

Public Document Pack



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, 26 November 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, 4 DECEMBER 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

DETERMINATION OF EXEMPT BUSINESS

MINUTES OF PREVIOUS MEETINGS

- 1.1 **Minute of Meeting of the Planning Development Management Committee of 6 November 2014 - for approval** (Pages 1 - 20)

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 2.1 Stoneywood Estate, Market Street, Stoneywood - Application to vary Condition 16(l) to amend the number of houses that may be occupied on the application site from 50 houses to 140 houses (Pages 21 - 44)

Planning Reference – 141316

Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141316>

WHERE THE RECOMMENDATION IS ONE OF REFUSAL

- 2.2 North Deeside Road, Opposite International School - 3 no. houses with landscaping (Pages 45 - 72)

Planning Reference – 141260

Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=141260>

- 2.3 Airyhall House, Land North of, Craighton Road, Pittfodells - Construction of 5 no. terraced houses and associated site works (Pages 73 - 102)

Planning Reference – 131354

Planning application documents can be viewed here - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=131354>

OTHER REPORTS

- 3.1 Confirmation of Tree Preservation Order numbers 131, 150, 191, 192, 218 - CHI/14/043 (Pages 103 - 110)

ITEMS THE COMMITTEE MAY WISH TO CONSIDER IN PRIVATE

- 4.1 Confidential Legal Advice on Measures Following Unauthorised Works - 25-29 Queen's Road, Aberdeen - 140896 (Pages 111 - 114)

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Should you require any further information about this agenda, please contact Martin Allan on 01224 523057 or email morchard@aberdeencity.gov.uk

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 6 November 2014. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; and Councillors Boulton, Corall, Cormie, Crockett (to article 7), Dickson, Donnelly (as substitute for Councillor Finlayson), Greig, Jaffrey, Lawrence, Jean Morrison MBE, Jennifer Stewart, Stuart, Thomson and Young (for articles 9 and 10).

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&Mid=2887&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.

WELCOME

1. The Convener welcomed the new members of the Planning Development Management Committee, and thanked former members Councillors Grant, MacGregor, Samarai and Townson for their work during their time on the Committee.

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 25 SEPTEMBER 2014

2. The Committee had before it the minute of its previous meeting of 25 September.

The Committee resolved:-

to approve the minute as a correct record, subject to noting that Councillor Jean Morrison had not been present at the meeting in September.

ABERDEEN SCIENCE AND TECHNOLOGY PARK, LAND ADJACENT TO CLAYMORE DRIVE - 131483

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

That the Committee approve the application for an extension to Aberdeen Science and Energy Park to provide 48,000sqm of office, industrial and warehouse floor space, subject to the following conditions:-

(1) That no development shall be undertaken in any phase of the development hereby approved unless a detailed phasing programme, outlining the delivery

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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; (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)

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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;

(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; (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

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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; (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; (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 / Whitestripwies 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

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- 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; (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; (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; (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; (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; (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; (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; (15) that prior to the

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

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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; (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; (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; (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; (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; (29) prior to the commencement of development a strategic and plot enclosure

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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; (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; (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; (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; (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; (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.

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Informatives

- (1) 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.
- (2) 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.

The Committee resolved:-

to approve the recommendation.

ABERDEEN LOCAL DEVELOPMENT PLAN SITE OP58, COUNTESSWELLS (PHASE 1), WEST OF HAZLEHEAD PARK - 140435

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

That the Committee approve the application for the provision of infrastructure including access, internal road layout, landscaping and drainage provision for Phase 1 of the residential-led mixed use development at Aberdeen Local Development Plan Site OP58 – Countesswells, West of Hazlehead Park, 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 unless a scheme demonstrating that the roads within the development have been designed to appropriately manage vehicle speeds within the development has been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full – in the interests of road safety; (4) that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of

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protecting items of historical importance as may exist within the application site; (5) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of 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; (6) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area; (7) 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; (8) 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; (9) prior to the commencement of any works on site, a site specific

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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; (10) 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; (11) 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; (12) 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; (13) 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

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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; (14) 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.

The Committee resolved:-

to approve the recommendation.

FORMER POLICE STATION, MID STOCKET ROAD - 141246

5. With reference to article 10 of the minute of the Planning Development Management Committee of 28 November 2013, the Committee had before it a report by the Head of Planning and Sustainable Development which recommended:-

That the Committee approve the application for the change of use of the former police station at Mid Stocket Road to residential accommodation (amendment to Planning Permission 131363), 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

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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; and (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.

The Convener moved, seconded by Councillor Jean Morrison:-

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

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

That the application be refused on the grounds that the proposed development was out of character with the surrounding area; and due to the potential impact on the amenity of other residents in relation to noise pollution.

On a division, there voted:- for the motion (7) – the Convener; and Councillors Crockett, Dickson, Donnelly, Jaffrey, Lawrence and Jean Morrison; for the amendment (7) – Councillors Boulton, Corall, Cormie, Greig, Jennifer Stewart, Sandy Stuart, and Thomson.

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

The Committee resolved:-

to adopt the motion.

13 MANOR PLACE, CULTS - 141008

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

That the Committee approve the application for the erection of a two storey side extension and roof terrace at 13 Manor Place, Cults, subject to the following conditions:-

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(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.

The Convener moved, seconded by Councillor Dickson:-

That the application be approved in accordance with the recommendation contained within the report, and with an adjustment to the height of the timber privacy screen from 1.55m to 1.8m.

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

That the application be refused on the grounds that the design of the application and the materials to be used were not in keeping with the surrounding area; that the application represented overdevelopment of the site; due to the impact on the amenity and privacy of neighbouring properties; and as the application was contrary to Policy D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

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

The Committee resolved:-

to adopt the amendment and refuse the application.

59 DUBFORD CRESCENT, BRIDGE OF DON - 141210

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

That the Committee grant unconditional approval to the application for the erection of a family room to the rear of the property at 59 Dubford Crescent, Bridge of Don.

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The Committee resolved:-

to approve the recommendation.

PROVOST SKENE'S HOUSE, BROAD STREET, ABERDEEN - 140755

8. 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 the removal of the steps and balustrade to the front of Provost Skene's House; the re-profile and renewal of surface finishes between the balustrade and Provost Skene's House; and the relocation of the stone arch on the site, subject to notification to Historic Scotland, and 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:- (a) large-scale drawings and plans showing the re-positioned archway and adjoining walls; (b) a detailed methodology/specification for the careful dismantling of the 20th century rubble wall and the repositioning of the archway; (c) details for salvaging and re-use of the armorial panel, currently within part of the wall beside the archway; (d) 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; (e) 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; and (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.

The Convener moved, seconded by Councillor Donnelly:-

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

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Councillor Jennifer Stewart moved as an amendment, seconded by Councillor Corall:-
That the application be refused, on the grounds that the proposal would adversely affect the character and special historical interest of Provost Skene's House.

On a division, there voted:- for the motion (5) – the Convener; and Councillors Boulton, Donnelly, Lawrence and Jean Morrison; for the amendment (8) – Councillors Corall, Cormie, Dickson, Greig, Jaffrey, Jennifer Stewart, Sandy Stuart and Thomson.

The Committee resolved:-

to adopt the amendment and refuse the application.

In terms of Standing Order 36(3), the Convener indicated that he wished the matter to be referred to Council for determination, and was supported in this regard by Councillors Boulton, Donnelly, Jean Morrison and Lawrence.

11 BAILLIESWELLS ROAD (SITE AT), BIELDSIDE - 131698

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

That the Committee refuse the application for a proposed new house at 11 Baillieswells Road, Bielside, on the following grounds:-

That 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 were 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 were 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".

The Committee resolved:-

to approve the recommendation and refuse the application.

25-29 QUEENS ROAD, ABERDEEN - 140896

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

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That the Committee refuse the application for a change of use from flatted properties to 18 serviced apartments to include a three storey rear extension and associated ground works, car parking and landscaping; the demolition of the rear boundary wall; and the formation of a new entrance at 25-29 Queens Road on the following grounds:-

- (1) 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; (2) 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; and (3) 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.

The Committee resolved:-

- (i) to refuse the application;
- (ii) to instruct officers to proceed with enforcement measures in relation to the restoration of the original garden levels, rebuilding of the random rubble wall, and a scheme of replacement tree planting; and
- (iii) to request that the Head of Legal and Democratic Services report back to the next meeting of the Planning Development Management Committee on punitive action which could be taken by the Council in respect of the unauthorised works.

PLANNING ENFORCEMENT ACTIVITY - OCTOBER 2013 TO SEPTEMBER 2014

11. The Committee had before it a report by the Director of Communities, Housing and Infrastructure which provided an update on the planning enforcement work which had been undertaken by the Planning and Sustainable Development Service for the period from 1 October 2013 to 30 September 2014.

The report recommended:-

that Committee note the content of the report.

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The Committee resolved:-

- (i) to congratulate officers in relation to the amount of enforcement work which had been undertaken; and
- (ii) to otherwise note the report.

MATTER OF URGENCY

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the following item of business be considered as a matter of urgency to enable the new National Roads Development Guide to be adopted by the Council.

NATIONAL ROADS DEVELOPMENT GUIDE

12. The Committee had before it a report by the Director of Communities, Housing and Infrastructure which advised on the National Roads Development Guide which had been produced by the Society for Chief Officers of Transport in Scotland (SCOTS), supported by Transport Scotland and Scottish Government Planning and Architecture Division. The document supported the Designing Streets policy and expanded on its principles to provide further clarity on its use. The report proposed variations for its use in Aberdeen, particularly with regard to guiding developers who were preparing submissions for Roads Construction Consent.

The report recommended:-

that Committee confirm the use of the National Roads Development Guide (NRDG) by officers, with the following local variations applicable to Aberdeen City Council:-

NRDG Text	Aberdeen City Council Variation
Page 27	ACC to change to follow national guidance, i.e. 6 or more individual dwellings should normally be served by a "road". Generally, 5 or fewer dwellings will be served by a "private access". This means no variation to NRDG is required.
Page 38	1 st paragraph quotes English code "LTN 2/08" – replace with "Cycling By Design, Rev.1 (June 2011)" in AA.
Page 52	2.3.3 Housing Courts – delete "serving less than 20 dwellings" so that AA version reads "Housing Courts may be considered unsuitable for adoption."

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Page 57	At 2.4 – Applying for Construction Consent – AA version to issue ACC forms, which will have links on page 186.
Page 82	Add double yellow lines to turning areas in Figure 18 for AA. Add “All turning areas need to be justified by swept path analyses for the design vehicles determined by the Local Roads Authority.” above Fig. 18.
Page 87	2 nd paragraph – reduce width of separation strip from “at least 2m wide” to “at least 1m wide” in AA.
Page 100	Insert a paragraph in AA above (f) – “Service strips under private control adjacent to roads which are subject to RCC requirements, will not be permitted unless explicit arrangements have been agreed with the Local Roads Authority.”
Page 105	Replace text and tables under “Speed Visibility Relationship” with the following:- “Table 1 on page 19 should be used to determine whether DMRB or Designing Streets should apply. 85%ile speeds, if available, could be used to determine design speeds, then visibility distances can be derived from DMRB or DS.”
Page 133	Delete Figure 35 in AA – Tree Planting Detail Without Containment. Alter Root Containment text as follows:- “Typical details for growing trees with containment and showing the implications for tree anchorage are shown in Figure 35.”
p.137-170	Delete Sections 3.5 to 3.7 on Parking – replace with standards in Supplementary Guidance: Transport & Accessibility in AA.

The Committee resolved:-

to approve the recommendation contained in the report.

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SCOTTISH AWARDS FOR QUALITY IN PLANNING 2014

13. The Convener advised members that the Council had been successful at the recent Scottish Government 'Scottish Awards for Quality in Planning 2014', winning the Community Engagement category for the Council's work in engaging young people in the Local Development Plan; and winning in the Development Plan category for the Strategic Infrastructure Plan. The Council's SURF project had also been shortlisted in the Community Engagement category.

The Committee resolved:-

to congratulate Dr Bochel and her team on their success.

- **COUNCILLOR RAMSAY MILNE, Convener**

Agenda Item 2.1

Planning Development Management Committee

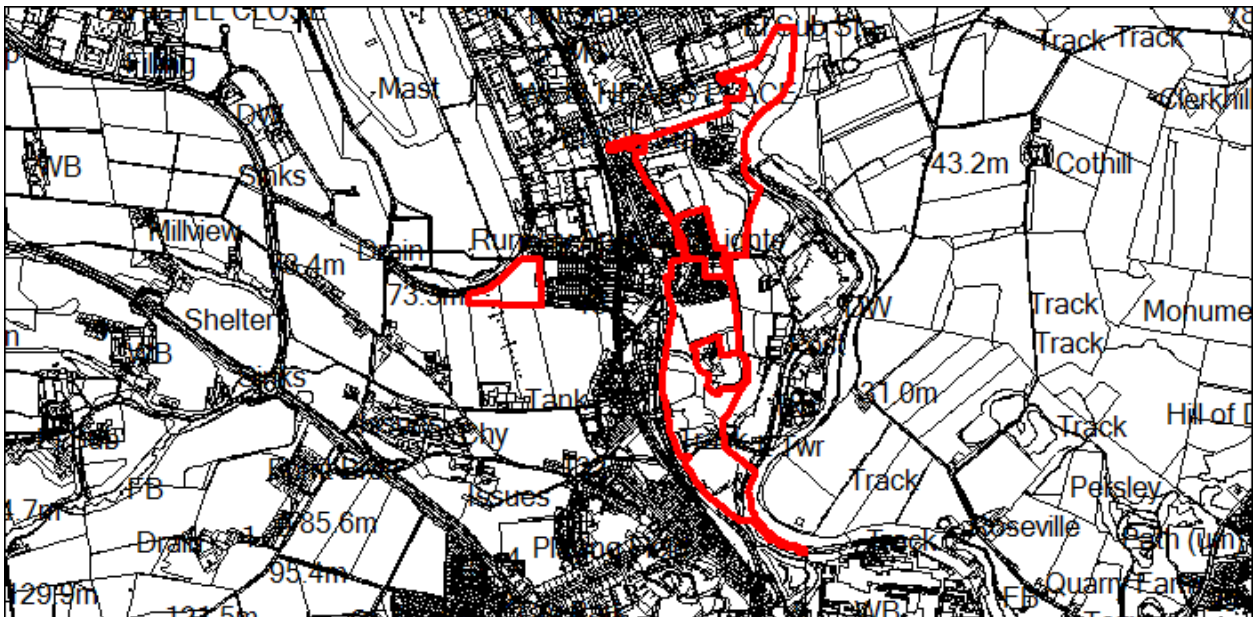
STONEYWOOD ESTATE, MARKET STREET,
STONEYWOOD

APPLICATION TO VARY CONDITION 16 (I) TO
AMEND THE NUMBER OF HOUSES THAT MAY
BE OCCUPIED ON THE APPLICATION SITE
FROM 50 HOUSES TO 140 HOUSES.

