

Public Document Pack



To: Councillor Milne, Convener; Councillor Finlayson; Vice Convener; and Councillors Boulton, Corall, Cormie, Crockett, Dickson, Greig, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Jennifer Stewart, Stuart and Thomson.

Town House,
ABERDEEN, 08 July 2015

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in Committee Room 2 - Town House on **THURSDAY, 16 JULY 2015 at 10.00 am.**

RODERICK MACBEATH
SENIOR DEMOCRATIC SERVICES MANAGER

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

1

MINUTE OF PREVIOUS MEETING

- 1.1 Minute of Meeting of the Planning Development Management Committee of 18 June 2015 - for approval (Pages 1 - 6)

PLANNING APPLICATIONS WHICH ARE THE SUBJECT OF WRITTEN REPORTS

2

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 2.1 Engineering Science Facility, Queens Road, Aberdeen - Erection of Facility (Pages 7 - 24)

Planning Reference – 150161

The documents associated with this application can be found at -
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150161>

Planning Officer – Sepideh Hajisoltani

- 2.2 32 Rosebery Street - Change of use of existing residential property to form a House of Multiple Occupancy to accommodate six unrelated persons
(Pages 25 - 46)

Planning Reference – 150742

The documents associated with this application can be found at –
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150742>

Planning Officer – Sally Wood

- 2.3 13 Manor Place - Erection of Two Storey Extension to side of existing Dwelling House (Pages 47 - 60)

Planning Reference – 150378

The documents associated with this application can be found at-
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150378>

Planning Officer – Ross McMahon

- 2.4 7 St Machar Place - External alterations and formation of driveway to front of existing property (Pages 61 - 78)

Planning Reference – 150785

The documents associated with this application can be found at –
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150785>

Planning Officer – Ross McMahon

3

WHERE THE RECOMMENDATION IS ONE OF REFUSAL

- 3.1 Jesmond Drive - Erection of 19 Affordable Housing Units with Associated Car Parking and Landscaping (Pages 79 - 110)

Planning Reference – 150369

The documents associated with this application can be found at:-
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150369>

Planning Officer – Dineke Brasier

- 3.2 Nether Anguston - Formation of Riding School with associated buildings, car parking and landscaping (Pages 111 - 152)

Planning Reference – 150110

The documents associated with this application can be found at-
<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150110>

Planning Officer – Nicholas Lawrence

4 OTHER REPORTS

- 4.1 Technical Advice Note - Student Accommodation (Pages 153 - 180)

- 4.2 Technical Advice Note - Planning and Aberdeen Airport (Pages 181 - 204)

- 4.3 Planning Performance Framework Report 2014-15 (Pages 205 - 254)

- 4.4 Confirmation with Modification of Tree Preservation Order Number 195
(Pages 255 - 258)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Stephanie Dunsmuir on 01224 522503 or email sdunsmuir@aberdeencity.gov.uk

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 18 June 2015. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Corall, Cormie, Dickson, Greig, Jaffrey, Lawrence, Jean Morrison MBE, Jennifer Stewart, Sandy Stuart and Thomson.

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

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MId=3470&Ver=4>

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

MINUTE OF MEETING OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 28 MAY 2015

1. The Committee had before it the minute of its previous meeting of 28 May 2015.

The Committee resolved:-

to approve the minute subject to the correction of Article 1 to reflect that the Roads Project Team had withdrawn their objection not their application.

PLOT 10, PRIME FOUR BUSINESS PARK, KINGSWELLS - 150113

2. 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 purification of conditions for planning permission in principle (120649) relating to Plot 10, namely condition 3, parts (i) - access; (ii) - siting and design of hard surfaces; (iii) - design and external appearance of the buildings; (iv) - waste arrangements; (v) - plot boundary treatment; (vi) - motor vehicle and cycle parking; (vii) - details of any low and zero carbon equipment; and (viii) - landscape; and condition 15 - plot specific landscaping treatment, subject to the following condition:-

- (1) That no part of the development hereby approved shall be occupied unless the pro-rata financial contribution identified in the Prime Four Phase 3 Transport Assessment relative to the development and measures required to mitigate against the transport impact of further development of the Prime Four Business Park has been paid to the Council.

The Committee resolved:-

to approve the recommendation.

MAKRO, SITE 1, WELLINGTON CIRCLE, WELLINGTON ROAD INDUSTRIAL ESTATE - 140924

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

That the Committee express a willingness to approve the application for planning permission for the sub-division of the existing wholesale cash and carry (Class 6 - Storage and Distribution) of 10,252 square metres (inclusive of mezzanine level) to form two separate units with one of 4,502 square metres being retained for wholesale use, and the larger (southern) unit of 5,750 square metres being used for Class 1 retail purposes, but to withhold the issue of the consent document until the applicant had entered into a legal agreement with the Council regarding (1) developer contributions towards the Strategic Transport Fund; and (2) developer contributions towards mitigation on the local roads network together with the provision of infrastructure, and subject to the following conditions:-

(1) That no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed; (2) That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the planning authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme; (3) That the use hereby granted planning permission shall not be occupied unless a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme; (4) That no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of 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; (5) That all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority; (6) That the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing no. Proposed Site Plan A5128/P(--) 06 Rev D of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval; (7) That no other development in connection with the permission hereby approved shall take place and the access/egress hereby

approved shall not be brought into use unless visibility of 60 metres in both directions along the public road has been provided from a point 4.5 metres measured at right angles from the existing carriageway surface along the centre line of the approved new access. Once formed, the visibility splays shall be permanently retained thereafter and no visual obstruction of any kind shall be permitted within the visibility splays so formed; (8) That the use hereby granted planning permission shall not take place unless the recycling facility has been provided in complete accordance with drawing no. Proposed Site Plan A5128/P(-) 06 Rev D of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of recycling; and (9) The floorspace of the proposed development hereby permitted shall be restricted to 5,750 square metres (GFA) of Class 1 retail for the sale of 70% convenience and 30% comparison goods, and shall be used for no other purpose.

The Committee resolved:-
to approve the application.

LOIRSTON, NIGG - 141754

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

That the Committee **refuse** the application for planning permission in principle for the erection of a retail development comprising a Class 1 supermarket of 5,800 square metres of floorspace with associated car parking, access and landscaping, on the following grounds:-

- (1) That, while the site lies within the OP77 Loirston Land Release within the Aberdeen Local Development Plan (2012), the scale of retail development sought far exceeds that granted through the planning permission in principle (planning reference 130892), and that identified within the Loirston Development Framework which is approved as Supplementary Guidance to the Local Development Plan. Furthermore, the proposal does not comply with Policy RT2 Out of Centre Proposals, and Policy RT5 Retail Development Serving New Development Areas in that there is an allocated site for retail in the extant Local Development Plan, and one identified in the Proposed Local Development Plan, which would meet the identified need for retail provision to the south of Aberdeen, and there is therefore no additional need beyond the current allocations. Any additional provision could therefore undermine the vitality or viability of other existing retail centres;
- (2) That the proposal would be contrary to the urban form, design and layout objectives anticipated through the Loirston Development Framework which is approved as Supplementary Guidance to the adopted Local Development Plan, due to (i) the lack of mixed-use residential and retail/commercial, and failure to integrate retail use with medium density residential; and (ii) the expanse of associated car parking and servicing space that would not minimise the impact of car parking; and
- (3) That the proposals would be contrary to Policy NE1 Green Space Network of the adopted Local Development Plan due to the likely

detrimental impact upon the wider connectivity and wildlife habitats associated with the Green Space Network.

The Committee resolved:-

to approve the recommendation.

66 TILLYDRONE AVENUE - 150402

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

That the Committee **refuse** the application for planning permission for the erection of a two storey side and rear extension, a single storey extension and a change of use of the property from a private dwelling (Class 9) to a House of Multiple Occupation (Sui Generis) with nine bedrooms, on the following grounds:-

- (1) The proposed use of the building as a House of Multiple Occupation for nine unrelated persons would intensify the existing use to an unacceptable level whereby there would be an adverse impact on the residential amenity of the area, mainly due to an increased level of noise and movements. The proposal is therefore contrary to Scottish Planning Series - Planning Circular 2/2012 (Houses in Multiple Occupation: Guidance on Planning Control and Licensing), Policy H1 (Residential Areas) of the Aberdeen Local Development Plan, Policy H1 (Residential Areas) of the proposed Local Development Plan and the Householder Development Guide;
- (2) The proposed car parking layout would result in inadequate provision of car parking spaces required for the size of the proposed development. Furthermore, the proposed layout would not allow cars to enter and exit Tillydrone Avenue in a forward gear as required due to the increased traffic levels following completion of the Third Don Crossing. The proposal is therefore contrary to Policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan and Policy T2 (Managing the Transport Impact of Development) of the proposed Local Development Plan; and
- (3) The proposal would result in a significant loss of light to the ground floor window of 68 Tillydrone Avenue to the detriment of their residential amenity. The proposal is therefore contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan, Policy H1 (Residential Areas) of the Proposed Local Development Plan and the Householder Development Guide.

Councillor Grant was in attendance as one of the local members, in terms of Standing Order 32(1), and indicated that he was willing to address the Committee if members were not in agreement with the recommendation contained within the report.

The Committee resolved:-

to approve the recommendation.

CONFIRMATION OF TREE PRESERVATION ORDERS - CHI/15/192

6. The Committee had before it a report by the Director of Communities, Housing and Infrastructure which sought confirmation of various provisional Tree Preservation

Orders made under delegated powers to provide long term protection for the relevant trees.

The report recommended:-

that the Committee -

- (a) confirm the making of Tree Preservation Orders 106, 181, 183, 194, 225, 227, 228 and 229 without modifications; and
- (b) instruct the Head of Legal and Democratic Services to attend to the requisite procedures.

The Committee resolved:-

to approve the recommendations.

- RAMSAY MILNE, Convener

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Agenda Item 2.1

Planning Development Management Committee

ENGINEERING SCIENCE FACILITY, QUEEN'S
ROAD, ABERDEEN

ERECTION OF ENGINEERING SCIENCE
FACILITY

For: Albyn School

Application Type : Detailed Planning Permission
Application Ref. : P150161
Application Date: 05/02/2015
Officer: Sepideh Hajisoltani
Ward : Hazlehead/Ashley/Queen's Cross(M
Greig/J Stewart/R Thomson/J Corall)

Advert : Section 60/65 - Dev aff
LB/CA
Advertised on: 18/02/2015
Committee Date: 16/07/2015
Community Council :



RECOMMENDATION:

Approve Unconditionally

DESCRIPTION

The application site is located on the south side of Queen's Road adjacent to the junction with Forest Avenue and comprises Albyn School; an independent, co-educational school with approximately 740 pupils aged 2-18. The school grounds extend back to Queen's Lane South and cover an area of approximately 1.1 hectares with various associated buildings and external areas. Four of the granite buildings within the site are listed (dating from 1879 to 1884); the buildings at 19, 21 and 23 Queen's Road are 'B' listed, whilst 17 Queen's Road is 'C' listed. The buildings are set back from Queen's Road by 20-22 metres behind the staff and visitor car park. The application refers specifically to the southern most section of the site and to the rear of No. 17 Queens Road, facing the rear lane.

To the south and east of the site are residential properties while on the opposite side of Queen's Road and Forest Avenue is a mix of residential and office buildings. The site is located within Albyn/ Rubislaw Conservation area and is identified as being within the west End Office Area, as designated in the Aberdeen Local Development Plan (2012).

RELEVANT HISTORY

Over the years there have been several planning applications relating to Albyn School. In particular, detailed planning permission (A5/1869) and Listed Building Consent (A5/1906) for proposed new primary school extension to rear of number 23 Queen's Road and internal alterations and proposed new access opening to boundary along Forest Avenue and Queen's Road was approved conditionally in April 2006.

PROPOSAL

Detailed planning permission is sought for erection of a single storey facility to the rear of the application site (No.17 Queen's Road). The proposed building would be attached to the existing building to the south of the site which also fronts onto Queen's Lane.

The building would measure approximately 17.2m x 11.6m and would have an overall footprint of 212.7sqm. The proposed pitched roof has an eaves height of 4m and a ridge height of 6.3m. The linking section of the pitched roof on the western pitch would be used to house and screen ventilation equipment.

The proposal would accommodate a new facility for teaching engineering and technology related subjects. The facility would be accessed through an entrance to the north elevation and would comprise of two classrooms and a storage space. The design incorporates a total of 5 windows to the north and east elevations. The finishing material would be pre-weathered zinc cladding for the roof and white render and matching zinc cladding for the external walls.

The existing boundary wall would be taken down and materials would be reserved for rebuilding it at the completion of the project. Rubble wall and copes would be repointed using lime mortar.

It should be noted that the initial proposal has been amended and neighbours have been re-notified accordingly. The amendments include reducing the overall footprint of the proposal by approximately 15sqm and changing the orientation of the proposed building to reduce its impact on neighbouring properties.

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=150161>

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 proposal has attracted 11 letters of objection through the neighbour notification process. Submission of the amended drawings followed by the neighbour re-notification process has attracted 2 letters of objections. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No observations.

Environmental Health – In order to protect the residents from any potential noise disturbance during the construction, the timing of construction works should be restricted.

Communities, Housing and Infrastructure (Flooding) - No observations.

Community Council – No comments received.

REPRESENTATIONS

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

1. The proposed design and materials are out keeping with the character of the Albyn/Rubislaw Conservation Area and the West End;
2. The overall scale of the proposal and its impact on the residential character of the area;
3. The proposal will result in over-development of the site;
4. Overshadowing and daylight impact on the Coach House (No. 15 Queen's Road) and 48 Gladstone Place;
5. Lack of sufficient playground space at the school;
6. The increase in class space would lead to an increase in student numbers and this would ultimately impact on traffic situation;
7. The construction would result in deterioration and damage of the roads;
8. Disruption and lack of access to Gladstone Place/ Queen's Lane over the past years due to previous Albyn School Developments;

9. Lack of disruption and traffic management enforcement by the Council;
10. Impact of the development on traffic arrangements in the area
11. The opportunistic character of the proposed development and lack of an urgent need for an engineering facility while the school can use the existing engineering facilities at Robert Gordon University;
12. The previous development created noise, substantial pounding and vibration as well as damage to some of the neighbouring properties.
13. School's lack of engagement with local residents;

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP)

Development should pay regard to the layout, design, materials, scale, siting and use of listed buildings, as well as their surrounding area's character and appearance. It also states that development should either enhance or preserve the character or appearance of a conservation area.

Aberdeen Local Development Plan

Policy D1- Architecture and Placemaking

To ensure high standard 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 BI3- West End Office Area

In this area (shown on the Proposals Map), applications for change of use for office purposes will be given favourable consideration. Where there is scope to provide access to properties from rear lanes this will only be considered acceptable if satisfactory traffic management measures are in place, or can be provided by the developer, along the rear lanes. The development of associated front garden to car parks and driveways, and the subsequent erosion of associated landscaping, will not be permitted. The reinstatement and restoration of car parks to front gardens will be encouraged by the council.

Policy H1- Residential Areas

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

1. Does not constitute overdevelopment;
2. Does not have an unacceptable impact on the character or amenity of the surrounding area; and
3. Complies with Supplementary Guidance contained in the Householder Development Guide

Policy D5- Built Heritage

Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy. The legislation states “the overall integrity and character of the designated area will not be compromised and mitigation and appropriate measures shall be taken to conserve and enhance the essential characteristics, aesthetics, archaeological and historic value and setting of the site”.

Proposed Aberdeen Local Development Plan

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

D1- Quality Placemaking by Design (D1- Architecture and Placemaking);
B3- West End Office Area (B13- West End Office Area)
H1- Residential Properties (H1- Residential Properties)
D5- Our Granite Heritage (D5- Built Heritage)

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.

Albyn School has a programme of continual improvement for maintaining a high record of academic achievement in Scotland. As stated in the associated design statement “*the school has identified that there is a need for as many pupils as possible to have education in engineering and technology related subjects*”. The proposed development would accommodate the new Engineering Science Facility and would support the existing educational buildings on site.

Design, Scale & Massing

The proposed development would be located to the southern most section of the site and will be facing Queen’s Lane, which gives access to the rear of properties and garages on Queen’s Road and Gladstone Place. The proposed building would not be visible from Queen’s Road or Forest Avenue. The proposal would have a contemporary design appropriate for a new school building. It should be noted that over the years there has been an established development pattern within Albyn School for contemporary design and therefore approval of this application would be in-keeping with the evolving character of the school.

It is considered that the new building would have no significant impact on the appearance of the locality or on the character of the conservation area as there is already a variety of different properties (residential, educational and office buildings of various design) facing to Queen's Lane. The Council's Conservation officers have raised no concerns in regards to the proposed design and materials. The use of pre-weathered zinc is welcomed as the material would display a more monochromatic appearance when installed versus unfinished zinc that would patina differently depending on the exposure to the environment.

The overall height of the development would be higher than the existing building to the west, however it would still be subservient to the original buildings facing Queen's Road and the coach house belonging to No.15 Queen's Road.

The proposal would result in an increase in site coverage from 46% to approximately 48%, which is considered to be acceptable within the context of a school in an urban site.

Residential Amenity Impact

The school itself is not located within a 'Residential Area', however as the properties to the south of the proposed development are all residential, the development has been assessed against the relevant policy of *H1- Residential Areas*. It is considered that the revised proposal would not result in any impacts in terms of overshadowing or loss of daylight to the neighbouring properties, in compliance with Policy H1. The introduction of windows to the east and north elevation is deemed appropriate as it will not compromise the privacy of the neighbouring properties.

West End Office Area

This policy is not directly relevant to the assessment of this application as it is an enabling policy for change of use for office development. Also, the proposal relates to an existing and well established use in the West End.

Matters Raised in Representations

Objection points 1-4 relating to design, size, scale, materials, impact on surrounding conservation areas and impact on residential amenity have been addressed in the evaluation section of this report. All elements of the proposal have been found to comply with the relevant policies set out in the Aberdeen Local Development Plan.

Objection point 5 relates to the loss of green space as a result of proposed development. The proposal will be replacing an amount of green space (grass) that was originally intended to serve the school as playground, however this area is mentioned to be largely underused. The applicant has advised that the school is served by its playing field facility at Milltimber, which provides regular recreational and physical education opportunities for pupils of all ages. It is also considered that after development sufficient areas of open space and under-cover play areas will remain on site.

Objection point 6-10 relates to the access, roads and traffic management. As stated in the submitted design statement, the number of students will not be increased and the new facility is intended to extend the education facilities for the current school role. As a result the proposal is not going to have any detrimental impact on traffic management. Other points raised regarding the lack of enforcement on illegal parking is not a relevant material consideration for assessment of this application. The roads officer has considered the application and has no objection to the proposal.

Objection 11 is not a material planning consideration as the proposed use for the facility would serve the existing educational purpose of the school which is not considered to be an incompatible or unacceptable use.

Objection 12 & 13 are referring to the previous developments, however it should be noted that problems arising from the construction period are not a material planning consideration and accordingly are not relevant to this decision.

Full regard has been given to all concerns raised in representations, but neither do they outweigh the policy position as detailed above, nor they justify further amendments to the plans or refusal of the application.

Conclusion

The proposed development complies with the development plan and meets the requirements of SPP and SHEP. The location, scale, design and finishing material are acceptable. The proposal would not be detrimental to the character of the conservation area nor it would have a significant impact on the setting of the listed buildings that form the main part of the school. The proposal would not have a detrimental impact on residential amenity of the neighbouring properties. Accordingly, it is recommended that the application be approved.

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, *Policies D1- Quality Placemaking by Design, B13- West End Office Area, H1- Residential Areas and D5- Built Heritage* substantively reiterate the guidance given from policies in the adopted Local Development Plan.

RECOMMENDATION

Approve Unconditionally

REASONS FOR RECOMMENDATION

The location, scale, design and finishing materials of the proposed development are acceptable. The proposal would not be detrimental to the character of the conservation area nor would it have a significant impact on the setting of the listed buildings that form the main part of the school. The proposal would not have a detrimental impact on residential amenity of the neighbouring properties. Therefore the application complies with the adopted Local Development Plan Policies D1- Architecture and Placemaking, H1- Residential Areas, BI3- West End Office Area and D5- Built Heritage and the equivalent policies in the Proposed Local Development Plan. The proposal also meets the requirements of Scottish Planning Policy and Scottish Historic Environment Policy.

INFORMATIVE

- (1) In order to protect the residents of the surrounding/ adjacent properties from any potential noise nuisance arising from the proposed buildings works, no construction or demolition work shall take place:
- (a) Out with the hours of 0700 to 1900 on Monday to Friday
 - (b) Out with the hours of 0900 to 1600 on Saturdays, and
 - (c) at any time on Sundays, except for works inaudible out with the application site boundary
 - (d) If Piling Operations are to be carried out, agreement should be reached with this Service regarding hours of operation.

From: webmaster@aberdeencity.gov.uk
Sent: 26 May 2015 17:43
To: PI
Subject: Planning Comment for 150161

Comment for Planning Application 150161

Name : Pamela Forgie
Address : 50 Gladstone Place
Queens Cross
Aberdeen
AB10 6XA

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object strongly to this development for the following reasons:

There has been a drip feed of development at Albyn School, each one unacceptable to and with no consideration for the neighbours. Since this growth started, the conditions set to manage traffic issues caused by parents dropping off their children have not been implemented and therefore Albyn School does not warrant any further lenience. The council turns a blind eye to this and conveniently no traffic wardens are around at drop off or pick up times to catch them out. There is absolute disregard of the parents, who park illegally and unsafely, daily, and have utmost conviction that they have the right to. Unbelievable!

This latest development looks initially like a single story, but its height is almost equivalent to the two story residence nearby and from the plans looks about three times the height of the current wall. Although referred to throughout the documents as a cottage, there is nothing cottage like in either the shape or the materials. A very odd roof cable line/end and zinc and render walls with metal windows is more in keeping with an industrial estate. We in essence shall be looking at an ugly, overbearing wall, with not one, but two materials out of keeping with the surroundings. It is certainly not in keeping with a conservation area. All other developments in the area on the back lane are stone or granite walls and slate roofs. We do not want to look at an ugly overly modern metal and render building at right angles to the lane and visible from house back gardens. It is a concern that this will be just the start and eventually there shall be an application to double the height into this pitched roof to make a full two storey building. Can you absolutely guarantee this is not the case? There are also limitations to how developed an area can be i.e. a ratio of build to open space. Surely this exceeds those regulations. Can you confirm the status on this? I

dislike that area has been reduced, but is this enough?

When the previous build was done, the same wall opposite my back gate was opened up to allow trucks access. This shall be the case again. Last time there was no consideration of access for the residents along the back lane, access to our garages, also constant noise, substantial pounding and the vibration (as I work from home) was horrendous, all day long. Since then I have had cracks appearing in my house when everything for the previous twenty years was fine. Last time a construction lorry or truck hit my back garden wall (and they did not tell me) and it was only when I went to take out my wheely bin that I realised the wall had been hit and the wooden gate no longer opened, due to the caved in wall pressing on and distorting it. This was a health & safety matter as if there had been a fire in my house that may have been my only exit route, but it was blocked. When I did approach the builders they admitted it straight away and repaired the wall, but the gate is still damaged (it is only a few years old).

The information in the planning details is contradictory – In 4.0 Design Solution in the 4th paragraph, in one part it states the area selected is largely unused by pupils and then it says there is an unintentional benefit in keeping the pupils away from the wall, thereby reducing noise levels. How can this be if it is largely unused, anyway?

How much more do we in the neighbourhood have to accept from Albyn School. There has to be a point when enough is enough. I am not sure why they keep getting away with inappropriate builds. The council have to speak up this time and say NO. Nothing in their amendments have changed addressed any of my previous concerns.

PI

From: Gerald Cunningham [REDACTED]
Sent: 15 March 2015 13:06
To: PI
Subject: Engineering Science Facility at Albyn School --- Planning Application No. 150161

I am the owner and occupier of 62 Gladstone Place Queen's Cross Aberdeen which is a stones throw from my backgate on to Queen's Lane South. I wish to tender my objection to the above application on several grounds:-

1. The existing large extensions within the school site already constitute overdevelopment of the site and their design is quite out of keeping with the other buildings in this part of our Conservation area. Past objections on this ground have gone unheeded by the Planning Authority. This new proposed building, which to some extent will be hidden behind the existing boundary wall on the Queen's Lane South frontage, constitutes further overdevelopment of the site. The fact that it will be partially hidden is no excuse for allowing it in the first place!
2. The design of the proposed building is not in keeping with the rest of the actual buildings fronting the south side of Queen's Lane South which are of granite construction with slated roof (with the exception of the walls of the existing Science block approved last time round). Walls of zinc cladding and a metal roof seem quite inappropriate.
3. While the application stresses that the additional building will not increase the number of pupils attending the school and lead to further traffic problems the concerns which were raised at the time the last extension was mooted regarding traffic problems are still very real and have not been addressed. Despite the no parking signs in the Lane between 8am and 6pm Monday to Friday parents continue to park their vehicles at drop off and pick up times causing chaos at times for through traffic in such a narrow overused "thoroughfare". My driveway into the back lane is very often blocked at these times. What galls me is that at pick up times I cannot get my car parked in Gladstone Place caused mainly by parents (who have not paid for a parking ticket) using up spaces. This necessitates me on many occasions driving my car to park it in my back driveway only to find that I cant access my driveway on account of illegally parked vehicles. The School (and the Council, if I remember correctly) undertook to solve the parking and congestion problems but we are still waiting, waiting, waiting! If the traffic wardens timed their visits to the area at these critical times the council would make a fortune from illegal parking in Gladstone Place and queen's Lane South!
4. Apart from the problems of illegal parking above mentioned, Forest Avenue from Gt Western Road to Queen's Road is now used as an arterial route by the public at all times and at peak times gridlock occurs. This is due to the fact that parking on both sides of the street is allowed, thus narrowing the free flow of two way traffic. I think it is about time that the Traffic gurus at the Council bite the bullet and make Forest Avenue and other streets in the vicinity (with similar problems) One Way only.
5. When the previous extension was built over a period of 18 months or so, access to the building site was from Queen's Lane South and at times there was utter chaos with vehicles meeting face to face, damage to boundary walls and deterioration of the carriage way of the lane. While the construction of the proposed building hopefully would not take such a long period of time, if the project is given the go ahead there will still be the same temporary problems emerging. To ease the problem, I would suggest that there should be no access to Queen's Lane South from Forest Avenue and One Way Traffic only from St Swithin St. This may help educate the parents of the pupils not to park illegally in the lane as most of the offenders enter the lane from forest Avenue.

Please acknowledge receipt of this letter of objection and confirm that its contents will be placed before the Planning Committee for consideration.

Gerald Cunningham, 62 Gladstone Place, Aberdeen AB10 6XA

PI

From: George Booth [REDACTED]
Sent: 16 March 2015 20:43
To: PI
Cc: Jennifer Stewart
Subject: Engineering Science Facility Queens Road - P150161

Dear Sirs,

As a resident of Forest Road I wish to put forward my thoughts on the above planning application.

I am surprised to see yet another planning application from Albyn School being made when there is still a serious issue of illegal parking by school parents.

The school has a drop off and pick up point at the Queens Road entrance, if this is not sufficient for the roll call of the school/pre-school then this has to be solved before any further planning applications are accepted. Also, the pre-school on Forest Road has caused further problems on Queens Lane South as parents are using this lane as an unofficial car park. I feel this too must be resolved before any additional services can be added to the school.

A possible solution to the above problem would be to make Queens Lane South one way with a pavement similar to the Queen's Lane junction with St Swithun Street. This is a public thoroughfare and should be safe for pedestrians also.

Finally, could you please advise me of when a by-law was passed to allow parents of the school children attending Albyn School 10 minutes amnesty to park on the 2 yellow lines, street corners and pavements for the purpose of dropping off their children to the school and pre-school? This was information given to me by one of your traffic wardens when I drew the illegal parking outside my property to his attention.

I look forward to hearing from you.

Kind regards,
George Booth

PI

From: webmaster@aberdeencity.gov.uk
Sent: 17 March 2015 13:28
To: PI
Subject: Planning Comment for 150161

Comment for Planning Application 150161

Name : Graeme Hetherington
Address : 46 Gladstone place
Aberdeen
AB10 6XA

Telephone :

Email : [REDACTED]

type :

Comment : I object on the following basis

- whilst the facility is described as being a one storey building the heights and the use of materials will give the appearance of a two-storey building
- The materials used zinc cladding and the pitched roof are not in keeping with a conservation area and will further detract from that area
- The additional facility will add to an already overdeveloped area

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PI

From: Faye Hamilton [REDACTED]
Sent: 17 March 2015 17:49
To: PI
Subject: Planning application Albyn School P150161

To Planning Department,

I am writing to you with regards to the planning application for the above & my concerns for the application.

My main concerns are the construction & what happens during this with parking. At present, especially during school hours traffic is very bad. Parents park on double & single lines along the lane where the construction will take place. They give no consideration to residents that require access to their property. With past experience I know that construction companies & their vehicles will adopt the same attitude. I feel strongly with regards to this & would need assurance from yourself & the school that traffic will not be parking on our lane. The lane is in a very bad state, lots of potholes & not wide enough for large vehicles. If emergency vehicles had to get down the lane it would be extremely difficult to pass with cars, vans & lorries parked.

Having looked at the proposed building I feel that the school is already over developed & leaves very little space for a playground. I understood that this area of Aberdeen was conservation area & planning would be more restrictive.

This area of Aberdeen is residential & should be encouraged to remain this way.

Regards,

Faye Hamilton
186 Forest Avenue.
[REDACTED]

Sent from my iPad

PI

From: Brian Hamilton [REDACTED]
Sent: 17 March 2015 17:23
To: PI
Subject: Fw: Planning Application P150161 at Albyn School

I made a typo in my original email. I have corrected it.

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

From: Brian Hamilton
To: pi@aberdeencity.gov.uk
Cc: Brian Hamilton
Sent: Tuesday, March 17, 2015 4:50 PM
Subject: Planning Application P150161 at Albyn School

To/ The Planning Department

live at 186 Forest Avenue, which is on the corner with Queens Lane South.

With reference to the above planning application, I have the following concerns:-

- (1) Traffic congestion on Queens Lane South, which will undoubtedly increase during the construction period, particularly during the morning (8-9am) & the afternoon (3-4pm) which is when school parents park on the lane (illegally on a single yellow line, I add) to drop their children off or pick them up.
- (2) Access to our garage which is opposite the Albyn School rear exit on Queens Lane South. We do not want construction vehicles parking in the lane blocking access to the garage.
- (3) Damage to the road surface by construction traffic. The road surface is currently in a poor state with many potholes. Construction traffic can only further damage the surface.

How will these issues be managed? The planning application does **NOT** address them.

I look forward to hearing from you.

Regards Brian Hamilton

186 Forest Avenue
[REDACTED]

PI

From: Bill Laver [REDACTED]
Sent: 09 March 2015 14:26
To: PI
Subject: Planning Application - Engineering Science Facility (P150161) - Objection

Dear Sir/Madam,

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

1. The external appearance of the building is out of character to the West End i.e. zinc cladding for the walls and pitched roof. No doubt this selection has been made by the Architect/Engineers based on cost i.e. use the cheapest materials that you can get away with instead of using traditional granite and slate which is West End. The building should be made of traditional West End materials.
2. The disruption to Gladstone Place/Queens lane over past years due to Albyn School developments has been enormous in term of traffic management and disruption. Frankly we are fed up with the School as they make no attempt to engage with the Residents and just take us for granted completely, and feel they can ride rough shot over our opinion.
3. The West End is increasing being overdeveloped and as Resident in Gladstone Place since 1989 (26 years) we see this in deterioration of the road (full of potholes) and uneven surface due to frequent bus use, they should be banned from using the street. Any Developer should be made to resurface the road after they have finished.
4. No matter what assurance the Builders give to minimising disruption we know this is never enforced by the Council (no staff) and as soon as permission is given any assurances go out the window and the builders do their own thing. Assurance are never policed.
5. In my opinion Aberdeen Council and the Planning Department ignore any objections anyway, so would not be surprised if yet another Development gets the nod.

Lastly the Residents of Aberdeen are fed up of an incompetent Council and Councillors, and an inept Planning Department that over the years have let many carbuncles through the system such as the Stewart Milne Kepplestone Development, the Ice Box Library at the University of Aberdeen, the extension to the Art Gallery, the Three Kirk Development, the proposed Muse Development (shame on you for ignoring Public Opinion and the wind turbine erected at the 14th hole at Royal Aberdeen Golf Club. The Golf Club were not even given the courtesy of objecting since they were not advised in writing, another Planning Department blunder, one of many this Council has made.

Yours sincerely

Bill Laver
[REDACTED]

13 Gladstone Place
Queens Cross
Aberdeen AB10 6UX
Home Tel: [REDACTED]
Mobile Tel: [REDACTED]
Skype: [REDACTED]

Graham Thom
15 Queens Road
ABERDEEN
AB15 4YL

19.02.2015

Aberdeen City Council,
Planning Reception,
Marischal College
Broad Street
Aberdeen
AB10 1AB

Attention : Mr Sepideh Hajisoltani,

Dear Sir,

Re : Application Number : 150161 Applicant : Albyn School, 17-23 Queens Road

Thank you for the Notification document regarding the above application.

We are the owners of the property at 15 Queens Road and the Coach House at 15 Queens Lane South which borders Albyn School and is affected by the above planning application.

I wish to register my objection to this development on the basis that it shall significantly impact on the limited natural light which the Coach House enjoys and will completely reduce the outlook of our property and its amenity.

My reading of the plans show that the building runs in a north to south direction where it seems logical that if it ran from east to west, there would be far less disruption to our property.

We also enjoy telephone access from a telegraph pole which is situated in the Queens Lane South and there has been no notification on how this would be dealt with if the development were to go ahead.

We have not been consulted in any way by the School or their appointed agents, which is of course very disappointing as an immediate neighbour.

I look forward to hearing from with regard to this objection

Yours sincerely

Graham Thom

Home Telephone Number
Mobile Telephone Number
Email Address

PI

From: webmaster@aberdeencity.gov.uk
Sent: 21 May 2015 14:05
To: PI
Subject: Planning Comment for 150161

Comment for Planning Application 150161

Name : Graeme Hetherington
Address : 46 Gladstone Place,
Aberdeen
AB10 6XA

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I objected to the previous application on various grounds, none of which I believe are being addressed by this revised planning application.

- I reiterate that the current design
- is not in keeping with a conservation area
- the materials used are not in keeping with a conservation area
- the building detracts from the area
- It adds to the over development of the Albyn school site in particular and the area in general
- the height of the building proposed is not in keeping with the area

In addition will the increase in class space provided by this accommodation lead to increased student numbers and has any impact of this been assessed on the local traffic situation which is frankly at breaking point at peak times.

Regards,

Graeme

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Planning Development Management Committee

32 ROSEBERY STREET, ABERDEEN

PROPOSED APPLICATION FOR THE CHANGE
OF USE OF EXISTING RESIDENTIAL
PROPERTY, TO FORM A HOUSE OF
MULTIPLE OCCUPANCY TO ACCOMMODATE
6 UNRELATED PERSONS

For: Grant Property

Application Type : Detailed Planning Permission
Application Ref. : P150742
Application Date: 12/05/2015
Officer: Sally Wood
Ward : Midsocket/Rosemount (B Cormie/J
Laing/F Forsyth)

Advert : n/a
Advertised on: n/a
Committee Date: 16th July 2015
Community Council : Comments



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application site relates to an upper floor flat which occupies the first and second floor within an established residential terrace. The terrace consists of granite built dwellings with slate roof, two storeys in height with attic rooms. Rosebery Street is an established residential area, with a mix of terraced two storey dwellings with attic space, and single storey properties.

To the front of the flat is a small garden beyond which is a public footpath. Rosebery Street operates a parking permit between the hours of 10:00-16:00 Monday to Friday. To the rear of the premises is a garden.

RELEVANT HISTORY

None relevant to the assessment of this application.

PROPOSAL

Planning permission is sought for a change of use from a single residential unit to a house in multiple occupation (HMO), with 6 bedrooms. The plans accompanying the application show that the flat currently has four bedrooms a lounge, dining room, kitchen, a bathroom and store room. The proposal shows six bedrooms, a lounge, kitchen, shower room and a bathroom. Two rooflights are proposed on the front elevation, though it is considered that they would not require planning permission.

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=150742>

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

REASON FOR REFERRAL TO COMMITTEE

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

CONSULTATIONS

Roads Development Management – no objections. No parking standard currently exists for HMO, parking assessment usually carried out on merit. Ideally seek 3 car parking spaces; therefore one additional parking space will be required. Note that the HMO could apply for two permits. Notes that the Traffic

Management Department advises that the shortfall of one space would not have any significant impact on parking. Seeks four cycle spaces.

Environmental Health – ‘no comments’

Communities, Housing and Infrastructure (Flooding) - ‘no comments’

Waste and Recycling Services – no objections, comments on the provision required.

Rosemount and Mile-End Community Council – objection, summarised as follows:-

1. Not in-keeping;
2. Over-development;
3. Additional refuse;
4. Noise;
5. Parking;
6. Questions in connection with parking permit allocation;
7. The works are already completed.

REPRESENTATIONS

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

1. Lack of car parking;
2. Refuse bins being stored outside neighbouring properties;
3. Rosebery Street is a ‘family street’;
4. The use is not in-keeping;
5. Increased noise/disturbance;
6. Increase in traffic;
7. Increased risk of anti-social behaviour;
8. Tenant turnover leads to concerns;
9. Devaluation;
10. Maintenance of property/garden;
11. How many more (HMO) licences to be granted in the area;
12. Work has already commenced on site;
13. Impact on existing services, e.g. schools, nurseries;
14. Increased fire risk;
15. Set a precedent for further House in Multiple Occupation applications;
16. The House in Multiple Occupation licence has been refused;
17. The application should be refused or limited to three people;
18. Plenty of Houses in Multiple Occupation elsewhere within the city’
19. Depletion of family houses;
20. Profit orientated;
21. Proposal does not comply with statutory guidance for Scottish Local Authorities;
22. Questions raised do not meet Building Warrant standards;
23. The proposal may require multiple overhead telephone lines for internet access.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Series – Planning Circular 2/2012 (Houses in Multiple Occupation: Guidance on Planning Control and Licensing): states that planning authorities should be mindful of the potential impact that concentration of HMO properties may have on the amenity of the area. Essentially, it encourages policies being put in place in order to ensure there are not an over-concentration of HMO properties in particular locations.

Aberdeen Local Development Plan

Policy H1: Residential Areas: states that within existing residential areas, proposals for non-residential uses will be refused unless: they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or nuisance to, the enjoyment of existing residential amenity.

Proposed Aberdeen Local Development Plan

Policy H1: Residential Areas: for non-residential uses within existing residential areas the same criteria applies as in the current plan (see above).

Supplementary Guidance

The Council's supplementary guidance "Householder Development Guide" is a relevant material consideration. Page 24-26 of the Householder Development Guide gives specific guidance on how to assess proposals for HMO. Where flats are concerned, planning legislation does not specify any number of residents above which premises will no longer be considered a 'flat' for planning purposes; however, the guidance continues to state it is considered that 6 or more unrelated people living together in a flat would be materially different from family use. It should be noted that planning and HMO licence have different thresholds and should not be confused. Furthermore, the granting of planning permission does not guarantee a successful licence application and vice versa.

EVALUATION

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

Principle of Development and impact on character of the area

Whilst the intensity of the proposed use is such that it is not considered to be of a domestic scale, and is therefore neither a dwellinghouse (class 9) nor a flat (*sui generis*), the nature of the use is nevertheless pseudo-residential in nature. In that respect it is considered there is no conflict with Aberdeen Local Development Plan Policy H1.

Intensive occupation for residential purposes generally increases pressure on shared facilities, such as gardens, car parking and refuse arrangements. Rosebery Street currently operates a parking permit between 10:00-16:00 Monday to Friday. The existing flat has access to two parking permits, and such a use would generate the need for two car parking spaces. The proposed HMO use would also have access to two car parking permits, and whilst there is no specific guidance on car parking for a House in Multiple Occupation, the Roads Development Management Team have advised that three spaces would be required. Whilst no car parking spaces can be provided within the confines of the application site, it is noted that the existing flat would generate in parking terms a requirement of two car parking spaces within the street, as is the case with many of the residential properties. On the basis that the existing use would generate two car parking spaces and the proposed use three spaces, it is the 'balance' of one car parking space that is the shortfall. There are no objections from the Roads Development Management Team, further noting that the Traffic Management Department do not consider that the shortfall of one space would have a significant impact on parking. Therefore it is considered that there are no parking issues as a result of this proposal.

Given the surrounding area is predominantly residential in nature, and contains a large number of flatted properties, the intensity of the proposed use is not considered to be fundamentally incompatible with the character and amenity thereof. As noted above, if the scheme was for five unrelated persons planning permission would not be required. Furthermore, it is noted that the dwelling is located within close proximity to bus stops. On the basis of these considerations it is considered unreasonable to refuse the scheme on lack of car parking, particularly as the Council has no specific car parking standard for this use. In turn, given the above considerations it would be unreasonable to refuse on the grounds of increased traffic, as raised in a number of the letters of representation. The Roads Development Management Team has advised that it seeks four cycle parking spaces; this is to encourage other forms of transport and to provide secure facilities. Cycle storage provision would be secured by Condition and can be accommodated within the garden to the rear, accessed off Hosefield Avenue; the Agent has advised that this is possible.

The potential for direct disturbance from six individuals living in the property via noise nuisance is not considered to be significantly different from the five unrelated residents which could be living in the same property without the need for planning permission. It is therefore unlikely that there would be any significant adverse impact upon the adjoining properties or surrounding area as a result of the proposed change of use. It is also worth noting that if this property was mainstream residential, six or more related people could live at the address without the need for planning permission. Therefore it is considered that the application is not contrary to Policy H1 and would not be contrary to the defining principles of Circular 2/2012 or the Householder Development Guide.

Planning records indicate that only a limited number of HMO's have been granted planning permission (which is required for properties with more than 5 unrelated

occupants) in the area between Raeden Park Road and Argyll Place. A search identifies the following properties:

- P111509 Change of use from maisonette to HMO registered property (4 unrelated persons), 27 Bonnymuir Place.

Whilst there may be a number of HMO properties within the area, as planning is only required if it more than 5 unrelated persons, it is considered that in planning terms there is no clear evidence of an excessive concentration of HMO's in the locality, such that the character of the area could be considered to have changed and which may warrant refusal of planning permission. On the basis of these considerations it is considered that the proposed use is not incompatible with the adjacent dwellings, and therefore not out of keeping. In conclusion it would be inappropriate to refuse planning permission, particularly as there are no specific planning policies contained within the Local Development Plan. Nevertheless, in considering the HMO licence, the issue of intensification, or rather overprovision, would be considered by the Council.

Planning Circular 2/2012 states that the "The licensing of HMOs seeks to ensure high standards in terms of; the suitability of a property owner (and their agent) to be a HMO owner (or to act for the owner); the suitability of the living accommodation itself; and allows the local authority to consider overprovision. A licensing authority has discretion to set any reasonable conditions it thinks fit. These issues are matters properly dealt with through the HMO licensing regime and are therefore not matters for planning authorities to take into account in the granting of planning permission. A decision on the granting of planning permission must take account only of relevant planning issues, and should make no assumptions about the potential behaviour of tenants."

