

# Public Document Pack



To: Councillor Milne, Convener; Councillor Finlayson; Vice Convener; and Councillors Boulton, Cooney, Corall, Cormie, Crockett, Donnelly, Greig, Hutchison, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Nicoll, Jennifer Stewart and Sandy Stuart .

Town House,  
ABERDEEN 10 August 2016

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet in Committee Room 2 - Town House on **THURSDAY, 18 AUGUST 2016 at 10.00 am.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **BUSINESS**

**MEMBERS PLEASE NOTE THAT ALL LETTERS OF REPRESENTATION, INCLUDING THOSE NOT IN THE REPORT PACK, ARE AVAILABLE TO VIEW IN THE MEMBERS' LIBRARY**

### **MINUTES OF PREVIOUS MEETINGS**

- 1 Minute of Meeting of the Planning Development Management Committee of 14 July 2016 - for approval (Pages 5 - 16)

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

2 Kingshill Road, Countesswells - Phase 1 Housing (Pages 17 - 54)

Planning Reference – 140730

The documents associated with this application can be found at:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Enter the above planning reference number and click 'Search'.

Planning Officer – Paul Williamson

3 Rowett South - 1700 Homes (Pages 55 - 108)

Planning Reference – 140844

The documents associated with this application can be found at:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Enter the above planning reference number and click 'Search'.

Please note: There are no Letters of Representation associated with this report.

Planning Officer – Mathew Easton

4 Froghall Terrace - Residential And Student Accommodation (PPiP)  
(Pages 109 - 160)

Planning Reference – 151772

The documents associated with this application can be found at:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Enter the above planning reference number and click 'Search'.

Planning Officer – Nicholas Lawrence

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

5 **Burnside Gardens - Key Worker Accommodation** (Pages 161 - 212)

Planning Reference – 151842

The documents associated with this application can be found at:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Enter the above planning reference number and click 'Search'.

Planning Officer – Nicholas Lawrence

6 **20 Farburn Terrace - Redevelopment of Industrial Site** (Pages 213 - 226)

Planning Reference – 160379

The documents associated with this application can be found at:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Enter the above planning reference number and click 'Search'.

Planning Officer – Mathew Easton

7 **Wellside Circle, Kingswells - Erection of 2 Residential Dwellings** (Pages 227 - 258)

Planning Reference – 160753

The documents associated with this application can be found at:-

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

Enter the above planning reference number and click 'Search'.

Planning Officer – Ross McMahon

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

To access the Information Bulletins for this Committee please use the following link:

<http://committees.aberdeencity.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13336&path=13004>

Should you require any further information about this agenda, please contact Mark Masson on 01224 522989 or email [mmasson@aberdeencity.gov.uk](mailto:mmasson@aberdeencity.gov.uk) or Lynsey McBain on 01224 522123 or email [lymcbain@aberdeencity.gov.uk](mailto:lymcbain@aberdeencity.gov.uk)

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## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

14 July 2016

ABERDEEN, 14 July 2016. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Boulton, Corall, Cormie, Donnelly, Greig, Hutchison, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Nicoll and Sandy Stuart.

**The agenda and reports associated with this minute can be found at:-**  
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=348&MI d=3844&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.**

### AGENDA RUNNING ORDER

1. The Convener provided various updates in regards to the agenda and advised that (a) in regards to item 6, Jesmond Drive, a replacement report had been issued and (b) item 7 Foresterhill Court, had been withdrawn. The Convener then proposed an amended running order of the agenda.

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

- (i) to note the various updates;
- (ii) to agree the revised running order of the agenda - items 1, 2, 9, 11, 3, 4, 5, 6, 8 and 10;
- (iii) and to note the information provided.

### MINUTE OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 16 JUNE 2016

2. The Committee had before it the minute of its previous meeting of 16 June 2016 for approval.

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

to approve the minute as a correct record.

### 26 LOIRSTON ROAD, ALLAN PARK, COVE - 160241

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

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That the Committee show **a willingness to approve** the application for a proposed change of use from sports facility to a residential development of 48 units at 26 Loirston Road, to include associated parking and landscaping subject to a section 75 Planning Obligation relating to affordable housing, community facilities, open space, and the provision of the replacement football stadium at Calder Park, together with local roads improvements including a replacement bus shelter, and also subject to the following conditions:-

(1) 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. 10173 / PL-02 A 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 - in the interests of public safety and the free flow of traffic.

(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 - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

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

(4) that no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety - in order to preserve the amenity of the neighbourhood.

(5) that no dwellings hereby granted planning permission shall be occupied unless the area/areas of public open space as identified on Drawing No. 415.20.01 of the plans hereby approved (or such other drawing as may be subsequently approved) have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the Planning Authority. No development pursuant to this planning permission shall take place unless such a

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scheme detailing the manner in which the open space is to be managed and maintained has been submitted to and approved in writing by the planning authority. Such scheme shall include provision for a play area comprising at least five items of play equipment and a safety surface - in order to preserve the amenity of the neighbourhood.

(6) that all planting, seeding and turfing comprised in the approved scheme of landscaping (as shown on plan 415.20.01) shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(7) That none of the units hereby granted planning permission shall be occupied unless a scheme detailing cycle storage and motor cycle parking provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel.

(8) that no individual development plot shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a comprehensive Residential Travel Pack for that development plot, setting out proposals for reducing dependency on the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets. This should also include information on external connectivity to key facilities, and, in consultation with local schools and the planning authority, information on safer routes to schools - in order to encourage more sustainable forms of travel to and from the development, and in the interests of the safety of pupils traveling to and from local schools.

(9) Notwithstanding the details shown on the approved plans, no residential unit shall be occupied until such time as the disabled car parking spaces are relocated to parts of the site, with better accessibility to the built form as part of a scheme to be submitted to and approved in writing by the planning authority. Thereafter, the approved scheme shall be implemented in full - in order to ensure that the disabled spaces are provided in the most accessible position.

(10) That no development shall take place unless there has been submitted to and agreed in writing by the planning authority schemes for improvements to the local road network including existing and proposed traffic calming and build out features. Thereafter the development shall not be occupied unless the said

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improvements have been implemented in full - in the interests of road safety and the free flow of traffic.

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

The Committee heard from Paul Williamson, Senior Planner, who spoke in furtherance of the report and answered various questions from members. Mr Williamson advised that an extra condition would be added regarding a bin storage plan.

The Committee also heard from Gregor Whyte, who answered various questions in regards to road issues.

**The Committee resolved:-**

- (i) to request that an extra condition be added, to read "that no development shall take place unless there has been submitted to and approved in writing, a scheme / plan for the storage of refuse/recycling. Thereafter such provision shall be implemented in full accordance with said scheme. Such areas shall not thereafter be used for any other purpose other than the purpose of the storage of refuse/recycling - in the interests of public health, the amenity of the neighbourhood, and the suitable disposal of refuse"; and
- (ii) to otherwise agree the recommendation and approve the application conditionally subject to the Section 75 agreement.

**OLD FOLD FARM, EAST DRIVE TOR-NA-DEE - 160422**

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

That the Committee **approve the application** for matters specified in conditions and application relating to condition 19 (bus stops) from PPIP consent 130378, subject to the following condition:-

**RAISED KERB PROVISION**

The raised kerbs shall be installed in accordance with Fairhurst drawings 83744/sk1803 and 87344/SK1804 within 3 months from the date of this decision notice or otherwise agreed in writing with the planning authority.



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Reason – in order to ensure that accessibility to the bus stops is enhanced and that the development is carried out in accordance with the requirements of the Planning Permission in Principle.

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

to approve the application conditionally.

### **ABERDEEN SOUTH SUPPLY BASE, SOUTER HEAD ROAD ALTENS - 160334**

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

That the Committee **approve the application** for the keeping of hazardous substances including those which are flammable or hazardous to the aquatic environment, subject to the following condition:-

(1) The hazardous substances shall not be kept or used other than in accordance with the particulars provided on the application form, nor outside the areas marked for storage of the substances on the plans which formed part of the application, specifically Substance Location Map – Application by REDA Oilfield UK Ltd, Concorde House, Westhill, AB32 6UF.

Reason – To ensure that all parties recognise the scale and extent of the consent being granted.

### **INFORMATIVE NOTE**

In accordance with the provisions of section 28 of the Planning (Hazardous Substances) (Scotland) Act 1997, nothing in this hazardous substances consent hereby granted shall require or allow anything to be done in contravention of any of the relevant statutory provisions or any prohibition notice or improvement notice served under or by virtue of any of those provisions. To the extent that such a consent or notice purports to require or allow any such thing to be done, it shall be void.

"Relevant statutory provisions", "improvement notice" and "prohibition notice" have the same meanings as in Part I of the [1974 c. 37.] Health and Safety at Work etc. Act 1974.

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

to approve the application conditionally.

### **11 BAILLIESWELLS ROAD BIELDSIDE - 160583**

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

That the Committee approve the application for the erection of a 5 bedroom detached house with associated access and landscaping at 11 Baillieswells Road, subject to the following conditions:-

- (1) 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 - in the interests of the amenity of the area.
- (2) No materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the planning authority, and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks – in order to ensure adequate protection for trees adjacent to the site during the construction of the development.
- (3) Any tree work which appears to be necessary during the implementation of the development shall not be undertaken without the prior written consent of the planning authority; any damage caused to trees growing on land adjacent to the site shall be remedied in accordance with British Standard 3998: 1989 'Recommendation for Tree Works' before the buildings hereby approved are first occupied. Reason: In order to preserve the character and visual amenity of the area.
- (4) The development shall not be occupied unless the driveway hereby granted planning permission has been constructed, drained and laid out in accordance with the plans hereby approved, or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such area shall not thereafter be used for any purpose other than the purpose of the parking/turning of vehicles ancillary to the development and use thereby granted approval. Reason: In the interests of public safety and the free flow of traffic.
- (5) That notwithstanding the provisions of Article 2(4), Schedule 1, Part 1, Classes 1A, 1B, 1C, 1D, 3A and 3B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended by the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, no extensions, alterations or improvements which materially affect the external appearance of the dwellinghouse, nor any means of enclosure shall be erected or carried out either on, or in the

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curtilage, of the dwellinghouse hereby approved without a further grant of planning permission from the planning authority - in the interests of visual amenity.

**The Committee resolved:-**

to approve the application conditionally.

**MATTER OF URGENCY**

The Convener intimated that he had directed in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973 that the following item be considered as a matter of urgency to enable the item to be considered timeously.

**JESMOND DRIVE BRIDGE OF DON – 160376**

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

That the Committee show a **willingness to conditionally approve** the application for the construction of 15 residential units with associated car parking and landscaped amenity areas, subject to a legal agreement, or other suitable arrangement, to secure developer obligations towards community facilities and to secure the delivery and retention of the site as affordable housing, subject to the following conditions:-

- (1) No development shall take place unless a Matters Specified in Conditions application has been submitted to and approved by the planning authority comprising details of layout, detailed design and external appearance of:
  - (i). buildings and any ancillary structures;
  - (ii). plot and site layout, including boundary enclosures;
  - (iii) storage areas for waste and recyclables;
  - (iv) vehicular/cycle/pedestrian access;
  - (v) vehicle (including cycle and motorcycle) parking; and
  - (vi) Surface Water Drainage arrangements.

- in order to ensure a satisfactory design and a layout of development that respects the character and built form of the area.

- (2) In respect of condition 1.i. no development pursuant to the planning permission hereby approved shall be carried out unless a Matters Specified in Conditions application has been submitted to and approved by the planning authority comprising full details of all: external materials, including windows/ doors/ rainwater goods/ etc; sustainable design standards, demonstrating the use of low / zero carbon technologies in achieving at least a 15% reduction in carbon emissions when measured against the 2007

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building standards – in the interests of a suitable quality of materials, sustainability and to address the requirements of Policy R7 of the Aberdeen Local Development Plan 2012.

- (3) In respect of condition 1.ii. no development pursuant to the planning permission hereby approved shall be carried out unless a Matters Specified in Conditions application has been submitted to the planning authority and approved by detailing the site layout, including private, communal and public areas, which shall incorporate children's play facilities and areas of both shared and public open space; and all plot and site boundary enclosures – in the interests of appropriate design quality and to address the requirements of Policy D1 of the Aberdeen Local Development Plan 2012.
- (4) In respect of condition 1.iii. no development pursuant to the planning permission hereby approved shall be carried out unless a Matters Specified in Conditions application has been submitted to and approved by the planning authority detailing how waste and recyclables storage and collection arrangements shall be dealt with, in line with the requirements of the Waste Authority – in the interests of ensuring appropriate arrangements for waste, a suitably high quality design solution, and to address the requirements of Policy R6 of the Aberdeen Local Development Plan 2012.
- (5) In respect of condition 1.iv. and v. no development pursuant to the planning permission hereby approved shall be carried out unless a Matters Specified in Conditions application has been submitted to the planning authority and approved by comprising details of:
- i. The relocation of the existing southbound bus stop immediately to the east of the site and north of the indicatively proposed road junction off the bus layby to a position which would avoid any conflicts between buses and other vehicles using that proposed junction. Details showing the solution shall be submitted to and approved in writing by the Planning Authority. Thereafter such approved details shall be implemented prior to the occupation of any of the hereby approved residential units;
  - ii. An appropriate level of parking and adequate pathways and turning space within the site, based on the standards set in association with the indicative layout accompanying this application, which shows: 15 'affordable housing' flats (9x 1 bed, 5x 2 bed and 1x 3 bed) and 17 car parking spaces (1x disabled); 2 motorcycle parking spaces; 16 secure cycle parking spaces; 2 visitor cycle parking spaces; and
  - iii. Details of Residential Travel Packs (RTP) are submitted to and approved in writing by the Planning Authority, any such approved RTP shall thereafter be made available to residents of the hereby approved residential units, including at any change in tenancies, and updated on an annual basis thereafter – in the interests of ensuring appropriate arrangements for access and parking, a suitably high quality design

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solution, and to address the requirements of Policies T2 and R6 of the Aberdeen Local Development Plan 2012.

- (6) In respect of condition 1.vi. no development pursuant to the planning permission hereby approved shall be carried out unless a Matters Specified in Conditions application has been submitted to and approved by the planning authority comprising a Drainage Impact Assessment (DIA) detailing the proposed drainage design, which should incorporate SuDS measures and indicate on layouts existing sewers/ watercourses within the vicinity of the site – in the interests of appropriate surface water drainage arrangements, for the avoidance of pollution and to address the requirements of Policy NE6 of the Aberdeen Local Development Plan 2012.
- (7) No development pursuant to the planning permission hereby approved shall be carried out unless a Matters Specified in Conditions application has been submitted to and approved by the planning authority setting out details of measures designed to address any impacts on badgers, bats and birds, such details shall be based on advice from a suitably qualified person, the details of which shall be agreed in advance with the Planning Authority – to ensure that works are undertaken such that protected species (including) birds are suitably protected.
- (8) No development pursuant to the planning permission hereby approved shall be carried out unless a Matters Specified in Conditions application has been submitted to and approved by the planning authority comprising full details of hard and soft landscaping covering all areas of private/shared/public amenity areas, including children’s play facilities, has been submitted to and approved in writing by the planning authority. The scheme shall include details of –
- a) Existing and proposed finished ground levels;
  - b) Existing and proposed services and utilities, including: cables, pipelines, and any substations;
  - c) An Arboricultural Impact Assessment (AIA) to show how trees (particularly Wych Elm) either within or in close proximity to the site will be dealt with both during and after the development phase;
  - d) Proposed tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting;
  - e) Arrangements for the management and maintenance of all proposed open space, woodlands and landscaped areas; and
  - f) Proposed hard surface finishing materials.
- (9) All soft and hard landscaping proposals approved via condition 8 shall be carried out in accordance with the approved scheme, which may include phasing, and shall be completed at the latest during the planting season immediately following the commencement of each respective phase of the development or other such date as may be agreed in writing with the planning authority. Any planting which,

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within a period of 5 years from the completion of each phase of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted – in order to integrate the development into the surrounding landscape, increasing the biodiversity value of the site and creating a suitable environment for future residents.

The Committee heard from Kristian Smith, Team Leader Development Management, who spoke in furtherance of the report and answered various questions from members.

**The Committee resolved:-**

to approve the application conditionally.

### **NORTH LINN PETERCULTER – 160571**

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

That the Committee refuse the application for the erection of an agricultural building at North Linn, Peterculter.

**The Committee resolved:-**

to approve the recommendation and therefore refuse the application.

### **UNION STREET ENFORCEMENT INVESTIGATION – PDMC/16/111**

9. The Committee had before it a report by the Director of Communities, Housing and Infrastructure, which informed members of the extent and nature of potential planning enforcement action required in relation to Union Street and to seek authority to pursue potential enforcement action where considered necessary and expedient in order to rectify specific breaches of control.

Robert Forbes spoke in furtherance of the report and provided information in regards to an additional case that was not included on the list at 333 Union Street, in relation to enforcement action to seek removal of the marquee. Mr Forbes also highlighted that the City Centre Director was currently working on a strategic vision for Union Street and this would be incorporated. He also advised that a task group had been set up to look at Union Street and ways to improve it and planning officers had input to this group.

Members asked a number of questions of Mr Forbes and asked for clarification on various issues.

**The Committee resolved:-**

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to agree that members note the content of the report and instruct officers to undertake such action as considered appropriate.

**PLANNING PERFORMANCE FRAMEWORK ANNUAL REPORT 2015-16 – CHI/16/68**

**10.** The Committee had before it a report by the Director of Communities, Housing & Infrastructure, which provided an introduction to the Council’s draft Planning Performance Framework (PPF).

**The report recommended:-**

that the Committee notes and takes the opportunity to comment on performance levels and service improvements that had taken place during 2015-16 and approve the PPF and action plan proposed for the coming year, for submission to the Scottish Government.

Pauline Wilkinson, Support Manager, spoke in furtherance of the report and noted that the overall aim was to improve the performance of the planning service and to reduce the amount of time it currently took to progress applications. Ms Wilkinson advised that various measures had been taken to improve the service including the use of “Stop the Clock” facility and the use of planning applications being submitted electronically. Ms Wilkinson noted that there had been an 11.4% drop in income generated and also a 5% drop in the number of applications submitted due to the recent economic downturn.

Members then asked a number of questions in regards to the performance report. Councillor Boulton queried whether Section 75 agreements could be issued quicker. However it was noted that significant efforts had been made by both the planning and legal services to speed up the process, although this had seen limited success in timeframes, although officers continue to look at the issue with applicants/ agents and their legal representatives.”

**The Committee resolved:-**

to approve the recommendation.

**KINCARDINE OFFSHORE WINDFARM – CHI/16/125**

**11.** The Committee had before it a report by the Director of Communities, Housing and Infrastructure, which sought approval for the issue of the Council’s response, as a statutory consultee, to Marine Scotland in regards to the Kincardine Offshore Windfarm.

The Committee heard from Deb Munro and Morag McCorkindale who spoke in furtherance of the report and provided information to members on the windfarm. Ms Munro advised that the environmental statement failed to address the cumulative

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landscape and visual impacts of the proposals with Nigg Harbour and Aberdeen Offshore Windfarm and also intimated that these effects are an issue. However she explained that in principle officers were supportive of the project.

Ms Munro and Ms McCorkindale then answered a number of questions from members.

**The report recommended:-****That the Committee -**

- (a) approves the response as contained within the report;
- (b) instructs officers to submit the response to Marine Scotland as detailed in appendix to the report;
- (c) instructs officers to seek to work with the developer to promote local supply chain and employment opportunities.

**The Committee resolved:-**

- (i) to request that an additional section in regards to the potential for a hydrogen station be included with the response as well as highlighting the various concerns covered in the report; and
  - (ii) to otherwise approve the recommendations.
- **Councillor Ramsay Milne, Convener**

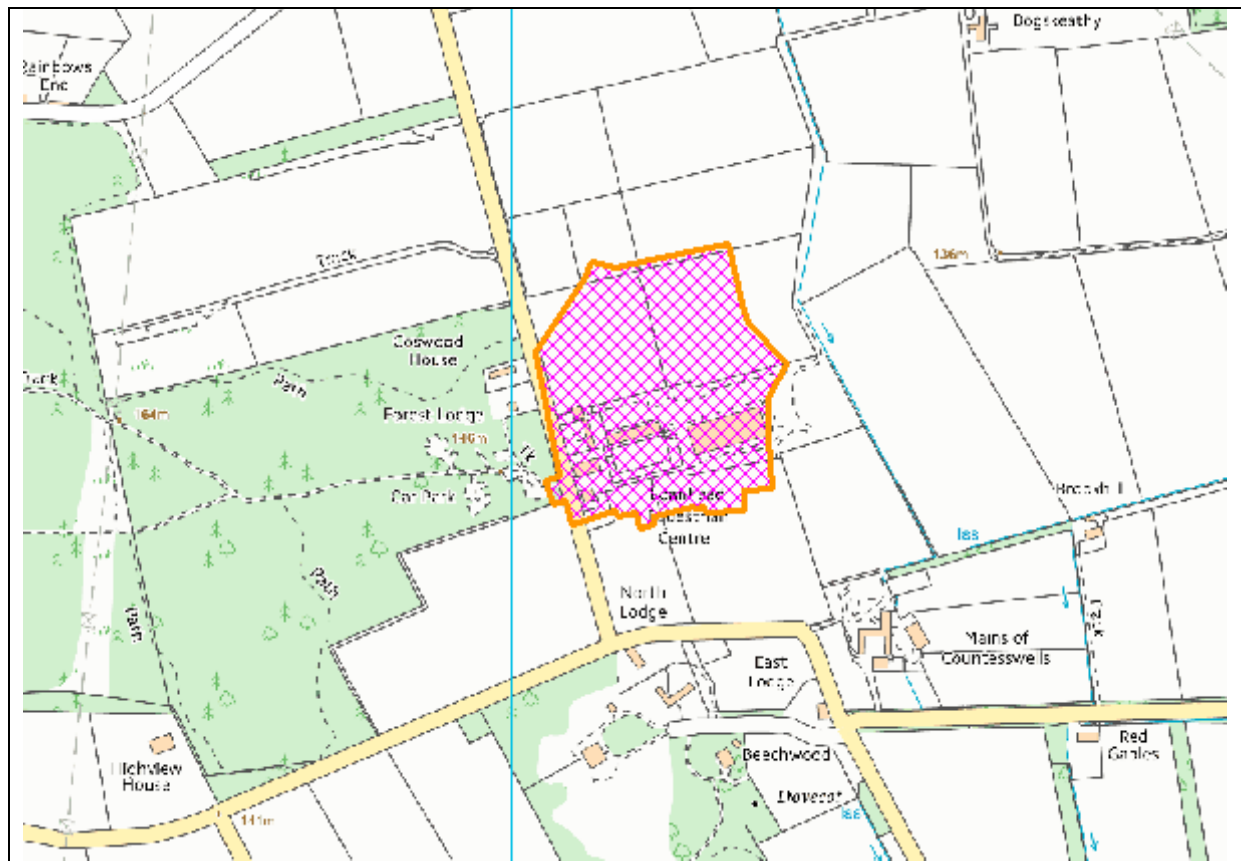


## Planning Development Management Committee Detailed Planning Permission

**140730:** Residential development comprising 124 units & associated new and upgraded access roads, landscaping & ancillary engineering works at Block C1/C2, Kingshill Road, Countesswells, Aberdeen

For: Stewart Milne Homes North

|                    |                                 |
|--------------------|---------------------------------|
| Application Date:  | 20 May 2014                     |
| Officer:           | Paul Williamson                 |
| Ward:              | Lower Deeside                   |
| Community Council: | Cults, Bieldside And Milltimber |
| Advertisement:     | Can't notify neighbours         |
| Advertised Date:   | 04 June 2014                    |



Location Plan

**RECOMMENDATION:** Willingness to Approve, subject to a s75 legal agreement linking this application for detailed planning permission, to the over-arching existing legal agreement for the wider development, and the developer obligations identified therein.

## **SITE DESCRIPTION**

The application site covers 4.94 hectares of predominantly agricultural land between Kingswells to the north and Cults to the south, approximately 6 km from the City Centre.

To the west, the site is bounded by Kirk Brae (C128C) and Countesswells Wood. To the south and east, the site comprises open fields which lead towards the Blacktop Road and Hazlehead Wood respectively. To the north are further open fields towards Newton of Countesswells Farm.

Until last year, the site was partially occupied by the buildings which were formerly home to the Loanhead Equestrian Centre. However those buildings were demolished as part of the wider development proposals.

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

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

## **RELEVANT HISTORY**

A parallel application for planning permission in principle (Ref: 140438) for the overall residential development comprising of 3000 units, town and neighbourhood centre (including commercial, retail and leisure uses), approximately 10 hectares of employment land, community facilities, open space, landscaping and supporting infrastructure including access, was considered by Members at Full Council on 8 October 2014, then again on 24 October 2015. Members were minded to accept the officer recommendation for a willingness to approve planning permission subject to a s75 legal agreement, and a number of planning conditions. The application was subsequently approved on 1 April 2016.

Detailed Planning Permission (Ref:140435) was approved conditionally on 7 November 2014 for the provision of infrastructure, including access, internal road layout, landscaping and drainage provision for part of the first phase of the residential led mixed use development. That application is already being implemented.

A subsequent application (Ref: 160420) for matters specified in conditions for the erection of 239 residential units on Development Block N10 (of the Development Framework / Phase 1 Masterplan) was approved on 6 July 2016.

## **DESCRIPTION OF PROPOSAL**

Detailed planning permission is sought for the erection of 124 residential units on Development block C1, and the very northern part of development block C2.

The general form of development centres around a network of outward facing streets towards the soon to be formed new arrangement of streets. Internally, a network of streets (with shared surfaces) would be of a rough grid iron layout to allow manoeuvrability. The scale of properties would vary from two up to a maximum of three storeys (plus attic accommodation served by rooflights and some balconies).

Of the 124 units, proposed, the development would comprise:

33 Apartments: 1 bed x 13; 2 bed x 12; and 3 bed x 8

91 Dwellings: 2 bed x 6; 3 bed x 13; 4 bed x 58; and 5 bed x 14

In respect of materials, a variety would be utilised across the site, including various stone finishes, render, and brickwork. Some elements of upper floor cladding would be incorporated, while roofs would be clad either with red or grey roof tiles, or reconstituted slate tiles. No details for the windows and doors were specified at this time.

## **SUPPORTING DOCUMENTS**

All drawings and supporting documents listed below can be viewed on the Council's website at [www.publicaccess.aberdeencity.gov.uk](http://www.publicaccess.aberdeencity.gov.uk).

- Hard and Soft Landscaping Proposals
- Design and Access Statement
- Drainage Plans
- Refuse Strategy
- Planning Statement
- Pre Application Consultation Report
- Tree Survey Report
- Transportation Assessment
- Floor Plans and Elevations

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

## **PRE-APPLICATION CONSULTATION**

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

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

were on hand to provide information on the proposals and encourage public comments. Information leaflets were available at each venue along with a feedback form.

- 244 people attended over the three days with 96 on day one, 62 on day two, and 86 on day three. 42 feedback comments were received.
- Subsequent meetings with the respective Community Councils in August/September 2012 to update them on progress and address issues raised at the initial consultation events.
- The Development Framework and Masterplan was presented to the Local Community and wider public at public exhibitions on 6-8 September 2012 at the Four Mile House, Kingswells, Airyhall Community Centre, and Cults Academy respectively. The format was similar to those held in June referred to above.
- Meetings with local residents were also held on 26/27 September 2012.
- Following refinement of the development proposals a further round of briefing meetings was held with the Community Council's on 2, 8 and 25 October 2012 respectively.
- In order to encourage participation: personal invitation letters were issued to individuals and organisations, as well as key stakeholders and local residents within notifiable distances; over 10,000 information leaflets were distributed to local homes lying to the west of Aberdeen; press and media releases, and posters promoting local events were distributed in local Community Centres, shops and libraries throughout the area.
- A further meeting was also held with the liaison group on 3 February 2014 to update them on the refinements of this application.

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

The main concerns raised were in relation to-

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

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

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

## **REASON FOR REFERRAL TO COMMITTEE**

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

## **CONSULTATIONS**

**Roads Projects Team** – No objections subject to the use of planning conditions. The full detail of roads design shall be considered through the Roads Construction Consent (RCC) process.

**Environmental Health** – No objection. Further information shall be required in respect of refuse storage and collections.

**Environmental Health (Waste)** – No objection following the considerations of layout drawings.

**Communities, Housing and Infrastructure (Flooding)** - No objection.

**Archaeology** – No objection. A planning condition was required to secure the submission of a scheme of archaeology. However, as part of application reference 140435, a scheme of archaeology was conditioned subsequently submitted, and thereafter purified in this regard for the entire Phase 1A.

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

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

**Scottish Water** – No comments received.

**Aberdeen International Airport** – No objection. The proposal has been assessed from an aerodrome safeguarding perspective and does not conflict with safeguarding

criteria. Require that conditions are attached in respect of: overall height of built form; a bird hazard management; and landscaping.

**Police Scotland** – No objections. Provide comments upon the principles of the layout, design and security.

**Cults Bieldside and Milltimber Community Council** – Raised the following concerns:

- The quality and design of affordable housing should be of a high standard;
- No mention has been made of making opportunities for natural energy in housing design;
- No reference is made in the submitted documents to mitigate disruption on the existing roads network. A suggestion of ensuring the delivery of the link road is made at the earliest opportunity;
- Recommends imaginative travel solutions towards sustainability;
- Nearby committed developments do not appear to have been taken account of;
- The methodology within the traffic modelling appears optimistic; and,
- Queried levels of Ratio of Flow to Capacity for proposed junctions.

## **REPRESENTATIONS**

7 number of letters of representation/objection have been received, with 5 from members of the public (predominantly local residents), and two from the adjacent Community Council's representing Kingswells, and Craigiebuckler and Seafield. One letter of general support was also received, provided there are no changes to the proposed layout or associated infrastructure shown on the submitted plans.

The objections raised relate to the following matters –

- 1) Loss of open space;
- 2) Impacts upon accessibility and linkages through the wider area;
- 3) Additional traffic and cumulative impacts along with Friarsfield development;
- 4) Roads and infrastructure in the area require significant upgrading;
- 5) Potential impacts upon planned gas pipeline;
- 6) The AWPR should be in place before any housing;
- 7) The full site requires to be considered first in its entirety;
- 8) The site is environmentally sensitive;
- 9) Loss of trees;
- 10) Impacts upon education delivery and schooling;
- 11) Phasing needs to be made clear;
- 12) Construction shall impact on existing residential amenity;
- 13) Consideration of the application before the Development Framework is unacceptable.

**Kingswells Community Council** – KCC indicated that it agrees in principle with the development. However, concerns are raised over the following aspects:

- 14) The proposal in this instance is just for homes, with no facilities for residents;
- 15) Impacts upon existing green space;
- 16) linkages of paths and roads to the wider area; and,
- 17) The design and materials are not of the required standard.