For: Dandara Ltd

Application Type : Section 42 Variation
Application Ref. : P141316
Application Date: 22/08/2014
Officer: Paul Williamson
Ward : Dyce/Bucksburn/Danestone(B Crockett/G
Lawrence/N MacGregor/G Samarai)

Advert : Can't notify neighbour(s)
Advertised on: 10/09/2014
Committee Date: 4 December 2014
Community Council : Comments



RECOMMENDATION:
Approve subject to conditions

DESCRIPTION

The application relates to all of the development phases (N1, N2, N3, N4a/N4b, N5, S1a/S1b, S2, S3, S4, S5 and S6) of the Stoneywood Estate site, currently being developed by Dandara. The site abuts Stoneywood Road, together with Polo Park (a development by Bancon Homes) and Polo Gardens to the east. To the north is Farburn/Stoneywood Park Industrial Estate, while to the east is the River Don, and the Stoneywood Paper Mill.

The application relates to works associated to 5 new and/or altered junctions onto Stoneywood Road, referred to as Junctions RJ1 – RJ5, all required to enable the development to be fully accommodated on the road network.

RELEVANT HISTORY

On 24th May 2011 the Enterprise Planning and Infrastructure Committee approved the Stoneywood Estate Development Framework and Masterplan as interim planning guidance pending adoption of the Aberdeen Local Development Plan. The Local Development Plan was subsequently adopted in February 2012. The Development Framework and Masterplan has therefore been adopted as supplementary guidance to the Plan.

Planning permission in principle (ref 110790) for for a “proposed residential development of approximately 425 houses with a mix of supporting and ancillary facilities including a neighbourhood centre, landscaping, open space and recreational facilities” was approved by the Development Management Sub-Committee on 2nd May 2012.

Condition 16 of that permission, stated:

“(i) that no more than 50 houses on the application site shall be occupied unless the scheme of improvements to the junction at Stoneywood Road/Stoneywood Terrace/Market Street, as shown on SBA drawing number A064659/A/SK001, or such other drawing as may subsequently be approved in writing for the purpose by the planning authority, has been implemented and is fully operational;

(ii) that in addition to (i) above no individual development plot on Block N4a shall be occupied unless the access junction joining Stoneywood Road at the North East corner of the application site has been implemented and is fully operational;

(iii) that in addition to (i) above; (a) no individual development plot in Blocks S1a, S1b, S2, S3, S4 and S5 shall be occupied unless the development accesses on the south side of Stoneywood Terrace and junctions RJ3 and RJ4 shown on p28 of the Design and Access Statement and SBA drawing numbers A064659/A/SK002 and SK005 or such other drawings as may be approved in writing for the purpose by the planning authority, together with their associated

link roads have been constructed and are available for public use; and (b) no individual development plot in Block S6 shall be occupied unless junction RJ5 shown on page 28 of the Design and Access Statement and SBA drawing number SK004, or such other drawings as may be subsequently approved in writing for the purpose by the planning authority, and link road through Block S5 have been constructed, are available for public use and are fully operational - to ensure that satisfactory access is gained to the development and in the interests of public safety and the free flow of traffic”.

Subsequently, a planning application (Ref: 130192) was submitted in light of alterations to the wider composition of the development and access points which varied condition 16 of the original approval to read:

(i) that no more than 50 houses on the application site shall be occupied unless a scheme of improvements to the junction at Stoneywood Road/Stoneywood Terrace/Market Street, as shown on SBA drawing number A064659/A/SK001, or such other drawing as may subsequently be approved in writing for the purpose by the planning authority, has been implemented and is fully operational;

(ii) that in addition to (i) above, none of the houses in Block N4a shall be occupied unless a scheme ensuring that the length of the access road leading from junction RJ1 and lying to the east of 324 Stoneywood Road, can only be used by emergency vehicles, cyclists and pedestrians, has been submitted to, and approved in writing by the planning authority and has been fully implemented;

(iii) that in addition to (i) above; (a) the development access on the south side of Stoneywood and Junction RJ3 (as shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK005 or such other drawing as may be approved in writing for the purpose by the planning authority) shall be constructed prior to the occupancy of any individual development plot but need not be made available for public use until completion of all houses on development Blocks S1a and S1b; (b) Junction RJ4 (as shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK002 or such other drawing as may be approved in writing for the purpose by the planning authority) shall be constructed but need not be made available for public use until completion of all houses on Development Blocks S2, S3 and S4; and (c) that Junction RJ5 (as shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK004 or such other drawing as may be approved in writing for the purpose by the planning authority) shall be constructed but need not be made available for public use until completion of all houses on Development Block S5;

(iv) no individual development plot in Blocks S2, S3 and S4 shall be occupied unless the development access on the south side of Stoneywood Terrace and junction RJ3 shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK005 or such other drawing as may be approved in writing for the purpose by the planning authority, together with their associated link roads have been constructed and are available for public use;

(v) no individual development plot in Blocks S5 shall be occupied unless the development access on the south side of Stoneywood Terrace and junction RJ4 shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK002 or such other drawing as may be approved in writing for the purpose by the planning authority, together with its associated link road has been constructed and is available for public use;

(vi) no individual development plot in Block S6 shall be occupied unless junction RJ5 shown on page 28 of the Design and Access Statement and SBA drawing number SK004, or such other drawings as may be subsequently approved in writing for the purpose by the planning authority, and link road through Block S5 have been constructed, are available for public use and are fully operational - to ensure that satisfactory access is gained to the development and in the interests of public safety and the free flow of traffic.

The reason on which the Council based that decision was that there would be no adverse impact on traffic circulation or road safety if the variation to condition 16 of planning permission in principle reference 110790 was approved.

PROPOSAL

This is an application for a Section 42 variation to the re-worded condition 16 to allow a greater level of development to be occupied in light of the delay in implementing the necessary junction improvements at Stoneywood Road/Market Street/Stoneywood Terrace and occupation of an additional 90 houses over an above the original 50 prior to the provision of the road improvements.

The applicants propose that condition 16 be reworded to read - **“(i) that no more than 140 houses on the application site shall be occupied unless the scheme of improvements to the junction at Stoneywood Road/Stoneywood Terrace/Market Street, as shown on SBA drawing number A064659/A/SK001, or such other drawing as may subsequently be approved in writing for the purpose by the planning authority, has been implemented and is fully operational;**

The remaining parts of the condition (ii to v) would remain as previously amended through 130192.

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=141316>

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

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because the application has been the subject of six letters of objection – representing a significant level of opposition to a development proposal. Furthermore, the application has also been the subject of a formal objection by the Dyce and Stoneywood Community Council who represent the area. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objection. The original condition restricting the level of occupation to 50 units, was not one that was derived through the results of traffic modelling, but one which was perceived to allow the junction improvements to move forward and minimise local delays. However, subsequent developments in the area have been approved which have left the Dandara junction improvements redundant, with an increased level of improvements now required. In order to effectively minimise the overall inconvenience to the road network, it has been discussed and agreed that the expanded works shall be undertaken in the near future. There is agreement over the finding of the traffic impact analysis, in that the additional traffic (from the additional 90 units) would result in minimal additional delay (3.2% and 3.7% in the am and pm peak periods respectively). Any such small delay in the meantime as a result of increased occupation within the site before the junction improvements would be minimal compared to the delays that would be caused by undertaking two separate sets of road works to the required levels for each application.

Environmental Health – No observations.

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

Dyce and Stoneywood Community Council – Strongly object to the proposals in light of road safety concerns, especially the serious risk to children attending Stoneywood Primary School. They also raised the following points:

- 1) The Stoneywood (Dandara) and BP (Goodman) developments have nothing to do with each other and are nearly 1 km apart. Therefore there is not “more than one development which requires alterations to be implemented at the junction”;
- 2) A full application for the BP site has not even been submitted and could be a year or more before any work starts;
- 3) The role of the planning department is to manage development and ensure that planning conditions are complied with. The original condition was put in place due to serious congestion and road safety issues, and should be adhered to;
- 4) All well as disruption to traffic , the safety of all road users (including pedestrians and children) must be taken into account in planning matters.

REPRESENTATIONS

Six letters of objection have been received, raising the following matters –

- 1) Congestion at the junction has become worse in recent months due to the increased level of occupation at the Stoneywood site;
- 2) There is a real danger to children crossing the road to go to and from school;
- 3) The applicant has carried out their own notification to local residents of the proposal, but many addresses have not been notified;
- 4) The use of the Aberdeen Citizen newspaper is not sufficient to undertake public notification of the development proposals;
- 5) The proposal should have been notified as a project of public concern;
- 6) Queried when the Transportation Assessment was undertaken and the validity of detail contained therein;
- 7) The essential road works should not be delayed;
- 8) The road surface in the vicinity has already started to deteriorate; and,
- 9) No more houses should be occupied unless the RJ2 junction works are fully implemented, and the adjacent Toucan crossing for the school put in place.

PLANNING POLICY

Aberdeen Local Development Plan – The Stoneywood development site falls within an area allocated for LR1 (Land Release) purposes.

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 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.

Supplementary Guidance

SG on Transport and Accessibility.

Other Relevant Material Considerations – the phasing of development relative to the provision of road infrastructure is the main material consideration relating to the application

EVALUATION

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

The Local Development Plan LR1 (Land Release) allocation is not directly relevant to the determination of this application. Planning permission in principle has previously been granted and development has commenced/been completed on parts of the site.

The developers are seeking this s42 variation to allow the occupation of an additional number of dwellings prior to the necessary junction improvements at Stoneywood Road/Stoneywood Terrace/Market Street. This delay in programmed provision has arisen following emergence of other developments within the Dyce/Stoneywood area, which also necessitate further similar but more substantive works to the local road network, and would otherwise have left the applicants programmed improvements redundant. As such, rather than having two sets of intrusive road improvements at the same location, it has been considered prudent to undertake a single conjoined set of improvements, albeit delayed in comparison to when the initial smaller scale improvements had been envisaged.

This approach is considered proportionate and reasonable. Roads officers have raised no objection to the proposal and they consider that the original condition restricting the level of occupation to 50 units, was not one that was derived through the results of traffic modelling, but one which was perceived to allow the junction improvements to move forward early and minimise local delays. Roads officers have agreed the findings of the submitted traffic impact analysis and consider that any delay in network improvements in the meantime, as a result of increased occupation within the site, would be minimal compared to the delays that would be caused by undertaking two separate sets of road works.

In terms of progress by Dandara, at the middle of November 2014, Building Standards Officers advised that there were 84 completions on site within the Stoneywood Estate. The applicant has outlined that the level of 140 units should align with the timescales for the completion of the junction improvement works which are being undertaken by a third party (Goodman) who are developing the former BP office HQ site. Roads Officers have indicated that the Roads Construction Consent for these works, is imminent. As such, in order to avoid roadworks over the festive period, it is anticipated that works would formally commence early in 2015.

Community Council Objection

The points raised by the Dyce and Stoneywood shall be addressed in turn, if they have not already been addressed above.

With regard to point 1, while the Community Council consider that Dandara and Goodman development have nothing to do with each other this is not considered to be the case. Both development have an impact on the local road network, and both require improvements to be undertaken. As the Goodman impact requires further improvement, beyond the level required by the applicant to this application (Dandara), they shall be undertaking the enhanced level of improvements as per arrangements previously identified. Dandara will contribute towards the cost of these enhanced improvements, on a pro rata basis. No concerns have been raised by Roads officers with regard to road users/pedestrians/school children, in the period prior to the completion of the said road improvements. It remains that the other requirements of the conditions shall have to be adhered to, in respect to the provision of other road improvements including pedestrian crossings on Stoneywood Road.

Letters of Objection

The points raised are evaluated as numbered in the representations section above.

Points 1 and 6 - Roads Officers are satisfied with the traffic impact analysis undertaken by the applicant in respect of the additional traffic flows associated with a further 90 dwellings being occupied prior to the implementation of the required road improvements.

Point 2 - relates to road safety and is covered by the Roads consultation response. Roads officers have no objection to the proposal on road safety or traffic grounds.

Point 3 - the applicant undertook their own informal notification to selected local residents to keep them informed of matters. There is no statutory requirement to do so. Statutory neighbour notification was undertaken by Aberdeen City Council.

Point 4 - questioned the use of the Aberdeen Citizen newspaper for undertaking public/press notification of development proposals. The Council have made the decision to use the Citizen for this purpose. The alternative of using the Press & Journal and/or the Evening Express would result in significantly less people in the City, as a whole, being reached than via the Citizen (the total circulation of the P&J or EE in the whole of Scotland is less than the circulation of the Citizen in Aberdeen City). As such, the Council are meeting their statutory obligations with regard to notification of such applications in the local press.

Point 5 – there are strict criteria for advertising projects of public concern. The current application would not trigger such an advertisement.

Points 7 and 9 have already been addressed above, while point 8 is not a matter for consideration as part of this application, and is a roads maintenance responsibility.

In summary, Roads officials have no objection to the application. While it would be desirable to have already have the road improvements undertaken, the fact that they would almost instantly become redundant due to wider developments in the area. It is considered, by officers, that the most appropriate and proportionate solution is to see, one combined set of road works. There is no sound planning reason for not approving the application as requested by the applicant. It is therefore recommended that Condition 16 be amended on that basis and be subject to the wording in the Recommendation section below.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

There would be no adverse impact on traffic circulation or road safety if the variation to condition 16 of planning permission in principle reference 110790 and 130192 is approved.

The proposal complies with the terms of planning permission in principle ref 110790, in particular condition 16, which is the subject of this application. Accordingly, there is no conflict with Policies I1 or D3 of the Adopted Local Development Plan. It further complies with the requirements of the approved Stonewood Development Framework and Masterplan, which is contained in supplementary guidance in the adopted Aberdeen Local Development Plan in that the general principles of the access points to the overall development remains as previously approved.

