforcement liaison / monitoring work has continued in relation to The Green THI project. Although the implementation of this project has been completed, there is an ongoing burden on the Council in terms of monitoring of the grant funded projects and also in relation to monitoring of unauthorised works in the wider THI area. A

number of enforcement notices relating to signage on listed buildings on Market Street remain to be complied with and may require direct action to resolve. A number of significant physical enhancements of buildings and the public realm have been implemented as part of the project and the internal refurbishment of the Tivoli Theatre is being undertaken by the owner in line with the objective of bringing this A listed building into full use as a theatre.

- 5.10 The following table provides a summary of the enforcement caseload since the previous report and divides the cases into new and those included in the previous report.

<i>New Cases – 1st October 2013 to 30th September 2014</i>	<i>Cases resolved</i>	<i>125</i>
<i>New Cases - 1st October 2013 to 30th September 2014</i>	<i>Under investigation or being negotiated</i>	<i>51</i>
<i>Update of cases from previous reports</i>	<i>Cases resolved and/or closed</i>	<i>30</i>
<i>Update of cases from previous reports</i>	<i>Being negotiated, awaiting planning application/appeal decisions, or referred for enforcement.</i>	<i>22</i>
<i>Enforcement Notices served</i>		<i>4</i>
<i>Enforcement Notices in process of being prepared</i>		<i>2</i>

- 5.11 An Enforcement Charter, which is a statutory requirement arising from implementation of the 2006 Planning (Scotland) Act, was adopted by the Council in June 2009. This helps to explain the role of the planning enforcement team to the public, as well as setting priorities in terms of delivery of the planning enforcement service. Enforcement activity, including reporting, reflects the recommendations made within the Charter. A particular emerging issue which may be addressed in a future review of the Charter is the need to prioritise cases given the limited resources available to the service in investigating / pursuing enforcement action.

6. SERVICE & COMMUNITY IMPACT

- 6.1 Corporate - The enforcement of planning control links to the Council's core value that "Aberdeen City Council will strive to enhance the high quality of life within the City" and corporate objectives that "Aberdeen City Council will continually review, update and enforce the Aberdeen Local Plan in order to maintain the balance between development pressures and the need to conserve and enhance the City's natural environment." The report relates to the Single Outcome Agreement 12 "we value and enjoy our built and natural environment and protect it and enhance it for future generations."
- 6.2 Public - The Corporate Best Practice Guide on Human Rights and Equalities will be adhered to when deemed necessary to take enforcement action. There is no requirement for Equalities or Human Rights Impact Assessment in this case.

7. BACKGROUND PAPERS

Relevant planning appeal decisions / letters issued within the relevant period and referred to above are available at the following weblinks :-

<http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114998>

(Former Water Works, Standing Stones, Dyce – Gypsy /Traveller Pitches)
The Council's Planning Enforcement Charter, which is referred to in section 5 above, is available in Council libraries and published on the Council's website at the following address:-

http://www.aberdeencity.gov.uk/web/files/sl_Planning/plan_enforce_charter.pdf

8. REPORT AUTHOR DETAILS

Robert Forbes, Senior Planning Enforcement Officer
Tel: (01224) 522390
Email: rforbes@aberdeencity.gov.uk

Current Ward Index and Councillors

<u>Ward Number</u>	<u>Ward Name</u>	<u>Councillors</u>
1	Dyce/Bucksburn/Danestone	Barney Crockett Graeme Lawrence Neil MacGregor Gill Samarai
2	Bridge of Don	Muriel Jaffrey John Reynolds Willie Young Sandy Stuart
3	Kingswells/Sheddocksley/Summerhill	David John Cameron Steve Delaney Len Ironside CBE
4	Northfield/Mastrick North	Jackie Dunbar Gordon Graham Scott Carle
5	Hilton/Woodside/Stockethill	George Adam Kirsty Ann Blackman Lesley Dunbar
6	Tillydrone/Seaton/Old Aberdeen	Ross Grant Jim Noble Ramsay Milne
7	Midstocket/Rosemount	Jenny Laing Bill Cormie Fraser Forsyth
8	George Street/Harbour	Andrew May Jean Morrison MBE Nathan Morrison
9	Lower Deeside	Marie Boulton Aileen Malone M. Tauqeer Malik
10	Hazlehead/Ashley/Queens Cross	Jennifer Stewart Martin Greig Ross Thomson John Munro Corall
11	Airyhall/Broomhill/Garthdee	Ian Yuill Angela Taylor Gordon Scott Townson
12	Torry/Ferryhill	Yvonne Allan Graham Robert Dickson Alan Donnelly James Kiddie
13	Kincorth/Nigg/Cove	Callum McCaig Neil Cooney Andrew William Finlayson

Registered Enforcement Cases - October 2013 to September 2014

ADDRESS	WARD	COMPLAINT	CURRENT STATUS
Church Lane Bucksburn	1	Use of domestic garages for commercial purposes	Evidence required to ascertain if breach of planning control has occurred. Situation being monitored and complainant has indicated that he will provide evidence of unauthorised use.
1 Newton Terrace Bucksburn	1	Erection of building/extension in yard of industrial building and formation of surfaced area opposite premises.	Letter sent to occupier advising of the requirement for planning permission for the new building and surfaced area and they have indicated that they will be submitting a planning application for the works. Retrospective planning application submitted (P141005) July 2014 and awaiting determination.
Crombie House Grandholm Crescent	1	Use of vacant unit as a shop.	Vacant unit has consent to be used as a shop unit. No breach of planning has occurred.
2 Cordyce View Dyce	1	Erection of summerhouse in rear garden	Building erected a permitted development not requiring a planning application. No further action.
Old Smiddy, Ellon Road Murcar (Gennyhire)	1	Use of road for storage and unloading/loading and cleaning of vehicles	The occasional use of road for storage would not necessarily be a material change of use. Monitor situation to see what is occurring. The parking of vehicles and loading and unloading of vehicles on public road would not be a matter that would be controlled through planning legislation.
18 Hopetoun Avenue Bucksburn	1	Erection of raised timber decking at rear of house.	Decking on different levels on sloping ground. Lower section of decking floor level more than 0.5 metres above ground. Householder has been advised of the requirement for planning permission.
Mugiemoss Road Ashgrove Motor Body Co	1	Siting of container units and roofed structure.	Requirement for planning permission. Letter sent to occupant of unit.
Inverurie Road, Bucksburn (Rear of Lidl Store)	1	Erection of telecom mast.	Planning permission required for mast and telecom operator has submitted retrospective planning application (P140577) April 2014 and approved August 2014.
Gilbert Road Bucksburn	1	Erection of replacement garage - encroaching onto pavement area.	Retrospective planning application (P140390) submitted March 2014 and approved May 2014.