**Craigiebuckler and Seafield Community Council** – The comments of CSCC were almost identical to those of KCC above.

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

- Has the Treasury Bond been approved? Will it be in place before commencement? Would it be lost following a Yes vote in the independence referendum?;
- What process was adopted to select the Countesswells development for UK Government funding ahead of others?;
- Is there sufficient funding in place to build out the development? If the oil price drops, is there sufficient economic backing?;
- The Jessiefield link road runs close to the garden of remembrance at the Crematorium and should be realigned; and
- Consideration should be given to moving the routing of traffic through the middle of the overall site, and around the perimeter instead.

## **PLANNING POLICY**

### **National Policy and Guidance**

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

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

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

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

### **Aberdeen City and Shire Strategic Development Plan (March 2014)**

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

- Economic Growth; Population growth; Quality of the environment; Sustainable Mixed Communities; and, Accessibility .

## **Aberdeen Local Development Plan**

### Policy LR1 Land Release Policy

Opportunity Site OP58 Countesswells, which is the subject of this application, has been zoned under this policy for 2150 homes for the period 2007 – 2016, 850 homes for the period 2017-2030, and a total of 10 hectares of employment land across both periods. The site is identified as opportunity site OP58 and is described as being a large new community covering 165.1 hectares.

### Policy I1 - Infrastructure Delivery and Developer Contributions

### Policy T2 – Managing the Transport Impact of Development

### Policy D1 - Architecture and Placemaking

### Policy D3 - Sustainable and Active Travel

### Policy D6 - Landscape

### Policy H3 – Density

### Policy H4 – Housing Mix

### Policy H5 – Affordable Housing

### Policy NE1 - Green Space Network

### Policy NE4 – Open Space Provision in New Development

### Policy NE5 - Trees and Woodlands

### Policy NE6 - Flooding and Drainage

### Policy NE8 - Natural Heritage

### Policy NE9 - Access and Informal Recreation

### Policy R6 – Waste Management Requirements for New Development

### Policy R7 – Low and Zero Carbon Buildings

## **Supplementary Guidance**

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

### Archaeology and Planning

### Drainage Impact Assessments

### Infrastructure and Developer Contributions Manual

### Landscape Strategy Part 2 – Landscape Guidelines

### Transport and Accessibility

### Trees and Woodlands

## **Proposed Aberdeen Local Development Plan**

### Policy LR1 Land Release Policy

Opportunity Site OP38 Countesswells, which is the subject of this application, has been zoned under this policy for 2150 homes for the period 2007 – 2016, 850 homes for the period 2017-2030, and a total of 10 hectares of employment land across both



periods. The site is identified as opportunity site OP38 and is described as being a large new community covering 165.1 hectares.

Policy D1 – Quality Placemaking by Design

Policy D2 – Landscape

Policy I1 – Infrastructure Delivery and Planning Obligations

Policy T2 – Managing the Transport Impact of Development

Policy T3 – Sustainable and Active Travel

Policy H3 – Density

Policy H4 – Housing Mix

Policy H5 – Affordable Housing

Policy H7 – Gypsy and Traveller Requirements for New Residential Developments

Policy NE1 – Green Space Network

Policy NE4 – Open Space Provision in New Development

Policy NE5 – Trees and Woodlands

Policy NE6 – Flooding, Drainage and Water Quality

Policy NE8 – Natural Heritage

Policy NE9 – Access and Informal Recreation

Policy R6 – Waste Management Requirements for New Development

Policy R7 – Low and Zero Carbon Buildings, and Water Efficiency

Policy CI1 – Digital Infrastructure

## **EVALUATION**

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

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

### **Principle of Development**

The site is identified in the Local Development Plan (LDP) as OP58 and under Policy LR1 as land released for housing and employment uses. The parallel application for planning permission in principle was considered by the Full Council and subsequently approved on 1 April 2016 following the completion of a s75 legal agreement, and a number of planning conditions. As such, the principle of development has already been established on site. The Strategic Development Plan illustrates that in light of the location within the City, the site forms part of the Strategic Growth Area., and would therefore meet with the spatial strategy of the SDP. The proposal is considered to comply with the aims and objectives of strategic development plan in this regard, and accords with the general principles contained within the Land Release Policy.

### **Development Framework and Phase 1 Masterplan**

The Countesswells Development Framework and Phase 1 Masterplan (CDF) sets out the principles of the development. This application relates to the second planned

block of the wider development. The following design principles are set out as follows:

Predominantly detached properties should address Kirk Brae, with plot boundaries formed by walls reusing stones from field boundaries wherever possible

This is achieved in line with the principles. Insufficient stone was available from existing field boundaries, therefore new stone walling and hedging shall be utilised.

A residential street must connect C1/C2

A residential street does connect the respective blocks in the position indicated within the Development Framework

Streets are to be designed following principles set out in 'Designing Streets' with shared surfaces. Permeable well connected layout, avoiding cul-de-sacs

The layout of the roads shown is considered to align with the layout shown with the Development Framework and Masterplan. Surfaces are largely shown as shared, apart from the linkages with the primary street to the east and north of the site, where segregated footways are shown.

A variety of house types and sizes must be used

The development proposals include 91 dwellings (ranging from 2 to 5 bedroomed properties) and 33 apartments (ranging from 1 to 2 bedroomed properties). As such, the proposals not only meet the requirements of the CDF, but also the requirements of LDP Policy H4 relating to Housing Mix.

Most resident car parking must be provided through integrated parking within property, or to the side or behind buildings

The parking for the dwellinghouses is almost exclusively provided within the curtilage of the properties. The only exceptions are for the A and B3 mews type properties where the parking is adjacent to the building. For the apartments, the parking is provided within courtyards to the rear of the blocks, which generally front onto the Cults Burn Park.

Streets must be overlooked to provide natural surveillance

The layout of the development ensures that frontages are provided towards the street, and thereby provide surveillance of public areas. This was also acknowledged in the response from Police Scotland

A Core Path Link (formed by open space) should connect Blocks C1 and C2 through to the Cults Burn Corridor (with terraced properties)

A generous area of open space is provided between C1 and C2, and provides a distinct connection between Countesswells Wood and the Cults Burn corridor being

formed to the east of the application site. The properties within C2 fronting this area are terraced.

### **Environmental Impacts**

As part of the assessment of the parallel application for planning permission in principle (Ref: 140438), an Environmental Impact Assessment (EIA) was deemed necessary. The submitted Environmental Statement, the chapters of which have been copied over to this current application for the initial infrastructure, is considered to be sufficient in setting out the likely environmental effects of the development, and demonstrating that the severity of such impacts is not likely to be so significantly adverse as to warrant the refusal of this application, and that appropriate mitigation where effects are likely, can be provided. As no impact on protected species was identified for this specific development block, there was no requirement to consult Scottish Natural Heritage for this application.

Other impacts on the environment through the construction of the development, can be adequately controlled by planning conditions, such as the provision of a site specific Construction Environmental Management Plan (CEMP).

### **Design and Placemaking**

As outlined above, the proposals are already considered to meet with the broad core design principles identified within the CDF. In respect of the actual specifics in relation to the design elements of the dwellings and apartments, it is considered that the developer has taken cognisance of the Council's aims and objectives to improve the quality of design and placemaking. Specifically, the external treatments of the proposed dwellings would step away from the monotony of repeated house types nationally, and would create a unique sense of place. There is a variety of finishes proposed which demonstrate greater imagination than from the use of plain render and tiles. As such, the palette of materials introduces some autumnal shades of stone and brick, which could complement the changing semi-rural character of the locale.

In respect of scale, the proposals range from two, up to three storey (plus attic accommodation), with the latter being the flatted blocks located to the east of the application site overlooking the Cults Burn Park. The provision of two storeys adjacent to the edge of the site is an appropriate edge to this new settlement, with larger scale capable of accommodation towards the more densely populated/used areas.

The CDF indicated that the density would be around 30-40 units per hectare for C1, and 20-30 units per hectare for C2. Over this site of 4.94 hectares, a total of 124 units are proposed resulting in a density of around 25 units per hectare. While slightly below that indicated within the CDF, parts of the site are utilised for the provision of green/landscaped linkages between Countesswells Woods and the Cults Burn Park. As such, proposals of greater density could impinge upon the quality of these areas. As such, the level of development sought for this application is acceptable, and in alignment with the principles of Policy H3 Density of the Adopted LDP.

### **Green Space Network/Landscape**

There are parts of the site adjacent to Countesswells Wood, and the site of the former Loanhead Equestrian Centre, which are zoned as Green Space Network (Policy NE1). Supporting information from the applicant contains site plans from the Development Framework. Development Block C1, (along with N10, C6 and N7) could have a direct impact upon the Green Space Network allocation. However, in light of the significant benefits in enhancing connectivity, and green space linkages throughout the current application site, particularly near the Cults Burn Corridor/Core Path, it is considered that the loss of parts of the aforementioned affected areas, including many of the trees contained therein, can be accommodated without significant detriment to the wider function of the adjacent Green Space Network. The detailed layout of green spaces and associated new and replacement landscaping (including that already approved through application 140435 for Phase 1 Infrastructure works) is considered to mitigate the loss of existing areas, and would result in significant betterment and improved linkages. The development proposals would also see the implementation of a significant scheme of new landscaping. As such the proposal would not be contrary to Policy NE1 of the Adopted Local Development Plan, and would also align with the requirements of Policies NE5 and NE9 relating to trees and woodlands, and access and informal recreation, respectively.

In respect of the landscape impacts on site, and the provision of new landscaping, the detail contained within this detailed application submission illustrates the content of the CDF. It must be acknowledged that the site is allocated for a residential led, mixed use development within the Local Development Plan, and therefore significant change in the landscape shall take place. However, as noted within the parallel ES, the physical characteristics of the site and landscape shall restrict the wider impacts to predominantly the local level (i.e. within 1 km of the site). Accordingly, the development is considered to accord with the principles of Policy D6 relating to Landscape.

### **Vehicular Access / Traffic Impact**

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

The general principle of development has already been established through the allocation of the entire site within the Local Development Plan, and through the approval of the parallel application for planning permission in principle (Ref: 140438). As such, detailed analysis of the Transportation Assessment has concluded that the impacts upon the existing road network are acceptable.

With regard to this current application, Roads Officers are satisfied with the level of detail and layout provided. Ultimate compliance shall be required through the parallel application for Roads Construction Consent.

A condition can be attached which requires the preparation and agreement of a Residential Travel Pack, which would be provided to all new residents to inform them of the opportunities for utilising sustainable transportation methods, including walking, cycling, and ultimately public transportation connectivity.

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

### **Flooding, Drainage and Water Quality**

As part of the assessment of this application, supporting information in the form of the Drainage Impact Assessment has been received. Lengthy dialogue has taken place with both SEPA, and officers within the Council's own Flooding Team. As such, the outcome has been an acceptance of the details submitted, subject to the use of conditions relating to the implementation of the plans submitted, together with the provision of final details relating to SuDS, waste water drainage, and the aforementioned CEMP.

### **Other Issues not already addressed above**

In respect of sustainability and the performance of new built form, while no details are provided at this stage, a restrictive planning condition can prevent the occupation of any of the residential properties, until such time as the actual details relating to low and zero carbon generating technologies, has been submitted to and approved in writing by the Planning Authority, thus complying with Policy R7 of the Adopted LDP.

The developer has also given a commitment to the provision of access to enhanced digital connectivity across the wider development site. As such, there is no specific requirement for further detail, in alignment with Policy C11 of the proposed LDP.

### **Matters raised by the Community Council**

In respect of matters raised by the Cults, Bieldside and Milltimber Community Council which have not already been addressed above:

- There is no affordable housing proposed within this initial block. Instead, provision shall be made throughout the remainder of the development site in line with the requirements of the over-arching s75 legal agreement. Provision has already been included within the parallel application site N10 for the inclusion of affordable housing, and the design and quality meets the expectations of the Council in that regard.
- The application, while submitted at the same time as the consideration of the Development Framework, is not premature, as the determination of this application is after the Adoption of the CDF, and the proposals as set out, accord with the principles of the CDF;
- In respect of roads matters, no objection has been made by Roads Officers. Work is already underway to ensure that the necessary infrastructure is provided to the Council's satisfaction. As such, the developer is striving to ensure that disruption on the roads network, while inevitable, is kept to a

minimum. Furthermore, it is understood that applications shall be submitted in the very near future for the provision of the respective connections to the Kingswells and Jessiefield roundabouts/junctions; and,

- The routing through the middle of the site is considered to accord with that illustrated within the adopted CDF.

### **Matters raised through Representations**

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

- 1) The fields to which this application relates were not public open space per se, and form part of the planned expansion of Aberdeen identified through the Local Development Plan. While fundamental change shall occur in the development area, significant improvements shall be made to the quality of access through the area, and how it can be enjoyed;
- 3) Consideration has been given to the cumulative effect of other developments upon the existing road network, and appropriate mitigation identified to the satisfaction of Roads Officers;
- 5) Potential impacts upon gas pipelines are a private consideration for the operator and the developer and therefore do not need to be taken into account as part of this application;
- 6) The over-arching planning permission established the parameters of the level of development permissible (1000 units) prior to the opening of the AWPR. With an anticipated completion of October 2017 for the AWPR, and a potential build out rate of 250 dwellings per annum, the development would be very unlikely to breach that threshold;
- 10) With regard to potential impacts upon education delivery and schooling, the over-arching application for planning permission in principle establishes the points at which key infrastructure, including the provision of adequate schools is necessary. This shall ultimately be delivered via the terms of the s75 legal agreement. As such, appropriate provision shall be made for the residents of this application site in the interim to the satisfaction of colleagues in Education.
- 14) While this application for blocks C1 and part of C2 is purely for residential use, the mixed use centres are indicated as being located within development blocks in close proximity to this application site. As such, residents shall have access to a range of facilities in due course. Unfortunately, a critical mass must be established before such facilities can be sustained and retained.

### **Conclusion**

In conclusion, the proposal complies with the Land Release Policy as the general principle of development on site has already been established through the allocation of the wider site (OP58) within the Adopted Aberdeen Local Development Plan, and the approval of the parallel application for planning permission in principle. The proposal in this instance to built out an initial 124 residential properties with part of the first phase, is considered to accord with the relevant policies of the development plan. The proposal complies with Scottish Planning Policy and the relevant policies within the Aberdeen Local Development Plan relating to Delivering Infrastructure,

Transport and Accessibility, Promoting High Quality Design, Protecting and Enhancing the Natural Environment, together with supporting the aims and objectives of the Strategic Development Plan.

### Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. 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 representation and are regarded as unresolved issues to be determined at the Examination; and
- the relevance of these matters to the application under consideration.

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis. In this instance, the policies of the Proposed Plan largely reiterate those of the extant LDP, and therefore no new material planning considerations arise which would affect the determination of these proposals.

**RECOMMENDATION: Willingness to Approve, subject to a s75 legal agreement linking this application for detailed planning permission, to the over-arching existing legal agreement for the wider development, and the developer obligations identified therein.**

### **REASONS FOR RECOMMENDATION**

The proposal complies with Policy LR1 Land Release Policy, in that the development proposed forms part of the wider allocation of 3000 residential units and up to 10 hectares of employment land is in accordance with the direction for growth set within the Adopted Local Development Plan. The matters raised by objectors have been fully considered, and the various conditions proposed, would satisfactorily mitigate the impact of the development. The proposal also complies with policies: D1 Architecture and Placemaking; T2 Managing the Transport Impact of Development; D3 Sustainable and Active Travel, D6 Landscape, H3 Density, H4 Housing Mix, NE1 Green Space Network, NE5 Trees and Woodlands, NE6 Flooding and Drainage, NE9 Access and Informal Recreation, and R7 Low and Zero Carbon Buildings; within of the Aberdeen Local Development Plan.

**CONDITIONS**

- 1) that no development shall take place unless a scheme detailing all external finishing materials to the windows and doors of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.
- 2) That none of the units hereby granted planning permission shall be occupied unless a scheme detailing cycle storage and motor cycle parking provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel.
- 3) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission for that specific dwelling or apartment block have been constructed, drained, laid-out and demarcated in accordance with drawing No. 342\_Ph1a\_C1C2\_005 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 - in the interests of public safety and the free flow of traffic.
- 4) that no individual development plot shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a comprehensive Residential Travel Pack for that development plot, setting out proposals for reducing dependency on the private car. This should also include information on external connectivity to key facilities, and, in consultation with local schools and the planning authority, information on safer routes to schools - in order to encourage more sustainable forms of travel to and from the development, to ensure that the amount of private car trips generated by the development does not exceed that identified in the supporting Transport Assessment, and in the interests of the safety of pupils travelling to and from local schools.
- 5) Prior to the commencement of any works on site a detailed scheme for surface water drainage shall be submitted to and agreed in writing by the Planning Authority, in consultation with SEPA. All work shall be carried out in accordance with the approved scheme - To ensure adequate protection of the water environment from surface water run-off.
- 6) Prior to the commencement of any works on site, a site specific Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. The mitigation measures outlined in the CEMP shall be informed by the result of a full ground (water and soil) investigation study. All works on site must be undertaken in full accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority – In order to minimise the impacts of necessary demolition/construction works on the environment.



- 7) That the development hereby approved shall be connected to the public waste water system in line with PAN 79 Water and Drainage. Any necessary upgrades to the public waste water system should be in place prior to the occupation of the phase of development requiring the upgrade - in order to ensure the appropriate connection is made to ensure satisfactory disposal of sewerage, and thereby maintain and improve standards of environmental quality, public health and amenity.
  
- 8) that the dwellings/apartments hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.
  
- 9) Development shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority - it is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.
  
- 10) that no part of any dwelling house or flat shall be built above a height of 30 metres Above Ground Level (AGL) - to minimise risk associated with the safe movement of aircraft in the vicinity, and the safe operation of existing radar.

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

16 June 2014

Dear Mr. Williamson,

**Planning Application 140730: Residential development Comprising 124 units & Associated New and Upgraded Access Roads, Landscaping & Ancillary Engineering Works**

I am writing on behalf of the Cults Bielside and Milltimber Community Council (CBMCC) to raise some concerns that need to be addressed relating to Planning Application 140730 for Planning Permission at the Countesswells site before approval should be granted. These supplement the views we have already submitted regarding the Countesswells Masterplan.

**Housing**

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

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

**Roads and Transport**

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

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

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

We re-iterate our previous comments on the Countesswells Transport Assessment:

Peter Roberts, Planning Liaison Officer CBMCC  
6 Marchbank Road, Bielside, Aberdeen AB15 9DJ  
01224 868524 - roberts.peter53@gmail.com

1. Generally very disappointed that the report is not proposing any imaginative solution to the travel needs of this new township. The only travel modes considered are the traditional and available bus and car modes supplemented by a desire to increase the use of bicycles. The latter being available only to the fitter section of the population and much affected by inclement weather conditions.
2. Rather than suggest a forward looking novel means of transporting the new residents to the city and places of work – monorail across Hazlehead? dedicated bus-road? tram? - it is proposed to tinker with the overloaded junctions around the development to squeeze in the expected extra traffic. The report's calculations and its conclusions have failed to convince us that the travel from, to, through and around Countesswells will be without problems even after completion of the AWPR. Some details to illustrate our doubts are as follows:
  - a) The 'committed developments' included in the base traffic loads do not appear to include the major new developments in Friarsfield and Oldfold Farm (see 8.2.3). The additional traffic from these areas has already been shown to overload some of the North Deeside Road junctions and cannot be neglected when evaluating a new town in the immediate vicinity.
  - b) The model used seems overly optimistic. The check on its calibration reported in Appendix J - 1.2.2, table 3, shows that the observed maximum queue lengths are significantly longer than the modelled ones (8 vehicles instead of 1, and 10 vehicles instead of 3 to 4!!). On the basis of this comparison it can not possibly be concluded that the model is valid.
  - c) It is doubted that simple signalling can return the performance of a junction that has been shown to have a Ratio of Flow to Capacity of 125% to acceptable levels – see Appendix J, 1.2.6 and 1.2.7. In previous submissions by Fairhurst it was explained that by agreement with the City a maximum RFC of 90% would be allowed for signalised junctions instead of the normal accepted standard of 85%.

Please contact me if you have any questions.

Yours sincerely,

*Peter Roberts*

Peter Roberts

Planning Liaison Officer

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

## Robert Vickers

---

**From:** william sell [REDACTED]  
**Sent:** 18 June 2014 19:33  
**To:** Paul Williamson; PI  
**Subject:** First Phase of 124 Houses for Countesswells Development - Application Reference 140730

Dear Mr Williamson,

Application Reference: 140730

Local Authority Reference: 000089879-001

Proposal Description: Residential development Comprising 124 units & Associated New and Upgraded Access Roads, Landscaping & Ancillary Engineering Works

Application type: Detailed Planning Permission

Representation by Craigiebuckler and Seafield Community Council

The community council has been involved in the process of planning this development from the early stages, and agrees in principle with the development. However if this planning application is accepted in its present format, it could set the standards for the subsequent applications of the series. This would be detrimental to the overall 3000 homes plan for the Countesswells Development because, as the initial planning application, it is deficient in the following respects:

- The plan for the development is lacking in character and therefore fails to give a sense of place.
- This development lacks green space. 'A central park' some distance away is not a substitute for the inclusion of green space in the plan.
- It fails to encourage walking by omitting to include a network of paths which would form links to similar paths in adjacent phases of the development.
- The omission of paths in the plan implies that pedestrians must share the road with vehicles. This is not safe.
- The roadways are of insufficient width to provide parking spaces for visitors or delivery vehicles. Consequently the lack of capacity in this respect would result in those roadways being blocked when items of furniture are being delivered to the new homes.
- Similarly, operations such as snow ploughing and Fire Service emergency responses could be impeded or obstructed because the roadways are too narrow to permit the access of wide vehicles.
- The development is the first of a series, and should provide residents with some facilities prior to the amenities which will feature in the larger development. For example, there is nowhere for young people to socialise within this development, and there are no play areas.
- It does not impress as a plan that aspires to go beyond the functionary production of houses. In that sense it is merely utilitarian. Amenities that enhance the quality of life for the first residents of the Countesswells development should be included in the plan.
- Appendices of the traffic assessment are not available, so it is not possible to comment on the document.

We contend that the application should be refused in its present form.

Yours Sincerely,  
William Sell  
Chairman  
Craigiebuckler and Seafield Community Council

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**Paul Williamson**

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**From:** PI  
**Sent:** 18 June 2014 11:28  
**To:** Paul Williamson  
**Subject:** FW: Application Reference 140730  
**Attachments:** Application Reference.pdf

Booked in as letter of rep, no publishing necessary, not printed.

Robert Vickers

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

Tel: 01224 522418  
Email: [Rvickers@aberdeencity.gov.uk](mailto:Rvickers@aberdeencity.gov.uk)

---

**From:** Ian Cox [REDACTED]  
**Sent:** 18 June 2014 08:53  
**To:** PI  
**Subject:** Application Reference 140730

Hi,

Please find attached Kingswells Community Council comments on the above application.

Thanks

Ian Cox  
Secretary  
Kingswells Community Council

|                                   |  |
|-----------------------------------|--|
| <b>Application Reference:</b>     | 140730   |
| <b>Local Authority Reference:</b> | 000089879-001  |
| <b>Proposal Description:</b>      | Residential development Comprising 124 units & Associated New and Upgraded Access Roads, Landscaping & Ancillary Engineering Works |
| <b>Application type:</b>          | Detailed Planning Permission   |

#### Comments by Kingswells Community Council

The community council has been involved in the process of planning this development from the early stages, and agrees in principle with the development. We think this is a good opportunity to provide a development in which Aberdeen can be proud. The plans presented in this planning application fall short of our expectation in the following regards:

- The development is just a bunch of homes, there is no sense of place.
- There is no green space in this development. It is not good enough to rely on 'a central park' some distance away.
- The layout is not conducive to walking. There should be a network of paths through this development and these should link in to similar paths in adjacent phases of the development.
- It would appear that there are no paths, and pedestrians share the road with vehicles. This is not safe.
- The narrow roadways do not cater for visitors or delivery vehicles. They need somewhere to park without blocking the road.
- There has been no thought of snow clearing and where snow ploughs can push snow.
- The development is the first of a series, and needs to provide residents some facilities prior to the facilities provided by the larger development. For example, there is nowhere for kids to congregate within this development, and no play facilities.
- It will not be a good place to live and some effort needs to be made to provide some quality of life for the first residents.
- The house styles are not pleasing to the eye – some, including the flats, are ugly.
- Some material choices are poor, and some are offensive.
- Appendices of the traffic assessment are not available, so it is not possible to comment on the document.
- It is not possible for the documentation provided to see how this development fits into the wider Masterplan

Kingswells Community Council request that the application is turned down at this time and ask the applicant to address the above points.

Yours Sincerely,

Ian Cox  
Secretary  
Kingswells Community Council



PI

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 31 May 2014 15:07  
**To:** PI  
**Subject:** Planning Comment for 140730

Comment for Planning Application 140730

Name : Nicholas Gibson  
Address : 2 Kirkbrae View  
Cults  
Aberdeen  
AB15 9RU

[REDACTED]  
type :

Comment : I wish to object to this planning application on the following grounds:

The submitted Traffic Assessment is inadequate, as it does not include the Friarsfield committed development (currently 82 dwellings under construction and a further 110 dwellings subject to planning approval, plus a further potential 88 dwellings allowed for in the masterplan), nor the Oldfold Farm committed development (550 units) in the list of committed developments in para 8.2.3.

The traffic assessment states that the Kirk Brae / Friarsfield junction is already at capacity. The increase in traffic from the proposed Countesswells development will push the junction even further over capacity. The mitigation proposed is to install traffic lights, although this appears to be required as part of the Friarsfield committed development which is mentioned in para 12.3.1 but is not included in the list of committed development in para 8.2.3? Traffic lights will increase both traffic queues and waiting times significantly at this junction, so can this really be considered to be mitigation?

Additionally, Appendix J to the traffic assessment which considers the Kirk Brae / Friarsfield junction compares observed data from 2011 surveys to the modelled data. The observed data shows significantly more queuing traffic than the modelled data - for instance 8 vehicles rather than 1 or 0, and 10 vehicles rather than 3 or 4. This indicates that the model used is not valid, and the statement made in para 1.2.3 "as can be seen from the comparison of queues above, the queue lengths are not significantly different and the model can therefore be considered valid" is plainly ridiculous as the observed queue lengths are close to an order of magnitude larger.

The traffic generated by the Friarsfield committed development will significantly impact Kirk Brae and therefore it must be included in the traffic assessment. The report should clarify whether Friarsfield is included in the list of committed developments as it is omitted from the list in para 8.2.3 but specified as a committed development in para 12.3.1.

Given that Kirk Brae forms the southern route into the proposed Countesswells development, the traffic assessment should be clear and comprehensive as to which data has been used, and the traffic model used must be demonstrated to be valid. The level of inaccuracy and ambiguity in the submitted document is unacceptable.

Yours

Nicholas Gibson

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## Robert Vickers

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**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 17 June 2014 14:30  
**To:** PI  
**Subject:** Planning Comment for 140730

Comment for Planning Application 140730

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

[REDACTED]  
type :

Comment : I object to the application for the following reasons:

1. This is part of the overall Countesswells development and it is inappropriate to provide for any ad hoc approval for this until the entire development has been considered fully and the many issues with it resolved.
2. The transport impact assessment needs to be done to reflect the reality of what is a dangerous and hazardous journey between Kingswells and Cults and this needs to be addressed as part of an overall comprehensive plan.
3. The intent as I understand it is that the development appears to be funded in part by a UK Government bond. In the event of a "Yes" vote in the Referendum in September how do we know there will be sufficient funding in place to develop such a project given the financial limitations of the Scottish Government? and (ii) has any funding from the UK Government been approved yet? If the answer to either of these questions is No I am not clear how any planning application can take place let alone provide consideration to the development viability.
4. What process was adopted to select the Countesswells Development by Aberdeen City Council for UK Government funding ahead of any other development in the Aberdeen area?
5. Is there sufficient funding in place to build out such a material development and how will developer financial risk short/medium and long term given the time period associated with any development.
6. Major developments such as this are in part driven by forward economic projections. If the oil price was to drop significantly what considerations have been given to the economics of the development? How do we avoid a situation in Spain and Ireland where the building of some housing estates have been incompleted because of a financial downturn?
7. I had previously understood than any development for Countesswells was subject to the Western Peripheral Route being implemented and being in operation &#8211; is that the case?
8. The road pressures on Countesswells Road and on the road across to the Kingswells roundabout are hugely significant already. It is not clear to me how any development will fit given the existing road pressures and any major development appears to create a "bust" at the Kingswells Roundabout and in other areas.
9. The site in Countesswells is an environmentally sensitive area. There are several areas of protected land and rare species which needs to be protected as part of any development and it is not clear to me if this is taken into consideration.

10. There are several badger sets throughout the proposed development and given these are protected species will need to be addressed before any development can take place.
11. Many of the trees on the site and around surrounding houses has been there for many years and to ensure the look and feel of the development of this area is not adversely affected I would recommend that a detailed plan is put in place to protect these trees including the residents trees.
12. The current school catchment area for Countesswells is Cults Primary and Secondary. If any development gets approved what assurance will there be that the schooling to be provided will be of at least as good a standard as that which is currently available.
13. It is not clear the specific timing for any build phase if it was to get approval.
14. What consideration is going to be given to existing residents and the land and housing that they currently enjoy - they need to enjoy a quality of life and how will this be protected for and compensated for during the build out phase.
15. Will school catchment zones need to be re-set given this development and all the other developments that are happening - Oldfold at Milltimber, CALA at Friarsfield and DANDARA at Countesswells? - would these developments all be schooled at Counstesswells if schooling is going to be provided and how to we ensuring a cohesive education policy in the area given several large developments currently in flight?
17. The Process adopted by Aberdeen City Council seems a little out of step-here in that we are being asked to review planning applications before approval of the Development Framework. What is the reason for this and is this not contrary to planning policy and legislation?
18. In looking at the applications I will be a neighbour directly affected by the Phase 1 development. As an existing resident it would be clearly beneficial if I was able to ensure that any development was able to benefit the setting of my property, eg. be able to provide input to the design and development of the site to ensure that me and my family are not adversely affected - to that end it would be beneficial to ensure that any road design was done sympathetically like some of the road designs in Bielside and Cults but in addition to ensure that my house was going to be located on a corner site or close to open space to ensure that my plot is maintained as a good site. To that end I would welcome early engagement with the development team should things move forward.
19. In addition in reviewing the application I note that construction works could take place between 7am and 7pm at night - this would be most inconvenient given that impacts &quot;social&quot; time that we would have in the house and surrounding forest area. We would expect that any building time be limited to a time period between 9am and 5pm so to avoid any building outwith normal working hours.
20. There are several other questions and issues I have with the proposal but in the first instance it would be helpful to have responses to the above questions

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|                            |           |
|----------------------------|-----------|
| Application Number: 140730 |           |
| RECEIVED 18 JUN 2014       |           |
| By: PAUL                   | For: PAUL |
| Date: 20-6-14              |           |

**PI**

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 30 May 2014 13:56  
**To:** PI  
**Subject:** Planning Comment for 140730

Comment for Planning Application 140730

Name : Ronnie Mutch  
Address : 9 Gardner Place  
Aberdeen  
AB12 5TR



type :

Comment : I would like to object to this proposal on the grounds that the work will be carried out on one of the only open spaces left in Aberdeen.