CONDITIONS

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

1. (i) that no more than 140 houses on the application site shall be occupied unless the scheme of improvements to the junction at Stonewood Road/Stonewood Terrace/Market Street, as shown on SBA drawing number A064659/A/SK001, or such other drawing as may subsequently be approved in writing for the purpose by the planning authority, has been implemented and is fully operational;

(ii) that in addition to (i) above; (a) that the development access on the south side of Stonewood and Junction RJ3 (as shown on p28 of the Design and Access Statement and SBA drawing number A064659/A/SK005 or such other drawing

as may be approved in writing for the purpose by the planning authority) shall be constructed prior to the occupancy of any individual development plot but need not be made available for public use until completion of all houses on development Blocks S1a and S1b; (b) that Junction RJ4 (as shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK002 or such other drawing as may be approved in writing for the purpose by the planning authority) shall be constructed but need not be made available for public use until completion of all houses on Development Blocks S2, S3 and S4; and (c) that Junction RJ5 (as shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK004 or such other drawing as may be approved in writing for the purpose by the planning authority) shall be constructed but need not be made available for public use until completion of all houses on Development Block S5;

(iii) no individual development plot in Blocks S2, S3 and S4 shall be occupied unless the development access on the south side of Stoneywood Terrace and junction RJ3 shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK005 or such other drawing as may be approved in writing for the purpose by the planning authority, together with their associated link roads have been constructed and are available for public use;

(iv) no individual development plot in Blocks S5 shall be occupied unless the development access on the south side of Stoneywood Terrace and junction RJ4 shown on p28 of the Design and Access Statement and SBA drawing number AO64659/A/SK002 or such other drawing as may be approved in writing for the purpose by the planning authority, together with its associated link road has been constructed and is available for public use; and

(v) no individual development plot in Block S6 shall be occupied unless junction RJ5 shown on page 28 of the Design and Access Statement and SBA drawing number SK004, or such other drawings as may be subsequently approved in writing for the purpose by the planning authority, and link road through Block S5 have been constructed, are available for public use and are fully operational - to ensure that satisfactory access is gained to the development and in the interests of public safety and the free flow of traffic.

- in the interests of road safety and the free flow of traffic.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

From: PI
To: [REDACTED]
Subject: FW: Objection re planning application P14136
Date: 15 September 2014 09:54:51

-----Original Message-----

From: Harrison, Dr William T. A. [REDACTED]
Sent: 13 September 2014 09:09
To: PI
Cc: [REDACTED]
Subject: Objection re planning application P14136

Dear Sir/Madam,

I am writing on behalf of Dyce and Stoneywood Community Council re planning application P14136 (Section 42 variation). We strongly object to this application because of road safety concerns, especially the serious risk to children attending Stoneywood Primary School.

Some time ago, the developer (Dandara) attended a meeting of our Community Council and clearly stated that they would improve the Stoneywood Road/Stoneywood Terrace/Market Street junction after the 50th house was occupied, which has now happened. We were therefore very surprised to see application P14136 and one of our ward members kindly sought further details from the planning department and received this reply:

"As you shall appreciate, the wider development at Stoneywood, is extremely complex, and there is more than one development which requires alterations to be implemented at the junction of Stoneywood Road, and Stoneywood Terrace. As such, this matter has been the subject of ongoing discussions between the respective developers and sections within the Council in order to find a mutually agreeable solution.

As you are aware, the developer of the Stoneywood Estate (Dandara) has now exceeded the figure of 50 units which is stipulated within one of the approved conditions as being the limit before junction works would have to be implemented. In considering breaches of planning permission, it is necessary to consider what measures can be undertaken in order to resolve that breach, and what matters if any are in the best public interest.

In addition to the scheduled improvements by Dandara, there are also further works scheduled as a result of the Goodman development (Offices), on the site of the former BP offices, car park, and Exel Club. These works would in essence require significant works to be undertaken to Stoneywood Road and the associated junction with Stoneywood Terrace, at separate periods. As such, an agreement in principle has been reached for one set of works to be undertaken (taking both schemes into account), thus minimising the impact on the local road network and the disruption caused to traffic that a double intervention would have over an extended period. This agreement is considered to be a pragmatic one, which takes the wider impacts associated with such works into account. As such, we as Planning Authority requested that Dandara should apply to vary the existing planning condition relating to the threshold of 50 units, together with an appropriate timescale inserted for the completion of the necessary junction works. Hence the position that we are in now with a new application having been received."

We totally reject this statement for the following reasons:

- 1) The Stoneywood (Dandara) and BP (Goodman) developments have nothing to do with each other and are nearly 1 km apart. Therefore, there is not "more than one development which requires alternations to be implemented at the junction..."
- 2) A full application for the BP site has not even been submitted yet and it could be a year or more before any work starts.
- 3) The role of the planning department is (among other things) to manage development and ensure

that planning conditions are complied with. The 50-house condition was put in place because of SERIOUS congestion and road safety issues at the Stoneywood Road/Terrace junction. The number of right-turns from Stoneywood Road to Stoneywood Terrace and vehicles exiting from Stoneywood Terrace has increased enormously since the houses were built and will get higher still as more houses are occupied.

4) As well as "disruption to (car) traffic" the safety of ALL road users (including pedestrians and even children!) must be taking into account in planning matters. Nights are now drawing in and the safety of children walking to and from Stoneywood School is paramount. This "mutually agreeable solution" (translation: delay for the convenience of the developers) would make a mockery of the Council's safe routes to school policy.

We urge the planning and development management committee and ward councilors to reject this badly misguided intervention from City planning staff and ensure that the agreed junction improvements are started immediately.

Best regards,
Bill Harrison (Secretary)

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Tha Oilthigh Obar Dheathain na charthannas clàraichte ann an Alba, Àir. SC013683.

From: webmaster@aberdeencity.gov.uk
Sent: 01 September 2014 14:03
To: PI
Subject: Planning Comment for 141316

Comment for Planning Application 141316

Name : Leon Grant
Address : 17 polo park
Bucksburn

Telephone :-

Email :

type :

Comment : I object to this application on the grounds that stoneywood terrace road and junction are not suitable for any increase in volume of traffic yet.

We can not yet safely travel this road due to increase of hgv and cranes that belong to dandarra.

The junction at stoneywood terrace needs upgrading so our kids and ourselves can safely cross the road to school in the mornings because at present work vehicles restrict our movements on a daily basis. There's an accident or injury to a child waiting to happen we feel/fear.

The additional construction traffic, mill traffic, residents and mobile cranes using Stoneywood Terrace and RJ2 junction is a recipe for a major accident. The latter use by mobile cranes (on a non modified junction) is caused by Dandara stopping exiting traffic from what will be the RJ3 junction.

The road surface has started to deteriorate again and will only get worse causing yet more damage to our own cars.

Dandara have already broken the existing planning consent by having already breached the 50 house limit.

Dandara should not be allowed anymore houses to be occupied, at all, until the RJ2 junction is completely modified and the Toucan crossing for the school put in place.

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P&SD Letters of Representation		
Application Number: 141316		
RECEIVED 02 SEP 2014		
Nor <input checked="" type="checkbox"/>	Sou <input type="checkbox"/>	MAP <input type="checkbox"/>
Case Officer Initials: ?		
Date Acknowledged: 2/9/14		

PI

From: webmaster@aberdeencity.gov.uk
Sent: 02 September 2014 11:42
To: PI
Subject: Planning Comment for 141316

Comment for Planning Application 141316

Name : Margaret Stapleton
Address : 5 Polo Park
Bucksburn
Aberdeen
AB21 9JW

Telephone :

Email :

type :

Comment : My objection is as follows :-

The RJ2 junction at Stoneywood Road/Market Street/Stoneywood Terrace is already a nightmare for residents and commuters. Not even considering the emergency services.

An additional 90 house users will compound the disruption. However its less than 90 as Dandara have already breached the 50 house limit with no penalty by ACC.

Crossing Stoneywood Road is now even more dangerous especially for older residents, the young children and parents going to the school and nursery.

Additional construction at the Hydro substation (including parked vehicles), additional construction traffic, mill traffic, residents and mobile cranes using Stoneywood Terrace and RJ2 junction is a recipe for a major accident. The latter use by mobile cranes (on a non modified junction) is caused by Dandara stoping exiting traffic from what will be the RJ3 junction.

The winter and dark nights approaching causes further delays at this junction.

Dandara should not be allowed anymore houses to be occupied, at all, until the RJ2 junction is completely modified and the Toucan crossing for the school put in place.

Dandara has blatant disregard for planning conditions, local residents and commuters.

For ACC to say to do this work at the same time as any alteration of the junction at BP for the adjacent new office development is ridiculous. This will only cause more disruption at the time of the works and the existing Stoneywood Terrace junction remains dangerous for another 12-18 months, if not longer.

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P&SD Letters of Representation		
Application Number: 141316.		
RECEIVED 03 SEP 2014		
Nor	Sou	MAP
Case Officer Initials: /		
Date Acknowledged: 3/9/14		

From: webmaster@aberdeencity.gov.uk
Sent: 02 September 2014 11:39
To: PI
Subject: Planning Comment for 141316

Comment for Planning Application 141316

Name : H Stapleton
Address : 5 Polo Park
Stoneywood
Aberdeen
Ab21 9JW

Telephone :

Email :

type :

Comment : The RJ2 junction at Stoneywood Road/Market Street/Stoneywood Terrace is already a nightmare for residents and commuters. Not even considering the emergency services.

An additional 90 house users will compound the disruption. However its less than 90 as Dandara have already breached the 50 house limit with no penalty by ACC.

Crossing Stoneywood Road is now even more dangerous especially for older residents, the young children and parents going to the school and nursery.

Additional construction at the Hydro substation (including parked vehicles), additional construction traffic, mill traffic, residents and mobile cranes using Stoneywood Terrace and RJ2 junction is a recipe for a major accident. The latter use by mobile cranes (on a non modified junction) is caused by Dandara stopping exiting traffic from what will be the RJ3 junction.

The winter and dark nights approaching causes further delays at this junction.

Dandara should not be allowed anymore houses to be occupied, at all, until the RJ2 junction is completely modified and the Toucan crossing for the school put in place.

Dandara has blatant disregard for planning conditions, local residents and commuters.

For ACC to say to do this work at the same time as any alteration of the junction at BP for the adjacent new office development is ridiculous. This will only cause more disruption at the time of the works and the existing Stoneywood Terrace junction remains dangerous for another 12-18 months, if not longer.

○
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P&SD Letters of Representation		
Application Number: 141316.		
RECEIVED 03 SEP 2014		
Nor <input checked="" type="checkbox"/>	Sou <input type="checkbox"/>	MAp <input type="checkbox"/>
Case Officer Initials: /		
Date Acknowledged: 3/9/14		

From: webmaster@aberdeencity.gov.uk
Sent: 08 September 2014 10:58
To: PI
Subject: Planning Comment for 141316

Comment for Planning Application 141316

Name : Jason Byles
Address : 14 Polo Park

Telephone

Email :

type :

Comment : I object to the delay in the works to the RJ2 junction at Stoneywood Road/Market Street/Stoneywood Terrace as a matter of public and transport safety for the following reasons.

At any time of the day not just peak time traffic (despite the calculations given within the Application letter 141316) there is a real danger of an accident for road users turning across the flow of traffic coming from Stoneywood Road and turning right onto Stoneywood Terrace.

As the road is not quite wide enough to let other road users past (which obviously includes articulated Lorries, Buses etc) you are either -

- (a) Forced to block traffic behind you before the opportunity presents itself to move off onto Stoneywood Terrace, or
- (b) Sit slightly over to the right of the lane (and effectively the opposite side of the road) to let other cars squeeze past.

My concern over (a) is that for drivers turning right there is a rear end accident from drivers approaching the junction. There is a slight curve in the road approaching the junction and the waiting traffic are at high risk due to the waiting line of traffic that cannot pass.

In addition a driver may attempt to squeeze past or accidentally mount the pavement to hurry their journey creating either minor damage to the waiting car (or major damage depending on speed) or a danger to pedestrians.

My concern over (b) is that a larger vehicle passing may clip the waiting car and push it into oncoming traffic or simply that oncoming traffic coming from the BP Offices direction miss-judges the space available and there is a head on collision.

I realise that this is all down to the attitudes of drivers and their driving ability, but with the dark nights approaching (poor weather, poor visibility etc) and the increase in traffic, there is a real and live danger that this junction is an accident waiting to happen.

I believe that Dandara has already breached their 50 homes limit before alteration to this junction, so with additional traffic created from the recent works to the Hydro Sub-Station, the construction traffic to the Dandara sites, the Paper Mill traffic and of course the vehicles for existing residents in the area, this junction is already becoming a problem area so as a responsible road user and parent who carries children in my car, I certainly do not want to see any more reason to compound this with the addition of another 90 homes in the area before something is done.

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P&SD Letters of Representation		
Application Number: P14-1316		
RECEIVED 09 SEP 2014		
No:	364	MAS
Case Officer Initials:	PAU	
Date Acknowledged:	11-9-14	

From: webmaster@aberdeencity.gov.uk
Sent: 22 September 2014 21:12
To: PI
Subject: Planning Comment for 141316

Comment for Planning Application 141316

Name : Julie Tumelty
Address : 4 Polo Park
Bucksburn
Aberdeen
AB21 9JW

Telephone :

Email :

type :

Comment : Representation Objects Comments for Application 141316:

Julie Tumelty

4 Polo Park, Bucksburn, Aberdeen, AB21 9JW.

Objection to the lack of adequate Public Notification Planning application 141316 concerns the road junction at Stoneywood Road/Stoneywood Terrace/Market Street and is a frequently used junction by a lot of Public who live and work in the locality of Dyce, Stoneywood and Bucksburn.

I see that the supporting letter with Planning Application 141316 states that Dandara have hand delivered to all households within the red line boundary of P110790; in other words sent out letters which notified their own residents of the proposed application 141316.

However, other non-Dandara residents, and businesses, in the local area near the junction, and who will be affected by the new proposal, have had no such notification therefore, the importance of a requirement for proper adequate public notification in the local press if ACC have not sent out neighbour notification letters. I have already discussed my concerns about this via email with Mr Williamson (ACC Planning Officer).