Therefore, it is clear that the following objections raised are not material considerations to the planning application (*the numbered bullet points relate to the points referred to under 'Representations'*):

7. Increased risk of anti-social behaviour
8. Tenant turnover leads to concerns
10. Maintenance of property/garden
11. How many more licences to be granted in the area
16. The House in Multiple Occupation licence has been refused
17. The application should be refused or limited to three people
18. Plenty of Houses in Multiple Occupation elsewhere within the city'
21. Proposal does not comply with statutory guidance for Scottish Local Authorities

A number of representations made objected on the basis of refuse bins being stored outside neighbouring properties. Given that the planning consideration relates to one additional person living at the property over what is permitted development, it is not considered that the proposal can be refused on this basis. Furthermore, it is noted that no objections to the scheme were made by Waste and Recycling Services.

In addition, the following are not material considerations for the reasons described:

Point 9: Devaluation and, Point 20: Profit orientated

The impact on value of land is not a material planning consideration, nor are profits or a perceived need or lack of need for a development.

Point 12: Work has already commenced on site

The application is for a change of use, and it is understood that the use has not been implemented. In any case planning applications can be considered for retrospective works, which are carried out at the developers.

Point 13: Impact on existing services, e.g. schools, nurseries

The nature of a House in Multiple Occupation is such that the impacts on schools and nurseries are minimal, as they tend to be for more transient people on short term leases. It is therefore considered that there should be no burden placed on these facilities. Indeed, occupation of the property as a family residence would be much more likely to place additional demand on local schools and nurseries. It is noted that the application is for six persons.

Point 14: Increased fire risk.

This is not a material planning consideration, and would be considered by licencing (in terms of fire doors, alarms, etc.) and Building Standards.

Point 15: Set a precedent for further House in Multiple Occupation

Each planning application is determined on its own merits, and therefore no precedent would be set.

Point 19: Depletion of family houses

The Local Development Plan does not have a policy relating to Houses in Multiple Occupation and this matter. Furthermore, the approval of this application would not result in any notable change of the availability of family houses. This is not a material planning consideration, but may be a consideration under the HMO licence application.

Point 22: Questions are raised with regards to whether the proposal complies with Building Standards

This would be assessed under any building warrant application.

Point 23: The proposal may require multiple overhead telephone lines for internet access.

This is not a material planning consideration.

Matters Raised by the Community Council.

Rosemount and Mile-End Community Council have made a number of points in their letter of representation, which have already been covered and assessed within this report.

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 there are no new issues raised.

RECOMMENDATION

Approve, subject to conditions

CONDITIONS

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

(1.) Prior to first occupation of the development hereby approved four cycle spaces shall be provided in accordance with details that shall be first submitted to and approved in writing by the Planning Authority. Thereafter the four cycle spaces shall be retained and made available for such use at all times. – To promote alternative modes of travel.

REASONS FOR RECOMMENDATION

That the use of the premises as an House of Multiple Occupation (HMO) (being quasi-residential in nature) is consistent with the residential character of the surrounding area and would not result in any undue impact on the character and amenity of the property, or those in the locality. There would be a neutral impact on the character and appearance of the surrounding area. The proposal would have no adverse impact on pedestrian or road safety. The proposal is therefore considered to accord with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan, and the relevant content pertaining to HMOs in the Council's adopted Householder Development Guide.

The proposal does not offend the principles of Policy H1 (Residential Areas) of the Proposed Local Development Plan.

150742

8 Rosebery Street
Aberdeen
AB15 5LL
3rd June 2015

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

Dear Sirs,

Proposed application for change of use from residential property
to an HMO – 32 Rosebery Street, Aberdeen

I wish to express my concern about the proposal to make 32
Rosebery Street an HMO.

While I live at the other end of the street and will not be affected
by noise, my main worry is parking. Already in this street parking can often be
a problem. I am surrounded by families who, understandably, often have two
cars, many of them large 4x4 vehicles which take up more room than the average
car. If 6 individuals living at 32 Rosebery Street, each have a car, the situation
will be impossible. We pay dearly for our parking permits with no guarantee
that there will be a space. If permission for one HMO is granted, what
assurance is there that this will not be a precedent for further applications?

I would urge you to give very careful consideration to this problem
and respect the concerns of current residents.

Yours faithfully,


Frances E G Carey

55 Rosebery Street
Aberdeen
AB155LN

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

Dear Sirs,

Re: PROPOSED APPLICATION FOR CHANGE OF USE FROM
RESIDENTIAL PROPERTY TO AN HMO LICENCE AT 32 ROSEBERY
STREET

I wish to lodge an objection to the change of use application at 32 Rosebery Street on the following grounds:

1. There is limited parking available in Rosebery Street at present so the proposed multiple let will only exacerbate the situation.
2. Rosebery Street is a residential area and therefore a multiple let is an unsuitable proposal for such a location. This could be the commencement of other multiple let applications which would remove the residential status of the street.
3. The property has now been modified towards the requirements of an HMO. Furnishings have been delivered to the property. The agents have taken these steps because it appears they have the belief that their proposals will be accepted.

I trust my objection will be given serious consideration.

Yours faithfully,



Douglas Broadfoot

PI

From: webmaster@aberdeencity.gov.uk
Sent: 06 June 2015 20:17
To: PI
Subject: Planning Comment for 150742

Comment for Planning Application 150742

Name : mrs vivien kelly
Address : 59 rosebery st
ABERDEEN
AB155LN

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I have the following concerns and objections to the granting of a HMO to no.34.

Having a property with persons will bring additional parking issues to the st which is already stretched due to the st mostly being made up of terraced housing, 6 more cars and there visitors will cause more problems.

Additional waste will be generated and additional wheelie bins will clog the st and cause an eyesore.

There is known issues as to noise and anti social behaviour associated with this type of property, it will unfortunately bring down the status of the neighbourhood and if one property is granted this application then what will stop property letting companies and owners doing the same for purely financial gains to the detriment of the neighbourhood.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 04 June 2015 20:02
To: PI
Subject: Planning Comment for 150742

Comment for Planning Application 150742

Name : Susan Shand
Address : 36 Rosebery Street
Aberdeen
AB15 5LL

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I am writing to object to the proposed application for change of use from residential property to a HMO - 72 Rosebery Street, Aberdeen. As an immediate neighbour to the property I object for the following reasons: I would be concerned regarding the additional parking that this increased number of residents would bring, as parking is currently an issue on the street.

I would also be concerned about school places as schools within the catchment area are very popular.

The proposed use of the property is not in keeping with the local area.

I would be concerned about increased noise levels, anti-social behaviour and poor upkeep of the building and garden.

Yours sincerely
Susan Shand

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52. ROSEBERY STREET
ABERDEEN
AB15 5LL

31.5.15.

LETTER OF OBJECTION TO APPLICATION NO: 150742

To Whom it may concern,

We wish to strongly object to the proposed application for change of use from residential property to an H.M.O at 32, Rosebery Street, Aberdeen.

There is already a problem with parking in the street. Like ourselves and many others in the street no; 32 does not have a garage, nor is it possible to park at the rear of the house. There is in fact only enough space for one car outside no; 32 and the property below it. To think that there could be 6 more cars, plus those of visitors competing for space would be a nightmare, and this is particularly galling, considering how much we have to pay for parking permits.

Furthermore Rosebery Street is very much a family orientated street in the West End. Not only do people move here because of good schools in the catchment area, but also because it is peaceful and a relatively safe area to bring up children. Granting an H.M.O. licence would undoubtedly threaten this. No; 32, Rosebery Street was built to be a family home, has always been a family home and should remain so.

yours.

Hazel H. Wightman

and



From: [REDACTED]
Sent: 29 May 2015 13:41
To: PI
Subject: Objection to Planning Application -32 Rosebery Street Aberdeen

I refer to the APPLICATION FOR CHANGE OF USE FROM RESIDENTIAL PROPERTY TO HMO AT 34 Rosebery Street Aberdeen

I wish to submit my objection to this proposal

Any agreement to this application would be detrimental to not only Rosebery Street but also to the surrounding streets.

An agreement to this proposal would set a precedent for conversion of similar properties in the future. This would change forever the ability for those wishing to purchase a family home in Aberdeen's west end.

The potential impact to residents in this quiet residential street is immense

Parking is already an issue in Rosebery Street and the surrounding streets, with more and more households having more than one vehicle.

The potential of another six cars vying for a parking space in the street could lead to existing residents having to park in nearby streets with the potential of complaints from our neighbours in Camperdown Road, Mile End Avenue etc.

Refuse – Are the six residents within no. 34 to be given their own wheelie bins – is one black bin, one brown bin and one re-cycling bag/bin sufficient for six residents? – unlikely – are 12 bins to be located either in front of or at the rear of this property or are black bags once again about to litter our street giving us a gull and vermin problem?

Broadband/Telephone Lines - we all now require the internet for our day to day lives. Studies have concluded that people now feel that having a broadband connection is more important than any other utility.

The area's telephone lines are all overhead, if the six residents all require a fixed Broadband connection rather than a mobile Broadband connection, are six new overhead telephone lines about to be fed to the property?

Maintenance of Garden – The established garden for this property has become overgrown with no attempt by the agent to maintain this - are potential tenants to be advised that maintenance of the garden is their responsibility? Again very unlikely

Noise – Existing residents value the peace and quiet living in Rosebery Street brings, this is what attracted us to this street initially. The comings and goings of six residents at different times of the days and night will change the way we all live in the street

Properties in Rosebery Street are not new builds with added soundproofing, the electronic noises of today were not foreseen 100 or so years ago!

Property Prices – The west end of Aberdeen has always been a sought after location to live. Property prices have remained constant throughout the recent recession. Surely future generations should be given the opportunity to live as we are today in a quite family orientated street in the city centre

Community – The long term impact on schools/ nurseries within the area with acceptance of this planning application is immense

I urge you to consider this application carefully, the whole of the Mid Stocket/Rosemount area will be impacted with the profit of landlords being more important than retaining our existing communities

Sheona McGregor
37 Rosebery Street

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

Dear Sir/Madam

Re: Application No 150742 for change of use at 32 Rosebery Street

We have the privilege of living in Rosebery Street since 1980 and got to know most of the residents in the street, many of whom have lived there even before our arrival.

There have been, and still are, a few professional people and families who come and go as their postings within the oil and gas industries take them.

There are always several young families living happily in the street and their children can be seen playing delightfully outside along the pavements.

Rosebery Street is a quiet residential street providing a safe and peaceful environment for the people who are living there and enjoying the peace and security that is a hallmark of the area. It is a street well served by schools, surgeries, the hospital and corner shops, etc.


We wish to make a representation regarding the above application by Grant Property of Dundee.

We are somewhat concerned about the integrity of this company, because as soon as they acquired the 4-bedroom/2-public room apartment at 32 Rosebery Street, they immediately advertised it on several websites as ABERDEEN 6 BEDROOM PROPERTY TO RENT - STUNNING MID TERRACE PROPERTY IN CITY CENTRE - NON HMO.

They then modified the property into a 6-bedroom apartment and subsequently posted their Notice of HMO Licence Application dated 26-March-2015, which has been refused by the Council.

Whilst the present residents cannot as yet complain about community-related issues such as noise, anti-social behaviour, loss of parking space, unsightly garden and rubbish bins, etc ... we fear strongly it is only a matter of time, if this retrospective application for change of use (and another HMO application to follow) is granted, before a small number of potentially unruly HMO residents impact substantially on our community, not to mention the possible waste of the Council's resources to front dedicated police officers and out of hours Environmental Health Office Support.

Yours faithfully



Steve Lai
24 Rosebery Street
Aberdeen
AB15 5LL

25-May-2015

30 Rosebery Street
ABERDEEN
AB15 5LL
21 May 2015

150742

Aberdeen City Council
Planning Reception
Planning and Sustainable Development
Hub 4, Marischal College
Broad Street
ABERDEEN AB10 1AB

Dear Sir/Madam

**PROPOSED APPLICATION FOR CHANGE OF USE FROM RESIDENTIAL
PROPERTY TO AN HMO - 32 ROSEBERY STREET, ABERDEEN**

I wish to object to planning permission being granted for the above property in respect of change of use from a residential property to an HMO to accommodate six unrelated persons on the undernoted grounds.

Firstly, I would draw your attention to the fact that the necessary work and renovations, along with furnishings, have already been carried out at this property in readiness for accommodating HMO tenants. It would appear that the agents expect to be awarded planning permission as they have proceeded with the work and related expense. Notwithstanding this, I have a number of key concerns with regard to granting planning permission for change of use at this property.

1. Parking in Rosebery Street is already extremely difficult. As you may be aware, restricted parking was implemented in the area a number of years ago in recognition of the volume of traffic. If permission is granted to accommodate six unrelated individuals it can only exacerbate this problem (potentially six additional cars plus visitors etc.). Perhaps a member of the Licensing Board could inspect the street one evening to see first hand the existing problems relating to parking. Presently we have to pay an annual charge for parking permits in this street.
2. HMOs are out of keeping with the area and the community. This is an attractive and residential area situated in the west end of Aberdeen accommodating many families with children. It is very popular because of the close proximity to good high achieving schools. The west end is a desirable place to live with high property prices, rightly or wrongly making it out of reach of many people. As you are again aware, Council Tax is accordingly higher in the area than in other parts of the city centre. If this sort of arrangement is permitted and is economically effective for landlords/management companies, whose only objective is to make money, the character and the surroundings of the area will likely change considerably and irretrievably. The impact on property prices may be considerable and to the detriment of the present owners. The granting of an HMO Licence may also impact on the community, schools and be a strain on services generally.
3. We have lived here for 26 peaceful years and the granting of an HMO Licence

threatens our family orientated community as HMO properties are often associated with increased levels of noise and anti social behaviour.

4. As my property is directly attached, another factor which concerns me greatly is soundproofing, or the lack of it. These old houses are not particularly soundproof and again 6 unrelated tenants may constitute a problem with increased noise. In all likelihood, each tenant will have his/her own television and music centre, etc. I would be interested to know whether any measures have been carried out to alleviate this. I know that the attic walls are particularly flimsy and poorly soundproofed to the point where music and even conversation in neighbouring properties is clearly audible.
5. There is also the added problem of a potential fire hazard. We live in a terraced block and although fire doors have been installed in the affected property, fire doors have not to my knowledge been installed in any of the surrounding properties. Further, these old houses were built at a time when much more inflammable materials were used in construction. Clearly, there is also a much higher risk of fire due to the fact that 6 unrelated people will be using a very small kitchen.
6. There is a large garden to the rear of the property which has always been well maintained. HMO properties, in general, tend to have very neglected gardens, with short-term tenants understandably being less likely to take responsibility for maintenance and upkeep. It is also highly questionable whether the management company's duties will extend to the garden. Since Grants have taken over the property the garden has sadly deteriorated and is not in keeping with the other gardens in this area, reaffirming my concerns.
7. There will obviously be considerably more refuse generated than from a normal family home. Steps will need to be taken to ensure this will be addressed.
8. I believe that an attic room was subdivided to create an additional bedroom. In addition to the soundproofing concerns in the attic in particular, a rather flimsy pipe (presumably a water or waste pipe from the newly installed bathroom) has been installed from the roof space and apart from not being in keeping with the rest of the pipes, it does not look particularly sound.

Finally, as a long standing resident of Aberdeen, who has a vested interest in the well being of this community, unlike agents/landlords, whose only interest is in maximising profits and do not have any interest in the community, I would request that this planning application be declined on the aforementioned grounds.

Yours faithfully

Rebecca F Kennedy

38 Rosebery Street
Aberdeen
AB15 5LL
29/05/15

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

Dear Sir or Madam

Re: Planning Application 150742

With regard to the above application please see my concerns and questions below.

1. Location of the accommodation

I believe a HMO property in this location will endanger the lives and health of my family and the residents who adjoin. You will see my concerns below regarding number of occupants, fire spread and dealing with undue public nuisance.

2. Type and number of persons likely to occupy the property

I note the HMO application is for 6 persons. Taking into account the location and the type of existing residents occupying Rosebery Street, i.e. families and couples, is the officer considering any restrictions on the number of occupants to 3 persons given the limitations of the property discussed in items 7-10 below.

3. Condition of the accommodation

I believe that renovation of this particular house type to provide HMO accommodation does not meet the requirements of document 'STATUTORY GUIDANCE FOR SCOTTISH LOCAL AUTHORITIES' when compared to, say, a custom built HMO property. The property is constrained by the existing layout and construction type and I would suggest could not provide the level of accommodation to suit HMO requirements, without substantial financial commitment from the owner.

Buildings from this era:

- Do not have modern fire construction to protect adjoining properties.
- Do not have sound insulation installed between internal rooms or floors and more importantly between adjoining properties.
- Do not have thermal insulation installed in the walls or roof.

Does the officer consider this type of building to be suitable for a HMO property?

4. Fire safety

Installation of fire doors will go some way but the door is only a small element in a larger wall, constructed in an era where modern fire protection techniques did not exist i.e. fire walls, intumescent materials. What additional measures have been installed to mitigate the spread of fire to adjoining properties (such as my own)?

5. Sound insulation

Older properties carry sound extremely well. What additional measures have been installed to mitigate the transmission of sound to adjoining properties?

6. Thermal insulation & space heating

In the winter I doubt the upper rooms will maintain a temperature of 18 degrees without the heating on 24/7. This is certainly a fact in my house. What additional measures have been installed to protect residents whom will occupy the upper rooms of the HMO?

7. Lighting & ventilation

The building warrant plans indicate a new velux window to be installed in the roof of bedroom no. 4. I note from the work already completed on site that this was not provided. This will therefore not provide the required glazed and openable areas (1/15th & 1/30th respectively). Therefore, bedroom no. 4 is not suitable.

8. Facilities

With regard to provision of facilities in the property please see my queries below:

- The building warrant plans indicate 1 off sink in the kitchen, this is only suitable for a maximum of 5 persons. The application is for 6 persons.
- Does the application meet the requirements of kitchen storage for 6 persons?
- Does the application provide a 3.8m length of worktop for 6 persons?
- Does the application provide an additional fridge, freezer & cooker as the application is for 6 persons?
- Does the kitchen provide the required activity space for 2 cookers?

9. Space & layout

It is clear from the building warrant plans that bedrooms no. 4 to 6 cannot provide the required furniture activity spaces due to the roof lie-ins. All the furniture, except the bed, is generally located in the lie-ins, which will not provide adequate headroom.

10. The safety & security of my family

Multiple unrelated persons living together will likely mean each resident's social group visiting the property. This substantially increases the number of persons passing through the property. This could lead to strangers hanging around the property and leads on to item 13 below. Does the officer consider this suitable; in an environment regarded as safe by families?

11. Parking & refuge

In a street with already limited parking spaces please confirm the strategy for parking permits associated with the HMO property. Also, please confirm what provision will be made for the additional refuge likely to be generated by the HMO property.

12. The possibility of undue public nuisance

There is no doubt that we will be subject to unacceptable levels of noise and disruption when multiple persons occupy the property. As mentioned previously these buildings were not designed for this type of use. All adjoining properties are family homes and I myself have a 12-month-old son, whose room along with my own is back-to-back with the said property.

I am extremely concerned about the levels of undue noise caused by the following:

- Multiple persons all with TV's.
- Multiple persons all with music systems.
- Multiple persons all with their own social groups.

Whilst the officer will probably consider this to be the least important of my issues, as it cannot be determined at this point in time, it is *actually* the most important and likely to be the source of much contention.

I would not have purchased my property if I had known that a HMO property was adjoining. Yet, if approved, my family are likely to be subject to the issues discussed above.

In conclusion, I would urge you to refuse this application or restrict it to a 3-person occupancy.

I look forward to your response to my concerns and questions.

Yours faithfully

Craig McArthur

Cc

Councillor Bill Cormie,

Councillor Jenny Laing,

Councillor Fraser Forsyth,

20 Hosefield Avenue
Aberdeen
AB15 5NN

26th May 2015

Aberdeen City Council
Housing & Environment
DATE RECEIVED 28 MAY 2015
Private Sector Housing Unit

HMO Unit
Housing & Environment
Business Hub 11
Second Floor West
Marischal College
Broad Street
Aberdeen
AB10 1AB

Re: HMO licence application at 32 Rosebery Street Aberdeen

Dear Sir/Madam

Thank you for the Neighbour Notification Notice dated 18th May 2015 regarding the proposed application for the change of use of existing residential property at 32 Rosebery Street Aberdeen, to form a House of Multiple Occupancy to accommodate 6 unrelated persons.

As I said in my previous letter of 2nd April 2015, I write on behalf of my mother, Mrs Edith Mowat, the owner occupier of no 20 Hosefield Avenue Aberdeen. My mother is 96 years old and registered blind. I am her daughter, Miss Lesley Mowat and her main carer, with Power of Attorney. I wrote the letter with reference to the above application on her behalf.

Since that date our views have not changed and we remain firmly against this application for a HMO Licence being granted by Aberdeen City Council.

My letter of 2nd April 2015 is detailed below.

We both have grave concerns with the proposal to change this property into a house capable of being marketed as a 6-bedroom house and most probably being let to 6 unrelated individuals. Already the home owners on Rosebery Street are parking their cars on Hosefield Avenue on a regular basis when there are no available spaces in front of their own homes. Car owners from Bonnymuir Place also add to the problem by parking in Hosefield Avenue. A house of 6 tenants, who most probably will have cars, will just add to the already extremely difficult problem with parking. Only if I take my car out of the garage first thing in the morning do I have a real chance of parking outside our door if I need to take my mother out for appointments during that day.

As the refuse bins from the even numbers on Rosebery Street are already left on Hosefield Avenue, a house of this type will most certainly generate a larger amount of refuse necessitating even more bins to be on the street.

The back entrance to this property is along a narrow lane so with the traffic along this lane generated from 6 tenants there would certainly be increased noise and nuisance and the possible risk of anti-social behaviour in what is at present a quite residential street.

We therefore have grave reservations regarding this application and wish to lodge an objection to the application for a House of Multiple Occupancy (HMO) licence from Aberdeen City Council.

Yours sincerely



Edith M Mowat.



Lesley P Mowat

Planning Development Management Committee

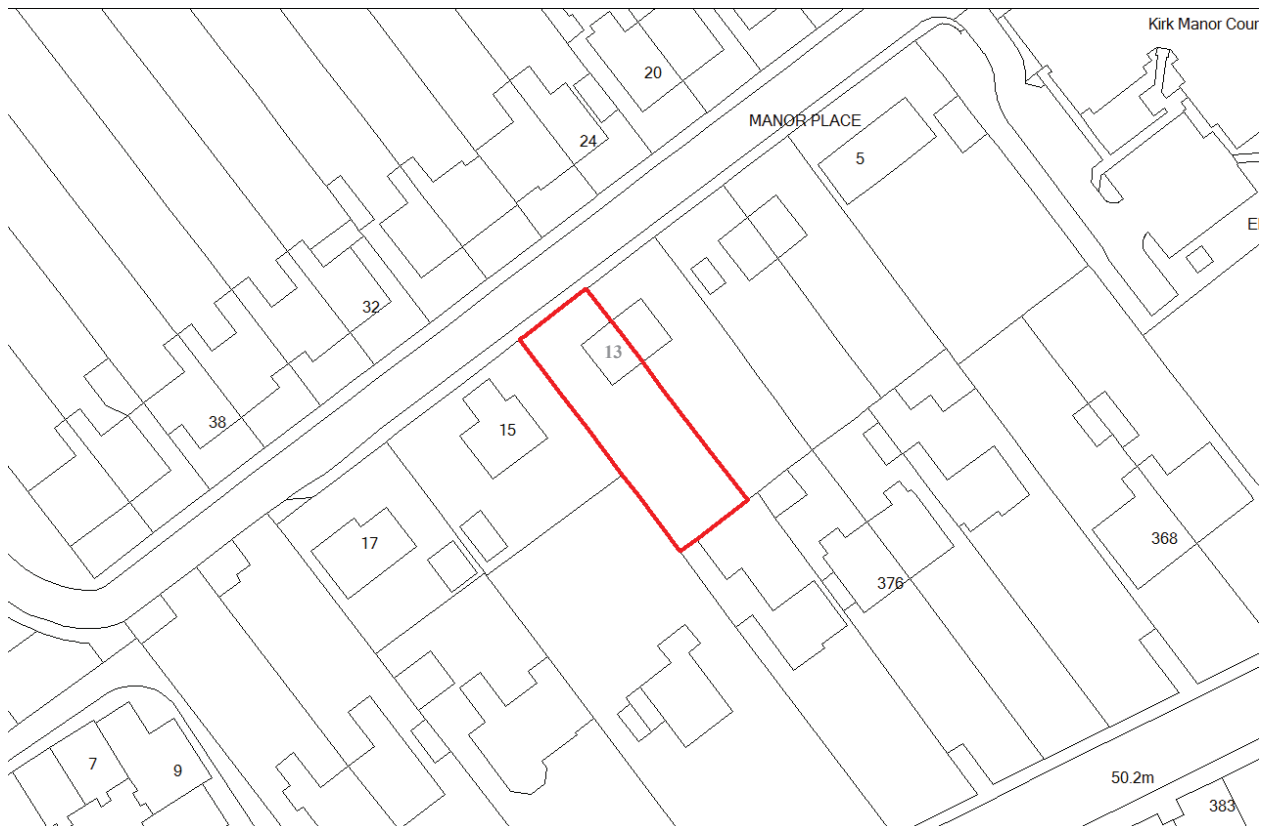
13 MANOR PLACE, CULTS

ERECTION OF 2-STOREY EXTENSION TO
SIDE OF EXISTING DWELLING HOUSE.

For: Mr & Mrs McGeown

Application Type : Detailed Planning Permission
Application Ref. : P150378
Application Date: 12/03/2015
Officer: Ross McMahon
Ward : Lower Deeside (M Boulton/A Malone/M
Malik)

Advert :
Advertised on:
Committee Date: 16/07/2015
Community Council : No response
received



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site located on the south-east side of Manor Place extends to 486sq.m and is occupied by a two storey semi-detached dwellinghouse. The footprint of the existing dwelling results in a site coverage of approx. 9%. The dwelling is of a traditional design finished in pink granite and natural slate. The site levels slope down gradually from Manor Place to the rear (south-east) and the site is demarcated by a c. 1.8m stone high timber fence shared with no. 11 Manor Place, and a c. 1.2m high stone wall to the south-east of the site. The site is identified as a Residential Area in the adopted Aberdeen Local Development Plan 2012.

RELEVANT HISTORY

Planning permission (application ref. 141008) for the erection of a two storey side extension and roof terrace of a contemporary design was recommended for a conditional approval however was subsequently refused at planning committee in November 2014. The proposal was considered to be out of character with the original dwelling and the surrounding area.

PROPOSAL

Planning permission is sought to erect a two storey extension, extending along the entire width of the gable, 5m wide, and its roof ridge lining through with existing, to provide a lounge, utility room and WC at ground floor level and bedroom and en-suite at upper level. The roof would be fully hipped to match existing. To the front elevation, glazing would comprise a window at ground floor level and half-height dormer window to match existing at upper level. To the rear, there would be a set of patio doors leading to a small patio decked area and small window at upper level. Materials to include a pink granite frontage with grey concrete lintels and quoins, the remainder finished with render, and natural slate to the proposed roof.

The proposal has been amended from the original submission in respect of proposed materials, overall size and footprint.

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=150378>

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 proposal has attracted 7 letters of objection through the neighbour notification process. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No objections, providing informatives are added to the consent.

Environmental Health – No observations.

Communities, Housing and Infrastructure (Flooding) – No observations.

Community Council – No comments received.

REPRESENTATIONS

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

1. Shared drainage issues;
2. Absence of granite to principle elevation;
3. Proposed extension wider than existing house;
4. Proposed extension and roof not in line with existing house;
5. Out of character with the existing dwelling and the streetscape;
6. Existing granite to side elevation should be used to face the proposed extension.
7. Amount of building work/construction taking place on Manor Place;
8. Noise/disturbance associated with construction.

It should be noted that the above matters relate to the original submission, and are not a reflection of the current, amended proposal.

PLANNING POLICY

Aberdeen Local Development Plan

Policy D1 – Architecture and Placemaking

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

Policy H1 – Residential Areas

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

1. does not constitute overdevelopment;
2. does not have an unacceptable impact on the character or amenity of the surrounding area; and
3. complies with Supplementary Guidance contained in the Householder Development Guide.

Supplementary Guidance

Householder Development Guide

Proposed Aberdeen Local Development Plan

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

D1 – Quality Placemaking by Design (*D1 – Architecture and Placemaking in adopted LDP*);

H1 – Residential Areas (*H1 – Residential Areas in adopted LDP*).

EVALUATION

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

Principle of Development

The application site is located within an area zoned for residential use in the adopted Aberdeen Local Development Plan 2012, and relates to an existing dwellinghouse. The proposed extension is therefore acceptable in principle subject to an acceptable form and appearance. In determining what constitutes an acceptable form of extension, the aforementioned national and local planning policies and associated supplementary guidance will be of relevance.

Design, Scale & Massing

The overall size, scale and projection of side extensions to the side of semi-detached properties are determined on a site specific basis where they do not project along a common boundary. General principles expect that they should be architecturally compatible in design and scale with the original house and surrounding area, materials should be complementary and any development should not overwhelm or dominate the original form or appearance of the dwelling house.

The amended proposal would result in an increase in site coverage to 17%, which is considered to be acceptable within the context of the surrounding area. This is in line with the Council's aforementioned supplementary guidance on householder development, in that the proposal would not double the existing footprint of the original dwelling, and at least half of the rear garden ground would remain.

Amendments to the original proposal have sought to better relate the extension to the existing dwelling by bringing the front elevation of the proposal in line with that of the existing and by specifying granite to the public facing elevation of the extension as a continuation of the original property. While the proposed is significant, amendments to the proposal have successfully dealt with the visual dominance of such a large side

extension, by extending the original form, roof profile and through the repetition of similar architectural elements, detailing and materials. As such, the proposed extension is considered to integrate with and complement the existing building, and thus on balance is acceptable within the context of the surrounding properties.

The proposed half-height dormer to the front of the property is predominantly glazed and would be appropriately positioned within the extended roof slope. Its design is considered to complement and reflect the existing dormers to the front elevation, and other dormer windows featured on adjacent and surrounding properties. The proposed dormer is therefore considered to comply with the aforementioned supplementary guidance.

Residential Amenity Impact

Additionally, no development should result in a situation where amenity is 'borrowed' from an adjacent property. Since daylight is ambient, the calculation is applied to the nearest window serving a habitable room. Using the "45 degree rule" as set out in the British Research Establishment's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice', calculations indicate that all neighbouring properties are located sufficiently distant from the proposed extension to ensure no significant detrimental impact in terms of loss of daylight to habitable windows.

Turning to the impact to adjacent properties in terms of overshadowing, the orientation of the proposed extension and its distance are important factors. Calculations indicate that due to the size, form and orientation of the proposal, there would not be any additional impact relating to overshadowing of private rear garden ground to surrounding properties.

Matters Raised in Representations

With regard to objection point 1; there is no provision in planning legislation regarding issues relating to shared drainage. Furthermore, there is no statutory requirement for applicants to submit information to the Planning Authority relating to building services. Separate legislation dictates the manner in which services are accommodated within the site, such as via a building warrant etc. Any consequential issues arising from such situations would be private, civil matters between concerned parties. Amendments have not been sought by the Planning Authority on the grounds that there would be no planning benefit in doing so, as stated above, however the applicant has been informed of the points raised in the representation.

Objection points 2 to 6 relating to design, size, scale, materials and impact on the streetscape, have been addressed in the evaluation section of this report. The proposal has been amended in respect of these comments and as such has resulted in a development that makes due regard for its context, replicating similar extensions to surrounding properties. The amended proposal has been found to comply with the relevant policies set out in the Aberdeen Local Development Plan and associated Supplementary Guidance: Householder Development Guide.

Objection point 7 and 8 relates to the potential disruption associated with construction. It is inevitable that any development will result in an element of disruption; however this is a relatively short term impact and thus could not be considered a material planning consideration. An informative has been added to the consent highlighting that construction should not take place outwith agreed hours – in the interests of residential amenity.

Full regard has been given to all concerns raised in representations, but neither do they outweigh the policy position as detailed above, nor do they justify further amendments to the plans or refusal of the application.

Conclusion

To summarise, all elements of the proposal are considered to be complementary to the existing property by way of their size, scale and overall height. While the majority of the proposal would be viewable from Manor Place, it is not considered that they would have a detrimental impact on the character of the streetscape or the wider area. For the aforementioned reasons, the proposal is considered to comply with the relevant policies and associated supplementary guidance contained within the adopted Aberdeen Local Development Plan 2012. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations that would warrant refusal of the application.

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 in the Proposed ALDP substantively reiterate those in the adopted local development plan and the proposal is acceptable in terms of both plans for the reasons already previously given.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal complies with the relevant policies of the Aberdeen Local Development Plan 2012, namely Policies D1 (Architecture and Placemaking) and H1 (Residential Areas) and the associated Supplementary Guidance: Householder Development Guide and Proposed Local Development Plan Policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) in that the proposal has been designed to respect the scale of the existing dwelling, and in addition there would be no detrimental impact on the existing visual or residential amenities of the area. Full consideration has been given to all concerns raised in representations, but neither do they outweigh the policy position as detailed above, nor do they justify further amendments to the plans or refusal of the application.

CONDITIONS

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

(1) that no development shall take place unless details of the material, texture and coursing of the proposed granite to the front elevation 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.

INFORMATIVES

- The driveway must be internally drained with no surface water discharging onto the public road;
- Loose material (e.g. stone chippings) must not be used to surface any of the first 2 metres length adjacent to the footway.

No construction or demolition work should take place:

- (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
- (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
- (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

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Application no:- 150378.

Rmc

24 Manor Place
Cults
Aberdeen
AB15-9QN.

Dear Sir / Madam.

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

- 1) The proposed extension is actually larger than the existing house.
- 2) The front of the proposed extension is set back and I feel it should be in line with existing house.
- 3) The front of the proposed extension is to be rendered rather than faced with granite which nos 5/5 and 9 has had to do.
- 4) The roof of the proposed extension is only half way and I feel it should be in line with existing roof.
- 5) The granite at the side of the house is to be framed and plaster board and I feel this should be used to face the front of the proposed extension.

Yours faithfully

[Redacted Signature]

P150378 - RMC

PI

From: webmaster@aberdeencity.gov.uk
Sent: 07 April 2015 11:35
To: PI
Subject: Planning Comment for 150378

Comment for Planning Application 150378

Name : Alison Webster
Address : 11 Manor Place,
Cults
Aberdeen
AB159qn

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment :

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

1)The proposed extension is actually wider than the existing house.

2)The front of the proposed extension is set back and not in line with the existing house.

3)The front of the proposed extension is to be RENDERED rather than faced with the beautiful GRANITE from the side of the existing house something numbers 3/5 and 9 has had to do before their plans got the go ahead.(Why on earth would anyone want to timber frame and plasterboard GRANITE to cover it up).

4) Why drop the roof at the fronton the proposed extension? Why not keep it inline with the existing roof as numbers 3/5 and 9 have had to do to their house extension ?.

5)My greatest concern is the DRAINAGE.Number 13 drains come into ours at no.11 then go to the manhole cover at my back patio then along the side of my house then into the main sewer that runs along Manor Place and down to Kirk Brae.In the past 8 years we have had our patio dug up 4 times and one part replaced because of number 13 using the house to tenants ,who had put all sorts down the drain including sanitary products.The drains are clay pipes dating from 1935, and they do struggle to cope with what we have at this moment.Additional outlets would add to this problem.At this moment we have drainage problems, and once again I'm told my patio will have to dug up.Why not have a soak away in the garden, something number 9 has had to do.

Alison Webster.

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PI

P150378 - RMC

From: webmaster@aberdeencity.gov.uk
Sent: 07 April 2015 09:15
To: PI
Subject: Planning Comment for 150378

Comment for Planning Application 150378

Name : Mr David Webster

Address : 11 Manor Place

Cults

Aberdeen

AB15 9QN

Telephone : [REDACTED]

Email [REDACTED]

type :

Comment : I wish to object to the proposed extension for the following reasons.

The existing drainage has problems without any additional outlets being added to the system. The drainage pipe is leaking at this moment in time and will require repairing/replacing. This has been a problem at least 4 times in the past 8 years when the house was leased out and various tenants flushed anything down the waste pipe. It would be far better if the two houses had separate drainage.

The extension front would be more in line with the surrounding houses if it had the granite block facing rather than the rendered finish as is being proposed. This would match or tone in with the existing houses.

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PI

P150378 - RMC

From: webmaster@aberdeencity.gov.uk
Sent: 07 April 2015 10:06
To: PI
Subject: Planning Comment for 150378

Comment for Planning Application 150378

Name : Andrew McFarlane

Address : 34 Manor Place

Cults

Aberdeen

AB15 9QN

Telephone : [REDACTED]

Email [REDACTED]

type :

Comment : I have no objections to the proposed extension in design or scale, however, I do object to the proposed finish to the n/w elevation. The plans state that the n/w elevation will be full height walling finished in render to match existing; none of the existing property is finished in render, it is all pink granite.

Proposed extensions and alterations should be architecturally compatible in design and scale, this is achieved but the materials used on the n/w elevation are not complementary to the existing building and would be out of character with other buildings of a similar traditional design, pink granite frontage, concrete lintels and quoins would be more in keeping with the original property with the remainder finished in pink dry dash render. This approach has been used in other extensions of a similar design on the street and would maintain the existing traditional frontage to these properties.

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PI

P150378 - RMC

From: webmaster@aberdeencity.gov.uk
Sent: 06 April 2015 12:08
To: PI
Subject: Planning Comment for 150378

Comment for Planning Application 150378

Name : Professor Roger Pertwee

Address : 24 Manor Place

Cults

Aberdeen

AB15 9QN

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : My wife (Teresa Pertwee) and I strongly object to the absence of any granite facing on the North West (front) Elevation of this proposed extension to 13 Manor Place as this puts it "out of character" with (a) the rest of the house (both 13 Manor Place and the adjoining 11 Manor Place), and (b) the rest of the south side of Manor Place, in a manner that would reduce the attractiveness of Manor Place. In our view, the facing of the front of the extension should consist of granite blocks - like the existing North West (front) Elevation of 13 (and 11) Manor Place.

We also consider (a) that the North West (front) Elevation of the proposed extension should not be set back from the existing North West Elevation of the house and (b) that the height of the roof of this proposed extension should be the same as the current roof height (of 13 and 11 Manor Place) not lower, as has been proposed in this application. The new owners of 9 Manor Place have adopted both of these strategies, e.g. by not reducing the roof height of their ongoing extension.

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Planning Development Management Committee

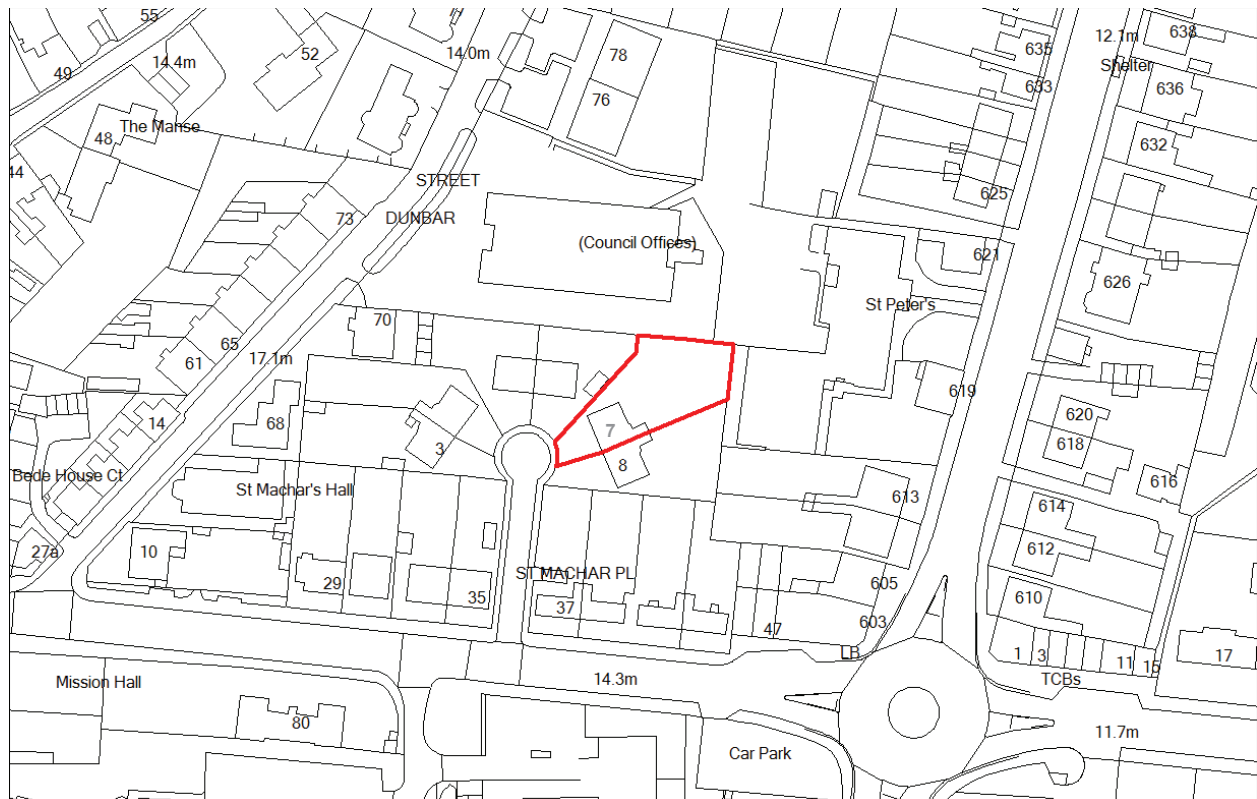
7 ST MACHAR PLACE, ABERDEEN

EXTERNAL ALTERATIONS AND FORMATION
OF DRIVEWAY TO FRONT OF EXISTING
PROPERTY.

For: Mr Warren Burgess

Application Type : Detailed Planning Permission
Application Ref. : P150785
Application Date: 19/05/2015
Officer: Ross McMahon
Ward : Tillydrone/Seaton/Old Aberdeen (J
Noble/R Milne/R Grant)

Advert : Section 60/65 - Dev aff
LB/CA
Advertised on: 03/06/2015
Committee Date: 16/07/2015
Community Council : Comments



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site located on the north-east side of St Machar Place extends to 725sq.m and is occupied by a one-and-half storey semi-detached dwellinghouse. The footprint of the existing dwelling results in a site coverage of approx. 12%. The site remains relatively level throughout and is demarcated by c. 1m high timber fencing to all front boundaries and a c. 1.5m high stone wall, mature trees and shrubs to the rear. The site is identified as a Residential Area in the adopted Aberdeen Local Development Plan 2012 and is located within the recently extended Old Aberdeen Conservation Area (April 2015). No.s 3-8 St Machar Place was included in the Old Aberdeen Conservation Area in April 2015. The six inter-war cottage style semi-detached houses are laid out in a semi-circle and were included in the Conservation Area as they are typical examples of development associated with the building of the new inner ring road of St Machar in the 1920s.

RELEVANT HISTORY

None.