Cairn Industrial Park Dyce Quarry	1	Maintenance of landscaping	No breach of planning control as the maintenance of the landscaping is outwith the control of the planning authority.
161-165 Bankhead Road	1	Formation of residential accommodation.	Owner advised of the requirement for planning permission.
Hopetoun Grange Bucksburn	1	Housing development not being constructed in correct order as shown on phased drawing.	Not a breach of planning control. Development progressing in accordance with developers drawing showing phases of development.
Burnside Road Dyce	1	Road crossings not implemented in accordance with condition attached to planning permission.	Letter sent to agent advising of planning breach and requesting compliance with planning condition.
Mill of Dyce, Pitmedden Road Dyce	1	Soil being imported into former sand and gravel quarry causing nuisance with dirt and dust.	Company requested to provide details of importing of soil (possible restoration work to former quarry). Work has now ceased on site.
58 Market Street Stoneywood	1	Erection of outbuilding and use as residential accommodation.	Letter sent to householder advising of requirement for planning permission for outbuilding and for use as accommodation not ancillary to main dwelling.
Woodside Playing Fields, Mugiemoss Road	1	Excavation work taking place beside Aberdeen Boys Club.	Agent indicates that work taking place is a survey of the land. No development taking place and therefore no breach of planning has occurred.
Bonnyview Road Auchmill Golf Course	1	Non compliance with suspensive conditions attached to planning permission P090245.	Applicant/agent has been requested to provide required details in respect of suspensive condition Planner has received details to satisfy requirements of planning conditions.
Bankhead Road Sclattie Quarry Industrial Estate	1	Waste transfer station operating outwith hours as stipulated by condition in planning permission P100753.	Letter sent to SITA advising of planning condition restricting operational hours. Reply from SITA indicates that site staff have been reminded of conditional operational hours and they are taking action to ensure this does not occur again.
70 Wallacebrae Wynd	1	Alteration to existing driveway.	No excavation of ground level existing driveway widened with some grassed area removed and replaced with tarmac. Permitted development not requiring the submission of planning application.
Burnside Drive Dyce (Former Zara restaurant)	1	Erection of 2.4 metre high hoarding along boundary.	Letter sent to manager of land advising of requirement for planning permission and requesting action to rectify planning breach.
23 Fairview Manor Danestone	1	Erection of new wall at side of house adjacent to road.	Retrospective planning application submitted (P141388) September 2014 and awaiting determination.

13 Cloverfield Gardens	1	Erection of summerhouse and new fence in rear garden	Erection of summerhouse & fencing are permitted development not requiring the submission of a planning application.
Meikle Clinterty Tyrebagger	1	Use of agricultural buildings for mixed business uses	Letter has been sent to owner(s) of buildings advising of requirement for planning permission and requesting that unauthorised business uses cease.
Findlay Farm House Murcar	2	Erection of porch/extension to side of house.	Porch/extension permitted development not requiring an application for planning permission. No further action.
3 Balgownie Gardens Bridge of Don	2	Use of former workshop outbuilding as dwelling	Retrospective planning application for use of outbuilding as holiday accommodation submitted March 2014 subsequently withdrawn by applicant. Allegation under investigation. Letter issued to property owner September 2014 seeking clarification of current use.
Ellon Road Murcar	2	Siting of trailer on road verge as advertising.	Visited area no indication of trailer remaining on site. No planning breach present.
85 Newburgh Drive Bridge of Don	2	Extension not being built in accordance with approval (P121435)	After visiting site with approved plans extension is being built in accordance with approval. No further action.
2 Ashwood Circle Bridge of Don	2	Erection of timber building at side of house and manicure business being operated from property.	Planning permission required for building. Details required of business use to determine if material change of use has occurred. Retrospective planning application (P140733) submitted and awaiting determination.
2 Middleton Close Bridge of Don	2	Extension not being built in accordance with approval (P130059)	Site inspection confirmed several minor discrepancies with approved plans re. construction of new extension. Planner to contact agent to request submission of amended plans seeking a variation to original approval.
6 Cottown of Balgownie	2	Formation of hardstanding area at rear of house in conservation area.	Retrospective planning application submitted (P140900) June 2014 and approved August 2014.
Annfield Quarry Sheilhill Bridge of Don	2	Breach of conditions attached to planning permission 93/1187 relating to restoration of site.	Applicant has indicated that restoration work and removal of redundant buildings at quarry is to commence at the end of September 2014. Restoration work now appears to have commenced on site.

6 Cameron Way Bridge of Don	2	Height of new house may not be in accordance with approved plans.	Established that finished height of new house complies with approved plans.
The Core Berryhill Plot 11 Murcar, Bridge of Don	2	Archaeology condition attached to planning permission A7/1464 not fully implemented.	Letter sent to developer/agent advising of requirement to comply with planning condition.
9 Glashieburn Avenue	2	Erection of new fence at front of house.	Letter sent to householder advising of that new fence requires planning permission.
19 Newbuirgh Circle Bridge of Don	2	Public amenity ground incorporated into garden ground of property amenity land into garden ground of house.	An application to purchase the land has been received by Asset Management. Planning application seeking required consent has been submitted, however, additional information has been requested before it can be validated and processed.
7 Midmar Crescent Kingswells	3	Erection/repositioning of timber fence.	Planning permission required for fence as area is covered by a Article 4 direction. House owner advised of requirement for planning permission.
5 Wellside Avenue Kingswells	3	Possible incorporation of public open space into garden ground of property.	Householder has been contacted concerning possible relocation of fence.
Howes Road Enermech	3	Non compliance with suspensive conditions attached to planning permission P121727.	Applicant/agent has been requested to provide required details in respect of suspensive conditions. Planner has received details to satisfy requirements of planning conditions.
48 Concraig Gardens Kingswells	3	Erection of summerhouse in rear garden of house.	Summerhouse subject to planning permission due to a Condition set with the original housing development which removed certain 'permitted development' rights. Request for application to be submitted seeking required retrospective consent complied. Application lodged September 2014 (P141335) awaiting determination.
Skene Road, Kingswells "Denhead"	3	Contractor offices, materials, and equipment sited to large compound area to rear of property without planning consent.	On-site contractor appointed by BT to carry out essential upgrading of phone line system, & works are therefore 'permitted development'. Scheduled 5 week contract now complete & inspection has confirmed that the site has been cleared. Resolved.
1 Summerhill Drive	3	Contractor's advert sign/banner erected within curtilage of property without consent.	Request for sign/banner to be removed upon completion of works complied with. Resolved.

30 Craigendarroch Place	4	Erection of timber fence and shed in rear garden.	Garden shed not subject to planning permission - Request for timber fence to be reduced in height to conform with 'permitted development' guidelines complied with. Resolved.
6 Stocket Parade	4	Formation of driveway at front of flatted property.	Letter sent to householder advising of requirement to apply for planning permission. Householder has confirmed their intention to submit a formal planning application seeking consent.
83 Heathryfold Circle	4	Erection of new fence in rear garden.	Confirmed with householder that 'finished' fence height will be no more than 2.0 metres in height to comply with 'permitted development' guidelines.
47 Caperstown Crescent	4	Erection of raised decking in rear garden.	Decking not more than 500 mm above ground level and fencing attached to deck not more than 2.0 metres in height above the deck. Permitted development not requiring the submission of a planning application.
10 Carron Place	4	Car repairs being carried out from residential property without consent.	Situation being monitored in order to ascertain extent of car repairs being carried out.
227 North Anderson Drive	4	External wall insulation cladding erected on external walls of semi detached house.	Permitted development not requiring the submission of a planning application.
6 Hilton Drive	5	Erection of signboards and flag style banner on pavement/road.	Letter sent to shop proprietor (March 2014) requesting the removal of the signboards & flagpole style banner complied with.
90 High Street	5	Replacement shop front and change of use of former police station.	Retrospective applications for planning permission and listed building consent submitted December 2013 and approved January 2014.
302-306 Clifton Road	5	Excavation works being carried out to form parking area.	Retrospective planning application (P140199) submitted February 2014 and approved July 2014.
61-63 Clifton Lane	5	Use of lock-up as commercial workshop and parking of various vehicles on street in area.	Letter sent to complainant requesting information concerning use of garages. No clear evidence that a material change of use is taking place at lockups. No further action at this time.
Cattofield Place Former Cattofield Depot	5	Breach of planning condition relating to site working times (P114910)	Agent contacted and asked to make appropriate investigations with on-site contractor re. planning breach. No further complaints have been received.