Regulation 20 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 requires that in certain circumstances the planning authority must publish a notice in a newspaper circulating in the locality in which the neighbouring land is situated;

The Aberdeen Citizen no longer is distributed in the Dyce/ Bucksburn/ Stoneywood area, and has not been since June 2012. I made the Council Planning Department aware of the Aberdeen Citizen not circulating in the area back in July 2013 and requested that future public notification for the Stoneywood Estate Development is placed in the Press & Journal and/or Evening Express.

Application 141316 was advertised in the Aberdeen Citizen (10th Sept 2014) under the Section Proposals where Neighbour Notification has not been possible;

The proposal stated: Application to vary Condition 16 (i) to amend the number of houses that may be occupied on the application from 50 houses to 140 houses;. The application statement in the Aberdeen Citizen makes no mention that it is proposing a delay to road junction works which is a Public Concern.

Instead, should Application 141316 have been more suitably placed in the Section called Projects of Public Concern; to raise awareness that the application did contain a proposal that was of public concern?

I am making strong objection to this application, and any other application for the area, being placed in the Aberdeen Citizen as a way of informing the public especially as it is not a newspaper circulating in the locality so is not an adequate media for Public Notice.

Objection due to road safety/congestion concerns In the supporting letter with the application it states “The original surveys undertaken for the Transport Assessment showed that the junction was used by 1868 vehicles in the morning peak and by 1626 vehicles in the evening peak” When was the date that this original survey was undertaken? This is important because does it then take into account the already Bancon Home (Polo Park) residents vehicles and the now occupied Dandara residents vehicles who presently use the junction? Along with Stoneywood Paper Mill employees and works traffic, residents of Polo Gardens, Market Street, Dandara construction/works traffic, etc.

The supporting letter with the application also states “For 90 houses that equates to an additional 14 trips in and 46 trips out during the AM peak and 40 trips in and 21 out during the PM peak”.

I am not sure of the validity of these numbers?

What I do know is that I use the Stoneywood Road/ Stoneywood Terrace junction everyday and that it is an already busy junction. During PM times when using the junction for a right hand turn to get off Stoneywood Road and onto Stoneywood Terrace my car, or other cars waiting to do a right hand turn, can wait for quite a period of time to turn right to get onto Stoneywood Terrace. This is usually due to waiting for a gap in the traffic flow coming to the junction from Dyce so that we can turn right, or is more usual, having to wait for the light to go on red to stop the on-coming traffic so we can turn right onto Stoneywood Terrace. During this “waiting time”, even though my vehicle is positioned over to the right hand side of the road lane, traffic can build up behind my vehicle or others turning right, leading to road congestion. With another proposed 90 householders’ vehicles using this junction before any work is done on it this type of congestion will become a lot more frequent.

Also, whilst waiting to do a right hand turn some vehicles drive past on the passenger side of the car. There is a definite road safety concern here especially with 4x4 vehicles, vans and lorries going past which can frequently be the case on this road. Twice I have had my passenger side wing mirror clipped whilst waiting to turn right.

I therefore, have strong objections to a delay in junction works.

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2

P&SD Letters of Representation	
Application Number:	P141316
RECEIVED 23 SEP 2014	
Nor	Sou <input checked="" type="checkbox"/> MAp
Case Officer Initials:	PAO
Date Acknowledged:	25/9/14

From: webmaster@aberdeencity.gov.uk
Sent: 24 September 2014 23:17
To: PI
Subject: Planning Comment for 141316

Comment for Planning Application 141316

Name : Morag Forrest
Address : 24 Foresters Avenue
Bucksburn
Aberdeen
AB21 9JB

Telephone :
Email :
type :

Comment : I am writing as a resident of Stoneywood who works in Dyce and wish to object to planning application P141316.

I use the junction of Stoneywood Road / Stoneywood Terrace / Market Street on a daily basis, both as a pedestrian and road user. In recent months congestion at that junction has become worse, even outwith the morning and evening peak times. This is in part due to the volume of traffic coming out of Stoneywood Terrace and the number of vehicles turning right down Stoneywood Terrace from Stoneywood Road, which can stop the flow of traffic along the main road even when the traffic lights are at green, causing long tailbacks.

Although we know from the planning application that there are now more than the 50 houses agreed in the original application occupied, the Planning Department was unable to tell me exactly how many were occupied at this time. Work is also well under way on the retail units in the area opposite Stoneywood Primary School. As this is not part of the planning application there is the potential for these units to be in use before the junction has been upgraded. This would increase the volume of traffic at the junction even more as all traffic going towards Dyce would have to use the Stoneywood Terrace junction.

All of this presents a real danger to children crossing the road to go to and from school. Council policy is surely to encourage children to walk to school, not make it more dangerous for them to do so. It is also increasingly unpleasant for local residents to use the crossing due to the increased volume of traffic throughout the day.

I would therefore urge both the Development Management Committee and my ward councillors to reject this application and ensure that the agreed junction improvements can be started immediately.

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P&SD Letters of Representation		
Application Number: 14 1316		
RECEIVED 25 SEP 2014		
Not	Sou <input checked="" type="checkbox"/>	MAP
Case Officer Initials: PAO		
Date Acknowledged: 26/9/14		

Planning Development Management Committee

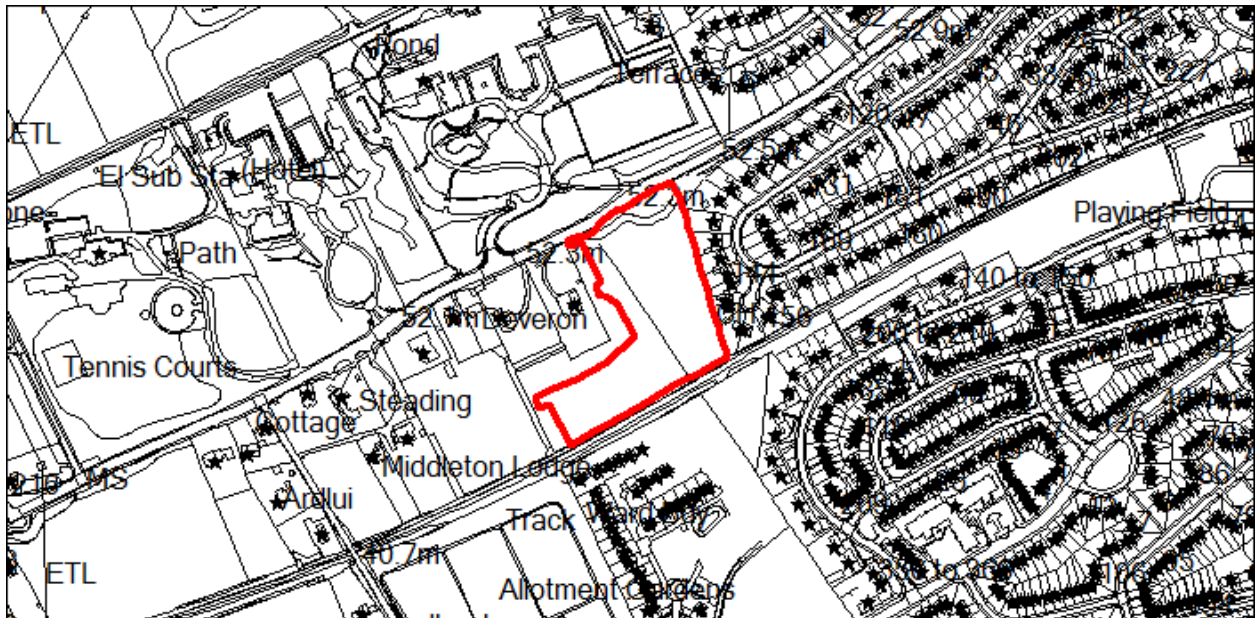
NORTH DEESIDE ROAD, OPPOSITE
INTERNATIONAL SCHOOL

3 HOUSES WITH LANDSCAPING

For: Dr George Stevenson

Application Type : Detailed Planning Permission
Application Ref. : P141260
Application Date: 21/08/2014
Officer: Tommy Hart
Ward : Lower Deeside (M Boulton/A Malone/M
Malik)

Advert : Dev Plan Dept/Section
60/65
Advertised on: 17/09/2014
Committee Date: 4 December 2014
Community Council : No response
received



RECOMMENDATION: Refuse

DESCRIPTION

This L-shaped site is approximately 2ha in size, is part of the Green Belt and Green Space Network and lies within the Pitfodells Conservation Area

To the immediate east is Deeside Gardens, which is a late 20th Century residential development comprising a mixture of detached and semi-detached properties typical of their time. To the west there are also residential dwellings which are generally large detached granite properties set in substantial gardens with a north-south orientation. To the south lies the Old Deeside Railway with residential dwellings beyond.

There are a number of trees along the periphery and within the application site although these are not subject to a TPO but the trees are protected by virtue of being within the Conservation Area. The boundary treatment to the north, south and west is generally rubble walls of varying heights, whilst along the east boundary it is generally hedging and fencing. Further, a low-lying rubble wall bisects the site.

Core path number 65 runs along the northern side of North Deeside Road and runs down the eastern side of the site linking into Core Path no. 66 (Deeside Way) along the southern boundary of the site.

Currently there is no formal access onto the site save for an old opening onto North Deeside Road which cannot be used due to the topography and trees beyond.

RELEVANT HISTORY

There is no relevant planning history for the application site. However, it is worth taking note of a recent decision for similar proposal nearby.

Planning ref 131279 for the erection of 3 detached houses at Middleton Lodge (off Pitfodells Station Road) was refused by the Planning Development Management Committee in March 2014 for the following reasons;

1) That the site lies within the Green Belt which is defined to protect and enhance the landscape setting and identity of urban areas and in which there is a presumption against most kinds of development with only limited exceptions. The proposed development does not comply with any of the specified exceptions to the presumption against development within the Green Belt and therefore does not comply with Policy NE2 Green Belt of the Aberdeen Local Development Plan 2012. If permitted, this application would create a precedent for more, similar developments to the further detriment of the objectives of the Green Belt policy, when sufficient land has been identified for greenfield housing through the development plan.

2) The application is deficient in information in respect of a design statement and tree survey. It is therefore not possible to make a full assessment of the

implications of the development on the Lower Deeside/Pitfodells Conservation Area, and the potential loss of existing trees on site. As such it has not been possible to ascertain whether the proposal complies with Policies D1 Architecture and Placemaking, D5 Built Heritage, and NE5 Trees and Woodlands of the Aberdeen Local Development Plan 2012.

3) The application as currently submitted could result in a road safety hazard due to the intensification of use of a sub-standard access point which also has poor pedestrian linkages to the surrounding area.

PROPOSAL

Full planning permission is sought for the erection of three detached properties within the application site. Along the eastern side of the application site, it is proposed to retain the upgrade the current landscape setting of the eastern part of the site (between 40 and 100m in width). Within that landscape strip, a formal footpath is proposed as an upgrade and realignment of Core Path 65.

Vehicular access is proposed approximately 50m from the west boundary. The new asphalt finished road would wind through the site and terminate around the south-east corner of the adjacent residential feu pertaining to the house known as 'Airdrie Park', with the remainder of the road being private driveway access to plot three.

The building position of plots two and three would resemble that of the houses known as 'Helford' and 'Airdrie Park' sitting behind them. In relation to plot one, this would sit to the immediate east of 'Airdrie Park' within the inside curve of the new access road.

In terms of building design, the three 5-bed properties would be identical in design, scale and massing. The properties would be 10m at the tallest part of the cupola. The main building would be roughly 17m x 17m, with the attached wing being around 4m x 8m in size. At 2-storeys in height, a traditional approach has been taken in respect to using ashlar and quarry face granite on the walls, slate on the hipped roof, metal rainwater goods, as well as timber doors and windows. The north elevation would have include a 2-storey bay window either side of the large entrance, whilst the south elevation would have a simpler design finish with ample glazing; including three sets of full-height windows/bi-fold doors. A generously sized cupola is proposed to allow light into the stairwell, which would be white coloured powdercoated aluminium with a dark grey lead roof. The attached wing would be occupied by a study at first floor and boot/utility room at ground floor.

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=141260>

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

Design Statement;
Ecology Report;
Drainage Statement;
Tree Survey;
Landscape Specifications;
Transport Statement.

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 – Have concerns about the proposed development on the grounds of road safety.

The speed limit is 40mph on this section of the A93, which is a very busy radial route into and out of Aberdeen City centre. In terms of road standards, it would not be appropriate to apply "Designing Streets" policy to such a route and the higher road design standards contained within the DMRB would apply.

Providing a new junction at this location would introduce new turning movements on and off the A93, which would create a road safety concern. It is noted that the proposed location for a new junction onto A93 North Deeside Road, has been altered from that which was proposed previously. The visibility to either side of the proposed access would now be adequate.

As the revised proposals would meet the DMRB standards, the concerns about the road safety implications are less than that of the original position of the junction. As such if the committee is minded to grant consent, it is recommended that conditions are applied relative to;

1. A new access onto North Deeside Road shall be constructed, generally in accordance with the plan layout shown on Drg. No. 104591/0002 Rev. D, which shows bellmouth radii of 6.0m. There shall be a refuse bin storage area provided on the west side of the access, located behind the wall at the rear of the footway. The wall on the east side of the proposed access needs to be realigned over approximately 10m to provide the required visibility splay of 2.4m x 120m.
2. A 5.0m wide access road shall be constructed, generally in accordance with Drg. No. 104591/0002 Rev. D (which shows the plan layout) and Drg. No. 104591/0003 Rev. A (which shows the proposed vertical geometry).

3. A minimum of three car parking spaces shall be provided adjacent to each house, with adequate turning space so that cars can enter and leave the access road in forward gear.

Environmental Health – no observations

Enterprise, Planning & Infrastructure (Flooding) - no observations

Community Council – no comments received

Education, Culture and Sport (Museums and Galleries) – requests a condition for a programme archaeological works to be submitted and agreed in advance of works being undertaken on site.

REPRESENTATIONS

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

1. Road safety issues with regards the new access;
2. The proposal would conflict with Green Belt and Green Space Network policies;
3. The proposal conflicts with the Pitfodels Conservation Area Appraisal;
4. The proposal conflicts with Historic Scotland's 'SHEP' in respect to impact on the Conservation Area.

PLANNING POLICY

National Policy and Guidance

SPP is clear in identifying that the purpose of green belt designation in the development plan as part of the settlement strategy for an area is to:

- direct planned growth to the most appropriate locations and support regeneration,
- protect and enhance the quality, character, landscape setting and identity of towns and cities, and
- protect and give access to open space within and around towns and cities.