PROPOSAL

Planning permission is sought to form a driveway area to the front of the property to provide a parking space for 1no. vehicle. The driveway area would measure 2.5m by 6.1m and would be formed in concrete slabs (for the first 2m of driveway) and stone chips.

A number of external alterations are proposed to the property including:

- Installation of a new rooflight in place of an existing conservation rooflight to the north-west elevation;
- Installation of 11no. slate vents to the existing roof (all elevations);
- Removal and replacement of existing v-shaped window to rear with PVCu framed windows;
- Replace all existing rear timber windows (dormers, kitchen, utility and family room) with PVCu framed windows;
- External alterations to existing rear kitchen (removing existing windows and doors; install new door and PVCu window; build up and re-harl external walls in wetdash render painted to match the existing dwelling);
- Removal of rear chimney stack and re-slate roof in natural slate to match existing.

It should be noted that the existing original front windows and door are to remain as existing and have subsequently been omitted from the original submission.

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=150785>

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 as a formal objection to the proposal from the Old Aberdeen Community Council has been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No objections, providing a number of informatives are added to the consent.

Environmental Health – No observations.

Communities, Housing and Infrastructure (Flooding) – No observations

Community Council – The Old Aberdeen Community Council has formally objected to the proposal on the following grounds:

1. Proposed alterations would not give due regard to the preservation or enhancement of a residential premise;
2. The development would not be in keeping with the character and amenity of the property or the remainder of the street and would have a negative visual impact on the area contrary to Policy H1 (Residential Areas);
3. Proposed replacement windows and loss of original V-shaped window to the rear is contrary to SHEP and the Council's Technical Advice Note: The Repair and Replacement of Windows and Doors;
4. Proposed construction notes do not clarify the proposed replacement window material;
5. All proposed replacement windows should be specified as timber;
6. Existing front door should be refurbished instead of replaced. If replacement is sought then the specified material should be timber;
7. The formation of parking to the front of the property is contrary to the Council's stated policies for Conservation Areas;
8. Mature trees would be impacted by the proposed front drive;
9. The site is incapable of providing sufficient off-street parking for a a 5 resident HMO;
10. The proposed alterations would mean that the property could only be used for intensive commercial occupation, contrary to Policy H1 (Residential Areas);
11. The proposed alterations would result in a more intensive occupancy and associated activity leading to increased noise and disturbance to long-term residents.
12. Proposed downstairs bathroom has no natural light or ventilation and would exacerbate existing existing damp issues.

REPRESENTATIONS

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

1. The proposal would detract from the character and appearance of the property and of the Old Aberdeen Conservation Area;
2. The formation of parking to the front of the property is contrary to the Council's stated policies for Conservation Areas;
3. Parking to the front of the property would obscure original features of the existing dwelling;
4. Loss of integral central path would distort the symmetry of the front garden, to the detriment of the dwelling and remainder of St Machar Place;
5. Off street parking provision relating to HMO requirements;
6. Front driveway would set an undesirable precedent for Conservation Areas throughout the City;
7. Proposed hardstanding and parking use would have a detrimental impact on existing trees;
8. Replacement windows and door is contrary to the Council's Technical Advice Note: The Repair and Replacement of Windows and Doors.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP)

Paragraph 143 – Conservation Areas: Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.

Scottish Historic Environment Policy (SHEP)

Development should not adversely affect the special interest and character of Listed Buildings and Conservation Areas.

Aberdeen Local Development Plan

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

Policy H1 – Residential Areas

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

1. does not have an unacceptable impact on the character or amenity of the surrounding area.

Conservation Area Character Appraisals & Management Plan

- Strategic Overview and Management Plan (July 2013)
- Approved Draft Old Aberdeen Conservation Area Character Appraisal (Jan 2015)

Supplementary Guidance

- Transport and Accessibility
- Trees and Woodland

Technical Advice Note

The Repair and Replacement of Windows and Doors

Proposed Aberdeen Local Development Plan

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

D1 – Quality Placemaking by Design (*D1 – Architecture and Placemaking in adopted LDP*);

D4 – Historic Environment (*D5 – Built Heritage in adopted LDP*);

H1 – Residential Areas (*H1 – Residential Areas in adopted LDP*).

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.

Front Driveway

The Council's Supplementary Guidance: Transport and Accessibility sets out specific criteria for proposed driveways generally and those proposed to the front of properties within conservation areas specifically. The planning criteria considered – relevant to this particular application – when assessing whether consent may be granted for parking in front gardens of listed buildings or buildings in conservation areas is set out below:

1. Driveways must be at least 5m in length;
2. The gradient of driveway must not normally exceed 1:20;
3. The first two metres of driveway adjacent to the footpath must not be surfaced in loose material such as gravel;
4. The driveway must be drained internally, with no surface water discharging into the roadway;
5. No more than 35% of the front garden area may be given over for the combined parking area, driveway and turning area, or 50% if footpaths and other hard surfaced are included.
6. At least 50% of the garden area should be left in topsoil to permit soft landscaping;
7. The formation of the access driveway must not result in the loss of any street trees or significant garden trees;
8. Consent will not be granted where the property has a rear garden area, suitable for parking, which is accessible from a rear lane or side street.

The proposed front driveway is considered to meet all of the above planning criteria for the following reasons:

1. The driveway would exceed the minimum 5m requirement for overall length;
2. The gradient of the proposed drive would not exceed 1:20;
3. The first two metres of driveway adjacent to the footpath would be surfaced in concrete slabs;
4. The driveway would be internally drained, with no surface water discharging into the roadway;
5. The proposed combined parking and footpath area would not exceed 50% of the front garden area;
6. 71% of the front garden area would remain in soft landscaping
7. No front garden trees would be removed from the site;
8. The layout of the site boundary relative to the existing dwelling is such that rear garden parking is not an option.

Notwithstanding the above planning considerations, it should be noted that Roads Development Management has not objected on the basis that current standards in relation to loose material and internal drainage are met.

Conservation Area Impact

The Council's Conservation Area Character Appraisal: Strategic Overview and Management Plan discusses parking in front gardens and makes reference to the potential negative impact caused by parking to the front of properties in all but the

largest front gardens, potentially obscuring important features. However, it should be noted that the majority of properties within St Machar Place have driveways which form part of the character of the street at the time of inclusion within the Old Aberdeen Conservation Area. While it is noted that these properties have driveways leading to detached garages – located to the side of the existing dwelling – it is not considered that the introduction of an additional single driveway to the front garden of 7 St Machar Place would have a detrimental impact on the existing dwelling, streetscape or Old Aberdeen Conservation Area. Given the layout of St Machar Drive and the position of the property relative to the road i.e. partially screened by existing trees and foliage, the proposed front drive would not significantly block or obscure important building features or impact on the character of the street generally.

The proposed driveway is considered to be modest in nature and has been found to comply with the Council's Supplementary Guidance: Transport and Accessibility and the Conservation Area Character Appraisal: Strategic Overview and Management Plan. Additionally, Roads Development Management has not objected to the proposal.

External Alterations

All proposed external alterations – including the proposed slate vents, roof light and external kitchen alterations – are considered to be acceptable in relation to the existing property and surrounding area and would not have a significant detrimental impact on the character or appearance of the existing dwelling or conservation area given that they are relatively minor in nature. The loss of an existing V-shaped window and replacement PVCu windows to the rear can only be considered in relation to its impact on the character and appearance of the Old Aberdeen Conservation Area, and it is considered that their removal would have a negligible impact given their position to the rear of the property, not readily viewable from a public vantage point.

It should be noted that the existing rear chimney was removed after the application had been validated and is therefore retrospective. A site visit and photographs show that only a very small section of the rear chimney stack was viewable from St Machar Place and as such, its removal is not considered to detriment the existing dwelling or Conservation Area generally.

The proposed replacement windows to the rear are considered to comply with the Council's Supplementary Guidance: The Repair and Replacement of Windows and Doors in that they would not be viewable from any public vantage point and as such the use of PVCu frames is considered acceptable in this instance.

Other Material Considerations

Local Planning Authorities have a statutory duty to have regard for the preservation of existing trees. New developments must include measures to ensure the long term retention of existing trees.

It is therefore deemed necessary to apply a condition to the consent to ensure the protection of trees in and around the application site that may be affected during the construction of the development, specifically the formation of the driveway.

Matters Raised by the Community Council

Objection points 1 to 7 relating to the proposed replacement windows, front drive, impact on existing dwelling and the potential impact on the Conservation Area, have been addressed in the evaluation section of this report. Consent is no longer sought to replace the existing front bay windows and door. The amended proposal has been found to comply with the relevant policies set out in the Aberdeen Local Development Plan and associated Supplementary Guidance: Householder Development Guide.

Objection point 8 relates to the potential impact on existing trees as a result of the proposed driveway. It is not considered that the proposed area of hardstanding (a 2m deep section from the pavement into the site) in addition to the ground pressure associated with parking vehicles within the site would significantly detriment the existing trees on the site. However, it has been considered necessary to add condition to the consent to ensure the protection of trees in and around the application site that may be affected during the construction of the development.

Objections 9 to 11 relate to activity associated with the property's use as a HMO. It should be noted that there is no requirement – in planning terms – for the applicant to submit an application for change of use as the number of occupants would be less than 6. In this respect, the application can only be assessed as a householder application; therefore any objections/concerns relating to the property's use as a HMO are irrelevant and cannot form part of the evaluation of the proposal.

With regard to objection point 12; there is no provision in planning legislation regarding issues relating to internal works associated with natural light and ventilation. Separate legislation dictates the manner in which such provisions are addressed within the dwelling, such as via a building warrant etc. Amendments have not been sought by the Planning Authority on the grounds that there would be no planning benefit in doing so, as stated above.

Matters Raised in Representations

Objection points 1 to 6 relating to the proposed replacement windows, front drive, impact on existing dwelling and the potential impact on the Conservation Area, have been addressed in the evaluation section of this report. Consent is no longer sought to replace the existing front bay windows and door. The amended proposal has been found to comply with the relevant policies set out in the Aberdeen Local Development Plan and associated Supplementary Guidance: Householder Development Guide.

Objection point 7 relating to the potential impact on existing trees has been addressed within the previous section.

Objection point 8 specifically relates to off street parking concerns associated with the property's use as a HMO. It should be noted that there is no requirement – in planning terms – for the applicant to submit an application for change of use as the number of occupants would be less than 6. In this respect, the application can only be assessed as a householder application; therefore any objections/concerns relating to the property's use as a HMO are irrelevant and cannot form part of the evaluation of the proposal. It should be noted that Roads Development Management has not raised any objections with regard to the proposed drive, which additionally complies with the Council's Supplementary Guidance: Transport and Accessibility.

Full regard has been given to all concerns raised in representations, but neither do they outweigh the policy position as detailed above, nor do they justify further amendments to the plans or refusal of the application.

Conclusion

To summarise, all elements of the proposal are considered to be acceptable in relation to the existing property. It is not considered that the proposed front drive would have a significant detrimental impact on the character of the existing property, the streetscape or the wider area. The proposal is considered to comply with the relevant policies and associated supplementary guidance contained within the adopted Aberdeen Local Development Plan 2012. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations that would warrant refusal of the application.

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 in the Proposed ALDP substantively reiterate those in the adopted local development plan and the proposal is acceptable in terms of both plans for the reasons already previously given.

RECOMMENDATION

Approve subject to conditions

The proposal is modest in nature and would have a neutral impact on the residential amenity of the locality and the character of the Old Aberdeen Conservation Area. The proposal complies with the relevant policies of Aberdeen Local Development Plan 2012, namely Policies D1 (Architecture and Placemaking), D5 (Built Heritage) and H1 (Residential Areas) and the Proposed Local Development Plan policies H1 (Residential Areas), D1 (Quality Placemaking by Design) and D4 (Historic Environment). The proposal complies with the Council's Supplementary Guidance: Transport and Accessibility and Technical Advice Note: The Repair and Replacement of Windows and Doors; and would preserve the character and amenity of the Conservation Area in line with the principles of Historic Scotland's SHEP and the Council's Conservation Character Appraisal: Strategic Overview & Management Plan. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations that would warrant refusal of the application.

CONDITIONS

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

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

INFORMATIVES

- The proposed driveway will require a 3 metre dropped kerb and footway crossing permit. The vehicular footway crossing required for the access should be constructed by Aberdeen City Council. The applicant is responsible for all costs involved and should be advised to contact the Road Network Maintenance Unit at least 6 weeks prior to any works starting on site and arrange for an estimate for the cost of works. The Road Network Maintenance Unit can be contacted on the following details: tel. 01224 241500, RoElrick@aberdeencity.gov.uk, DanMackay@aberdeencity.gov.uk. The ACC contact will advise on the footway crossing permit.
- The driveway should not use loose chippings for the first 2 metres from the rear of the footway.
- The driveway must be internally drained to prevent water discharging onto the footway and roadway.

6 St Machar Place
Aberdeen AB24 3SF.

23rd June 2015

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

Dear Sir,

No 7 St. Machar Place, Aberdeen : Planning Application No. P150785 (amended)

I was deeply disappointed to view the planning application for the above property:

St Machar Place is now in the Old Aberdeen Conservation Area and the plans must surely state clearly, and that it be a requirement, that the windows front and back will be timber-framed and not PVCU and that the doors front and back will be of wood and not PVCU to ensure that this very attractive 1930s bungalow retains its distinctive character.

Surely too it is imperative to make every effort to repair the doors and window frames, as I understand is current policy, to preserve and conserve all the original features.

The planned driveway is, in my view, completely unacceptable and contrary to the Aberdeen City Conservation Area Character Appraisal / Strategic Overview and Management Plan of July 2013 which states that:

"... Parking in all but the largest front gardens, which already have been designed with driveway access in mind, will have a detrimental effect on the setting of buildings in the conservation area, potentially obscuring important features."



I contend that any vehicle parked in front of this house will obscure a whole front bay window and the front door with their individual features.

Moreover, the integral central path will be lost and thereby the symmetry of the front garden.

This central path up the front garden is a feature of the houses in the circle and the original plan and integrity of the whole circle will also be lost

Is this what having conservation area status is really about ?

And is it really just about what can be seen so that the lovely little very distinctive V-shaped window at the back of the house can, according to these plans, be removed and replaced with an ordinary flat window and a whole chimney stack destroyed as well ... ?

Lastly with this planning application there is the whole issue of parking for what is intended as a change of use from a three-bedroomed family home to a five-bedroomed HMO property . This will require 2.5 parking spaces as per the proposed Supplementary Guidance Topic Area 7 - Transport and Infrastructure to the Local Development Plan. St Machar Place is in the Old Aberdeen CPZ and parking is in any case very limited for those residents in the cul-de-sac without driveways and those living on St Machar Drive.

By reason of all of the above issues I request that the planning application be refused.

Yours faithfully,

A black rectangular box redacting the signature of Christine Burgess.

Christine Burgess



Planning Dept,
Aberdeen City Council,
Marischal College

150785

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

23rd June 2015

Dear Sirs,

7, St. Machar Place
Old Aberdeen Conservation Area
- formation of driveway, replacement windows and external alteration

The Society wishes to register a strong objection to the above application.

No. 7 St. Machar Place is a period 1920s house situated in a picturesque cul-de-sac which has recently been added to the Old Aberdeen Conservation Area, in order to afford it the recognition and protection which it merits.

We are therefore seriously concerned at the submission of an application for works to this property which would greatly detract not only from the character and appearance of no.7 but also from the character and appearance of the whole cul-de-sac.

Our objections are under the following headings:-

- 1) The proposed driveway would be contrary to Policy D4 of the Local Development Plan, and to the Conservation Area Management Plan.
It would also be contrary to two provisions of the "Transport & Accessibility" supplementary guidance in the Local Plan.
- 2) The proposal to replace the original historic windows and door is contrary to City Council Local Plan policies on "Windows and Doors".
- 3) The granting of permission for a driveway in a situation such as this would create an undesirable precedent for Conservation Areas right across the City.

To expand on these:-

1) The proposed driveway

Although the proposal satisfies some of the requirements of the supplementary guidance on "Transport and Accessibility", it fails on at least two counts, and further, more significantly, fails to meet the standard set out in the City's Conservation Area Management Plan:-

- a) The 2015 Local Plan Supplementary Guidance on "Transport & Accessibility", a material consideration in the assessment of this application, states (p.181) that:-

"If there is an impact on road safety and residential amenity, a driveway will not normally be permitted if access is taken from a parking lay-by or a controlled parking zone which is regularly in use."

St. Machar Place is designated as a Controlled Parking Zone, and is used for parking by various nearby residents. Their residential amenity would be affected as one parking space would permanently, rather than intermittently, be taken out of use.

- b) The current Local Plan Supplementary Guidance on "Transport & Accessibility" on "Parking in Front Gardens", (p.29), states that:-

*"The conversion of front gardens will only be permitted where": ...
d) "there is no impact on significant street or garden trees"*

The creation of hardstanding required for the proposed driveway right next to one of the protected trees at no.7 would certainly have a detrimental impact. On this issue the current Supplementary Guidance "Landscape Guidelines" is quite clear. In the text accompanying the diagram of a tree, it states:-

"Parking of heavy vehicles and cars must not be allowed near the root area"

This is because it causes compaction and consequent suffocation of the tree roots, which endangers the tree.

- c) Most important of all, however, is the fact that the proposed driveway would be contrary to the most recent, up-to-date Guidance on Conservation Areas, as adopted by the City Council in 2013, viz. the

"Strategic Overview and Management Plan for Conservation Areas"

As explained on page 5 of this document, its purpose, as a material consideration, is to "complement new Supplementary Guidance".

Further on p.10:-

"This guidance is intended to add more detail, where required to Scottish Planning Policy as set out in the Scottish Historic Environment Policy (2011), and to policies within the Aberdeen Local Development Plan 2012."

The status of this important document is confirmed in Policy D4 (Historic Environment) of the proposed Local Plan (2015) which states:-

"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"(underlining ours)

The section of the Conservation Area Management Plan which relates to the present application is Section J of the "generic guidance" which, it is stated, "will apply to all conservation areas":-

J - "Parking in Front Gardens"

"Parking in all but the largest front gardens, which already have been designed with driveway access in mind, will have a detrimental effect on the setting of buildings in the conservation area, potentially obscuring important features."

The proposal for a driveway in the front garden of no.7 fails to meet the criteria set out in this guidance.

This is a) a very small front garden
b) not one designed with a driveway access in mind.

Further, as a result, it is clear that parking in this small front garden would most certainly have a detrimental effect on the setting both of this and other houses in the cul-de-sac, and would obscure important features, such as a bay window and part of the door, of this hitherto unspoilt period home.

An important point to note here is that although there are a couple of other driveways in the cul-de-sac, these are situated in larger front gardens, due to the fan shape of the circle, and therefore the impact is not the same.

We would contend, in any case, however, that any permissions given for driveways prior to the designation of St. Machar Place in the Conservation Area are not relevant to the present application. This should be assessed according to the guidance which is specific to conservation areas, given the Council's decision to afford it this protection.

2) Proposed replacement of windows and doors

It is our understanding that the original historic windows and doors have in no way deteriorated to the extent whereby repair is not possible, and that they simply need some careful restoration. It is not clear whether the applicant has supplied the Planning Department with a professional detailed window condition survey, as required by the Supplementary Guidance, but without this, no adequate assessment can be made.

If, as we believe, the windows and doors can be repaired, restored and retained, then the Council's guidance in both the current and proposed Local Plans is paramount:-

4.
"The first principle is one of retention and repair. Original and historic windows and doors will be repaired and restored and this will always be promoted over replacement."

3) Precedent

The granting of permission for the proposed driveway would create an undesirable precedent for similar development in other small front gardens in Old Aberdeen, to the detriment of the Conservation Area. Not only the obscuring of important features of this house, but also the loss of the traditional garden layout could be replicated elsewhere, the cumulative result of which could have a significantly damaging effect.

In conclusion, we note that this is the first planning application to be submitted for a property in any of the areas which were recently added to the Old Aberdeen Conservation Area, and we would trust that the City Council will endorse that decision to protect, preserve and enhance this area by refusing this application.

Yours faithfully,



Mrs. B. McPetrie
Planning Secretary

Enclosure:- photograph of 7, St. Machar Place before it was sold



No. 7 St. Machar Place, as it was before it was sold recently

A parked car would obscure much of this attractive frontage

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Planning Development Management Committee

JESMOND DRIVE, ABERDEEN

ERECTION OF 19 AFFORDABLE HOUSING
UNITS WITH ASSOCIATED CAR PARKING
AND LANDSCAPING

For: Carlton Rock

Application Type : Planning Permission in
Principle
Application Ref. : P150369
Application Date: 16/03/2015
Officer: Dineke Brasier
Ward : Bridge of Don (M Jaffrey/J Reynolds/S
Stuart/W Young)

Advert : Can't notify neighbour(s)
Advertised on: 01/04/2015
Committee Date: 16/07/15
Community Council : Comments



RECOMMENDATION:

Refuse

DESCRIPTION

DESCRIPTION

The application site is an area of urban green space located on the east side of Jesmond Drive. The site is predominantly rough grassland with a number of young trees and scattered shrubs. The grassland is wetter in some places and tends to be dominated by marshy grassland patches. It appears un-maintained and naturally regenerating. A small section within the western part is closely mown grass.

To the south is the 'Jesmond Care Home', and to the west is a bus turning circle off Jesmond Drive. Immediately to the north is the 'Carrot Belt', a mature mixed woodland shelterbelt providing important connections towards the Scotstown Moor Local Nature Conservation Site (LNCS) further to the east. In the larger context it is situated between the residential areas of 'Jesmond Grange' to the south and 'Ashwood Grange' to the north.

The site extends to some 0.25 hectares and sees a footpath running east-west across its southern width, providing pedestrian and cycle routes/ links between the bus shelter and residential areas to the east.

RELEVANT HISTORY

Development Management:

This specific site and the larger Jesmond Grange site have a long and complicated planning history. The main applications will be summarised below.

A0/0624: In 2000 conditional outline planning permission was granted (as a justified departure from the development plan) for the erection of 32 very sheltered housing units, ten special needs houses, a medical centre, a nursery school and a shopping centre with ancillary car parking, as well as the provision of public open space, footpaths and cycle paths. At the time, this larger site (3.5ha) was former 'agricultural land', which was used by the public on an informal basis. An important element was proposed open space measuring up to approximately 11,200m², and included the area of the current application site, which was to be landscaped and incorporate improved pedestrian and cycle links to East Woodcroft and Scotstown Moor. This open space provision and improved pedestrian and cycle links were considered such a significant benefit to the, then, informal use of agricultural land, that it was listed as one of the two main justifications for departing from the then provisions of the development plan.

These two justifications were as follows:

1. The development would allow a meaningful area of land to be brought into use for public open space purposes linking housing to the west with proposed public open space to the east; and
2. The development would provide socially desirable facilities for which evidence of a local need exists.

A4/0409: In 2004 outline permission was granted for a renewal of the above application. This permission has an associated S75 legal agreement, which sets out that an area of 11,200m² was to be maintained as public open space in perpetuity. A plan forming part of this S75 agreement shows that the main component was the area subject of this current application, with a further strip to the north and east.

An application for a partial discharge of this existing S75 agreement' in relation to clause 2 (open space) has now been registered and validated (151068).

05/1169: In 2005 a reserved matters application granted conditional consent for the formation and landscaping of the area of open space included in the S75 agreement. This permission was part implemented in as far as the pedestrian links through the site have been constructed It is however noted that no formal landscaping has been carried out or undertaken, and this is reflected in the poor condition of the site.

Following these initial consents, further conditional permissions have been granted and implemented to the south of the current application site for the construction of a shopping centre (Ref: 051720), 65 bed care home (Refs: 061129 and 072372) and 82 dwellings at Jesmond Grange (Ref: 100030).

Given this planning history and the evidence on the ground, it is clear that of the uses initially approved through the 2000 and 2004 outline planning consents only the open space and the shopping centre have been (part) implemented. All other (more social elements - which entailed the second justification for the initial departure from the development plan) proposals within that original scheme have been replaced over time by a much denser residential development. There are only 4 elements remaining: a suburban housing development/ shopping centre/ care home and an area of public open space.

Local Plan history

In addition to the above 'Development Management' background, the site also has a complicated 'Development Plan' history. This is set out in the following paragraphs.

The larger (3.5ha) site, subject of outline planning permissions A0/0624 and A4/0409, was shown as an opportunity site (OP104) for community facilities at the 'Proposed Changes' stage associated to the Aberdeen Local Development Plan 2008 in 2005. This was in recognition of planning approval A0/0624 that had been granted for community facilities on the wider site. At this 'proposed changes' stage of the plan, the entire area was covered by the Urban Green Space Zoning, with the area set out as open space within the aforementioned S75 (the application site), also proposed to be allocated as Green Space Network (GSN). Following a Public Local Inquiry (PLI) the reporter recommended that the entire area (including the open space area) be shown as an opportunity site for Mixed Use development suitable for: local shops, a nursing home, amenity open space and paths complementary to adjacent amenity open space, and housing (approximate capacity 40 units, of which about one third are

expected to be provided by a housing association). The reporter recommended that the Green Space Network designation should be retained over the northern and eastern fringes of the site, to reflect open space in the relevant planning permissions and the legal agreement affecting the land. This recommendation was accepted by the Council.

However, the Opportunity Site boundary on the proposals map associated to the finalised and subsequently adopted Local Plan was not amended in full accordance with this change, in as far as the northern and eastern boundaries of the site (including the current application site) were designated as both Green Space Network (in accordance with the reporters recommendation) and as Urban Green Space (contrary to the reporters recommendation) There is no record of why the Urban Green Space designation was retained over this area in addition to the Green Space Network designation. However, these modifications were publicised and all objectors were notified of them. An objection period ran from 18 January 2008 to 29 February 2008 and no objections were received on this issue. The 2008 Local Plan was therefore adopted on this basis.

Since that time, an entire Local Plan cycle has been completed without objection to the allocation boundaries, resulting in the same boundaries and allocations being included in the Aberdeen Local Development Plan 2012. Again, the wider site was identified as an opportunity site for mixed use development, excluding the area of open space subject to the current application, which is again designated as Urban Green Space.

Upon close examination of the Aberdeen Local Development Plan 2012 Proposals Map, it transpires that the area of open space is not allocated as part of the Green Space Network. However, all Urban Green Spaces in the City are part of the Green Space Network. This is clearly stated in the policy preamble to policy NE1 (Green Space Network) 'Open Spaces defined in Aberdeen's Open Space Audit.' As such, this supersedes the argument whether or not this has been marked on the map or not. However, for the purpose of clarity, this is mainly due to technical reasons. The Geographical Information System (GIS) then in place required manual input of all polygons that were to be included in the Green Space Network. As such, the large areas were included first, and there was insufficient time to record all the smaller pieces of land, including many parcels of land such as this one which lie on the edge of larger areas of green space network. However, the entire strip of land surrounding the Jesmond Grange development (including the care home and the shopping centre) should have been included in the Green Space Network as it is an integral part of this larger area and has an important role in creating linkages between larger areas of green space.

Furthermore, within the current proposed Local Development Plan, the same boundaries have been repeated, showing the application site as Urban Green Space and the remainder of the area as 'Mixed Use'. The Opportunity Site 'label' has been removed as the site was considered to be built out.

PROPOSAL

Planning in principle permission is sought to construct 19 affordable housing units.

The indicative layout shows two blocks of flats positioned close to the south and east boundaries of the site, each block two storeys high.

The block 1 (southernmost) would face north-west, with a gable fronting Jesmond Drive, and would contain 13 one bed flats spread over two floors, and across the northern part of the ground floor a plant/ storage/ combined heat and power (chp) room, and cycle store.

The block 2 (northern) would face west, and contain 6 one bed units across the two floors.

Indicative elevations are also provided, detailing: timber clad elevations; a 'green' sloping flat roof; and external staircases leading to the first floors. Both blocks include semi-private front gardens, facing onto 15 associated car parking bays (1x disabled)/ kids play area/ green space/ bin store, the bus turning circle and Jesmond Drive beyond. 'Private' rear garden areas associated to each block are also indicated.

A pedestrian footpath would separate the two buildings, running from Jesmond Drive/ the existing bus stop linking to a path serving the residential areas to the east and beyond.

Vehicular access to the car park and bin store would be taken from the bus turning circle.

The site layout was revised following comments from Road Development Management Team, as the vehicular access was initially shown from the access road to the north, and the number of proposed units has been reduced from 21 to 19.

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=150369>

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

- Supporting Statement;
- Ecological Survey;
- Letter from Grampian Housing Association setting out that they would be interested in being the preferred social landlord purchaser to provide mid

- market rent for key workers or social rented properties for people with high housing need as long as the site is included in the Council's Strategic Housing Investment Plan (SHIP); and
- Letter of support submitted by Burness Paull representing the applicant (summarised below).

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee as 17 timeous letters of representation have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management –

Initial comments:

Observed that significant alterations to the site layout were required to provide satisfactory vehicular access from the access road to the north of the site.

Further concerns expressed that the lower parking standard of 0.8 spaces per flat were only acceptable if evidence had been provided that a Registered Social Landlord (RSL) was on board, and that, even if this lower figure was accepted, 15 parking spaces would be insufficient for 21 residential units.

Further comments that cycle and motorcycle parking should be integrated in the proposed development.

Amended comments following discussion and revision of site plan:

Alterations incorporated an alternative means of access and a reduction in the number of flats from 21 to 19.

A Strategic Transport Fund (STF) contribution is required.

Proposed Development Access:

Vehicular access from the bus turning area would require the promotion of a Traffic Regulation Order (TRO). Adequate turning space for refuse collection vehicles would be required adjacent to the proposed bin store. Again refuse vehicle access would be via the bus turning area.

Walking and cycling:

The paths proposed within the site would be acceptable. A pedestrian link between the new shared use path and the northbound bus stop would be required.

Bus Services:

The southbound bus services would continue to operate unaffected, although the shelter in the turning area is dilapidated and should be replaced at the developers' expense.

For northbound services, the bus stop on the west side of Jesmond Drive may require relocation, if affected by works.

Parking provision:

Adequate evidence of RSL involvement means that the lower parking standards of 0.8 space per affordable dwelling can be applied. The 15 spaces proposed would thus be sufficient for 19 units.

Secure and sheltered cycle parking should be provided at a rate of 1 per flat plus a minimum of 2 short stay cycle stands or four cycle parking spaces within 50m of the building entrances. Two secure motorcycle parking spaces should be provided in convenient locations within 50m of the proposed building entrances.

Residential Travel Packs:

To assist with reducing the demand for car parking, Residential Travel Packs should be provided to advise and encourage residents to use alternative means of transport to the private car.

Conclusion:

No objection, subject to conditions relating to above matters.

Developer Contributions Team – Contributions would be required for: Core Paths and Open Space.

Environmental Health – No observations

Communities, Housing and Infrastructure (Flooding) - No observations

Education, Culture and Sport (Educational Provision) – where 5 or more new residential units – One bed units are assumed not to generate a school requirement. No mitigation is required in this instance.

Housing – Jesmond Drive is currently not in the Strategic Housing Investment Plan 2015 – 2020 (SHIP). However, the SHIP can be amended and new projects added with Council and Scottish Government approval. The proposal is for 19 one bedroom flatted properties. However, the space standards at 35m² are very small. The Council's own new build standards for a one bedroom property would be in the region of 45-50m². The Scottish Government does not have any floor space standards, but the units should be designed to 'housing for varying needs standard' (HfVNS) to qualify for Scottish Government Grant. In general, the units proposed could be incorporated into the SHIP and they could qualify for Scottish Government grant if they comply to the HfVNS.

Community Council (*Bridge of Don Community Council*) – has submitted a letter of representation reporting on a meeting of the Community Council at which various views and opinions were expressed but the overall feeling was that of acceptance of the need for affordable housing and that there was no real reason why they shouldn't be built on this site. However, concerns were raised in relation

to the wood cladding. It was agreed that finishes should blend in more with the other buildings in the neighbourhood.

REPRESENTATIONS

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

- Loss of green space. Development will close off the natural open aspect of the area and build on a precious green space full of biodiversity. The area should be developed to serve the current community more appropriately, for instance a park, play area and/or pond to encourage wildlife;
- Proposal would result in the loss of a well used footpath;
- Schools in the area cannot accommodate any additional children as they are already full;
- Road infrastructure is not up to the required standard and would be in a worse condition if it had to deal with potentially 20-30 extra cars per day;
- Development would result in a more dangerous route to walk to school and would add more traffic in a place where children cross to go to school;
- Overdevelopment of this site with insufficient parking;
- Development would be very close to schools and would it be guaranteed that the flats would not be occupied by drug or alcohol users;
- Design of the proposed flats does not fit in with the surrounding area;
- The development would result in overshadowing of the neighbouring nursing home;
- Plans already exist for another 55 dwellings in the vicinity, and this proposal would stretch local facilities even further;
- Development would devalue property prices;
- Development would block views of care home; and
- Proposal would result in a loss of privacy and views from 8 Lee Crescent North.

Letter of Support submitted by applicant, raising the following issues:

- The application is for 19 affordable housing units. The Council's Housing Need and Demand Assessment has identified a 'chronic need' for more affordable housing in the City.
- Summary of the Local Plan history of the site, setting out that the site is currently not covered by the Green Space Network allocation, and that the reporter in 2005 recommended that the Urban Green Space allocation should be deleted from the site. As such the site should be considered under policy H1 (Residential Areas) or H2 (Mixed Use Areas);
- A large amount of open space will be retained on the site, even with the construction of 19 affordable housing units;
- Bridge of Don is the ward with the second highest provision of open space. Emphasis is placed on the provision of quality rather than quantity of open space;

- The Ecological Survey submitted as part of the application shows that the site has a low ecological value. The report provides mitigation measures which would enhance the ecological value;
- All remaining open space will be laid out and actively maintained.
- The Community Council is supportive of the construction of affordable units on this site;
- The legal agreement covering the land should not be considered a barrier to approval of this application. An application under Section 75A has been submitted seeking the discharge of the existing agreement.

PLANNING POLICY

Aberdeen Local Development Plan

NE3: Urban Green Space:

Permission will not be granted to use or redevelop any area of urban green space (including smaller spaces not identified on the Proposals Map) for any use other than recreation or sport, unless an equivalent and equally convenient and accessible area of land for public access is laid out and made available in the locality by the Applicant for urban green space purposes.

In all cases, development will only be acceptable provided that:

1. There is no significant loss to the landscape character and amenity of the site and adjoining areas;
2. Public access is either maintained or enhanced;
3. The site is of no significant wildlife or heritage value;
4. There is no loss of established or mature trees;
5. Replacement green space of similar or better quality is located in or immediately adjacent to the same community, providing similar or improved benefits to the replaced areas and is as accessible to that community, taking into account public transport, walking and cycling networks and barriers such as major roads.

NE1: Green Space Network:

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

As set out in detail above, even though the site is not covered by Green Space Network on the allocations map, as explained later in this report this omission is purely a drafting error, and in any case it is considered related and associated to these nearby sections of the Green Space Network, under the criteria set out in the preamble of this policy, and thus the policy is considered relevant in the determination of the application.

NE8: Natural Heritage:

Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy.

D1: Architecture and Placemaking:

New development must be designed with due consideration for its context and make a positive contribution to its setting.

D2: Design and Amenity:

In order to ensure the provision of appropriate levels of amenity, the following principles will be applied:

1. Privacy shall be designed into higher density housing;
2. Residential development shall have a public face to a street and a private face to an enclosed garden or court;
3. All residents shall have access to sitting-out areas.
4. Parking must not dominate a space. No more than 50% of any court should be taken up by parking spaces and access roads.
5. Individual flats shall be designed to make the most of opportunities offered by the site for views and sunlight;
6. Development proposals shall include measures to design out crime and design in safety;
7. External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

T2: Managing the Transport Impact of Development:

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility.

I1 – Infrastructure Delivery and Developer Contributions:

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded community and the scale and type of developments proposed. The level of provision required will relate to the development proposed either directly or to the cumulative impact of development in the area and be commensurate to its scale and impact.

H5 – Affordable Housing:

Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

Proposed Aberdeen Local Development Plan

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

NE1 – Green Space Network (*NE1 – Green Space Network*)

NE3 – Urban Green Space (*NE3 – Urban Green Space*)

NE8 – Natural Heritage (*NE8 – Natural Heritage*)

D1 – Quality Placemaking by Design (*D1 – Architecture and Placemaking and D2 – Design and Amenity*)

T2 – Managing the Transport Impact of Development (*T2 – Managing the Transport Impact of Development*)

I1 – Infrastructure Delivery and Planning Obligations (*I1 – Infrastructure Delivery and Developer Contributions*)

H5 – Affordable Housing (*H5 – Affordable Housing*)

Supplementary Guidance

Affordable Housing Supplementary Guidance – Provides guidance on the delivery of affordable housing

Bats and Development Supplementary Guidance – Provides guidance on legislation and mitigation measures in relation to development and its impact on protected species.

Infrastructure and Developer Contributions Manual – Provides guidance on levels and types of developer contributions required.

Transport and Accessibility Supplementary Guidance – Provides guidance on maximum parking standards for new development.

EVALUATION

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

Principle of Development:

The site is allocated as an urban green space in the Aberdeen Local Development Plan and policy NE3 (Urban Green Space) applies. This policy clearly sets out that permission will not be granted to redevelop any areas of urban green space unless an equivalent and equally convenient and accessible area for public access is laid out and made available in the locality by the applicant for urban green space purposes.

In this case, this area of urban green space was proposed as an integral part of the overall Jesmond Grange development, as per outline planning permissions granted in 2000 and 2004. Prior to this and subsequent detailed planning approvals/ development, the site formed part of a larger 3.5ha agricultural area comprising what is now: this application site; the Jesmond Care Home; a shopping centre; and the residential area of Jesmond Grange.

The original outline planning permission was granted for a mixed use development of the site, inclusive of and subject to the retention of a significant proportion of the land as open space. This improved and formalised open space

was listed as one of two justifications for departing from the then development plan.

This open space was intended to largely relate to a residential development of approximately 42 dwellings and would provide enhanced amenity and formalised access for walkers and cyclists. Subsequently the amount of open space has been reduced, as a result of planning approvals/ development, with the site subject of this application being the majority of the remaining usable open space, whilst it is also worth noting that the density/ 'population' of the wider development has been increased significantly to more than 80 dwellings plus the 65-bed care home – as opposed to the original 42 dwellings. As such, it is considered that any open space would serve a larger number of residents than initially intended, and that it would be of even more importance now than when the overall outline permission was first approved.

It is noted that the applicant has included areas of the site to be set aside as a children's play area and informal green space (largely adjacent to the bus turning head and to the east part of the site straddling a path), with the remainder retained as private and semi-private gardens that are not for public use.

Aberdeen City Council's 'Open Space Audit 2010' includes the results of a city-wide questionnaire asking residents their opinions on open space within Aberdeen. Results showed that there was a demand for children's play areas in the wider Bridge of Don area. However, this small play area, plus the remaining small parcels of open space on the edges of the site would not compensate for the loss of the entire Urban Green Space allocation in this location, and as policy NE3 clearly states - an equivalent and equally convenient and accessible area should be laid out within the immediate vicinity. There are no such proposals of 'compensation' forming part of this application. Taking the foregoing into account the open space/ play area provision proposed on the site is considered not to constitute "an equivalent and equally convenient and accessible area of land for public access" in terms of the requirements for justifying departure from Urban Green Space policy.

The letter of support submitted by Burness Paul representing the applicant sets out that, due to the drafting error in the Adopted Local Plan, as discussed previously, the site should be considered under planning policies H1 (Residential Areas) or H2 (Mixed Use Areas) – both having a presumption in favour of development. However, the site is currently sits apart as Urban Green Space, and, even if it would be accepted that the overall site (including the care home, shopping centre and Jesmond Grange) were part of the larger surrounding mixed use allocation, then the comments from the reporter clarified that the site would be suitable for a mix of uses comprising local shops, nursing home, amenity open space and paths complementary to adjacent amenity open space and housing. This part of the overall site would be the last significant parcel of open space within this larger site, and as such should be retained as such to ensure there is a balance of development and public amenity space within the immediate surrounding area.

Furthermore, notwithstanding this drafting error, policy NE3 clearly states that the policy also applies to 'smaller spaces not identified on the Proposals Map'. This is clearly and unambiguously one such site – more so because of its immediate juxtaposition with an a larger area of green space of which it forms an integral part. As such the Urban Green Space policy applies and as such the matter as to whether or not the site might have been incorrectly allocated as Urban Green Space is irrelevant to the assessment of the the site in terms of the Urban Green Space Policy as a whole.

As such, the principle of the proposed development is unacceptable and would be contrary to the requirements of policy NE3 (Urban Green Space).

Impact on the character and appearance of the surrounding area:

The open space, together with the tree belt to the north, provides a clear natural green buffer between the Jesmond Grange residential area to the south and the Ashwood Grange residential area to the north. It forms a natural boundary between these two distinct residential areas and further emphasises the overall green character and relative low density of the immediate surrounding area. Establishing a development of 19 flats with associated hardstanding for access and parking, would significantly increase the developed appearance of the locality, and is considered to be out of context with the surroundings.

It is further considered that this would have an adverse impact on the character of this wider area, and would be contrary to the requirements of policies NE3 (Urban Green Space) and D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

Whilst the indicative design of the blocks and proposed use of materials is considered be out of context with the palette of materials and general design principles within the wider area. It should be noted that the design is indicative and that this could be addressed at Matters Specified in Conditions stage should the application be approved.

Wildlife and Ecological Impacts and Green Space Network:

An ecological survey has been submitted determining the type and variety of habitats on the site and its use by and suitability for protected species. It indicates that the habitats on the site are species poor, widespread and common in the surrounding area. There is little evidence of protected species on the site. A number of species are worth noting, which are the presence of Wych Elm (a North East Local Biodiversity Action Plan (NELBAP) species) and the potential use of the site by foraging badgers. The Wych Elm should be retained in any potential site layout. In addition, the site might be used by nesting birds.

The survey also provided suggestions for mitigation measures that could enhance the ecological values of the site, including: the use of nesting boxes for various species of birds, bat boxes and the retention of trees. This could be dealt with through conditions.

However, notwithstanding the quality of habitats on the site, the site is part of the larger area of open space marked as BD43 in the Open Space Audit Quality Map

and part of the Green Space Network. This overall site scores high in terms of its: biodiversity, health and place; and community value. It has a low score in terms of accessibility, which brings the overall score down.

The Burness Paull letter of support and the supporting statement initially submitted with the application both set out that the open space is a poor amenity space, with low ecological value. However, the Open Space Audit stresses the need to improve the quality of the open space by making it more attractive. Furthermore, biodiversity could be increased through a more natural management as opposed to mown grass.

Furthermore, it is considered that from a functional point of view the site is related to and forms part of Green Space Network Sites 11 and 4, providing strong linkages and connections towards Scotstown Moor to the benefit of biodiversity and the health of previously isolated habitats and ecosystems. Reduction of the size of this link could have a detrimental impact on these connections and wildlife corridors. As such, the proposal would be contrary to the criteria contained within policy NE3 (Green Space Network).