Tanfield Court Tanfield Walk	5	Impact of neighbouring shed on adjoining property and query re. integrity of joint boundary wall.	Established that shed and its location near to boundary wall does is not subject to planning consent - condition of wall outwith the control of planning legislation, however, as wall bounds Council land, issue has been referred to Housing Section to action as appropriate.
39 Beechwood Avenue	5	Erection of raised timber decking in rear garden.	Area of raised timber decking which was subject to planning consent lowered to a height below 500mm from ground level to comply with 'permitted development' guidelines. Resolved.
27 Middlefield Terrace	5	Erection of garage to flatted property.	Householder advised of requirement to apply for planning permission for new garage and has indicated that an appropriate planning application is to be submitted shortly.
472-480 King Street	6	Formation of roofed area over service yard.	Established that covered roof area of service yard has been in place for more than 4 years and is immune to formal enforcement action. Environmental Health officers investigating health issues re. use of area to store food products.
106 Don Street Old Aberdeen	6	New garage being constructed without planning consent.	New garage being constructed deemed to be 'permitted development'. No further action required.
21 College Bounds	6	Replacement Windows to Category B listed building. & installation of double glazed units without consent.	University of Aberdeen advised of the requirement for consent and requested to reinstate single glazed units to windows. Windows have now been reinstated to single glazed units to the satisfaction of Conservation Section.
48 Erskine Street	6	Erection of timber decking at rear of house.	Owner has advised that timber decking area was installed approximately 6 ago - additional information to substantiate owners' claim has been requested.
1 St Machar Road (Bilfinger UK LTD)	6	Use of site and erection of site hoarding.	Use of site appears to be within same use class as previous occupier. Hoarding over 2.0 metres in height planning permission required, also staff accommodation units have been provided on site that require consent. Letter sent to occupier advising of requirement for planning permission.

13 The Chanonry	6	Dismantling and rebuilding of wall within the grounds of a listed building and within conservation area.	University of Aberdeen contacted and asked to provide details of the works carried out in order to determine if formal consent is required. Details of work now submitted & currently being assessed by Conservation Section. Rebuilding works to walling considered to be 'repairs' & have been carried out to the satisfaction of Conservation Section.
20-22 Don Street Old Aberdeen	6	Repairs to listed building have not been done to an acceptable standard.	Letters sent to householders requesting for pointing used to be replaced with lime mortar.
Chaplains Court 20 The Chanonry Old Aberdeen	6	Burglar alarm box erected in prominent location on gable wall of listed building.	Agent for works currently in progress at the property to raise the issue of relocating the box to a suitable alternative location with property owner.
164-166 Spital	6	Works commenced on site without the Certificate of Initiation of Development having been submitted.	Notice of Initiation of Development has now been submitted. Resolved.
15 Wesburn Crescent	7	Erection of timber store to accommodate rubbish bins at front of terraced house within conservation area.	Request for timber store to be removed complied with. Resolved
Forresterhill Road Aberdeen Royal Infirmary	7	Temporary Mosque in hospital grounds. Planning permission A2/1670 expired no renewal submitted.	NHS Grampian made aware of lack of renewal of planning permission for Mosque and have indicated their intention to submit an application seeking renewal of expired planning consent.
Lane at the rear of 31 Westburn Crescent	7	Erection of timber fence in rear lane within conservation area.	Letter sent to householder advising of the requirement for planning permission.
Beechgrove Avenue [Beechgrove Church]	7	External granite stonework of Cat. (B) Listed Building cleaned without formal consent.	Request for application to be submitted seeking retrospective Listed Building Consent complied with - Application lodged January 2014 eventually refused August 2014, however, enforcement action not a valid option due to type of works involved.
122 Huntly Street [Cophorne Hotel]	7	Several large unsightly air-conditioning units loosely attached below first-floor windows along rear Skene Street elevation without planning consent.	Request for air conditioning units to be removed complied with. Resolved.
265 Mid Stocket Road	7	Construction of new rear extension along mutual boundary line not in accordance with approved plans. (Ref.130428)	Height of rear extension wall along mutual boundary altered to comply with approved plans. Resolved.

Oakhill Grange Mid Stocket Road	7	Shrubs/tree planted around new electricity sub-station in poor condition & not in accordance with approved scheme. (Ref.120126)	Condition of several shrubs planted to be assessed during Spring growing season - Developer formally asked to plant 1 additional large shrub (Common Lilac) to comply with approved landscaping scheme.
65 Richmond Street, Rosemount [The Richmond Street Deli]	7	Unauthorised restaurant use operating from Class 1 retail shop.	Investigation conducted March 2014 confirmed that use of shop was operating in breach of its (Class 1) permitted use - vendor formally requested to resolve breach April 2014 - Re-inspection conducted September 2014 appears to confirm that the shop is now operating within its permitted (Class 1) use. No further action at this time.
44-46 Rose Street [W. Gilchrist Funeral Directors]	7	Tall mobile phone mast sited within grounds of property without planning consent.	Mobile phone mast temporarily sited within grounds of property for approx. 2 months while new & permanent location is being prepared. Mast now removed. Resolved.
150 Union Street (Society Bar & Aurum Night Club)	7	Unauthorised advertisement banner erected above front entrance doorway of Cat. 'B' Listed Building.	Formal request issued December 2013 asking for banner to be removed complied with. Resolved.
466 Union Street [former Hamish Munro shop]	7	Large ventilation/extract flue installed to roof area over side entrance without consent.	Request for extract flue to be reduced in size & relocated to an alternative position complied with. No further action to be taken.
1 Belvidere Street	7	Side extension roof construction not built in accordance with approved plans. (Ref.110757)	Agent has been asked to alter roof construction to comply with approved plans. To be monitored.
Caroline Place [The Father's Church] (formerly Clan House)	7	Two large unauthorised banners erected to church exterior without consent.	Letter issued June 2014 asking for banners to be removed within a 28 days period complied with. Resolved.
26 Falkland Avenue Cove	7	Construction/position of new rear extension not in accordance with approved plans. (Ref.130448)	Site inspection established that construction/position of new rear extension appears to comply with approved plans. No further action to be taken.
3 Forbes Street [Little Beauty Salon]	7	Unauthorised signboard erected on gable wall of shop premises	Letter issued to shop owner August 2014 asking for shop signboard to be removed complied with. Resolved.
81 Rosemount Place [Parkhill Properties Ltd.]	7	Unauthorised building works carried out to exterior of shop premises.	Request for alterations to be carried out to walling exterior/adjacent pavement area complied with. Resolved.