It also advises that where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available. Development in a designated green belt should be of a high design quality and a suitable scale and form.

Further, it is clear that within Conservation Areas, development within such areas should not have a negative impact on its appearance, character or setting which should be preserved or enhanced.

Aberdeen Local Development Plan

Policy NE1 – Green Space Network

The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.

Policy NE2 – Green Belt

No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal.

The following exceptions apply to this policy:

1. Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:
 - a) the development is within the boundary of the existing activity;
 - b) the development is small scale;
 - c) the intensity of activity is not significantly increased; and,
 - d) any proposed built construction is ancillary to what exists.

Policy NE5 – Trees and Woodlands

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

Policy 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 D5 – Built Heritage

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

Supplementary Guidance

The Council's Supplementary Guidance *Transport and Accessibility* and *Landscape Strategy Part 1 - Maintenance of Landscape Setting* are relevant material considerations.

Other considerations

The Council's Conservation Area Character Appraisals and Management Plan, and Pitfodels Conservation Area Appraisal are relevant considerations.

Proposed Aberdeen Local Development Plan

The following policies substantively reiterate policies in the adopted local development plan as summarised above;

- Policy NE1 – Green Space Network
- Policy NE2 – Green Belt
- Policy NE5 – Trees and Woodlands
- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment

EVALUATION

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

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

Principle of Residential Development

Scottish Planning Policy (SPP) is clear that the aim of Green Belt is to direct planned growth to the most appropriate location, and to protect and enhance the quality, character and setting of towns and cities. In this instance, while adjacent to existing residential properties, the site is located within the Green Belt. Allowing residential development in this location is likely to have a significant detrimental impact on the character of the landscape setting of this part of the green belt, which would be contrary to paragraph 49 of SPP which seeks to direct development to the most appropriate location and protect and enhance the character, landscape setting and identity of the settlement.

In terms of the Council's Green Belt Policy, no justification has been received for the proposed residential dwellings. In this instance, the proposal does not meet any of the defined criteria for acceptable development in such an area, and the development is therefore deemed to be contrary to Policy NE2.

The applicant's supporting statement acknowledges that green belt policy seeks to ensure only appropriate development is permitted therein. However, it suggests that the zoning of two Opportunity Sites (OP64 and OP65) which were formally zoned as Green Belt sets the precedent for the development proposed within this application. It should be noted that these two sites were formally allocated as housing sites and adopted through the Local Plan in 2012. To help meet the housing needs for Aberdeen, sufficient land has been allocated for housing in the ALDP and thus there is no need to allow this site to be used for residential purposes. Further, the Proposed Local Development Plan does not seek to change this designation. The allocation of OP sites to not set a precedent.

The supporting statement suggests that Core Path 65 is aspirational and *does not exist on the ground*. However, it is clear that this is not the case, with the Core Path being in place since 2009 and running close to the eastern boundary of the site. It is therefore considered that the upgraded path would not be a *significant improvement to the way that the ISA* [International School Aberdeen] *is accessed* as the situation would be no different to the current line. The statement also suggests that although the houses would create residential curtilage, the majority of the land within the application site would be preserved in perpetuity as accessible open space which enhances the amenity of the immediate area. Although there may be some positive aspects in respect to upgrading Core Path no. 65, and enhancing the landscape setting of the existing landscaped area, these do not outweigh the fact that introducing three large detached properties into this 'green space' would significantly erode the character of the Green Space Network and therefore the application is contrary to Policy NE1.

In conclusion, the principle of residential development on this site is not acceptable as there would be significant detrimental impact on the Green Belt and Green Space Network.

Design, scale and massing of dwellings

As noted above, the general principle of development on site cannot be established against Scottish Planning Policy nor the ALDP Policy as it relates to Green Belt locations. Notwithstanding, it is still necessary to assess the design of the proposed houses against the relevant policy. An important and defining characteristic of Pitfodels is the variety of house designs, with no two houses in this part of the Conservation Area being of the same design. The supporting statement states that the houses and driveway have been designed so as to resemble a country estate, with large houses set in large grounds. The houses themselves take cognisance of the traditional built form of the West End of Aberdeen. The proposed houses are generally in keeping with the theme of the large residential dwellings to the west which characterises the Pitfodels Conservation Area best. However, the main issue relates to the proposal for three identical houses to be constructed in an area which is characterised by different styles of properties. Introducing three identical properties would go against the grain of the established character. For this reason, it is considered

that the proposed houses have not been designed with due consideration for their context and therefore do not comply with Policy D1.

For applications within Conservation Areas, there is a requirement to submit a Design Statement with planning application. Reference is made within the submitted statement to the following;

Impact on the Lower Deeside/Pitfodels Conservation Area

As noted above, the site is located within the Lower Deeside/Pitfodels Conservation Area. As such, it is necessary to assess the impact of the proposed development upon whether to proposals preserve and enhance the character or appearance of the Conservation Area as a whole, taking account of the existing 'green spaces' as well as built form.

When compared to the immediate area, the proposal of three houses set in feus of approximately 1 – 1.5 acres in size is generally commensurate with the surrounding area whereby large dwellings are set within sizeable grounds from 1/3 acre to 1.5 acres in size.

It is worth noting that that the large 'green space' to which this site relates is an important characteristic of the established character of Pitfodels Conservation Area. Part of the character of the area relates to the sense of place that is gained by the available views from the North Deeside Road across undeveloped fields to the wider valley landscape of the River Dee. New buildings within this area might tend to obstruct attractive views of the lower areas near to the river, and of the valley itself, which help to give the area a sense of place. Since many open spaces in this area do not have significant tree cover except along some field boundaries new buildings would tend to be very visible until new planting had become established. They would also be unable to mirror the parkland setting for which a large part of the conservation area has become recognised. The area south of the North Deeside Road, between it and the river, is as an area of local landscape significance. It therefore helps to support the existing designation of Green Belt to the southern part of the Pitfodels Conservation Area. The Green Belt policies of the ALDP apply to control development that might otherwise affect landscape setting. When taking on board the fact that the proposal would remove around 4.5 acres of Green Belt and Green Space Network and replace it with residential dwellings and associated infrastructure, it is considered that this would have a significant detrimental impact on the character of the Conservation Area in that it would change the character of the immediate area. It is acknowledged that there would be landscaping associated with each plot but this is not considered sufficient to out-weigh the significant detrimental impact of the development. The development of the 'green space' could set a precedent for development which would incrementally erode the character of the area and the reasons for which it was made a Conservation Area.

Further, taking account of the existing character of Core Path 65, this is currently a trodden path through an unkempt and overgrown field which is an important aspect of the areas character being a wildlife corridor. The plans proposed to fundamentally change the character of the Core Path by changing its location, and by upgrading it to a more formal path set in an open landscaped area. It is considered that this in itself would have a significant detrimental impact on the character of the Pitfodels Conservation Area.

It is considered that the development would not preserve or enhance the Conservation Area and as such there is conflict with Policy D5, Historic Scotland's SHEP and SPP.

Access and servicing

A new vehicular and pedestrian access is proposed off North Deeside Road, with the new road meandering through the site towards the south. That access would be around 150m east of the existing access of the International School on the northern side of North Deeside Road. A refuse wheelie bin store is proposed adjacent to the new access behind the existing stone dyke along the northern edge of the site.

The Roads officer has indicated that the visibility to either side of the proposed access is adequate and therefore there are no objections to the access. Although there is still concern over the proposed new right turn movements in and out of the site, this is not enough to warrant recommendation of refusal.

Trees

A tree survey accompanied the application indicating that a total of 76 trees up to 20m in height had been surveyed, which are mainly situated along the north, north-east and western boundaries of the site, with some small groups throughout the site. The survey indicates that the trees are generally of moderate to poorer quality with an age class between young to mature.

Approximately 60 trees are proposed to be removed in order to permit development, these predominantly being at the point of the proposed new access and along the northern boundary. These are labelled G3 in the tree survey - a young to semi mature mixed broadleaved mostly Ash, Sycamore and Elder. They are likely self seeded regeneration as they are grown in close proximity causing one sided, leaning to the outside or slender and stretched to the interior. They are low graded Category C and unlikely to reach full maturity. It is proposed to replace them with high quality specimen trees / woodland. Similarly there is a group of 16 self sown Category C sycamore trees along the northern boundary that although are not required to be removed to accommodate the road alignment now, are poor quality and unlikely to reach full maturity. Therefore it is proposed to remove and replace with high quality specimen trees along North Deeside Road to improve the quality of the frontage to this road. These are within the overall no of trees to be removed.

Although the survey indicates the trees are of a poorer quality, it is important to note the part they play in contributing to the landscape character of the immediate area. The majority of the trees to be removed would be on this main public thoroughfare where the impact would be most apparent. Whilst it is acknowledged that there is already a gap in the landscaping along the site frontage, removing some twenty trees from that same frontage would significantly change the character of the immediate area.

Replacement planting is proposed along North Deeside Road which would help to further screen the site and enhance the landscape setting of the area. However, the current views over the valley to the south would likely be lost by virtue of that planting and given that this is a key characteristic of the Pitfodels Conservation Area, the impact on the experience of the Conservation Area would be significant. Additional trees are proposed along the new internal access road and on the boundaries of all the properties. In total, the replacement planting is on a 2:1 basis which is in line with Council requirements which would allow for 75 new trees and just over 9000m² of new wooded area within the site. Although the new planting would be required in order to screen the new dwellings, these trees would actually have a negative impact on the character of this part of the Pitfodels Conservation Area.

The application fails to adhere to the defining principles of Policy NE5.

Drainage

In terms of foul drainage, the submitted Drainage Statement indicates that each plot would have a single level of treatment for roof and road water. Foul drainage would outfall to Scottish Water's existing manhole in the south-east corner of the application site. In terms of surface water drainage, the attenuated, treated surface water run-off from the main access and plots would discharge to the existing ditch along the southern boundary of the application site. No observations have been received from the Council's flooding team.

Material considerations raised in letters of objection

The issues raised in the letters of objection have been dealt with in the relevant sections above.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and

- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

The foregoing can only be assessed on a case by case basis. In relation to this particular application, the policies listed below are of relevance;

- Policy NE1 – Green Space Network
- Policy NE2 – Green Belt
- Policy NE5 – Trees and Woodlands
- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment

These policies substantively reiterate policies in the adopted local plan. In addition, for the same reasons that the proposal does not comply with the adopted local development plan, it also does not comply Policies NE1, NE2, NE5, D1 and D4 of the Proposed Plan.

In Summary

The proposal represents a departure to the development plan, specifically in relation to Green Belt policy. The principle of development is unacceptable in respect that there is no justification been provided which would allow deviation from Green Belt Policy. Further, the proposed right turn movements into the site would lead to a road safety hazard. Lastly, the proposed development would have a significant detrimental impact on the character of the Pitfodels by virtue of the loss of the 'green space' and the construction of three identical dwellings.

Should Members be minded to approve the application, it is recommended that any such approval includes planning conditions relative to; landscaping, actual design of internal road layout, drainage, programme archaeological works. An informative may also be necessary in respect to construction hours.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

- 1) That the site lies within the Green Belt which is defined to protect and enhance the landscape setting and identity of urban areas and in which

there is a presumption against most kinds of development with only limited exceptions. The proposed development does not comply with any of the specified exceptions to the presumption against development within the Green Belt, and would lead to the erosion of the character of the Green Belt which would adversely affect the landscape setting of the City. The proposal therefore does not comply with Policy NE2 (Green Belt) of the Aberdeen Local Development Plan, Policy NE2 (Green Belt) of the Proposed Local Development Plan or Scottish Planning Policy. If permitted, this application would create a precedent for more, similar developments to the further detriment of the objectives of the Green Belt policy, when sufficient land has been identified for greenfield housing through the development plan.

- 2) That the site lies within land designated as Green Space Network which the Council seeks to protect, promote and enhance the wildlife, recreational, landscape and access value of. The proposed development would detrimentally erode the character or function of the Green Space Network and as such is contrary to Policy NE1 (Green Space Network) of the Aberdeen Local Development Plan and Policy NE1 (Green Space Network) of the Proposed Local Development Plan.
- 3) The proposed residential dwellings, because of their design, would be unsatisfactory in this location taking account of the prevailing character of the immediate Pitfodels Conservation Area, in that they have not been designed with due consideration for their context. The introduction of the three identical houses, the loss of the area of Green Belt and Green Space Network would have a significantly detrimental impact on the character of this part of the Pitfodels Conservation Area in that the development would not preserve or enhance the Conservation Area. The proposals do not comply with Policies D1 (Architecture and Placemaking), D5 (Built Heritage) or NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan, Policies D1 (Quality Placemaking by Design), D4 (Historic Environment) or NE5 (Trees and Woodlands) of the Proposed Aberdeen Local Development Plan, Scottish Planning Policy or Historic Scotland's Scottish Historic Environment Policy.

Dr Margaret Bochel

Head of Planning and Sustainable Development.

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From: webmaster@aberdeencity.gov.uk
Sent: 14 September 2014 18:36
To: PI
Subject: Planning Comment for 141260

Comment for Planning Application 141260

Name : Mr and Mrs J Graham

Address : Westholme,
Nth Deeside Rd,
Pitfodels,
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : We object to this development .This would be a further incursion into the Green Belt while the egress would be from a steep gradient onto a stretch of road with very poor visibility onto the very busy North Deeside Road.

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Jeff Nicol
28 Carnie Gardens
Elrick
AB326HR

Mr Tommy Hart
Planning Department
Aberdeen City Council
Marischal College
Broad Street
Aberdeen

17 September 2014

Dear Mr Hart

Planning application 141260, North Deeside Road

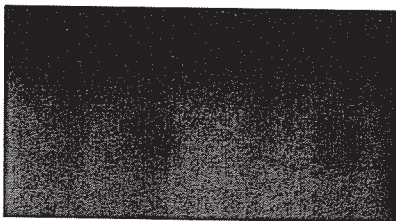
I am writing to note my objection to the above planning application for 3 houses on North Deeside Road.

I am a frequent user of the railway line walking route and am concerned on the impact that this development will have on the informal path down from North Deeside Road to the railway line. The informal path running down the east side of this site beside the existing treeline is well used and provides a vital link from the bus route.

Further I am not sure of current zoning as I am not a property expert, but the information that I have seen would suggest it is not zoned for development.