Affordable Housing:

The proposal is for the construction of 19 affordable housing units. All are shown as one bed flats ranging between 35m² to 45m², with the majority being the lower figure. The 'Housing Needs and Demand Assessment 2011 update' sets out that over the entire Aberdeen Housing Market Area, a figure of 624 additional affordable housing units would be required over the ten year period ending in 2020. 415 affordable units would be required for the Aberdeen City area alone. There is no break down of these figures for individual wards. As such, it can only be considered that there is a clear demand for affordable housing units within the overall Aberdeen City area, and the current proposal would make a contribution to this figure. However, affordable housing would only be considered acceptable on sites where the principle of residential development would be compliant with all other Local Development Plan policies. In this case, the proposal would be contrary to the requirements of policy NE3, and as such the construction of affordable housing would not be appropriate on this site.

A supporting letter from Grampian Housing Association has been received, setting out that they would be interested in being the preferred social landlord purchaser of the site, if this would be included in the Council's Strategic Housing Investment Plan 2015-2020 (SHIP). At present, the site is not within the SHIP, which is updated on a two yearly basis. Compared to standards for Council new builds, the proposed one bed units are very small. However whether or not they would qualify for Scottish Government grants would be dependant on their layout, design and circulation space contained within the unit. The site would only be considered for inclusion in the SHIP if these standards would be complied with.

Impact on residential amenity:

The proposed development is sufficiently far removed from any neighbouring private residential dwellings, so as not to result in any unacceptable levels of overlooking or loss of light, including 8 Lee Crescent North.

However, the block nearest the care home would have an inverted U-shape, with two projections turning towards the boundary. There would be separation of between 12m and 13m between the projections and the north facing side elevation of the care home. The care home elevation includes windows on both the ground and first floor and due to its nature/ use, a number of these are principal windows serving a bedroom or communal living areas. As such, the indicative flats would restrict the outlook and privacy/ amenity of residents therein. However, again, as this is an application for planning permission in principle, the buildings could be repositioned to mitigate the impact on the care home, although possibly requiring a reduction in numbers and repositioning within the site. As such, given the type of application, this would not warrant a reason for refusal.

Impact on local transport conditions, especially in relation to parking and access:

The site would be accessed off a bus turning circle and would provide 15 car parking spaces, one of which would be a disabled space. The Council's Roads Development Management Team are happy with the parking arrangements, given the 'affordable housing' nature of the development. These parking spaces are also accessible and would leave sufficient space for turning on site.

The ground floor of the south block contains a secure and covered area for cycle parking. The floorplan indicates ten cycle stands, with two bikes per stand, this would be more than sufficient, but would require a condition to ensure provision.

There are further requirements for short stay/ visitor cycle parking and motorcycle parking near the entrances to the buildings. These are not indicated on the site plan, but it is acknowledged that this could be dealt with through condition.

The site is on a regular bus route from and towards the city centre with bus stops immediately nearby. The southbound bus stop, that uses the bus turning circle, could continue to be used as such, although the bus shelter (in the turning area) is in a poor state of repair, and this would need to be improved. Due to the increased amount of traffic arising from the development, and works required for crossings, the north bound bus stop might need to be relocated. These works can be dealt with as part of a condition or legal agreement.

The development could continue to have good pedestrian connectivity, with the existing footpath indicated to be replaced in a similar location providing a direct link from Jesmond Drive and the bus stops towards the properties on Jesmond Grange. Again a condition would be required to cover this issue.

Developer contributions and affordable housing:

The delivery of the units as affordable housing would require to be controlled through a legal agreement. This would include the requirement to provide one bed units as otherwise a contribution in terms of education and a more detailed assessment of the capacity of nearby schools would need to be undertaken.

Otherwise, developer contributions are required towards the Strategic Transport Fund, Core Paths and Open Space.

Other matters arising from Community Council and letters of objection:

Various other issues were raised within the letters of objection. Not all of these were valid planning matters. These shall be dealt with in turn:

Schools in the area are already full and cannot accommodate any more children

The Council's Education Department has commented on the application and advise that as the flats are one bed, that they would not be counted towards making a contribution to the future school rolls. As such, the proposal would not have an adverse impact on the capacity of local schools. A condition could be added setting out that the flats would be one bed units, although Education have confirmed that there is capacity available at both primary and secondary schools covering the catchment area.

Development would result in a more dangerous walk to school

The development retains the existing pedestrian link between Jesmond Grange and the bus stop. The nearest primary school is located at roughly 50m south of the site. There is an existing signalised pedestrian crossing in front of the school entrance between the care home and the shopping centre. Roads Development Management have not raised any concerns regarding the impact of the additional traffic on this pedestrian crossing. As such, it is considered that the existing crossing would be sufficient, and the proposal would not have an adverse impact on pedestrian safety.

Guarantees on suitability of users of the flats:

This is not a planning matter.

Proposal would stretch local facilities even further, especially in connection with an existing proposal for 55 dwellings nearby:

The impact of the proposal on local facilities, such as schools and community centres, have been assessed through the developer contributions procedures. In this instance, contributions would only be required for the Strategic Transport Fund, Core Paths and Open Space.

Proposal would result in a devaluation of property prices:

This is not a planning matter.

Proposal would result in a loss of views from the care home and 8 Lee Crescent North:

The loss of views is not a planning matter. The impact of the proposed development in relation to 8 Lee Crescent and on the outlook of the residents of the care home has been discussed 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 no new issues were raised.

SUMMARY/CONCLUSION:

- Planning permission in principle is sought for the construction of 19 affordable units on Jesmond Drive. The site is considered an Urban Green Space and an integral part of the wider Green Space Network serving this part of Aberdeen.
- Policy NE3 (Urban Green Space) clearly sets out that the principle of development on these sites is not acceptable unless an equivalent and equally convenient and accessible area for public access is laid out and made available in the locality by the developer, for urban green space purposes. In this case, no such area has been provided.
- Policy NE1 (Green Space Network) sets out that proposals for development that are likely to erode the character or function of the Green Space Network will not be permitted. In this case, the proposed development would result in an erosion of the green space network in this area as it would significantly reduce the size of the potential wildlife corridor and would have an adverse impact on the character and appearance of the surrounding area.
- Even though there is a recognised need for affordable housing throughout the city, this would need to be provided on sites suitable for development. In this case, the benefit of additional affordable housing units would not outweigh the detrimental impacts of losing this piece of Urban Green Space.
- There are no significant issues, subject to suitable conditions, in relation to residential amenity or access and local highway conditions.

SUGGESTED LEGAL AGREEMENT AND CONDITIONS

The application is recommended for refusal based on the reasons discussed above and set out below. However, if Councillors were minded to approve the application, it is recommended this would be subject to a legal agreement covering developer contributions towards the Strategic Transport Fund, open space and core paths, securing the units as affordable units, securing the childrens' play area and securing improvements to the existing bus stops on Jesmond Grange.

It is also suggested this would be subject to conditions covering reserved matters applications for siting, design and materials, number of bedrooms per unit, boundary treatments, storage areas for refuse and cycle parking, vehicular access and parking, drainage, landscaping, footpaths, and introduction of mitigation measures for the loss of wildlife and habitats.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION:

The proposal would be contrary to the Policies NE3 (Urban Green Space) and NE1 (Green Space Network) of the adopted Local Development Plan and policies NE3 (Urban Green Space) and NE1 (Green Space Network) of the Proposed Local Development Plan, in that:

1. it results in the loss of urban green space without laying out or making available an equivalent and equally convenient and accessible area for public access;
2. it would have a detrimental impact on the character and appearance of the surrounding area, as it would significantly increase the built-up appearance of the site to the detriment of its current open and natural nature and its role as a natural buffer between various residential areas. It would set an undesirable precedent in policy interpretation for the consideration of similar applications on Urban Green Space that could lead to the incremental erosion of open space areas throughout the City;
3. and it would result in an erosion of this part of the Green Space Network to the detriment of existing wildlife corridors between habitats and the character and appearance of the surrounding area.

Letter of support

Your Ref: 150369
Our Ref: CAR/1103/00131/EFB/KS

Union Plaza
1 Union Wynd
Aberdeen
AB10 1DQ

T [REDACTED]
F +44 (0)1224 627437

LP-100 Aberdeen 1
DX AB35 Aberdeen

Dineke Brasier
Planning and Sustainable Development,
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB
19 June 2015

Dear Dineke

32945	
RECEIVED	30 JUN 2015
REPLY	/ /
Section DM	Officer DIB

**APPLICATION REFERENCE 150369
PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF 19 AFFORDABLE
UNITS WITH ASSOCIATED CAR PARKING AND LANDSCAPING ON LAND AT
JESMOND DRIVE, BRIDGE OF DON, ABERDEEN**

I refer to your email dated 16 June 2015 following our meeting of the same day to discuss the above application submitted by my clients, Carlton Rock. Direct Ecology have forwarded to you an updated Ecology report which addresses the points raised by Anne-Marie Gauld.

My clients are extremely disappointed that you feel unable to support the development of much needed affordable housing within the City. I note that you are to report the application to the Planning Committee on 16 July 2015 with a recommendation for refusal. I am instructed by the applicants to respond formally to the points raised in your email and I would respectfully request that this letter is included within the papers circulated to the Members prior to a decision being taken on the application.

Proposal

The application is for 19 affordable units. The Council's Housing Need and Demand Assessment has identified a "chronic need" for more affordable housing in the City. You have a letter from Grampian Housing Association supporting the development and highlighting the difficulties with accessing housing in the Bridge of Don area, yet this does not appear to have featured in your

Aberdeen Edinburgh Glasgow

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Aberdeen, Edinburgh and Glasgow.
A list of members is available for inspection at the firm's registered office.

assessment of the application. It is somewhat surprising that the loss of 0.09 hectares of underused open space is considered to outweigh the policy support for the construction of affordable housing.

Development Plan Background

Your statement that the application site has always been zoned as Green Space Network and/or Urban Green Space is misleading. Following the grant of planning consent reference A4/0409 for the erection of 32 sheltered housing units, 10 special needs houses, a medical centre, nursery school and shopping centre on land at Jesmond Drive, which included the current application site, the Council proposed to identify the site as Opportunity Site reference OP104 in the 2008 Local Plan and the Reporter at the examination into the 2008 Plan recommended that the boundaries of the site followed the boundaries of the planning approval and that the *"Urban Green Space (GS34) designation should be removed from the whole Opportunity Site"*. Despite the Council accepting the Reporter's findings, the Proposals Map in the adopted Plan failed to implement the Reporter's findings.

That printing error was perpetuated in the 2012 Local Development Plan, which not only carried forward the Urban Green Space which the Reporter in 2008 had said should be removed, but also further reduced the boundary of the Opportunity Site (now noted as OP11). The Reporter at the examination into the 2012 LDP did not consider the site boundaries in any detail as he noted that planning permission had already been granted and that the development was underway on the site.

In fact, a closer examination of the Greenspace Network plans available on the Council's website reveals that the site does not form part of the Greenspace Network. I enclose an extract from the plan which shows the Green Space Network No. 11 lying to the north of the application site and only covering the Carrot Belt. This is consistent with the Reporter's findings.

It is clear that the current LDP Proposals Map contains a printing error and conflicts with the Scottish Ministers' recommendations for the site and the Greenspace Network plan. It is disappointing that you appear to be using this error as grounds for refusing the current application. It is clear that the history behind the LDP provides strong grounds for setting aside the zoning of the land in the Proposals Map.

Further, it is rather disingenuous of you to argue that whatever the designation, the site ought to be protected from development under Policy NE3. Had the site been correctly designed in the 2008 Plan, the site would have been shown as part of the existing developed area of Middleton Park, either as residential or mixed use. It is shown as such in the Greenspace Network plan. As such, the site should be considered under Policy H1 or Policy H2, not Policy NE3. This distinction is important as Policy H1 contains a presumption in favour of new residential developments, provided that it does not constitute over-development; does not have an unacceptable impact on the character or amenity of the surrounding area; and does not result in the loss of valuable and valued areas of open space. Policy H2 supports residential development where a satisfactory residential environment can be created.

It is against these policies that the application should be being considered and as set out below, it is submitted that the advantages of providing much needed affordable housing, outweighs the loss of a small area of poor quality scrub land.

Open space provision

As highlighted above, the application site forms part of a larger area which has been the subject of a number of planning permissions. It is acknowledged that the 2004 permission included a large area of open space and that reserved matters approval was granted in 2005 for the landscaping of the area, but subsequently the boundaries of the open space area have been revised to reflect the permissions granted for the nursing home and the Barratt housing development. The current application site is a fenced off area behind the nursing home. It extends to 0.236 hectares, of which 62% will remain as open space. Accordingly, even with the proposed additional 19 units, there will still be approximately 1 hectare of open space within the overall site.

The Council's Open Space Audit 2010 highlights the Bridge of Don as the ward with the second highest provision of open space. The Council's Open Space Strategy does not seek to preserve all areas of open space in perpetuity, rather it looks to improve the quality of existing open space and advises that a long term perspective requires to be taken with *"flexibility to respond and adapt to issues or changes such as community needs and priorities, biodiversity, climate change, improvements to access, quality, safety and competing uses."*

It is submitted that the benefits to the wider area from developing the site for affordable housing outweigh any misplaced presumption in the LDP that the land needs to be protected. The Reporter back in 2008 concluded that the Council had not demonstrated any evidence to justify the site being required as active open space. He saw limited value in retaining an undeveloped area and required the removal of the Urban Green Space zoning from the entire site. The attached plan of the Green Space Network shows clearly that the development will not result in the loss of any part of the Network.

GHA describes the application site as *"poor amenity space"*. An ecology report has been submitted in support of the application which confirms that the site has low ecological value. The report proposes various planting and other measures which would enhance the ecological value.

An indicative layout plan for the development has been produced demonstrating how the proposed units can be laid out to provide an attractive development sitting within considerable landscaped grounds, which are partly private and partly public. Critically, all open space will be actively maintained. The existing pedestrian footpath through the area will be preserved. Indeed, it is submitted that the walking experience will be enhanced through active management of the areas, the security provided by overlooking from residences and provision of benches.

Despite your comments, it is quite clear that the Community Council supports the construction of affordable units in preference to the retention of vacant land, which underlines that the site is not

considered to be an important amenity area by the local residents. The community has a greater need for affordable housing than for a small area of underused scrub land.

Section 75

The legal agreement covering the land should not be considered a barrier to approval of this application. An application under section 75A has been submitted under separate cover seeking the discharge of the existing agreement. My clients have confirmed that they are willing to enter into a new legal agreement which will ensure the provision of the housing as affordable units.

Yours sincerely

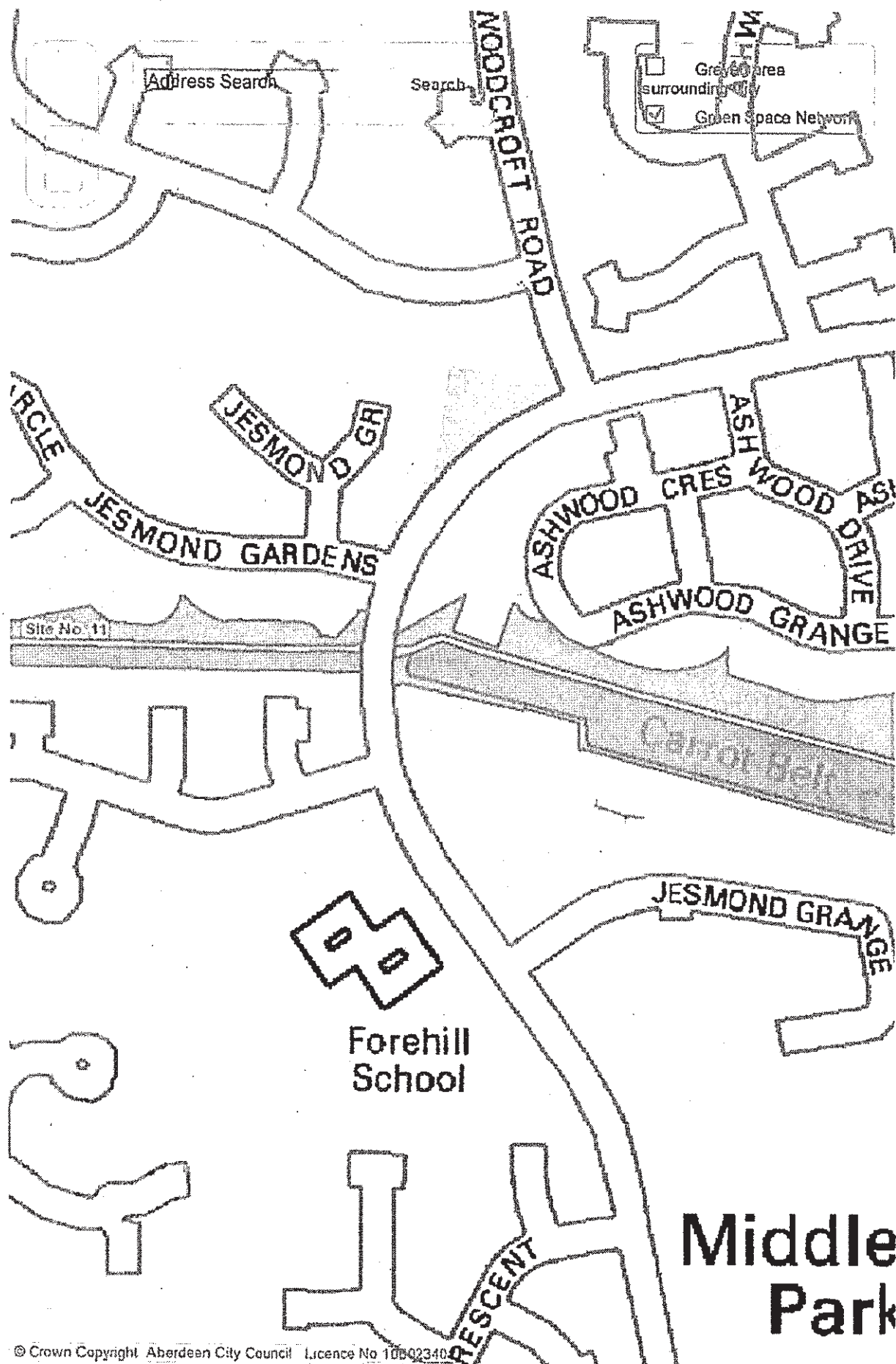
[REDACTED]
Elaine Farquharson-Black
Partner

For and on behalf of Burness Paul LLP

T: [REDACTED]

E: [REDACTED]

Enc – Greenspace Network Plan



PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 March 2015 12:53
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Mrs R Alexander
Address : 38 Ashwood Grange

Telephone :

Email : [REDACTED]

type :

Comment : I object to these plans, because of the close proximity to Forehill primary school. Any children from Ashwood Drive, Crescent, Grange and Avenue would have to cross any access roads in order to get to school. There is not a crossing patroller in this area to enable this to happen safely.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 March 2015 13:58
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Susan Taylor
Address: 9 Ashwood Drive
Bridge of Don

Telephone :

Email : [REDACTED]

type :

Comment : This area is already developed fully with residential properties and should not have further green areas spoilt by overdevelopment. There is already currently ongoing planning proposals to develop a site to the rear of Ashwood Church for 55 houses. Both these areas are frequently used by dog walkers like myself and children who play. I object to this development as I feel the small area of land should be used instead to provide a much needed children's play area for the Ashwood area which it currently lacks, especially when viewed, as it should, alongside the proposed development I detail above. There is no park or recreational area at all nearby, and I feel the land is better used for this purpose, which would also meet the guidelines better as required by Local Development Plan.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 30 March 2015 13:36
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Gary Rennie
Address: 52 Ashwood Crescent,
Bridge of Don,
Aberdeen,
AB22 8XF

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to this application as the schooling in the area are already refusing to accept children due to them being full. There is also the reason that the road infrastructure is not up to the required standard at the moment and would be in a worse condition if it had to deal with potentially 20-30 extra cars per day.

Remember to get a direct
comment from Education
via Developer Contribution
consultation.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 30 March 2015 13:59
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Jillian Hendry
Address : 6 Ashwood grange
Bridge of Don
Aberdeen
AB22 8XG

Education comment.

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to these plans because as a resident if this area with children who attend the school across the road from this site , squeezing in flats to that very small space will create a more dangerous route for us walking to school and more traffic in a place that we want to be safe for our children to cross for school.

It is a nice green area that does not require flats to be built on it!!!

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 March 2015 10:54
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Charlotte Kincaid

Address : 218 Lee crescent north bridge of don

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : There is not sufficient room for these flats. Where will they park? Enough of the local green spaces are being destroyed in bridge of don, the area is being over developed and will ruin our lovely community. There is a large power station unit and flood water drainage too close to this development. It is very close to schools would we be guaranteed that no alcohol or drug users would be placed in these flats? Also the proposed look of these flats does not fit with the current look of the surrounding houses they will stick out like a sore thumb. I thought that new developments had to look like surrounding houses?

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 28 March 2015 07:08
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Graham Keith
Address : 21 Woodcroft Avenue
Bridge of Don
Aberdeen
AB22 8WY

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to this development as it will detract from the amenity of the area by removing a well used path and natural area. It will close off the natural open aspect of the area and build on a precious greenspace full of biodiversity. The neighbouring nursing home will be overshadowed for no good reason except profit to the developer.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 March 2015 14:14
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Richard Taylor
Address : Ashwood Drive
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Whilst this land area is currently 'waste land', this development represents housing 'shoe horned' at its finest. The area should be developed to serve the current community more appropriately, for instance a park and pond (there was a natural pond area previous to the Jesmond Grange development) to encourage wildlife and children already displaced through overdevelopment. There are already proposed plans for a further 55 properties in the area and this will further stretch already exacerbated local facilities. This plan is ill conceived and represents nothing more than Aberdeen Council desperately attempting to meet housing quotas instead of meeting community needs.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 23 March 2015 21:56
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Mrs Anne Richardson

Address : 12 Lee Crescent

Bridge of Don

ABERDEEN

AB22 8FJ

Telephone : .

Email : [REDACTED]

type :

Comment : Yet more houses planned for near the end of the Jesmond Drive area, where the roads are already busy with only one way in and out between Lee Crescent and Middleton Road. What happens to all the traffic, including buses, if god forbid there is a serious accident between these 2 roads and it has to be closed for crash investigation. 100s of cars are either stuck in the Lee Crescent / Beechwood / Ashwood areas, can't get home into this area or pick their children up from / drop off at Forehill Primary School or Oldmachar Community Playgroup Association.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 23 March 2015 14:57
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Paul Milne
Address : 8 Lee Crescent North
Bridge of Don
Aberdeen
ab22 8fp

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I am totally against this development. My garden backs onto this space so my privacy would be compromised. I bought this house so that I wasn't overlooked by anything. I would have the view of a car park going by the plans submitted. There would be increased traffic and noise. It is difficult enough to see all approaching traffic on that bend so adding access to a carpark there would be ridiculous.

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Agenda Item 3.2

Planning Development Management Committee

NETHER ANGUSTON, PETERCULTER

FORMATION OF RIDING SCHOOL WITH ASSOCIATED BUILDINGS, CAR PARKING AND LANDSCAPING.

For: Aberdeen Riding Club

Application Type : Detailed Planning Permission
Application Ref. : P150110
Application Date: 24/02/2015
Officer: Nicholas Lawrence
Ward : Lower Deeside (M Boulton/A Malone/M Malik)

Advert : Section 34 -Proj. Pub.
Concern
Advertised on:
Committee Date16.07.2015
Community Council : No Response



RECOMMENDATION: Refuse

DESCRIPTION OF THE APPLICATION SITE

The application site is undeveloped farmland located to the north east of Nether Anguston Farmhouse at the junction of the farmhouse access lane and the C149 and is a roughly rectangular shaped parcel of land on a north south axis totalling some 1.99 ha in area. The application site is immediately bounded by open fields and to the south by a stand of beech trees lining the access lane.

In locational terms the Application Site is some 180 metres to the south of a cluster of 27 dwellings at Quarryhill and is some 5.5 kilometres (3.4 miles) from the settlement of Peterculter. In sustainability terms the Application Site is not served by public transport and there are no footpaths or cycle routes on the narrow local C149 that form the route to the proposed development.

The Application Site is designated as Green Belt within the adopted and emerging Aberdeen Local Development Plan and this part of the Green Belt is characterised by slightly undulating open landscape with limited field boundaries, pockets of woodland and restricted tree lined roads.

RELEVANT HISTORY

Not Applicable

PROPOSED DEVELOPMENT

In brief, planning permission is sought for the creation of a new riding and livery centre that comprises the following elements:

- Erection of indoor riding arena (incorporating stabling for 26 horses, viewing gallery, office and welfare facilities) that adopts a pitched roof form fashioned from trapezoidal metal sheeting and finished in a combination of light and green pantones. The roofing finish is carried through to the walls of the proposed building as well as the doors and fenestration. In terms of size, the building is some 91.16 metres in length (i.e. equal to some 18 double decker buses placed end to end) with a height of 9.70 metres (2 double decker buses stacked on top of each other) and with a maximum width of 40.00 metres. This equates to a gross floor area of 3,434m².
- Stable building providing accommodation for 63 horses together with toilets and areas to accommodate the tack, farriers area, horse wash down zone and feed store. This building is 74.94 metres in length, with a height of 6.70 metres and width of 20.88 metres (i.e. 1,565m² gross floor area). In terms of materials and finishes the stables will adopt that proposed for the indoor arena building.
- Flood lit menage/outdoor riding area measuring 30.00 metres by 50.00 metres.

- Muck heap area measuring some 30.00 metres by 15.00 metres
- Parking is provided in an area that immediately abuts the access point and encompasses parking for 55 cars, including 5 disabled spaces, horse box turning area and a rack for 7 bicycles. A secondary area is marked as “*Hard Standing Area*”. No area within the proposed development as a whole is shown to accommodate either horse box or horse transporter parking.

To facilitate the scale and quantum of development it is proposed to construct a retaining wall that forms the northern boundary to the Application Site that has a height of 5.00 metres and extends to some 100.00 metres in length.

Access to the proposed development is via the private lane servicing Nether Anguston Farmhouse and that part of the access land between the proposed access point to service the development and the C149 will be upgraded to an adoptable standard and will incorporate two passing places and improvements to the existing junction.

It is proposed that the area surrounding the Application Site that totals some 42.00 ha will be utilised for the grazing and exercising of horses, together with the grazing of sheep and the creation of silage. The level of this activity is dependent upon the number of horses accommodated at the proposed development.

The disposition of each of the above described elements is shown on submitted Drawing No.P05 Rev4 dated 4th of June 2015, entitled *Drainage Design / Road Design*.

Basis of Application and Proposed Operation

The Applicant in the supporting “*Report of Justification*” document sets out the key points to support the proposed development, which can be distilled as:

- Aberdeen Riding Centre (ARC) is being forced to relocate to accommodate new housing through the Local Development Plan.
- ARC must move premises by 2016, due to the scheduled build of 550 homes on their current site
- Nether Anguston is the only available site within the Aberdeen City boundaries which meets the requirements for the relocation of the ARC due to size, location and transport links.
- ARC would have no option but to cease operating should planning permission be declined

- ARC is an important facility providing riding, training and livery for the community of Aberdeen and surrounding areas.
- ARC is the largest riding school and livery yard in Scotland and has over 400 riding members and a waiting list.
- ARC is a provider of horse, equipment and facilities for Aberdeen Riding for the Disabled (ARD).
- ARC is a work experience and education provider.

In terms of the operation of the proposed facility it is envisaged that the site will accommodate the level of activity as the current site (362 members and circa 80 horses) with headroom to accommodate further horses and members (i.e. 90-100 and 499 respectively). It is proposed that the facility will operate for the public/members from 10 am to 9 pm Mondays to Thursdays and between 9 am and 6 pm on Saturdays and Sundays. On Tuesdays the RDA run the centre (excluding livery) between 9 am and 3 pm. The riding school will not operate on a Friday to *"allow the horses a day off"*.

Whilst it is the intention that the Applicant will not undertake riding on a Fridays, this cannot be controlled by a lawful planning condition. The Applicant recognises the proposal would permit the use of the facilities by the owners who have horses at livery within the proposed development on a Friday.

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=150110>

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

REASON FOR REFERRAL TO COMMITTEE

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

CONSULTATIONS

Roads Development Management

No objections subject to junction improvements, access lane made up to an adoptable standard and creation of passing places

Environmental Health	No objection subject to imposition of conditions
Developer Contributions Team	Clarification is being sought by the Roads Project team regarding a STF contribution
Flooding	Drainage Impact Assessment requirements could be addressed by way of a condition
Community Council	No response received

REPRESENTATIONS

A total of 43 representations have been received, of which 26 object to the proposed development, 14 are in support whilst 3 respondents have concerns with the proposed development. The matters raised are summarised below against the form of representation.

Objections

- Buildings appear visually dominant in the landscape due to the large expanse of metal sheeting
- Contrary to green belt policy
- Road not adequate for increased traffic
- Road not suitable for pedestrians and horses – people walk along the road from Lyndholme School with families and people with learning difficulties
- Road is barely larger than single track with deep ditches at the roadside
- Poor exit point would be at a blind summit of the road, on a carriageway section which would seriously impact upon the safety of the road users
- Huge impact upon the surroundings
- Unrelated to the existing settlement
- Viability, suitability and size of proposal

Support

- Allow facility to remain within the city boundaries and sporting resource to the City
- Will prevent this sport from being lost to this area
- Encourages volunteering for charities
- Work closely with riding for the disabled
- Great advantage to have horses stabled next to the indoor arena
- Design makes good use of the landform and design sympathetic to area
- Will safeguard a valuable serviced provided locally

Concerns

- Community involvement – no residents have been informed
- Length of building – blot on the landscape
- No site accommodation shown on the plans

- Sound and light pollution
- Road is narrow
- Unsightly caravans / horse boxes on the site

In terms of spread of representations against the proposed development, of the 26 objections received, 20 of these came from the AB14 0PP or 0PN post codes that are in the immediate vicinity of the Application Site.

PLANNING POLICY

National Policy and Guidance

- National Planning Policy Framework No.3
- Scottish Planning Policy
- Planning Advice Note 73 – Rural Diversification

Aberdeen City and Shire Structure Plan

- Quality of the Environment

Aberdeen Local Development Plan (ADLP)

- NE2 Green Belt
- D1 Architecture and Placemaking
- D3 Sustainable and Active Travel
- D6 Landscape
- NE5 Trees and Woodland
- NE6 Flooding and Drainage
- T2 Managing the Transport Impact of Development

Proposed Aberdeen Local Development Plan (PADLP)

- D1 Quality Placemaking by Design
- D2 Landscape
- T2 Managing the Transport Impact of Development
- T3 Sustainable and Active Travel
- NE2 Green Belt
- NE5 Trees and Woodland
- NE6 Flooding, Drainage and Water Quality

EVALUATION

Main Issues

The main issues at hand in this case are firstly; whether the proposed development would harm the character and appearance of the landscape / Green Belt; and secondly, if harm is caused whether that harm is clearly outweighed by

other considerations so to amount to circumstances needed to justify the development; and thirdly, the highway implications of the development. All issues have regard to the provisions of the Development Plan and other material considerations.

The Planning Policy Framework and Materiality

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

The Development Plan for the purposes of this application comprises the Aberdeen Local Development Plan (the ALDP) that was adopted by the Aberdeen City Council (the Council) on the 29th of February 2012, together with the Aberdeen City and Shire Strategic Development Plan (the Strategic Development Plan) that came into force on the 28th of March 2014. The ALDP also contains a suite of Supplementary Guidance documents that underpin its policies.

Aside from the ADLP the Council issued the Proposed Aberdeen Local Development Plan (the PALDP), together with Supplementary Guidance for public consultation between the 20th of March and the 1st of June 2015. Whilst the PALDP is not a statutory part of the Development Plan it does provide an indication of a direction of policy travel and was adopted by the Council on the 28th of October 2014 as constituting a material consideration in the decision-taking process.

Materiality is set by a number of documents and Ministerial pronouncements that include, albeit not limited to, the National Planning Policy Framework No.3 (NPF3), Scottish Planning Policy of the 23rd of June 2014 (the SPP) and Planning Advice Note 73 – “*Rural Diversification*” issued on the 7th of February 2005 (PAN 73).

Planning Policy and Materiality Background

ADLP policy NE2 addresses the matter of Green Belt development and notes that appropriate development within the Green Belt includes recreational uses compatible with an agricultural or natural setting. The preamble to policy NE2 under the heading of “*Protecting and Enhancing the Natural Environment*” at paragraph 3.60 notes that:

“The natural environment and open spaces are important for landscape, natural heritage and wider social, health, economic and environmental reasons, such as adapting to climate change and helping to improve air quality.”

With regard to the Green Belt designation the ALDP sets out the aims of such areas as to maintain the identity of Aberdeen and the communities within and around the City by defining their physical boundaries clearly, avoiding coalescence and urban sprawl, maintaining the landscape setting and providing access to open space. In broad terms the Green Belt directs development to the most relevant locations to protect such areas.

Policy D1 of the ALDP “*Architecture and Placemaking*” looks to ensure high standards of design and development must be designed with due consideration for its context and make a positive contribution to its setting. Policy D1 is non-prescriptive in terms of a ‘required’ design form and presence. However, the preamble does look for the design of new development to be based on an understanding of its context and respond to its location, both in terms of landscape fit and design quality.

ALDP policy D6 considers “*Landscape*” and will not allow development that adversely affects the landscape character and elements which contribute to, or provide a ‘distinct’ sense of place. Linked with the protection of the City’s landscape is the presumption against all activities that would result in the loss or damage to established trees that contribute to landscape character as contained in ADLP policy NE5.

Managing the transport impact of development is covered by policy T2 of the ADLP, which looks to ensure that sufficient information is available to take a reasoned decision in assessing the transport impact, including highway safety, of new development.

Policy D3 of the ADLP is applicable to all proposed development within the governance of the City Council and has at its heart the aim of locating development that will minimise travel by private car and thereby encouraging the use of other modes of transport (e.g. public transport, cycling and walking).

The PALDP in broad terms replicates the aforementioned policies of the ALDP and in relation to policy NE2, which is carried over, adds an overarching paragraph that reads:

“All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials. All developments in the Green Belt should have regard to other policies of the Local Development Plan in respect of landscape, trees and woodland, natural heritage and pipelines and control of major accident hazards”.

The Strategic Development Plan under the heading of “*Quality of the Environment*” has a common objective and target in ensuring that new development maintains, improves, and does not lead to the loss of, or damage to built, natural or cultural heritage assets. At the same juncture the Strategic Development Plan sees the Green Belt as providing a vital role in protecting the character and landscape setting of Aberdeen, whilst acknowledging it will need to change. In essence, it guides development to the appropriate location.

At the national level the SPP sets out national planning policies for the development and use of land and includes a number planning outcomes together with a series of policy principles. The SPP as with NPF3 is an overarching policy document and critically introduces a presumption in favour of sustainable development with the aim of achieving the right development in the right place whilst crystallising the position that the presumption is not to allow development at any cost.

The SPP in considering “*Promoting Rural Development*” notes that the planning system should, to paraphrase, in rural areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces. The SPP goes on to critically comment that plans should set out a strategy which promotes economic activity and diversification including, where appropriate, sustainable development linked to tourism and leisure whilst ensuring that the distinctive character of the area is protected and enhanced.

PAN 73 sets out in its simplest form that rural diversification means the establishment of new enterprises in rural locations that in turn helps broaden the economic activity of rural areas, providing opportunity and creating a more balanced and stable economy. Paragraph 25 states:

“However, rural diversification can also raise fundamental questions. The siting of businesses in rural areas, particularly in the open countryside, can encourage unsustainable traffic generation or commuting patterns. There may be impacts on an area’s natural or cultural heritage or other environmental factors to consider.”

Assessment of Main Issues

Affect upon character and appearance of the landscape / Green Belt

Small scale stables and outdoor riding areas are not uncommon within the countryside around the edge of settlements and are compatible within a natural and agricultural setting. Whilst a recreational use may be deemed to be appropriate that is not to say that any development associated with that use is appropriate. The question at issue here is the quantum and appropriateness of the proposed development and the harm that it creates to the open countryside.

Whilst small scale stable and outdoor riding areas may be considered appropriate in the open countryside it is considered that the proposed stables, indoor arena and car parking are not appropriate. The proposed indoor arena, stables and car parking, excluding the paths and internal road network, would occupy an area totalling 9,400m² (i.e. equivalent to 2½ football pitches). Indeed, the Applicants in their “*Report of Justification*” acknowledge that the proposed development is of a scale unprecedented in Scotland by stating that it will be “*the largest riding school and livery yard in Scotland*”.

The adopted policies of the Council together with guidance set by the Scottish Government is clear that the proposed development must have regard to context in terms of landscape fit and design and any development should not harm the areas distinctive character.

In this case the character of the area is one of gently undulating countryside with limited field boundaries, small pockets of woodland and tree lined areas. Whilst the area does have agricultural buildings, these again are dispersed and are of a significant lesser scale than the proposed buildings. The Applicant is aware that the scale and location of the development would harm the countryside and this is witnessed by the Applicant seeking to 'dig the development into the ground' by the creation of a false shelf. Consequently, when viewed from the north the current aspect will be transformed from that of open countryside to one of a plateau of roofs. This clearly does not have regard to context or landscape fit and will in turn harm the character of the countryside.

The formation of a 100m long and some 5.00 high retaining wall is an engineered, utilitarian artificial feature, of a scale alien to the countryside and in turn will harm the character of the area.

The creation of a shelf is a poor attempt to mitigate the development's harm, from the north. However, this will not be achieved and it will not diminish its impact when viewed from public views, from the eastern aspect, or when arriving at the location by road. The scale and overall mass of the buildings will appear as a striking imperious feature that harms the distinctive character of the area and indeed the creation of the shelf has no regard to landscape form.

The Applicant has indicated that there will be landscaping, albeit outside the red line boundary. This is not part of the application and would take time to mature. There is also a question of highway safety, as no landscaping can occur to the eastern aspect of the Application Site as this would affect the visibility required for the new junction arrangement.

As noted above the openness is an intrinsic part of the character of the area and the fact that a development may be screened does not diminish its harm to the character of the area. Planting will draw attention to the development, act as a green wall, and remove the aspect of openness and will therefore harm the character of the countryside.

The scale of the buildings and quantum of development would have an industrialising/urbanising effect, it is akin to a modest industrial park, on the immediate and wider area to the Application Site and therefore fails to maintain the distinctive character of the area and the Green Belt.

Aside from the physical, qualitative and aesthetic harm of the proposed development there is a broader environmental harm to the quality of enjoyment of the landscape. PAN 73 recognises that businesses in the open countryside can encourage unsustainable traffic generating or commuting trips. The justification point of the Applicant stated that the site was chosen, in part, due to its "*transport*

links". However, the proposed site does not have the attributes of the existing site that is accessible by public transport, cycling and walking. The proposed development will be dominated by the use of the car with or without horse box and does not represent a form of sustainable development. Such activity will harm the environmental quality of the area in terms of its enjoyment.

The SPP considers rural development against the challenges such areas face and PAN 73 talks about creating a more balanced sustainable economy. There is no evidence that this area is suffering from rural challenges or that the proposed development will create a more balanced and stable community.

For the reasons evidenced above, the proposed development harms the distinctive character of the landscape and as such it is contrary to advice contained within NPF3, SPP, PAN73, together with policies NE2, D1, D3, D6 and T2 of the ALDP and policies NE2, D1, D2, D6, T2 and T3 of the PALDP.

Are there considerations that outweigh the harm

The key points set out within the "*Report of Justification*" document are deemed to constitute the material considerations in this matter.

It is accepted that ARC does provide riding, training and livery for "*the community of Aberdeen and surrounding areas*". That is not to say that other locations either within the governance of Aberdeen City or in surrounding areas could not also provide the same facilities.

With regard to location, the Applicant noted that "*Nether Anguston is the only available site within the Aberdeen City boundaries which meets the requirements for the relocation of the ARC due to size, location and transport links*". The general matter of transport links has been considered above and it is evident that the Application Site is not a sustainable location and does not have a range of transport links. Therefore this does not constitute a justification to outweigh the harm that the development would cause.

The Applicant has submitted clarification on the exercise undertaken to find a suitable location that covered 7 sites, 1 of which was outside the City boundaries, up to the period of November 2014, although between September 2013 and November 2014 there appeared to be lapse of activity. The site was chosen, outwith location and size, on the basis that it was in the Green Belt and such land was cheaper as it was not going to be built upon; whereas all non-green belt land would be the subject of development. This in itself is not a planning justification for allowing the development.

It is clear that the ARC services both the City and its hinterland, and the majority of its users are from the City and subject to where they live will have to negotiate traffic. Therefore any location within the City or just outside would meet the current draw of the ARC and the desire of the ARC to be remain in the City at this location has not been adequately demonstrated.

On the matter of size, from the information supplied the acreage is dependant upon the number of horses (i.e. 1-1½ acres per horse) and allowing for the aspiration of the ARC to develop its business the size of the site would meet its aims. That is not to say other sites of a comparable size may not be available.

Associated with location is the matter of accommodating the “*pre-requisite*” of Aberdeen RDA to be within Aberdeen City. It is accepted by the Applicant that Riding for the Disabled is not geographically restricted. In this case it is the understanding of the Author that Aberdeen RDA are of the view that if the ARC would to re-locate outwith the City boundaries then it may be more difficult to secure volunteers, which is understandable. This pre-requisite has to be balanced against that other facilities could provide Riding for the Disabled and secondly, that the RDA accounts for less than 10% of the available hours for riding lessons if the arena alone was used.

Considering the matter of viability the Applicant has forwarded an amount of information and based upon the documentation the proposed development would make a small profit. It is recognised that the Applicant has successfully operated the current venture and should be able to transfer those attributes to this or any other site. In terms of funding the development, this is dependant upon lottery funding from Sport Scotland and the Landlords contribution. It is fair to reflect that all lottery funding is a variable.

With regard of the need to vacate the site by 2016, it is understood that the current site will not be required by the developers until 2017 at the earliest.

It is the view that the Applicant has not demonstrated that sufficient material considerations exist to clearly outweigh the harm that the development will cause to the landscape and green belt.

Highway Matters

The Roads Development Management team are in principle are content that the proposal in terms of access arrangement and junction improvements will not have a highway safety impact. However, Members are aware that the C149 road servicing the Application Site is narrow, is subject to a national speed limit, blind summit and right angled bend at the access point. Whilst it is the intention of the Applicant not to lead horses by reins on the highway, hacking out could still occur, and restricting horse movements onto the road cannot be controlled by way of a planning condition as it could be deemed to be onerous on a business. In addition, the use of the public highway is controlled by the Roads Authority, not the Local Planning Authority

RECOMMENDATION

Refuse the proposed development the benefit of planning permission

REASONS FOR RECOMMENDATION

1. The proposed development by reason of its scale, form, mass and attendant works would demonstrably harm the distinctive character and appearance of the landscape and the Green Belt, together with its unsustainable location and as such it is contrary to advice contained within NPF3, SPP and PAN73, together with policies NE2 (Green Belt), D1 (Architecture and Placemaking), D3 (Sustainable and Active Travel), D6 (Landscape) and T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan and policies NE2 (Green Belt), D1 (Quality Placemaking by Design), D2 (Landscape), T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the Proposed Aberdeen Local Development Plan.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 20 March 2015 15:39
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Laura Cameron
Address : 23 Avenue Gardens
London
SW14 8BP

Telephone :

Email : [REDACTED]

type :

Comment : Dear Sirs,

We write to object to the proposed submission to relocate Aberdeen Riding Club to Nether Anguston.