Brebner's Court Castle Street	8	Erection of 2no satellite dishes over arch to Brebner's Court	Unable to identify which flats have erected satellite dishes. Letters sent to all flat owners/occupiers concerning the antennae have had limited success.
33 Union Street	8	Erection of fascia and projecting signs. Applications for advert consent and listed building consent refused.	Enforcement Notice requiring removal of the fascia sign has now been served on the owners/occupiers of the property.
9 Canal Place Mounthooly	8	Erection of satellite dish on front wall of block of flats.	Satellite dish erected at 1st floor level deemed to be 'permitted development'.
230 George Street	8	Complaint about intensity of light erected on John Street elevation.	Consent granted for illuminated projecting sign - no Conditions set with approval restricting it's brightness.
67-71 Schoolhill Triple Kirks	8	Breach of condition relating to noise during working hours.	Agent contacted about possible breach and Environmental Health requested to investigate noise complaint. No further complaints received.
22 St Peter Street	8	Breach of planning condition relating to demolition working hours (P111465) in the early morning.	Agent has been contacted to investigate working hours of contractors. No further complaints have been received.
15 Union Street The Athenaeum	8	Installation of strip lights on listed building and painting of roof pediments without consent..	Letter sent to agent advising of requirement for consent., requesting details of painting of pediment and removal of lighting. Retrospective application for listed building consent submitted (P140666) and awaiting determination.
3 Elmfield Place	8	Alleged unauthorised use of building.	Building to be used as a car repair workshop that falls within the same use class as previous (electrical workshop) No material change of use has taken place.
395 King Street First Group	8	Entrance barrier to King Street.	Barrier erected in accordance with details submitted for approval for redevelopment of bus headquarters. No further action.
Unit 9 Bon Accord Centre George Street	8	Use of shop unit for the display of motor vehicles.	Change of use required if use is over 28 days. Occupier contacted & asked to provide more details on their intended use of the unit. Display of vehicles has now ceased. No further action at this time.
31-32 Castle Street Carlton Bar	8	Unauthorised fascia sign.	Letter sent to owner requesting removal of unauthorised sign.

22 St Peter Street	8	Retaining wall not being constructed in accordance with the approved plans (Ref.111465).	Request for amended plans to be submitted reflecting changes to retaining wall construction complied with. Amended construction details deemed to be satisfactory. No further action.
52 The Green	8	Erection of canopy over outdoor café seating area.	Retrospective planning application submitted (P141504) October 2014, awaiting determination.
132 King Street (land to rear of)	8	Erection of temporary unit for use as office accommodation.	Letter issued to owner(s) advising them of the requirement to seek formal planning permission for the unit.
26-30 Union Street	8	Concerns expressed re. condition of vacant building.	Considered that the condition of building does not warrant any action under planning legislation.
7 Stirling Street	8	Unauthorised stone cleaning of building.	Retrospective planning application submitted (P140683) May 2014 & approved August 2014.
15 Union Street The Athenaeum	8	Illuminated signboards erected to entrance doorway without consent.	Letter sent to owner(s) advising of the requirement to apply for retrospective advertisement & Listed Building consent.
Elmbank Terrace	8	Breach of condition re. permitted site working times during construction works. (Ref.120059)	Developer & applicant contacted and ask to ensure that all site contractors & operatives adhere to the permitted site working times.
61 The Green The Old Kings Highway	8	Erection of advertising banner on listed building	Request issued to owner asking for banner to be removed complied with. Resolved.
12 Baillieswells Crescent Bieldside	9	Tall boundary fence erected along front garden boundary of property without planning consent.	Request for application to be submitted seeking retrospective consent complied with (February 2014) Application approved conditionally May 2014 (Ref.140237). Resolved.
Belvidere Road Cults	9	Section of road/grass banking adjacent old railway line walkway removed to create parking space.	Letter issued to property owner August 2014 asking for grass banking to be reinstated within 3 month period. To be monitored.
18 Brighton Place Peterculter	9	Breach of Condition re. installation of obscure glass to several windows to new house extension. (Ref.130658)	Clear glass installed as a temporary measure only until building works on new extension are complete. Site visit carried out January 2014 confirmed that obscure glass now installed as per planning condition. Resolved.

81 Colthill Circle Milltimber	9	Large shed/store relocated to side/front garden area of property without planning consent.	Formal request issued April 2014 asking for a formal application to be submitted seeking retrospective consent complied with. Application approved unconditionally August 2014. Resolved.
39 Deeview Road South Cults	9	CCTV cameras installed to property without consent - viewing angle of 1 of the cameras extending beyond property boundary.	Position of CCTV cameras in compliance with permitted guidelines - formal request for viewing angle of camera on East gable wall to be altered complied with. Resolved.
Friarsfield Road Cults [CALA Homes Development]	9	Breach of condition re. permitted site working times & requirement to deal with excess surface water run-off during construction (Ref.120340).	Formal request for permitted site working times to be adhered to being complied with - events where water/mud ran-off site onto Friarsfield Road due to excessive rainfall during festive period site closure - measures now in place should prevent further issues, and 2 road sweepers now regularly used to clear mud from main road. No further action at this time.
17 Millside Road Peterculter	9	Extension to balcony not built in accordance with approved plans. (Ref.121479)	Site visit appears to confirm discrepancy with balcony construction as per approved plans. Letter issued March 2014 asking for alterations to be made to comply with approval complied with. Resolved.
10 New Fox Lane Airyhall	9	Sun lounge under construction at rear of property without consent. [Ref. B140007]	Request for adjustment to be made to lay-out of foundations complied with - sun lounge construction deemed to be 'permitted development'. No further action required.
106 North Deeside Road Milltimber (The Lodge, Tor-Na-Dee)	9	Tree protection measures not in place & building work to new lodge house not in accordance with approved plans. (Ref.121679)	Request issued February 2014 asking for tree protection measures to be put in place complied with - general inspection of building works to new lodge house appears to confirm that it complies with approved plans. No further action.
North Lasts Manor (North Lasts Farm) Peterculter	9	Unauthorised business & commercial use/activities operating from large shed & extension the permitted planning use of which is for agricultural purposes.	Presence of fabrication workshop operating from large shed & office extension confirmed - Report seeking authority to initiate formal Enforcement Action to be presented to Planning Committee in due course.