I would appreciate if you could confirm safe receipt of this objection.

Yours sincerely



Mr T.Hart - Planning Officer
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

15 Sept 2014

Dear Mr Hart

Planning application 141260 for three houses on North Deeside Road

I object to the above proposed development on North Deeside Road because it is not in the current local plan for development. It is zoned as green space and should remain as such.

I trust this forms a competent representation.

Yours Sincerely

A black rectangular redaction box covering the signature of Paul Richardson.

Paul Richardson

Andrew Davidson
22 Woodlands Crescent
Cults
Aberdeen
AB15 9DH

Mr Tommy Hart
Planning application support team
Aberdeen City Council
Business Hub 4, Marischall College
Broad Street
Aberdeen
AB10 1AB

16 Sept 2014

Dear Mr T Hart

Application for three houses, planning application 141260

Further to the advert in the Citizen newspaper regarding the above planning application I am writing to note my objection to the proposals.

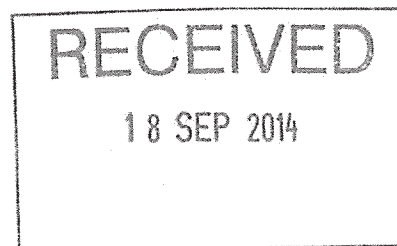
I use North Deeside Road regularly and the proposals will cause traffic issues at the entrance. This is also opposite the new international school which is already a traffic concern.

I hope that you will deem my objection valid and would appreciate if you could let me know that you have received this letter.

Yours faithfully



Andrew Davidson



PI

From: Sheena Wallace [REDACTED]
Sent: 19 September 2014 15:58
To: PI
Subject: PLANNING APPLICATION NUMBER 141260 - OBJECTION
Attachments: Planning Application No 141260 objection.pdf
Importance: High

Dear Sirs

Please find attached a letter of objection to Planning Application Number 141260.

I would be grateful if you would confirm receipt of this email.

Yours faithfully
S Wallace
Middleton of Pitfodells, North Deeside Road, Aberdeen AB15 9PL
Telephone [REDACTED]

Middleton of Pittodels
North Deeside Road
ABERDEEN
AB15 9PL

19 September 2014

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

Dear Sirs

Application Number	141260
Proposal Description	Three houses with landscaping
Application Type	Detailed planning permission

We wish to register our objection to the above plan on the basis that the site is within designated Green Belt and Conservation areas. Scottish Historic Environment Policy quotes conservation areas as "areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance." This proposal appears to be in direct contravention of that policy.

This site would require a new access almost opposite the entrance to the International School. This location, on the already busy thoroughfare of North Deeside Road, has already been the subject of numerous traffic incidents. It appears foolhardy to create higher levels of risk at this point.

We sincerely trust that our City's Planning Department takes the protection of the Green Belt and the The Pittodels Special Character Area seriously.

Yours faithfully

Mr and Mrs S Wallace

PI

From: webmaster@aberdeencity.gov.uk
Sent: 05 September 2014 15:42
To: PI
Subject: Planning Comment for 141260

Comment for Planning Application 141260

Name : Angus Carmichael
Address : 206 Deeside Gardens,
Aberdeen

Telephone :

Email : 

type :

Comment : Whilst it will be a shame to see that green space disappear, my primary concern is with the school opposite. The stretch of road is a 40mph limit with no traffic calming and the council has apparently made little effort to facilitate safe crossing to the school outside its gates. With additional driveways opening onto that section of the road, the opportunity for a young person to be hit by a car can only be increased.

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From: Martin Mckenzie [REDACTED]
Sent: 06 September 2014 16:04
To: Tommy Hart
Cc: Paul Williamson; Aileen Malone; Marie Boulton; M.Tauqeer Malik;
; PI
Subject: Objection to Planning Application 141260, Land Opposite International School,
Pitfodels, Aberdeen
Attachments: windows-1252"Objection to Planning Application 141260- Land Opposite International
School, Pitfodels, Aberdeen.pdf

Dear Mr Hart,

Please see attached a copy of my objection to Planning Application 141260 for the installation of 3 houses on the land opposite International School in Pitfodels, Aberdeen.
I would appreciate if you could confirm receipt of this e-mail and attachment and welcome any comments you may have in this regard.

Regards,

Martin

Martin McKenzie
Tel: [REDACTED]
E:mail: [REDACTED]

Middleton Lodge
Station Road
Pitfodels, Cults
Aberdeen
AB15 9PJ

Sent by e:mail and Royal Mail

tomhart@aberdeencity.gov.uk
Mr Tommy Hart
Aberdeen City Council
Ground Floor
Marischal College
Broad Street
Aberdeen
AB10 1AB

06 September 2014

Dear Mr Hart,

Objection to Planning Application: 141260, 3 Houses with Landscaping on Land Opposite International School, Pitfodels, Aberdeen

I lodge an objection to the above application for the proposed development for 3 houses on the land opposite the International School in Pitfodels, Aberdeen and would specifically refer you to the content and outcome relating to a recent planning application, No 131279, that was recommended for refusal by planning officer, Mr Paul Williamson which was unanimously supported by local councillors.

This most recent planning application aims to develop a section of Green Belt which is also located in a recognised Conservation Area. The following sections aim to position the applicant's proposal relative to current planning policy, guidelines and local observations.

1. **PITFODELS, Conservation Area 10 Appraisal, section 3.6,**
The 'Landscape Strategy Part 1 - Maintenance of Landscape Setting' states the following;

"it identifies the area south of the North Deeside Road, and between it and the river, as an area of local landscape significance. It therefore helps to support the existing designation of green belt to the southern part of the Pitfodels area. The green belt policies of the local plan will apply to control development that might otherwise affect landscape setting."

Objection: The proposed development is located in this area and that **"green belt policies of the local plan will apply to control development"**.

2. **Policy NE2 – Green Belt, states:**

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

- a) *the development is within the boundary of the existing activity.*
- b) *the development is small-scale.*

- c) *the intensity of activity is not significantly increased.*
- d) *any proposed built construction is **ancillary** to what exists."*

Objection: Points to note with respect to the proposal versus Policy NE2 guidance are:

1. The proposal is not part of an existing activity.
2. Development is not small scale.
3. Road and services activity will be increased.
4. There is no existing building to enable the proposal to be ancillary to what exists.

3. PITFODELS, Conservation Area 10 Appraisal, Sections 3.2, 3.3, 3.4 & 3.5 highlight;

"that in addition to existing buildings, it is the theme of structural tree planting between and around them, along driveways and boundaries, and their relationship to the open spaces and the views they create across existing undeveloped fields which makes the character of the overall area so distinctive.

An important element that establishes Pitfodels as having a "sense of place"

New buildings within the area might tend to obstruct attractive views which help to give the area it's "sense of place".

Many open spaces in the Pitfodels area do not have significant tree cover except along some field boundaries. New buildings would tend to be very visible. New planting would be unable to mirror the parkland setting for which a large part of the conservation area has become recognised, leading to physical or visual coalescence with the urban areas on either side"

Objection: The proposal will remove forever, a significant "open space" from the Conservation Area. Any development will further detract from the "character" of the area, encouraging additional development within other open areas within the Conservation Area leading to an urban merger between Mannofield and Cults.

4. PITFODELS, Conservation Area 10 Appraisal, Section 3.8 states;

"The 'Memorandum of Guidance on Listed Buildings and Conservation Areas' 1993 published by Historic Scotland indicates that developments which can block or restrict important elements or views or generally change the visual setting may also have adverse effects. With this in mind it is not intended to amend the existing conservation area boundaries in other places."

Objection: The proposal will undermine the guidance within the current Policy where the council have recognised the need to maintain boundaries and limit development within the Conservation Area. Development would set a precedent for future development that would have diminished grounds for refusal.

5. PITFODELS, Conservation Area 10 Appraisal, Section 3.10 states;

"it should be noted that the existing road network within the Pitfodels area is very constrained and developments of any significant size may need associated road improvements to be carried out beyond the sites themselves. Assessments will need to be simultaneously carried out to show that they themselves will not have a significant impact on the environmental quality of the conservation area.

All development proposals will normally require that –

- a) *Supporting information shall be provided in the form of a comprehensive survey and assessment of buildings, walls and other enclosures; materials, pedestrian and vehicular access, traffic generation and parking, ground levels, landscape, trees, other vegetation and open spaces;*
- b) *Vehicular access shall be by means of existing arrangements. Upgrading may be permitted dependant on any associated environmental impacts being shown to be minimal. No new accesses shall be permitted unless and except where (i) it replaces another substandard one which shall subsequently be permanently closed off, (ii) it conforms to road safety and traffic standards, and (iii) will result in no loss of existing sound trees;*
- c) *Removal of existing sound trees will not be allowed except in exceptional circumstances with the written approval of the Council, and then only where adequate arrangements can be made for compensatory replacement planting around or in the same place;*
- d) *No developments shall commence unless a satisfactory landscape and management plan has been submitted and approved by the Council;*
- e) *Only high quality designs for buildings, materials and external spaces will be acceptable.*
- f) *Development will only be permitted where service arrangements for gas, electricity, water and other utilities can be made without any permanent loss or damage to existing trees, walls or local amenity.*
- g) *Boundary enclosures shall comprise good quality walls, fences trees or hedges that correspond with local or traditional character. Larch Lap style fencing will not be permitted."*

Objection: Based on the available information presented in the Planning Application immediately obvious objections can be listed as follows:

- Vehicular access is proposed directly on to an already busy road, placing additional congestion and traffic risk on an access point that has poor visibility adding to an already risky fast moving traffic area.
- The proposal will result in the removal of many mature trees and replaced with new buildings with no obvious tree replacement plan. Current policy is "Removal of existing sound trees will not be allowed except in exceptional circumstances".
- Removal of trees is counter to the guidance given in Section 3 above where new buildings would tend to be very visible. New planting would be unable to mirror the parkland setting for which a large part of the conservation area has become recognised.
- Service arrangements for gas, electricity, water and other utilities is likely to result in drainage and water course changes with unknown consequences for adjacent properties and surrounding landscape. Development at the Marcliffe of Pitfodels Hotel resulted in the appearance of springs in adjacent properties to the proposed site location that were not apparent prior to commencement of the building/foundation works associated with the Hotel's construction.

6. Local Development Precedent

A review of historical planning applications in the Deeside area demonstrates the Aberdeen Planning Department's stance regarding the type of planning approved versus those refused. Of those applications listed in the planning website, a total of 65 applications were refused within the Lower Deeside area from 1984 to 2014. Overall the applications refused were for the following reasons:

- Change of land use to residential.
- Requests to build a new house within an existing garden.
- Replacement houses that were not in keeping with existing character

More specifically, refusals of note that pertain to this application are:

1. **Previous application for a similar development on a nearby site on Pitfodels Station road.**
Application: 842676, Denis Christie, 55 Fountainhall Road, Aberdeen, Dec 1984.
Request: To erect 2 dwelling houses within a site lying between north Deeside road and the disused Deeside railway line.
Refused: No information available from website, believed to be Green belt and access issues.
2. **Previous application for a similar development on same site as above on Pitfodels Station road.**
Application: 131279, Eric Yule, 30th Aug 2013.
Request: To erect 3 dwelling houses within a site lying between north Deeside road and the disused Deeside railway line.
Officer: Mr Paul Williamson. Recommendation by planning officer: REFUSAL.
Refused: Contravening conservation and greenbelt policy.
Refused unanimously by council members when presented as item 2.6 in Planning Development Management Committee meeting on Thursday 20th March 2014.
3. **Application by a neighbour on an adjacent site.**
Application: 991087, Mr & Mrs D. Bain, Middleton Steading, July 1999.
Request: to replace an existing garage.
Refused: Refused on the basis of possible damage to tree root system.

There is no known case of a similar planning application being approved anywhere in the Lower Deeside area, with applications within the Pitfodels Conservation area being assessed against a more stringent planning policy.

Objection: Based on this information and recent applications the proposed development should be refused on the following basis;

- The site falls within the Green Belt within which no new development is permitted.
- There are no known precedents for this type of proposal within the Green Belt.
- The proposals do not meet any of the policy criteria for exception to this policy

7. Environmental Considerations

Policy NE1 – Green Space Network states;

“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.”

“measures shall be taken to allow access across roads for wildlife and for access and outdoor recreation purposes”.

“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.”

Objection: The proposed development is firstly, in Green Belt, secondly, in a Conservation Area and thirdly, adjacent to a recognised Green Space Network. The proposed development will have a significant impact on the current wildlife and landscape environment within the area. Green space policy encourages the linkage of recognised green space networks with existing green belt to ensure that

wildlife corridors are maintained and encouraged. This development will have a significant adverse effect on maintaining this policy within the proposed development area. On an environmental basis the proposal should be refused for the following reasons:

- Wildlife impact, numerous deer (with fawning does within the site), several foxes, pheasants, buzzards, rabbits, bats in addition to an abundance of bird species including woodpeckers all frequent the proposed development site.
- The site provides local wildlife opportunities to eat, breed and travel through the Pitfodels conservation area unhindered. Any development will remove this facility altogether.
- Bats traverse this site in the evening at an elevation as low as a few feet, large buildings will have an adverse on their ability to feed and reduce their ability to breed unhindered.

Can you please confirm receipt of my objection and inform me of any consultation meetings that may be tabled in relation to this application.