The large expanse of metal sheeting of a single colour will make the buildings appear visually dominant on the landscape. If approved it would benefit from possible alternative coloured sheeting to break up the structure, or a variety of materials to complement the rural setting.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 20 March 2015 12:21
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Bruce Thomson
Address : 6 The Steading
Upper Anguston
Peterculter
Aberdeen

Telephone :

Email : [REDACTED]

type :

Comment : Although there are many other agricultural buildings in the Anguston area there is not one anywhere near the size or scale of this complex being proposed.

However our major concern is the volume of traffic, people, bikes and horses on the C class road leading from the A93 to the proposed site. In the application there is no mention of the C Class road and intimates that access is from the A93 to the farm track which I believe to be a bit misleading as this suggests that no consideration has been taken for the minor road linking the A93 to the farm track where access to the site will be. This road is presently in poor condition, is twisty and not well maintained.

With the scale of this riding school and with 60 liveries and endless lessons that means an excess of 60 cars every day using this C class road. Many of the liveries will have trailers, 7.5 tonne and HGV lorries to transport their horses to and from competition venues in the area, again they will use this road predominantly in the evenings and at weekends.

We also see on the plan that a new exit from the site appears to be very close to a blind summit on the road, which is alarming.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 16 March 2015 20:35
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Jennifer Johnston
Address : Eddieston Smiddy
Anguston
Peterculter
AB14 OPR

Telephone :

Email : [REDACTED]

type :

Comment : We would like to object to this application on the grounds that the road leading to the proposed development is not suitable for more traffic than there is at present. It is single track in most places with deep drainage ditches on either side in some parts. There are no suitable passing places for large vehicles such as horse boxes. It is also not suitable for pedestrians (numbers would be likely to increase as the nearest bus stop is on the main road). The road is also not suitable for horses as it is very difficult to ensure that you can leave enough room to pass by safely. If this application is to be approved, it should be on the condition that the road up to Nether Anguston is made suitable for two-way traffic along with a pavement for pedestrians and bridle path for horses. It should also be noted that the only suitable access road to Anguston is from the South as the road from the North (near Cullerlie) is a private road which is in very poor condition. In order to ease congestion if the development is to go ahead, another condition should be to bring the road from the North (Cullerlie) up to the required standard for adoption by Aberdeen & Aberdeenshire Councils and ensure that this adoption takes place.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 17 March 2015 11:26
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : karen and david hainsworth
Address : 3 Hillcrest
Baads
Peterculter
AB14 0PP

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I would object to this planning application on because of the impact on the traffic and road network in [REDACTED] area taking into consideration the following points.

The proposed development has parking for over 80 cars plus an overflow carpark and a turning area for horseboxes. This would vastly increase the volume of traffic using the local road network.

1. The road from the main N. Deeside Road to Nether Anguston is narrow, twisty and has poor visibility of oncoming traffic. It is difficult to pass other oncoming vehicles without driving on the grass verge and it is only possible to pass large oncoming vehicles such as tractors /delivery vehicles by pulling into driveways and waiting for them to pass.
2. The road surface is very poor. It has already been extensively patched New potholes appear at regular intervals and the tarmac at the verges is breaking down. The extra traffic especially horseboxes will lead to a more rapid deterioration of the road.
3. The proposed vehicular exit is in an extremely dangerous place. Driving from the north there is a blind crest and the exit appears to be situated just after the crest. If you are exiting the riding school you will not be able to see traffic already on the road approaching from the north.
4. There is no safe walking /cycling path from the main N.Deeside Road The increased volume of traffic would make it more dangerous for all road users.
5. The closest public transport is to the N.Deeside Road. With the unsafe walking route I believe users of the riding school would not utilize this. Does this fit in with the green transport plan?
6. With stabling for around 100 horses there will inevitably be more horses and riders using the local roads. Adding this road usage to the increased no.of vehicles will lead to frustration and potentially dangerous driving.

I believe this planning application should be refused unless there are radical changes to the existing road . This should include straightening the road, widening the road to provide proper single carriage way and construction of a pavement from the N Deeside Road to Nether Anguston. The location of the exit from the site should be relocated

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PI

From: Malissa Fraser <malissacydesdale@gmail.com>
Sent: 20 March 2015 15:59
To: PI
Subject: Planning application 150110 Formation on Riding School at Nether Anguston

Dear Sir/Madam,

We write to you regarding planning application 150110, we have reviewed the planning documents, and wished to bring to your attention our concerns regarding the plans.

Our main concern lies with the increased traffic on an already hazardous road and single access route into the existing community. There is only one reasonably viable road into the existing housing, arable and amenities from the main North Deeside road. The road traffic is already fast and busy from hell-pad, riding, farming machinery, cattery and habitation traffic. The traffic consists of school buses, tractor machinery, 4 x 4, cyclists, walkers and delivery vehicles already. The road itself is poorly maintained and suffers regularly from weather related and heavy farm traffic damage. Access from the North Deeside road coming from the west is hazardous at the best of times. Also a good amount of people walk the road from Lynmore school with families and special learning conditions. There are limited opportunities to have traffic driving on both sides of the road and very few viable passing places that are not dangerous in themselves. Adding to the traffic volume as dramatically as the riding school would, would pose a serious increase in risk to the drivers and users of the road. Please also be aware of the transit route for hydrocarbon pipelines that cross the road. Perhaps also a consideration is the bridge itself and its construction durability.

The condition of this poor quality, single access and single carriageway road surely does not safely support the proposed volume of traffic.

In addition to the above consideration, please also look at the proposed exit point from the riding school. The exit point would be at blind summit of the road, on a single carriageway section which would seriously impact the safety of the road users.

Best Regards,

Malissa & Scott Fraser

PI

From: webmaster@aberdeencity.gov.uk
Sent: 19 March 2015 16:36
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Isla wiseman
Address : Southview
Baads
Peterculter
Aberdeen
AB14 OPP

Telephone : [REDACTED]

Email : [REDACTED]

type :

- ☐ Comment : In principle I do not object to the location of the riding school but I have grave concerns about the access to the facility. It is my understanding that development should be accessible by public transport within a 400m radius. This is not the case here. The existing road is narrow without passing places and does not have a white line painted on it. There will be a huge increase in traffic if the proposal goes ahead. I have a good understanding of how a riding school operates and not only will there be people rushing to get to time sensitive riding lessons but many people who own their own horses bring the horses in horse boxes and floats to have tuition. Many young people attend these schools for long periods in the day and even if they do take public transport to North Deeside Road they will then have to walk up and down the road which is narrow and has no pavement. It was our understanding that there was an access road to be built directly from North Deeside road. If this were the case I would not object. I myself had a head on collision with a speeding driver on the road in question. It is widely known in the area that the stretch of road in question is the most dangerous part and the part most prone to icing in winter. I myself encourage my family to cycle to the village which I admit I am already nervous about doing. I will definitely not be allowing them to do this if the plan goes ahead. Rather than discouraging use of cars it will force all the users of the facility and all the residents of the area to use their cars and I know that this is not in line with local policy. Other equestrian facilities have been applied for and turned down in the past due to accessibility issues. These applications were on a much smaller scale than the proposed facility. I am incredulous that the largest riding facility in Grampian would be located on such a narrow road. Safety of people particularly children is paramount. A new access road would solve
- ☐ All the issues stated above.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 10 March 2015 14:36
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Dr and Mrs HR Millar

Address : Failte

Mid Anguston

Peterculter

Aberdeen

AB14 OPP

Telephone :

Email : [REDACTED]

type :

Comment : Failte

Mid Anguston

Peterculter

Aberdeen

AB14 OPP

10th March 2014 Planning and Sustainable Development Aberdeen City Council

Business Hub 4 Marischal College Broad Street Aberdeen

AB10 1AB

Dear Sir or Madam,

Application Reference 150110

Local Authority Reference 000109584-001

Proposed Riding School at Nether Anguston

We are writing as local residents to comment on the above proposal. It is understandable for the reasons set out in the application why Aberdeen Riding Club is coming forward with this proposal. However, it should be acknowledged that this is a very large development of big buildings in a rural, green belt setting, which will generate a significant level of activity, noise, traffic and disruption in a very quiet area of countryside.

Disturbance of rural setting

Despite what is suggested in the application these large buildings and the associated activity will have a significant effect on the landscape. If the application is approved the commitment to set the buildings into the lower part of the field by grading the land should be obligatory. Also, some tree planting to the north west of the site sufficient to screen the buildings could improve the intrusion on the open view from our houses in Mid Anguston. There will be noise and light pollution which should be minimized, for example by insisting radios are not played outdoors and creating landscaping to limit noise travel.

The Road

This is one of the most serious limitations to the proposed development. The road coming from the North Deeside Road into the area has been a cause of concern to residents for many years. New steading developments and the increase of internet shopping delivery vans have increased the traffic on a road where room for 2 vehicles to pass is limited and compromised by poor maintenance, creating broken verges and potholes. We have personal experience of incidents due to traffic going too fast especially round blind corners of which there are several between the main road and the proposed development e.g I was once forced into a ditch to avoid a collision and my

daughter's car was hit head on by another vehicle coming out of a blind corner. The proposal suggests some will cycle or walk from the main road but there is no pavement and this will be at some risk to the pedestrians if current traffic behavior is anything to go by. Also, the riding school will generate its own vehicular traffic, including large horse lorries and trailers, which will add to the hazards. In addition it looks as if the exit directly onto the road is close to a blind summit.

Hacking Out

It is not clear what expectation there is for hacking out. There are no local bridleways suitable for heavy use and any riding out would need to be on the above mentioned hazardous road. The addition of horses on this road as a regular feature will add to the risk of serious accidents.

Staff Accommodation

We could not find reference to whether there will be resident staff, which might be considered relevant for a large stabling of 60 horses. If it were decided to have resident staff it would be unacceptable to add unsightly caravans to the site as happens at some stables.

Conclusion

While we appreciate the good work done by Aberdeen Riding School over the years and their need to find a new base we are objecting to this proposal. We recommend that there should be a site visit so that there can be a full appreciation of the likely impact this will have on a quiet rural area and to understand how inadequate the road will be for accessing this development. The road badly requires upgrading and if not properly rebuilt to enable two vehicles to pass on tarmac throughout its length there should be consideration of installing a walking path, passing places and a speed limit.

Yours sincerely,

Dr & Mrs H R Millar

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P&SD Letters of Representation		
Application Number: 150110		
RECEIVED 11 MAR 2015		
Nor	Sou ✓	MAp
Case Officer Initials: NIL		
Date Acknowledged: 12/03/2015		

31.

1 Quarryhill
Anguston
PETERCULTER
AB14 0PP



16 March 2015

Local Development Planning Team
Aberdeen City Council
Business Hub 4
Ground Floor North
Marishal College
Broad Street
ABERDEEN AB10 1AB

Dear Sir or Madam,

Re Planning Application No 150110
Formation of a Riding School at Nether Anguston Farm

I hereby register my objection to the above proposal.

To begin I refer you to Issue 49 of the Aberdeen Local Development Plan (referring to a previous application) which states unsuitability due to

- 1 the width of the existing minor country road
- 2 its poor condition;
- 3 accessibility issues.
- 4 is unrelated to the existing settlement.

It is my understanding that the proposed Riding School will house a high number of horses.

These animals would require daily feeding, grooming etc. Would this be handled by their owners? That being the case, how many extra vehicles would require to use this back road?

If they wish to ride and exercise their animals would they use this same small back road?

This gives rise to have two major concerns, that of Road Safety and secondly of Health.

Firstly in regard to road safety, I quote my comments of 8 March 2014 on the Mid Anguston Greenfield Housing Proposal.

"As someone who has lived here for 25 years, I have seen an increase in the traffic due to some steading conversions, a cattery and a helipad. There are more delivery vans and large lorries on this narrow road. Never having been built for the amount of traffic it now sustains, the one mile long road between Mid Anguston and the North Deeside Road is in poor condition. It has no road markings and no lighting. The verges are poorly kept and falling away in places. Potholes are a real concern. The patching, when done, is of the temporary sort, due to understandable budget constraints and does not last. The road is narrow and can just take passing cars and larger vehicles only with care.

I am a top graded Driving Instructor, in business for some 30 years. It is my professional opinion that we have been very fortunate not to have had a major accident on this narrow, twisted stretch of road. I would ask, please, that this comment be placed on record.

While people are mostly driving within the speed limit, not all know the road, nor are they taking into consideration the road conditions. There are regular 'near misses'. These do not always occur at peak times. On the quieter times, people can be less alert on a quiet country road and forgetful that another car may be coming in the opposite direction. I have been put off the road, one next door neighbour has been forced into a ditch and the other, involved in an accident with a motor cyclist. If required I am sure that the Police would be able to verify this statement. For these reasons we no longer walk along the road for recreation."

Add to the above lorry horse boxes and trailers, to say nothing of horses being ridden on this road.

Secondly the issue of Health.

Periodically over last year there have been 7 horses in the field adjoining our back garden. During the summer on several warm, still days there were fly 'hatches' which we believe emanated from the horse manure, lasting for almost 24 hours. They were particularly dense and literally covered washing, our two white dogs. We had to come indoors and close all the windows and doors. Access to the garden was impossible. We contacted Environmental Health Dept on the first occasion who told us they could do nothing as it was not an indoor infestation.

If this Riding School proposal was granted and the increase in animals resulted in an increase of the above problem, who would be responsible for sorting it out and what would be done to sort it out?

There is also the issue of the prevailing wind blowing noxious odours in our direction.

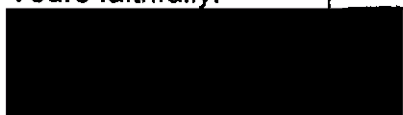
I strongly object to the Muck Heap being placed on the side of the field nearest to our houses.

Who will be responsible for lifting the manure which will be deposited on the roads if the horses are exercised outside the grounds? Who will enforce it?

In conclusion this type of business should not be allowed near human habitation.

Apart from the above and that this area is designated Green Belt, the tranquillity of this rural setting will be spoilt and the quality of life of the existing residents diminished.

Yours faithfully.



Terence N Fullerton

Braehead
Nether Anguston
Peterculter
Aberdeen
AB14 0PN

19 March 2015

FAO: Nicholas Lawrence

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

Dear Sirs,

Planning Application No: 150110

Aberdeen Riding Club ("ARC")

Formation of Riding School with Associated Building, Car Parking and Landscaping at Nether Anguston, Peterculter

I refer to the above planning application for which I have examined the plans and know the site and area very well. I have serious concerns over the viability, suitability and size of the proposals contained within the application. I live very close to the site and wish to put forward my strong objections to the application on various grounds.

1. The Aberdeen Local Development Plan:

The Aberdeen Local Development Plan ("ALDP") provides a land use framework within which future development is to adhere. It sets out the policies that Aberdeen City Council will be promoting, and the limits on same.

- a) Section "Policy RT2 – Out of Centre Proposals" of the ALDP, a copy of which is enclosed herewith for ease of reference, states that:

"Retail, commercial, leisure and other development appropriate to town centres, when proposed on a site that is out-of-centre, will be refused planning permission if it does not satisfy all of the following requirements:

...

4. The proposed development would be easily and safely accessibly by a choice of means of transport using a network of walking, cycling and public transport routes which link with the catchment population. In particular, the proposed development would be easily accessibly by regular, frequent and convenient public transport services and would not be dependent solely on access by private car."

In this instance, the proposed development is over 1600 metres from the main road (one mile exactly) and there is no public transport network. This is clearly in contravention of the ALDP.

- b) More generally, the ALDP puts a strong emphasis on the importance of a good infrastructure with good transport connections being essential for future and existing communities. This infrastructure is not present in the area. In the absence of such, access to the proposed development would be dependent solely on private vehicles.

2. Green Belt

The area in which the development is proposed is part of the Green Belt round Aberdeen which was introduced to: prevent coalescence between Aberdeen and suburbs along lower Deeside; to encourage redevelopment of brownfield sites; to help prevent inappropriate development in the countryside; and, to protect areas of countryside.

- a) "Area G Deeside" of the Aberdeen Green Belt Review, a copy of which is enclosed herewith for ease of reference, expressly mentions Anguston in the paragraph headed '**Areas considered unsuitable for development**':

"Land around Anguston, North Lasts and Beanshill is relatively remote and has poor accessibility.....

...All other sites on Deeside are considered undesirable for a number of reasons, most commonly impacts on the landscape setting and Dee valley, loss of biodiversity, trees and woodlands, poor accessibility and remoteness."

This specifically designates Anguston as an area which is poorly equipped to accommodate a development of the size that is envisaged by the proposals in the planning application.

- b) In addition, in the ALDP, at Point NE2 (a copy of which is enclosed for ease of reference), it is stated that:

"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."

A development of this size and scale, and which would have such an impact on local infrastructure, is not one which is compatible with an agricultural or natural setting.

The following exceptions to this general ban on development in Green Belt areas apply to proposals for development associated with *existing activities* in the Green Belt.

"The following exceptions apply to this policy:

1. *The 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 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"*

The proposed development is not small-scale, will significantly increase the intensity of activity and is not ancillary to what already exists.

As the proposed development is not associated with an *existing activity*, it would follow that the above exceptions are therefore even more relevant in this instance.

Clearly, the proposed development is in contravention of the ALDP.

- c) Further, the application for the deletion of the occupancy condition for Erinvale Cattery was refused (Application: 131114-01) on the basis that it was:

'... contrary to Scottish Planning Policy and Policy NE2 (Green Belt) of the Aberdeen Local Development Plan, which seek to protect the integrity of Green Belts and, in particular, seek to avoid the granting of individual planning permissions to prevent the cumulative erosion of a green belt. The removal of this condition would undermine the policies which seek to protect the integrity of the Green Belt which seeks to safeguard against unsustainable development and suburbanisation of the area.'

This example of strict enforcement of Green Belt policy must undoubtedly also be applied to the proposals contained within the application.

3. Roads, Road Safety and Transport Links

- a) Access to the site is proposed to be from the North Deeside Road (A93) via one mile of very narrow road ("the access road") which is in poor condition with no markings, pavements or lighting. There are several blind bends and, in particular, one badly cambered bend where there have been accidents and very many near misses.
- b) The fact that the planning application proposes space for 80 car parking spaces, plus overflow, gives some indication of the projected traffic flow, about which there is a lack of meaningful comment in the application save for within the site itself.
- c) In places on the access road, there is insufficient room for two vehicles to pass safely, especially those which would be used to transport horses and those used to service the development.
- d) Access to and from the A93 along the access road is via a steep hill which, in winter, can be very dangerous to negotiate due to icy conditions and which when covered with snow is often blocked by stuck vehicles. The access road itself, over the years, has frequently been impassable in winter to normal vehicles.
- e) The turning into the access road from the west from the A93 is very difficult to achieve safely due to its acute angle in relation to the A93.
- f) Traffic has already increased substantially over the years due to the conversion of farm steadings to form living accommodation, and the establishment of two small businesses in the area: Erinvale Cattery and HJS Helicopters. The current infrastructure is not able to support a further increase in traffic.
- g) The access road is often used by pedestrians as there is no public transport. Cyclists, horse riders and walkers from Linn Moor School also regularly use this road.
- h) The proposed point of access to and from the site itself onto the Anguston Road is at a hill with a blind crest.
- i) Road widening would destroy ancient field boundaries in this historic area which was part of the Drum Castle Estate.

4. Amenity of the Area

- a) The proposal would demonstrably harm the amenity enjoyed by local residents, particularly with regard to valuable green space, privacy and the right to enjoy a quiet and safe residential environment. The Human Rights Act, Protocol 1, Article 1 specifically identifies that a person has a substantive right to the peaceful enjoyment of all their possessions, which includes their home and other land. Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of *Britton -v- SOS*, the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.
- b) Nether Anguston Farm is a Category B Listed Building whose surroundings would be adversely affected by the presence of this development. A very unique feature of this property is its avenue of trees which can be seen from the North Deeside Road, the view of which would be ruined by the presence of extensive modern buildings. One has only to look at the Milltimber farm livery stables from the South Deeside Road to see how this dominates the landscape.
- c) The photographs of farm buildings attached to the Planning application give a misleading picture of Anguston surroundings: Most of these buildings are not visible as they are not near public roads and are not obvious from the minor roads. One of the buildings pictured is not even located at the Anguston Farm, but at Jackieshillock.

- d) The introduction of all the equine related equipment, eg, shelters, trailers, horse boxes, sheds, jumps etc will result in erosion of the openness and visual amenity of this area.

5. Noise Pollution

There will be a significant increase in noise levels associated with this influx of people, horses and traffic into this quiet area. Noise will be generated from the use of the development itself, from vehicles used by those employed by ARC, by the vehicles used to transport the horses, by the vehicles required to service the development and by the vehicles required to transport those who wish to use this recreational facility. Background noise levels here are very low and sometimes, to all intents and purposes, non-existent. This will be irrevocably lost if the application is approved.

6. Light Pollution

Currently, there are very low levels of light pollution in the area, despite the conversion of several farm buildings to residential use and the intermittent searchlights from the Tillyoch development. The outdoor arena with its floodlighting would be a very unwelcome source of light pollution in the area.

7. Disturbance to Wildlife

A wide variety of wildlife can be seen locally, including badgers, deer, foxes, bats, herons, oystercatchers, skylarks, yellowhammers, birds of prey, swallows, swifts etc, and it is inevitable that they will be disturbed by the intrusion into their habitat of such a large development.

8. Conclusion

In summary, I object strongly to the application on the following grounds:-

1. It is in contravention of the Aberdeen Local Development Plan.
2. It is in contravention of stated Green Belt Policy.
3. The development will adversely affect highway safety.
4. It will have an adverse effect on the amenity of residential properties in the Anguston area and impact negatively on the character of the area.
5. There will be an unacceptable increase in noise levels from the development.
6. There will be an unacceptable increase in levels of light pollution from the development.
7. Wildlife habitats will be disturbed, by the very nature of the size of this development and the noise generated by its use.

I should be grateful if the Council would take my objections into consideration when making a decision about the application, and hope that the ARC will be encouraged to renew their efforts to seek an alternative location with safer access, directly onto a main road, and where there would not be such a negative impact on its surroundings.

I would be very happy to meet with any member of the Planning Committee to illustrate these objections if required.

Yours faithfully

Isobel Gordon

Encs

In all cases, proposals shall not detract significantly from the vitality or viability of any first, second, third or fourth tier retail location listed in the Supplementary Guidance: Hierarchy of Retail Centres, and shall accord with all other relevant policies of the Local Development Plan, including those relating to design, access and amenity. A Retail Impact Assessment may be required.

This policy applies to proposals for new development and to proposals to extend existing development.

In significant new development areas that are more than 800m walking distance from shopping facilities, permission may be granted for the establishment of a new neighbourhood centre. Developers may be required to reserve land for this purpose.

Retail Impact Assessments should be undertaken where a retail or leisure development over 2,500sqm gross floorspace outwith a defined regional or town centre is proposed which is not in accordance with the development plan.

A restriction may be imposed on the amount of comparison goods floorspace allowed within convenience shopping developments outside the city centre or other town centres. Retail Parks are appropriate for large bulky comparison goods if city centre/town centre sites are not available and the site is easily accessible by public transport.

Policy RT2 - Out of Centre Proposals

Retail, commercial, leisure and other development appropriate to town centres, when proposed on a site that is out-of-centre, will be refused planning permission if it does not satisfy all of the following requirements:

1. No other suitable site in a location that is acceptable in terms of policy RT1 is available or is likely to become available in a reasonable time.
2. There will be no significant adverse effect on the vitality or viability of any retail location listed in Supplementary Guidance: Hierarchy of Retail Centres.
3. There is, in qualitative or quantitative terms, a proven deficiency in provision of the kind of development that is proposed.
4. The proposed development would be easily and safely accessible by a choice of means of transport using a network of walking, cycle and public transport routes which link with the catchment population. In particular, the proposed development would be easily accessible by regular, frequent and convenient public transport services and would not be dependent solely on access by private car.
5. The proposed development would have no significantly adverse effect on travel patterns and air pollution.

Area G Deeside

This large area covers most of the Lower Deeside ward including the River Dee valley, land around Anguston, Beanshill and Foggieton as well as the settlements of Peterculter, Milltimber, Bielside and Cults and the Pitfodels area. Its character is diverse and includes open farmland around Anguston and North Lasts. Land to the north and between the settlements includes extensive woodland and tree cover. The Dee valley is an important landscape feature and wildlife and recreation corridor (including two golf courses and the Deeside Line) and parts are subject to flooding. There are numerous wildlife sites along the Dee valley and along the Culter Burn, to the north east of Peterculter and at Foggieton, with other sites and woodlands scattered throughout the area. Pitfodels is a Conservation Area. Pipelines run to the west of Peterculter.

Areas considered unsuitable for development

Areas not assessed include parts of the River Dee valley floor which has landscape, biodiversity and flooding constraints. The River Dee is a Special Area of Conservation – the only designation of international importance in Aberdeen. Land around Anguston, North Lasts and Beanshill is relatively remote and has poor accessibility. Land north and west of Bielside is heavily wooded and contributes towards biodiversity. Land around Hillhead near to Craigton Road is likely to have similar constraints to other Development Options in that area.

The individual settlements have a separate identity and it is important to maintain effective buffer zones between them to prevent their coalescence. There is however, scope for development at Oldfold which could be accommodated whilst maintaining the separate identity of Bielside and Milltimber. All the settlements are well contained by the 90 to 95m contour on the northern side of the Dee valley. Maintaining this as a northern limit to their development will help to prevent urban sprawl northwards where it would be isolated from the main transport corridors along the North Deeside Road and Deeside Line. There are some smaller infill opportunities at Craigton Road, to the west of Milltimber and south of Peterculter and an extension to Garthdee at Garthdee Farm.

All other sites on Deeside are considered undesirable for a number of reasons, most commonly impacts on the landscape setting and Dee valley, loss of biodiversity, trees and woodlands, poor accessibility and remoteness.

Preferred Options

The most significant development option on Deeside is at Oldfold where there are very few physical, topographical or natural constraints. Although development would be seen from the North Deeside Road, most of it would be hidden behind Oldfold Farm. Coalescence is often an issue along the Deeside communities, but in this instance, the intervening topography and woodland would ensure that neither visual or physical coalescence would occur between Milltimber and Bielside. The trees along Murtle Den Road and in the large gardens of properties there provide an attractive green backdrop to Oldfold which protects its setting. Woodland to the north and the loining to the west provides clear boundaries for the development and prevents it encroaching higher ground.

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.
 - d) any proposed built construction is ancillary to what exists.
2. Essential infrastructure, such as electronic communications infrastructure and electricity grid connections, transport proposals identified in the Local Development Plan, such as the Aberdeen Western Peripheral Route, as well as roads planned through the masterplanning of new housing and employment allocations, which cannot be accommodated other than in the green belt.
3. Buildings in the green belt which have a historic or architectural interest or traditional character that contributes to the landscape setting of the city will be permitted to undergo a change of use to private residential use or to a use which makes a worthwhile contribution to the amenity of the green belt, providing it has been demonstrated that the building is no longer suitable for the purpose for which it was originally designed. (See Supplementary Guidance on The Conversion of Steadings and other Non-residential Vernacular Buildings in the Countryside).
4. Proposals for extensions of existing buildings as part of a conversion or rehabilitation scheme will be permitted in the green belt provided:
 - a) the original building remains visually dominant;
 - b) the design of the extension is sympathetic to the original building in terms of massing, detailing and materials; and
 - c) the siting of the extension relates well to the setting of the original building.

Urban Green Space

3.67 Government policy states that open space should only be used for other purposes under exceptional circumstances. The Local Development Plan reflects that advice and sets out details on the exceptions which may apply in Aberdeen.

3.68 We completed our first full Open Space Audit in 2010 and the results of this are being used to prepare an Open Space Strategy, which will provide a strategic



Trades Widows' Fund

TRINITY HALL
TRINITY CORNER
HOLBURN STREET
ABERDEEN
AB10 6DA

12th March 2015

Dear Sir/Madam

LETTER OF SUPPORT FOR THE RELOCATION OF ARC RIDING SCHOOL PLANNING APPLICATION NO 150110

This letter is written in support of the relocation of the ARC Riding School from Milltimber to Nether Anguston. This relocation will allow a key facility in Aberdeen to remain with access to 105 acres of grazing, within Aberdeen City boundaries. The centre has been carefully designed to blend in with the surroundings and its development would allow the greenbelt to be utilised to its full potential for recreational services, compatible with the countryside setting and agricultural surroundings.

The centres accessibility will ensure all users can be catered for and the horses will be accommodated in modern, fit for- purpose stabling with access to 100+ acres of quality grazing. The development will allow ARC to retain and expand its specialist staff to continue providing expert riding tuition and educational services. The approval of this development will also allow ARC to continue to expand their business and further contribute to the local and national horse riding community; its refusal could mean the end for this vital service.

Sport Scotland have recognised the value of this non-profit making organisation by approving the first stage of a lottery funding application. They recognise the support, enhanced level of social inclusion and access to horse riding and care provided by ARC. The new development will allow the current waiting list to be serviced using a more efficient use of space and buildings, creating a modern facility that could be used for generations to come.

In conclusion this application should be approved as a vital sporting facility and resource in the Aberdeen City area. Scottish Government policy strives to protect and develop sport to encourage health and wellbeing and the ARC proposal fully embraces this providing a safe haven for young people to spend their time, investing heavily in the local community. The approval of this proposal will allow a highly commended equestrian centre to continue their outstanding service, offering immense benefits to all user groups. The centres development would allow the greenbelt to be utilised to its full potential for recreational services, compatible with the countryside setting and agricultural surroundings.

Yours sincerely

Brian D Donald

Factor

PI

From: webmaster@aberdeencity.gov.uk
Sent: 18 March 2015 23:20
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Jill Bedawi
 Address : 15 Carnegie Crescent
 Aberdeen
 AB15 4AU

Telephone [REDACTED]

Email : [REDACTED]

type :

Comment : Dear Sirs

I am writing to express my support for the planning application, Reference 150110, made by Aberdeen Riding Club to re-locate and develop a purpose built facility on the outskirts of Aberdeen.

I was and still am greatly upset to discover that the area of land where Aberdeen Riding Club are currently are based at Oldfold Stables, Milltimber has been re-zoned from its original Green Belt status to now allow houses to be built on it. However I am delighted to see that the Riding Club have managed to source another area of suitable land where they are hoping to re-locate their well established business too. Their planning application to build a purpose built equestrian facility on this redundant farm appears to be an ideal location, as it is situated within the city boundary, the design seems to make good use of the existing land and fits in well with existing nearby buildings.

In addition to support this application I feel that it must be know that Aberdeen Riding Club (ARC) offers a valuable service to the local community in its aim of making horse riding accessible to all. There has been a great loss in recent years of such facilities due to land being re-zoned for housing. As a result I feel it is imperative that this planning application be approved and thereby supporting this venture to prevent this sport being all but completely lost in the area. As the local journals recently reported ARC are also great supporters of Riding for The Disabled and the Befriend a Child Scheme providing crucial therapy to many adults and children in the city of Aberdeen and the surrounding area. To quote Ed Bracher, the chief executive of the charity he said "The multiple benefits that ARC delivers; physiotherapy, enhanced health and well-being, a chance to achieve goals and access to the outdoors; make it uniquely beneficial to people with a wide range of disabilities, and we hope that Aberdeen Riding Club is successful in finding a new site so that the work of Aberdeen RDA can continue. Consent should be given to this application to construct a purpose built new facility to ensure this valuable work is continued."

Kind regards
 Jill Bedawi

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 18 March 2015 22:12
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Martin Dargie
Address : 6 Brighton Place
Peterculter
AB140UN

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : "Dear Sirs,

☐ would like to note my support for this application as I feel it is vital that Aberdeen Riding Club continue to be able to provide a valuable service within Aberdeen City Boundaries, particularly because they are a local employer. The facility that they have applied to build would allow them to continue to employ the same number and possibly more staff for the foreseeable future".

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PI

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From: webmaster@aberdeencity.gov.uk
Sent: 18 March 2015 17:48
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Richard McKnight

Address : Oldfold Farm, Milltimber, Aberdeen, AB13 0HQ

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I support the proposed planing application 150110. The site of the new development is ideal for the size of business. It has enough acreage to surpport the horses which it uses to provide services to the community. The location is also ideal as it's not too far from it current premises, as if it moves too far from the current area, it will effect the community services it provides.

The facility is modern and will allow sustainability which will ensure services to the local area and Aberdeenshire can at least be maintained.

The business of the proposed site employs full time, part time and 3rd party staff across the Aberdeenshire area such as; coaches, vets, farriers and other equine professionals. It also provides and encourages volunteering for charities such as The Riding for the Disabled, this provides valuable services to the community on many levels.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 18 March 2015 16:42
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : VALERIE COOPER

Address : 27 ABBOTSHALL RD CULTS
ABERDEEN

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I fully support the planning application by ARC. They work closely with Riding for the Disabled and underprivileged children from the city to increase accessibility to these groups allowing them to benefit from riding in a safe and caring environment. They provide the ONLY site for hippotherapy in Aberdeen city and work in partnership with physiotherapy students from Robert Gordon University to provide this essential service for disabled children and adults in Aberdeen. It is important that the location is still accessible to RGU students. Once completed the site will be maintained to a high standard as this is vital for disabled access. This development has the potential to be a flagship for therapeutic riding in Scotland and to raise the profile of Aberdeen as a centre of excellence for equine therapies.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 18 March 2015 14:56
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : David Lawson
Address : Sunnyside Croft
Blairs
Aberdeen
AB12 5TY

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Dear Sirs,

I would like to offer my support for this application. In recent years, there has been an unprecedented loss of equestrian facilities with Aberdeen City and Shire due to development of housing and there is a risk that the facilities that Aberdeen Riding Club have worked so hard to make accessible to all could be lost. It would also appear to me to be very well located within the city boundary to fulfil the needs of this long established business.

Kind regards,

David Lawson.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 19 March 2015 13:38
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Christine Bell
Address : 8 Northcote Road
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : To whom it may concern,

I am writing to offer my support for this application by Aberdeen Riding Club (ARC) to relocate their current premises.

This application will safeguard a valuable service offered locally. Recently, there has been an unprecedented loss of similar facilities due to land rezoning for housing or alternative development, and Aberdeen now runs the risk of losing such sporting facilities totally if this application is not supported. The loss of this facility from the area would have wider negative impact on the community of Aberdeen as ARC strives to ensure that this sport is accessible to all demographic groups, including several charitable organisations. Furthermore, ARC has gained national recognition in the industry for its excellence in service provision, thus serving as a good advert for Aberdeen as a city. Support of this application will allow ARC to continue and extend this work, bringing further positive national attention to Aberdeen as a leader in the industry.

The new purpose built buildings set into the natural landscape on a redundant farm makes the site ideally suited to equestrian purposes, allowing ARC to continue its excellent work. The site is well located and positioned within the city boundary to fulfil the needs of this established business, and will maintain easy access for the public to continue to use these excellent facilities.

I fully support this application by ARC.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 20 March 2015 00:02
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Catherine Stott
Address : Ashbrook House
Maryculter
Aberdeen
AB12 5GR

Telephone :

Email : [REDACTED]

type :

Comment : As Chairman & Instructor at Aberdeen Riding for the Disabled (RDA), we are hugely excited by this proposed planning development which would secure the future of Aberdeen RDA and allow us to continue to give over 40 disabled children the chance to benefit from riding every week. The design of the proposed new indoor facility means that the participants, their parents/carers/teachers and the volunteers would be much more comfortable, even during the winter months - as would the ponies!

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 20 March 2015 08:35
To: PI
Subject: Planning Comment for 150110

Comment for Planning Application 150110

Name : Barbara ward

Address : 402 great western road

Aberdeen

AB10 6NR

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Dear Planning Department;

☐ We are very excited by the proposed new development for Aberdeen riding Club at the Anguston site. Aberdeen is sorely lacking for decent sports facilities beyond the normal field sports for kids and riding is without question open to anyone who wishes to take part. ARC's commitment to inclusive sporting has been known for many years and the possibility of losing this should be of major concern to the city as a whole.

Just to make it clear as to how inclusive we are talking about here. I have enjoyed walks in the country for many years but when I reached the age of 50, it became clear that my own health and fitness was being neglected. During the last year and a half I have been positively encouraged in the sport of riding starting from never having sat on a horse to the point where I am now learning to jump and regularly go for long hacks in the country with my new found friends at ARC. All in all this is a positively inspiring sport for anyone of absolutely any age whatsoever.

The new location is an excellent choice, being close enough to Aberdeen for an easy commute even at peak hours and having plenty of excellent riding areas to allow us to make best use of this wonderful countryside.

It does not impinge on other people nor should it in the future, so please, Aberdeen needs this, please let this application pass.

☐ With many thanks

Barbara Ward
Dunnydeer GH

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ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management
DATE	16 July 2015
DIRECTOR	Pete Leonard
TITLE OF REPORT	Technical Advice Note: Student Accommodation
REPORT NUMBER	CHI/15/214
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The purpose of this report is to obtain Committee approval for a draft Technical Advice Note (TAN) on Student Accommodation to be issued for a six week period of public consultation. A copy of the draft is available as Appendix 1 to this Report.

2. RECOMMENDATION(S)

It is recommended that the Committee:

- (a) Approve the Student Accommodation TAN document for a six week public consultation period.
- (b) Agree that, following completion of the public consultation, any comments received and subsequent amendments to the draft advice be presented to a future meeting of the Committee.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report with the exception of costs which may be incurred through the consultation and publicity of the proposed advice. Any such expenses can be met through existing budgets.
- 3.2 The implication for the Priority Based Budgeting is positive. Detailed topic-based advice has value in reducing officer time spent on pre-application discussions, and will therefore prove beneficial in reducing cost.

4. OTHER IMPLICATIONS

- 4.1 There are no known legal or equipment implications arising from this report.
- 4.2 As a major landowner in the city, proposals for the development of land and assets owned by Aberdeen City Council will, where this is applicable, be subject to assessment in line with the principles and standards set out in the Technical Advice Note.

5. BACKGROUND/MAIN ISSUES

- 5.1 The TAN has been prepared in support of the Aberdeen Local Development Plan (ALDP) (2012). It provides a means for Officers to assess applications for student accommodation in Aberdeen. Technical Advice Notes do not carry the same weight as Supplementary Guidance but are still treated as material considerations in the decision making process. The TAN also provides general guidance and best practice advice for members of the public.
- 5.2 At present, there is no local planning guidance on this subject. This TAN forms the first comprehensive Technical Advice Note on 'Student Accommodation'.
- 5.3 The purpose of the TAN is to provide advice on new purpose built student accommodation and change of use to student accommodation. It outlines issues that need to be considered in the decision making process when it comes to student accommodation. The TAN provides clarity to developers, agents, universities and other stakeholders on how Aberdeen City Council will manage the development of student accommodation.
- 5.4 Where any application(s) are made, the TAN provides clear information on criteria that will be considered when assessing purpose-built student accommodation. It gives clear advice on what is deemed acceptable through text.
- 5.5 The progression of the TAN will provide a clear framework for decision making and allow comprehensive guidance for both applicants and officers. Implementation and enforcement of the TAN will ensure that there is a consistent approach relating student accommodation in Aberdeen.

6. IMPACT

- 6.1 The TAN contributes to "Aberdeen – The Smarter City" Vision by promoting Aberdeen as a great place to live and visit. It contributes to

the Smarter Environment priorities by promoting energy efficiency measures and attractive street and townscapes.

6.2 The proposal also contributes to the following Single Outcome Agreement priorities:

- We live in Scotland that is the most attractive place for doing business in Europe
- We live in well-designed, sustainable places where we are able to access the amenities and services we need;
- We value and enjoy our built and natural environment and protect and enhance it for future generations.
- We reduce the local and global environmental impact of our consumption and production.
- Our public services are high quality, continually improving, efficient and responsive to local people's needs.

6.3 The proposal is consistent with the Council's Corporate Plan in particular delivering high levels of design from all development and maintaining an up-to-date planning framework. The TAN also meets the vision of the Community Plan in promoting a strong image of the City and a sense of civic pride.

6.4 The proposal supports the Council's 5 year Business Plan in terms of protecting and enhancing our high quality natural and built environment.

6.5 The proposal is consistent with the Planning and Sustainable Development Service Plan, in particular promoting a customer focused service by engaging the community in the planning process.

6.6 An equalities and human rights impact assessment (EHRIA) has been carried out in relation to the proposed Technical Advice Note, with the results included as Appendix 2 to this report.

6.7 This document will have to go through the Strategic Environmental Assessment Process. Given the scope of the document, there would be no likely significant effect as a result of the Technical Advice. To ensure that this is properly documented a Screening Report has been prepared and submitted to the SEA Gateway and the Consultation Authorities. In the case that any unforeseen issues are raised this will be reported back to Committee.

7. MANAGEMENT OF RISK

It is not considered that there are any risks associated with the recommendations made in this report. The TAN provides additional detail on the implementation of existing policies included in the Local Development Plan, bringing information together from disparate sources into one easy to reference document. This will enable

applicants to be more informed and will make the evaluation process more efficient for officers but it does not introduce any new policy points or procedures that are not currently followed.

8. BACKGROUND PAPERS

- Aberdeen Local Development Plan
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=42278&slD=9484>
- Appendix 1 – Technical Advice Note: Student Accommodation
- Appendix 2 – Equalities and Human Rights Impact Assessment

9. REPORT AUTHOR DETAILS

Sandra Ng'ambwa

Planning Trainee

T: 01224 523328

E: sngambwa@aberdeencity.gov.uk

Draft Technical Advice Note

Student Accommodation

Date: July 2015

Aberdeen Local Development Plan Team
Planning and Sustainable Development
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB

Tel: 01224 523470

Email: ldp@aberdeencity.gov.uk

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1: INTRODUCTION

1.1 This Technical Advice Note (TAN) provides advice on new purpose built student accommodation and change of use to student accommodation. It has been prepared by Aberdeen City Council and outlines issues that need to be considered in the decision making process when it comes to student accommodation. This TAN also provides clarity to developers, agents, universities and other stakeholders on how Aberdeen City Council will manage the development of student accommodation.

1.2 The Council aims to take a positive and proactive approach to new student accommodation to ensure that they are in the most suitable location in terms of accessibility and amenity impacts on the surrounding area; that they are well managed and are appropriate in size and scale; meet the needs of the universities; and that they offer appropriate accommodation.

Non-Planning Issues

1.3 There are a number of other issues concerning the impact of student housing (both shared housing and purpose built accommodation) which cannot be directly addressed by planning policy or guidance e.g. policing matters and environmental nuisance. The City Council will continue to work with the three further education institutions, purpose built student accommodation providers, shared housing landlords, local residents, the Police and others to manage potential conflicts between students and other sectors of the community. For non-planning enquiries please contact Aberdeen City Council's Environmental Health team on 01224 523737.

Background

1.4 According to the Aberdeen City and Shire Housing Need and Demand Assessment (2011), Aberdeen has a high proportion of 16-24 year olds. Students are a vital component of the City and account for approximately 13.5% of its population (Housing Need and Demand Assessment). Aberdeen is home to two major universities: the University of Aberdeen and Robert Gordon University (RGU), as well as the North East Scotland College. The continued success of these higher education institutions are a key driver of Aberdeen's economy.