3 Park Road Cults	9	Breach of condition re. permitted site working times & construction of new house not in accordance with approved plans. (Ref.121390).	Request for site working times to be adhered to complied with - general inspection of works carried out thus far appear to conform with approved plans. No further action.
Pitfodels Station Road (near Middleton Lodge entrance)	9	Unauthorised steel storage container unit sited on land off main road	Formal request issued to landowner March 2014 asking for container unit to be removed. Container unit uplifted from site June 2014. Resolved.
11 Baillieswells Road Bielside	9	Works of site commenced without planning conditions being purified. Ref.101484)	Formal request for planning conditions to be purified complied with. No further action.
Countesswells House North, Bielside	9	Soil importation/landscaping works carried out within garden area of property without consent.	Formal request issued June 2014 asking for an application to be submitted seeking retrospective consent for works carried out complied with - decision on application pending. (Ref.141117)
39 Deeview Road South Cults	9	Landscaping/planting not implemented in accordance with approved landscaping scheme. (Ref.111716)	Request for owner to submit a slightly revised landscaping plan/scheme for approval complied with. No further action
Friarsfield Road Cults [CALA Homes Development]	9	Access formed for several houses within new development to access directly on to Friarsfield Rd. not in accordance with approved plans (Ref.120340).	Established that it was always intended to allow several houses built near to Friarsfield Road to take direct access onto road. Site inspection appears to confirm that works carried out in this respect complies with the approved plans. No further action.
31 Hillview Road Cults	9	Replacement house not built in accordance with approved plans (Ref. 121797 &130991)	Site inspection confirmed that construction work of the replacement house appears to comply with the approved plans. No further action.
Station Road Cults [Station Business Centre]	9	Breach of Condition re. use of business units	Investigation established that the current use of the business units appears to comply with the permitted (Class 4) planning use.
Countesswells Road [Pinewood development]	10	Works in progress on site & fencing erected around site perimeter prior to planning approval (Ref.130573)	Works on site relate to the installation on mains water & sewerage services which are not subject to formal consent - temporary Heras fencing erected to prevent public access to the site during these works. No further action at this time.
Countesswells Road [Pinewood development]	10	Breach of Condition relating to permitted site working times. (Ref.130573)	Request issued December 2013 asking for permitted site working times to be adhered to complied with. No further action at this time.

48a Fountainhall Road	10	Satellite antenna erected on gable wall of property in conservation Area without planning consent.	Letter issued January 2014 asking for dish to be relocated & for an application to be submitted seeking consent. Antenna removed from building March 2014. Resolved.
88a Hamilton Place	10	Unauthorised 'change of use' of residential property to place of worship (Thai Temple & Cultural Centre)	Allegation under investigation. Letter to be issued to property owner seeking clarification of current use.
Hazlehead Crescent (adjacent former Police Office)	10	Advertisement banner erected on Police Office building without consent.	Permission for new signage granted 2013 (Ref.130339) banner erected as a temporary measure until approved signage has been put in place. No further action at this time.
18 Kinkell Road	10	Large summer house structure erected within rear garden area of property without planning consent	Request for a formal planning application seeking retrospective consent to be submitted complied with (December 2013) Application approved unconditionally February 2014 (Ref.131884). Resolved.
25-29 Queens Road	10	Unauthorised demolition & extensive ground engineering works carried out to rear of property without planning consent.	Developer advised that works carried out are unauthorised and a formal request was issued February 2014 instructing that no further work on site should be carried out - Developer given permission to remove several trees undermined by works for reasons of Health & Safety reasons - discussions with Developer concerning site redevelopment ongoing.
32-34 Queens Road [former Olive Tree site]	10	Large steel structures erected within rear car park area without planning consent - structures also detrimental to privacy of residents living in Forest Road.	Site being redeveloped for office use (Ref.121456) steel structures form part of main contractor site works/office compound erected within the site & do not require additional planning consent. Privacy of nearby residents not unduly affected, however, contractor has complied with request to install a blind over the first-floor office window facing properties on Forest Road. No further action to be taken.
112 Queens Road	10	Unauthorised building & demolition works at rear of property.	Building works relate to approval granted in 2011 (Ref.111049) & non-material variation agreed July 2013 - Section of boundary wall mutual with 110 Queens Road taken down to allow suitable access to be re-built when main building works have been completed. No more action at this time.

23 Rubislaw Terrace	10	Building works being carried out outwith permitted site working times.(Ref.130202)	Request for permitted site working to be adhered to complied with. No further action at this time.
Seafield Road & Viewfield Ave.	10	Granite walls removed & driveways formed to front garden areas of a number of properties within area without planning consent.	Site inspections confirmed that removal of the granite stonework did not require formal consent - formation of driveways deemed to be permitted development. No further action.
163 Springfield Road [Beeches Gate development]	10	2 large advert banners erected close to Springfield Road site boundary without planning consent.	Formal request issued to Agent for development (March 2014) asking for banners to be removed complied with. Resolved.
3 Whitehall Road [Tree House Café]	10	Floor area of café extended internally without the required planning consent.	Site visit confirmed internal floor area of café has been increased to accommodate some additional tables/seating, however, this has not unduly affected the existing retail element/use within the premises and does not require formal planning consent. No further action to be taken.
27 Whitehall Terrace	10	Breach of condition re. use of house and 'studio' building to rear of property as a children's nursery.	Site visit established that extent of child minding facilities operating at the property is not in breach of its permitted residential planning use. Application seeking 'change of use' from dwelling house to mixed use of dwelling house & childminding for up to 10 children approved unconditionally July 2014.
1 Albert Terrace	10	Works carried out to windows of Listed Building without planning consent.	Site visit appears to confirm that no major alterations have been carried out to original windows of property. No further action at this time.
53 Angusfield Avenue	10	Untidy garden ground and unauthorised business use operating from residential property.	Letter issued to property owner July 2014 asking for land to be restored to acceptable condition by end of August 2014 complied with - Business related activity deemed to be ancillary to domestic use and not a material 'change of use' No further action at this time.
Angusfield Lane	10	"Bollards" installed close to rear wall of property off lane without planning consent.	Site inspection established that the flower pot 'bollards' are not fixed & that they are not subject to planning permission. No further action to be taken.
Chatten Place (lane off)	10	Construction of new garage not in accordance with planning approval (Ref.031095)	Request for alteration to be made to garage structure complied with. Resolved.

29 Gladstone Place	10	New rear carport construction not built as approved (Ref.130638)	Site inspection confirmed slight discrepancy with 'finished' height of carport deemed to be within building construction tolerance.No remedial action or amendments to be requested.
Hazlehead Crescent (former Police Office building)	10	Breach of Condition re. permitted site working times.	Formal request for permitted site working times to be adhered to complied with. Resolved.
30 Morningfield Road	10	Driveway construction not being built in accordance with approved plans. (Ref.101003)	Request for new planning application to be submitted seeking consent for changes to original approval complied with. Application submitted September 2014 (Ref.141481) still to be determined.
68 Springfield Avenue	10	Construction of new house not in accordance with approved plans.(Ref.120661)	Site visit/inspection confirmed that construction work on new house appears to be in accordance with the approved plans. No further action to be taken at this time.
163 Springfield Road (McCarthy & Stone)	10	Breach of Condition re. permitted site working times. (Ref.120105)	Formal request for permitted site working times to adhered to complied with. No further action
14 Queen's Road [Queen's Road Dental Practice]	10	Unauthorised advert banner erected on front boundary wall	Formal request for unauthorised advert banner to be removed complied with. Resolved.
59-63 Queen's Road [The Chester Hotel]	10	Breach of Condition re. use of rear car park access gates.	Formal letter issued July 2014 asking hotel management to ensure that planning conditions governing the use of the rear access gates are complied with. To be monitored for compliance.
Union Grove/Claremont Street ["Aspire" Development] (former Nazareth House site)	10	Breach of Condition re. provision of tree protection.(Ref.130041)	Formal request fro tree protection measures to be reinstated complied with. Resolved.
16 Westholme Avenue	10	New boundary fence erected without planning consent.	Letter issued October 2014 advising owner that he does not require to apply for planning consent for the erection of the replacement fence. No further action to be taken.
2 Abergeldie Terrace	11	Unauthorised business use (music studio) operating from recently approved replacement garage. (Ref.120478)	Formal request for business use to cease operating from new garage complied with. No further action at this time.
253 Great Western Road (former Ashley Lodge)	11	Building work to garage structure associated with new flatted blocks to rear of Ashley Lodge not in accordance with approved plans. (Ref.101803)	Site inspection confirmed discrepancy to finish of gable wall to garage structure - request for alteration to be made to finished stonework complied with. No further action to be taken.