The routes for walking, horse riding, running, etc. between Hazelhead park and Gairnhill Woods are widely used by people from all walks of life and any development needs to be sensitive to the recreational needs of the people of Aberdeen.

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## Paul Williamson

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**From:** PI  
**Sent:** 23 June 2014 11:54  
**To:** Paul Williamson  
**Subject:** FW: Countesswells development planning P140730  
**Attachments:** image.jpeg; ATT00001.txt; image.jpeg

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

**From:** karen souter [REDACTED]  
**Sent:** 20 June 2014 17:42  
**To:** PI  
**Subject:** Countesswells development planning P140730

I have already placed an objection to the proposed development at Countesswells/Kingswells P140730 I wish to show you these photos or the traffic on a daily basis on the Kingswells to cults road which I would like to know how you propose to improve the road.

The road can't cope with the traffic that there is already.

Mrs Karen Souter

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## Paul Williamson

---

**From:** william sell [REDACTED]  
**Sent:** 18 June 2014 19:33  
**To:** Paul Williamson; PI  
**Subject:** First Phase of 124 Houses for Countesswells Development - Application Reference 140730

Dear Mr Williamson,

Application Reference: 140730

Local Authority Reference: 000089879-001

Proposal Description: Residential development Comprising 124 units & Associated New and Upgraded Access Roads, Landscaping & Ancillary Engineering Works

Application type: Detailed Planning Permission

Representation by Craigiebuckler and Seafield Community Council

The community council has been involved in the process of planning this development from the early stages, and agrees in principle with the development. However if this planning application is accepted in its present format, it could set the standards for the subsequent applications of the series. This would be detrimental to the overall 3000 homes plan for the Countesswells Development because, as the initial planning application, it is deficient in the following respects:

- The plan for the development is lacking in character and therefore fails to give a sense of place.
- This development lacks green space. 'A central park' some distance away is not a substitute for the inclusion of green space in the plan.
- It fails to encourage walking by omitting to include a network of paths which would form links to similar paths in adjacent phases of the development.
- The omission of paths in the plan implies that pedestrians must share the road with vehicles. This is not safe.
- The roadways are of insufficient width to provide parking spaces for visitors or delivery vehicles. Consequently the lack of capacity in this respect would result in those roadways being blocked when items of furniture are being delivered to the new homes.
- Similarly, operations such as snow ploughing and Fire Service emergency responses could be impeded or obstructed because the roadways are too narrow to permit the access of wide vehicles.
- The development is the first of a series, and should provide residents with some facilities prior to the amenities which will feature in the larger development. For example, there is nowhere for young people to socialise within this development, and there are no play areas.
- It does not impress as a plan that aspires to go beyond the functionary production of houses. In that sense it is merely utilitarian. Amenities that enhance the quality of life for the first residents of the Countesswells development should be included in the plan.
- Appendices of the traffic assessment are not available, so it is not possible to comment on the document.

We contend that the application should be refused in its present form.

Yours Sincerely,  
William Sell  
Chairman  
Craigiebuckler and Seafield Community Council

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## Robert Vickers

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 16 June 2014 21:56  
**To:** PI  
**Subject:** Planning Comment for 140730

Comment for Planning Application 140730

Name : karen Soden  
Address : Coswood house  
Kingswells  
AB15 8QD

  
type :  
Comment : Having looked at the plans I would be in favour provided there are no changes to what is indicated and suitable infrastructure is in place, ie road network.

I would wish to be notified if changes to planning occur.



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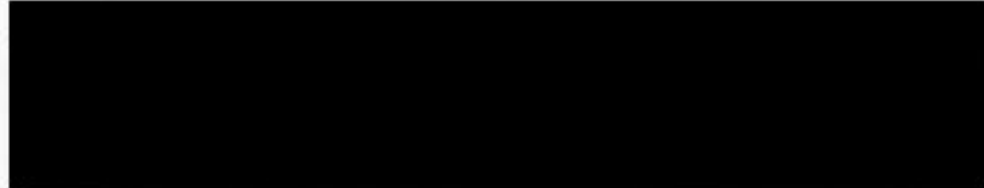
## Robert Vickers

---

**From:** webmaster@aberdeencity.gov.uk  
**Sent:** 17 June 2014 19:50  
**To:** PI  
**Subject:** Planning Comment for 140730

Comment for Planning Application 140730

Name : Mr and Mrs Souter  
Address : Kingsbrae  
Kingswells  
Aberdeen

  
type :

Comment : I object to this development as I cannot see how the road can be upgraded with houses being at both sides and think the development should not go ahead until the bypass is ready .

Last week a police car with siren on was trying to get up the road from Cults to Kingswells in the rush hour and was held up due to the traffic jam which seem to occur frequently on weekdays at peak times .

Their also has been a rumour that their is to be a high pressure gas pipeline going up this road but I have been unable to get any information about this which again seems madness as we had plenty disruption over the last year with the roadworks for the Prime Four site .

Will this council never learn to build roads before developments .

I have pictures of the road chaos that occurs outside my property and a neighbouring property that I would be more than willing for you to see.

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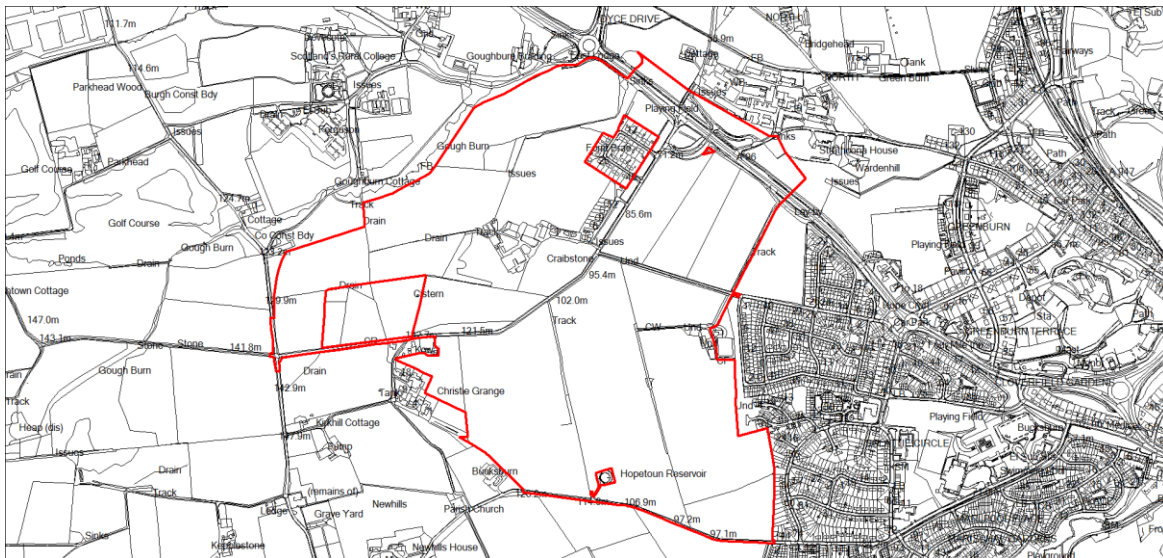
## Planning Development Management Committee

### Planning Permission in Principle

**140844:** Planning Permission in Principle for residential-led mixed use development including approx. 1700 homes, local retail and commercial provision, education, leisure and community uses and associated new and upgraded access roads, landscaping and ancillary engineering works at Land at Rowett South, Bucksburn, Aberdeen

For: The University Of Aberdeen C/O Bon Accord Land Promotion Ltd

|                    |                           |
|--------------------|---------------------------|
| Application Date:  | 10 June 2014              |
| Officer:           | Matthew Easton            |
| Ward:              | Dyce/Bucksburn/Danestone  |
| Community Council: | No response received.     |
| Advertisement:     | Can't notify neighbour(s) |
| Advertised Date:   | 02/07/14                  |



**RECOMMENDATION:** Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure:

1. The provision of 25% affordable housing on site;
2. Financial contributions towards a gypsy traveller halting site within the 'Greenferns Landward' site;
3. Financial contributions towards primary education provision and the provision of serviced land within the site for a new two stream primary school;
4. Financial contributions towards secondary education provision;

5. **Financial contributions towards community facilities and sports & recreation and provision of serviced land within the site for new sports pitches;**
6. **Financial contributions towards healthcare and provision of serviced land within the site for a new health centre;**
7. **Financial contributions towards strategic transport improvements (road or rail) along the A96 corridor;**
8. **Financial contributions towards mitigation on the local roads network**

## **REASON FOR REPORT**

At its meeting on the 17th September 2015 the Committee agreed a willingness to approve this application but to withhold the consent document until the applicant had entered into a legal agreement to secure developer contributions and affordable housing. This included financial contributions towards the Strategic Transport Fund (STF).

Subsequently a legal challenge was lodged at the Court of Session (Inner House) by the Elswick Development Company Ltd and Goodgrun Ltd, against the adoption by the Aberdeen City and Shire Strategic Development Planning Authority (SDPA) of STF Supplementary Guidance. The Inner House issued its decision on 29 April 2016 which allowed the appeal and quashed the STF supplementary guidance. The SDPA has sought leave to appeal and awaits the outcome of this process.

In light of this new material consideration emerging since the committee considered the application, there is now a requirement to refer the application back to committee in order that the matter of the development's impact upon the strategic transport network can be considered in the absence of the STF Supplementary Guidance.

Although the committee are required to re-consider the application in its entirety, because the only material consideration to have changed is that in relation to the STF, this report looks at the issue of strategic transport only. However a copy of the original report is attached as an appendix to this report.

## **SUPPORTING DOCUMENTS**

All drawings and supporting documents listed below can be viewed on the Council's website at [www.publicaccess.aberdeencity.gov.uk](http://www.publicaccess.aberdeencity.gov.uk).

Since committee last considered the application a traffic analysis report has been submitted. All other documents are listed in the previous report.



## CONSULTATIONS

- **Roads Development Management Team** – Satisfied with the content of the traffic analysis. The contributions identified should be for improvements along the A96 corridor.

All other consultee responses are listed in the previous report.

## EVALUATION

In the absence of the STF Supplementary Guidance it was agreed by the SDPA and both Aberdeen City and Aberdeenshire Councils that developers may agree with the Council an alternative contribution is agreed for a “Strategic transport infrastructure contribution”, for transport interventions directly related to the transport impact of the development, the mechanism of which shall be on a case by case basis.

In this instance the developer has carried out a traffic analysis of the predicted impact of the development upon the A96 trunk road corridor. The scope of the analysis was agreed with ACC roads officers prior to it being undertaken.

The finalised analysis was submitted to ACC for review and its methodology and conclusions found to be acceptable. Taking the number of vehicle trips associated with the development that the analysis identified into account, it has been agreed that a contribution of £395,500 shall be paid towards strategic transport improvements on the A96 corridor. These would entail road or rail improvements (including the proposed new station at Kintore) which have the potential to take vehicle trips off the A96. These contributions are in addition to £8.6 million which the applicant is required to pay towards local road network infrastructure improvements.

A draft legal agreement has been prepared with the only outstanding matter being that of strategic transport contributions. Should the recommendation be agreed the draft agreement will be updated to secure the financial contribution before being signed, allowing the planning permission to be released.

**RECOMMENDATION: Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure:**

1. **The provision of 25% affordable housing on site;**
2. **Financial contributions towards a gypsy traveller halting site within the ‘Greenferns Landward’ site;**
3. **Financial contributions towards primary education provision and the provision of serviced land within the site for a new two stream primary school;**
4. **Financial contributions towards secondary education provision;**

5. **Financial contributions towards community facilities and sports & recreation and provision of serviced land within the site for new sports pitches;**
6. **Financial contributions towards healthcare and provision of serviced land within the site for a new health centre;**
7. **Financial contributions towards strategic transport improvements (road or rail) along the A96 corridor;**
8. **Financial contributions towards mitigation on the local roads network**

## **REASONS FOR RECOMMENDATION**

Appropriate financial contributions would be secured by legal agreement to mitigate against the impact of the development on the strategic transport network.

## **CONDITIONS**

All conditions proposed are the same as those listed in the previous report.

# Appendix 1 – Report to Planning Development Management Committee Meeting on 17<sup>th</sup> September 2015

## Planning Development Management Committee

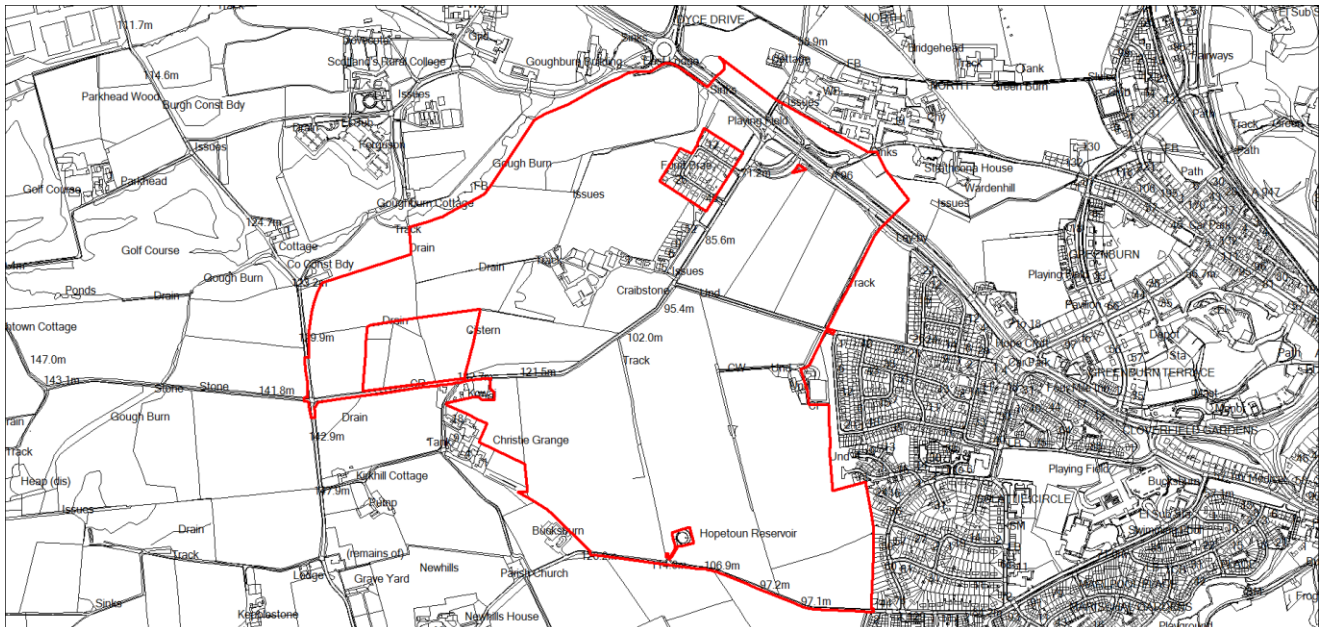
LAND AT, ROWETT SOUTH, BUCKSBURN

PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL-LED MIXED USE DEVELOPMENT INCLUDING APPROX. 1700 HOMES, LOCAL RETAIL AND COMMERCIAL PROVISION, EDUCATION, LEISURE AND COMMUNITY USES AND ASSOCIATED NEW AND UPGRADED ACCESS ROADS, LANDSCAPING AND ANCILLARY ENGINEERING WORKS.

For: The University of Aberdeen c/o Bon Accord Land Promotion Ltd

Application Type : Planning Permission in Principle  
Application Ref. : P140844  
Application Date: 10/06/2014  
Officer: Matthew Easton  
Ward : Dyce/Bucksburn/Danestone(B Crockett/G Lawrence/N MacGregor/G Samarai)

Advert: Can't notify neighbour(s)  
Advertised on: 02/07/2014  
Committee Date: 17/09/2015  
Community Council : No response received



**RECOMMENDATION: Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure:**

- 9. The provision of 25% affordable housing on site;**
- 10. Financial contributions towards a gypsy traveller halting site within the 'Greenferns Landward' site;**
- 11. Financial contributions towards primary education provision and the provision of serviced land within the site for a new two stream primary school;**
- 12. Financial contributions towards secondary education provision;**
- 13. Financial contributions towards community facilities and sports & recreation and provision of serviced land within the site for new sports pitches;**
- 14. Financial contributions towards healthcare and provision of serviced land within the site for a new health centre;**
- 15. Financial contributions towards the Strategic Transport Fund;**
- 16. Financial contributions towards mitigation on the local roads network**

## **DESCRIPTION**

The Rowett South site is located on the north western edge of Aberdeen and comprises around 106 hectares of largely agricultural land with a small number of private residential dwellings scattered through the site.

To the east of the site is the residential area of Bucksburn where homes located at Hopetoun Terrace, Cloverfield Place and Kepplehills Drive form the edge between the suburban area and countryside. Kepplehills Road forms the southern boundary, beyond which is agricultural land, zoned for residential led development (OP31 Greenferns Landward). The western boundary is less obvious, being formed by various field boundaries and homes at Christie Grange. The north western boundary is formed by a woodland corridor and the Gough Burn, beyond which is the Scotland's Rural College's (SRUC) Craibstone campus. To the north east the site boundary is effectively the A96(T) trunk road which represents a strong barrier but does provide some permeability via several underpasses.

The Rowett South site shares many of the topographical characteristics of the Greenferns Landward site to the immediate south, generally having an undulating form of rolling landscape ridges and valleys in agricultural use. There are a number of significant lines of mature trees planted both as avenues and structural woodland blocks. There are a residential and agricultural buildings scattered throughout the site, most of which have been excluded from the proposals.

## **RELEVANT HISTORY**

- On adoption of the Aberdeen Local Development in February 2012, the site was allocated for residential development as OP30. It forms part of the wider Newhills expansion area which covers around 220 hectares and which is identified for 4400 homes, supporting local retail, services, community and employment uses. Newhills can be divided into three separate sites, each of which are allocated a number of homes as follows –

| Site                       | No. of homes | Primary Landowner        | Developer  |
|----------------------------|--------------|--------------------------|------------|
| Craibstone South (OP29)    | 1,000        | Scotland's Rural College | CALA Homes |
| Rowett South (OP30)        | 1,940        | University of Aberdeen   | TBC        |
| Greenferns Landward (OP31) | 1,500        | Aberdeen City Council    | TBC        |

- In August 2013, a proposal of application notice (P131206) was submitted to the Council indicating an intention to carry out public consultation on the proposed development.
- A request for environmental impact assessment (EIA) screening and scoping opinions was (P131533) received by the Council in October 2013. The Council advised that as the proposal was considered to be a development with potential significant effects on the environment and that EIA procedures should be undertaken. The response also sought to examine the specific content that would need to be covered within the environmental statement which would be required to accompany the planning application.
- The former Enterprise, Strategic Planning and Infrastructure Committee approved the Newhills Development Framework as interim supplementary guidance on 4<sup>th</sup> September 2014. It aims to coordinate and facilitate the delivery of the three Newhills sites. The development framework was subsequently submitted to the Scottish Government for formal ratification, which was confirmed in January 2015. The development framework has therefore been formally adopted as supplementary guidance and forms part of the Aberdeen Local Development Plan.

## **PROPOSAL**

### Planning Permission in Principle

Planning Permission in Principle (PPiP) is sought for a residential led mixed-use development comprising 1700 residential units, local retail and commercial provision, education, leisure and community uses, new and upgraded roads, landscaping and ancillary engineering works.

### Rowett South Phase 1 Masterplan

A masterplan forms part of the application and covers phase one of the Rowett South site and includes indicative plans showing the proposed development layout and built form. Phase one is some 60 hectares in size and generally covers the northern half of the site. It is expected that detailed layout and elevation details will be submitted for approval by way of matters specified in conditions (MSC) applications, which would have to comply with the adopted development framework and phase one masterplan. The key aspects of the development are –

- 25 development blocks of varying density and built form to accommodate up between 1096 and 1145 residential units split over the central and northern areas of the planning permission in principle site. One block would accommodate a primary school, two would include mixed uses comprising commercial space, community uses and residential and the remaining 22 blocks would be solely residential.
- Provision of 25% affordable housing on-site which would be distributed throughout the site. A gypsy traveller site would be part of this 25% but would be located on the Greenfern Landwards site. The Rowett South applicant would make an appropriate financial contribution towards a gypsy travellers' site.
- A mixed-use neighbourhood centre comprising retail units, healthcare provision (medical and dental practice), community pharmacy, commercial space and community facilities. Retail provision may range from small scale "corner shop" units up to local supermarket size development.
- Land for a new two-stream primary school would be provided alongside space for a full-size football pitch.
- The site utilizes the existing undulating landform with the 'green fingers' of the burn corridors being retained, as well as a number of other public open spaces being provided for formal and informal recreation and leisure;
- It is anticipated that the type of homes provided will cover all market sectors, with the mix including flats, terrace housing, townhouses, semi-detached and detached homes. Building heights would be between 2 and 4 storeys in height with the type of residential property varying across the site;

### **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=140844>. On accepting the disclaimer, enter the application reference quoted on the first page of this report. In support of the application the following has been submitted –

- Badger Survey
- Bat Surveys (May, June, July 2014)

- Design and Access Statement
- Drainage Strategy and Flood Statement
- Geo-environmental plans and studies
- Planning Supporting Statement
- Pre-Application Consultation Report
- Transport Assessment
- Tree survey

### Environmental Statement (ES)

The proposal is subject to environmental impact assessment as a schedule 2 development (table 10 infrastructure projects, sub section (b) urban development projects) by virtue of its scale and location, in terms of schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2011. An environmental statement (ES) has been submitted with the planning application.

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

### **PRE-APPLICATION CONSULTATION**

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

The consultation involved two rounds of consultation, one each in August and October 2013. Both rounds involved a stakeholder event, an exhibition preview for local Councillors and Community Council representatives and a public exhibition. The event was coupled with consultation for the Newhills Development Framework and also the Craibstone South planning application. Feedback forms were available to which there was a three week period for making comment. The events were advertised in the local press. There was also a leaflet drop undertaken, as well as there being posters circulated throughout the local area. Invitations were sent specifically to local MP's, MSP's, Councillors, Community Council and also all parties within 20m of the site. Leaflets were also made available at the events.

### First round of consultation (August 2013)

- The community council provided a number of comments;
- In addition, 143 people attended, with 63 signatures recorded and a total of 25 comments;
- Although the majority of the responses were in favour of the proposals, there was also some opposition which mainly focussed on transport issues. Impact

on ecology/green space, as well as gypsy travellers, design concerns and community requirements were also mentioned; and

- Responses to the points raised have been incorporated in the Pre-Application Consultation Report.

#### Second round of consultation (October 2013)

- A total of 67 visitors were recorded at the event, with 57 signatures recorded and 10 comments received;
- The community council were also in attendance and provided feedback; and
- The main responses raised were similar to that of the first event and suitable responses have been provided.

#### Third round of consultation (May 2014)

In addition to the above consultation a further consultation took place with representatives from the Community Council.

- Representatives from Bucksburn and Newhills Community Council were in attendance; and
- A number of questions were posed to which answers were given by the project team.

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

The main concerns raised were in relation to –

- Additional traffic pressure in the immediate area;
- Location of the gypsy traveller site;
- Scale of development;
- Design of the proposed development as a whole;
- Housing being fit for local needs;
- Housing should be sympathetic to the established area;
- Loss of trees.

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

The application has been referred to the Planning Development Management Committee because the proposed development has previously been subject to a formal decision by the planning authority that environmental impact assessment (EIA) should be undertaken. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

### **CONSULTATIONS**



## **ACC – Communities Housing and Infrastructure (Roads Development Management Team) –**

- It is noted that the transport assessment (TA) submitted refers to 1940 houses taking consideration of the 2012 Local Development Plan which refers to 1700 homes up to 2023 and future growth of 240 units from 2024 to 2030.
- Appropriate provision should be made towards the mechanism for delivery of the ACC Dyce Access Strategy as agreed by the Planning Authority in consultation with Transport Scotland. The contributions are to be secured by Section 75 agreement.
- Conditions should be attached requiring –
  - that no part of the development shall be occupied until the layout of the A96 / Forrit Brae junction has been altered to prevent right turn movements from the A96 into Forrit Brae or from Forrit Brae onto the A96 eastbound.
  - submission of a Construction Management Traffic Management Plan
  - no more than 175 residential units being occupied prior to the Dyce/Craibstone section of the AWPR being open.
  - A phasing plan to be submitted showing how access will be made to the site as its developed and when the Forrit Brae junction will be stopped-up.
- It is also important to ensure that an agreement is reached on the delivery of the ACC Dyce Drive Access Strategy and in that respect it is recommended that no development is allowed to commence until such an agreement is reached and subsequently secured through a legal agreement.
- The internal road layouts are required to be designed with consideration to Designing Streets, should be accessible by public transport and should be permeable for pedestrian and cyclists These details should be agreed prior to the approval of each phase.
- A condition is recommended in relation to submission of residential travel packs and workplace travel plans, details of which are required to be submitted for approval.
- It is essential that a bus strategy is developed with bus operators ahead of development, to maximise bus use by early residents of the development. It should be conditioned that public transport provision should be agreed and in place prior to any phase of the development being occupied to the satisfaction of the Council.
- Parking levels, pedestrian access and cycle access shall be ascertained as each subsequent planning application is submitted, and shall need to be provided in line with the Council's guidelines.

- If the development is likely to include a car club, details of any electric charging points and car club parking spaces should be identified through submission of MSC applications.
- As each phase/development block comes forward, there is a requirement for SUDS details to be submitted and agreed.
- The site would have to contribute to the Strategic Transport Fund (STF) and these payments would be secured through a legal agreement.
- The trunk road authority (Transport Scotland) has agreed 175 dwellings being occupied prior to completion of the AWPR. A short term access strategy serving the 175 units prior to the completion of the AWPR should be submitted and approved.

## **ACC – Communities Housing and Infrastructure (Environmental Health) –**

### Noise

- The noise assessment predicts that a significant number of the new properties would be exposed to traffic noise in excess of the World Health Organisation (WHO) guidelines for day and night. Noise mitigation measures such as noise barriers, improved façade glazing and ventilation schemes and site layout can be incorporated to the detailed development design to protect residents from unacceptable levels of traffic noise and should be subject of a condition.
- The assessment also predicts that four existing properties on Forrit Brae South would be subjected to a moderate/large adverse impact due to the additional road traffic. Accordingly, it is recommended that an acoustic barrier is installed between the road link and these properties. Other properties on Forrit Brae and Hopetoun Grange would also be subjected to increased traffic noise; however assuming that the development is staged, it is unlikely that the long term changes in road traffic noise will be noticeable.
- There are several Candidate Noise Management Areas (CNMAs) on the A96/A90 to the east of the proposed development as defined in the Aberdeen Agglomeration Noise Action Plan. The noise assessment predicted that the traffic increase associated with the development will not impact significantly on the CNMAs.

### Air Quality

- Conditions should be attached requiring air quality assessments to be carried out and where it is determined that the development would have an adverse impact on local air quality as a result of road traffic, mitigation measures shall be specified.
- A Dust Management Plan, detailing dust mitigation measures and controls, responsibilities and any proposed monitoring regime shall be submitted to and

approved by the Council's Environmental Health and Planning Services prior to the commencement of any demolition or construction works.

**ACC – Communities, Housing and Infrastructure (Flood Prevention Team) -**

- Aberdeen City Council are supportive of the proposal for nine larger SUDS basins rather than smaller measures but require further information to confirm that the designs would include 20% for climate change in the 1:200 year events and that urban creep has been taken into account.
- Further information on the models used to assess the existing watercourses is requested and details are required to confirm the green field run-off rate is of 5.77l/s/hectare.
- There is agreement with SEPA's position that a 6m buffer zone is appropriate around watercourses and that two levels of treatment are required.

**ACC – Communities, Housing and Infrastructure (Waste Strategy Team) –** General guidance provided on the waste storage and collection options as well as the requirements of Council waste collection services.

**ACC – Education, Culture & Sport (Local History and Archaeology) –** The former Lead Curator, Local History and Archaeology\* provided no objection to the proposal, subject to a condition being attached requiring a programme of archaeological works to be submitted and agreed for each development block.

\* Archaeology advice is now provided by Aberdeenshire Council Archaeology Service who would evaluate any future proposed programme of archaeological work.

**ACC - Education, Culture and Sport (Policy, Performance and Resources) –** As there is insufficient capacity in the existing education estate, the Rowett South development will require the following provision to be made –

- A two stream primary school to accommodate up to 434 pupils with nursery capacity of 60 places. A further three primary school will also be required to accommodate up to 651 pupils with a nursery provision of 80 places.
- It will be necessary to also reconfigure and extend Bucksburn Academy to accommodate the additional secondary aged pupils who will reside within the Academy zone.

**Developer Obligations Team –** a developer obligations package consisting of the following infrastructure should be secured in order to mitigate the impact of the development –

- 25% affordable housing on site
- Gypsy traveller site – financial contribution;
- Primary Education - financial contribution and land;
- Secondary Education - financial contribution;
- Community Facilities - financial contribution;

- Sports and Recreation - financial contribution and land;
- Healthcare - financial contribution and land.

**Aberdeen International Airport (AIA)** – The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria in principle, subject to conditions relating to the height of buildings, use of cranes, submission of bird hazard management plans (BHMP) and landscaping.

**Bucksburn and Newhills Community Council** – No response received.

**Health and Safety Executive (HSE)** – In relation to the ES, the proposed development does not fall within any HSE consultation zone, therefore are not a statutory consultee, and as such have no comments to make.

**Historic Scotland** – In response to the ES, there is no significant impact on any sites within the statutory remit of Historic Scotland that have been identified (scheduled monuments and their setting, category A listed buildings and their setting, gardens and designed landscapes and battlefields) and therefore are content to agree to these findings.

**NATS (En-Route) Plc.** – With respect to the safeguarding of the Perwinnes radar there is insufficient information to assess the impact of the development, however NATS are satisfied that depending on the exact plans for construction, an impact could be possible. In that respect, a condition is recommended which requires any development which has a detrimental impact upon the radar to agree a scheme of mitigation with the NATS.

**Scottish Environment Protection Agency (SEPA)** –

#### Flooding

- SEPA support the proposals in the drainage strategy and flood statement to capture and attenuate surface water flow that originate from higher ground outside the site boundary and that the site levels will be set appropriately in order to prevent water entering buildings or restricting access.
- In terms of existing watercourses, a condition is requested to ensure that these are incorporated into the development layout and full details of the culvert upgrades are provided as part of the detailed proposals for any phase. A buffer zone of a minimum of 6m should be incorporated into designs for the watercourses.

#### Foul Drainage

- SEPA welcome the proposed connection to the existing Scottish Water foul sewer and as such have no objection to this aspect of the proposal.
- SEPA recommend that the developer liaises with Kelda Water, operator of the Persley Wastewater Treatment Works (WWTW) regarding connecting foul

drainage from subsequent phases of development to the public sewer prior to the upgrade to Persley works. Nigg WWTW has spare capacity and connecting to this sewer line would mean that further phases can be developed without having to wait for the upgrade to Persley works

### Surface Water Drainage

- Source controls such as permeable block paving are considered best practice and are a vital part of the treatment train. Justification needs to be provided if the "consideration" of source control leads to such techniques being excluded from the treatment train.
- SEPA also raise concerns over the size of catchments draining to the basins. The entire site is 106.85ha serviced by nine basins with catchments of 6.14ha - 25.48ha, it is recommended in The SUDS Manual that areas much larger than 2ha do not drain to a single component, but that the catchment is split into sub catchments and several smaller features are included that drain to a final site control. The proposals currently exceed this recommendation.
- The at source SUDS measures referenced with a discharge to an extended detention basin would constitute the required best practice two levels of SUDS treatment and as such it is requested that a condition be attached to the consent requiring two levels of sustainable drainage (SUDS) surface water treatment for hardstanding areas including roads, one level for roofs and three for any hardstanding areas such as yards if there are any industrial areas to be submitted. If this is not attached, then SEPA's representation should be considered as an objection.