Yours sincerely,

[Redacted signature]

Martin McKenzie

Telephone: [Redacted]

E: mail: [Redacted]

CC: Mr Paul A Williamson
PaWilliamson@aberdeencity.gov.uk

Councillor Aileen Malone
amalone@aberdeencity.gov.uk

Councillor Marie Boulton
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Peter Roberts, Planning Liaison Officer, Cults Bieldside and Milltimber Community Council (CBMCC)
[Redacted]

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Planning Development Management Committee

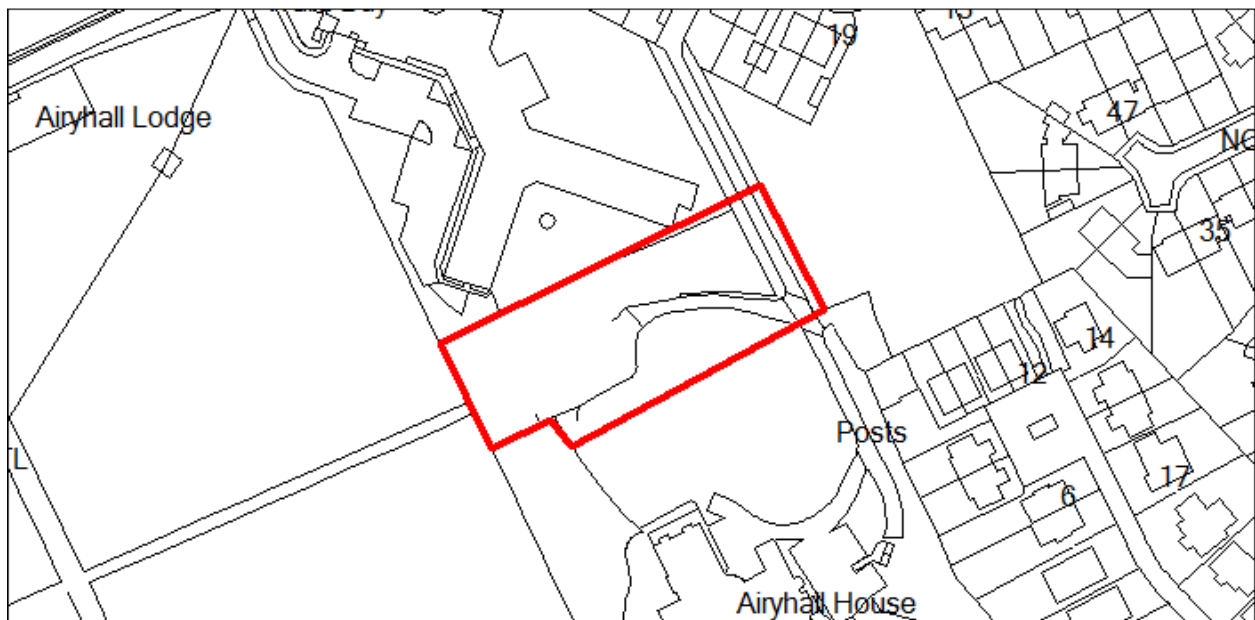
AIRYHALL HOUSE LAND NORTH OF,
CRAIGTON ROAD, PITFODELS

CONSTRUCTION OF 5 NO.TERRACED
HOUSES AND ASSOCIATED SITE WORKS

For: Bancon Developments Ltd

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

Advert : Section 60/65 - Dev aff
LB/CA
Advertised on: 25/09/2013
Committee Date: 4 December 2014
Community Council : No Community
Council



RECOMMENDATION:

Refuse

DESCRIPTION

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

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

RELEVANT HISTORY

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

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

PROPOSAL

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

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

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

Supporting Documents

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

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

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

- Schedule of Trees
- Design Statement

REASON FOR REFERRAL TO COMMITTEE

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

CONSULTATIONS

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

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

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

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

Developer Obligations Team – Based on the methodologies in the current supplementary guidance, allowing for the averaging over for Airyhall Primary School, a financial contribution would be required to be paid by the applicant. Hazlehead Academy should be able to accommodate pupils from this small development.

Community Council – No community council

REPRESENTATIONS

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

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

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP)

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

The following Scottish Government national outcomes are relevant –

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

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

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

Scottish Historic Environment Policy (SHEP)

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

Aberdeen Local Development Plan

Policy LR1 – Land Release Policy

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

Policy D1 – Architecture and Placemaking

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

Policy D2 – Design and Amenity

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

Policy T2 – Managing the Transport Impact of Development

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

Policy D5 - Built Heritage

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

Policy D6 – Landscape

Development will not be permitted unless it avoids significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it.

Policy NE5 – Trees and Woodlands

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

Policy NE9 – Access and Informal Recreation

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

Policy R7 – Low and Zero Carbon Buildings

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

Supplementary Guidance

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

Proposed Aberdeen Local Development Plan

The following policies substantively reiterate policies in the adopted local plan as summarised above:

Policy D1 – Quality Placemaking by Design

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials. Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities; distinctive, welcoming, safe and pleasant, easy to move around, adaptable and resource efficient.

Policy D2 – Landscape

Quality development will (i) be informed by the existing landscape character, topography and existing features to sustain local diversity and distinctiveness, including natural and built features such as existing boundary walls, hedges, copses and other features of interest; (ii) conserve, enhance or restore existing landscape features and should incorporate them into a spatial landscape design hierarchy that provides structure to the site layout;

Policy D4 – Historic Environment

The Council will protect, preserve and enhance the historic environment in line with Scottish Planning Policy, SHEP, its own Supplementary Guidance and Conservation Area Character Appraisals and Management Plan. It will assess the impact of proposed development and support high quality design that respects the character, appearance and setting of the historic environment and protects the special architectural or historic interest of its listed buildings, conservation areas, archaeology, scheduled monument, historic gardens and designed landscapes.

Policy NE5 – Trees and Woodlands

There is a presumption against all activities and development that will result in the loss of or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation.

Policy NE9 – Access and Informal Recreation

New development should not compromise the integrity of existing or potential recreational opportunities including general access rights to land and water, Core Paths, other paths and rights of way. This includes any impacts on access during the construction phase of a development.

Policy T2 – Managing the Transport Impact of Development

Commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.

Policy H1 – Residential Areas

Within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new 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; and
4. Complies with Supplementary Guidance

EVALUATION

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

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Accordingly, considerable weight is required to be given to this matter.

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

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

A Pitfodels Conservation Area Appraisal was produced in 2002 but has now been superseded by an updated Conservation Area Character Appraisal and Management Plan, which was put out for consultation in March this year. It has not yet been adopted as supplementary guidance. SPP advises the planning system should promote the care and protection of the designated and non-designated historic environment and its contribution to sense of place and cultural identity. SPP supports positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected. However, such change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset and ensure that its special characteristics are protected, conserved or enhanced. Proposals for development within conservation areas should preserve or enhance the character and appearance of the conservation area.

Land Allocation – Policy LR1

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

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

Impact on Character of Pitfodels Conservation Area

To the south of Airyhall Road, Pitfodels Conservation Area is characterised by large detached properties set within extensive wooded grounds. There are many imposing small country houses or large mansion style houses, along with their spacious garden layouts and the generous planting of trees. That character has, to some extent, been altered in recent years by developments at the Marcliffe at Pitfodels Hotel, the International School (approved in 2007), Airyhall House (conversion and extension approved in 2006) and Northcote Care Home (approved at the Council meeting in April 2010). To the north of that road the character is of undeveloped open fields to the west of Airyhall House, beyond which is the Woodlands residential development on the grounds of the former hospital site. The wooded nature and substantial number of large mature trees in Pitfodels is a key defining characteristic of the conservation area. Another defining characteristic is the sense of space between properties arising mostly from the extensive grounds around buildings. The juxtaposition of Airyhall House and the care home to the north and the spaces between and around them are reflective of and reinforce that character.

In order to maintain the prevailing character of the conservation area it is important that there is sufficient distance between buildings that will provide substantial areas for intervening landscaping and open space and for buildings to be distributed in such a way that one building will not be readily seen from another. It is also important for new buildings to be of high quality in terms of design, the materials used and the external spaces around the buildings.

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

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

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

The design of the proposed houses does not reflect the prevailing character and appearance of buildings in the conservation area. Although white render was used on parts of the walls of Northcote Care Home and the extension to Airyhall House. The use of expansive areas white render on the walls and concrete tiles on the roof of the houses is not appropriate. The design and appearance of the terrace would have a rather suburban appearance. It would not include the specific design features, detailing or external finishes one would expect in this conservation area. The Design Statement draws attention to the solid to void relationship and the vertical proportions of the windows. However, these matters do not overcome the design failings of the proposal. The development would neither preserve nor enhance the character of the area and thus would be contrary to SPP and Policies D1 and D5 of the local development plan.

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

Policy D2 - Design and Amenity

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

Impact on Trees and Habitat

The original proposal to construct a new footpath east-west through the site would have been likely to cause significant harm to a number of trees due to the requirement to make significant changes to ground levels immediately adjacent to mature trees. As a result, the applicant submitted a revised proposal to change the alignment of the footpath which avoids any requirement for altering existing ground levels. The potential impacts of the revised footpath and the proposed houses have been assessed by the Council's Arboriculture Officer. The proposed no dig construction methodology proposed for the footpath would appear to be feasible. However given the age of the trees it is reasonable to forecast a low-medium negative impact. This impact is however unlikely to have a significant impact on the long term retention of the trees along the path edge. Retention of the existing low wall immediately to the south would assist in minimising any impacts.

The actual construction of the houses would not result in the loss of any significant trees. However, this assumes access for those works can be gained via adjacent land to the west. Achieving this has not been demonstrated by the applicant, although the applicant has stated that access can be secured through the open field to the west, thus avoiding construction traffic using the lane. To construct the development from the east, via the access lane, could not be done without damaging/removing trees. Given the close proximity of the houses to large trees, there would likely be significant risk to the long term retention of a number of the trees. The threat to the trees would arise primarily due to the physical and potentially overbearing presence of the trees close to the houses (the trees are up to 20 metres high and only 10 metres from the nearest house). Retention times are often significantly reduced due to concerns of future occupants around safety, maintenance (e.g. issues caused by falling leaves, branches etc.) and light levels received within the property and garden grounds.

The applicant has provided a sunlight analysis showing where shadows would be cast by the trees a various times of the day on 21st March and 21st June of any year. The analysis shows that almost the whole of the gardens would in shade at 9.00 am on 21st March. The whole garden of one house and all rear gardens would be in the shade at noon, whilst most garden areas would receive direct sunlight at 5.00 pm. The situation on 21st June would be more favourable, with most garden areas receiving direct sunlight during the middle of the day and afternoon. During winter months gardens would be in the shade for the majority of daylight hours. As the gardens would receive direct sunlight for at least part of the day outwith winter months, the risk that occupants would wish to fell trees due to shading is reduced.

The construction of the parking area/service turning area would require the removal of a semi mature beech hedge and a number of young-semi mature trees. These trees are not included in the current survey submitted by the applicant. The applicant has indicated that the trees and hedge could be

replaced elsewhere on the site. It would appear that the construction of this area may also impact on the root protection zone of three larger trees.

Given the value of the trees to the character of the site and the surrounding area, the potential threat to their long term retention is an important consideration in the determination of the application. Taking account of all of the above factors, the proposal is not directly contrary to Policy NE5 – Trees and Woodlands as the loss of significant trees is unlikely to occur during the construction phase. However, for the reasons stated above, there would potentially be pressure from occupants to request the removal of trees.

Although the construction of the development would be unlikely to result in the loss of trees, other than small trees in the location of the car parking area, the proposal would nevertheless have an impact on the landscape character of the locality. The wooded characteristics of the site would be changed significantly by the construction of a terrace of houses. In that regard, the proposal is contrary to Policy D6 of the local development plan.

The landscaping scheme approved by the Council for the adjacent care home included the planting of 7 trees within the current application site, being necessary to soften the visual impact of the care home. There is no evidence of the trees actually being planted. The current proposal is for the car park to be constructed in the area where the trees should be planted. Approval of this application would mean that the landscaping scheme could not be fully implemented.

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

Impact on Core Paths

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

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

public has a legal right to use these routes and therefore no further action is required through this planning application to secure continued access.

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

Access Arrangements, Car Parking and Accessibility

Car parking would be provided in a communal area in the north west part of the site. There would be 10 parking spaces and thus would accord with the Council's Parking Standards. It would be unlikely that overspill parking to the surrounding area would occur. The proposed access, utilising the existing lane, would be widened in accordance with Council requirements. It would be a shared surface for vehicles, cyclists and pedestrians. The amount of vehicular traffic using the lane would be low, given it would relate to only 5 houses. The Roads Projects Team has raised no safety concerns with regard to any potential conflict between the various users. A swept path analysis submitted by the applicant shows that two-way traffic is achievable. There are currently no proposals to install/improve lighting in the lane. If Members resolved to approve the application, improvements to lighting could be secured through a planning condition. The site is relatively close to the bus route on Craigton Road. A little further away would be the bus route on North Deeside Road. The site is reasonably accessible to the cycle network.

Impact on Residential Amenity

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

Matters is Raised in Written Representations

The matters raised in objections in relation to the loss of green space and mature trees (1, above), the design of the houses (2), the density of housing in the area (3), coalescence of Aberdeen and Cults (4), the access lane (7), privacy and access to Airyhall House (8), safety concerns from increased traffic (10), potential

overspill parking (11), the right of way (12), the impact on wildlife/habitat (13) and the oversupply of housing (14) have been discussed earlier in this report.

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

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

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

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

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration.

In relation to this particular application the policies listed below are of relevance.

Policy D1 – Quality Placemaking by Design

Policy D2 - Landscape

Policy D4 – Historic Environment

Policy NE5 – Trees and Woodlands

Policy NE9 – Access and Informal Recreation

Policy T2 – Managing the Transport Impact of Development

Policy H1 – Residential Areas

Policies D1, D2, D4, NE5, NE9 and T2 substantively reiterate policies in the adopted local plan. Policy H1 introduces new considerations. The current Opportunity Site designation in the adopted local development plan has not been carried forward to the Proposed Plan, as the 20 house allocation has already been taken up. The 20 house development, to the east of Airyhall House, has

been completed. Whilst Policy H1 supports the principle of residential development in areas identified as Residential on the Proposals Map, any such development must comply with criteria specified in the policy. In this case, for the reasons explained earlier in this report, the proposal would represent over development of the site and would adversely impact on the character and amenity of the surrounding. Accordingly, the proposal does not comply with Policy H1 of the Proposed Plan. In addition, for the same reasons that the proposal does not comply with the adopted local development plan, it also does not comply Policies D1, D2 and D4 of the Proposed Plan.