461/463 Great Western Road	11	Allegation of unauthorised business use operating from basement/cellar area of flatted property.	Investigation established that basement/cellar area is used for general storage only & not for business related purposes. No further action to be taken.
122 South Anderson Drive	11	Numerous timber sheds & structures erected within garden area of property without planning consent.	Site visit/inspection conducted February 2014 confirmed ground area covered by the various sheds/structures deemed to be 'permitted development' and would not require formal planning permission. No further action at this time.
37 Airyhall Gardens	11	New conservatory erected to rear of property without planning consent.	Inspection confirmed conservatory construction deemed to be 'permitted development' - Building Warrant for conservatory applied for and approved April 2014. No further action.
Garthdee Farm Garthdee Road (Den of Pitfodels development)	11	Works to new housing development encroaching onto adjacent Deeside Way footpath.	Investigation established that works to form path/cycleway linking onto Deeside Walkway are indicated on the approved plans for the development. No further action at this time.
13 Newlands Crescent	11	Large structure/shed erected within rear garden area of property without consent.	Letter issued to complainant October 2014 asking for access to investigate complaint.
23 Ruthrie Terrace	11	Unauthorised photographic studio business operating from residential property.	Letter issued September 2014 asking for information as to the use of the residential property in connection with the business activities.
37 Broomhill Avenue	11	Work carried out to rear garden area of property not in accordance with approved plans (Ref.120691)	Discrepancy with approved plans re. works to rear garden area confirmed by site visit. Request for alterations to be made to comply with approved plans complied with. Resolved.
1a Affleck Street	12	New dormer windows to front elevation of property not built in accordance with approved plans (Ref.101858)	Dormer window construction found to be OK - dormer built slightly closer to gable wall than indicated on plans, but still in accordance with planning guidelines. No further action to be taken.
23 Murray Terrace	12	Construction of new rear extension not in accordance with approved plans. (Ref.130322)	Site visit confirmed works on new rear extension not fully in compliance with approved plans. Request issued Dec. 2013 asking for amended drawings to be submitted for consideration complied with. Letter confirming that amendments can be treated as a non-material variation to original planning consent issued Dec. 2013. Resolved.

189 Union Street [Shapla Indian Restaurant]	12	Unauthorised signage erected to front elevation & around entrance doorway of Cat. (B) Listed Building.	Formal letters issued Nov. 2013 & Jan. 2014 asking for unauthorised signage to be removed not complied with - Formal Enforcement Notice served May 2014 asking for signage to be removed by end of September 2014. Owner's agent has advised that signs are to be replaced, however, direct action may have to be considered to resolve issue.
36 Bon Accord Street	12	Unauthorised 'change of use' & signage erected to Cat.(C) Listed Building without consent.	Letter issued September 2014 asking for formal planning applications to be submitted seeking the required retrospective advertisement & 'change of use' consents.
193 Bon Accord Street	12	Large timber structure erected to rear of property without planning consent	Owner asked September 2014 to submit a formal planning application seeking retrospective consent.
104-106 Bon Accord Street	12	Unauthorised advert hoardings erected across entire shopfront elevation without consent.	Formal letter issued August 2014 asking for the advert hoardings to be removed and alternative shopfront signage erected. Agent acting for shop proprietor has advised that a formal application for new shop signage is to be lodged shortly.
20a Bridge Street	12	Hot food being sold from (Class 1) retail shop without consent.	Investigation established that shop unit is not selling hot food & is operating within the (Class 1) Retail guidelines. No further action.
20 Caledonian Place	12	Masonry on front elevation of Cat. (B) Listed Building repainted without consent.	Owner given until 30th October 2014 to re-paint front windows & masonry as per original - Masonry has been re-painted, windows remain to be done. To be monitored for compliance.
136 Crown Street	12	Large unauthorised structure erected within rear garden of flatted property in Conservation Area without consent.	Request issued July 2014 asking for unauthorised to be removed complied with. Resolved.
210 Farquhar Road Torry	12	Numerous structures/sheds erected within garden area of property without planning consent.	Letter to be issued to property owner asking for of a number of the structures to be removed.
"Silvan" Communications 215 Union Street	12	Unauthorised illuminated fascia signage erected on shopfront	Shop proprietor formally requested (September 2014) to remove unauthorised signage.
92 Victoria Road Torry	12	Large air conditioning unit installed on sub-basement level rear elevation wall without planning consent.	Site visit established that installation of air-conditioning unit is 'permitted development' not requiring formal planning consent. No further action.

22 Abbotswell Crescent Kincorth [lock-up garages]	13	Unauthorised business use operating from lock-up garage	Investigation found no obvious evidence of any unauthorised business use operating from lock-up garage. No further action.
29 Abbotswell Crescent Kincorth	13	Large storage shed erected & enclosed patio area erected to rear of flatted property without P.P.	Letter issued (October 2014) asking tenant to submit a formal planning application seeking retrospective consent for works carried out.
Craigpark [off Wellington Road]	13	Cars belonging to staff working at nearby office/garage premises causing parking related problems for residents.	No planning conditions apply restricting use of on street parking for residents only. No further action to be taken.
Deeside Brae [off Leggart Terrace]	13	Large unauthorised advertisement hoarding erected on south facing site boundary (Ref.090318)	Formal request for advert hoarding to be removed eventually complied with. Resolved.
Deeside Brae [off Leggart Terrace]	13	Timber fencing along site boundary adjacent to Stonehaven Road incomplete.(Ref.090318)	Formal request for developer to complete boundary fencing complied with. Resolved.
Lochinch View Cove	13	Landscaping to earth bund between Lochinch view and Old Wellington road not in place. (A0/0877)	Site inspection established that planted trees/shrubs as per landscaping scheme had perished. Formal request issued to landscaping contactor asking for trees/shrubs to be replaced complied with (March 2014). Resolved.
Minto Avenue Altens Industrial Estate (Ocean Trade Centre)	13	Steel container/office unit sited on grassed area/car park of industrial estate depot without consent.	Request for container/office unit to be removed complied with. Resolved.
124 Balnagask Road	13	Unauthorised "change of use" operating from retail (Class 1) shop unit.	Shop premises granted consent for a hot food take-away in 1992. Shop divided into 2 units several years ago - use of premises still in compliance with 'change of use' granted in 1992. No further action.
8 Bruce Walk Nigg	13	New garage construction not in accordance with approved plans. (Ref.120656)	Site investigation confirmed non-compliance with approved garage construction. Request for amended plan to be submitted seeking non-material variation complied with. Variation approved September 2014. Resolved.
Cove Harbour, Cove Bay	13	Temporary fencing erected around area of land adjacent Cove harbour without consent.	Established that 'temporary' Heras fencing has been erected to prevent public access during renovation works to nearby storage building. Fencing to be removed upon completion of work. No further action at this time.