### Impacts on Wetlands

- It is agreed that there are no groundwater dependent terrestrial ecosystem (GWDTE) on the site as per the Phase 1 Habitat Survey.
- It is intended that this marshy area will be retained for its biodiversity value and SEPA welcome this decision. It is requested that this area is managed to encourage development of a wetland type which likely more diverse and will improve the biodiversity of the area. This information should be provided in the Construction Environmental Management Plan.

### Impacts on groundwater including private water supplies.

- It is acknowledged that the private water supply at Chapel Belts is historic and the properties are now connected to the public water supply.

### Contamination

Owing to the nature of some of the research work undertaken at the nearby Rowett Research Institute, there have been disposals at several locations on the Institute site of animal carcasses and excreta, and auxiliary waste, which were radioactively contaminated material. These disposals were carried out over a

period from 1958 to 1994, prior to and under authorisations issued under the Radioactive Substances Act 1960. SEPA are content that the disposals, in their current state, and under the current land use, pose no risk to human health or the environment. It is noted that the area of land within this application boundary to the north of the A96 appears to encroach onto a site that is currently authorised under the Radioactive Substances Act 1993 and is close to a burial site. We therefore ask that the planning authority, in granting planning permission, apply a planning condition requiring the developer to undertake appropriate investigations at the site in relation to radioactive contamination and submit these to the satisfaction of the planning authority in consultation with SEPA along with details of any necessary remediation.

### Other Matters

- It is noted that a draft Construction Environmental Management Plan (CEMP) has been submitted however request that a condition is attached to the consent requiring the submission of a site specific finalised (CEMP). If this is not attached, then SEPA's representation should be considered as an objection.
- With regards to air quality, the local authority is the responsible authority for local air quality management under the Environment Act 1995, and therefore we recommend that Environmental Health within the local authority be consulted.

### **Scottish Natural Heritage (SNH) –**

- Water Abstraction – Although the site does not lie within the catchment of the River Dee Special Area of Conservation (SAC), water to supply the proposals will be abstracted from the River Dee. Reductions in river water levels, particularly at times of low flow conditions can have impacts on freshwater pearl mussel, one of the qualifying features of the SAC. SNH's advice is that to comply with the Habitats Regulations Assessment of the recently approved Strategic Development Plan a Water Efficiency Plan will be required for each planning application within the wider Newhills Development Framework area, including the current application for Rowett South.
- Protected Species – Provided the badger report (including badger protection plan (BPP) and general mitigation) is fully implemented, including the alterations to the masterplan recommended in B4 and the production of detailed BPPs, the proposal is unlikely to require a species licence under protected species legislation.
- Advice is also provided on different aspects of the masterplan.

**Transport Scotland** – Transport Scotland advises that the following conditions should be attached to any permission the council may give. However, Transport Scotland's response is provided on the understanding that Aberdeen City Council will reach agreement with the applicant to take appropriate contributions towards the Strategic Transport Fund / Dyce Corridor Mitigation Scheme, which will

address the wider impacts of this development on the transport network. Should formal agreement not be reached, Transport Scotland would require to reconsider their response.

### Conditions

- No part of the development shall be occupied until the layout of the A96 / Forrit Brae junction has been altered to prevent right turn movements from the A96 into Forrit Brae or from Forrit onto the A96 eastbound.
- Development shall not commence until a Construction Traffic Management Plan has been approved.
- The proposed development shall be limited to a first phase, comprising no more than 175 residential units and ancillary uses, for the period prior to the Dyce/Craibstone Section of the Aberdeen Western Peripheral Route being open to traffic.
- Prior to commencement of development, details of the frontage treatment along the trunk road boundary shall be submitted for the approval.
- Details of the lighting within the site shall be submitted for the approval of the Planning Authority.

## **REPRESENTATIONS**

None

## **PLANNING POLICY**

### **National Policy and Guidance**

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

Creating Places (Scottish Government) – Scotland's new policy statement on architecture and place published in June 2013 sets out the comprehensive value good design can deliver. Successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy.

Designing Places (Scottish Government) – Launched in 2001 *Designing Places* sets out government aspirations for design and the role of the planning system in delivering these. The aim of the document is to demystify urban design and to demonstrate how the value of design can contribute to the quality of our lives. *Designing Places* is a material consideration in decisions in planning applications and appeals.

Designing Streets (Scottish Government) – Published in 2010 *Designing Streets* is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government’s place-making agenda and is intended to sit alongside *Designing Places*, which sets out government aspirations for design and the role of the planning system in delivering these.

### **Aberdeen City and Shire Strategic Development Plan (March 2014)**

While the preference is for development to take place on brownfield sites, the scale of growth expected will mean that more than half of new development will need to take place on greenfield sites. Reducing travel distances and making walking, cycling and public transport more attractive to people is vital. One or two new secondary schools, associated primary schools and improvements to transport infrastructure will be required to serve new development in the city. The Strategic Development Plan sets out the following key objectives for the growth of the City and Aberdeenshire:

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

### **Aberdeen Local Development Plan (2012)**

Policy LR1 (Land Release Policy) – The site is identified in the local development plan (LDP) as opportunity site OP30 (Rowett South) which is allocated for 1000 homes in the period of 2007-2016, 700 homes in 2017-2023 and 240 for 2024-2030 (a total of 1940).

A combined masterplan is required for the Newhills expansion area (OP29 Craibstone South), OP30 (Rowett South) and OP31 (Greenferns Landward ).

Policy LR2 Delivery of Mixed Use Communities – Mixed use developments will be required to service employment land along with the associated phases of the housing development. This means that the road, water, gas and electricity infrastructure will need to be considered for the whole site.



Policy I1 (Infrastructure Delivery and Developer Contributions) – Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. The LDP identifies that the following infrastructure is required for Newhills –

- A road connection from the existing roundabout at the A96/Dyce Drive junction through the masterplan area to Kepplehills Road.
- A comprehensive pedestrian and cycle network and frequent public transport services including new and extended services.
- One new secondary school within proposed development.
- Three new primary schools within proposed development.
- One new Health centre to accommodate 6 existing and 7 new GP's.
- One new dental surgery to accommodate six new dental chairs (could be accommodated within new health centre)
- Three new community pharmacies

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

Policy T2 (Managing the Transport Impact of Development) – New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

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

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

Policy D1 (Architecture and Placemaking) – To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

Policy D3 (Sustainable and Active Travel) – New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active

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

Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation. Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained through the provision of suitable alternative routes.

Policy D6 (Landscape) – Development will not be acceptable unless it avoids: significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct ‘sense of place’ which point to being either in or around Aberdeen or a particular part of it; disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them; sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Policy H3 (Density) – An appropriate density of development is sought on all housing allocations and on developments of over one hectare must meet a minimum density of 30 dwellings per hectare, have consideration of the site’s characteristics and those of the surrounding area, create an attractive residential environment and safeguard living conditions within the development.

Policy H4 (Housing Mix) – Housing developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan, reflecting the accommodation requirements of specific groups, in particular families and older people. This mix is in addition to affordable housing contributions.

Policy H5 (Affordable Housing) – Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

Policy H7 (Gypsy and Traveller Requirements for New Residential Development) – The Newhills expansion area is required, as part of the 25% affordable housing contribution, to make contributions towards the provision of a site for Gypsies and Travellers. The contribution will be for a small site of six pitches, with a net area of approximately 0.5 ha.

Policy RT5 (Retail Development Serving New Development Areas) – Masterplans for sites allocated for major greenfield residential development should allocate land for retail and related uses at an appropriate scale to serve the convenience shopping needs of the expanded local community. Sites should be in accessible locations for walking, cycling and public transport. Masterplans

should indicate the delivery mechanism and timescale for the provision of retail uses.

Policy NE1 (Green Space Network) – The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted. Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments shall take into account the coherence of the network. In doing so measures shall be taken to allow access across roads for wildlife and for access and outdoor recreation purposes. Masterplanning of new development should determine the location and extent of the Green Space Network within these areas.

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

Policy 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. An exception exists for essential infrastructure, such as electronic communications infrastructure and electric 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 within the green belt.

Policy NE3 (Urban Green Space) – Permission will not be granted to use or redevelop any parks, playing fields, sports pitches, woods, allotments or all other areas 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 for public access is laid out and made available in the locality by the applicant for urban green space purposes.

Policy NE4 (Open Space Provision in New Development) – The City Council will require the provision of at least 2.8 hectares of per 1000 people of meaningful and useful public open space in new residential development. The nature of the provision is set out in Supplementary Guidance on Open Space.

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

Policy NE5 (Trees and Woodlands) – There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

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

Policy NE6 (Flooding and Drainage) – Development will not be permitted if –

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

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

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

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

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

Policy NE8 (Natural Heritage) – Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its natural heritage value will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy. In all cases of development at any location:-

1. Applicants should submit supporting evidence for any development that may have an adverse effect on a protected species demonstrating both the need for the development and that a full range of possible alternative courses of action has been properly examined and none found to acceptably meet the need identified;
2. An ecological assessment will be required for a development proposal on or likely to affect a nearby designated site or where there is evidence to suggest that a habitat or species of importance exists on the site;
3. No development will be permitted unless steps are taken to mitigate negative development impacts. All proposals that are likely to have a significant effect on the River Dee SAC will require an appropriate assessment which will include the assessment of a detailed construction method statement addressing possible impacts on Atlantic Salmon, Freshwater Pearl Mussel and Otter. Development proposals will only be approved where the appropriate assessment demonstrates that there will be no adverse effect on site integrity, except in situations of overriding public interest;

4. Natural heritage beyond the confines of designated sites should be protected and enhanced;
5. Where feasible, steps to prevent further fragmentation or isolation of habitats must be sought and opportunities to restore links which have been broken will be taken;
6. Measures will be taken, in proportion to the opportunities available, to enhance biodiversity through the creation and restoration of habitats and, where possible, incorporating existing habitats;
7. There will be a presumption against excessive engineering and culverting; natural treatments of floodplains and other water storage features will be preferred wherever possible; there will be a requirement to restore existing culverted or canalised water bodies where this is possible; and the inclusion of SUDS. Natural buffer strips will be created for the protection and enhancement of water bodies, including lochs, ponds, wetlands, rivers, tributaries, estuaries, and the sea.

Policy NE9 (Access and Informal Recreation) – New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, and other paths and rights of way. Core Paths are shown on the proposals maps. Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

Policy NE10 (Air Quality) – Planning applications for development which has the potential to have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and can be agreed with the planning authority. Such planning applications should be accompanied by an assessment of the likely impact of development on air quality and any mitigation measures proposed.

Policy R6 (Waste Management Requirements for New Development) Housing developments should have sufficient space for the storage of residual, recyclable and compostable wastes. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and on other developments where appropriate. Details of storage facilities and means of collection must be included as part of any development which would generate waste.

Policy R7 (Low and Zero Carbon Buildings) – All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 standards. This percentage requirement will be increased as specified in Supplementary Guidance.

### **Supplementary Guidance (SG)**

Newhills Development Framework

The framework covers the Rowett South, Craibstone South and Greenferns Landward sites and was approved on 4<sup>th</sup> September 2014. It reviews the existing physical state of the site in terms of land use, drainage, topography and habitats. It goes on to state how development, open space, transport links and infrastructure should be laid out and interact with the site's surroundings.

### Other Supplementary Guidance

The following supplementary guidance documents are material considerations in the evaluation of the application –

- Affordable Housing SG
- Air Quality SG
- Archaeology and Planning SG
- Drainage Impact Assessments SG
- Gypsy and Traveller Sites SG
- Infrastructure and Developer Contributions Manual
- Landscape Strategy Part 2 – Landscape Guidelines
- Low and Zero Carbon Buildings SG
- Transport and Accessibility SG
- Trees and Woodlands SG
- Waste Management Requirements in New Development SG

### **Proposed Aberdeen Local Development Plan**

The following policies substantively reiterate policies in the adopted local development plan –

- LR1 (Land Release Policy)
- LR2 (Mixed Use Communities)
- Policy D1 (Quality Placemaking by Design)
- Policy D2 (Landscape)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy T1 (Land for Transport)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)
- Policy T4 (Air Quality)
- Policy CF2 (New Community Facilities)
- Policy NE1 (Green Space Network)
- Policy NE2 (Green Belt)
- Policy NE3 (Urban Green Space)
- Policy NE4 (New Open Space Requirement in New Development)
- Policy NE5 (Trees and Woodlands)
- Policy NE6 (Flooding, Drainage and Water Quality)
- Policy NE8 (Natural Heritage)
- Policy NE9 (Access and Informal Recreation)

- Policy T4 (Air Quality)
- Policy H3 (Density)
- Policy H4 (Housing Mix)
- Policy H5 (Affordable Housing)
- Policy H7 (Gypsy and Traveller requirements for new residential developments)
- Policy R6 (Waste Management Requirements for New Developments)
- Policy R7 (Low and Zero Carbon Buildings and Water Efficiency)

Newly introduced policies which are relevant are –

Policy T5 (Noise) – In cases where significant exposure to noise is likely to arise from development, a Noise Impact Assessment (NIA) will be required as part of a planning application.

Development within or near to Candidate Noise Management Areas (CNMAs) and Candidate Quiet Areas (CQAs) will not be permitted where this is likely to contribute to a significant increase in exposure to noise or a deterioration of noise conditions in these areas, or where this will reduce the size of, or cause an increase in the noise level within, the CQA.

Policy CI1 (Digital Infrastructure) – All new residential and commercial development will be expected to have access to modern, up-to-date high-speed communications infrastructure.

## **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**

For the purpose of this evaluation; the application is for planning permission in principle and accordingly, the consideration of each aspect of the proposal will deal primarily with the principle of the development and generality of the proposed layout rather than any detailed design. Applications for matters specified in conditions would address the detailed layout, position and appearance of buildings, roads, paths, open space and other infrastructure.

The allocation of the site was pursued through the Aberdeen Local Development Plan (ALDP) preparation process with the site being identified for development by the Council, subsequently ratified by the Reporter appointed by the Scottish Government and thereafter by the full Council. This process culminated with the

adoption of the ALDP in February 2012 which allocated Rowett South as a housing land release site (Policy LR1) for 1940 homes.

The ALDP sets out that the OP30 allocation should provide 1000 homes within the phase one of the plan (2007-2016), with a further 700 homes provided in phase two (2017-2023) which it is expected would be released by the next version of the ADLP, anticipated adoption taking place in 2016. The final 240 units are allocated for the period 2024-2030 but do not form part of this application.

Planning permission in principle is sought through this application for all 1700 units within phase 1 and 2, which therefore technically represents a departure from the phasing proposed in the ALDP and is contrary to Policy LR1 (Land Release Policy).

Since the adoption of the ALDP in February 2012, the Aberdeen City and Shire Strategic Development Plan (SDP) has been published and was approved by Scottish Ministers on 28<sup>th</sup> March 2014. The SDP continues the growth aspirations of the previous Structure Plan and specifies an allowance of 12,000 housing units on greenfield sites within Aberdeen in phase one (up to 2016). In the second phase (2017-2026) 5000 units are allowed for.

The Proposed Aberdeen Local Development Plan was published in March 2015 and considered the overall vision and strategy of the existing ALDP to be appropriate. Stakeholder and public consultation is currently being reviewed by planning officers. No representations have been received on the Rowett South allocation and therefore assuming the plan is adopted, the allocation will remain unaltered. In accordance with the SDP, it also proposes that the current phase two allocation is carried forward and releases the 700 units in that phases for the period of 2017 to 2023. It is therefore apparent that the Councils latest position on the future development of the city continues the growth strategy within the current strategic and local development plans.

The applicant has provided indicative build rates and anticipates that 135 units would be completed per annum, which result in a 12½ year build period for phases one and two, ending in approximately 2027.

Taking into account the indicative build-rate and the stages of the planning process which still need to be completed before work can start on site, the likelihood that the number of units completed before 2017 would exceed that allocated to the phase one period is non-existent. The granting of consent for both phases at Rowett South would also bring certainty for the developer which would assist in the delivery of the development. Therefore although contrary to Policy LR1 (Land Release Policy) in terms of phasing, it is considered acceptable to permit the full phase one and two allocation of housing at Rowett South at this stage.

### **Rowett South: Phase 1 Masterplan**



The Rowett South site is part of the Newhills Expansion Area, which is covered by the Newhills Development Framework which was adopted in January 2015.

The phase one masterplan which has been submitted as part of this application has been developed in further detail in order to expand upon the general principles and provide guidance for subsequent applications for Matters Specified in Conditions. The Rowett South Phase 1 Masterplan follows the principles established in the Newhills Development Framework however there are a number of modifications which have been made as a result of further work undertaken and to address technical and environmental issues. The key changes are summarised below –

- Access and Infrastructure – The access arrangement from the A96(T) at Dyce Drive has been altered and land safeguarded for third party infrastructure delivery which required a minor change to block RS:1. The access arrangements and location of junction from the A96(T) to the east has also been altered.
- Sports Pitch Provision – Following discussion with the Council’s Education, Culture and Sport Directorate, sports pitch provision has been amended to include a single full size football pitch as well as financial contributions toward off-site provision. The sports pitch location has also been moved to facilitate co-location with the outdoor sports centre identified as part of the Primary School. As a result, blocks RS:18, RS:19 and RS:20 are now identified as residential and block RS:11 been removed to accommodate the sports pitch.
- Gypsy Traveller Site – Following extensive discussion, it has been agreed that the gypsy traveller site will be located within the Greenferns Landward site. As such, the option for its location within Rowett South has been removed and the Phase 1 Masterplan gives no further consideration to this land use.
- Minor Changes to Development Blocks –
  - The street alignment connecting Hopetoun Grange to the site has altered to reflect updated tree survey which required minor changes to blocks RS:28, RS:30 and RS:31.
  - Minor alteration to the extent of block RS:28 in light of further site information relating to existing features.
  - Changes have been required to block RS:10 and associated streets and paths to accommodate protected species.
  - Minor changes to various development blocks to reflect refinement of street alignments and open space boundaries.

The phase one masterplan provides specific design guidance for the phase one boundary area. This guidance covers topics including access and connectivity, land use and density, building heights, housing types, built form and spatial definition, parking, open spaces, design principles, character neighbourhoods, and, phasing. Phase 1 area is identified as being capable of accommodating up to 1,145 residential properties and associated community facilities.

The areas excluded from the phase one masterplan (those reserved for A96 infrastructure improvements in the north and the balance of the site area in the south) will be subject to either addendums to the masterplan in the case of the smaller pockets of land sites and a second masterplan for the area to the south of phase one and north of Greenferns Landward, both secured through a condition.

## **Environmental Statement**

The proposal is subject to environmental impact assessment as a schedule 2 development (table 10 infrastructure projects, sub section (b) urban development projects) by virtue of its scale and location, in terms of schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2011. An environmental statement ('ES') has been submitted with the planning application.

The ES reports on the findings of an environmental impact assessment ('EIA') of the proposed development. EIA is the process of compiling, evaluating and presenting all of the significant environmental impacts of the proposed development, leading to the identification and incorporation of appropriate mitigation measures. Before determining the application the Council must take into consideration the information contained in the ES, including any further information, any comments made by the consultation bodies and any representations from members of the public about environmental issues. The ES is submitted in support of the planning application but it is not part of the application itself. However, provided it serves a planning purpose, any information from the environmental impact assessment process may be material and considered alongside the provisions of the development plan.

### Adequacy of the Environmental Statement

Before considering the merits of the proposed development it is appropriate to comment on the ES submitted in support of the application. There is no statutory provision as to the form of an ES but it must contain the information specified in Part II and such relevant information in Part I of Schedule 4 of the Environmental Impact Assessment (Scotland) Regulations 2011 as is reasonably required to assess the effects of the project and which the developer can reasonably be required to compile.

Whilst every ES should provide a full factual description of the development, the emphasis of Schedule 4 is on the 'main' or 'significant' environmental effects to which the development is likely to give rise. An ES must comply with the requirements of the Regulations, but it is important that it is prepared on a realistic basis and without unnecessary elaboration. It is for the Council to satisfy itself on the adequacy of the ES. If it is deemed to be inadequate, then the application can be determined only by refusal. In order to establish the adequacy of the ES it has been assessed using the review package "*Reviewing the Quality of Environmental Statements and Environmental Appraisals*" by Lee N, Colley R, Bonde J and Simpson J (1999). This involves a detailed and systematic appraisal of the content of the ES and is a widely recognised methodology.

## Summary of EIA Findings

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| <b>Geology and soils</b>  |
| Findings – There are no features of special geological interest within the proposed development site. The geological features are therefore considered to be of low sensitivity and importance. Contamination is not considered to be significant across the study area.  |
| Mitigation Measures – Further site investigations would determine whether there is any contamination of land. The implementation of a construction management environment management plan (CEMP) would minimise the potential for contamination.  |
| <b>Land Use</b>   |
| Findings – The main activities on the land relate to; <ul style="list-style-type: none"><li>▪ Loss of agricultural fields/grassland</li><li>▪ Temporary disruption of utilities/infrastructure</li><li>▪ Impacts on residential properties in terms of demolition/construction</li><li>▪ Demolition of farmstead and ancillary buildings</li><li>▪ Impact on surrounding community uses/residential areas.</li></ul> Overall, the potential impacts to existing land use, utilities and infrastructure have been assessed as minor adverse due to the scale of the land use change. |
| Mitigation Measures – The implementation of a CEMP would minimise the potential for contamination, maintaining access arrangements and reinstatement of temporary land take and disturbance after construction.   |
| <b>Hydrology, Drainage &amp; Water Quality</b>  |
| Findings – During the construction phase, the impacts on local watercourses should be minimal due to the mitigation and appropriate SUDS design/construction and best practices being adhered to. Operational impacts are assessed as neutral with there being a benefit on completion of works.  |
| Mitigation Measures – Best practice and mitigation measures identified in the CEMP would be implemented during construction and in terms of the design of permanent SUDS proposals.   |
| <b>Air Quality</b>  |
| Findings – The proposed development is likely to lead to increased traffic flows along some local roads which is, in turn, likely to have a slight decrease in air quality at these points. Overall, the impact on air quality is likely to be negligible.  |
| Mitigation Measures – A Dust Management Plan would be implemented during construction and measures to reduce the use of the car would be promoted.  |
| <b>Noise &amp; Vibration</b>  |
| Findings – With regards development traffic noise, there will be negligible impact at most of the sensitive receptors, with the exception of four existing properties adjacent to the A96/Forrit Brae South but this can be mitigated. In relation to industrial noise source, mitigation measures are proposed to limit impact. Aircraft noise is anticipated to be neutral. The construction noise is likely to increase but this will only be during that phase. Ground borne vibrations may be of concern and more information would be required in the SEMP.                   |
| Mitigation Measures – During construction best practice would be implemented to   |

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| ensure that noise levels are minimised. In terms of long term noise, an acoustic barrier would be installed to protect properties at Forrit Brae and appropriate glazing specifications used in the design of new properties.   |
| <b>Ecology, Nature Conservation &amp; Biodiversity</b>  |
| Findings – Development of the site will see changes to 53.51 hectares of habitat, mainly arable land and improved or poor self-improved pasture land and no direct impacts on any designated nature conservation sites.   |
| Mitigation Measures – Native tree planting would be used throughout the development, bird boxes would be installed along the Gough Burn and a Badger Protection Plan implemented.   |
| <b>Cultural Heritage</b>  |
| Findings – Thirteen known cultural heritage sites were identified within the development area, including a late medieval coin hoard find-spot, a prehistoric hut circle, and two extant farmsteads, one abandoned farmstead, the location of a smithy, three cottages/crofts and three wells all of late post-medieval or early modern date. One category B Listed structure, an early modern boundary marker stone, lies just within the proposed development area. Ten cultural heritage sites, including another two category B Listed Boundary Stones, lie within 100 m of the proposed development. A programme of target archaeological survey works will likely be required. |
| Mitigation Measures – Sensitive design would minimise any impact on the setting of cultural assets.   |
| <b>Landscape &amp; Visual Effects</b>   |
| Findings – The development is proposed in an area of undesignated farmland, on a prominent sloping site to the east of the small settlement of Newhills. Significant adverse landscape effects are identified on the local and wider area.  |
| Mitigation Measures – Best practice measures would be implemented during construction. The retention of existing trees, creation of large and small open spaces and sensitive positioning and design of buildings.  |
| <b>Pedestrians, Cyclists &amp; Community Effects</b>  |
| Findings – Impacts include short-term access disruption and dust nuisance during construction. Moderate positive impacts during operational phase include improved pedestrian and cyclist access to, from and through the site as well as new landscaped areas and civic space.   |
| Mitigation Measures – A construction traffic management plan (CTMP) and best practice would be implemented during construction. A network of new paths would be provided throughout the development which would links into existing paths.  |
| <b>Traffic and Transport</b>  |
| Findings – The proposed access strategy proposes a permeable network of streets with adequate linkages outwith the site and will encourage modal shift away from the private car.   |
| Mitigation Measures – A CTMP would be implemented, upgrades to the road network provided and measures to reduce car usage encouraged.   |

The appraisal of the ES concluded that despite some minor omissions, the submitted ES is considered to be sufficient in setting out the likely environmental effects of the development, and demonstrating that the severity of such impacts

is not likely to be so significantly adverse as to warrant the refusal of this application. Where effects are likely, and when appropriate, mitigation measures can be provided and if necessary would be subject of planning conditions.

## **Transportation**

The developer has submitted a Transport Assessment (TA) which examines transportation, traffic and access issues.

Initial access to the site would be via the existing junction at Forrit Brae with the A96, which would be modified to operate 'left in, left out only' with the central reserve on the A96 being closed off. Further vehicular access would be provided at Hopetoun Grange to the east, Kepplehills Road to the south and a link to the Craibstone South driveway access to the west, subject to Craibstone completing the link on their land. These connections are in accordance with the development framework and masterplan and are accepted in principle.

The Council are progressing a major infrastructure programme for Dyce Drive and the A96 area in order to mitigate the impact of commercial development at Dyce, residential development within the Newhills Expansion Area and the new Aberdeen Exhibition and Conference Centre (AECC) and associated development proposed at Rowett North. Whilst the exact timing and nature of the programme of interventions is currently under consideration by the Council in its capacity as roads authority, it is likely to involve significant changes to the network within the area and is anticipated to include construction of a grade separated junction at the Dyce Drive/A96 junction, dualling of Dyce Drive between the A96 and airport junction, stopping up Bankhead Avenue north of the roundabout on the A96 and a new junction on the Aberdeen Western Peripheral Route (AWPR) at Kirkhill.

In order to assist in funding the programme, it has been determined that that a fund should be established by the Council and that developers pay into this with contributions being calculated based on the number of vehicle trips each development generates, thereby reflecting the level of impact which their development would have. In combination with Council funding the developer contributions would be utilised by the Council to construct the infrastructure. The mechanism for collecting payments would be determined as part of the section 75 legal agreement.

Both the Council's roads officers and Transport Scotland have requested that a condition be attached limiting development to no more than 175 residential units and ancillary uses, for the period prior to the Dyce/Craibstone section of the AWPR being open to traffic and a condition reflecting this has been attached.

The developer would be required to contribute towards the Strategic Transport Fund (STF) which aims to gather contributions to pay for significant transport projects to mitigate congestion caused by the cumulative impact of developments throughout the city. The level of contribution payable will be dependent on the composition of the development, and will be determined as the detailed design of

the development evolves as part of the required matters specified in conditions application for any subsequent development. Contributions can be secured as part of a section 75 legal agreement.

### Public Transport Provision

The A96 is the main public transport corridor in the area with existing routes going to the city centre, airport and beyond into Aberdeenshire. Initial discussions with public transport operators suggest support for extended services through the development however at this stage no firm proposals have been agreed. In order to facilitate this the main roads through the development would be designed to be capable of accommodating buses and the proposed layout shown in the masterplan indicates that all residents would be within the recommended 400m from a bus stop. A condition has been attached which requires a public transport strategy to be submitted prior to occupation of the first unit. The strategy is expected to include plans for new or extended bus services and their phased implementation.

### **Density and Mix**

A variety of densities is utilised across Rowett South to give a net residential density of around 40 dwellings per hectare. This figure is above the minimum of 30 dwellings per hectare which is required by Policy H3 (Density).

There would be a mixture of densities throughout the site varying between lower densities (25 units per hectare) to higher density (over 65 units per hectare). The highest density areas would be located close to the A96 in the northern end of the site to benefit from nearby public transport, links to existing residential areas, the topography of the site and proximity to the proposed mixed use centre.

The masterplan indicates that it is intended to offer housing opportunities for people at all stages in the housing lifecycle, from first time buyers to housing which meets the needs of older generations, with an emphasis on 'family housing'. It is anticipated that the mix would include flats, terraced housing, town houses, semi detached and detached properties. At this stage It is considered that a suitable mix of units would be provided in accordance with Policy H4 (Housing Mix). The final mix would be determined by market demand and the detailed design of the development which would be controlled through approval of matters specified in conditions applications.

### **Affordable Housing and Gypsy Traveller Site**

A further aim of the SDP and the LDP is to ensure that new development provides an appropriate level of affordable housing in new development. Policy H5 (Affordable Housing) outlines that housing developments are required to provide no less than 25% of the total number of units as affordable housing. In parallel to this, is a further requirement through Policy H7 (Gypsy and Traveller Requirements for New Residential Development) to ensure that as part of the 25% affordable housing provision, contributions should also be made towards sites for Gypsies and Travellers.

In this instance, the applicant has agreed to the provision of a total of 425 units (25% of the overall total) for affordable housing on site. At the moment it is anticipated that this would be broken down to 8 units within the first 150 units, 23 units in the next 150 units and 391 units in the remainder of the built out. The exact type and mechanism of delivery for the affordable housing would be secured through the legal agreement. This would provide a degree of flexibility to cater for options such as registered social landlord developments, shared equity, and low cost home ownership. Subject to the conclusion of a legal agreement to secure the required provision, the proposal would be in accordance with Policy H5.

Policy H7 (Gypsy and Traveller Requirements for New Residential Development) requires the Newhills expansion area to make contributions towards the provision of a site for Gypsies and Travellers. The contribution will be for a small site of six pitches, with a net area of approximately 0.5 ha. It has been agreed that the site would be provided in the Council owned Greenferns Landward site. In recognition of this and to offset the loss of development land on the Greenferns Landward site, the Rowett South applicant has agreed to make a financial contribution based on the development value of the land. Therefore, assuming the successful conclusion of a legal agreement to secure the contribution, the applicant's obligations under Policy H7 would be met.

### **Developer Contributions**

The developer has agreed a package of planning contributions to mitigate against the impact of the development on local infrastructure and services. All contributions and phasing of payments would be secured by a section 75 legal agreement and would be timed appropriately to mitigate the scale of development at each phase.