1.5 Over the past 10 years, the number of students in further and higher education has been steadily increasing. Latest figures from Aberdeen City Council's Behind the Granite (2015) highlights that in 2013/2014, the University of Aberdeen had 15,267 students (12,022 full time), RGU 17,276 (10,428 full time) and North East Scotland College 28,654 students (7,056 full time). The number of students attending the three further education institutions has seen an increase of 30% in the last ten years (Housing Need and Demand Assessment). The increase in student numbers however, has not just occurred among 16-24 year olds; this is due to the fact that there has also been a growing number of mature students attending university and college in recent years.

1.6 Most students in the city either live in purpose built student accommodation, shared housing or in their parental home. For the University of Aberdeen, student accommodation is generally located in or around the Old Aberdeen Campus, Hillhead Student Village and within the city centre. RGU accommodation is generally focused in and around its Garthdee Campus. North East Scotland College does not have its own accommodation for students. Instead, it expects students to find their own accommodation either from student accommodation providers or from the private rented market.

1.7 Traditionally, university accommodation is guaranteed only to first year students. Thereafter, students are required to look for accommodation elsewhere. Most students rent from private landlords, others rent from social landlords and others live in properties purchased by their (or friends) parents. However, lack of lettings at the lower end of the private rental market in Aberdeen presents a major problem for students as most of them are unable to afford the high rents. Evidence from the Citylets Rental Report (2015) indicates rents in and around Aberdeen remain higher than elsewhere in Scotland, including Edinburgh and Glasgow.

1.8 In the past few years there has been an increase in the number of planning applications for purpose built student accommodation that have both been received and approved by the City Council. These schemes range in size from less than 10 bedspaces to over 350 bedspaces.

2: POLICY CONTEXT

2.1 Student accommodation is essential in contributing to the creation of sustainable communities in Aberdeen as they offer choice to students in the City. They help to relieve pressure on the local housing stock and pressures on Houses in Multiple Occupation (HMOs), which account for a significant proportion of the available rental accommodation in the City and support the student population.

2.2 Scottish Planning Policy encourages sustainable economic growth and the reuse and redevelopment of brownfield land before any development takes place on greenfield sites. It promotes development that is designed to a high quality, emphasising six qualities of a successful place: distinctive; safe and pleasant; welcoming; adaptable; resource efficient; and easy to move around and beyond.

2.3 The Aberdeen City and Shire Strategic Development Plan (2014, para 3.50) also emphasises its commitment to the development of brownfield land and high quality design. The Aberdeen Local Development Plan (2012) has no specific policy regarding the provision of purpose built student accommodation. There are however other policies within the Aberdeen Local Development Plan that are relevant to consider in preparing and determining applications for student accommodation. These include, but are not limited to:

- Policy D1 – Architecture and Placemaking;
- Policy D2 – Design and Amenity;
- Policy D3 – Sustainable and Active Travel;
- Policy H1 – Residential Areas;
- Policy H2 – Mixed Use Areas;
- Policy H3 – Density;
- Policy NE6 – Flooding and Drainage and;
- Policy R7 – Low and Zero Carbon Buildings.

2.4 It is essential that all planning applications for student accommodation give due consideration to all relevant policies contained within the adopted Local Development Plan. The following Supplementary Guidance documents must also be duly considered:

- Supplementary Guidance: Transport and Accessibility;

- Supplementary Guidance: Open Space;
- Supplementary Guidance: Low and Zero Carbon Buildings and;
- Supplementary Guidance: Harmony of Uses.

3: CRITERIA FOR PURPOSE BUILT STUDENT ACCOMMODATION

3.1 The following will be considered when assessing applications for purpose built student accommodation (new and change of use):

A: The development meets an identified need for the type of accommodation proposed

3.2 All proposals for purpose built student accommodation should give adequate consideration to addressing an identified need for the type of development proposed. Developers should consider:

- What specific need the proposal is aimed at and why this need is currently unmet;
- If the proposal is to meet a recorded increase in student numbers.

B: The development should be in a location that is easily accessible to the higher education campuses by sustainable transport modes

3.3 This allows relative ease of access to campus for students and will promote sustainable means of travel, thus minimising car use. We would encourage new student accommodation to have direct, attractive, safe and secure pedestrian links to higher education campuses. They should be ideally located next to high frequency public transport routes (10/15 minutes peak/off-peak) and cycle routes.

C: The development should be designed in a way that does not conflict with adjacent properties or the general amenity of the surrounding area

3.4 Successful built developments must also be in locations which will be attractive to students. They must be located and designed to minimise adverse impacts on their surroundings. Such impacts include overlooking, overshadowing or overdomination of buildings.

3.5 The Council's principal policies on designing high quality places include Policy D1 – Architecture and Placemaking, and Policy D2 – Design and Amenity. All proposals for new student accommodation will be required to comply with these Policies.

3.6 Taller, higher density student accommodation should be sited in locations where this is compatible with the existing built area. The most suitable location for such developments is in the city centre and the immediate surrounding area. They must be situated in close proximity to good public transport links to allow for access and an increase in pedestrian movement. Pedestrian permeability in large, high density developments is essential to their integration with surrounding areas.

3.7 Where new developments are proposed in residential areas outwith the city centre, these must have regard to the local residential environment by respecting the existing character, massing and height of the area. These developments must also respect and consider form, landscape and topography, existing street pattern and permeability, noise, scale, materials, connectivity and urban grain.

D: The layout, standards and facilities provided within the development are of high standards

Open Space Provision

3.8 Access to good, quality open spaces is important for both students and other members of the local community. Proposals for new student accommodation should make provision for high quality and accessible open spaces. This could include natural green spaces and green corridors, allotments or outdoor sports areas. Open space should always be provided on-site unless there is a strong justification otherwise, in which case an off-site contribution will be sought.

Inclusive Design and Accessibility

3.9 New student accommodation should incorporate high quality design that is inclusive and accessible. This includes within the accommodation and the external areas, along key access routes to and from the site (in line with Policy D3). For further information on inclusive design and accessibility please refer to the Aberdeen Transport and Accessibility SG, and PAN 78: Inclusive Design. Minimum requirements for student accommodation (new and change of use) that allow for flexibility into a dwelling in the future can be found in the Building Standards Regulations: Technical Handbook - Domestic.

Parking

- 3.10 Existing maximum car parking standards for new student accommodation must be considered as part of the development. That is; 1 parking space per resident staff member plus 1 per 10 students in the city centre, the inner city and the outer city areas (see Aberdeen Transport and Accessibility SG). Disabled parking and enhanced cycle parking facilities should also be provided as set out in the SG.

Travel Plans and Car Clubs

- 3.11 Developments are encouraged to prepare Travel Plans in support of their applications. However for developments which exceed the thresholds mentioned in the Aberdeen Transport and Accessibility SG, Travel Plans are mandatory. Travel Plans aid in promoting more sustainable travel choices for students, while decreasing reliance on the private car.

- 3.12 Proposals which enter into agreement with Car Clubs will be encouraged as a means to help to eliminate the need for onsite parking and minimise overall traffic.

Waste Disposal Facilities

- 3.13 Consideration should be given at an early stage in the design process to the provision and management of waste disposal facilities such as residual waste bins, organic waste bins and mixed dry recycling bins. This provision needs to be convenient and accessible both for students and for waste collection staff, ideally at ground level. Waste storage areas must be within 10 metres of an access point for collection vehicles. Vehicular access in terms of vehicle weight, width etc. need to be taken into account in the design process. Proposals must ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy R6 – Waste Management Requirements for New Development.

Energy Efficiency

- 3.14 Purpose built student accommodation (new and change of use) should be designed to meet Building Regulations energy requirements. They must install low and zero-carbon generating technology to reduce predicted carbon dioxide emissions as set out in Policy R7 – Low and Zero Carbon Buildings.

Complementary Uses in Student Accommodation Schemes

3.15 Where other uses are proposed as part of a purpose built accommodation scheme, for example gyms, cafés or restaurants, these will be encouraged so long as they are proportionate to the scale of development proposed. Proposals for such uses will be considered against all other relevant national and local planning policies and guidance. For further information on mixed-use matters please refer to the Aberdeen Harmony of Uses SG.

Flexibility

3.16 Purpose built student accommodation is not required to contribute to affordable housing, and it is for these reasons that all applications for student accommodation will be conditioned to limit occupancy to students. Approval to remove this condition at a later date will need to be demonstrated at that time that all of the policy requirements for general needs housing, including amenity standards and education provision, can be met.

3.17 Developers should aim to ensure the design of new accommodation is as flexible as possible, for example by considering how the proposals could be reconfigured to meet general housing needs in the future.

E: The development scheme has appropriate management in place, to minimise potential negative impacts from occupants and to create a positive and safe living environment for students.

Management Plan

3.18 Well managed student schemes can significantly minimise negative impacts on surrounding areas. The Council will expect all student accommodation schemes to have a Management Plan to ensure a satisfactory residential environment for existing residential neighbourhoods. Applicants are encouraged to prepare a Management Plan that addresses general management operations, site and landscape maintenance and servicing.

5: FURTHER INFORMATION

1. Aberdeen Local Development Plan, 2012
2. Supplementary Guidance
3. PAN 78: Inclusive Design
4. BREEAM Communities: Technical Manual
5. Technical Handbook - Domestic
6. Behind the Granite, 2015

Equality and Human Right Impact Assessment: The Form



EHRIA

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form.

Throughout the form, **the word “proposal” refers to policy, strategy, plan, procedure, report or business case.** This then, embraces a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Please also refer to the “Completion Terminology” at the end of the form.

Aberdeen City Council

1: Equality and Human Rights Impact Assessment- Essential Information	
Name of Proposal:	Date of Assessment: 24 June 2015
Technical Advice Note: Student Accommodation	
Service: Planning and Sustainable Development	Directorate: Communities, Housing and Infrastructure
Committee Name or delegated power reference (Where appropriate): Development Management	Date of Committee (Where appropriate): 16 July 2015
Who does this proposal affect? Please Tick ✓	<div>Employees <input checked="" type="checkbox"/></div> <div>Job Applicants <input type="checkbox"/></div> <div>Service Users <input type="checkbox"/></div> <div>Members of the Public <input checked="" type="checkbox"/></div>

	Other (List below)	<input type="text"/>
2: Equality and Human Rights Impact Assessment- Pre-screening		
Is an impact assessment required?	Yes <input checked="" type="checkbox"/>	<input type="text"/>
If No, what is the evidence to support this decision? (Once this section is completed, please complete section 8 of the form).		

3: Equality and Human Rights Impact Assessment	
a- What are the aims and intended effects of this proposal?	<p>The purpose of this Technical Advice Note: Student Accommodation is to provide advice on new purpose built student accommodation and change of use to student accommodation. It outlines issues that need to be considered in the decision making process when it comes to student accommodation. This Technical Advice Note also provides clarity to developers, agents, universities and other stakeholders on how Aberdeen City Council will manage the development of student accommodation.</p>
b- What equality data is available in relation to this proposal? (Please see guidance notes)	<p>This Technical Advice Note (TAN) supports the policies in the adopted Aberdeen Local Development Plan, which underwent extensive public consultation. The Local Development Plan team organised nine drop-in events across the City inviting members of the public to put their views across on the Main Issues Report. These have helped draft the Proposed Plan. Workshops were all held in public buildings which were accessible to all such as libraries, sports facilities, shopping centres and community centres. Community Councils, Key Agencies and those who had previously been involved in the Aberdeen Local Development Plan process were invited to the events. The events were advertised to the public in a number of ways including newspaper articles before the events, a statutory newspaper advert, a radio advert, posters in the local libraries, supermarkets, NHS facilities, community centres and Sport Aberdeen facilities across the city, information on the Council website and the City Centre Pillars.</p>

c- List the outcomes from any consultation that relate to equalities and/or human rights issues e.g. with employees, service users, Unions or members of the public that has taken place in relation to the proposal.	No issues were raised in relation to impacts on protected characteristics in the public consultation.
d- Financial Assessment If applicable, state any relevant cost implications or savings expected from the proposal.	<div> Costs (£) </div> <div> Implementation cost £ <input type="text" value="0"/> </div> <div> Projected Savings £ <input type="text" value="0"/> </div>
e- How does this proposal contribute to the public sector equality duty: to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations?	
This proposal helps to meet the needs of different people groups, in this case, the needs of students and their accommodation. It takes account of disabled people's impairments by advocating for developments that are designed in an inclusive and accessible manner. The TAN also promotes understanding for different people groups, which includes planning officers, agents, developers and further education institutions.	

f- How does this proposal link to the [Council's Equality Outcomes](#)?

The TAN contributes to the Council's Equality Outcomes because it advocates good relations between Council employees and other stakeholders involved in the built environment. It also helps to advance the equality of opportunity for students in further education institutions in Aberdeen by ensuring that they live in a built environment that is positive and safe, thus promoting their well-being.

4: Equality Impact Assessment – Test				
What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a ‘Genuine Determining Reason’* exists *(see completion terminology)
Age (People of all ages)		✓		The TAN will impact positively on people of all ages, especially students because they will have a living environment that is positive and safe.
Disability (Mental, Physical, Sensory and Carers of Disabled people)		✓		The TAN promotes accessible, inclusive and well planned developments that are fit to use for everybody, in this case for students.
Gender Reassignment	✓			The TAN will have no impact on gender reassignment
Marital Status (Marriage and Civil Partnerships)		✓		The TAN will give opportunities for married students and those in civil partnerships to live together, as it supports student accommodation of different kinds, as long as they adhere to the proposed criteria.
Pregnancy and Maternity	✓			The TAN does not impact negatively on pregnancy or maternity.
Equality Impact Assessment Test				
What impact will implementing this proposal have on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				

Protected Characteristic:	Neutral Impact: Please ✓	Positive Impact: Please ✓	Negative Impact: Please ✓	Evidence of impact and if applicable, justification where a 'Genuine Determining Reason' exists *(see completion terminology)
Race (All Racial Groups including Gypsy/Travellers)	✓			The TAN will not have an impact on race.
Religion or Belief or Non-belief	✓			The TAN will not have an impact on religious-beliefs.
Sex (Women and men)	✓			The TAN will not have an impact on sex.
Sexual Orientation (Heterosexual, Lesbian, Gay And Bisexual)	✓			The TAN will not have an impact on sexual orientation.
Other (e.g: Poverty)	-	-	-	N/A

5: Human Rights Impact Assessment Test
Does this proposal have the potential to impact on an individual's Human Rights? Evidence of impact and , if applicable,

justification where the impact is proportionate	
Article 2 of protocol 1: Right to education	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 3: Right not to be subjected to torture, inhumane or degrading treatment or punishment	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 6: Right to a fair and public hearing	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Evidence:</p>
Article 8: Right to respect for private and family life, home and correspondence	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence: The TAN advocates for student accommodation developments to respect the residential amenities of surrounding areas and to have appropriate</p>

	management plans in place to minimise any potential negative impacts from occupants.
Article 10: Freedom of expression	<div> <div>Yes</div> <div><input type="checkbox"/></div> <div>No</div> <div><input checked="" type="checkbox"/></div> </div> <div>Evidence:</div>
Article 14: Right not to be subject to discrimination	<div> <div>Yes</div> <div><input type="checkbox"/></div> <div>No</div> <div><input checked="" type="checkbox"/></div> </div> <div>Evidence:</div>
Other article not listed above, please state:	<div> <div>Yes</div> <div><input type="checkbox"/></div> <div>No</div> <div><input checked="" type="checkbox"/></div> </div> <div>Evidence:</div>
6: Assessment Rating:	
Please rate the overall equality and human right assessment (Please see Completion terminology)	<div> <div><input type="checkbox"/></div> <div>Red</div> <div><input type="checkbox"/></div> <div>Red Amber</div> <div><input type="checkbox"/></div> <div>Amber</div> <div><input checked="" type="checkbox"/></div> <div>Green</div> </div>
Reason for that rating:	The TAN will not have any negative impact on equality and human rights. It will help to promote a built environment that is accessible, inclusive and safe, not just for students,

	but also for future citizens of Aberdeen.
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7: Action Planning				
As a result of performing this assessment, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by <i>The Equality Act 2010</i> ?				
Identified Risk and to whom:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
Non-identified	N/A			
8: Sign off				
Completed by (Names and Services) :	Sandra Ng'ambwa, Planning Trainee, Planning and Sustainable Development			
Signed off by (Head of Service) :				
Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal document and/or committee report to: Equalities Team Customer Service and Performance Corporate Governance				

<p>Aberdeen City Council Business Hub 13 Second Floor North Marischal College Broad Street Aberdeen AB10 1AB</p> <p>Telephone 01224 523039 Email sandrab@aberdeencity.gov.uk</p>
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9: Completion Terminology:	
Assessment Pre-screening Rating:	<p>This section will highlight where there is the obvious potential for a negative impact and subsequent risk of negative media coverage and reputational damage to the Council. Therefore, a full impact assessment is required, for example around sensitive issues such as marching, Gypsy/ Traveller issues, change to social care provision.</p> <p>It should also be completed to evidence why a full impact assessment was not required, example, there is no potential negative impact on people.</p> <p>After completing this document, rate the overall assessment as follows:</p> <p>Red: As a result of performing this assessment, it is evident that we will discriminate (direct, indirect, unintentional or otherwise) against one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is essential that the use of the proposal be suspended until further work or assessment is performed and the discrimination is removed.</p> <p>Red Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this proposal and further professional advice should be taken.</p> <p>Amber: As a result of performing this assessment, it is evident that a risk of negative impact exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>
Assessment Rating:	

	<p>Green: As a result of performing this proposal does not appear to have any adverse impacts on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage. Equality data is internal or external information that may indicate how the proposal being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <p>1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i></p> <p>Certain discrimination may be capable of being justified on the grounds that:</p> <p>(i) <i>A genuine determining reason exists</i> (ii) <i>The action is proportionate to the legitimate aims of the organisation</i></p> <p>Where this is identified, it is recommended that professional and legal advice is sought prior to completing an Equality Impact Assessment.</p> <p>The rights set out in the European Convention on Human Rights, as incorporated into the UK Law by the Human Rights Act 1998.</p> <p>This document is designed to assist us in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>. An Equality Impact Assessment is not, in itself, legally binding and should not be used as a substitute for legal or other professional advice.</p>
Equality Data:	
Genuine Determining Reason	
Human Rights	
Legal Status:	

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ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management
DATE	16 July 2015
DIRECTOR	Pete Leonard
TITLE OF REPORT	Technical Advice Note: Planning and Aberdeen Airport
REPORT NUMBER	CHI/15/213
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The purpose of this report is to obtain Committee approval for a new Technical Advice Note (TAN) on 'Planning and Aberdeen Airport' to be issued for a six week period of public consultation. A copy of the draft is available as Appendix 1 to this report.

2. RECOMMENDATION(S)

It is recommended that the Committee:

- (a) Approve the Planning and Aberdeen Airport TAN document for a six week public consultation period;
- (b) Agree that, following completion of the public consultation, any comments received and subsequent amendments to the draft advice be presented to a future committee.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report with the exception of costs which may be incurred through the consultation and publicity of the proposed advice. Any such expenses can be met through existing budgets.
- 3.2 The implication for the Priority Based Budgeting is positive. Detailed topic-based advice has value in reducing officer time spent on pre-application discussions, and will therefore prove beneficial in reducing cost.

4. OTHER IMPLICATIONS

4.1 There are no known legal or equipment implications arising from this report.

4.2 As a major landowner in the city, proposals for the development of land and assets owned by Aberdeen City Council will, where this is applicable, be subject to assessment in line with the guidance set out in the Technical Advice Note.

5. BACKGROUND/MAIN ISSUES

5.1 The TAN has been prepared in support of the Aberdeen Local Development Plan (LDP) (2012), and provides additional guidance on the interpretation and implementation of the policies contained in the LDP, particularly Policy BI4 - Aberdeen Airport and Aberdeen Harbour.

5.2 If approved, the TAN would form guidance to the current Local Development Plan (2012). It is also in general conformity with the Proposed Local Development Plan. However, when the next LDP is adopted, it will be updated as appropriate and reported back to Committee.

5.3 The TAN provides guidance for applicants and officers on the issues that need to be considered when development proposals are in the vicinity of Aberdeen airport and Perwinnes Radar (operated by National Air Traffic Services (NATS)). It covers issues such as safeguarded areas, noise assessment, Public Safety Zones and consultation procedures. By ensuring that these issues are properly taken account of, the TAN will help to ensure that new development does not adversely affect the operational viability or safety of the airport, and that the amenity of new development is not compromised by aircraft noise or disturbance.

5.4 TANs do not carry the same weight as Supplementary Guidance but are still treated as material considerations in the decision making process.

6. IMPACT

6.1 The TAN contributes to “Aberdeen – The Smarter City” Vision. It will help to ensure that Aberdeen continues to be an excellent place to live, invest, visit and do business, by helping to safeguard both the operation of the airport and the amenity of those living and working nearby.

6.2 The proposal also contributes to the following Single Outcome Agreement priorities:

- We live in Scotland that is the most attractive place for doing business in Europe;
- We live in well-designed, sustainable places where we are able to access the amenities and services we need;

- We value and enjoy our built and natural environment and protect and enhance it for future generations;
 - Our public services are high quality, continually improving, efficient and responsive to local people's needs.
- 6.3 The proposal is consistent with the Council's Corporate Plan in particular delivering high levels of design from all development and maintaining an up-to-date planning framework. The TAN also meets the vision of the Community Plan in promoting a strong image of the City and a sense of civic pride.
- 6.4 The proposal supports the Council's 5 year Business Plan in terms of protecting and enhancing our high quality natural and built environment.
- 6.5 The proposal is consistent with the Planning and Sustainable Development Service Plan, in particular promoting a customer focused service by engaging the community in the planning process.
- 6.4 With regards to public interest, the TAN is likely to be of interest principally to those members of the public and key stakeholders who have an interest in the development of land within the vicinity of Aberdeen airport.
- 6.6 An Equalities and Human Rights Impact Assessment (EHRIA) has not been carried out in relation to the proposed TAN, because it was considered to have a neutral effect. A Privacy Impact Assessment was also considered to be unnecessary in this case.
- 6.7 An SEA Screening Report has been prepared and submitted to the SEA Gateway and Consultation Authorities for comment. The outcome of this will be reported back to Committee following the consultation period.

7. MANAGEMENT OF RISK

- 7.1 It is not considered that there are any risks associated with the recommendations made in this report. The TAN provides additional detail on the implementation of existing policies included in the Local Development Plan, bringing information together from disparate sources into one easy to reference document. This will enable applicants to be more informed and will make the evaluation process more efficient for officers but it does not introduce any new policy points or procedures that are not currently followed.

8. BACKGROUND PAPERS

Background papers used in the preparation of the Technical Advice Note:

Aberdeen International Airport Noise Action Plan:

<http://www.aberdeenairport.com/media/52428/Aberdeen-International-Airport-Noise-Action-Plan.pdf>

Planning Advice Note 1/2011: Planning and Noise
<http://www.gov.scot/Resource/Doc/343210/0114180.pdf>

Circular 8/2002 Control of Development in Airport Public Safety Zones:
<http://www.gov.scot/Resource/Doc/46997/0026454.pdf>

AIA Safeguarding Guidance:
http://www.aberdeenaairport.com/media/47178/AIA_Safeguarding_Guidance-FULL.pdf

- Appendix 1 – Technical Advice Note: Planning and Aberdeen Airport
- Appendix 2 – Equalities and Human Rights Impact Assessment

9. REPORT AUTHOR DETAILS

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Draft Technical Advice Note

Planning and Aberdeen Airport

Date: June 2015

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1. INTRODUCTION

1.1 This Technical Advice Note (TAN) provides additional guidance on the interpretation and implementation of policies included in the Local Development Plan (2012), in particular Policy B14 – Aberdeen Airport and Aberdeen Harbour. It therefore should be read alongside the policies contained in the LDP in relation to development proposals. Although Technical Advice Notes do not carry the same weight as Supplementary Guidance, they are still treated as material considerations in the decision making process.

1.2 Development within the vicinity of Aberdeen airport and Perwinnes Radar (operated by National Air Traffic Services (NATS)) must give careful consideration to how it will impact upon, and be impacted by, the operation of the airport and radar installation. This TAN outlines the issues that need to be considered and how development will be assessed in relation to these.

2. ABERDEEN INTERNATIONAL AIRPORT

2.1 PUBLIC SAFETY ZONES

2.1.1 Development within Public Safety Zones

Public Safety Zones (PSZ) are areas of land at the end of the airport runway within which development is restricted, to control the number of people on the ground at risk in the event of an aircraft accident on take-off or landing. Within these zones, there is a general presumption against certain types of development which would result in an increase in the number of people living, working or congregating in these zones. In particular there should be no new or replacement dwellings, mobile homes, caravan sites or other residential buildings. Nor should new or replacement non-residential development be permitted. Over time, the number should be reduced as circumstances allow.

2.1.2 Planning permission is in place for an extension to the northerly end of the runway. Once this extension has been implemented, the Public Safety Zones will require to be revised to take into account the new extent of the runway.

Consideration should be given to the future location of PSZ's in line with the airport master plan. PSZ are set by the Civil Aviation Authority (CAA) which has ultimate responsibility for making amendments.

2.1.3 Public Safety Zones Maps

PSZ are based on individual risk contours calculated for each airport, upon which a person remaining in the same location for a period of a year would be subjected to the given level of risk being killed as a result of aircraft accident. Public Safety Zones for Aberdeen airport are shown in **Maps A** and **B**. The area of the public safety zone (red) corresponds to the 1 in 100,000 individual risk contour. However, the level of risk in some areas within the Zone may be much higher. The maximum tolerable level of individual third party risk of being killed as a result of an aircraft accident as one in 10,000 per year (blue).

- *Circular 8/2002 'Control of Development in Airport Public Safety Zones'* provides further detail on Public Safety Zones and sets out what types of development may be permissible within them. <http://www.gov.scot/Resource/Doc/46997/0026454.pdf>

2.1.4 Future changes to the Public Safety Zones

AIA has planning permission for an extension to the northerly end of the runway. The Aberdeen International Airport Masterplan also includes plans for a southerly extension which has yet to receive planning permission. Once these extensions have been implemented, the Public Safety Zones will require to be revised to take into account the new extent of the runway. PSZ are set by the Civil Aviation Authority (CAA) which has ultimate responsibility for amending them.

2.2 SAFEGUARDING

2.2.1 The Role of Safeguarding

Development on land surrounding Aberdeen airport will be subject to 'safeguarding checks' to ensure that it does not infringe agreed safety margins around aircraft flight paths, or interfere with aids to navigation which guide aircraft on those flight paths.

Proposed developments are checked in order to:

- Protect the blocks of air through which aircraft fly, by preventing the penetration of surfaces created to identify their lower limits;
- Protect the integrity of radar and other electronic aids to air navigation, by preventing reflections and diffraction of the radio signals involved;
- Prevent visual aids such as approach and runway lighting from being obscured or confused;
- Avoid any increase in the risk to aircraft of a birdstrike by preventing an increase in hazardous bird species in the vicinity of the airport; and
- Prevent lights being installed which are liable to endanger aircraft taking off or landing which are liable to be mistaken for an aeronautical light.

2.2.2 Physical and Technical Safeguarding

‘Physical safeguarding’ refers to the assessment of the height of a proposed object, structure or building to ensure it does not physically infringe the airport’s Obstacle Limitation Surfaces (OLS). The OLS is a set of 3 dimensional surfaces which extend upwards and outwards from the runway and are designed to protect the airspace in and around the airfield from obstacles for flight safety. ‘Technical safeguarding’ is the protection of radar and other electronic navigational aids against interference or disruption by obstacles or structures in the area. The safeguarding process is used to protect installations from radio frequency interference from other sources of radio emissions or radio signal reflections or diffractions caused by physical objects.

2.2.3 Safeguarding Map

New developments must undergo physical and technical safeguarding checks to ensure there will be no adverse impact on aircraft safety. **Map D** indicates which developments will require AIA to be consulted. This will allow potential aerodrome safeguarding breaches can be identified and if necessary, amended or rejected to ensure safety is not compromised.

2.3 NOISE

To avoid conflict with neighbouring uses, residential development within close proximity to the airport is not acceptable. The Environmental Noise (Scotland) Regulations 2006 provide the basis for minimising noise disturbance at Aberdeen airport.

2.3.1 Noise Contours

The Civil Aviation Authority (CAA) produces contours which estimate the average aircraft-related noise experienced by people living around Aberdeen airport. The Equivalent Continuous Sound Level (dB LAeq) is used, which provides average noise levels for the busiest 16-hours of the day between 0700 – 2300 over the busiest three months of the year, mid-June to mid-September (known as LAeq16hr) This is the most common international measure of aircraft noise and the conventional unit of measurement for planning purposes.

The UK Government says that communities become significantly annoyed by aircraft noise above 57 dB LAeq. Applications for residential development in areas where average noise levels (as a result of aircraft movement) are in excess of 57dB LAeq (using the summer 16-hour measurement) as identified on the airport noise contour map (**Map C**) will be refused, due to the inability to create an appropriate level of residential amenity and to safeguard the future operation of Aberdeen airport. For proposed development which would be located within the remaining noise contours, applicants may be required to submit a noise assessment demonstrating that an appropriate level of residential amenity could be achieved.

2.3.2 Informatives

Where necessary, informatives will be included in decision notices. These will advise the applicant that although the development has been approved in accordance with policy and legislation, it is still likely to be subject to noise disturbance. Such informatives will make the applicant aware of the issues, helping to avoid complaints about noise being made to the airport at a later stage.

2.4 CONSULTATION WITH AIA ON PLANNING APPLICATIONS

2.4.1 Consultation Procedures

Aberdeen City Council will consult with Aberdeen International Airport Ltd about any planning application within a safeguarded area (see **Map D**) in the following cases:

- If the proposed development falls within certain criteria relating to the height and location;
- If the proposed development has bird attractant properties and falls within 13km of the aerodrome;
- Any proposals for wind turbines within 30km of the aerodrome.

2.4.2 Information Requirements

To enable an accurate assessment of a proposed development, we require the following information to be submitted at the time of the planning application:

- OS Grid Reference
- The elevation of the site to an accuracy of 0.25m Above Ordnance Datum (AOD)
- The layout, dimensions and height of the proposed development
- Other relevant information, such as landscaping proposals to assess birdstrike risk, or cladding materials to model potential for radar reflection.

This information should be provided with planning applications as a minimum. Additional information may be required and applicants will be advised of this as soon as possible.

2.4.3 Process

When a planning application that requires safeguarding checks is submitted, the Planning Officer will send the relevant information to AIA's Safeguarding Team. AIA will assess the proposal and respond back to the Council with one of three responses:

1. Objection (with reasons stated)
2. No Objection; or
3. No Objection subject to Conditions – These may include conditions to do with the use of cranes, potential landscaping plans, creation of a Bird Hazard Management Plan or lighting schemes.

2.4.4 Cranes

AIA runs a permit request procedure for all cranes within a 6km radius of the airport. The British Standard Code of Practice on the safe use of cranes requires operators intending to use a crane or other tall construction equipment in the area up to 6km from the airport, and which is more than 10m high, to consult the aerodrome/airfield manager'. It is the responsibility of

the crane operator/developer to notify the AIA Safeguarding Department of any proposed cranes/tall construction equipment in the area at least two weeks before the proposed works take place. The Safeguarding Manager will assess the cranes against any physical infringement of the Obstacle Limitation Surfaces and forward to NATS for technical assessment.

2.4.5 Pre-application Enquiries

Applicants can contact the AIA Safeguarding Team to discuss pre-application enquiries. Note that any response will be for guidance only, and the airport reserves the right to comment fully at planning application stage. Email safeguarding@aiaairport.com submitting a summary of the project, including any site plans, OS co-ordinates, and information regarding heights of the project.

- Please see AIA's *Aerodrome Safeguarding Guidance* which provides detail on the factors they will take into consideration during a safeguarding assessment. (http://www.aberdeenairport.com/media/47178/AIA_Safeguarding_Guidance-FULL.pdf)

2.5 PERMITTED DEVELOPMENT RIGHTS AT ABERDEEN AIRPORT

In accordance with the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended, AIA and its agents hold certain rights which allow them to carry out works directly related to the operation of the airport without requiring planning permission. These Permitted Development Rights apply to developments for the provision of services and facilities for the airport, for example terminals, airline offices and aircraft parking stands. Certain classes of development will still require planning permission, for example runway extensions.

3. PERWINNES RADAR

3.1 SAFEGUARDING

Perwinnes Radar, operated by National Air Traffic Services (NATS), is located to the north of Bridge of Don at Murcar. As well as serving Aberdeen airport, it also provides data to en-route controllers at the Scottish Area Control Centre in Prestwick. In order to secure its operational capability, a safeguarding map (**Map E**) has been issued to the Council by its operator. Please note that Aberdeen airport and Perwinnes Radar are subject to separate safeguarding maps. Where necessary, development proposals will be assessed against both maps

Any development falling within safeguarded areas identified on this map will be subject to consultation with NATS to determine if proposed buildings and structures would have an adverse impact upon the operation of the radar, and if any mitigation is possible. If an unacceptable impact and viable mitigation is identified, the developer would be expected to agree with NATS on a mitigation package, prior to the determination of an application.

4. FURTHER INFORMATION

Aberdeen International Airport Noise Action Plan: <http://www.aberdeenairport.com/media/52428/Aberdeen-International-Airport-Noise-Action-Plan.pdf>

Planning Advice Note 1/2011: Planning and Noise <http://www.gov.scot/Resource/Doc/343210/0114180.pdf>

Circular 8/2002 Control of Development in Airport Public Safety Zones:
<http://www.gov.scot/Resource/Doc/46997/0026454.pdf>

AIA Safeguarding Guidance: http://www.aberdeenairport.com/media/47178/AIA_Safeguarding_Guidance-FULL.pdf

5. APPENDIX

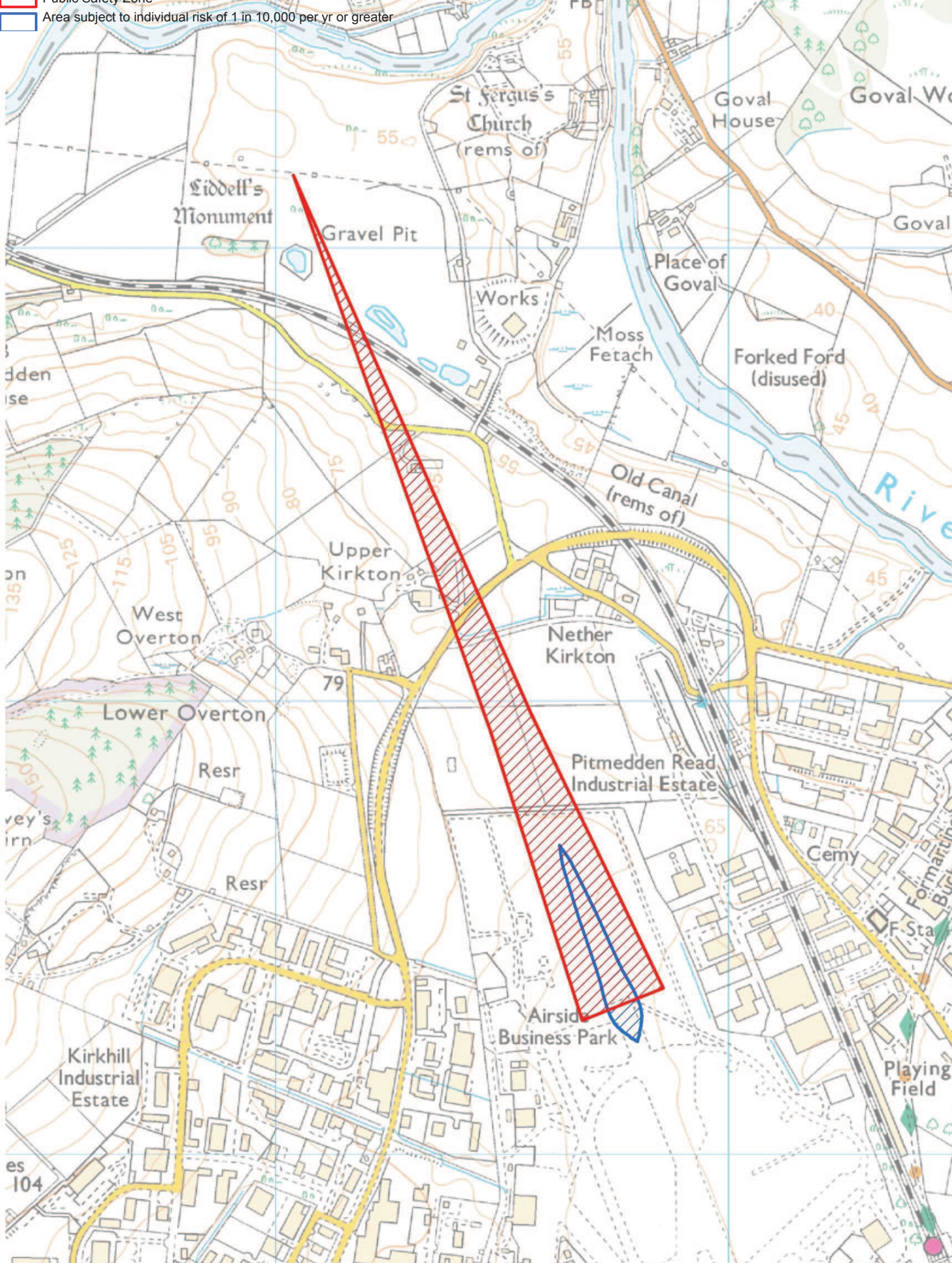
5.1 MAP A – Public Safety Zone North

MAP B – Public Safety Zone South

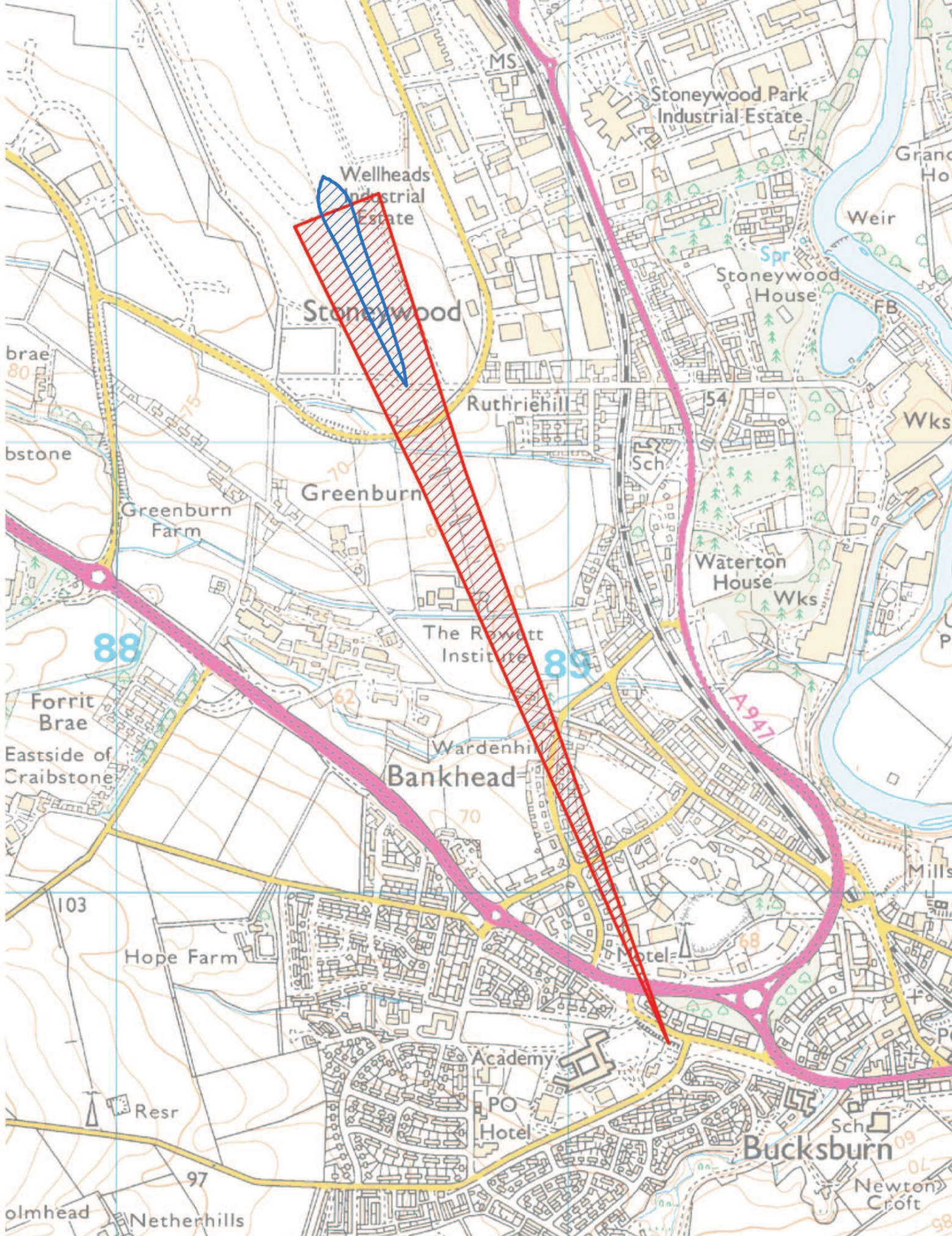
5.2 MAP C – Noise Contours (2006)