Cove Harbour, Cove Bay	13	Storage building between Balmoral Terrace & Cove Harbour access road being demolished	Established that the storage building is not being demolished, but is undergoing extensive restoration/renovation works deemed to be 'permitted development'. No further action at this time.
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Resolved Cases From Previous Report - January 2014

ADDRESS	WARD	COMPLAINT	CURRENT STATUS
1 Cromar Gardens Kingswells	1	Erection of solar panels on roof of house.	Retrospective planning application (P131538) submitted February 2014 and approved April 2014
5 Fairview Terrace	1	Erection of radio antennas.	Radio antennas have been reduced in height to now become permitted development.
Old Water Works Standing Stones Dyce	1	Use of land for the siting of residential mobile homes and caravans.	Planning application P130119 submitted January 2013. Planning application refused at Planning committee December 2013. Appeal against refusal submitted and sustained.
Laurel Drive, Danestone Bannatynes	1	Erection of signboards. On road verge.	Unauthorised conjoined signboard removed from the site.
Scotstown Road (Land to rear of Braehead Cottage, 86 Balgownie Road) Bridge of Don	2	Clearance of site for proposed development of proposed house.	Planning permission granted for new house. No further breach of planning has occurred on site.
76 Balgownie Road Bridge of Don	2	Erection of timber fence.	Retrospective planning application submitted November 2013 (P131703) and refused February 2014. Appeal heard at local review body and planning permission granted for fence.
2 Danestone Circle Middlefield	4	Extension to roof of detached house.	Section 33A Notice served on owners of property requesting the submission of a planning application. No planning application has been submitted. Alterations to roof considered acceptable in terms of planning policy and it is considered not expedient to take further action.
19 Cummings Park Drive Northfield	4	Erection of large garage at side of house.	Planning application approved December 2013 and garage roof altered to comply with approved drawings.
14 Rosehill Place	5	Erection of new garage at rear of house.	Planning permission required. Retrospective planning application submitted (P131514) October 2013 and approved July 2014.
31 Blackthorn Crescent	5	Erection of shed in front garden of house.	Shed removed following correspondence with householder. Resolved.
Elphinstone Road Old Aberdeen University of Aberdeen	6	Erection of two sculptures by University.	Retrospective planning application (P131192) submitted August 2013 and approved March 2014.

Sunnybank Park, Sunnyside Road	6	Formation of contractors compound for works taking place in the vicinity.	The land is owned by Aberdeen City Council and conditions of lease breached. Compound removed from site (April 2014) following discussions between Asset Management Section and contractors. Breach of planning has ceased.
554 George Street	8	Erection of flue/ducting through pend and up rear wall of property.	Retrospective planning application (P131726) submitted November 2013 and approved January 2014.
Little Belmont Street Old Schoolhouse	8	Erection of advertising banners on railings of a Cat. (A) listed building.	Banners have been removed from the site.
27 Belmont Street The Priory	8	Erection of advertising banner on railings of Cat A listed building.	Advertising banners have been removed from the site.
55 Castle Street (The Wig)	8	Erection of canopy at the rear/side of public house.	Retrospective planning application (P131474) submitted December 2013 and approved January 2014.
33 Exchange Street (MUSA)	8	Replacement entrance door to premises in conservation area.	Retrospective application for planning permission (P140421) submitted March 2014 and Approved May 2014.
350 George Street	8	Erection of gate at front of block of flats.	Planning permission required as over 1.0 metres in height. Letter sent to occupant of flat advising of requirement for planning permission. The property in question is Council owned and has been referred to housing to take action as deemed necessary.
13 Hadden Street (Market Arms)	8	Unauthorised hoarding fixed to windows of listed building.	Frontage has been renovated and breach of planning has been rectified
41 Cairnlee Avenue East Cults	9	Extensive unauthorised ground engineering works & area of decking constructed to rear of property without consent.	Request issued July 2013 asking for formal Planning & Building Warrant applications to be submitted for consideration complied with. Planning application received September 2013 (Ref.131327) approved unconditionally December 2013. Resolved.

North Lasts Manor (North Lasts Farm) Peterculter	9	Unauthorised business & commercial use/activities operating from large shed & extension the permitted planning use of which is for agricultural purposes.	Presence of large scale coach hire operating from site confirmed. Planning Contravention Notice requesting detailed information on business related activities associated with the property issued August 2013 - response to PCN received September 2013 - property owner verbally confirmed during subsequent meeting to discuss PCN response that coach hire activities had ceased. Site inspection December 2013 confirmed cessation of coach hire operations. Resolved.
Airyhall Road [land to East of Airyhall House]	10	Breach of Condition re. provision of pedestrian access through the North site boundary prior to occupation of new houses (Ref.110020)	Access path initially only partly formed due to Health & Safety issues making it difficult to permit safe pedestrian access through site during construction works. Request for path to be fully completed immediately upon completion of major construction works complied with. Resolved.
41 Hamilton Place	10	Security lighting & CCTV camera installed on new garage to rear of property in Conservation Area without planning consent.	Security light not subject to planning consent, however, permission is required for installation of CCTV camera. Request for owner to submit an application seeking retrospective consent for CCTV equipment complied with (Ref.131458) Application approved November 2014. Resolved.
48a Fountainhall Road	10	Satellite antenna erected on gable wall of property in conservation Area without planning consent.	Letter issued January 2014 asking for dish to be relocated or removed complied with - Dish removed - Resolved.
7 Harlaw Terrace	10	Construction of new carport not in accordance with approved plans. (Ref 121239)	Letter issued to owner September 2013 asking for alterations to be made to 'finished' car port construction to comply with approved plans eventually complied with - Site visit conducted February 2014 confirmed finished car port construction now accords with approved plans. Resolved.
42 Northcote Avenue	11	Large shed/store erected next to gable end of property without planning consent.	Request for application to be submitted seeking retrospective consent for the shed/store complied with. Application approved unconditionally through delegated powers October 2013. (P130926) Resolved.