### **Primary Education**

There is insufficient capacity in the existing school estate to accommodate pupils generated by the three Newhills Expansion Area developments and therefore Policy I1 (Infrastructure Delivery and Developer Contributions) identifies a requirement for three new primary schools in the Newhills area.

Since adoption of the LDP the Newhills Development Framework has been adopted further work has been carried out by Education, Culture and Sport Directorate which revised the requirement to one two-stream school and one three-stream school.

The two stream school is required to be located within the Rowett South site and would be capable of accommodating up to 434 pupils with nursery capacity of 60 places. The applicant has agreed to provide a serviced site extending to 1.41 hectares which would be located on the western side of the site in a prominent and accessible location. Appropriate Safe Routes to School would be identified and provided to ensure the safe movement of pedestrians and cyclists between the school and surrounding area. Financial contributions would also be provided

by the developer towards the cost of the school. The responsibility for the delivery and construction of the school will rest with Aberdeen City Council. In the interim period, it is anticipated that pupils would be accommodated at Dyce and Stoneywood Primary Schools.

Separate to this application and the Rowett South development, the three stream primary school, accommodate up to 651 pupils with a nursery provision of 80 places, would be located within the Greenferns Landward site.

### Secondary Education

Policy I1 (Infrastructure Delivery and Developer Contributions) requires a new secondary school within the Newhills Expansion. During the preparation of the Newhills Development Framework the Council's Education, Culture and Sports Directorate advised that number of pupils generated by the Newhills expansion would fall significantly below the number of pupils required to establish a viable new secondary school.. Therefore their recommendation was that alternative provision is made for secondary education within the existing school estate. The Newhills Development Framework therefore was adopted with no new secondary school proposed and this approach has continued into the phase one masterplan and this planning application.

Subject to the progression of the Countesswells development, it is intended that pupils from Kingswells would be accommodated within the new academy at Countesswells, thus removing them from the current Bucksburn Academy catchment zone. This new academy at Countesswells is currently expected to be open around 2020. This could result in up to 170 pupil spaces becoming available at Bucksburn Academy. This would however be a gradual process as it is expected that Kingswells pupils already at Bucksburn Academy would remain at Bucksburn to finish their secondary education rather than transfer to Countesswells immediately upon the new school opening.

Outwith the zoned catchment area, there currently exists additional capacity at both Dyce (130 - 170 places) and Northfield Academies (300 places) which could potentially be utilised by the Newhills development, including Rowett South, on a temporary basis.

In the longer term it will be necessary to reconfigure and extend Bucksburn Academy to accommodate the additional secondary aged pupils generated by Rowett South and other Newhills developments. In order to facilitate this, the developer has agreed to pay financial contributions in line with the level of impact the development would have, which would be secured through the legal agreement.

### Community Facilities, Sports and Recreation

The applicant has agreed to the requested financial contribution towards community facilities.



A serviced site extending to 0.91 hectares would be provided for a full sized sports pitch which would be located adjacent to the primary school and in addition to the primary school sports pitch. A financial contribution would also be provided.

### Healthcare

Healthcare contributions towards provision of a healthcentre, dental surgery and three community pharmacies, have been calculated with NHS Grampian based on national recognised space standards, build costs and estimating the number of new patients generated by the development. The applicant has agreed to provide a serviced site of 0.57 hectares within Rowett South which would be provided order to accommodate a new health centre. A financial contribution would also be provided.

In addition, a further 0.43 hectares of land would be reserved for 10 years from the conclusion of the section 75 agreement in an effort to facilitate NHS Grampian's aspiration to relocate and consolidate three existing practices. This land would be sold to the NHS at a price to be agreed between the landowner and NHS Grampian however if no agreement is reached within the timescale the land will cease to be reserved for healthcare use.

### **Drainage**

A Drainage Strategy and Flood Statement has been submitted which explains how the principles in relation to drainage would be addressed.

#### Surface Water Drainage

The site generally falls in two directions, the land to the north of Forrit Brae falls in a north eastern direction and surface water run off from this portion of the site is within the catchment of the Gough Burn which is located to the north of the Rowett South site.

There is also a small unnamed watercourse located within this area. It is assumed that this watercourse connects into the Gough Burn downstream of the site. There is a 'ditch' which follows the same alignment as Forrit Brae. This 'ditch' terminates as it approaches the A96, it is assumed that this 'ditch' connects into the aforementioned watercourses.

There are no open watercourses or ditches within the southern part of Rowett South, however there is an existing 750mm diameter culvert located to the north of Kepplehills Road which crosses in a north eastern direction towards the existing residential properties located on Kepplehills Drive. The culvert heads north continuing through the existing residential development and connects into a second 750mm diameter culvert which is located along the rear garden boundaries of properties located within Hopetoun Avenue.

The surface water drainage system would be appropriately designed in line with the principles of sustainable drainage systems (SUDS). This would result in the

rate and volume of post development run-off directed to these watercourses and collected in the SUDS system as a whole, being restricted to the equivalent of pre-development greenfield run-off, by creating appropriate volumes of attenuation in features such as basins and ponds. At source SUDS features such as porous paving, grass swales and grass or stone filter strips would also be used.

A condition has been attached requiring detailed surface water drainage proposals to be submitted for each phase or development block.

### Foul Drainage

There are existing combined sewers located to the north of Forrit Brae, these combined sewers serve the existing residential properties within this area and gravitate in a northern direction to the main drainage network on the north side of the A96.

There are foul sewers located within Kepplehills Road, these foul sewers serve the existing properties at Christies Grange, and gravitate in an eastern direction before connecting into the existing combined sewer located within Kepplehills Road.

The Bucksburn residential area to the east of Rowett South is served by a series of combined, foul and surface water sewers which flow in an eastern direction. This area is served by the Persley Wastewater Treatment Works, which currently has capacity available for the initial development phases. The existing treatment works would be upgraded as required by Scottish Water as the development progresses.

New gravity foul sewers would be provided throughout Rowett South to allow foul water to be discharged from properties within development. Connections into the existing network would be made at the locations described above. Waster water pumping stations would be required to pump flows from part of the east side of the development.

A condition has been attached requiring all development to be connected to the public sewer system.

### Watercourses

The existing 750mm diameter culverted watercourse would be de-culverted, with the open watercourse being incorporated into the development proposals.

The SEPA Flood Map has been reviewed and confirms that Rowett South is at no risk to flooding from any rivers, therefore it has been determined that no Flood Risk Assessment is required. The various valleys which run across the site however do raise the potential for attracting surface water run-off from adjacent areas or undeveloped areas of higher elevation than previously built phases. The detailed design will consider the potential for overland surface flows.

A condition has been attached requiring details of how watercourses would be integrated into the development and engineered to deal with 1 in 200 year floods.

## **Nature Conservation and Ecology**

Development of this scale on greenfield land will inevitably have an impact upon existing landscape and wildlife. The site has been allocated through the appropriate local development plan process and therefore the loss of greenfield land in itself would not be sufficient reason to justify refusal of the application. Any impact on habitats or species however must be managed to allow the development to be delivered with minimal impact.

The section on ecology, nature conservation and biodiversity within the ES found that there would be changes to 53.51 hectares of habitat which is mainly arable land and improved or semi-improved pasture. The impact on habitats is measured as ranging from negligible to moderate. Of particular note is the small scale displacement of wintering and breeding birds which would be mitigated by the provision of bird nest boxes along the southern edge of the Gough Burn woodland. The ES also identifies that badgers and their setts, both protected by the Protection of Badgers Act 1992, are present on site. In order to mitigate any potential impact, the layout of the proposed development has been designed to accommodate suitably sized buffers between development and areas used by badgers. A condition has also been attached which requires a badger protection plan to be submitted prior to development commencing.

According to available data, no bat roosts are likely to be impacted by development. However there would be a decrease in foraging opportunities for a small number of pipistrelles, albeit only in the short term with the situation improving in the medium to long term.

No other protected species were found in or around the site.

### River Dee SAC

The River Dee is designated as a Special Area of Conservation (SAC) by the Conservation (Natural Habitats, &c.) Regulations 1994 in order to avoid deterioration of the habitats of the internationally important qualifying species or significant disturbance to the qualifying species themselves. The qualifying species present in the River Dee are Atlantic salmon, freshwater pearl mussel and Otter.

Although the site does not lie within the catchment of the River Dee SAC, water to supply the development would be abstracted from the River Dee. Reductions in river water levels, particularly at times of low flow conditions can have impacts on freshwater pearl mussel. Consequently, it is considered that there is a linkage between the development and SAC. A habitats regulations assessment was carried out for the Strategic Development Plan (SDP) which identifies water abstraction from the River Dee as representing a likely significant effect. Scottish Natural Heritage (SNH) have carried out their own appraisal for the development and based on information current available to SNH it is their view that the

increase required in water abstraction for the development should not have an adverse impact on the integrity of the SAC – both by itself and in combination with other housing allocations within the SDP until 2035. In order to comply with the SDP habitats regulations assessment, a water efficiency plan for the development is required to be developed and a condition has been attached requiring this to be undertaken.

### **Air Quality**

An air quality assessment has been carried out as part of the ES which identifies that the increased traffic flows would lead to small increases in concentrations of nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) at roadside properties. The assessment also concludes that there would be no significant impact upon any local Air Quality Management Areas (AQMA).

The Council's Environmental Health Service has reviewed the assessment and whilst not objecting to the proposal do not consider the assessment to have fully considered the potential impact of traffic on air quality due to the congestion and slow moving traffic which the area experiences which has not been taken into account. Therefore, it is recommended that a condition requiring a further assessment to be carried out be attached to the consent and that any required mitigation measures thereafter be implemented. These measures would typically involve encouraging the use of alternative modes of transport in order to reduce private car use. With conditions for the submission of travel plans and a public transport strategy already proposed, it is considered that at this stage the proposal would be in accordance with Policy NE10 (Air Quality). A condition is also attached requiring submission of a dust management plan covering the construction period.

### **Safeguarding of Airport and Radar**

The proposed development has been examined from a safeguarding perspective by Aberdeen International Airport and it has been determined that the development could potentially conflict with safeguarding criteria. Therefore several conditions have been attached relating to submission of bird hazard management plans, drainage, external lighting and landscaping schemes.

Informative notes have been attached in relation to the use of cranes, lighting and general safeguarding obligations. All relevant matters specified in applications will be referred to the airport for comments.

The site is within the safeguarding zone of the NATS Perwinnes Radar, which is located some 4.9km to the north east. All matters specified in conditions applications which propose development above ground level will require to be referred to NATS for comments, which may result in developers being required to agree mitigation packages NATS prior to planning permission being granted. An condition and informative note has been attached to this planning permission in order to highlight this matter.

In accordance with Policy BI5, due consideration has been given to the safeguarding of both the airport and Perwiness radar

### **Time Periods**

The planning authority has powers to direct that the duration of consent granted may differ from the usual periods stated in legislation, which is 3 years from the grant of Planning Permission in Principle. In this instance, the scale of the housing allocation is considerable and there is little realistic prospect that full details of the entire 1700 homes and associated works would be ready to be submitted within a period of 3 years. The scale of the allocation is such that it is clear that there is reasonable justification to deviate from the usual periods. It is therefore considered appropriate to grant a period of 10 years and a direction reflecting this would be attached to the grant of planning permission in principle.

### **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 depends on the level of objection raised in relation these matters as part of the Proposed ALDP consultation process and the relevance of these matters to the application under consideration.

In relation to this particular application, no objections to the Rowett South allocation in the Proposed ALDP have been received and therefore the allocation will be adopted without modification on formal adoption of the Proposed ALDP. Other relevant policies largely reiterate existing policies and do not significantly change the assessment of the proposal.

**RECOMMENDATION: Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure:**

- 1. The provision of 25% affordable housing on site;**
- 2. Financial contributions towards a gypsy traveller halting site within the 'Greenferns Landward' site;**
- 3. Financial contributions towards primary education provision and the provision of serviced land within the site for a new two stream primary school;**
- 4. Financial contributions towards secondary education provision;**
- 5. Financial contributions towards community facilities and sports & recreation and provision of serviced land within the site for new sports pitches;**
- 6. Financial contributions towards healthcare and provision of serviced land within the site for a new health centre;**

- 7. Financial contributions towards the Strategic Transport Fund;**
- 8. Financial contributions towards mitigation on the local roads network**

## **REASONS FOR RECOMMENDATION**

The development of Rowett South site would assist in the delivery of affordable housing and Aberdeen's share of the housing allocations within the Strategic Development Plan, which is a priority of the Council's Strategic Infrastructure Plan (SIP). Subject to appropriate contributions towards supporting infrastructure it is considered that the benefit to the City in terms of the increased supply of housing would justify approving the application. Suitable conditions can be attached requiring applications for matters specified in conditions to be submitted which would address the detailed layout, position and appearance of buildings, roads, paths, open space and other infrastructure.

Taking into account the indicative build-rate and the stages of the planning process which still need to be completed before work can start on site, the likelihood that the number of units completed before 2017 would exceed that allocated to the phase one period is non-existent. The granting of consent for both phases at Rowett South would also bring certainty for the developer which would assist in the delivery of the development. Therefore although contrary to Policy LR1 (Land Release Policy) in terms of phasing, it is considered acceptable to permit the full phase one and two allocation of housing at Rowett South at this stage.

The matters contained within the Environmental Statement have been fully considered and suitable mitigation measures proposed which would where appropriate be secured by planning conditions. The payment of developer contributions and provision of serviced land would satisfactorily mitigate the impact of the development. The details of each phase would be determined through the submission of matters specified in conditions applications which should be in accordance with the approved masterplan for the phase one area. Areas outwith the masterplan must be subject to addendums to the existing masterplan or a second masterplan before development may begin.

## **CONDITIONS**

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

### **(1) WATERCOURSES AND FLOOD RISK**

No development shall take place unless a matters specified in conditions application comprising a detailing a scheme for the protection and enhancement of the water environment has been submitted to and approved in writing by the

planning authority in consultation with SEPA [and SNH or other agencies as appropriate]. The scheme shall include –

- i) Confirmation of the location of all existing water bodies on site and demonstration of how they have been positively incorporated into the layout of the development, including appropriate buffer zones between the top of the bank of the watercourse and the development;
- ii) Full details relating to the upgrading of existing culverts / de-culverting of any watercourses on site. Any such proposals shall be designed to accommodate the 1 in 200 year flow;
- iii) Full details relating to any other proposed engineering activities in the water environment, including the location and type of any proposed watercourse crossings. Any proposed watercourse crossings shall be designed to accept the 1 in 200 year flow.

Thereafter all works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority in consultation with SEPA.

Reason – in order to protect and improve the water environment and to protect people and property from flood risk.

## (2) AIR QUALITY ASSESSMENT

No development shall take place unless a matters specified in conditions application comprising an assessment of emissions to air from road traffic associated with the whole development has been submitted to and approved in writing by the planning authority. The assessment shall be undertaken in accordance with a method approved by Council's Environmental Health Service and take into account additional traffic associated with other consented or proposed developments in the area, including the Aberdeen Western Peripheral Route. Where the development is assessed as having an adverse impact on local air quality, including the Anderson Drive/Haudigan roundabout/Auchmill Road Air Quality Management Area, mitigation measures shall be specified in the report. The approved mitigation measures shall thereafter be implemented in accordance with a timetable agreed with the planning authority.

Reason – in order to mitigate the impact of road traffic associated with the development on local air quality.

## (3) NOISE MITIGATION SCHEME FOR FORRIT BRAE SOUTH DWELLINGS

No development shall take place unless a matters specified in conditions application consisting of a scheme of measures for the protection of the existing dwellings located on Forrit Brae South from road traffic noise (as identified within the AECOM Noise and Vibration Assessment, Chapter 11 of the Environmental Statement) has been submitted to and approved in writing by the planning authority. Thereafter the agreed measures shall be implemented prior to first occupation of the development.

Reason – in order to ensure that existing residents are adequately protected from excessive noise levels.

#### (4) BIRD MITIGATION

No development shall take place unless a matters specified in conditions application comprising a detailing a scheme for the provision of bird nest boxes along the southern edge of the Gough Burn woodland has been submitted to and approved in writing by the planning authority. Thereafter no development shall take place unless the boxes have been installed.

Reason – in order to mitigate the impact of development on bird species.

#### (5) CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a Construction Traffic Management Plan for that particular phase or block has been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed plan.

Reason – in order to mitigate the impact of construction traffic on the operation of the road network.

#### (6) CONTAMINATED LAND

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme to deal with any contamination on or within the land forming that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall follow the procedures outlined in Planning Advice Note 33 (Development of Contaminated Land) and shall be conducted by a suitably qualified person in accordance with best practice as detailed in BS10175 (Investigation of Potentially Contaminated Sites – Code of Practice) and other best practice guidance and include (i) an investigation to determine the nature and extent of contamination; (ii) a site-specific risk assessment; and (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

Thereafter no building within the particular phase or block shall be occupied unless for that building (i) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and (ii) a report specifically relating to the building has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

The final building within the particular phase or block site shall not be occupied unless a report has been submitted and approved in writing by the planning



authority that verifies the completion of the remedial works for the entire phase or block, unless the planning authority has given written consent for a variation.

Reason – in order to ensure that the site is fit for human occupation

#### (7) ARCHAEOLOGICAL WORK SCHEME

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme of archaeological work for that particular phase or block in accordance with a written scheme of investigation has been submitted to and approved in writing by the planning authority. The scheme of archaeological work will include all necessary post-excavation and publication work.

Reason – in order to protect any items of archaeological importance which may exist within the site.

#### (8) RECORDING OF FARM BUILDINGS

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a building survey of all existing buildings within that particular phase or block has been submitted to and approved in writing by the planning authority. The survey shall comprise a descriptive and photographic record of the building and a plan annotating any features of historic interest to at least to the standard of a level 2 English Heritage building survey and on completion shall be deposited with the local sites and monuments record.

Reason – in order to ensure that a historic record of buildings on the site is undertaken prior to demolition.

#### (9) BIRD HAZARD MANAGEMENT PLAN

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless a bird hazard management plan planning authority for that particular phase or block has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of the management of potential bird attractants which may be attractive to nesting, roosting and "loafing" birds, and the measures in place to implement removal of birds/eggs/nests if deemed necessary. Thereafter the agreed measures shall be implemented in full for the lifetime of the development unless otherwise agreed in writing by the planning authority.

Reason – to avoid endangering the safe movement of aircraft and the operation of Aberdeen International Airport through the attraction of birds.

#### (10) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless a matters specified in conditions application comprising a site specific construction environmental management plan (CEMP) for that particular phase or block has been submitted to and approved in writing by the planning authority in consultation with SEPA. The CEMP must address (i) surface water management; (ii) site waste management; (iii) watercourse engineering; (iv) pollution prevention; (v) management of wetland environment to increase its biodiversity value; and (vi) the protection of the wetland should any major oil spills occur in the area feeding it. Thereafter development shall be undertaken in accordance with the approved CEMP.

Reason – in order to minimise the impacts of necessary demolition / construction works on the environment.

#### (11) DUST MANAGEMENT PLAN

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless a matters specified in conditions application comprising a Dust Management Plan for that particular phase or block has been submitted to and approved in writing by the planning authority. The management plan shall specify dust mitigation measures and controls, responsibilities and any proposed monitoring regime. Thereafter development (including demolition) of each phase or block shall be undertaken in accordance with the approved plan.

Reason – in order to control air pollution from dust associated with the construction of the development.

#### (12) SURFACE WATER DRAINAGE

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a detailed scheme for surface water drainage for that particular phase or block has been submitted to and approved in writing by the planning authority in consultation with SEPA. The scheme shall (i) detail two levels of sustainable drainage (SUDS) treatment (or three levels for industrial hardstanding areas) for all areas roads / hardstanding / car parking and one level of SUDS treatment for roof run-off; (ii) include source control; and (iii) shall be developed in accordance with the technical guidance contained in the SUDS Manual (C697). Thereafter development shall be implemented in accordance with the agreed scheme.

Reason – in order to ensure adequate protection of the water environment from surface water run-off.

#### (13) WASTE WATER CONNECTIONS

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme for the connection of buildings to the public waste water system for that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall include confirmation from Scottish Water that connections can be made and any necessary upgrades to the public waste water system are in place. Thereafter no building shall be occupied unless connection has been made to the public waste water network in accordance with the approved details.

Reason – in order to ensure that sewage is satisfactorily treated and disposed of.

#### (14) BADGER PROTECTION PLAN

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless matters specified in conditions application comprising a badger protection plan for that particular phase or block has been submitted to and approved in writing by the planning authority. The plan must contain (i) an updated badger survey, if the current data is more than six months old; (ii) details of final badger fencing and locations of all badger tunnels; (iii) details of foraging habitat mitigation; (iv) proposals to enhance the quality of the retained and newly created foraging habitat for badgers; and (v) details of the advance delivery of the foraging habitat mitigation.

Thereafter no development shall take place unless the agreed mitigation measures have been implemented unless otherwise agreed in writing.

Reason – in order to ensure the protection of UK protected species.

#### (15) TREE SURVEY AND PROTECTION

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a tree survey (carried out by a qualified arboriculturist) for that particular phase has been submitted to and approved in writing by the planning authority. The survey shall be undertaken in accordance with the Councils Supplementary Guidance 'Trees and Woodland' and include measures for the protection of those trees to be retained. Thereafter development shall be implemented in accordance with the approved details.

Reason – in order to safeguard any trees of value within and surrounding the site and assist in integrating existing trees into the development.

#### (16) DESIGN AND LAYOUT OF ROADS, PATHS AND BUILDINGS

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising the detailed layout and design of roads, buildings and other structures for that particular phase or block has been submitted to and approved in writing by the planning authority. The application shall comprise –

- i) details of existing and proposed site levels (including cross sections);

- ii) details of the layout and finish of roads, footpaths and cycle paths;
- iii) details of layout, design and external appearance of –
  - buildings and ancillary structures;
  - vehicular and motorcycle parking;
  - short and long term secure cycle parking;
  - storage and collection arrangements for waste and recyclables;
  - boundary enclosures around individual homes and other premises;
- iv) details of play zones (if relevant to that phase/block and in accordance with the masterplan);

Thereafter the development shall be implemented in accordance with the approved details.

Reason – in order to ensure a satisfactory layout and design of the development and ensure provision of a suitable level of parking.

#### (17) NOISE MITIGATION SCHEME FOR NEW RESIDENTIAL PROPERTIES

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme of measures for the protection of the proposed residential properties from road traffic noise for that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall ensure that external noise levels do not exceed LAeq 18 hour 50dB during the daytime period (0700- 2300) in any rear garden area and internal levels within bedrooms do not exceed LAeq 8 hour 30dB during the night time period (2300-0700) with windows partially open for ventilation. Thereafter no residential property shall be occupied unless the mitigation measures relevant to that particular property have been implemented in accordance with the agreed scheme.

Reason – in order to ensure that residents of the development are adequately protected from excessive noise levels.

#### (18) PERWINNES RADAR SAFEGUARDING

No development within any particular phase or block shall take place, unless there has been submitted to and approved in writing by the planning authority in consultation with the radar operator (NATS (En-route) plc), for that particular phase or block either (i) detailed plans including grid coordinates and spot heights for all corners of the proposed buildings in that individual phase, demonstrating that there would be no detrimental impact upon the operation of the Perwinnes Radar; or (ii) details of a scheme to mitigate any detrimental impact upon the operation of the Perwinnes Radar. Thereafter, development shall take place in complete accordance with such a scheme as so approved unless the planning authority and NATS (En-route) plc have given written consent for a variation.

Reason – in the interests of aircraft safety.

#### (19) WATER EFFICENCY STATEMENT

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a water efficiency statement for that particular phase or block has been submitted to and approved in writing by the planning authority. The statement should take into account the advice provided in CIRIA publication C723 (Water sensitive urban design in the UK) and specify the measures proposed to incorporate water saving technology into the development so as to achieve gold standard for water use efficiency in domestic buildings or BREEAM level 5 for non-domestic buildings. Thereafter the approved measures shall be implemented in the construction of the development.

Reason – in order to help avoid reductions in river water levels, which at times of low flow can have impacts on freshwater pearl mussel, one of the qualifying features of the River Dee Special Area of Conservation (SAC).

#### (20) LOW AND ZERO CARBON BUILDINGS

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance for the buildings within that particular phase or block has been submitted to and approved in writing by the planning authority. Thereafter, each building shall not be occupied unless the approved measures have been implemented in full and are available for use.

Reason – in order to ensure that the development complies with the 'Low and Zero Carbon Buildings' Supplementary Guidance.

#### (21) LANDSCAPING

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising the a scheme of hard and soft landscaping covering all areas of public and private open/green space for that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall include details of –

- i) Existing and proposed finished ground levels;
- ii) Existing landscape features, field boundaries, trees, woodland and vegetation to be retained or removed;
- iii) Existing and proposed services and utilities including cables, pipelines and substations;
- iv) Proposed woodland, tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting;
- v) location, design and materials of walls, fences, gates and street furniture;
- vi) arrangements for the management and maintenance of existing and proposed open space, woodland and landscaped areas including watercourse buffer strips; and
- vii) proposed hard surface finishing materials.

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

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

Reason – in order to integrate the development into the surrounding landscape, increasing the biodiversity value of the site and creating a suitable environment for future residents.

## (22) PUBLIC TRANSPORT STRATEGY

No part of the development shall be occupied unless a matters specified in conditions application comprising a public transport strategy for the whole development has been submitted to and approved in writing by the planning authority. The strategy shall include proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy. Thereafter the agreed strategy shall be implemented as approved, unless otherwise agreed in writing by the Planning Authority.

Reason – in the interests of encouraging the use of public transport and reducing reliance on the use of private cars.

## (23) A96 / FORRIT BRAE JUNCTION ALTERATIONS

Unless otherwise agreed in writing by the Planning Authority in consultation with Transport Scotland, no part of the development shall be occupied until the layout of the A96 / Forrit Brae junction has been altered to prevent right turn movements from the A96 into Forrit Brae or from Forrit onto the A96 eastbound. The details of these alterations shall be agreed in writing by the Planning Authority in consultation with Transport Scotland.

Reason – in order to mitigate the adverse impact of development traffic on the safe and efficient operation of the trunk road.

## (24) TRUNK ROAD FRONTAGE TREATMENTS

That unless otherwise agreed in writing, no development within blocks RS:1, RS:13a, RS:13b, RS:18, RS:19 and RS:21 as identified on page 16 of the approved Rowett South: Phase 1 Masterplan (dated July 2015) shall take place unless a matters specified in conditions application comprising details of the frontage treatment along the trunk road boundary for that particular block has been submitted to and approved in writing by the planning authority in consultation with Transport Scotland. Thereafter the details shall be implemented as approved.

Reason – to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.

## (25) EXTERNAL LIGHTING

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising details of the external lighting for that particular phase or block has been submitted to and approved in writing by the planning authority after consultation with Transport Scotland, as the trunk roads authority. Thereafter the external lighting shall be shall be implemented in accordance with the approved details.

Reason – in order to ensure that there will be no distraction or dazzle on the trunk road and that the safe o the traffic on the trunk road will not be diminished and to ensure the safeguarding of Aberdeen International Airport.

Reason – in order to mitigate the adverse impact of development traffic on the safe and efficient operation of the trunk road.

## (26) RESIDENTIAL TRAVEL PACK / GREEN TRAVEL PLAN

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising either a residential travel pack (in the case of residential development) or a green travel plan (in the case of commercial development) for that particular phase or block has been submitted to and approved in writing by the planning authority. Each residential travel pack shall identify details of different travel options available in the area in order to discourage the use of the private car. The approved travel pack shall be supplied to the first occupants of every residential unit within that block or phase on occupation. Each Travel Plan shall identify measures to be implemented in order to discourage the use of the private car as well as the duration of the plan, system of management, monitoring, review and reporting and thereafter shall be implemented as approved.

Reason – in order to reduce dependency on the private car for travel.

## (27) PROVISION OF AWPR (DYCE / CRAIBSTONE) SECTION

Unless otherwise agreed in writing by the Planning Authority and in consultation with Transport Scotland, the proposed development shall be limited to no more than 175 occupied residential units and ancillary uses, for the period prior to the Dyce/Craibstone Section of the Aberdeen Western Peripheral Route being open to traffic.

Reason – To restrict the scale of the development in order to minimise the interference with the safety and free flow of traffic on the trunk road.

## (28) RETENTION OF LISTED BOUNDARY STONES

No development within block RS:44 or the open space to the west shall take place unless a matters specified in conditions application comprising a scheme for the retention in situ of the listed boundary stones (no. 42 and 41) adjacent to Kepplehills Road (identified as AS7 and AS8 in Chapter 13 of the Environmental

Statement) has been submitted to and approved in writing by the planning authority. The scheme must explain how the features would be incorporated into the completed development proposals.

Reason – in order to mitigate the impact of the development on cultural heritage assets.

(29) PHASING

That no development shall take place other than in accordance with the indicative phasing strategy contained within section 4 of the Rowett South Phase 1 Masterplan document, unless otherwise agreed through the submission of a matters specified in conditions application for an alternative phasing programme covering the same matters.

Reason – in order to ensure development is progressively accompanied by the appropriate associated infrastructure.

(30) SAFE ROUTES TO SCHOOL

The proposed primary school shall not be occupied unless a matters specified in conditions application which identifies safe routes to the new primary school from within the development and any associated work to create the safe routes, has been submitted to and approved in writing by the planning authority.

Reason – in order to promote sustainable and safe travel and ensure compliance with policy D3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.

(31) RETAIL IMPACT ASSESSMENT (RIA) – BLOCK RS:27

No more than 700 units shall be completed unless a matters specified in conditions application comprising a retail impact assessment for retail, leisure and commercial uses within blocks RS:27 has been submitted to and approved in writing by the planning authority. The impact assessment shall be undertaken in accordance with a method approved by Council's Planning Service but is expected to (i) consider the required levels of retail, leisure and commercial floor space required in order to meet the demands of the development; (ii) indicate the level of actual floor space and mix of uses proposed; and (iii) make an assessment of any potential impact on nearby town, district or neighbourhood centres and Aberdeen city centre as a result of the new floor space.

Thereafter, the retail, leisure and commercial space shall be openly marketed with a view to securing occupiers for the units and marketing update reports shall be provided to Aberdeen City Council annually, starting one year after approval of the matters specified in conditions application.

In the case where no occupier can be found for any particular area of retail, leisure and commercial space, no more than 1400 residential units shall be completed unless a further retail impact assessment has been provided



addressing the same considerations as the initial RIA. Thereafter, annual marketing reports shall continue.

Reason – in order to ensure provision of local retail, commercial and community facilities at an appropriate time for the Newhills expansion area and to ensure that existing retail, leisure and commercial centres are not adversely impacted.

(32) RETAIL IMPACT ASSESSMENT (RIA) – BLOCK RS:28

That no development of the medical centre proposed in block RS:28 shall take place unless a matters specified in conditions application comprising a retail impact assessment for retail, leisure and commercial uses within the ground floor level of the medical centre has been submitted to and approved in writing by the planning authority. The impact assessment shall be undertaken in accordance with a method approved by Council's Planning Service but is expected to (i) consider the required levels of retail, leisure and commercial floor space required in order to meet the demands of the development; (ii) indicate the level of actual floor space and mix of uses proposed; and (iii) make an assessment of any potential impact on nearby town, district or neighbourhood centres and Aberdeen city centre as a result of the new floor space.