5.3 MAP D – Aberdeen Airport Safeguarding

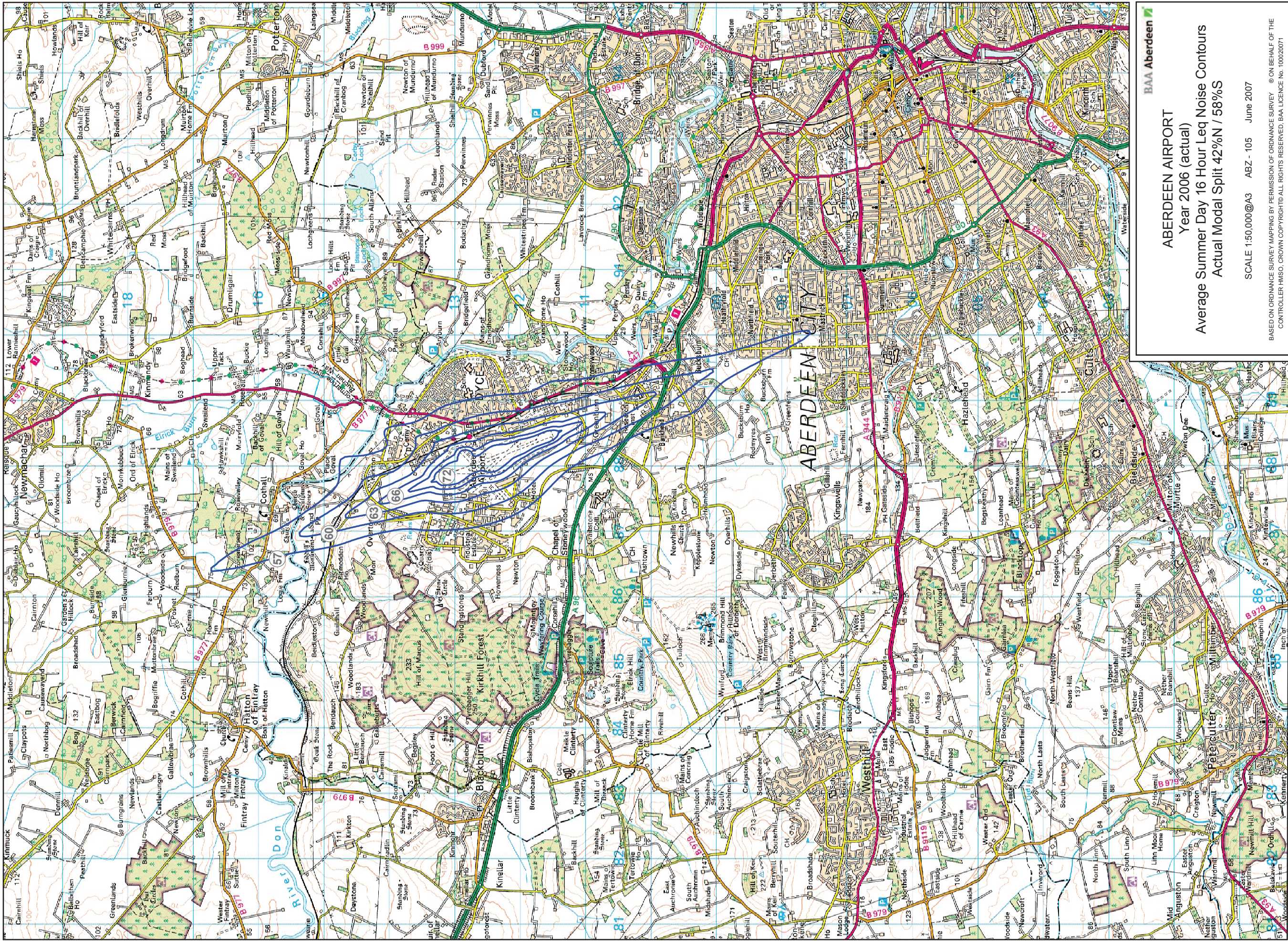
5.4 MAP E – Perwinnes Radar Safeguarding



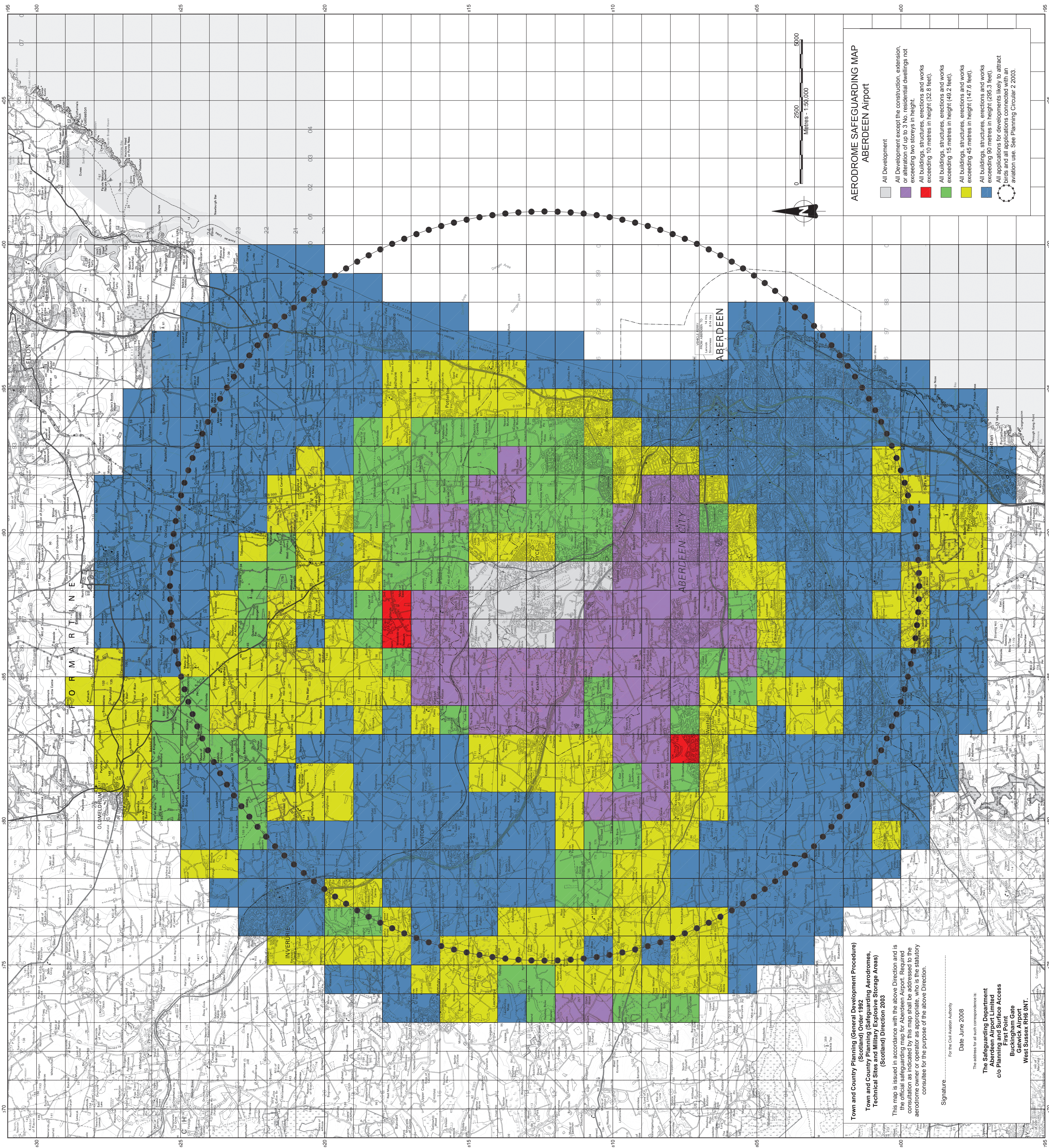
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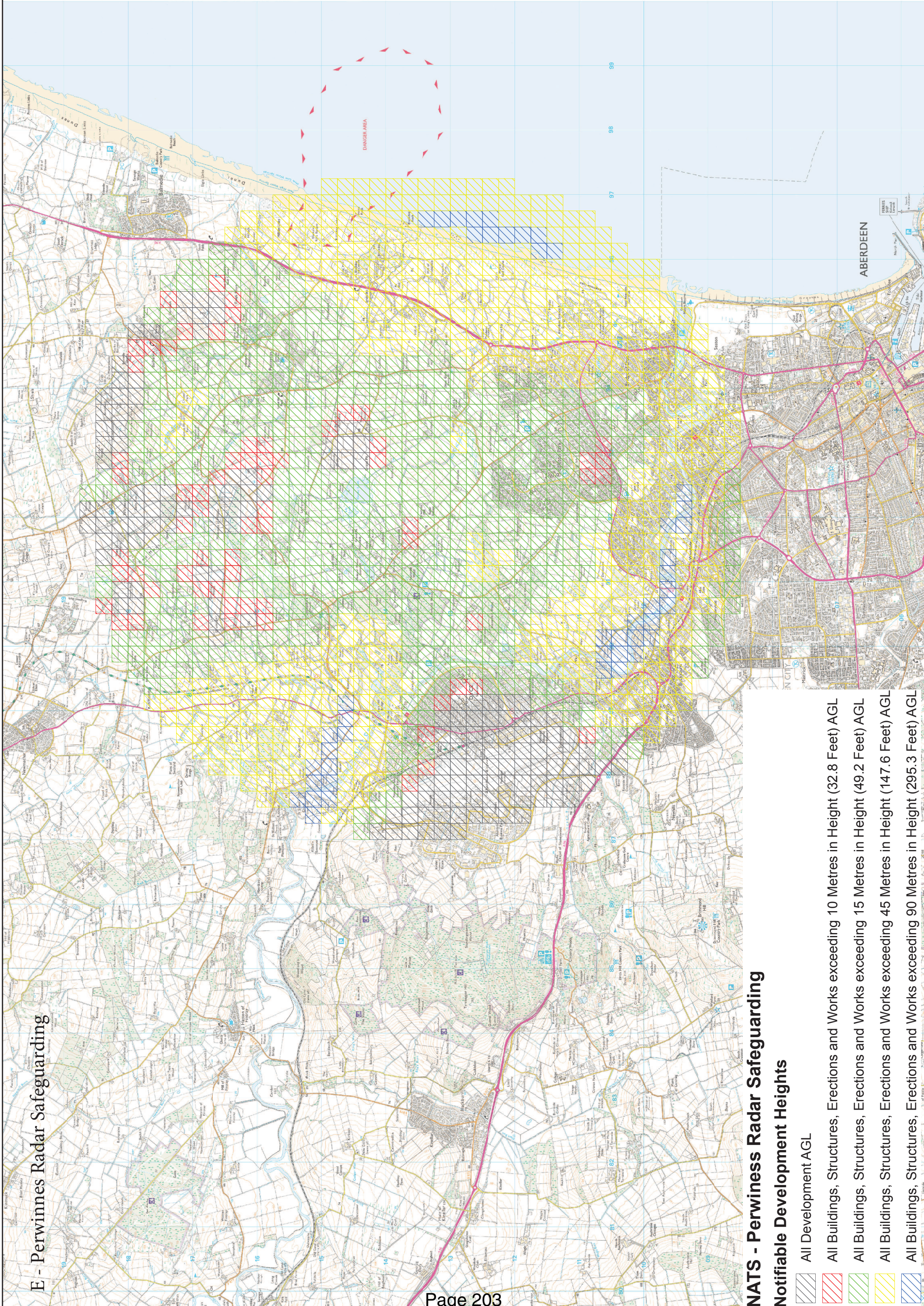


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Note: Development likely to attract birds include refuse tips, sewage disposal works, mineral workings, nature reserves, and other areas of open ground. For further information see Planning Circular 2-2003

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NATS - Perwiness Radar Safeguarding

Notifiable Development Heights

-  All Development AGL
-  All Buildings, Structures, Erections and Works exceeding 10 Metres in Height (32.8 Feet) AGL
-  All Buildings, Structures, Erections and Works exceeding 15 Metres in Height (49.2 Feet) AGL
-  All Buildings, Structures, Erections and Works exceeding 45 Metres in Height (147.6 Feet) AGL
-  All Buildings, Structures, Erections and Works exceeding 90 Metres in Height (295.3 Feet) AGL

ABERDEEN

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ABERDEEN CITY COUNCIL

COMMITTEE	Planning Development Management
DATE	16 July 2015
DIRECTOR	Pete Leonard
TITLE OF REPORT	Planning Performance Framework 2014-15
REPORT NUMBER	CHI/15/240
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

This report provides an introduction to the Council's draft Planning Performance Framework (PPF) 2014-15 which is included as Appendix 1 to this report and is also available via this weblink:

[PPF 2014-15](#)

Last year's report is available on the Council's website at

[PPF 2012-13](#)

All Scottish Councils are required to submit their annual PPF reports to the Scottish Government by 31st July 2015. The PPF reports on the performance of the entire planning service of the Council across a range of qualitative and quantitative performance indicators for the period 31 March 2014 to 1 April 2015. It is designed to be a focus for the continuous improvement of the service as a whole.

2. RECOMMENDATIONS

It is recommended that the Committee note, and take the opportunity to comment on, performance levels and service improvements that have taken place during 2014-15 and approve PPF and action plan that is proposed for the coming year for submission to the Scottish Government.

3. FINANCIAL IMPLICATIONS

The production of an annual PPF report is an integral part of the planning service function and, as such, is accounted for in budgets and work programmes.

In 2014 the Scottish Government increased planning application fees whilst making it clear that a condition of that increase was that planning authorities demonstrated a sustained improvement in performance.

Planning fee income has increased slightly from £1.41 million in 2013-14 to £1.44 million in 2014-15.

Whilst the PPF takes a holistic approach to measuring performance the Government's key focus is on the average timescales for determining planning applications. Legislation was passed in 2013 that gives the Scottish Government the ability to reduce the fee levels of local authorities that are not demonstrating an improved performance - the so called "penalty clause".

The Scottish Government has recently confirmed that the penalty clause will not be invoked this year – with planning authorities to be assessed on their performance for 2015-16. This is because Scottish Government wants the administration of the penalty clause to be as transparent as possible and the delay will give it time to communicate the final assessment process to authorities and allow them further time to make any necessary improvements.

The content of the attached PPF (Appendix 1) shows that there has been a significant improvement in the determination times for major applications, with average times halving this last year compared with the previous one. However, there has been slight slippage in performance levels associated with the speed of processing and determining local and householder planning applications and it is imperative that these are a priority focus of attention over the coming year.

Since May 2015 the Development Management Team has been fully staffed for the first time, but a strong case can be made for additional staff resource if required during the course of the coming year. Furthermore procedures are being put in place to improve performance as detailed in the attached PPF report. On 9 June 2015 Finance Policy and Resources Committee gave approval for funding of a new application casework management system and electronic document management system that will enable considerable efficiencies to be made in procedures and processes, not least by enabling full electronic workflow.

With the foregoing in mind it is expected that performance will improve this year and that the penalty clause can be avoided.

The production of the next Local Development Plan remains on target, with the Proposed Plan being published for a 10-week public consultation between March and June 2015. Therefore the next LDP remains on course to be adopted in 2016. The established housing

land supply has remained broadly similar to the figure for 2013-14, as has the 5-year effective land supply which continues to show a healthy land supply in the Aberdeen Housing Market Area. In Aberdeen City, only a small number of new housing sites (of five units and over) have come forward this year. Progress has been made as expected on most existing sites with completions remaining broadly in line with figures from the last five years. There have been no significant changes to the proportion of effective and constrained sites.

4. OTHER IMPLICATIONS

Continuous improvements are required by the Scottish Government, particularly in those areas identified above and annual feedback is provided on the submitted PPF documents. The PPF process records year on year areas where progress is being made or where actions are required. These matters will be reviewed at regular intervals such that areas requiring action are identified and service improvements undertaken. Clearly action is required to address the performance issues set out within the PPF.

5. BACKGROUND/MAIN ISSUES

Performance

The focus of effort in the last year has been to prioritise improvements to the speed and efficiency of dealing with major development applications in response to average determination times that were below the Scottish average in 2013-14 and the consequent identification of this as being in the now “red” category in the Scottish Government’s Annual Planning Performance Report. Determination times have improved from 88.6 weeks in 2013-14 to 47.6 weeks in 2014-15 – a figure that, whilst still very much a focus for further attention, is now better than the Scottish average for 2013-14. It is considered that the recruitment of additional senior level staff (including two experienced Senior Planners) and more of a focus on project management by case officers, systematically monitored by Team Leaders, has had a significant bearing on this improvement which is expected to continue as recently recruited staff gain workload and experience.

Conversely, there has been a small increase in the average determination time for local and Householder development applications. Factors that contributed to this decline in performance include:

- clearing of legacy cases – 48 in the year
- a period of unprecedented turnover of staff in the Application Support Team which has significantly slowed down the validation process
- a very significant increase in the number of Local Review Body cases (from 7 to 25) combined with the introduction of pre-application forum meetings (27 proposals considered in the year) in line with a Scottish

Government requirement/best practice: both of which have demanded considerable staff resource.

- planning officer level vacancies in the applications team which have only recently been filled
- in common with previous years the time taken to determine the legal agreements, whilst improving, had a significant impact on the figures and is a factor over which the planning service has limited control. It should be noted, however, that the average time from “willingness to approve” to decision on an application subject to a legal agreement has halved from 53.94 weeks (2013-14) to 26.75 weeks (2014-15)

Improvement actions

In the coming year it is expected that several factors will result in improved performance and a reduction in average determination times as detailed in the body of this report including:

- introduction of Stop the Clock Procedure for the first time - as of April 2015
- implementation of new ICT processes and restructuring of the administration team, including the appointment of a Support Manager
- fully staffed Applications Team – as of May 2015
- Recruitment of additional staff into the Applications Support Team
- Contracting out of the majority of legal agreements

Notwithstanding the foregoing, it is expected that the projected implementation of a new computerised applications system, which will ultimately provide an improved and more efficient application management, is likely to have an unavoidable short-term negative impact on processing times for a period of 2 or 3 months. Measures will be put in place to mitigate this impact as far as possible and the impact will be compensated for by long term permanent improvements in the speed of decision making in forthcoming years.

It is recommended that the Committee approves the draft PPF for the City Council’s Planning Service for submission to the Scottish Government. This includes an action plan of service improvements planned for the coming year that included separately for information below – grouped under the performance criteria in the PPF and with the lead team in P&SD in brackets where appropriate:

<p><u>TABLE 1</u></p> <p><u>PPF Action Plan</u></p>
<p>Open for business</p>
<ul style="list-style-type: none"> • Reconfigure the DM Team to facilitate the processing of major applications including consideration of a Major Projects Team (Development Management Applications - DM)

High quality development on the ground
<ul style="list-style-type: none"> • Actively input and participate in wider Council projects, such as the Strategic Infrastructure Plan, City Centre Masterplan and City Region Deal to support the delivery of the Development Plan. • Complete the Nigg Development Framework and Harbour Masterplan as outlined in National Planning Framework 3 (Masterplanning Design and Conservation) • Develop detailed phased masterplans to support adopted development frameworks as arising, including specifically Craibstone, Rowett South, Rowett North, Bridge of Don (former AECC site) and Grandhome (part of the Scottish Sustainable Communities Initiative programme) (MPDC) • Develop a Streetscape Manual for Aberdeen to provide clear guidance and certainty in the delivery of masterplans and support the Scottish Government's Aligned Consents Project (MPDC) • Develop and deliver a programme of 6 conservation and urban design CPD events (MPDC) • Carry out a full review of the Local Design Review Panel to ensure relevance and improve efficiency, impact and outcomes (MPDC) • Develop and publish an Historic Environment Strategy for Aberdeen (MPDC) • Develop and publish Conservation Area Guidance for residents (MPDC)
Certainty
<ul style="list-style-type: none"> • Implement a robust Consultation Protocol between Development Management and Environmental Policy (Environmental Policy (EP) and DM) • Progress alignment of Planning and Roads Construction Consent Processes (DM) • Introduce procedure for reconsideration of legal agreements within 6 months of "resolving to grant" (DM)
Communications, engagement and customer service

- Maintain Customer Service Excellence accreditation for the Development Management Team and achieve and implement accreditation for Local Development and Environmental Policy Teams
- Make innovative improvements to how The Service monitors the ALDP and make this information available to the public, by producing a comprehensive and easy-to-use bulletin about new developments being approved and built in the city (Local Development Plan)
- Review and amend processing agreement guidelines and template and actively promote to applicants and agents (DM)

Culture of continuous improvement

- Continue to encourage and enable staff training in more detailed knowledge of specific topic areas, planning-related competencies and transferable skills. Support staff towards gaining Chartered Membership of the RTPI, and support secondments to other teams to gain a broader experience
- Reconfigure and redesign the planning pages of website including a pre-application enquiry facility
- Bringing tree protection orders up to date and implement high hedges legislation (EP)
- Review the Open Space Audit to ensure it is current, relevant and appropriate to underpin a review of the City's Open Space Strategy in 2016/17 (EP)
- Review the Core Paths Plan to ensure it is current, relevant and appropriate (EP).
- Implement a new application and electronic document management system and reconfigure administrative support to facilitate and enable electronic workflow (DM)

6. IMPACT

Community Plan – The themes of the PPF fit well with the two main aims of Community Planning which are described as: making sure people and communities are genuinely engaged in the decisions made on public services which affect them; allied to a commitment from organisations to work together, not apart, in providing better public services.

Single Outcome Agreement – The improvement of planning performance will support the aims of outcomes 1, 2, 10, 12, 14, and in

particular 15 which relates to high quality, continually improving and efficient public services which are responsive to local people's needs.

5 year Corporate Business Plan – The PPF recognises the priorities of Aberdeen City Council and takes account of budgets. It also recognises the skills, expertise and experience the Council needs, and that staff are our most important asset. In terms of business planning, long term planning and review of past years means that planning can occur in anticipation of external pressures on service delivery. In terms of the priorities stated for 2015-16 the PPF particularly supports Aberdeen's 'Smarter Economy', which works towards ensuring the economic future of the city. Additionally it assists in maintaining financial stability through the elements identified in the business plan: achieving financial targets; using priority based budgeting to guide service delivery; engaging with staff, the public, businesses, local communities, the voluntary sector and partners in service delivery; seeking more ways to work with the community; and working with the Scottish Government and COSLA to achieve funding which affects the contribution the city makes to the Scottish and UK economy.

Interest to the Public – The PPF aims to facilitate a high quality service that meets peoples' needs and makes a visible difference to the quality of the city's urban and natural environment by promoting high quality development and providing an effective infrastructure to make Aberdeen a world class strategic location.

This report is seeking agreement to undertake further work to improve performance and there is no impact on equalities and human rights resulting from this report.

7. MANAGEMENT OF RISK

Failure to address the decision making timescales on planning applications could lead to the slowing of delivery of development across the City and a reduced level of quality both in decision making and development on the ground; additionally it is likely that the Scottish Government will provide negative feedback in relation to the lack of progress in this particular area. There is the risk of a reduction in fee levels in subsequent years. These factors represent a Hazard and Control Risk to the Council but are being managed through the actions set out in the PPF. In contrast, increased resources will facilitate a high quality service that meets people's needs and makes a visible difference to the quality of the city's urban and natural environment by promoting high quality development and providing an effective infrastructure to make Aberdeen a world class strategic location.

8. BACKGROUND PAPERS

9. REPORT AUTHOR DETAILS

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PLANNING PERFORMANCE FRAMEWORK

ANNUAL REPORT 2014-2015



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Front Cover: New construction, North Esplanade West.

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Vision

The vision for Aberdeen is to be a city which is vibrant, dynamic, forward looking, where people can expect high-quality services that meet their needs. This means making a visible difference to the quality of the city's urban and natural environment by promoting high quality development and providing an effective infrastructure to make us a world class strategic location.

To do this we must think strategically, facilitate development, engage positively with communities and the business sector and be open and transparent in our decision making. We also have a key role in delivering the vision for the City and Shire as expressed through regional plans and strategies. We are tasked with seeing that Aberdeen stays at the forefront of planning for the future.

1 National Headline Indicators (NHIs)

Key Outcomes	2014-2015	2013-2014
Development Planning <ul style="list-style-type: none"> Age of local/strategic development plan(s) (years and months) at end of reporting period. <i>Requirement: less than 5 years</i> Will the local/strategic development plan(s) be replaced by their 5th anniversary according to the current development plan scheme? Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year? Were development plan scheme engagement/consultation commitments met during the year? 	<p>3 Years</p> <p>Y</p> <p>N</p> <p>Y</p>	<p>2 Years</p> <p>Y</p> <p>N</p> <p>Y</p>
Effective Land Supply and Delivery of Outputs <ul style="list-style-type: none"> Established housing land supply 5-year effective housing land supply 5-year housing supply target 5-year effective housing land supply (to one decimal place) Housing approvals** Housing completions over the last 5 years Marketable employment land supply Employment land take-up during reporting year 	<p>21,406 units (City)</p> <p>6,575 units (City)</p> <p>7,827 units (AHMA*)</p> <p>7.7 years (AHMA)</p> <p>5805 units</p> <p>3208 units (to 1/1/14)</p> <p>140 ha</p> <p>26 ha</p>	<p>21,948 units (City)</p> <p>6,287 units (City)</p> <p>9,459 units (AHMA)</p> <p>6.2 years (AHMA)</p> <p>2126 units</p> <p>2874 units (to 1/1/13)</p> <p>166ha</p> <p>26ha</p>

Key Outcomes	2014-2015	2013-2014
Development Management Project Planning <ul style="list-style-type: none"> Percentage of applications subject to pre-application advice Number of major applications subject to processing agreement or other project plan Percentage planned timescales met Decision-making <ul style="list-style-type: none"> Application approval rate Delegation rate 	36% 3 0%	38% 3 100%
Decision-making timescales Average number of weeks to decision: <ul style="list-style-type: none"> Major developments Local developments (non-householder) Householder developments 	47.6 16.6 12.8	88.6 15.9 10.0
Legacy Cases <ul style="list-style-type: none"> Number cleared during reporting period Number remaining 	48 57	N/A N/A
Enforcement <ul style="list-style-type: none"> Time since enforcement charter published/ reviewed (months) <i>Requirement: review every 2 years</i> Number of breaches identified/resolved 	2*** 175/121	1 160/121

Notes :

* AHMA = Aberdeen Housing Market Area.

** Housing Approvals total includes Planning Permission in Principle.

*** Planning Enforcement Charter (Revised May 2013).

Short Contextual Statement

The focus of effort in the last year has been to prioritise improvements to the speed and efficiency of dealing with major development applications in response to average determination times that were below the Scottish average in 2013-14 and the consequent identification of this as being in the "red" category in the Scottish Government's Annual Planning Performance Report. Determination

times have improved from 88.6 weeks in 2013-14 to 47.6 weeks in 2014-15 – a figure that, whilst still very much a focus for further attention, is now better than the Scottish average for 2013-14 (Performance Marker 1). The recruitment of additional senior level staff (including two experienced Senior Planners) and more of a focus on project management by case officers, systematically monitored

by Team Leaders, has had a significant bearing on this improvement which is expected to continue as recently recruited staff gain workload and experience.

Conversely, there has been a small increase in the average determination time for local and householder development applications. Factors that contributed to this decline in performance include:-

- clearing of legacy cases – 48 in the year
- a period of unprecedented turnover of staff in the Application Support Team which has significantly slowed down the validation process (see supporting information¹)
- a very significant increase in the number of Local Review Body cases (from 7 to 25), combined with the introduction of pre-application forum meetings (27 proposals considered in the year) in line with a Scottish Government requirement/best practice: both of which have demanded considerable staff resource
- planning officer level vacancies in the applications team which have only recently been filled (including maternity leave)
- in common with previous years, the time taken to determine the legal agreements, whilst improving, had a significant impact on the figures and is a factor over which the planning service has limited control. It should be noted, however, that the average time from “willingness to approve” to decision on an application subject to a legal agreement has halved from 53.94 weeks (2013-14) to 26.75 weeks (2014-15)²

In the coming year it is expected that several factors will result in improved performance and a reduction in average determination times as detailed in the body of this report including:-

- introduction of Stop the Clock Procedure for the first time - as of April 2015
- implementation of new ICT processes and restructuring of administration

team, including the appointment of a Support Manager – from July 2015

- fully staffed Applications Team – as of May 2015
- recruitment of additional staff into the Applications Support Team
- contracting out of the majority of legal agreements.

Notwithstanding the foregoing, it is expected that the projected implementation of a new computerised applications system, which will ultimately provide an improved and more efficient application management, is likely to have an unavoidable short-term negative impact on processing times for a period of 2 or 3 months. Measures will be put in place to mitigate this impact as far as possible and the impact will be compensated for by long term permanent improvements in the speed of decision making in forthcoming years.

The production of the next Local Development Plan remains on target, with the Proposed Plan being published for a 10-week public consultation between March and June 2015. Therefore the next LDP remains on course to be adopted in 2016. The established housing land supply has remained broadly similar to the figure for 2013-14, as has the 5-year effective land supply which continues to show a healthy land supply in the Aberdeen Housing Market Area. In Aberdeen City, only a small number of new housing sites (of five units and over) have come forward this year. Progress has been made as expected on most existing sites with completions remaining broadly in line with figures from the last five years. There have been no significant changes to the proportion of effective and constrained sites.

2 Defining and measuring a high-quality planning service

The report focuses on the improvements and new developments in the planning service since the submission of PPF 2013-14. Unless otherwise indicated it should be taken as read that all the activities and service actions detailed the PPF 2013-14 are still being undertaken. In accordance with the request from the Planning Minister, Appendix 1 – Performance Markers cross references to relevant evidence in the main PPF report and service actions (e.g. PM1, 2, 3 etc.) to show how the planning service is specifically addressing each of the Performance Markers produced by the Heads of Planning Scotland High Level Group and, if not met, the steps being taken to meet the marker.

Open for Business

Local Development Plan

The Aberdeen Local Development Plan (ALDP)¹ was adopted in 2012 (PM7). It has a very strong focus on development delivery, providing the development industry and the general public with clear guidelines on the likely infrastructure requirements that are needed to support development. This level of transparency helps to promote certainty, trust and confidence that necessary infrastructure, such as new schools and medical facilities, will be delivered alongside development.

The ALDP identifies a number of masterplan areas within which developers are being expected to work together to prepare Masterplans for each zone and co-ordinate the delivery of associated infrastructure requirements. The requirements for each masterplan area have been set out in the ALDP Action Programme², a live document which is updated quarterly to reflect changes and to identify any new actions, keeping the development industry, Elected Members and the public as up to date as possible on the likely infrastructure requirements for development within masterplanned areas (PM9).

Since the ALDP's adoption in 2012, the Council has worked closely with developers to bring forward area-based Development Frameworks and masterplans. There are currently 34 such documents which provide clear and specific guidelines for the development of sites on the ground (PM10).

During the last year, a Proposed Plan and comprehensively revised Supplementary Guidance (SG)³ has also been prepared, and was subject to public consultation between 20th March and 1st June 2015. This means that the Proposed Plan is on course for adoption in accordance with the planned timescales (PM8). The Proposed Plan includes a comprehensively reviewed and revised Infrastructure and Developer Contributions SG (PM11) which will facilitate reasonable and proportionate developer contributions to ensure that appropriate levels of infrastructure (schools, healthcare, community facilities, affordable housing etc) will be provided for all new development (PM15).

The Council is making progress on implementing the Strategic Infrastructure Plan (SIP)⁴, which focuses on developing and enabling infrastructure to maximise growth and diversify Aberdeen's economy. The SIP brings together the work that is being delivered through a variety of plans and strategies and will help act as a mechanism for ensuring that the City has the infrastructure in place to support the delivery of the Development Plan. The SIP was an award winner in the 2014 Scottish Awards for Quality in Planning.

Officers in the Planning Service are also actively involved in putting together Aberdeen and Aberdeenshire Council's bid for a City Region Deal⁵ which will potentially deliver up to £2.9 billion of investment in the region, again supporting the delivery of the Development Plan.

Development Management

Officers have continued to work closely with colleagues from Asset Management, Education, Housing, Legal and other services to help deliver the sustainable economic development of the City. In the last year procedures have been put in place to consult Asset Management on all applications with a Council land ownership interest and with the new Head of Economic Development on all applications with potentially significant economic benefit to the City as a whole⁶ (PM12).

In terms of prioritisation of workload it has been agreed at service-level that priority will normally be given to the following:-

- developments that are considered to have a significant City-wide economic benefit and that are in accordance with Development Plan policy as identified by Head of Planning and Sustainable Development in tandem with the Head of Economic Development
- developments that would make a significant contribution to achieving corporate strategic objectives including the objectives and aims of the Development Plan (Strategic and Local Development Plans), Strategic Infrastructure Plan, Smarter Aberdeen, Single Outcome Agreement and City Centre Masterplan etc. (eg affordable housing).

One example case study of collaborative working to deliver the sustainable physical development of the City is provided by the Countesswells Place Group which has been established to develop a partnership approach to placemaking on a significant site of 3,000 new homes, employment land and community facilities.^{7,8} The Group includes the Planning Service, the Development Consortium, NHS Grampian, Scottish Enterprise, Education, Asset Management and other service providers as required. The remit of the Group is to explore new ways of public service delivery through the implementation of the framework and masterplan for the forthcoming mixed use community of Countesswells to the west of the City.

The Group has a strong focus on quality of place, as well as efficiencies in public and private sector delivery. The successful outcomes from the Group will be applied to other masterplanned areas of the city (PM3).

This year Team Leaders in the Applications Team have introduced scheduled workload meetings (every two or three weeks) with every case officer. These facilitate the active monitoring of performance and determination timescales and enable advice and instruction to be given to resolve any application related issues. All major and significant applications have not just an allocated case officer, but also a support case officer and a management contact⁹. The more important of these are included as part of a standing agenda item at the weekly Management Team meetings so that the management team has an overview of progress and can act to intervene or chase if required (PM6).

The more project managed approach to application handling facilitated by processing agreements continues to be actively promoted and developed (see Certainty section below) (PM2).

The Council (officers and elected members) has continued its active involvement in the Trinity Group: a high level partnership panel that provides a forum for public and private sector leaders to help facilitate the delivery of development in and around the City. Activity has included engagement with Scottish Water resulting in improvements to communication and customer service for the development sector in the City, and input into the Scottish Government's discussion paper on Planning Permission in Principle and Section 42 applications¹⁰ (PM10).

As an example of partnership working - a joint workshop on Sustainable Urban Drainage Systems was held between SEPA, SNH, Scottish Water and officers from the Council's Roads Projects, Flooding and Planning Teams, resulting in a jointly agreed action plan¹¹ (PM12 and 13).

High quality development on the ground

The Planning Service has a Masterplanning, Design and Conservation (MDC) team that provides expertise on those matters to support the development management process and in developing policies in the ALDP (PM11).

Masterplanning

Development Frameworks are now adopted for all major allocated greenfield sites in the ALDP. Each of these is currently progressing through detailed phased masterplanning, planning permission in principle or detailed planning applications. All major development frameworks and masterplans are now adopted as supplementary guidance, providing certainty of quality in streetscape, townscape and landscape. The most recent are highlighted below:

Masterplan	Adoption
Persley Den, Woodside Masterplan ¹	May 2014
Countesswells Development Framework and Phase 1 Masterplan ²	July 2014
Newhills Development Framework ³	January 2015

In the last year the adopted masterplanning process has been refined to ensure that design quality parameters

are explicit and ensure consistency. The masterplanning work has also provided an effective conduit for public engagement in the pre-application process⁴ (PM3).

The Aberdeen City Centre Masterplan and Delivery Programme is nearing completion following extensive public engagement, key agency and stakeholder participation. The current draft masterplan contains a variety of projects that focus on quality of outcomes for the physical, economic and social regeneration of the city centre. The draft masterplan is supported by a business case and development programme that will ensure practical delivery and quality outcomes in a 25 year framework⁵.

The Service continues to foster relations with the Scott Sutherland School of Architecture at the Robert Gordon University, this year jointly procuring a 3D city centre virtual model to support the development and delivery of the City Centre Masterplan.

The Nigg Development Framework has been developed in partnership with Aberdeen Harbour Board to facilitate the planned implementation of a new harbour for the City and deliver critical infrastructure identified by National Planning Framework 3⁶. A detailed Harbour

Illustration of proposed Nigg Bay harbour



Masterplan will be prepared following the completion of the development framework.

Craibstone and Rowett South Masterplans are nearing completion to support the Newhills Development Framework.

Masterplans are also being co-ordinated for both the new and existing AECC sites at Rowett North and AECC Site, Bridge of Don respectively. Rowett North⁷ presents proposals for relocation of the AECC. The existing AECC Site, Bridge of Don⁸ is also masterplanned to co-ordinate its redevelopment once vacated.

Early engagement in the masterplanning process with key stakeholders, including Elected Members, SEPA, SNH, Historic Scotland, Scottish Water, Transport Scotland and SportScotland, is facilitated through workshops (PM3 and 9).

Planning Briefs

There have been challenges to the development of quality places in the last year where design input has led to positive outcomes. One case study exemplar is the redevelopment of Cornhill Hospital⁹. The Service has used the skillset in the MDC team to generate a positive design quality outcome for the proposed development, helping to negotiate improvements to scale, massing, architectural detail, retention and refurbishment. Figure 1 shows the layout as first submitted and Figure 2 shows the final approved layout illustrating changes to improve the quality of the layout, including the introduction of a central avenue of open space, strong urban form with street facing blocks etc. Although a successful outcome, the protracted negotiation in this instance has highlighted the need to provide clearer guidance up front on the redevelopment of similar sites. With that in mind a programme of site specific planning briefs has been identified to ensure efficiencies in the development management process.

Placemaking

The Service has drafted the brief and co-ordinated procurement of the Aberdeen City Centre Masterplan, including PQQ, ITT, industry day, workshops with the City Centre Regeneration Working Group and inception. The procurement was evaluated on 70% quality against 30% cost and endorsed by Council.

The Countesswells Placemaking Group has been set up – see Open for Business section above.

Design Quality

The Service has developed a protocol for engagement between the MDC and Development Management (Applications) Teams and others in dealing with listed buildings, conservation areas, masterplanning and design quality in development (PM12). The team are actively involved in pre-application discussions to front-load design and placemaking advice to speed up the planning process (PM3). In an effort to develop this service further a weekly “design surgery” is being trialled with a senior urban designer¹⁰.

A Local Design Review Panel is run jointly with Aberdeenshire Council and has considered 9 applications in Aberdeen City in terms of design and placemaking (PM13). In 4 of these, design improvements were negotiated through peer review. The quality in a further 4 projects presented was confirmed¹¹. The Service is committed to carrying out a full review of the Local Design Review Panel to ensure relevance and improve efficiency, impact and outcomes.

The Service has provided specialist design advice to applicants, agents and Council colleagues, and in the procurement stages of Council projects, such as the development of Marischal Square, the new AECC and the City Centre Masterplan, as well as on planning applications and design policies and technical advice notes.

The Service is currently developing a streetscape manual to provide clear guidance and certainty in the delivery of masterplans. Led by MDC and involving the Roads Development Management and Construction Consent teams, this initiative supports the Scottish Government's Aligned Consents Project (PM11).

Conservation

Responding to the economic climate and in direct response to the volume and complexity of applications, Historic Scotland has this year commenced monthly visits to the City, similar to Edinburgh and Glasgow. Building on the "removal of duty to notify" procedure previously agreed with Historic Scotland the internal protocol adopted this year means that applications for listed building or conservation area consent are "signed off" by conservation accredited officers – with Aberdeen appearing to be the only authority in Scotland to have such a quality control system in place¹².

An additional planner has now been recruited in to the Service to provide a more effective link between development management and conservation functions, in an effort to address previously identified issues of a lack of capacity to process.

The Service will continue to support the IHBC accreditation of planning staff and deliver a programme of conservation and urban design CPD events to enable a broader understanding of specialist issues.

Building on the 6 Conservation Area Character Appraisals finished last year, Appraisals and Management Plans have been completed for a further 2 of 11 of the City's conservation areas to assist in decision making^{13,14,15} (PM11). Two of the remaining three are programmed for completion by the end of 2015 with the final (Union Street) appraisal to be reviewed in conjunction with the delivery of City Centre Masterplan. The appraisals have developed early engagement protocols which have resulted in effective communication. For example,

in Old Aberdeen engagement on the draft appraisal led to early designation of extensions to the conservation area to prevent inappropriate development. Completed appraisals have also been cited in reporters' decisions, including in some detail 55 Carden Place (LBA-100-2002).

As the character appraisals near completion, the Service will develop and publish an historic environment strategy. To support this the Service will develop a series of Technical Advice Notes and develop and publish conservation area guidance for residents.

MDC participated in 2 national workshops on Historic Environment Scotland Act 2014: Secondary Legislation initiated by Historic Scotland. A consultation response on Secondary Legislation was approved by the Planning Development Management Committee on 19 March 2015.

The Service continues to support the Aberdeen City Heritage Trust to deliver conservation grant schemes in the City Centre and over the last year has been working with the Trust to apply for a Conservation Area Regeneration Scheme for the east end of the City Centre^{16, 17}.

Certainty

Aberdeen Local Development Plan

The ALDP is up to date and is robustly and consistently applied. In 2014-15 only 8 applications were recommended for approval by officers that were initially identified and advertised as being contrary to the adopted LDP. All were justified on grounds that they were no longer considered to be departures or that other material considerations outweighed the provisions of the Plan. In accordance with the up to date Development Plan Scheme, the review of the ALDP is on course to produce a revised document within the 5-year statutory time frame and involves collaborative working across the Planning and Sustainable Development Service as well as other Council Services (PM12). The Proposed Plan¹ was published for public consultation in March 2015. The ten week consultation began on Friday 20th March and is due to end on Monday 1st June 2015. Thereafter the Service will make formal responses to representations received and submit the Proposed Plan to the Scottish Government in late 2015 (PM7 and 8).

The Department for Planning and Environmental Appeals is updated on the progress of the Proposed Plan so that the Examination may proceed as smoothly and efficiently as possible. A meeting has been arranged to discuss requirements for the Examination, which is due to begin at the end of 2015.

Environmental Policy

A review of Tree Preservation Orders has been carried out in the last year and is ongoing, to ensure that all historic TPOs have been confirmed and that they are valid, accurate and relevant.

Development Management

Service protocols are in place with all key internal and external consultees to ensure consistency and reliability of application advice (MDC, Roads, Environmental Health, Legal Services, Planning Obligations Team and Key Agencies). Regular scheduled liaison meetings are held between the Development Management Manager and the legal, asset management and environmental health team leaders (PM12).

Action has been taken to address the concerns identified in last year's PPF and PPF report about the time taken to deal with legal agreements due to resource constraints within the Council's Legal Service (PM6). As of March 2015 a major Scottish law practice (Brodies) has been contracted to handle legal agreements on the Council's behalf - post willingness to approve. Brodies is also to finalise the Council's draft legal agreement template and provide legal agreement training to planning staff. These measures are expected to help ensure consistency and overcome current delays in finalising legal agreements. In the next year a process will be put in place for reconsideration of legal agreements within 6 months of resolving to grant (PM4).

An audit (by PWC) of the Council's process for dealing with Section 75 Agreements found that "generally the process for the management of S75 agreements was good". It identified a number of points of good practice, including the integration of the process into the LDP, alignment with relevant Circular 3/2012, recording of S75s on a central database and appointment of a single responsible officer to run the process. Actions identified to be addressed over the next year were the documentation and mitigation of risk of non-payment of developer obligations and more effective reconciliation of data to ensure that payments are not missed. Although these are not the responsibility of the Planning Service they do impact upon it.

Processing agreements continue to be actively promoted in pre-application discussions, on the website and in writing upon submission of all proposal of application notices² (PM2 and 3). Five applications with processing agreements have been approved - up from 3 last year but, disappointingly, only 3 of 17 major applications had processing agreements. One of the main factors affecting take up has been applicants' unwillingness to provide all the necessary supporting information up front at the time an application is lodged – an essential prerequisite of any processing agreement (PM15). It is acknowledged that more work is required from the planning authority to streamline and simplify the processing agreement template along with guidance and education to promote to officers, applicants and agents. This will be a priority of the first few months of 2015-16 (see DM Team Plan).

Progress has been made on the alignment of the Roads Construction Consent (RCC) and the planning process. The Council is now actively promoting a Stage 1 and Stage 2 RCC Process. The level of detail expected at each stage is documented and agents have been actively involved in

developing the process. The management of the RCC process within the Roads Projects Team has been reconfigured under two team leaders responsible for the two stages. Planning applications are expected to be submitted at the same time as the associated Stage 1 RCC Process. The Roads officer responsible for the Stage 1 RCC is the same as the officer commenting on the associated planning application so that the two consenting processes run in parallel and inform one another. In tandem, the Council has continued to work collaboratively with the Scottish Government on its Aligning Consents project³.

Customer satisfaction feedback obtained through questionnaires has identified the need to improve consistency of advice between pre-application and application stages as being paramount. With this in mind, an online pre-application form (with drag and drop functionality for sites without a street address) is in the latter stages of development. This should facilitate and improve customer service at the pre-application stage and help ensure consistency of advice throughout the planning process (PM3 and 6).