Conclusion

The proposed development would not preserve or enhance the character of the conservation area being detrimental to that character and appearance due to (a) the inappropriate location, form, design and external finishing materials of the proposed houses, (b) the inappropriate density of development and juxtaposition with adjacent buildings resulting in a pattern of development that is not reflective of or in keeping with the area, and (c) the loss of green space. However, if Members are minded to approve the application, it should be subject to the applicant entering into a legal agreement to secure developer contributions and a contribution to the Strategic Transport Fund and to conditions including the provision of a precise methodology for the construction of the footpaths, a landscaping scheme, implementation of tree protection measures during construction, a construction method statement including the means of accessing the site during the construction phase, the provision of car parking, further details of external finishes, details of lighting for the access road and drainage details.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

- (1) That the proposal would not preserve or enhance the character and appearance of the conservation area, being detrimental to that character and appearance due to (a) the inappropriate location, form, design and external finishing materials of the proposed houses, (b) the inappropriate density of development and juxtaposition with adjacent buildings resulting in a pattern of development that is not reflective of or in keeping with the area, and (c) the loss of green space, all of which would be contrary to Scottish Planning Policy, Scottish Historic Environment Policy and Policies D1 (Architecture and Placemaking), D2 (Design and Amenity), D5 (Built Heritage), and D6 (Landscape) and the associated supplementary guidance of the Aberdeen Local Development Plan and Policies D1 (Quality Placemaking by Design), D2 (Landscape), D4 (Historic Environment) and H1 (Residential Areas) of the Proposed Aberdeen Local Development Plan.

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

Dr Margaret Bochel

Head of Planning and Sustainable Development.

Mr A Wotherspoon
24 Airyhall House
ABERDEEN
AB15 7TF

2nd October 2013

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

Dear Sirs

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

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

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

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

Yours Sincerely

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

A Wotherspoon

8 Northcote Crescent
ABERDEEN
AB15 7TJ

10 October 2013

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

Dear Dr Bochel

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

1. Preamble

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

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

2. Objections

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

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

Yours sincerely



Fred Robertson.

Copy:- Councillor Ian Yuill
Mr Saemus MacInnes.

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

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

Dear Sir,

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

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

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

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

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

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

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

Yours Sincerely



11 AIRYHALL HOUSE

A. Innes
Secretary Residents Association

Robert Vickers

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

Comment for Planning Application 131354

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

Telephone

Email : 
type :

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

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

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

Robert Vickers

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

Comment for Planning Application 131354

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

Telephone :

Email :

type :

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

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

Yours, Lynne & Ian Martin-Beattie

Dawn Ramsay

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

Comment for Planning Application 131354

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

Telephone : _____

Email : _____

type : _____

Comment : I object to the application as I believe it is inappropriate to build in a wooded area with many protect4ed trees, with an historic pathway. The overdevelopment does not have adequate access to the site.

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

Comment for Planning Application 131354

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

Telephone :
Email :
Type :

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

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

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

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

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

Dear Sir,

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

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

Impact on parking

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

Impact on road safety

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

In addition this road is used by children in the area to play in. There is minimal traffic as this road is currently not being permanently used. This a safe area for children to ride their bikes and scooter. If this was used as a through road then increased traffic can lead to a safety hazard for children.

Impact on traffic

Currently this application is just for 5 houses but there is the potential for more houses. This would increase traffic along Northcote crescent substantially causing traffic and safety hazard problems.

Destruction of greenery

I have been informed that the current pedestrian road will have to be widened to accommodate traffic and large vehicles, this will lead to trees and plants being removed. Currently this path forms a nice pleasant safe area for the elder people in this vicinity to walk along. Removing trees and plants will have a detrimental impact on the visual appeal of the area.

Further to the visual appeal there are a number of mature trees in the area.

Noise/Privacy

The entrance road leading to the houses is adjacent to my home and garden which will increase noise, pollution and dust. The current road/pederstian walkway was not built to accommodate constant traffic and has not been used for a number of years. It is a quiet secondary road leading to Airyhall house. This is a quiet area and widening this road to accommodate more vehicles will increase my exposure to noise and traffic. I have a bedroom window a few metres from the entrance road and increased traffic will disturb my sleep. My garden will back onto the road, increased traffic will increase noise and impact the peacefulness.

In addition the hedges that back onto my garden provides privacy from the public who walk their dogs along this road. If the hedges were to be removed due to the widened of the road this would effect my privacy.

Incorrect plans

The location file does not show the recent Bancon development along Airyhall Road. The plans mislead the general public regarding the use of the surrounding land.

Design

I feel the 5 terraced houses are not in keeping with the semi detached houses that dominate the surrounding area.

Should you require any additional information, clarification of any comments made do not hesitate to contact me.

Regards,
Ellen Mo

P&SD Letters of Representation		
Application Number: 131354 - 131354		
RECEIVED 02 OCT 2013		
Nor	Sou	MAp
Case Officer Initials: GMP		
Date Acknowledged: 3-10-13		

From: webmaster@aberdeencity.gov.uk
Sent: 26 September 2013 20:35
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Brian & Mary Morrison

Address : 5 Airyhall House

Airyhall Road

Aberdeen

AB15 7TF

Telephone :

Email :

Type :

Comment : We wish to object to planning permission being granted on the basis that we feel that the development would be intrusive to the development at Airyhall house . On looking at the plans it looks like a large number of mature trees would have to be cut down which is not good for the environment. We have only moved to this property in August and one of the factors which helped us make up our mind to move here was that the property was secluded and private which this proposed development would deprive us of.

Brian & Mary Morrison

From: webmaster@aberdeencity.gov.uk
Sent: 21 September 2013 19:33
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Andrew Liddle
Address : 23 Northcote Cr.
Aberdeen
AB15 7TE

Telephone ? _____
Email ? _____
type :

Comment : Dear Sir/Madam,

I have viewed the proposed plans and would wish to make two observations.

1- The plan that is being used is out of date, 2 of the 3 fields in the diagram (SSE,SE) of the proposed development are no longer vacant. These have now been developed and have people residing in them.

2- The Proposed development does not match any of the existing houses in the surrounding area.

The questions I wish to be answered are;

a - Were only documentation without the recent developments reviewed by the council? And if this is not the case can you provide me with documentation showing the new development in relation to all the property in the area.

b - Where were these documents for the development design obtained from, if it was the council, what management of change process do the council use to update their records of real-estate development? and were they followed here?

c - Do the addition of the recently developed properties affect the density of housing here in character of this area?

I believe it is strange that myself was initially denied a housing redevelopment proposal, due window sizes being "too small" and therefore not fitting the character of the street. This was later reviewed and it was found to be a mistake by an individual in the planning department. Following this logic, how does this development (terraced housing) fit within the character of the area of low density housing.

I am aware that in the past that this area was denied development for sports field, and now I find planning has been accepted for terraced housing.

Regards

Andrew Liddle



P&SD Letters of Representation		
Application Number: 131354		
RECEIVED 23 SEP 2013		
Nor	Sou <input checked="" type="checkbox"/>	MAp
Case Officer Initials: GDL		
Date Acknowledged: 23/9/13		

PI

From: webmaster@aberdeencity.gov.uk
Sent: 23 September 2013 15:27
To: PI
Subject: Planning Comment for 131354

Comment for Planning Application 131354

Name : Steven Fraser
Address : 185 Craigton Road
Aberdeen

Telephone :

Email :

type :

Comment : We would like to highlight our objections to the this plan due to traffic and access concerns. If the access is to be off Northcote then this would cause issues for what is a small busy road at the best of times. There is also a small grass area which is used by many kids for the playing and any additional traffic would raise safety concerns.

ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management Committee
DATE	4 December 2014
DIRECTOR	Pete Leonard
TITLE OF REPORT	Confirmation of Tree Preservation Order numbers 131, 150, 191, 192, 218
REPORT NUMBER:	CHI/14/043
CHECKLIST RECEIVED	Yes

1. PURPOSE OF REPORT

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

2. RECOMMENDATION(S)

It is recommended Members confirm the making of Tree Preservation Orders 131, 150, 191, 192 and 218 without modifications, and that the Head of Legal and Democratic Services attend the requisite procedures.

3. FINANCIAL IMPLICATIONS

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

4. OTHER IMPLICATIONS

A Tree Preservation Order gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality. As outlined in Policy NE5: Trees and Woodland, the Council will take the necessary steps to ensure that trees are protected in the longer term. Protecting trees has the further benefit of contributing to the Council's policies on improving air quality and helping combat climate change. Promoting the improvement and maintenance of environmental quality and townscapes in turn supports investment and economic competitiveness.

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

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

The trees in the following Tree Preservation Orders contribute to the local character of the area. The loss of these trees would have an adverse effect on this character. A Tree Preservation Order would ensure that trees could not be removed without the consent of the Council who would have an opportunity to have regard to the environmental implications of any proposals.

5. BACKGROUND/MAIN ISSUES

- **Tree Preservation Order Number 131, Station Road, Dyce**

- **Tree Preservation Order Number 150, 40 Culter House Road, Milltimber**

- **Tree Preservation Order Number 191, 299 Queen's Road**

- **Tree Preservation Order Number 192, Former Raeden Centre**

- **Tree Preservation Order Number 218, Former Hilton Nursery School**

6. IMPACT

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

7. MANAGEMENT OF RISK

There is a risk of loss of the trees if the recommendations are not accepted which would impact on people and the environment. If recommendations are accepted the Orders will ensure the long term protection of the trees on each of the sites by ensuring the trees could

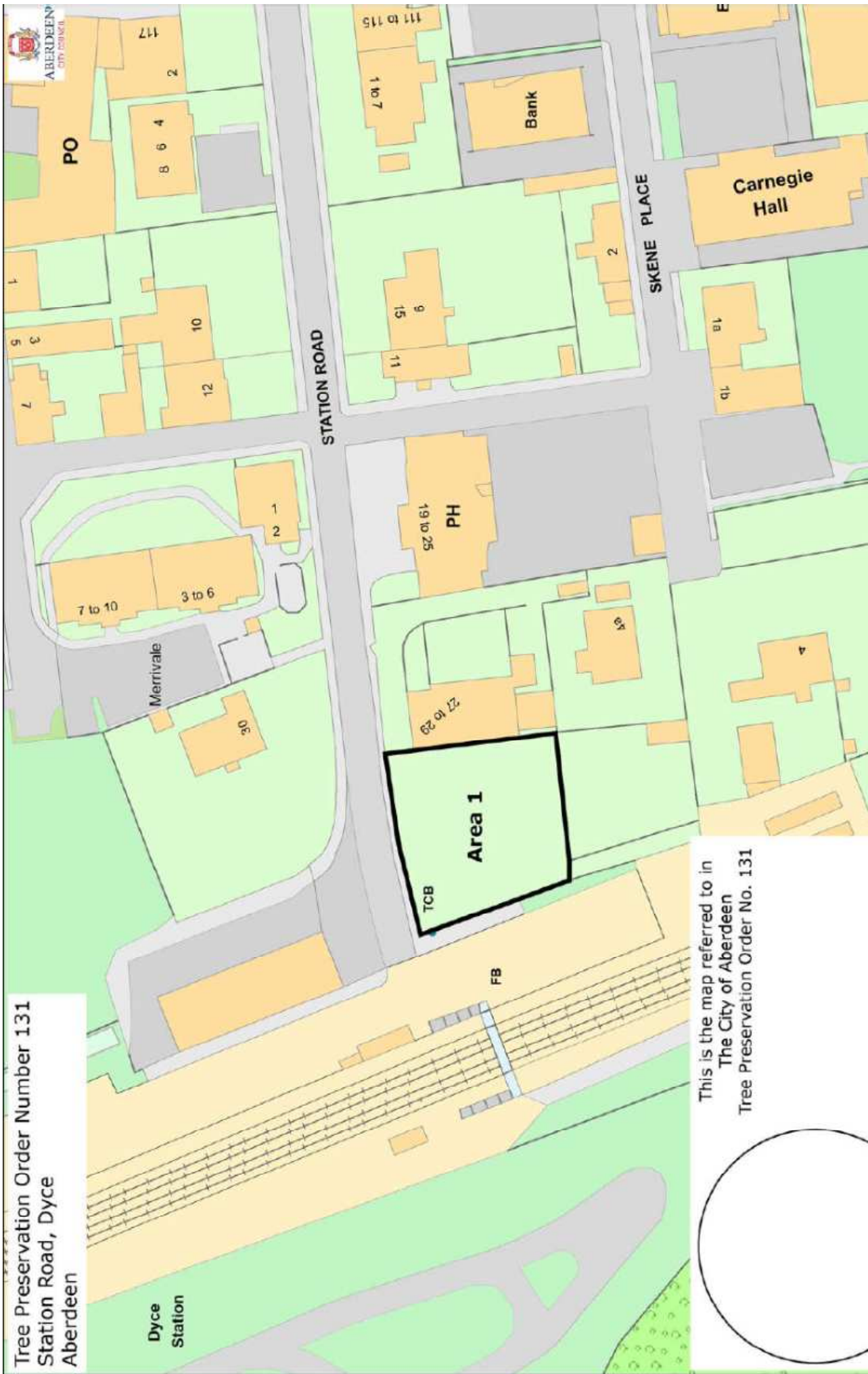
not be cut down or otherwise damaged without the express permission of the Council, hence securing the public amenity and environmental value of each site.

8. BACKGROUND PAPERS

Files of Tree Preservation Orders 131, 150, 191, 192 and 218; maps attached

9. REPORT AUTHOR DETAILS

Kevin Wright
Environmental Planner
kewright@aberdeencity.gov.uk
(01224) 522440



Tree Preservation Order Number 131
Station Road, Dyce
Aberdeen

This is the map referred to in
The City of Aberdeen
Tree Preservation Order No. 131

Tree Preservation Order Number 150
40 Culter House Road, Milltimber
Aberdeen



This is the map referred to in
The City of Aberdeen
Tree Preservation Order No. 150

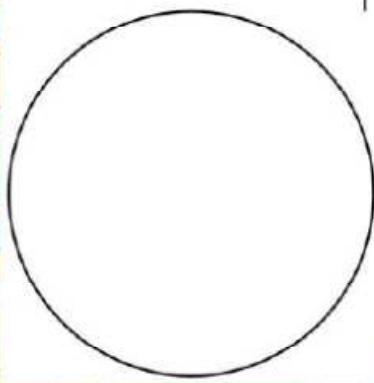


Tree Preservation Order Number 191
299 Queen's Road,
Aberdeen

This is the map referred to in
The City of Aberdeen
Tree Preservation Order No. 191

**Tree Preservation Order Number 192
Former Raeden Centre, Midstocket Road,
Aberdeen**

This is the map referred to in
The City of Aberdeen
Tree Preservation Order No. 192





Tree Preservation Order Number 218
Former Hilton Nursery School, Hilton Avenue,
Aberdeen

This is the map referred to in
The City of Aberdeen
Tree Preservation Order No. 218

Exempt information as described in paragraph(s) 12 of Schedule 7A of the Local Government (Scotland) Act 1973.

Document is Restricted

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