Reason – in order to ensure provision of local retail, commercial and community facilities at an appropriate time for the Newhills expansion area and to ensure that existing retail, leisure and commercial centres are not adversely impacted.

(33) MASTERPLAN FOR REMAINDER OF SITE

No development of any area outwith the part of the application site covered by the 'Rowett South Phase 1 Masterplan' shall take place unless a matters specified in conditions application comprising an addendum to the existing 'Rowett South Phase 1 Masterplan' or a second masterplan for that particular area has been submitted to and approved in writing by the planning authority through an application for matters specified in conditions.

Reason – In order to ensure the key design principles are established for the area in a comprehensive and coherent manner.

**DIRECTION UNDER SECTION 59(5) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

That in accordance with the power granted to it under section 59(5) the planning authority hereby direct that section 59(2)(a)(i) shall apply in respect to this planning permission in principle with the substitution of the period of 3 years with that of 10 years, as is considered appropriate by the planning authority in this instance on the basis of the scale and size of the allocation. Therefore this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all conditions attached to this grant of planning permission in principle across the entire site has been made before whichever is the latest of the following;

- (i) the expiration of 10 years from the date of this grant of planning permission in principle;
- (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused;
- (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.

## **INFORMATIVE NOTES**

### **(1) EXPIRATION OF CONSENT**

This planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration - pursuant to section 59 of the Town and Country Planning (Scotland) Act 1997.

### **(2) DETAILED PLANNING APPLICATIONS**

The planning authority expect the matters specified in the conditions attached to this planning permission in principle to be addressed through the submission of matters specified in conditions applications. The submission of standalone detailed planning applications is strongly discouraged due to the added complexity of assessing such applications outwith the terms of the planning permission in principle. Should detailed planning applications be submitted it is likely that (i) further supporting information (e.g. transport assessment) would be required in order to adequately assess the proposals and (ii) new section 75 legal agreements would be required in order to secure developer obligations. Notwithstanding the standalone nature of any detailed planning applications, such application would be expected to observe the terms of the planning permission in principle conditions.

### **(3) ABERDEEN INTERNATIONAL AIRPORT SAFEGUARDING OF (CRANES & SCAFFOLDING & OTHER TALL CONSTRUCTION EQUIPMENT)**

Attention is drawn to the requirement within the British Standard Code of Practice for the Safe Use of Cranes (BS7121), specifically section 9.9.3 (Crane Control in the Vicinity of Aerodromes) which requires the responsible person to consult the aerodrome manager for permission to work if a crane is to be used within 6km of an aerodrome and it's height would exceed 10m or that of surrounding trees and structures. Use of cranes or scaffolding above the height of the proposed development, or other tall construction equipment must be notified to Aberdeen International Airport Safeguarding Manager ([safeguarding@aiairport.com](mailto:safeguarding@aiairport.com) / 01224 725756) at least one month prior to use. Failure to do so may result in any responsible person being guilty of an offence under Article 137 (Endangering Safety of and Aircraft) of the Air Navigation Order (CAP 393) which states that a person must not recklessly or negligently act in a manner likely to endanger an aircraft.

#### (4) ABERDEEN INTERNATIONAL AIRPORT SAFEGUARDING (HEIGHTS)

Any development above a height of 7m is likely to cause an infringement of a critical flight safety surface. If any proposal is anticipated to cause an infringement then it is recommended that contact is made with Aberdeen International Airport Safeguarding Manager (safeguarding@aiairport.com / 01224 725756).

#### (5) PERWINNES RADAR (SAFEGUARDING)

Developers and applicants are advised that the application site is within the safeguarding zone of Perwinnes Radar Installation, operated by NATS (En Route) plc ("NERL"). On receipt of an application for matters specified in conditions (MSC) related to this grant of planning permission in principle (PPiP), the planning authority will consult NERL to determine if proposed buildings and structures would have an adverse impact upon the operation of the radar installation and if mitigation to any impact is possible. If an unacceptable impact and a viable mitigation is identified, the developer will be expected to agree with NERL a mitigation package prior to determination of an application. The planning authority strongly suggests that prior to submission of an application, early dialogue with NATS is undertaken to find a solution to any impact a development may have on the radar. NATS provide a technical consultancy service to developers wishing to enter into pre-application discussions and further information can be obtained from the NATS Safeguarding Office at NATSSafeguarding@nats.co.uk .

#### (6) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

SEPA advice recommends that the CEMP is submitted at least 2 months prior to the commencement of any works on site. This is to allow necessary agencies sufficient time to fully review the mitigation proposals and avoid any potential delays to the project moving forward.

#### (7) HOURS OF WORK

Unless otherwise agreed in writing with Aberdeen City Council Environmental Health Service, during the construction of any phase of the development, the normal hours of operation for all activity audible at the boundary of the nearest noise sensitive premises shall be between 07:00 to 19:00 hours Monday to Friday; 07:00 to 16:00 hours on Saturday, with no noisy work audible at site boundary on Sunday.

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## Planning Development Management Committee

BT ENGINEERING DEPOT, FROGHALL  
TERRACE, ABERDEEN

PLANNING PERMISSION IN PRINCIPLE FOR  
DEMOLITION AND MIXED USE  
REDEVELOPMENT COMPRISING: STUDENT  
ACCOMMODATION / RESIDENTIAL (FLATS);  
AND CAR PARKING, ACCESS AND OTHER  
ASSOCIATED WORKS; DETAILED APPROVAL  
IS SOUGHT FOR THE SITING AND MAXIMUM  
HEIGHT OF BUILDINGS, AND POINTS OF  
PEDESTRIAN AND VEHICULAR ACCESS AND  
EGRESS.

For: Telereal Trillium & BT plc

Application Type : Planning Permission in Principle

Application Ref. : P151772

Application Date: 10/11/2015

Officer: Nicholas Lawrence

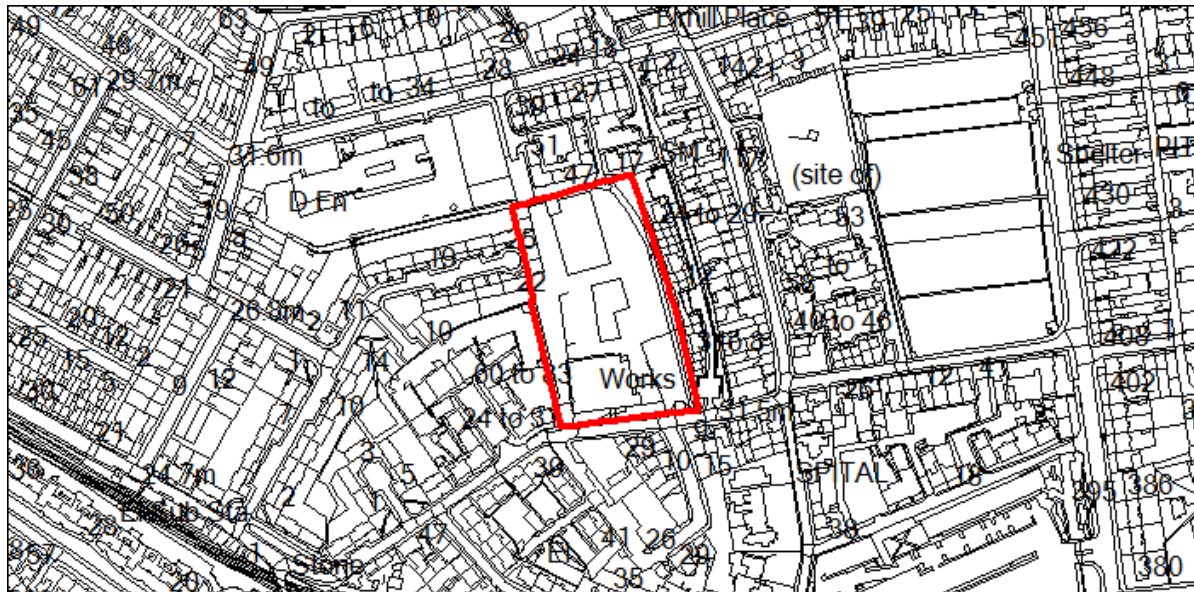
Ward : George Street/Harbour (M Hutchison/J Morrison/N Morrison)

Advert : Can't notify neighbour(s)

Advertised on:

Committee Date: 18 August 2016

Community Council : Comments



## **RECOMMENDATION:**

Willingness to approve subject to section 75 Agreement addressing the provision of affordable housing, education contribution, car club space, associated Road Traffic Order, sport and recreation contribution, community facility contribution, together with appropriately worded planning conditions.

## **APPLICATION SITE**

The site is roughly rectangular in shape (c.1.70 ha) and framed to the south by Froghall Terrace, to the east by properties fronting Froghall View, to the west by a recent flatted development, and to the north by further flats. Sunnybank Primary School abuts the north-west corner. The eastern boundary aspect rises steeply from the balance of the Site and consequently those properties on Froghall View occupy an elevated position by some 7 metres.

The site is currently occupied by BT plc, as a depot facility that comprises a compound, associated operational structures, together with an office building fronting Froghall Road. Access is via two points off Froghall Terrace.

The character of the immediate and wider area is defined by residential development that ranges in height from single storey dwellings through to multi-storey apartment buildings that include courtyard styled development.

In terms of connectivity the location is sustainable, with a full range educational, commercial, cultural and social uses being accessible by means of transport other than the private motor car.

With regard to designations; under the extant Aberdeen Local Development Plan the site is within a mixed use area, identified as opportunity Site OP104, and constitutes previously developed land (i.e. a brownfield site). The OP designation is not carried over to the emerging replacement Local Development Plan.

## **PROPOSED DEVELOPMENT**

Planning in principle is sought for two developmental elements; firstly, student accommodation for a maximum number of 425 bed spaces within the northern (i.e. 'rear') part of the site; and secondly, flatted residential development to a maximum of 80 units, of which 20 (i.e. 25%) would be affordable, on that part of the site fronting Froghall Terrace.

Although submitted in 'outline' there are a number of matters that are to be considered as fixed and have informed the assessment process; these comprise:

- Developmental form (including roof pitches);
- Siting of the respective developmental elements;

- Maximum number of residential apartments and student bedroom units;
- Vehicular and pedestrian access/exit points; and
- Parking provision based upon 12 one bed flats, 48 two bed flats and 20 affordable units.

In terms of the composition; the proposed student accommodation adopts a singular quad form with a pitched roof that provides student bed spaces across 4 floors, save for a two storey section surmounted with a roof terrace. The maximum ridge height is c.15 metres, with an eaves height of c.8.5 metres. In terms of the separation distance between the eastern block and the residences along Froghall View, this varies between 20.00 and 26.40 metres. Whereas, the distance between the rear elements and the flatted development to the north alternates between 21.00 and 22.40 metres.

The courtyard form, albeit in the form of disaggregated blocks is replicated in the residential element, with four perimeter blocks each of which provides residential space across 4 floors, around an open aspect courtyard. The ridge height of the residential block to is 14.5 metres, with an eaves height of 11 metres. The distance between the facing elevation to Froghall View is between 25 and 30 metres. By comparison the distance between the elevation of the western residential block to the elevation of the existing adjoining Barratt development is 42 metres.

Both student and residential elements are linked visually by way of a 'green avenue' that in turn provides pedestrian access onto Froghall Terrace for the occupants of the residential element of the proposed development. Segregation between the two elements is set by what is described as a "*Boundary fence to form physical barrier between Student Residential & Residential developments*", albeit no landscaping details are shown. Overall vehicular access is via the existing points off Froghall Terrace, with the eastern access serving the student accommodation, and the western the residential. With regard to parking and servicing; the residential area incorporates parking for 80 cars, together with the provision of 2 car club spaces that will be located on Froghall Terrace. The student area will provide for: student dropping off, 2 disabled parking spaces and 5 visitor/staff spaces. There is no vehicular connectivity between the two developmental elements.

### **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=151772>

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

- Design and Access Statement

- Phase 1 Environmental Assessment
- Flood Risk and Drainage Assessment
- Planning Statement
- Report of Consultation
- Daylight Impact Assessment
- Landscape Strategy and Tree Survey
- Framework Travel Plan
- Student Management Plan Framework
- Transport Assessment

## **PRE-APPLICATION CONSULTATION**

The applicants held two consultation events with the local community on the 20<sup>th</sup> of May 2015 and thereafter on the 25<sup>th</sup> of August 2015, as required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations.

Both events were advertised in the local press, together with invitations to properties surrounding the site, as well as local businesses, together with the distribution of local posters in a series of public venues. Some 213 properties were notified of the first event as well as ward Councillors, the respective Members of the Scottish and UK Parliaments, together with the Community Councils. The same pattern of notification was undertaken for the second event.

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because 36 objections have been received and also an objection from the Community Council for the area. Accordingly, the application sits outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Development Management Team**– No objection, subject to conditions addressing: provision of dropped kerbs; improvement to bus stops; student management plan notifying that students are not eligible for parking permits; that the student accommodation is not occupied until the submission of a student parking management plan; submission of details of cycle parking; provision of a car club contribution for the residential element, with relevant delivery costs borne by the applicant; that the development mix determining parking standards should be as set out in the e-mail of 17.06.2016 (to provide 112 spaces); submission of residential parking management plan; provision of cycle parking details for residential element; internal road layout to be agreed; refuse collection strategy; travel plan submitted for the student accommodation; submission and approval of a Drainage Impact Assessment.

**Environmental Health** – No objection subject to a contaminated land conditions.



**Developer Contributions Team** – Contributions towards primary education at Sunnybank Primary School; community facilities (Powis Community Centre); and Sport and Recreation (Westburn Outdoor Centre, Aberdeen Sports Village, and Beach Leisure Facility)

### **Communities, Housing and Infrastructure (Flooding) -**

**Scottish Environment Protection Agency** – No objection subject to conditions requiring: feasibility study into meeting the required Building Standards through a district heating scheme and the provision of the infrastructure for heat networks; submission and agreement of a site specific construction management plan; and submission and agreement of full details of the surface water management proposals, all prior to any works commencing

**Froghall, Powis and Sunnybank Community Council** – Object on the following grounds: questionable requirement for student accommodation; amenity impacts; inadequate infrastructure; overdevelopment; insufficient parking; and impact on views of local residents.

## **REPRESENTATIONS**

36 representations objecting to the proposed development have been received, relating to the following matters:

- Affect upon amenity
- Loss of view
- Increase in noise levels
- Need for student accommodation
- Unsuitability of ground conditions
- Overdevelopment
- As residents object it should be refused
- Road safety and congestion on roads
- Increase in drinking and crime
- Infrastructure capacity
- Lack of parking
- Decrease in property values
- Location of bins
- Lack of bike storage
- Vehicular access
- Design, height and massing
- Impact upon wildlife
- Unbalanced community
- Should be elsewhere
- Increase in litter
- Students congregate and smoke
- Loss of trees

Whilst the objections cover a number of matters there is a concentration upon the student element of the scheme, albeit concerns on height, overdevelopment, amenity, loss of view, impact upon the local road network and parking are common across the proposal.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan**

- I1 Infrastructure Delivery and Planning Obligations
- T2 Managing the Transport impact of Development
- D1 Architecture and Placemaking
- D2 Design and Amenity
- D3 Sustainable and Active Travel
- H2 Mixed Use Areas
- H4 Housing Mix
- H5 Affordable Housing
- NE4 Open Space Provision in New Development
- NE6 Flooding and Drainage
- NE8 – Natural Heritage
- R6 Waste Management Requirements for New Development
- Technical Advice Note – Student Accommodation
- Technical Advice Note – Natural Heritage

### **Proposed Aberdeen Local Development Plan**

- I1 Infrastructure Delivery and Planning Obligations
- T2 Managing the Transport impact of Development
- D1 Quality Placemaking by Design
- D2 Landscape
- T3 Sustainable and Active Travel
- H2 Mixed Use Areas
- H3 Density
- H4 Housing Mix
- H5 Affordable Housing
- NE4 Open Space Provision in New Development
- NE5 Trees and Woodland
- NE6 Flooding, Drainage and Water Quality
- NE8 – Natural Heritage
- R6 Waste Management Requirements for New Development

### **National Policy and Guidance**

- 3<sup>rd</sup> National Planning Framework
- Scottish Planning Policy
- Creating Places
- Planning Advice Note 78 – Inclusive Design

- Planning Advice Note 77 – Designing Safer Places
- Planning Advice Note 67 – Housing Quality
- Planning Advice Note 61 – Planning and Sustainable Urban Drainage Systems
- Planning Advice Note 60 – Planning and Natural Heritage

## **EVALUATION**

### **Main Issues**

The main issues are: whether the principle of the development is acceptable, having particular regard to its impact upon the character and appearance of the area; effect upon the living conditions of neighbouring residents; and, accessibility and transport sustainability. All issues have regard to the provisions of the development plan and other material considerations

### **Development Plan Policy Framework and Materiality**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, as amended, (the Act) requires that proposals are determined in accordance with the Development Plan unless other material considerations indicate otherwise.

In this instance the Development Plan primarily comprises the Aberdeen Local Development Plan (ALDP) that was adopted in February 2012. Materiality is also set, in part, by the Proposed Aberdeen Local Development Plan (PALDP). Whilst the PALDP has yet to undergo independent scrutiny and is not a statutory part of the Development Plan it has been adopted by the Council as constituting a material consideration in the decision-taking process and should be accorded the appropriate weight.

At the national level, other material considerations include, albeit not limited to, Scottish Planning Policy, Creating Places and Planning Advice Notes.

### **Assessment of Main Issues**

#### Principle of the Development

##### *The Proposed Uses*

The site is within a defined Mixed Use Area, to which policy H2 of the ALDP applies. This policy, as with its proposed PALDP replacement, is not prescriptive on the type of uses that are deemed appropriate.

H2 does require that account must be taken of the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. It further adds that where new business/ commercial uses (taken here as being the student accommodation) are permitted, development should not adversely affect the amenity of people living and working in the area.

Allowing for the nature of the proposed development it is considered that the proposed uses fall within the scope of policy H2.

### *Supply of Housing and Student Accommodation*

In terms of housing supply; conventional housing can be accommodated on the site and there are no physical constraints that would preclude conventional housing making the efficient and effective use of the totality of the site.

Notwithstanding the above, the site has not been accounted for in the formal Housing Land Supply figures; albeit that there is an overarching aim within the ALDP to secure 7,000 homes on brownfield sites by 2023. It is also material to the decision-taking process to note that the Council has demonstrated that it has a five year housing supply, even although the contribution of mixed use sites is not accounted for.

Turning to the provision of student accommodation; the matters at hand relate to whether such a use would compromise capacity to meet the need for conventional dwellings, especially affordable family homes; and if there is a demand for such a use.

The Council recognises that the universities make a significant contribution to the City's economy and labour market and it is important that their attractiveness is not compromised by inadequate provision or quality of student accommodation and such accommodation should be in sustainable locations relative to the higher education establishments.

The TAN on the provision of student accommodation does not provide an assessment on the quantitative or qualitative need for dedicated student accommodation.

However, in providing student accommodation and removing demand from the conventional housing market it is likely that the proposed development will reduce pressure for students to be accommodated in more conventional accommodation (e.g. reduce pressure for conversion of existing housing stock to Houses in Multiple Occupation) freeing up this accommodation for permanent residents.

Bringing the above matters together, the proposed development will increase the supply of student accommodation within the City and allowing for the size of the site, will do so without negative impact on the volume or delivery of conventional housing. In addition, the developments proximity to Aberdeen University and its sustainability in transport terms would mean that this proposed use is compatible with those aims of the Council.

It is acknowledged that a concentration of student accommodation within or close to an area of conventional housing can lead to problems of integration with the need to secure more mixed and balanced communities. All of which may raise

particular local challenges that could harm the living conditions of permanent residents. This is discussed below.

### **Effect upon the Character and Appearance of the Area**

The character of any area is more than the visual flow of the type of buildings and their associated materials; it also embraces the juxtapositions of buildings, their setting and the spaces they create. Any development ranging from the adaptation through to new build of whatever scale should not be considered in isolation and must be informed by the immediate and wider context.

Here it is clear that the quantum, mass and scale of what is proposed bears no relationship to the existing buildings on the site. That though is not a proper basis for any judgement of the merits of the proposal. A much denser form of development than currently exists may be perfectly possible without it appearing out of place in its surroundings.

The assessment of context is set out within ALDP under policy D1, which also looks for new development to make a positive contribution to its setting, whilst seeking a high quality of design. It also cites a number of factors to be taken into account in the assessment which includes: scale; mass; proportions of buildings; spaces around buildings and boundary treatments. As cited above the impact of any proposed development has to have due regard to its context as set out under ALDP policy H2. This position is also reflected at the national level within the SPP as well as Creating Places.

In this instance the character of the area is dominated by residential development, including significant areas of flats that adopt both courtyard and strong linear arrangements, that follow the local road network. Therefore the form of the development would complement rather than harm the character of the area.

On the matter of scale; many flats in the immediate vicinity are comparable in height, to that proposed and provide accommodation across a similar number of levels. The arrangement of the blocks across both aspects of the development, together with the central squares serve to break up the overall bulk of the development, a feature that is common to the area. As such the proposed development would not, in size terms, appear unusual or out of place in this location.

Whilst the existing residential buildings along Froghall View are significantly more modest in scale to that proposed, their elevated position is sufficient to avoid and appearance of incongruity in terms of scale. Indeed they would have a ridge height well above that of the ridge height proposed.

With regard to design and mindful that the application is submitted in principle, the submission provides no architectural detailing, save the roof form and silhouette of the proposed blocks, which are treated as fixed matters. The pitched roof form is the dominant roof style of the immediate and wider area and

as such the adoption of this form marries this aspect of the scheme with the character of the area.

The site is currently devoid, save part of the eastern boundary, of any valuable green space and the areas shown on the Revised Site Layout Drawing can be developed to provide a significant environmental benefit should planning permission be forthcoming.

Having regard to all the matters above, and mindful that landscaping can be addressed by way of a planning condition, it is considered that there is no material harm to the character and appearance of the area in general. In these respects there would be no conflict with either the development plan or national policy. Indeed, in certain respects the development is likely to enhance the appearance of the area in general.

### **Living Conditions of Neighbouring Residents**

It is accepted that privacy levels and the protection of general amenity constitutes a material consideration and is an important design objective in ensuring that residents of surrounding properties and those occupying new accommodation feel at ease within and outwith their residences. It is not however to protect a private interest. Whilst ALDP policy D2 – *Design and Amenity* only seeks to afford privacy to the occupiers of new developments, policy H2 of the ADLP clearly references the need to have regard to the impact upon the amenity of those surrounding a development site.

The Applicants following discussions with your Officers have increased the separation distances of the student accommodation aspect of the scheme from those properties on Froghall View and the flats to the north of the site.

In this regard there are two main considerations in assessing the effects, albeit as an in principle submission, on the living conditions of neighbours. The first is the impact of the development's physical presence; the second is the impact of future occupiers.

Turning firstly to the development's physical presence; on the matter of the loss of a view, it is recognised that the residents of Froghall View have become accustomed to a relatively open aspect across the site, allowing for the current scale of buildings on the site. However, views are not something that the planning system seeks to protect, outwith settings of listed buildings and conservation areas.

The proposed development is largely a series of four storey blocks which in turn have a different physical and perceptual relational to the areas outwith the site. The eastern section of student accommodation is positioned some 20.00 to 26.00 metres from the residents of numbers 13-29 Froghall View. Whilst this represents a range of separation distances not found in the immediate context it is not an unusual arrangement in city environments. By way of reference the distances between the faces of the residential block varies between circa 32 to

36 metres, however, a courtyard form will naturally have greater distances between elevations above that of terraced / linear forms of residential development.

Allowing for these distances and the elevated position of the properties along Froghall View, it is considered that the amenity of the occupiers of both the proposed and existing properties will not be adversely harmed by the proposed development and this aspect of the scheme accords with policy H2 of the ADLP and national guidance.

The northern aspect of the student accommodation faces the flatted development off Sunnybank Road, and again the separation distance between the two facing elevations alternates between 21.00 and 22.40 metres. Again it is considered that this distance provides adequate levels of amenity for the occupiers of these flats and the proposal and therefore accords with policy H2 of the ADLP and national guidance.

With regard to the relationship of the northern residential block to Froghall View, the separation distances between vary between 25 metres (to numbers 3-8) and 30 metres (to numbers 9 and 10). These distances are considered to provide an acceptable level of amenity both for the occupiers of the existing dwellings and the proposed development.

It is therefore considered that this aspect of the impact of the proposed development on the living conditions of neighbouring residents is compliant with the provisions of the development plan and other material considerations.

Moving on from the development's physical impact and turning to the potential impact of any future student occupiers, particular concerns have been raised over the effect of students creating noise, or otherwise anti-social behaviour, and the resultant impacts of the development on the number of students in the area.

As far as noise is concerned, it is accepted that students accessing the accommodation cannot be solely restricted to using the northern access point. However, the Applicants have submitted an indicative landscaping plan that looks to 'steer' students to the northern access only, by way of 'soft barriers' that would minimise the impact upon the future occupiers of the residential element of the proposed development.

It is therefore considered that the proposed development would not harm the living conditions of neighbouring residents and the occupiers of the proposed residential element contrary to policy H2 of the ALDP and national guidance.

With regard to the composition of the proposed development to the surrounding area; there is a requirement to secure mixed and balanced communities. There is no evidence that the community is unbalanced or that the proposed development will produce that effect. Indeed, the proposed development will provide elements that contribute to mixed and inclusive communities.

## **Accessibility and Transport Accessibility**

The Roads Development Management Team (RDMT) are content, subject to the conditions covering the issues set out above, that the development would not have any adverse impact upon the local road network and that the parking provision is acceptable to the context.

In terms of promoting sustainable transport options, again the RDMT are clear in their advice and it is considered that the suggested conditions are appropriate to address the issue of transportation infrastructure.

## **Other Issues**

### Biodiversity

A condition is recommended in relation to a pre-construction site survey, to ensure that any species are protected both during and post construction phases. In terms of the improvements to the quality and scope of the open space this can be addressed by way of appropriately worded planning conditions.

### Infrastructure

SEPA have raised no objections subject to a number of conditions. It is considered that the condition for a feasibility study for district heating scheme does not meet the tests for a valid condition. That aside all other matters can be addressed by an appropriately worded planning condition.

### Trees

As the application is submitted in principle, matters of landscaping and tree retention / additional planting can be addressed by way of appropriately worded planning conditions.

### Unsuitability of the Ground

Environmental Health colleagues recommend a contaminated land survey to address this matter.

## **RECOMMENDATION**

Willingness to approve subject to section 75 Agreement addressing the provision of affordable housing, education contribution, car club space, associated Road Traffic Order, Open Space contribution, together with appropriately worded planning conditions.

## **REASONS FOR RECOMMENDATION**

**The proposed development would provide a form of mixed used development that is in compliance with policy H2 of the Development Plan**



**in terms of its contribution to creating mixed and inclusive communities. The application, albeit submitted in principle, will not harm the physical or social character of the area and adversely affect road safety for all users of the local road network. The proposed development therefore complies with the aforementioned policies of the Development Plan, together with national guidance and other material considerations.**

## **CONDITIONS**

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

1.

that no development pursuant to the planning permission in principle hereby approved shall be carried out until such time as a further application has been made to the planning authority for approval of the matters specified in this condition and such approval has been granted; these matters being details of the:

- (i) detailed design and external appearance of the building(s) the height and roof form shall accord with the submitted drawings;ii) landscaping of the site, including construction and laying out of the access and the installation of a swale or other measures in order to handle water from the former mill lade;
- (iii) details of the boundary treatments, including the hedge and temporary treatment to the boundary in the period before the hedge reaches its intended height;
- (iv) a construction method statement
- (v) full details of access junctions onto local road network
- (vi) the submission and agreement in writing from the local planning authority of an agreed phasing plan for the residential and student accommodation elements of the development hereby approved

Reason: To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

2.

The development hereby permitted is restricted to a maximum of 80 residential apartments, of which 20 will be affordable dwellings, and 425 student bed spaces

Reason: To define the scope of the development applied for and in the interests of proper planning

3.

The landscaping details to be submitted pursuant to Condition 1 above shall

include:

- a) Existing and proposed finished ground levels relative to a fixed datum point;
- b) Existing landscape features and vegetation to be retained;
- c) The location of new trees, shrubs, hedges, grassed areas and water features;
- d) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- e) The location, design and materials of all hard landscaping works including walls, fences, gates, roads surfaces, street furniture and play equipment;
- f) An indication of existing trees, shrubs and hedges to be removed;
- g) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: In the interests of protecting trees and ensuring a satisfactory quality of environment and to comply with policies NE5 and NE8 of the Aberdeen Local Development Plan 2012

4.

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy D of the Aberdeen Local Development Plan 2012

5

No development shall commence until details for the provision of dropped kerbs, footways, and footway crossings at the access junctions have been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition.

Reason: In the interest of pedestrian and road safety

6

No part of the development hereby approved shall be occupied until details for the improvements to the bus stops on the Spital, including an implementation programme, have been submitted to and agreed in writing by the Local Planning Authority by way of a formal application for matters specified by condition.

Reason: To promote sustainable travel by means other than the private motor car and to comply with policy D3 of the Aberdeen Local Development Plan 2012

7

No part of the student accommodation element of the development hereby approved shall be occupied until a student management plan, including car parking, has been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition.

Reason: In the interests of amenity and proper planning

8

No part of the development hereby permitted shall commence until details of secure parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and agreed in writing by the Local Planning Authority by way of a formal application for matters specified by condition. These facilities should be fully implemented and made available for use prior to the occupation of any part of the development, in accordance with the agreed phasing plan, hereby permitted and shall thereafter be retained for use at all times.

Reason To ensure satisfactory facilities for the parking of cycles is provided to encourage travel by means other than the private motor vehicle and to comply with policy D3 of the Aberdeen Local Development Plan 2012.

9

Prior to the commencement of the residential element of the development hereby approved a residential parking management plan shall be submitted to and agreed in writing by the local planning authority by way of a formal application for matters specified by condition and the development shall operate in full accordance with the agreed residential parking management plan from the first occupation of any part of the residential element of the development

Reason To ensure adequate levels of parking is provided allowing for the quantum of residential units provide.

10

No development shall commence until an internal road and layout parking plan has been submitted to and agree in writing with the local planning authority by way of a formal application for matters specified by condition.

Reason To ensure adequate car parking and in the interest of safety for all users of the development.

11

No part of the development hereby approved shall be occupied until such time as a user's Travel Plan has been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition. The development shall operate in full accordance with all measures identified within the Travel Plan from the first occupation of any part of the development. The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives. Within the agreed travel plan evidence shall be submitted to demonstrate compliance with the agreed monitoring and review mechanisms

Reason: In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with policy T2 of the Aberdeen Local Development Plan 2012.

12

Prior to occupation of any part of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage, shall be submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition. Any approved external lighting shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently. The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution of the night sky and neighbouring properties and to comply with policy D2 of the Aberdeen Local Development Plan 2012.