North Esplanade West



Communications, engagement and customer service

Customer Service Excellence Award (CSE)¹

Development Management attained CSE accreditation in June 2013 and this was externally audited and reconfirmed this year with the number of partial compliances remaining at two. However, two compliance pluses were noted for the customer consultation strategy and action plan and the corporate social responsibility programme. CSE has been adopted as it provides a practical tool for driving customer-focused change and assesses areas that research has indicated is a priority for customers:

- Delivery
- Timeliness
- Information
- Professionalism
- Staff attitude

CSE also provides an effective management system by:

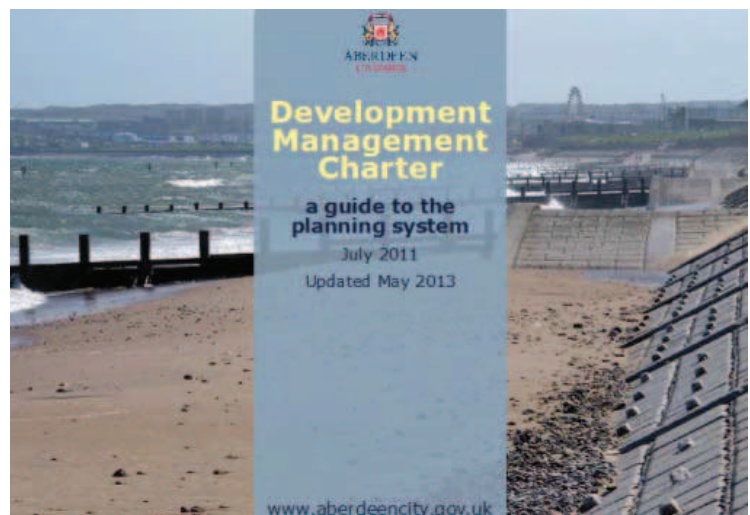
- Developing a framework for continuous improvement
- Providing a skills and assessment development tool
- Creating a benchmark via independent validation by which to assess if the services are meeting customers' needs and requirements.

Customer Service Charter and standards

Customer service targets in the Development Management and Enforcement Charters were reviewed in 2013 and will be reviewed in 2015/16 as Aberdeen City Council moves to develop a corporate customer charter. Performance has been monitored via mystery shopping using our library service and internal monitoring. The performance results have been publicised online (PM5). Examples of associated service improvements due to performance monitoring are as follows:

- Updated customer contact protocol²,
- Smarter working protocol³ designed to implement effective mobile working
- Introduction of smart phones.
- Shared access to staff voicemail

Translation and hard of hearing services are now available and if a customer is unable to visit the office, arrangements can be made for a home visit.



Customer feedback

The customer consultation strategy and action plan ensures that an annual programme of questionnaires, consultations, focus groups, workshops and feedback are scheduled with customer groupings.

The annual customer satisfaction figures for Development Management are high with 95% satisfaction for 2014 and 92% for 2015. Key areas of feedback are detailed in table 1 along with service improvements.

Customer feedback	Service improvements
Improve staff contact	<ul style="list-style-type: none"> • Updated customer contact protocol and smarter working protocol for mobile working • All staff have mobile / smart phones • Second point of contact for major applications • Team code of voicemail access if member off staff is unavailable
Consistency of advice	<ul style="list-style-type: none"> • Developing web based pre-application forms which will ensure consistency of advice recorded and accessible to all planning staff • Updating supplementary guidance, site briefs and masterplans in order to provide more certainty / consistency of advice
Improve response times	<ul style="list-style-type: none"> • Quarterly response times online • Improved internal monitoring for tracking applications • Admin review initiated Dec 2014 to streamline processes and procure a more fit for purpose IT system
Redesign website	<ul style="list-style-type: none"> • A planning web developer has been employed to redesign and implement work programme developed by customers

D2 Offices, Dyce. From Newhills.



Web site redesign

It has been acknowledged via customer satisfaction questionnaires and focus groups that the Council's planning web pages require to be redesigned. An Agent's workshop was held to assist with developing the web design brief and work programme. Community Councils have also been consulted and their suggested improvements have also been included in the work programme. In order to progress the project a planning web developer has been appointed and improvements to date include dynamic links between the planning register and committee reports along with a pre-application form system. The next stage will be to develop a 'Do I need planning permission?' interactive section. The aim is to encourage more customers to be able to self-serve on the website with a community and business portal (PM6).

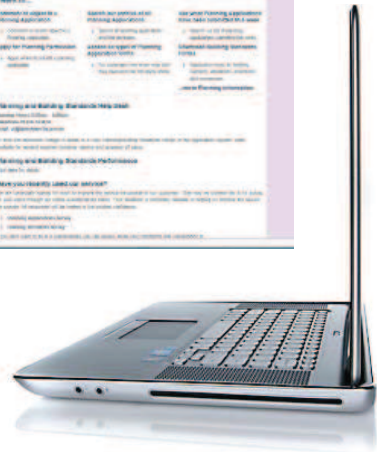
It should be noted that the percentage of valid Development Management applications submitted online continues to increase (48% for 2014-15 – up from 36% for 2013-14) and there is a continuing trend for online submission of larger scale applications (online applications accounting 64% of all fees for 2014-15 compared with 44% in 2013-14).

Community involvement

A Community Council Processing Agreement has been developed and a liaison group established to ensure the development of productive partnership working and service improvements.

Learning from complaints

Planning and Sustainable Development collect level 1 complaints via a compliments, comments and complaints card available in all meetings rooms and main reception. Customer feedback can also be provided via a planning suggestions email address if customers would prefer to send in comments / complaints digitally. Staff are also encouraged to make suggestions to improve services through a corporate initiative, employee voice.



Communicating with customers

The Aberdeen Local Development Plan has a Facebook page⁴, which is used to provide up-to-date information to a wide range of customer groups on consultation events and developments. A newsletter is also circulated to all customer groups and is available online.

The regular liaison meetings with the Community Council Forum have continued during the year and this relationship is now better than it has been since the Community Council Forum was first established. A major achievement resulting from this dialogue has been the agreement by both the Planning Service and the Community Council Forum of a Processing Agreement on the Planning Process – establishing mutually agreed procedures, expectations and terms of engagement.

Local Development Plan

Through consultation, community and business bodies are fully engaged in the Local Development Plan process, in accordance with the Development Plan Scheme Participation Statement.

Interested parties are kept informed of the process at all key stages, for example through the improved ALDP e-mail newsletter which continues to be an efficient and effective means of reaching stakeholders. The Service has also publicised public consultation events using social media, including Facebook and Twitter⁴, which are regularly updated. The Service also make use of the Aberdeen City Council website, and placed a half-page colour advert in a local newspaper advertising events⁵.

Statutory key agencies and internal stakeholders have been actively engaged in the production of the Proposed Plan. Three workshops⁶ have been held in 2014/15, at key milestones in the Local Development Plan process. A presentation was given, followed by a roundtable discussion of the content of the emerging

ALDP. Issues discussed included major developments, specific sites and cross-boundary issues. Feedback was then used to update and amend the plan as appropriate.

Elected Members are also engaged regularly, at key milestones for the Local Development Plan. The Service has held two Members' Drop-in sessions where all Members' were invited to come and ask questions or discuss concerns about the progress and content of the Proposed ALDP (PM9). This 'drop in' format was arrived at as a result of direct feedback from Elected Members on how they wished to be involved in plan preparation. In addition, all Members were sent a hard copy of the Proposed Plan and given full details of consultation events being held around the city.

The Proposed Plan consultation involved 9 drop in sessions held around the city where members of the public could ask questions, discuss the ALDP, get advice on how to respond to the Proposed Plan and also hear about the next stages in the Plan process. The Service also produced an advice leaflet and easy-to-use response form to aid people in making responses. The LDP Team has also pioneered a pro-active engagement programme with schools for engaging young people in the local development plan process that was a winner in the 2014 Scottish awards for Quality in Planning⁷ (PM10).

The results of all consultation exercises that are undertaken as part of the production of the Proposed ALDP will be reported to Committee later in 2015 and will be published online.

Efficient and effective decision-making

Aberdeen City Council is one of, if not the only, Scottish Council to fully implement all the key provisions of the Scottish Government "Guidance on Role of Councillors in Pre-Application Discussions" (February 2014) (PM3). A Pre-Application Forum was established this year as a separate committee of the Council to consider all major applications at the pre-application stage. The Forum constitutes members of the Planning Development Management Committee and relevant ward Members and operates according to clearly defined procedures¹. Feedback indicates that the Forum is considered by officers, Members and applicants to be an effective mechanism for enabling members to raise concerns or make comment at the pre-application stage which inform the subsequent application (PM6).

The number of Local Review Body meetings has increased very significantly compared with last year from 7 to 25 with 72 percent of officer decisions upheld. LRBs are programmed to a frequent fixed schedule – but flexibility is also used to arrange these on an ad hoc basis in response to determination timescales.

Further systematic action has been taken this year to clear legacy applications with 48 cleared during the reporting period. Further effort will occur in the forthcoming year to determine, or prompt withdrawal, of the 57 remaining legacy cases that will have a positive impact on performance figures (PM14).

Ongoing action on review of the Administration and ICT Systems and reconfiguration of the validation function in relation to applications is reported in "Continuous Improvement" Section below.

Stop the Clock processes (based on HOPS draft guidance) were introduced for the first time late in the year and are expected

to contribute towards improvements in average application determination times in the next reporting period².

The Scheme of Delegation has proven to be effective in streamlining the decision making process with 3.8 percent of all applications reported to Committee in the year (compared with 5.7 percent in 2013-14).

The percentage of valid Development Management applications submitted online continues to increase (48% for 2014-15 against 36% for 2013-14) and the continuing trend of larger scale applications (online applications accounting 64% of all fees for 2014-15 against 44% in 2013-14). Implementation of credit and debit card phone payment has been actively progressed and likely to go live in the next few months.

Over the coming year the Environmental Policy Team will be establishing regular open surgeries for Development Management professionals, to support effective decision making.

Reviews of the City's Open Space Audit and Core Paths Plan will take place to ensure planning decisions are informed with robust and relevant up to date information.

Effective management structures

Planning and Sustainable Development has now become part of a wider Communities Housing and Infrastructure Service providing new opportunities for joint working and integration with related services (eg Environmental Health)¹ (PM12).

At least 3 "Town Hall" Meetings are held every year involving all staff in P&SD to promote and facilitate staff engagement in service planning and partnership working².

All Team Plans are up to date and continuously reviewed with actions and timescale focussed on key priorities that are explicitly linked to the objectives of the Council's Five Year Business Plan and the Council's Vision of "Aberdeen – The Smarter City", as well as the main criteria of a high performing planning service laid down in the Planning Performance Framework.

For example the Development Management Team Plan reviewed and updated in March, has a suite of actions (and associated designated lead officers and timescales) that focus on three key priorities of speed, efficiency and consistency of decision making, customer service and improving the design quality of the built environment⁵.

In response to the identified shortfall in staff resource identified last year, and utilising the additional fee income generated, additional posts have been created and filled, including two Senior Planners, a Planner and five administrative support staff in the DM Applications, MDC and Application Support teams.

All managers are the subject of '360 degree' feedback from their direct reports and other colleagues. Results from the process show a high level of confidence in the managers' leadership abilities.

Staff are encouraged to move within the service and the organisation to make best use of skill sets and tailor resources to workload priorities. As an example, staff from the LDP team are currently seconded to both the Development Management team and the Regeneration and Housing Investment Teams (PM12).

Some examples of collaboration with other business areas in the Council and other public bodies are detailed in the preceding sections of this report. In terms of collaboration with neighbouring authorities, joint working and liaison has continued to increase and become more integrated over the last year. A shared archaeological service has now been added to the existing shared service for developer obligations and strategic environmental assessment. Preliminary discussions have started on shared planning administration and ICT functions. A jointly agreed planning protocol for dealing with development proposals related to the Aberdeen Western Peripheral Route (AWPR) has been agreed and both Councils resolve shared issues through a regular AWPR liaison group⁶ (PM13).

Financial management and local governance

Income from planning fees (£1.43M) in the financial year 2013-14 was £50K more than last year and this increased fee income has been reinvested in the additional staffing in planning service (see above) to cater for workload stemming from Aberdeen's still relatively buoyant development industry.

As part of the Smarter Working initiative that is being rolled out Council wide, all development management case officers now have laptops and smart phones, enabling them to work from home or from any workstation in Marischal College. The use of Microsoft Lync has been rolled out in parallel to facilitate rapid communication and track location of staff, as well as enabling document sharing and video communication/conferencing.

Both planning managers have regular monthly meetings with the service accountant to ensure that budgets are on track and fee income is monitored and spend targeted and tailored accordingly.

Culture of continuous improvement

At corporate level the way that the Council operates is now based on "Shaping Aberdeen"¹ that includes five key objectives identified in the Strategic Infrastructure Plan and three key improvement drivers (customer experience, staff experience and the use of resources). The objectives and drivers have been used as the basis for service planning and improvements, including informing the new service structure, plans on a page and key priorities for Team Plans.

A newly created Support Manager is about to take up post in the Service and is expected to play an important

role in terms of supporting change and continuous improvement and embedding culture change.

Further tailor made training in planning decision making, local review body procedures and the new pre-application forum procedures has been offered to all Councillors and delivered to all those who were able to attend - both in large groups and on a one-to-one basis - constituting the majority of all elected members. In the coming year the intention is to inaugurate a joint training/workshop session involving both Community Councils and Elected Members to promote dialogue as well as learning.

Officers across the planning service provide a series of in-house CPD talks and discussion groups throughout the year on topics relevant to Aberdeen.

As examples:

- a focussed workshop, led by the MDC Team, was held with the whole Development Management Team to explore the way in which the services can ensure design quality and reflect on Aberdeen's recent "Plook on an Plinth" Award²
- The Environmental Policy Team held a workshop with the DM team on using Green Space Network Tool in the planning application assessment process. This was part of the package of work for the SAQP shortlisted Sustainable Urban Fringes Project.

The Service has continued its active participation in the SOLACE Benchmarking Groups for both Development Management and Development Planning, as well as the relevant HOPS parent and sub-committees - with representatives attending all meetings. One example of an improvement that has been made as a result is the formulation and adoption of Validation Guidance and a Validation Checklist in line with HOPS draft guidance (see earlier) (PM13).

A comprehensive review of the administrative and ICT provision for the entire Planning and Sustainable Development Service is well underway with an emphasis, in the first phase, on the ICT system and administrative structure for application support (Planning and Building Standards applications)^{3,4}. A new application and integrated document management system is to be tendered for and implemented this coming year and the Application Support Team will subsequently be restructured under a newly appointed Support Manager who takes up post in July (PM3 and PM11).

As an initial step in the restructure the phased incorporation of the validation function into the Application Support Team has started and will continue over the next few months: giving a single point of responsibility for validation for all applications and helping to eliminate delays due to hand offs and ensure consistency of application and interpretation of validation criteria. Validation checklists based on the HOPS Development Management Sub Group draft document have been produced to

facilitate this process and will be promoted on the website and via a workshop with the Agents' Focus Group.

An action in this year's Development Management Team Plan is to develop "Added value" indicators to assess the development on the ground by the development management process.

In the coming year the Environmental Policy Team will develop and deliver a series of Environmental Policy talks / seminars to Development Management to disseminate information and build understanding of effective Policy to implementation.

An internal consultations protocol is being developed within the Environmental Policy Team. This aims to ensure more streamlined consultation within the team and with other teams, especially the Development Management Team, for input into masterplans and applications, speeding up the time of responses, as well as offering skills development / sharing across team members to ensure business continuity.

Aberdeen beach and City lights



3 Supporting Evidence

Part 1: National Headline Indicators

- 1 Application Support Team
 Leavers = 6 permanent + 4 temps = 10
 New starts = 9 permanent + 4 temps = 13
 Hours spent on recruitment process (including temps) 227 hrs = 6.1 weeks
 Hours spent on training = 1165.5 hours = 31.5 weeks
 7 permanent staff still having on-going training.
- 2 See attached electronic document "Applications with legal agreement (timescales)"

Part 2 Defining and measuring a high-quality planning service

• Open for Business

- 1 Aberdeen Local Development Plan
http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_local_development_plan.asp
- 2 Action Programme
http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_aldp_action_programme.asp
- 3 Supplementary Guidance
http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_aldp_supplementary_guides.asp
- 4 Strategic Infrastructure Plan
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=54562&sID=17090>
- 5 City Region Deal
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=63430&sID=26262>
- 6 See attached electronic document "Consultation with Asset Management"
- 7 See electronic attachment "Countesswells PLACE action note 1"
- 8 See electronic attachment "Countesswells PLACE action note 2"
- 9 See attached electronic documents "Large Developments case officers and contacts"
- 10 See attached electronic documents "Trinity Group Meeting – 3 November 2014"
- 11 See attached electronic documents "SUDS Workshop" 16 January 2015

• High Quality Development on the Ground

- 1 Persley Den, Woodside Masterplan
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=56138&sID=2991>
- 2 Countesswells Development Framework and Phase 1 Masterplan
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=59292&sID=14394>
- 3 Newhills Development Framework
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=60798&sID=14394>

4 Aberdeen Masterplanning Process

http://www.aberdeencity.gov.uk/planning_environment/planning/planning_sustainable_development/pla_masterplan_process.asp

5 Aberdeen City Centre Masterplan

http://www.aberdeencity.gov.uk/council_government/shaping_aberdeencity/City_Centre_Masterplan.asp

6 Nigg Development Framework and Masterplan

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=64864&sID=2991>

7 Draft Rowett North Masterplan

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=64936&sID=2991>

8 Draft AECC Site, Bridge of Don

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=64900&sID=2991>

9 Cornhill Hospital planning application

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=120241#>

10 MDC Protocol - see attached electronic document**11 Local Design Review Panel**

http://www.aberdeencity.gov.uk/planning_environment/planning/planning_sustainable_development/pla_design_review_panel.asp

12 Aberdeen Local Development Plan: Proposed Plan 2016

http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_proposed_plan.asp

13 Draft Old Aberdeen Conservation Area Character Appraisal and Management Plan

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=61708&sID=2991>

14 Cove Bay Conservation Area Character Appraisal and Management Plan

http://www.aberdeencity.gov.uk/planning_environment/planning/conservation/pla_conservation_area_08.asp

15 Pitfodels Conservation Area Character Appraisal and Management Plan

http://www.aberdeencity.gov.uk/planning_environment/planning/conservation/pla_conservation_area_10.asp

16 Aberdeen City Heritage Trust Business Plan

http://www.aberdeencity.gov.uk/uploads/downloads/acht_business_plan_201215.pdf

17 Aberdeen City Heritage Trust Annual Report

http://www.aberdeencity.gov.uk/uploads/downloads/acht_annual_report_201314.pdf

• Certainty**1 Aberdeen Local Development Plan: Proposed Plan 2016**

http://www.aberdeencity.gov.uk/planning_environment/planning/local_development_plan/pla_2016_proposed_plan.asp

2 Processing Agreements Guidance

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=53630&sID=15040>

3 See attached electronic documents "Aligned Consents (SG Project)"

- **Communications, engagement and customer service**

- 1 See attached electronic document "CSE Customer consultation strategy and action plan"
- 2 See attached electronic document "Customer Contact Protocol"
- 3 See attached electronic document "Smarter Working Guidance"
- 4 Facebook
*<https://www.facebook.com/pages/Aberdeen-Local-Development-Plan/121238731367123>;
Twitter: @AberdeenLDP*
- 5 See electronic document "Colour advertisement in Press and Journal Friday 17th April 2015"
- 6 See electronic document "Key Agency Workshops"
- 7 Scottish Awards for Quality in Planning 2014
<http://scotgovplanningarchitecture.com/2014/08/08/engaging-young-people/>

- **Efficient and Effective Decision Making**

- 1 Pre-application Forum Guidance and minutes
<http://committees.aberdeencity.gov.uk/documents/g3554/Public%20reports%20pack%2006th-Nov-2014%2014.00%20Pre-Application%20Forum.pdf?T=10>
- 2 See electronic document "Stop the Clock Guidance"
- 3 Organisational Structure
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=65420&sID=2050>
- 4 See electronic attachment "Staff Town Hall Meeting – 11 November 2014"
- 5 See electronic attachment "DM Team Plan"
- 6 See electronic attachment "AWPR Liaison Action List"

- **Culture of Continuous Improvement**

- 1 Shaping Aberdeen
http://www.aberdeencity.gov.uk/council_government/shaping_aberdeen/shapingaberdeen_home.asp
- 2 See attached electronic documents "Design Workshop"
- 3 See attached electronic document "ICT and Admin Review Project Bulletin"
- 4 See attached electronic document Admin and ICT review – project governance document"

4 Service Improvements 2015-16

In the coming year the Service will make the following improvements:-
(Lead Team in brackets where applicable)

Open for Business

- Reconfigure the DM Team to facilitate the processing of major applications, including consideration of a Major Projects Team (DM)

High Quality Development on the Ground

- Actively input and participate in wider Council projects, such as the Strategic Infrastructure Plan, City Centre Masterplan and City Region Deal to support the delivery of the Development Plan
- Complete the Nigg Development Framework and Harbour Masterplan as outlined in National Planning Framework 3 (MDC)
- Develop detailed phased masterplans to support adopted development frameworks as arising, including specifically Craibstone, Rowett South, Rowett North, Bridge of Don (former AECC site) and Grandhome (part of the Scottish Sustainable Communities Initiative programme) (MDC)
- Develop a Streetscape Manual for Aberdeen to provide clear guidance and certainty in the delivery of masterplans and support the Scottish Government's Aligned Consents Project (MDC)
- Develop and deliver a programme of 6 conservation and urban design CPD events (MDC)
- Carry out a full review of the Local Design Review Panel to ensure relevance and improve efficiency, impact and outcomes (MDC)
- Develop and publish an Historic Environment Strategy for Aberdeen (MDC)
- Develop and publish Conservation Area Guidance for residents (MDC)

Certainty

- Implement a robust Consultation Protocol between Development Management and Environmental Policy (EP/DM)
- Progress alignment of Planning and Roads Construction Consent Processes (DM)
- Introduce procedure for reconsideration of legal agreements within 6 months of "resolving to grant" (DM)

Communications, Engagement and Customer Service

- Maintain Customer Service Excellence accreditation for the Development Management Team and achieve and implement accreditation for Local Development Plan and Environmental Policy Teams
- Make innovative improvements to how the Service monitors the ALDP and make this information available to the public, by producing a comprehensive and easy-to-use bulletin about new developments being approved and built in the city (LDP)
- Review and amend processing agreement guidelines and template and actively promote to applicants and agents (DM)

Culture of Continuous Improvement

- Continue to encourage and enable staff training in more detailed knowledge of specific topic areas, planning-related competencies and transferable skills
- Support staff towards gaining Chartered Membership of the RTPI, and support secondments to other teams to gain a broader experience
- Reconfigure and redesign the planning pages of the website, including a pre-application enquiry facility
- Bring tree protection orders up to date and implement high hedges legislation (EP)

- Review the Open Space Audit to ensure it is current, relevant and appropriate to underpin a review of the City's Open Space Strategy in 2016/17 (EP)
- Review the Core Paths Plan to ensure it is current, relevant and appropriate (EP)
- Implement a new application and electronic document management system and reconfigure administrative support to facilitate and enable electronic workflow (DM)

Delivery of service improvements actions in 2014-15

Committed improvements and actions	Complete?
Local Development Plan Team <ul style="list-style-type: none"> • Committed Improvements and Actions Monitor the infrastructure constraints to the delivery of development through the LDP Action Programme and, where appropriate, instigate Action Programme Delivery Days with developers and relevant key agencies to overcome barriers. • Action Taken Two Delivery Day workshops held with key agencies which have included developers, representatives from across the Planning Service, other Council Services and relevant Key Agencies. • Evidence See 'Open for Business' section of PPF report. 	Yes
Environmental Policy Team <ul style="list-style-type: none"> • Committed Improvements and Actions Ensure that computerised application system can accommodate environmental consultations. • Action Taken Members of the Environmental Policy Team have been enabled to provide responses to planning consultations via this method. Need to roll this out for entire Team. • Evidence Draft consultation protocol. 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Ensure that tree protection measures arising from planning conditions are more effective by specifying more rigorous protection in the conditions and by monitoring that the measures are in place before development commences. • Action Taken More rigorous conditions are now specified. Ongoing monitoring of tree work by arboricultural planner. 	Ongoing

<p>Development Management (Applications) Team</p> <ul style="list-style-type: none"> • Committed Improvements and Actions Carry out a comprehensive project managed review of resourcing, procedures and information systems in relation to the application administration and consider and implement any recommendations of the review. • Action Taken Project manager appointed and review carried out overseen by a project board. Approval given and funding made available to purchase a new integrated casework and electronic document management system. Mini completion to progress over next two months. • Evidence See Culture of Continuous Improvement Section. 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Consider reconfiguring team structure/ new ways of working in accordance with new structure of P&SD and to address current staff resource, including recruitment of new staff and introduction of Major Projects team. • Action Taken City Development Services Manager post in new structure to be re-advertised. New Support Manger appointed but yet to take up post. Review on hold until both managers are in post. • Evidence To be provided on completion in next year's PPF. 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Introduce a Pre-application Forum for Councillors to discuss major development proposals at the pre-application stage in line with Scottish Government guidance. • Action Taken Forum established and procedures put in place. Operating effectively. • Evidence See Efficient and Effective Decision Making Section above. 	Completed

<ul style="list-style-type: none"> • Committed Improvements and Actions Continue the programme of continuous improvement of the information systems with the aim of improving efficiency, effectiveness and customer service focussing on: <ul style="list-style-type: none"> (i) web site improvements implemented through an inter-service focus group and assisted by a newly recruited web developer to enable amongst other things real time tracking of application progress and a map based application search and planning alerts facility (ii) recording of pre-application enquiries/discussions (iii) electronic workflow and mail monitoring (iv) fully implement electronic payment (phone payment by credit/debit card) • Action Taken <ul style="list-style-type: none"> (i) Web developer recruited and a programme of improvements underway (ii) Pre-application enquiry web form being trialled (iii) New casework and electronic document management system about to be tendered for (iv) Electronic payment system in latter stages of development • Evidence See Communications, Engagement and Customer Service Section above. 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Implement a programme of measures to address application determination speed including <ul style="list-style-type: none"> (i) an update and streamlining of the Processing Agreement template and guidance (ii) a procedure for reconsideration of applications with legal agreements within 6 months of "willingness to approve" • Action Taken Outstanding actions - priority actions in Team Plan for first few months of 2015-16 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Continue to work together with the Community Council Forum to finalise a Processing Agreement and planning training. • Action Taken Liaison meetings have continued and a Processing Agreement has been agreed. • Evidence See Communications, Engagement and Customer Service section above. 	Complete

Masterplanning, Design and Conservation Team	
<ul style="list-style-type: none"> • Committed Improvements and Actions Develop a City Centre Masterplan and Delivery Programme including: <ul style="list-style-type: none"> - Co-ordinating procurement of multi-disciplinary team - Working with key partners and external agencies - Ensuring effective public engagement and ownership of the masterplan • Action Taken Multi-disciplinary consultancy team led by BDP appointed May 2014. Final Draft Masterplan and Delivery Programme to be reported to Council in June 2015 for approval. • Evidence Series of public engagement workshops, exhibitions and consultations taken place in September and November 2014, March 2015, City Centre Working Group established with key partners from Scottish Enterprise, Aberdeen Chamber of Commerce, Robert Gordon University, University of Aberdeen, Aberdeen City and Shire Economic Futures, Visit Aberdeen and Aberdeen City Council. See High Quality Development on the Ground Section above. 	Complete
<ul style="list-style-type: none"> • Committed Improvements and Actions Co-ordinate the preparation of detailed phased masterplans supporting development frameworks for Countesswells, Newhills and Grandhome. • Action Taken Phase 1 Masterplan for Countesswells approved with development framework; Craibstone and Rowett South Masterplans presented as draft masterplans June 2015 to support respective applications for Planning Permission in Principle to deliver Newhills Development Framework; detailed roads and design workshops in preparation for Grandhome Phase 1 Masterplan undertaken. • Evidence See High Quality Development on the Ground Section above ref Countesswells and Newhills. 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Develop a masterplan for a new harbour at Nigg Bay with Aberdeen Harbour Board. • Action Taken Work in partnership with Aberdeen Harbour and Scottish Enterprise Grampian to prepare a draft development framework. Consultants team appointed, extensive stakeholder engagement undertaken. • Evidence Draft Development Framework (target committee August 2015) 	Ongoing

<ul style="list-style-type: none"> • Committed Improvements and Actions Introduce a design surgery to support development management application assessment. • Action Taken Trial undertaken in Spring 2015 with a view to rolling out permanently. • Evidence MDC protocol established and included in DM portal. 	Complete
<ul style="list-style-type: none"> • Committed Improvements and Actions Review the Design Review Panel remit, membership and operations. • Action Taken Internal review underway with a detailed panel member review due to take place in summer 2015. Updates including refresh of process and panel membership to be complete by September 2015. • Evidence Evidence in next year's PPF. 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Develop detailed design policy to support the ALDP. • Action Taken Team workshops to test, update existing and develop new design and conservation policies. • Evidence Proposed ALDP published February 2015, consultation completed June 2015. 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Complete appraisals for 4 conservation areas - Old Aberdeen, Pitfodels, Cove and Footdee • Action Taken Draft Old Aberdeen CA Appraisal complete, including extensive liaison with Heritage Society and Community Council. Draft Footdee CA Appraisal due to be reported by October 2015 (consultation due August 2015), Pitfodels and Cove CAs complete. • Evidence See High Quality Development on the Ground Section Old Aberdeen, Cove Bay, Pitfodels 	Ongoing
<ul style="list-style-type: none"> • Committed Improvements and Actions Continue IHBC accreditation training. 3 candidates programmed for application submission 2015, 4 for 2016. • Action Taken Tailored training plans for each of the 7 candidates, mentored by senior conservation officer. Liaison and support from IHBC as pioneering pilot scheme. • Evidence Individual professional development training plans. See High Quality Development on the Ground Section. 	Ongoing

<ul style="list-style-type: none"> • Committed Improvements and Actions Continue to support the Aberdeen City Heritage Trust. • Action Taken Funding secured from Historic Scotland to 2018. ACHT Business Plan approved, Project Officer part of MDC team and co-located in Marischal College. • Evidence See High Quality Development on the Ground Section ACHT Business Plan: ACHT Annual Report. 	Ongoing
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Prime Four Business Park, Kingswells



5 Official Statistics

A: Decision-making timescales (based on 'all applications' timescales)

		Average timescale (weeks)	
Category	Total number of decisions 2014-2015	2014-2015	2013-2014
Major Developments	17	47.6	88.6
Local developments (non-householder)	494	16.6	15.9
• Local: less than 2 months	177 (35.8%)	6.9	6.6
• Local: more than 2 months	317 (64.2%)	22.0	22.6
Householder developments	676	12.8	10.0
• Local: less than 2 months	248 (36.7%)	7.2	7.4
• Local: more than 2 months	428 (63.3%)	16.0	13.9
Housing developments			
Major	2	70.1	110
Local housing developments	86	22.2	-
• Local: less than 2 months	16 (18.6%)	7.1	8.5
• Local: more than 2 months	70 (81.4%)	25.7	35.5
Business and industry			
Major	4	62.1	38
Local business and industry	68	15.5	16
• Local: less than 2 months	18 (26.5%)	7.1	7.6
• Local: more than 2 months	50 (73.5%)	18.6	24.2
EIA developments	0	0	12.3
Other consents*	270	17.1	17.3
Planning/legal agreements**	14	45.8	82.3
• Major: average time	3	63.4	-
• Local: average time	11	41.0	-
Local reviews	25	5.8	5

Notes :

* *Consents and certificates: Listed buildings and Conservation area consents, Control of Advertisement consents, Hazardous Substances consents, Established Use Certificates, certificates of lawfulness of existing use or development, notification on overhead electricity lines, notifications and directions under GPDO Parts 6 & 7 relating to agricultural and forestry development and applications for prior approval by Coal Authority or licensed operator under classes 60 & 62 of the GPDO.*

** *Legal obligations associated with a planning permission; concluded under section 75 of the Town and Country Planning (Scotland) Act 1997 or section 69 of the Local Government (Scotland) Act 1973.*

B: Decision-making: local reviews and appeals

Type	Total number of decisions	Original decision upheld			
		2014-2015		2013-2014	
		Number	%	Number	%
Local reviews	25	18	72%	3	42.8%
Appeals to Scottish Ministers	10	4	40%	5	55.5%

C: Enforcement activity

	2014-2015	2013-2014
Cases taken up	175	198
Breaches identified	216	160
Cases resolved	121	121
Notices served***	7	11
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

*** Enforcement notices; breach of condition notices; planning contravention notices; stop notices; temporary stop notices; fixed penalty notices, and Section 33 notices.

Townhouses, Stoneywood



D: Context

The focus of effort in the last year has been to prioritise improvements to the speed and efficiency of dealing with major development applications in response to average determination times that were below the Scottish average in 2013-14 and the consequent identification of this as "red" category in the Scottish Government's Annual Planning Performance Report. Determination times have improved from 88.6 weeks in 2013-14 to 47.6 weeks in 2014-15 – a figure that, whilst still very much a focus for further attention, is better than the Scottish average for the 2013-14. It is considered that the recruitment of additional senior level staff (including two experienced Senior Planners) and more of a focus on project management by case officers, systematically monitored by Team Leaders, has had a significant bearing on this improvement which is expected to continue as recently recruited staff gain workload and experience.

Conversely there has been a small increase in the average determination time for local and householder development applications. Factors that contributed to this decline in performance include:-

- clearing of legacy cases – 48 in the year
- a period of unprecedented turnover of staff in the Application Support Team which has significantly slowed down the validation process (see ref for evidence)
- a very significant increase in the number of Local Review Body cases (from 7 to 25) combined with the introduction of pre-application forum meetings (27 pre-application proposals considered in the year) in line with a Scottish Government requirement/ best practice:- both of which have demanded considerable staff resource
- planning officer level vacancies in the applications team which have only recently been filled (including maternity leave

- In common with previous years the time taken to determine the legal agreements had a significant impact on the figures and is a factor over which the planning service has limited control.

In the coming year it is expected that several factors will result in improved performance and a reduction in average determination times as detailed in the body of this report including:-

- introduction of Stop the Clock Procedure for the first time – as of April 2015
- implementation of new processes and restructuring of administration team including the appointment of a Business Support Manager
- fully staffed Applications Team – as of May 2015
- recruitment of additional staff into the Applications Support Team
- contracting out of the majority of legal agreements

Notwithstanding the foregoing, it is expected that the projected implementation of a new computerised applications system, which will ultimately provide an improved and more efficient application management, is likely to have an unavoidable short-term negative impact on processing times for a period of 2 or 3 months. Measures will be put in place to mitigate this impact as far as possible and the impact will be compensated for by long term permanent improvements in the speed of decision making in forthcoming years.

6 Workforce and Financial Information

	Tier 1	Tier 2	Tier 3	Tier 4
Head of Planning and Sustainable Development			1	

Note : Tier 1= Chief Executive, Tier 2= Directors, Tier 3= Heads of Service, Tier 4= Managers

		DM	DP	Enforcement	Other
Manager	No. Posts	3	1.86	-	2.5
	Vacant	-	0.14	-	-
Main grade posts	No. Posts	15.5	9	2.5	9.5
	Vacant	-	-	-	-
Technician	No. Posts	4	-	-	2
	Vacant	-	-	-	-
Office Support/Clerical	No. Posts	7.5	-	-	-
	Vacant	0.5	-	-	-
Total		31	11	2.5	14

Note : Staff in the Masterplanning, Design and Conservation Team which is part of the larger DM team but who do not handle applications and staff in Environmental strategy with more than 50 percent planning related workload are now both recorded as Other. The Application Support team is split 50/50 in terms of work between Development Management and Building Standards so the total number of posts has been halved to indicate the resource exclusive to the planning function.

Staffing Age Profile	Number (approx.)
Under 30	18
30-39	22
40-49	10
50 and Over	8

Committees and site visits*	No. per year
Full Council committees	9
Planning Committees	13
Area Committees (where relevant)	N/A
Committee site visits	4
LRB**	27
LRB site visits	2

Notes :

* References to committees also include National Park Authority Boards. Number of site visits is those cases where visits were carried out by committees/boards.

** this relates to the number of meetings of the LRB. The number of applications going to LRB are reported elsewhere.

	Total Budget	Costs		Income***
		Direct*	Indirect**	
Development management	500,735	1,523,137	131,166	1,438,669
Development planning	586,651	322,983	99,876	0
Enforcement	Subsumed in DM and DP Budgets			
Other				
Total	1,087,386	1,846,121	231,043	1,438,669

Notes:

- * Direct staff costs covers gross pay (including overtime, national insurance and superannuation contribution). The appropriate proportion of the direct cost of any staff member within the planning authority spending 30% or more of their time on planning should be included in costs, irrespective of what department they are allocated to (for example, legal advice, administration, typing). Exclude staff spending less than 30% of their time on planning.
- ** Indirect costs include all other costs attributable to the planning service. Examples (not exhaustive) include accommodation, IT, stationery, office equipment, telephone charges, printing, advertising, travel & subsistence, apportionment of support service costs.
- *** Include fees from planning applications and deemed applications, and recharges for advertising costs etc. Exclude income from property and planning searches.

Justice Mill Lane



Appendix 1 Performance Markers

The performance markers are set out below. Progress and performance in terms of these markers is evidenced at the relevant in the body of the PPF report (eg. PM1).

Driving Improved Performance

	Performance Marker	Measure	Source/ Evidence	Policy Support	PPF
PM1	Decision making: authorities demonstrating continuous evidence of reducing average timescales for all development types	Evidence of continuous improvement	Statistics and National Headline Indicators	Official Statistics and PPF reports	NHIs
PM2	Project management: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications and availability publicised on planning authority website	YES/NO	PA to provide	Modernising the Planning System (Audit Scotland); SG website/template	NHIs; Certainty
PM3	Early collaboration with applicants and consultees on planning applications: - availability and promotion of pre-application discussions for all prospective applications - clear and proportionate requests for supporting information	YES/NO Examples	PA to provide	White Paper, Delivering Planning Reform; Planning Reform Next Steps	NHIs; Open for Business; Certainty
PM4	Legal agreements: conclude (or reconsider) applications within 6 months of 'resolving to grant'* * <i>this will require production of supporting guidance, following wider stakeholder input</i>	Reducing number of live applications more than 6 months after resolution to grant (from same time last year)	PA to provide	Official statistics; PPF reports; evidence of delays to major developments	Certainty; Efficient and Effective Decision-Making
PM5	Enforcement charter updated/re-published	Within 2 years	PPF Report	Planning Act (s158A)	NHIs
PM6	Continuous improvement: - show progress/improvement in relation to PPF National Headline Indicators - progress ambitious and relevant service improvement commitments identified through PPF report	Progress on all commitments	PPF Report	Delivering Planning Reform; PPF Report	Culture of Continuous Improvement; Service Improvement

Promoting the Plan-led System

	Performance Marker	Measure	Source/ Evidence	Policy Support	PPF
PM7	LDP (or LP) less than 5 years since adoption	YES/NO	PPF report	Planning Act (s16); Scottish Planning Policy	NHIs; Certainty; High Quality Development on the Ground
PM8	Development plan scheme demonstrates next LDP: - on course for adoption within 5-year cycle - project planned and expected to be delivered to planned timescale	YES/NO YES/NO	PPF report	Planning Act (s16); Scottish Planning Policy	NHIs; Certainty; High Quality Development on the Ground
PM9	Elected members engaged early (pre-MIR) in development plan preparation	Evidence of activity	PA to provide		Certainty; Efficient and Effective Decision-Making
PM10	Cross-sector stakeholders, including industry, agencies and Scottish Government, engaged early (pre-MIR) in development plan preparation	Evidence of activity	PA to provide		Certainty; Efficient and Effective Decision-Making
PM11	Production of regular and proportionate policy advice, for example through supplementary guidance, on (i) information required to support applications and (ii) expected developer contributions	Evidence of activity	PA to provide		Open for Business; Certainty

Simplifying and Streamlining

	Performance Marker	Measure	Source/ Evidence	Policy Support	PPF
PM12	Corporate working across services to improve outputs and services for customer benefit (e.g. protocols; joined-up services; single contact; joint pre-application advice)	Examples from the year	PA to provide		
PM13	Sharing good practice, skills and knowledge between authorities	Evidence of activity to pass on and adopt good practice	PPF report	Delivering Planning Reform; Planning Reform Next Steps	

Delivering Development

	Performance Marker	Measure	Source/ Evidence	Policy Support	PPF
PM14	Stalled sites/legacy cases: conclusion/withdrawal of planning applications more than one year old	Reducing number of applications more than 1 year old (from same time last year)	Statistics from SG Analytical Services		
PM15	Developer contributions: clear and proportionate expectations - set out in development plan (and/or emerging plan,) and - in pre-application discussions	Y/N Examples	LDP PA to provide		

Lighting column,
Aberdeen International Business Park
Dyce



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ABERDEEN CITY COUNCIL

COMMITTEE	Planning Committee	Development	Management
DATE	16 July 2015		
DIRECTOR	Pete Leonard		
TITLE OF REPORT	Confirmation with modification of Tree Preservation Order number 195		
REPORT NUMBER:	CHI/15/215		
CHECKLIST RECEIVED	Yes		

1. PURPOSE OF REPORT

To confirm, with modification, one provisional Tree Preservation Order (TPO) made by the Head of Planning and Sustainable Development under delegated powers. The Order currently provides temporary protection for the trees, but is required to be confirmed by the Planning Development Management Committee to provide long term protection.

In response to serving the provisional Tree Preservation Order two representations were received, copies are attached to this report. Both representations highlighted procedural issues with the serving of the orders. Legal advice has been sought in relation to these issues and, where appropriate, action taken. This has resulted in the order being renamed. The representations also offered opinion on the merits of the order. These points were considered and resulted in the removal of Area 2 and the amendment of the original statement of reasons.

2. RECOMMENDATION(S)

It is recommended that Members:

- 1) confirm the making of Tree Preservation Order 195 with the following modifications:
 - a) removal of the area annotated as A2; see attached plan. An outstanding planning consent will result in the removal of this group of trees to facilitate development.
 - b) to amend the Statement of Reasons to read:

A (i) The trees add to the character and amenity value of the area and a Tree Preservation Order will allow the Council to input into the future management of these trees to ensure long-term retention of tree cover.

- c) to amend the title to Tree Preservation Order 195 Kingswells House 2015 to make it legally distinct

and;

- 2) instruct the Head of Legal and Democratic Services to attend the requisite procedures.

3. FINANCIAL IMPLICATIONS

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

4. OTHER IMPLICATIONS

The making of a Tree Preservation Order generally results 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 undertaken within existing staffing resources.

5. BACKGROUND/MAIN ISSUES

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

- **Tree Preservation Order Number 195, Kingswells House**

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 Tree Preservation Orders.

7. MANAGEMENT OF RISK

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

8. BACKGROUND PAPERS

Provisional order is available to view on request; the unmodified boundary map for TPO 195 is attached.

9. REPORT AUTHOR DETAILS

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