36 Beechhill Gardens	11	New house extension not built in accordance with approved plans. (Ref.110762)	Site inspection confirmed that the finished dormer roof construction on new extension differs from the approved plans. Agents contacted (February 2013) and formally asked to submit a new planning application for consideration. Letters issued 9th Dec. 2013 to agent & owners advising that information of breach has been passed to our Property Enquiry Section. Not expedient to enforce.
8 Bruce Walk Nigg	13	Alleged unauthorised business use operating from residential property (vehicle/breakdown recovery service) during periods when property owner is working offshore.	Planning Contravention Notice to establish full extent of 'business related' activities served January 2014 & response received February 2014. Information obtained appears to indicate that 'business related' activities operating from house breach permitted residential use. Request for business related activities to be ceased/alterd complied with. No further action to be taken at this time.
6 Loirston Road Cove	13	Repositioned fence along rear garden boundary restricting visibility for vehicles exiting Burnbutts Crescent onto Loirston Rd.	Confirmed with Roads Section that main issue is to restore adequate 'sight line' for drivers exiting Burnbutts Crescent - Agreed during site meeting that Owner would reduce height of boundary wall pillar to improve junction 'sight line' - slight repositioning of fence deemed to be 'de minimis'. Site visit March 2014 confirmed that boundary wall pillar has been reduced in height. No further planning related action.
Burnbanks Village Cove [Fishing Station Lodge]	13	Possible unauthorised business use operating from large shed/store located within the curtilage of the property.	Owners asked April 2013 to provide detailed information re. business and/or commercial activities associated with residential property. Following receipt of information, owners have complied with request to submit a planning application seeking consent to regularise their business related activities. Application received November 2013 (Ref.131668) approved unconditionally February 2014. Resolved.

Outstanding Cases From Previous Report - January 2014

ADDRESS	WARD	COMPLAINT	CURRENT STATUS
Craibstone Golf Club Craibstone	1	Erection of new building adjacent to golf club buildings.	Planning application submitted for new building (P130589) April 2013. Planning application subsequently withdrawn by applicant.
Wynford Farm Kingswells	1	Works taking place to extend car park for farm shop/café & playbarn (P090706).	Retrospective planning application (P120696) submitted May 2012 and awaiting determination.
Lawson Drive Dyce (Caledonian Logistics)	1	Lack of provision of landscaping to development.	Breach of condition notice served February 2012 requiring implementation of approved landscaping scheme. (Refs. A1/1173, A2/0500 & A2/0501). Notice required to be complied with by 31st December 2012. Breach remains unresolved. Direct action to be considered.
Lawson Drive Dyce (Caledonian Logistics)	1	(i) Lack of provision of car parking within the application site. (ii) Occupant of unit operating outwith hours as set out by condition attached to planning permissions.	Breach of condition notice served February 2012 requiring implementation of approved car parking scheme and to cease all service deliveries/uptime to and from the premises outwith the hours set out by the condition attached to the planning permission. (Refs. A1/1173, A2/0500 & A2/0501). Environmental Health Officers have monitored site and consider that no noise nuisance is continuing. Car parking not provided.
Prime Four Kingswells	1	Tipping of large amounts of soil close to consumption dyke.	Letter sent to agent concerning tipping of soil. Situation being monitored.
Howes Road (Enermech Ltd) Bucksburn	3	Erection of security fencing and gates.	New planning application for altered fencing submitted (P120667) May 2012 and awaiting determination.
Howes Road Bucksburn (Enermech)	3	Large movement of soil within site forming new levels/landscaped area.	Retrospective planning application submitted April 2014 (P140343) and awaiting determination.
97 High Street St Machar Bar Old Aberdeen	6	Erection of shelter and fencing at rear of bar	Planning Permission required for shelter and fencing due to being within a conservation area. Letter sent advising of requirement for planning permission. Owner has indicated his intention to submit a planning application.

Tillydrone Road (River Don Footpath)	6	New raised walkway on bank of River Don not built in Accordance with planning permission (A7/0075)	Planning application P140258 submitted February 2014 for environmental improvement works including reinstatement of footpath. Application awaiting determination.
10e Rosemount Square	7	Satellite dish erected on exterior of Cat. (A) Listed Building without consent.	No positive response to letter issued October 2013 asking for dish to be removed. Housing Section to be consulted on possibility of resolving issue through formal enforcement.
7g Rosemount Square	7	Erection of satellite dish & installation of unauthorised UPVC windows to Cat. (A) Listed Building without consent.	No positive response to letter issued October 2013 asking for dish to be removed & for meeting to discuss resolving the unauthorised window issue. Initiation of formal enforcement action to be discussed with City Solicitors.
21-23 Market Street City Centre	8	Various lighting fixtures/alterations to frontage of building.	Enforcement notices for unauthorised fixtures served June 2010, but not fully complied with. Applications for installation of external light fittings submitted July 2010 & March 2011 (P101218, P101219 & P110352) have been refused. Agent advised of suitable alterations to lights. Owner has declined to implement this.
39 King's Crescent	8	Alteration to wall adjacent to southern boundary and erection of new front entrance gates, erection of decking and alteration to ground at rear of house.	Retrospective planning application (P120204) submitted February 2012 for alterations to rear garden awaiting determination. Retrospective planning application (P120205) for alterations to entrance approved April 2013. Revised planning application (P120520) for altered boundary wall submitted and awaiting determination.
21 Market Street	8	Erection of 2no illuminated projecting signs.	Appeal against enforcement notice has been submitted and appeal dismissed. In the process of obtaining quote for works to remove remaining unauthorised sign. One projecting sign removed.
47-53 Market Street (Gamola Golf)	8	Unauthorised advertising projecting banners.	Enforcement Notice served October 2012 requiring removal of banners by the end of December 2012. Notice not fully complied with. Quotation for cost of works for the removal of unauthorised signage has been requested from Quantity Surveyor section of Housing and Environment.

50 Market Street	8	Erection of new illuminated fascia sign.	Enforcement Notice served February 2013, requiring removal of sign by June 2013. Quotation for cost of works for the removal of unauthorised signage has been requested from Quantity Surveyor section of Housing and Environment.
St Margaret's Chapel Spital	8	Works taking place to vacant chapel which is a Category A Listed Building.	Site inspected to determine the extent of works and to determine if a breach of planning has occurred. Conservation planner in communication with owner of property.
46 Union Street (CEX)	8	Erection of internal security shutter (Union Street frontage on Listed Building	Retrospective applications P130247 & P130248 submitted March 2013 and awaiting determination.
48 Devonshire Road	10	Unauthorised boundary fence erected to front garden area of property in a conservation area without planning consent.	No direct response received to letters issued September 2013 & January 2014 asking property owner(s) to reduce height of boundary fence to 1 metre & to submit a formal planning application seeking required retrospective consent. City Solicitor to be asked to issue formal enforcement notice.
145-147 Crown Street [Jewel in the Crown Restaurant]	12	Metal/glazed canopy erected above main entrance door & erection of unauthorised railings to boundary of Cat. (B) Listed Building without consent.	Despite verbal assurance from Agent that a formal application for railing alterations was to be submitted for consideration, no application has been received. City Solicitor to be asked to initiate formal Enforcement proceedings.
Polmuir Road [Duthie Park Café]	12	Large area of decking erected to front of café without consent or adequate disabled access.	Disabled access for decking area installed early September 2013 - Following discussions with Council officers, café operator has advised that an application proposing additional works to café will be lodged shortly. Letter issued April 2014 asking for a formal planning application for decking/cafe alterations to be submitted for consideration.
491 Union Street	12	Replacement windows following refusal of retrospective planning application (P111024).	No response to letter & reminder sent July & November 2013, City Solicitor to be asked to initiate formal enforcement action.