13

Details for the on-site storage, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of each phase of development hereby approved. The approved details shall be carried out in full prior to occupation of each phase of development and retained thereafter.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, in the interest of safeguarding the amenities of neighbouring occupiers, occupiers of the approved development, and the area in general, in compliance with policy R6 of the Aberdeen Local Development Plan 2012.

14

No development approved by this permission shall be commenced until a drainage impact assessment, including a scheme for the provision of surface water drainage works, has been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policy NE6 of the Aberdeen Local Development Plan 2012.

15

If piling works are required in the construction of the development the method of piling shall be agreed in writing by the Local Planning Authority prior to those works commencing on site. There shall be no driven piling unless there are no other alternatives due to engineering considerations. The details of driven piling shall also be submitted to and agreed in writing by the Local Planning Authority and implemented in strict accordance with those details.

Reason: In order to safeguard the amenity of the local area and neighbouring residents at unsocial hours and to comply with policy H2 of the Aberdeen Local Development Plan 2012

16

No unit of residential or student accommodation hereby permitted shall be occupied until written confirmation to the written satisfaction of the Local Planning Authority has been submitted demonstrating that the public foul sewerage network can cope with the flows from the proposed development.

Reason: In this interest of flood management and to comply with policy NE6 of the Aberdeen Local Development Plan 2012

17

No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the Local Planning Authority.
- (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
- (iii) The required remediation scheme implemented in full.

If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the aforementioned terms shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements set out above have been complied with in relation to the new contamination.

The development shall not be occupied until a closure report has been submitted to and approved in writing by the Local Planning Authority. This shall include verification of all measures, or treatments as required in (Section i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

Reason: To ensure that the Local Planning Authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with policy R2 of the Aberdeen Local Development Plan

18

Prior to the commencement of development a walk-over survey strategy should be submitted to and agreed in writing with the Local Planning Authority, which for the avoidance of doubt shall be undertaken during and post-completion, that will allow agreed landscape and biodiversity enhancement proposals to be adjusted accordingly.

Reason: To comply with policy NE8 of the Aberdeen Local Development Plan

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117 Sunnyside Road  
Aberdeen  
AB24 3LS

15th December 2015

Nicholas Lawrence  
Planning and Sustainable Development  
Communities, Housing and Infrastructure  
Business Hub 4  
Aberdeen City Council  
Marischal College

Dear Mr Lawrence

#### Planning Application 151772

I am writing on behalf of Froghall, Powis and Sunnybank Community Council who wish to object to the planning application for the proposed development at the BT Yard in Froghall Terrace, Aberdeen.

This objection makes reference to the Aberdeen Local Development Plan, in particular the Technical Advice Note for Student Accommodation issued in September 2015

#### 1. Requirement for further Student Accommodation

Information available from North East of Scotland College, The University of Aberdeen and Robert Gordon University indicates that there have been no problems in terms of provision of accommodation this year with some accommodation surplus to demand. The unprecedented number of flats in and around our Community Council area that are currently vacant and available for rent provides further evidence that sufficient accommodation is available to meet current demand.

The completion of other developments of student accommodation within the area will result in a further 900 beds becoming available for the next academic year. We are not aware of any plans being developed by the college and universities that will significantly increase student numbers.

*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. (Technical Advice Note for Student Accommodation)*

#### 2. Amenity

These plans entirely conflict with the amenity of the local area. The plans are for buildings that will be only 18.4 metres from existing houses and of at least equivalent height to those buildings. This will have a hugely detrimental effect on the light and privacy available to local residents.

Froghall View is built on a slope and to have substantial foundations excavated in close proximity to that slope is potentially a danger to the properties built on that slope. A number of local residents have concerns that groundworks of this scale could cause damage to existing properties or lead to subsidence in the future.

The area is in a dip resulting in sounds being amplified. Normal activities within student accommodation such as residents coming home late from nights out, smoking outside the doors, parties, fire alarms etc. will be clearly audible and are likely to cause unacceptable disturbance to residents of nearby properties.

Froghall Terrace is already struggles to cope with current traffic. Adding the transport demands of up to 600 people to the existing road network is likely to increase risk to pedestrians and cyclists as well as creating congestion and increased noise.

*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. (Technical Advice Note for Student Accommodation)*

### 3. Infrastructure

Local NHS services are currently overwhelmed and have substantial waiting lists. The needs of a further 600 people cannot be absorbed within existing provision.

We have been advised of two recent incidents of raw sewage floating in the streets locally. It would appear that sewers struggle to cope with current demand in some circumstances. A development on this scale would substantially increase demand.

### 4. Overdevelopment

This small area already carries a heavy burden in relation to student numbers. The numbers are such that the demographic profile of the area has been altered considerably with a very large proportion now of a temporary population that has no affiliation to nor commitment to the area. It also creates a huge imbalance within the area as the student population will outnumber permanent residents.

Two substantial nearby developments of student accommodation are due for completion next year with a further three sites identified for similar developments. To contemplate developing yet more student accommodation in the heart of a settled community is unacceptable and would undoubtedly have a deleterious affect on the quality of life of the existing permanent long term residents through late night/early morning noise and the inevitable nuisance type behaviours associated with the student population.

### 5. Parking

Parking is already at an absolute premium during semester time and to have only a very few parking spaces for the projected 425 students simply means that the students will park - or attempt to park - in the surrounding streets. It is simply wishful thinking to imagine that 425 students will not have cars, or have visitors with cars.

Unmet demand for parking is likely to spillover into local residents' private car parks and result in residents who have paid for parking permits on the local streets struggling to use them and the residents who have private car parks unable to park in their own space or even on the street.

*3.10 Existing car parking guidelines 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. The level of parking proposed in new development must be agreed with the Planning Authority. (Technical Advice Note for Student Accommodation)*

## 6. Views of Local Residents

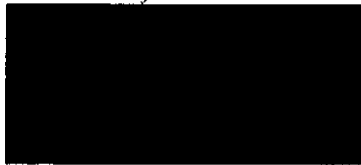
The "Single Outcome Agreement Priorities" state that "Our public services are high quality, continually improving, efficient and responsive to "local people's needs".

The developers state in the report that they considered the response rate to the consultation to be good, yet they appear to have disregarded the fact that 73% of respondents are opposed to the development.

The site of the proposed development is at the heart of our community. A high density development of this nature would permanently destroy the character of the area.

We urge you to reject this proposal.

Yours sincerely



Martin Thain  
Secretary  
Froghall, Powis and Sunnybank Community Council



Planning Dept  
Aberdeen City Council  
Marischal College

23 King's Crescent  
Old Aberdeen  
AB24 3HP

2nd Dec 2015

Dear Sirs,

**Proposed Development at Froghall Terrace**  
**(ref no. 151772)**

We write to object to the above proposal on the following grounds:-

(1) This is significant overdevelopment of the site, evidenced in particular by the close proximity of four-storey blocks to the family homes to the east at Froghall View. The proposed buildings would have a severely detrimental impact on both the privacy and the residential amenity of these houses, both in terms of excessive height and proximity.

(2) There is no general parking provision for the 425 students envisaged to be the occupants of most of the buildings. This is completely unrealistic and could only result in a significant worsening of what is already a severe parking problem in the Spital area.

(3) Connected to this, there has to be a concern as to how such flats could be reconfigured later, if necessary, into non-student accommodation, given that there would be then no space to extend the parking provision:- and we understand that it is Council's policy that purpose-built student flats should be designed to be capable of such re-configuration. This is an anomaly which needs to be addressed, both in relation to this application, and in the wider context.

(4) There is insufficient amenity space for the potential occupants of the said properties, which would be detrimental to their residential amenity.

Yours faithfully,

R and H. Leith



To: PI[PI@aberdeencity.gov.uk];  
Subject: Planning application 151772  
Sent: Thur 12/3/2015 3:17:13 PM  
From: Graeme Gall

Dear Sir/Madam

Reference: Planning Application 151772

I'd like to object to planning application 151772 for proposed developments to BT yard in Froghall Terrace, although I don't live in the area, I spend a lot of time visiting friends and family there. I'd like to object for the following reasons -

1. There are currently already 900 units of student accommodation currently being built at Causewayend, St Peter Street and Powis Place therefore I fail to see the need for yet more student accommodation for an area already over populated, which will put an additional strain on local NHS doctors and dentists. In my option this proposal is gross overdevelopment.
2. The current plans don't include a fraction of the required parking spaces required for the proposed development, which will cause issues for other local residents private car parks as well as safety issues on the local roads with illegal parking. The road infrastructure in the area whether it be pedestrian or vehicular is unsuitable.
3. The noise that will come with housing 425 + students, parties and noise associated at anti social hours, especially as the site is in a dip.
4. The height of the development and planned proximity to surrounding flats will block out all natural sunlight and block out any views of the area.
5. I'm concerned for wildlife in the local area as I know is currently already home to foxes and hedgehogs which could become at risk with the proposed building works.

In conclusion I'd like to object to planning application 151772 on this basis of the above.

Yours Sincerely

Graeme Gall

Gillahill Farm  
Kingswells  
Aberdeen  
AB15 8PR





To: PI[PI@aberdeencity.gov.uk];  
Subject: Planning Comment for 151772  
Sent: Tue 12/1/2015 1:28:56 PM  
From: webmaster@aberdeencity.gov.uk

Comment for Planning Application 151772

Name : Mat Duthie  
Address : 111 Walker Road  
Torry  
Aberdeen

Telephone :

Email : ~

type :

Comment : I fully object to the plans submitted for this development.

As someone who knows a few people living in this area, I know how difficult it can be to get parked when visiting.

This area is already overpopulated with vehicles, so the proposed plans to add over 400 student rooms is absolutely crazy.

There is no way this area of the city can cope with this influx - there is hardly enough space for the current residents, never mind adding the possibility of hundreds more.

What if, say, every second student has a car - that alone will add in excess of TWO HUNDRED vehicles trying to find spaces - spaces which just aren't there.

This, in turn, will add a massive inconvenience to the infrastructure of the area, which was never intended to accommodate this number of people.

Local amenities will be affected, local residents will be affected - this will cause a huge issue between the current residents and new residents if this goes ahead.

All so someone can make some extra money by putting as many new rooms into one small area.

Surely there are other areas in the city that can be proposed for this development?

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**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Objection to froghall development  
**Sent:** Tue 12/1/2015 10:58:44 PM  
**From:** Robert Law

Dear Sirs

I object to the proposed development at the BT Engineering Depot, Froghall Terrace, Aberdeen due to the following reasons:

1. I think the development will cause a loss to our amenity as it will impact on our privacy as the development will be close to our boundary. There will also be an impact on the noise levels in the area due to the number of people living very close together and students coming back late at night and having late night parties. Littering is already an issue in the area and this will only get worse with the increase of people resulting in an increase in vermin.
2. The development will put a massive pressure on our local community such as the doctor's practice and local shops.
3. The development does not provide a car parking space for every flat and in fact, no parking spaces are being made available to students. Students will have cars, which will require to be parked in the area. This means that they will be parking in the surrounding street and in private car parks. There are already a considerable number of cars parking in the surrounding streets resulting in our streets becoming narrow and difficult to pass oncoming traffic. The existing roads and general infrastructure is not sufficient to cover the size of this development. Overall, the development will have an impact on our access, parking and road safety.

Overall, I object the proposed development due to the number of flats being built, in particular the student flats.

Yours sincerely

Robert Law

43C Sunnybank Road, Aberdeen



**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Planning Comment for 151772  
**Sent:** Thur 12/3/2015 12:37:22 PM  
**From:** webmaster@aberdeencity.gov.uk

Comment for Planning Application 151772

Name : Richard & Teresa Harwood

Address : Viewton Cottage

37 Kings Crescent

Old Aberdeen

Aberdeen

AB24 3HP

Telephone : 01224 211111

Email :

type :

Comment : Richard & Teresa Harwood

Viewton Cottage

37 Kings Crescent

Old Aberdeen

Aberdeen

AB24 3HP

Development Management Enterprise

Planning and Infrastructure

Aberdeen City Council

3 December 2015

Dear Sir/Madam,

Re: Application Number 151772

BT Engineering Depot, Froghall Terrace Aberdeen

Application for Change of Use from BT Engineering Depot to a Mixed development of residential and student accommodation.

We wish to object to the granting of this application for the following reasons:

&#8226; There is already an exceptionally high density of Student accommodation within this area, Old Aberdeen and surrounds with around 1600 beds being provided in the last year alone and many more in the making. There are also further HMO's being applied for at this time .

&#8226; The area is currently overburdened by a transient population and this will add a further 425 transients if allowed to go ahead.

&#8226; Families and permanent residents do not want to live in a student campus which this area of Aberdeen is turning into.

&#8226; This area will become uninviting to live in and families will be deterred from moving into the area as these purpose built accommodation blocks take over leaving no sense of community.

&#8226; The infrastructure of the area is already overburdened.

&#8226; Additional pressure on medical/dental practices that are currently oversubscribed.

&#8226; Road safety issues will increase e.g. Pedestrians are currently forced to walk on the busy roads due to the narrow pavements, cars parked on these pavements and on blind corners and on double

yellow lines.

&#8226; Since there is no provision for student parking on the development and the Developers assuming that students will not have visitors e.g. families and friends from outwith Aberdeen, it will result in reduced on street parking for existing residents and will be further exacerbated by the increase in traffic and the additional entrances and exits that are proposed at the site.

&#8226; This development will add to the demographic imbalance which already exists within this and the surrounding areas.

Richard & Teresa Harwood

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To: PI[PI@aberdeencity.gov.uk];  
Subject: Objection to Planning Application  
Sent: Mon 11/23/2015 11:43:09 AM  
From: carole Holland

To whom it may concern,

I OBJECT to the proposed construction of STUDENT FLATS at the BT site on Froghall Terrace on the grounds of :-

- a Between the flats and residential housing proposed, this would bring approximately an extra 600 people, which would have a huge impact on this area and the residents.
- b The build would be very close to the surrounding houses and would impact on our light and privacy. There would also be a problem with access, given that there are to be very few parking spaces made available to 425 students.
- c Ground Stability and Drainage are of great concern due to the fact there is known to be water under the site, and I am very concerned about possible movement of the ground at Froghall View, given that  
it is built on a very steep slope.

Carole Holland  
12 Froghall View  
Aberdeen





**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Planning Comment for 151772  
**Sent:** Thur 11/19/2015 8:51:42 AM  
**From:** webmaster@aberdeencity.gov.uk

Comment for Planning Application 151772

Name : Neal Copland  
Address : 49F Sunnybank Road  
Aberdeen  
AB24 3NJ

Telephone :

Email :

type :

Comment : Although I am not against the redevelopment on the BT Engineering Depot; I am against the inclusion of the student accommodation development. Firstly, I would question the need for student accommodation when you consider the existing and new developments for student accommodation which are already in the surrounding area. Furthermore, the perception that 425 students will not require any parking spaces is ludicrous, and will ultimately lead to constant disruption with the local community. As well as this, the noise pollution which 425 students will create on a daily basis will again ultimately lead to constant disruption with the local community. Lastly, although redevelopment of the site should be prosperous for the local area and community; the inclusion of accommodation for 425 students will lead to constant strain with the local community whilst also decreasing the value of surrounding properties and developments.

Sincerely,  
Neal Copland

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**Planning Application no. 151772 – Proposed Development at BT Yard,  
Froghall Terrace**

As the owner of an adjacent property, I wish to object to the Proposed Development at BT Yard, Froghall Terrace.

Whilst it is good to see this site being developed for housing, I consider the proposals an overdevelopment. They also do not tackle the desperate need for affordable housing in Aberdeen.

I wish to object on the following grounds:

1 The scale and proportions of the proposed development are not in keeping with the surrounding area. The number of inhabitants which will be at least 500 and up to 745 seems excessive, overdevelopment. Certain aspects of the development will tower over adjacent buildings, like the block proposed next to the Eastern entrance. Limiting the number of storeys to 3 would be in keeping with Froghall Avenue .

2 The proposal tells of a significant need for student housing. Where does this assertion come from? Does it take into account the 3 student accommodation developments currently being built on Powis Place and others which are in the pipeline? I think the total in our area is 9.

3 I consider that the proposals would adversely affect the amenity of existing residents in the area. The area is residential and family orientated. There could be late night disturbance, a lot of traffic dropping students off, or a lot of noise from the roof terrace areas of the student blocks. This is an observation based on students located in my road and nearby. Traffic at the site at the moment is largely during the day when most people are out, leaving it quiet at night.

4 There would be conflict with adjacent properties which as I have said are residential.

5 If these proposals are approved, I along with most others in Froghall View will have an open aspect and light replaced with a very close, high building and darkness. This will of course result in the devaluation of these properties. Whilst not material planning considerations, I hope that you will take account of the negative impact the proposals would have on existing residents.

I hope you will take into consideration the objections detailed above.

**Wendy Turnbull  
22 Froghall View  
Aberdeen**



**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Planning Objection  
**Sent:** Fri 12/4/2015 12:23:36 PM  
**From:** James Ross Ewen

**Letter of objection to planning application: 151772**

**Proposed development at: BT Engineering Depot, Froghall Terrace, Aberdeen**

-

To whom it may concern

I am writing in reference to the proposed mixed development application for private housing and student accommodation at Froghall Terrace Aberdeen.

I wish to formally object to this development with particular reference to the student accommodation involved and would appreciate notice of receipt of this objection. This objection must be heard.

As a permanent resident, with all living areas of my house looking onto the site, I have significant and layered concerns about the impact of accommodation for 425 students being placed directly in front of my property. The entire layout of the proposal will impact in a negative manner on our living conditions and how we utilize the local area. I am aware the a development may take place on the site however thre is no reasonable argument, or evidence, that student accommodation on this scale is both appropriate or necessary.

Whilst not wholly objecting to developing these facility types it should be recognised that not every area of available ground is suitable. Due consideration must be given to immediate and adjoining residencies and permanent residents of the area. The impact to the local roads and pavement systems, all amenities and most importantly supporting infrastructure such as electrical supply, sewage and drainage is already stretched. Can it accommodate the level additional impactful development in an area already recognised as being \*densely populated?

\*The largest proportional increase in the year to end-June 2013 was in Old Aberdeen, where the population rose by 7.2%.' (\* taken from Briefing Paper 2015/02 Population Report, Aberdeen City and Shire)

### **Points of concern and reasons for objecting**

#### **· Appropriateness of the site for purpose**

o This is an existing and former industrial area and a historical wetland. Any mid to high level building work may not be suitable for the site therefore deeper and more extensive foundation work will be required. This could have a serious knock on effect to all local structures as well as additional noise and interference.

#### **· The density of accommodation being proposed on the location**

o Far too great for the area with expected negative impacts on all aspects of infrastructure.

o The road system layout at the Froghall Terrace - Spital – Merkland Road junction is a particularly difficult and an often dangerous junction for motorists, cyclists and pedestrians alike.

o There is already a very large provision for students in the area that will have a massive increase of several thousand with the completion of new builds at Causeway End, Powis Place and St Peters Street. There is no argument for placing 400+ student living spaces in the middle of an existing residential area. There has also been no evidence of demand supplied on request.

- **The layout of the proposal**

- o The main access and egress from the student apartments is in front of the Froghall View properties. All primary living spaces within the properties, lounge and bedrooms, face the site.

- o Noise impact during construction and thereafter will be significant and extremely intrusive with the topography creating an amphitheatre.

- o Proposed bin area is again in front of Froghall View which will result in regular noise intrusion.

- **Parking**

- o Regardless of statements and assurances from developers about parking limits this cannot be fully controlled. It should be expected that significant number of properties in the private aspect of the develop will have two cars. There is no allowance for a second car. There is no capacity in the area for this level of parking.

- o There will be students with cars. This cannot be and is not policed. Again no provision for this in the area.

- o Froghall View is a private street that currently suffers from illicit parking often traced back, or is related, to students. How will this be prevented? I expect, if this proposal is granted a go ahead in any capacity, that a controlled barrier at Froghall View entrance is installed and maintained by the developers and owners of the site thereafter.

- o The parking on Froghall Terrace is now extensive due to the latest new builds and again the area can barely handle the increased traffic levels as they stand now.

- **Infrastructure**

- o We have seen an increase in problems with the drainage and water systems in the area since the housing levels, both private and student, have increased.

Please accept this letter as a formal objection to the aforementioned development proposal with reference to the student accommodation in particular.

Yours sincerely

Jim Ewen  
20 Froghall View  
Aberdeen  
AB24 3JG



**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** The Application for Planning Permission for Flats at the BT Yard , Froghall ,  
Aberdeen  
**Sent:** Fri 12/4/2015 11:51:20 PM  
**From:**  
X-URLSB-Wrapped: false  
X-Scanned-By: MailControl 44278.411 (www.mailcontrol.com) on 10.65.0.126  
Return-Path:  
X-MS-Exchange-Organization-AuthSource: MSEXCH002.acc.gov.uk  
X-MS-Exchange-Organization-AuthAs: Anonymous

Dear Sir,

I refer to the above. Please take note that I object to this planning application. I reside at 10 Froghall View, Aberdeen. I have resided at this address since 1986.

The grounds of my objection are as follows:

1 Loss of amenity . At present I have a clear unobstructed view to Anderson Drive. The new flats would deprive my house of light and privacy.

2 Invasion of privacy and increase in noise levels.

3 Lack of suitable roads in the area to accommodate the influx of new residents.

4 Most of the new residents would be students residing in the area on a temporary basis who would add little or nothing to the local sense of community

5 The unsuitability of the ground at these BT premises due to underground water, lack of drainage, lack of proper ground surveys and lack of appreciation that new foundations being laid for the proposed new flats would weaken the stability of the houses at Froghall View, which houses at Froghall View are built on sloping ground.

Anne Macdonald.  
Owner and occupier at 10 Froghall View,  
Aberdeen. AB24 3JG.

Sent from my Fondled



**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Planning Comment for 151842  
**Sent:** Sun 12/13/2015 6:57:14 PM  
**From:** webmaster@aberdeencity.gov.uk

Comment for Planning Application 151842  
Name : Alison Blair  
Address : 7 Burnside Gardens  
AB25 2QW

Telephone :  
Email :  
type :

Comment : I'd like you to consider the traffic situation in Burnside Gardens with the development of 110 flats on the current flats/Bowling Green/allotment site and only having one entrance and exit. Currently it can be difficult getting out of Burnside Gardens at any time of day and on any day of the week. The new potential residents will have cars and will have to travel to Woodend Hospital/Health Village and many other locations if they are employed by the city or shire councils. I am querying the number of flats to be built in the limited space and the traffic implications in a small road (and the road surface is in poor condition too).

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To: PI[PI@aberdeencity.gov.uk];  
Subject: Planning Comment for 151842  
Sent: Mon 12/14/2015 10:02:23 PM  
From: webmaster@aberdeencity.gov.uk

Comment for Planning Application 151842  
Name : derek miller  
Address : 15 burnside gardens

Telephone :  
Email :  
type :

Comment : I have a few objections on the planning application.

I object to the removal of any of the existing trees on the site and particularly the trees opposite the existing properties on Burnside Gardens.

I object to the amount of parking spaces proposed, I believe that there needs to be at least 1 space per property as the overspill from the site will end up using the spaces on Burnside Gardens for parking, in addition this will cause additional wear on an already poorly kept road that has many pot holes already. Is there any plan to carry out upgrading Burnside Gardens public road?

I object to Burnside Gardens being used for the access to the site. This will increase the amount of cars causing damage to an already poorly maintained road. I believe the access road should come from the exiting hospital road to the west of the proposed site, why can this not be done and thus not over populate the existing road on Burnside Gardens.

Can you advise if the tenants living at the premises can apply for a parking permit allowing them to park on Burnside Gardens? if so I would object to this as per my above comment stating the over spill of cars will end up causing problems for the tenants/home owners currently living on Burnside Gardens parking at there property.

Can you confirm you have received my objections and also answer the question I have asked

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**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Objection to Planning Application  
**Sent:** Mon 11/23/2015 11:43:09 AM  
**From:** carole Holland

To whom it may concern,

I OBJECT to the proposed construction of STUDENT FLATS at the BT site on Froghall Terrace on the grounds of :-

- a Between the flats and residential housing proposed, this would bring approximately an extra 600 people, which would have a huge impact on this area and the residents.
- b The build would be very close to the surrounding houses and would impact on our light and privacy. There would also be a problem with access, given that there are to be very few parking spaces made available to 425 students.
- c Ground Stability and Drainage are of great concern due to the fact there is known to be water under the site, and I am very concerned about possible movement of the ground at Froghall View, given that  
it is built on a very steep slope.

Carole Holland  
12 Froghall View  
Aberdeen





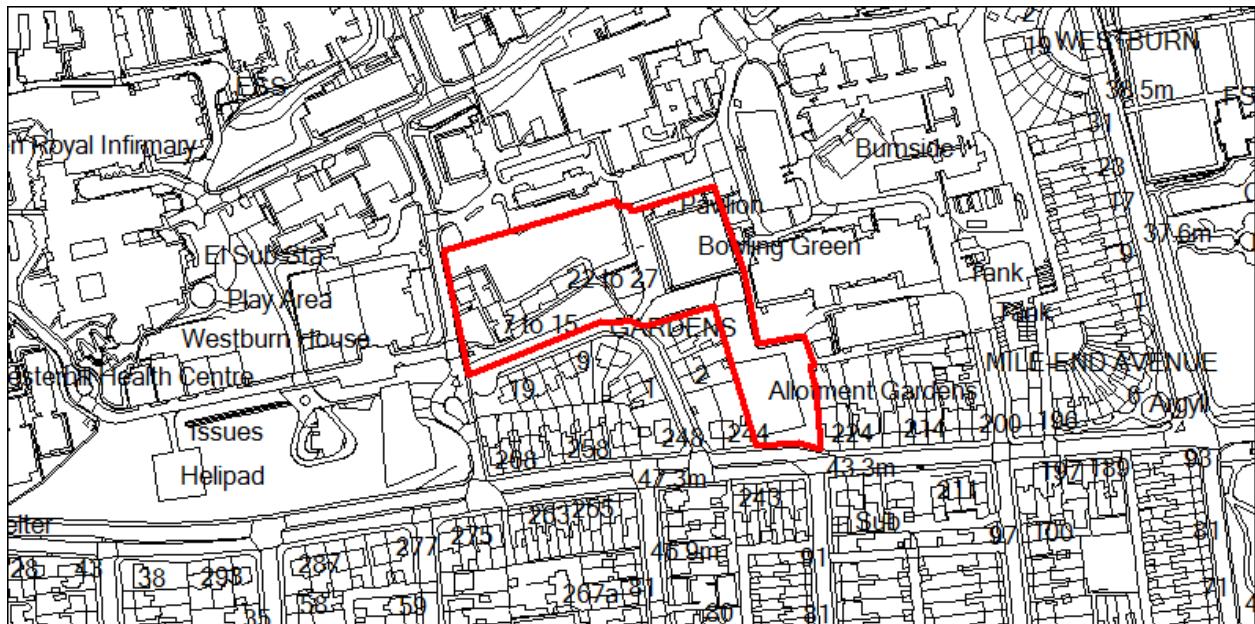
## Planning Development Management Committee

FORESTERHILL COURT, BURNSIDE  
GARDENS, ABERDEEN

REPLACEMENT OF NHS STAFF  
ACCOMMODATION WITH NEW BUILD KEY  
WORKER HOUSING COMPRISING OF 110  
UNITS ALONG WITH ASSOCIATED OPEN  
SPACE, PARKING AND INFRASTRUCTURE.

For: Grampian HA Ltd, NHS Grampian & Universi

Application Type : Detailed Planning Permission  
Application Ref. : P151842  
Application Date: 26/11/2015  
Officer: Nicholas Lawrence  
Ward : Midsocket/Rosemount (B Cormie/J  
Laing/A Nicoll)  
Advert : Can't notify neighbour(s)  
Advertised on: 27/01/2016  
Committee Date: 18 August 2016  
Community Council : ??



## **RECOMMENDATION**

### **Refuse**

## **APPLICATION SITE**

The site is an 'L' shaped parcel of land (c.1.5ha) that follows the alignment of the northern and eastern aspects of Burnside Gardens.

It is characterised by its tree coverage, areas of open space (including a disused bowling green and associated pavilion) and land previously used for allotments, together with a 3 storey building on the western part that provides 27 residential units for NHS Grampian Staff.

Vehicular access is currently gained via a junction onto Burnside Gardens, together with a point off the hospital campus's internal road network, to the north west of the site that facilitates parking abutting the former bowling green.

Allowing for the site alignment, the southern boundary of the principal section, together with the eastern and western boundaries fronting Westburn Road is characterised by residential development. The balance is bounded by the hospital Campus, with its attendant buildings and structures.

In terms of adopted Local Development Plan (LDP) designations, that part of the site facing Westburn Road is within a Residential Area and the remainder is zoned for the purposes of Existing Community Sites and Facilities – reflective of the wider hospital operation. Both designations are carried over into the emerging replacement LDP.

In addition, the site encompasses a small pocket of multifunctional open space identified as AN49 (Burnside Gardens) and AN112 (Foresterhill Green Space) in the 2010 Open Space Audit (the Audit). Part of AN112 is classified as a school/institutional ground used as a bowling green.

## **Background**

The Application Form describes the development as the replacement of NHS staff accommodation with new build 'key worker' housing, comprising of 110 units, along with associated open space, parking and infrastructure. However, the supporting documentation submitted did not define what constituted a 'key worker' or how the proposed development would be managed by Grampian Housing Association, as the eventual owners and operators of the development.

To assist the Committee, a 'key worker' at the national level is broadly viewed as either: a public sector employee who provides an essential service; as well as applying to low paid employees in the private sector/ service industries that also provide essential services. Occupations which the Aberdeen City Council will

consider as 'key workers' include: teachers; police officers; community support officers and some civilian police staff; social workers; environmental health officers; residential support workers (children's services); family resource workers; firefighters; and personal carers.

The Applicant's have now provided a Draft Management Agreement (DMA) that states that a key worker for the purposes of this application is defined as a public sector employee who provides an essential service. The letting policy section looks to allocate the properties at mid-market rent to key workers in the following order of preference:

1. Incoming key workers for NHSG/Aberdeen University Medical staff up to salary band 7 (income of £41K or agreed level) or lower level of Band 8A;
2. Existing key workers for NHSG;
3. Recently qualified NHS trainees or graduates; and
4. Key workers in other public sector bodies, e.g. Police Scotland, Aberdeen City Council or the Scottish Government.

Under the terms of the DMA, if any of the properties were vacant for a period of two weeks then the accommodation could be let at mid-market rent to any person nominated by Grampian Housing Association (i.e. non-key workers).

To explain 'Mid-Market Rent', this is a scheme to help people on low and modest incomes access high quality affordable rented accommodation. The rent levels are generally set between social and private rent levels (i.e. mid-market point).

Having regard to the above, it is considered that the proposed accommodation fits within the parameter of general affordable accommodation with the objective at first instance to accommodate key workers and not solely for the provision of key worker accommodation as set out on the application form.

## **PROPOSED DEVELOPMENT**

Primarily there are 7 distinctive elements (i.e. blocks A-G) providing a total of 110 apartments. Blocks A to F occupy the northern part, with blocks D and F framing the north-eastern and north-western parts respectively, with the balance of the blocks adopting a linear arrangement. Block G occupies a divorced element, that fronts Westburn Road, and is connected to the balance by an access road that runs behind the rear gardens of 2-8 Burnside Gardens.

In terms of form and appearance, each block has repeating presence, set by the internal arrangement of the proposed accommodation and articulated by protruding stair wells and bay widows to the living room areas; recurring fenestration patterns and palette of materials (i.e. white chip dry dash render, grey aluminium windows, and grey rainscreen cladding). Each block adopts a pitched roof of grey interlocking tiles.

With regard to heights, within the northern section of the site, blocks A, B, C and E provide accommodation across 3 levels and have a height to ridge of 12.8

metres. Block F has four floors of accommodation to 15.7 metres. Block D is four storeys on its eastern aspect, then 3 storeys on the northern limb of the block. Block G that occupies the southern extremity adopts the form and appearance of the northern section, providing accommodation across 3 floors to 12.8 metres.

Parking is catered for either in courtyards or adjacent rows to each of the blocks. There are 71 car parking spaces, 1 car club parking space, 15 motor cycle spaces, together with 110 secure bicycle spaces.

Vehicular access is off the existing junction onto Burnside Gardens, along with an additional pedestrian route between the proposed development and the wider campus to Westburn Road, at the south-eastern extremity. The existing vehicular access point off the Campus road network will be removed.

To facilitate the level of accommodation sought, the scheme involves the demolition of the existing accommodation block, building upon the bowling green and allotment areas, and the removal of a number of trees.

### **Supporting Documents**

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

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=151842>

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

- Design and Access Statement
- Safe Route to School Assessment
- Drainage Assessment
- Environmental Walkover Survey
- Tree Survey
- Pre-Application Consultation Report
- Supporting Statement – Open Space Analysis
- Roads Supporting Statement
- Transport Assessment

### **PRE-APPLICATION CONSULTATION**

The proposed development was the subject to pre-application consultation that was undertaken between the applicant and the local community. An event was held at Midstocket Church on the 15<sup>th</sup> of September 2015. This undertaking is required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations.

The consultation event ran between 10:00 and 20:00 hrs and notification of it was undertaken by invitation letter to some 505 properties, including Burnside Gardens, and an advertisement was placed within the Citizen newspaper on the 2<sup>nd</sup> of September 2015.

The consultation took the form of a 'drop in' and a series of display boards, covering the proposed development and its context, were available to view and comment upon. Representatives of both the applicant and agents were available on the day to answer any queries raised

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because 28 letters of objection have been received. Accordingly, the application sits outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Development Management** – No objection subject to conditions on accessibility, pedestrian safety, public transport and car club space and contribution

**Environmental Health** – No observations.

**Developer Contributions Team** – Contributions required in respect of community facilities (Enhancement to the Rosemount Learning Centre) and sport and recreation (at Northfield Outdoor Centre, Hilton Outdoor Centre and the Westburn Outdoor Centre)

**Communities, Housing and Infrastructure (Flooding)** – No objection subject to conditions addressing the current drainage entering the current watercourse; culvert has enough capacity for the new surface water flow; and the design of the culvert alignment does not affect current capacity

**Sport Scotland** – No objection. content that there will be no loss in the provision of bowls facilities in the City

**Scottish Environment Protection Agency** – No objection.

**Community Council** – No response.

**Education, Culture and Sport (Educational Provision)** – **Primary and Secondary School** capacity available at Mile End Primary and at St Machar Academy.

## **REPRESENTATIONS**

A representation of general support was received following a meeting held with local residents and the Leader of the Council, at the Council offices on the 25<sup>th</sup> of May 2016.

The 28 objections raise the following concerns, summarised below.

- Impact upon AWPR
- Flooding
- Overdevelopment
- Congestion of Roads
- Parking Displacement
- Lack of Parking
- Affect upon Amenity
- Location of Bin Stores
- Road Safety
- Access Arrangements
- Out of Character
- Design, Massing and Scale of Development
- Questioning the need for the Development
- Creation of an unbalanced Community
- Should be Elsewhere
- Where are the Bike Spaces
- Affect on Property Values
- Impact upon biodiversity
- Loss of Green Areas
- Loss of Trees

A number of the representations take into account the consultation response by the Roads Development Management Team.

## **PLANNING POLICY**

### **National Policy and Guidance**

- 3<sup>rd</sup> National Planning Framework
- Scottish Planning Policy
- Creating Places
- Planning Advice Note 67 – Housing Quality
- Planning Advice Note 78 – Inclusive Design
- Online flooding advice

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

- T2 - Managing the Transport Impact of Development
- I1 - Infrastructure Delivery and Developer Contributions
- D1 - Architecture and Placemaking
- D2 - Design and Amenity

- D3 - Sustainable and Active Travel
- D6 - Landscape
- H1 – Residential Areas
- H3 – Density
- CF1 – Existing Community Sites and Facilities
- NE1 – Green Space Network
- NE3 – Urban Green Space
- NE4 – Open Space Provision in New Development
- NE5 – Trees and Woodland
- NE6 – Flooding and Drainage
- R6 - Waste Management Requirements for New Developments

### **Proposed Aberdeen Local Development Plan (PALDP):**

- D1 - Quality Placemaking by Design
- D2 - Landscape
- T2 - Managing the Transport Impact of Development
- T3 - Sustainable and Active Travel
- H1 – Residential Areas
- H3 – Density
- CF1 – Existing Community Sites and Facilities
- NE1 – Green Space Network
- NE3 – Urban Green Space
- NE4 – Open Space Provision in New Development
- NE5 – Trees and Woodland
- NE6 - Flooding, Drainage and Water Quality
- R6 - Waste Management Requirements for New Developments
- I1 - Infrastructure Delivery and Developer Contributions

### **Supplementary Guidance**

- Open Space
- Trees and Woodland

### **EVALUATION**

#### **Main Issues**

The main issues are; firstly, whether the principle of the development is acceptable; secondly, if acceptable in principle whether the proposal in detail harms the character and appearance of the area with particular regard to the loss of open and green space; thirdly, the affect upon amenity; fourthly impact upon trees; and fifthly, accessibility and transportation. All issues have regard to the provisions of the development plan and other material considerations.

#### **Development Plan Policy Framework and Materiality**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, as amended, (the Act) requires that proposals are determined in accordance with the Development Plan unless other material considerations indicate otherwise.

The Development Plan for the purposes of this application comprises the Aberdeen Local Development Plan (ALDP) that was adopted in February 2012. Materiality is also set, in part, by the Proposed Aberdeen Local Development Plan (PALDP). Whilst the PALDP has yet to undergo independent scrutiny and is not a statutory part of the Development Plan it has been adopted by the Council as constituting a material consideration in the decision-taking process and should be accorded the appropriate weight.

At the national level, other material considerations include, albeit are not limited to: Scottish Planning Policy, Creating Places, Planning Advice Notes and other guidance issued by the Scottish Government

## **ASSESSMENT OF MAIN ISSUES**

### **Principle of the Development**

As cited above under the adopted Development Plan the site is washed over by 2 designations (i.e. residential area and existing community facilities).

Policy H1 of the ADLP attaches to identified residential areas and establishes a presumption in favour of new residential development therein, provided a number of criteria are met, these include: not constituting overdevelopment; not having an unacceptable impact on the character or amenity of the surrounding area; nor result in the loss of valuable and valued areas of open space.

In terms of the residential area designation, subject to the qualifying criteria of policy H1, the proposed development is acceptable in principle. These criteria are addressed below.

Turning to the second designation; the majority of the site is covered by policy ALDP CF1 – *Existing Community Sites and Facilities*, that provides that the site should primarily be used for healthcare and/or related medical & educational purposes and such uses will be supported. The policy notes that development outwith these uses will be opposed, if a likely result would be a significant erosion of the character of the area.

Generally, it is recognised by the Council that there is a shortage of housing in Aberdeen, and in particular affordable homes, and that the delivery of such accommodation will assist with the continued economic growth of the region. Consequently, the provision of affordable housing is supported by the Council; however, it is not an overriding acceptance of development at any cost and must be taken into account in the planning balance.

Bringing the above matters together; policy CF1 is framed in a manner that development on the site does not exclusively have to meet the prescribed uses



and recognising that the development will increase the supply of affordable accommodation; it is considered that the principle alone of the proposed development accords with the aims and objectives of the Development Plan and other material considerations. However the detailed impacts must be considered.

### **Impact upon the Character and Appearance of the Area**

The character of any area is more than the visual flow of the type of buildings and their associated materials; it also embraces the juxtapositions of buildings, their setting and the spaces they create. Any development ranging from the adaptation through to new build of whatever scale should not be considered in isolation and must be informed by the immediate and wider context.

Clearly the mass and scale of what is proposed bears no relationship to the existing accommodation block on the site. That though is not a proper basis for any judgement of the merits of the proposal. A much denser form of development of a site than currently exists may be perfectly possible without it appearing out of place in its surroundings.

The assessment of context is set out within ALDP under policy D1 which also looks for new development to make a positive contribution to its setting, whilst seeking a high quality of design. D1 also cites a number of factors to be taken into account in assessments which include, scale; mass; open space; proportions of buildings; spaces around buildings; squares; and boundary treatments.

As noted above the matter of context is also set within ALDP policies CF1 and H1; the latter referencing that development should not, in part, constitute overdevelopment or result in the loss of valuable and valued areas of open space. These positions are also embraced within national guidance that postdates the ADLP. The above quoted policies are carried forward in the PALDP.

In terms of more specific policy considerations; ALDP policy NE1 looks to protect and promote the Green Space Network and any proposals that are likely to destroy or erode the network will not be supported. This position is also set within policy NE3 (Urban Green Space), which will only allow development subject to a number of criteria that include: there is no significant loss to the landscape character and amenity of the site of adjoining areas; the site has no significant wildlife or heritage value; there will be no loss of established or mature trees; replacement of green space with space of similar or better quality is located in or immediately adjacent to the same community.

The ADLP also looks to secure communal or public open space in residential schemes (Policy NE4) and policy D6 on Landscape will not support development proposals that, in part, adversely affect the character and elements that provide its character or a distinct sense of place; loss or damage to important recreational, wildlife or woodland resources or to the physical links between them.

In this instance the character of the site is defined by areas of green open space that includes, albeit not exclusively, the bowling green, the allotment area and significant areas of tree coverage - all of which give the site an importance in terms of the surrounding environment. Part of the character of the site is also defined by the existing accommodation, although this is limited coverage when considered against the total site area. The trees are prominent within and outwith the site and make a significant contribution to the local landscape and streetscape.

The surroundings combine both residential development along Burnside Gardens as well as Westburn Road, whilst the area to the north, east and west is dominated by institutional buildings and structures associated with the Foresterhill Campus.

With regard to impact of the form of the development (i.e. height and massing) on the character of the area, it is recognised that a number of buildings to the north and east are comparable in height and massing to blocks F,B, E and D. It is therefore considered that these buildings in terms of height and mass would not be out of context with the character of the area.

The residential development along Burnside Gardens, to the south of blocks A and C, the west of block G, and those properties along Westburn Road to the east of block G have comparable footprints to the current residences. Whilst the residential development along Burnside Gardens and Westburn Road is more modest in scale to blocks A , C and G, the separation distances (between 25 and 27 metres between facing elevations and 16- 17 metres between gable to gable) are considered sufficient to avoid incongruity in terms of scale.

On the matter of the quantum of development affecting the character of the area; the scheme will involve the loss of the allotment area and bowling green areas together with other areas of valuable amenity space. The site falls within the Rosemount Ward, which is ranked 'low' in terms of the quantity and quality of open space by the Audit. The loss of this open space will further decrease the overall quality of open space in the Ward and therefore represents a significant loss of valuable open green space.

The allotment / southern aspect of the site scored 'very low' in the Audit, as this area was gated and inaccessible, which meant that it failed to contribute towards providing active, supporting and well-being part of the quality criteria of the Audit. However, this area, as with the areas, of the bowling green and surrounding spaces have a high community value, and the allotment area in particular has high community value, but has more recently been neglected and lacked maintenance.

The poor quality score does not mean, as propounded by the applicants, that any site having a low quality score can be developed. This position is patently flawed in terms of the policy requirements and represents a lack of understanding of the Audit. Both sites clearly can be improved for the benefit of the residents and

local community. This approach has not been considered or addressed within the application submission.

The proposed development therefore:

- Results in the loss of valuable and valued areas of open space, that in turn will have an adverse impact upon the character and amenity of the surrounding area contrary to policy H1 of the ALDP;
- The development would result in a significant erosion of the character of the area contrary to policies policy CF1, D6, NE1 and NE3 of the ALDP; and
- The loss of the open space coupled to the quantum of built development fails to provide both an adequate and qualitative level of open space contrary to policy NE4 of the ALDP.

### **Impact on Trees**

Policy NE5 of the ALDP (Trees and Woodlands) sets a presumption (the presumption) against all activities and development that will result in the loss of or damage to established trees that contribute significantly to landscape character and local amenity. In addition, the policy also requires appropriate measures to be taken for the protection and long term management of existing trees and advises that buildings and services should be sited so as to minimise adverse impacts on existing trees.

Turning to the first aspect of policy NE5; namely the presumption. The submission proposes the direct loss of some 24 trees, the majority of which are prominent in the existing townscape particularly from the Westburn Road which is a major corridor into the City and make a significant contribution to the amenity of the area. In addition, the proposed disposition and design of the development will have further indirect impacts, which in turn will affect the longevity of the trees and their contribution to the character of the area and local amenity. It is acknowledged that the trees are not covered by a Tree Preservation Order; however, this does not diminish the contribution these trees make to the character and amenity of the area.

In this instance the proximity of the proposed blocks to the retained 'early mature' trees to blocks B, C, F and G, that have significant scope for an increase in canopy spread, would necessitate (if they were retained in the longer term) significant remedial works to reduce their crown size on a regular basis. It is considered that the proximity of these trees would likely lead to future conflict potentially resulting in their removal.

This position, by way of example, is highlighted with regard to block G in relation to the canopy spread of tree T5 and the fact that the north-east corner of this block is within the root protection area of another tree.

It is therefore considered that the proposed development would result in the loss of/or damage to a significant number of established trees that contribute significantly to landscape character and local amenity and as such it is contrary to the first limb of policy NE5.

On the matter of the protection and the long term management of existing trees, new developments should seek to maintain a significant buffer between existing tree stock and structures in order to alleviate any future concerns relating to the proximity of structures to mature trees and to allow for future growth. In addition suitable buffers should be established to ensure unimpeded crown and root growth in order to maximise the benefits arising from mature trees.

In this regard it is considered that appropriate measurements have not been taken for the protection and long term management and retention of existing trees on this site. Whilst buildings and services have been sited so as to minimise some direct adverse impacts on existing trees it is considered that the level of adverse impacts due to proposal and the risks associated with future retention are greater than what are considered acceptable.

Therefore, for the above reasons it is considered that the application is contrary to Policy NE5 of the ALDP.

### **Effect upon Amenity**

It is accepted that privacy and the protection of general amenity constitutes a material consideration in determining development proposals and is an important design objective in ensuring that residents of properties bounding any development site and those occupying new accommodation feel at ease within and outwith their accommodation.

Whilst ALDP policy D2 (Design and Amenity) only seeks to afford privacy to the occupiers of new developments, the general consideration of the amenity and wellbeing of occupiers to neighbouring properties is addressed under policies H1 as well as national guidance.

With regard to the development's physical presence, block A would, be too far away from numbers 15-19 Burnside Crescent to have any material harm on the living conditions of the residents. This position is reinforced by the retained tree coverage as well as the public frontage aspect of the dwellings on Burnside Gardens.

The southern aspect of the four storey block D has the living area, with its full height window, at the south-west corner of the block. This window, across the second, third and fourth floors would directly overlook the garden area of number 8 Burnside Gardens, which is only 8 metres away. It is considered that this aspect of the scheme would materially harm the amenity afforded to the occupiers of this dwelling, contrary to policy H1 of the ADLP.

It is accepted in urban environments that there will be a degree of overlooking between residential properties that is typified by views across gardens from bedroom windows. However, even allowing for a degree of tree coverage, the living area of the flats at the north-east corner of Block G directly overlooks the garden of number 246 Westburn Road. It is considered that this aspect of the scheme would materially harm the amenity afforded the occupiers of this dwelling contrary to policy H1 of the ADLP.

Concern has been raised upon the use of the proposed footway off Westburn Road and its impact upon the amenity of the occupiers of number 246 Westburn Road. However, it is considered that any impact can be mitigated by way of an appropriate planting regime.

In addition to the above matters, block G is serviced by an access road that runs along the back gardens of numbers 2 – 8 Burnside Gardens. These rear gardens provide the private amenity areas to those occupiers. It is considered that the use of this road by the occupiers and visitors to block G would harm a level of amenity that the occupiers could reasonably expect. Therefore, it is considered that this aspect of the scheme would material harm the amenity afforded the occupiers of these dwellings contrary to policy H1 of the ADLP.

Aside from the amenity afforded occupiers of neighbouring properties the proposed scheme, in its detailed form, has omitted to deliver amenity of a quality appropriate for the scale of residential development proposed. The proposal omits any children's play area and the principle elevations (i.e. fronts) of the blocks B, F and D face parking areas that do not provide meaningful amenity areas.

In terms of the planning balance, the above aspects of the proposed development do not support granting of planning permission.

### **Accessibility and Transportation**

The Roads Development Management Team (RDMT) issued a subsequent consultation response to that reported on the Agenda item originally tabled to be presented before the Committee on the 14<sup>th</sup> of July 2016.

The RDMT in their final consultation response are content that the proposed development as shown on revised drawings addresses RDMT's previous concerns in terms of the emergency access, adequate parking, visibility, and general connectivity of the site. This support for the scheme is qualified by the requirement for a number of planning conditions, including, albeit not limited to:

- Provision of pedestrian walkway
- Car Club space and financial contribution
- Crossing facility
- Travel Plan / Residents Travel Pack
- Drainage Impact Assessment

- Improvement to bus stop

## **OTHER MATTERS**

### **Comments by third parties**

The majority of comments made by third parties on the application are addressed within the body of the report. However, the matter of a developments impact upon property values is not a material consideration in the determination process. Likewise, the comment that a development should be elsewhere in itself is not material to the planning decision.

### **Infrastructure**

SEPA have removed their original objection and are now of the view that the scheme is potentially acceptable.

The flooding team have objected due to the possibility of flood risk, as a result of the proposed construction works being carried out over existing culverts.

### **Loss of the Bowling Green**

Sport Scotland has removed their holding objection and is of the view that the loss of the bowling green will not affect bowls provision within the City.

## **CONCLUSION**

For the reasons set out above and highlighted under the heading of reasons for recommendation, it is considered that the proposed development would materially harm both the character and appearance of the area, including the loss of open and urban green space, together with the level of amenity afforded occupiers of neighbouring properties and occupiers of the proposed development. Consequently, the development does not comply with the adopted Local Development Plan, nor has the Applicant demonstrated that other material considerations exist to override the Development Plan.

No conditions can overcome the harm the proposed development will cause. However, if Members were minded to approve the scheme then the Committee may wish to place conditions addressing; occupancy management, general landscaping, drainage, materials, access, parking, accessibility and transportation in addition to the requirement for a section 75 Agreement.

## **RECOMMENDATION**

Refuse

## **REASONS FOR RECOMMENDATION**

1.

The proposed development would by reason of its scale, siting, and quantum of development results in the loss of open space and urban green space, so as to harm the quality of the landscape and thereby adversely affect the character and amenity of the area. The proposed development also has adverse impacts upon the amenity afforded the occupiers of neighbouring residences, together with insufficient levels of amenity space within the proposed development. Therefore the proposal does not represent a sustainable form of development and as such the proposal is contrary to policies H1 (Residential Areas); CF1 (Existing Community Facilities and Sites); D2 (Design and Amenity); NE1 (Green Space Network); NE4 (Open Space Provision in New Developments) of the Aberdeen Local Development Plan, adopted Supplementary Guidance Notes on Open Space, together with guidance within the Scottish Planning Policy, Creating Places and Planning Advice Notes 67 (Housing Quality) and 78 (Inclusive Design).

2.

The proposed development would result in the loss of a number of trees, with an unacceptable level of or scope for mitigation, that make a significant contribution to local amenity and the character of the area and as such the proposal is contrary to policy NE5 (Trees and Woodland) of the Aberdeen Local Development Plan and the adopted Supplementary Guidance note on Trees and Woodland to the Development Plan

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**To:** P[[PI@aberdeencity.gov.uk];  
**Subject:** Planning Comment for 151842  
**Sent:** Mon 12/14/2015 10:58:04 PM  
**From:** webmaster@aberdeencity.gov.uk

Comment for Planning Application 151842

Name : Paul Wishart  
Address : 224 Westburn Road  
Aberdeen  
AB25 2LT

Telephone : 01224 252525

Email : paul.wishart@aberdeencity.gov.uk

type :

Comment : Our Objections/ Representation refer mainly to Block G as this directly neighbours our property - 224 Westburn Road, Aberdeen.

Design

It is unclear from the Planning Elevation Drawings to the height of the proposed building (Block G) next to our property referenced above - can this be advised?

The consultation boards showed only flat roof 3 story blocks. The plans now show that the flat roof has been replaced with a pitch. This looks like this is now going to be much higher than our property. The current drawings don't show a relevant elevation of Block G next to our property. Our listed building house is semidetached is in a row of houses on our street and is currently among the tallest - as far as I am aware there are no higher buildings on our side. Any property built higher would look very out of character on the street. If there were objections to the flat roof since the consultation - then could the property be lowered to 2 stories? Or be put back to the flat roof as in the consultation.

Please can this be clarified with a height of the new building next to our property.

Impact on Amenity.

The current proposed floor plan for Block G would result in living areas looking into and onto our property. We have side windows on two floors looking directly on the proposed site. We also have extended our property at the rear with large glass frontage. Currently our property is very private and not overlooked at all - not even by the existing neighbours. The current layout would result in our property and garden being overlooked and exposed especially as all the living areas are facing our direction. We have a young family and this loss of privacy is a serious concern.

We now feel that our living/Kitchen/dining and bedroom areas will be in full view.

The current plans show that the trees next to our property will remain. We are 100% in support of this and would not want to see these go. While these will give us some screening from the new building these are not evergreen trees and therefore will create the same privacy issues stated above even more so during the winter months.

Can the proposed building design for the block G be mirrored (so east faces the west) moving some of the living areas overlooking the rear of our property. We would very much be in support of this.

Design

Block G - what materials will be used? We are a listed building and the neighbouring properties around this proposed site are all granite buildings. What material will be used to keep the proposed block G in keeping with current surrounding buildings?

Impact on amenity.

Noise that the new development will bring.

Regarding block G - these flats are for Key workers mainly for the hospital - what provisions will be put in place to reduce noise? There is currently no noise at side/rear of our house. We will expect as there is a proposed car park factoring in shift changes etc there will be a noise impact for us with commuters coming and going toward the rear of the property (where our bedrooms are located).

Please can you confirm receipt of our comments and we look forward to your response.

Mr & Mrs P Wishart

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**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Planning Comment for 151842  
**Sent:** Mon 12/21/2015 11:34:42 AM  
**From:** webmaster@aberdeencity.gov.uk

Comment for Planning Application 151842

Name : Alexandra Mann  
Address : 5 Burnside Garden  
Mile-End  
Aberdeen

Telephone :  
Email : alexandra.mann@aberdeencity.gov.uk  
type :

Comment : I wish to object to this application on the grounds that it is gross over development of the site as well as having a profound health safety and environmental impact on residents and immediate local of the area

The proposed development for key workers is now not required in this current climate where property rental costs have dropped by 20% and are continuing to drop further.

The impact of 110 flats and associated parking spaces is vastly overdeveloped for the site, the plans show green areas, that are in reality "grasscrete", so the actual green areas will be vastly reduced. At present the local residents and hospital staff enjoy the safe green area in front of the bowling green, the street is almost devoid of traffic in evenings and weekends so children can safely cross the road to access the area. Many games of football and rounders have been played there! And local children can be encouraged to play together in a safe area. Access to the local parks are along the busy Westburn Road, where I would worry about primary age children to walk and cross by themselves. The bowling green was in use as recently as 2014, when the bowlers were given notice by the hospital to vacate, the club was low cost allowing many local residents access, providing exercise and company. So the design statement about the green being unused for several years is totally untrue. The allotment area, has been unused in several years, allowing local wildlife a haven in the city. As the allotments were restricted for hospital use, I don't believe local residents were aware that this resource could be available to them. There is great demand for allotments in the city and to reintroduce the allotment spaces, would encourage exercise, fresh air and company to the city's residents, with pedestrian access from Westburn Road.

The proposed development includes 77 parking spaces, with access from Burnside Gardens, a small cul de sac of 14 houses. The access to Westburn road is already blocked by traffic on Westburn road at peak times. The local school for the area is Cornhill Primary so there will be several cars queuing in Burnside Gardens to access the busy Westburn Road, for the school/work run. Increasing air pollution for the residents. There are several points of potential vehicular access for the development, access from the hospital where there is a wider well maintained access is preferable, with access leading directly onto the site.

The development shows three and four storey flats, where there is precedence of a single four storey building in the area. The surrounding hospital and residential housing are one and half/two storeys, so the development is out of character with present buildings.

In summary, I believe the site to be over developed, the requirement for low cost housing has diminished, the local area will suffer from increased air pollution and loss of green areas that are enjoyed by local residents and hospital staff. In preparation for the development, the bowling club was closed, withdrawing an resource for exercise, fresh air and company for the city's residents.

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To: PI[PI@aberdeencity.gov.uk];  
Subject: Commenting on planning application: 151842  
Sent: Mon 12/21/2015 11:21:37 AM  
From: Rachel Holdsworth  
x-forefront-prvs: 079756C6B9  
x-forefront-antispam-report:  
SFV:NSPM;SFS:(10009020)(6039001)(199003)(51444003)(189002)(229853001)(87936001)(19300405004)(101416001)(2900100001)(97736004)(1220700001)(92566002)(40100003)(6116002)(5890100001)(102836003)(189998001)(2501003)(5008740100001)(81156007)(110136002)(586003)(1096002)(15975445007)(790700001)(14613045005)(5004730100002)(2351001)(76576001)(11100500001)(19617315012)(19627595001)(105586002)(19580395003)(19625215002)(5001960100002)(18206015028)(50986999)(106356001)(5250100002)(107886002)(561944003)(19580405001)(99936001)(17760045003)(19618635001)(86362001)(5003600100002)(74316001)(74482002)(16236675004)(5002640100001)(54356999)(33656002)(7099028)(3826002)(16866105001)(579004)(559001);DIR:OUT;SFP:1101;SCL:1;SRVR:AM3PR04MB0614;H:AM3PR04MB0614.eurprd04.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;  
received-spf: None (protection.outlook.com: 46degrees.co.uk does not designate permitted sender hosts)  
spamdiagnosticoutput: 1:23  
spamdiagnosticmetadata: NSPM  
Content-Type: multipart/mixed;  
boundary="\_012\_AM3PR04MB0614D7C49ADAB0DE0E59C3A59CE40AM3PR04MB0614eurp\_"  
MIME-Version: 1.0  
X-MS-Exchange-CrossTenant-originalarrivalltime: 21 Dec 2015 11:21:37.5124 (UTC)  
X-MS-Exchange-CrossTenant-fromentityheader: Hosted  
X-MS-Exchange-CrossTenant-id: b643601a-ccef-4686-8296-7ce19e7f3837  
X-MS-Exchange-Transport-CrossTenantHeadersStamped: AM3PR04MB0614  
X-Mailcontrol-Inbound:  
NJFgVM67soyWQFW4Fh4eZA4ac82ii7naeN+KjIVba7KY1JqFSfJ2leD058EhA93XPIGC25PPYxnFBpWT  
VNgmINiw7UuZQPMU  
X-URLSB-Wrapped: false  
X-Scanned-By: MailControl 44278.411 (www.mailcontrol.com) on 10.65.0.120  
Return-Path: rachel@46degrees.co.uk  
X-MS-Exchange-Organization-AuthSource: MSEXCH002.acc.gov.uk  
X-MS-Exchange-Organization-AuthAs: Anonymous

**I wish to object to Planning Application Reference No: 151842 for the following reasons.**

Due consideration should be given to a review of the sheer volume of units being squeezed into the small development site. The volume of accommodation is to increase by 300% and this amount was determined during a period of 'boom' within the city when there was a high demand for housing affordable or otherwise. The prices were forced up due to the lack of properties available on the rental market, however that bubble has now burst. The property market is stagnant and therefore there is now an abundance of affordable properties available to let in the city. To build such a large volume of 'shoebox' sized units is short sighted when there are more spacious traditional properties available at a very close proximity to the development.

It also hasn't been clarified as to what exactly constitutes 'affordable housing' will the

rent actually be any more attractive than other properties? It's not just house prices which have failed to attract people to work in the city, it's the overall inflated cost of living. I would like to see the market research which provides the evidence that building these smaller than average units for 'key workers' who will most likely not even be employed in the healthcare system will attract enough interest to fill the jobs which we need them for.

To replace 27 units with 110 by destructing potentially valuable green open environmental space which is underutilised solely because the access has been revoked and not then providing sufficient infrastructure such as car parking to support it has to be opposed. There is no case for the height of the proposed buildings apart from one solitary unit to the north of the site (Foresterhill Lea building) which is not even as tall as the highest proposed building and considering that the topography of the site allows for views to the south rather than the north then the buildings should be aligned with those to the south, east and west of the site which are no higher than 2 stores and those within the closest proximity are only 1.5 storeys and will be dominated by the new buildings.

The application evidence states that there are no objections to the proposed heights of the buildings. I cannot see any evidence to this extent, all the feedback I have read from the consultations in fact show concern regarding the heights of the blocks. It was noted whilst reading all of the supporting documents that the proposers were economical with the truth in several instances whilst trying to justify the scale of the build.

There are a number of conflicts regarding existing policies within the supporting Design and Access Statement submitted with the Planning Application. Many of them conflict with the Foresterhill Development Framework (July 2012, revised in 2014) which is quoted as being used as the basis for the vision of the development.

There is a weighted argument within the Design and Access statement Location and Context section regarding policy CF1 – Existing Community Sites and Facilities regarding the 'provision of staff accommodation as part of future plans' as 'It is vital that the accommodation is provided in order to ensure that the region is able to attract HEALTHCARE workers who are often put off moving into the area.'

It is further emphasised that the provision is for HEALTHCARE workers throughout the argument for the development due to the fact that as per the Aberdeen City Local Development Plan (2012) Policy CF1 states that EXISTING healthcare sites must be used primarily for healthcare and/or related medical and educational purposes.

Within the Site Analysis section it states that the site is located within the University Core and Health Related Facilities character area – which is not highlighted for Key worker Accommodation development within the Foresterhill Development Framework document. The ONLY mention of 'Key worker accommodation' within the document is in section 4 – Development influences 'Additional NHS projects e) provision of key worker accommodation on site. There is no mention within either the Joint projects or University Projects sections regarding development of accommodation. Because this document precedes the @Aberdeen City Council Communities, Housing and Infrastructure Committee Report (Mar 2015) it would be presumed that Which would lead to believe that this document referred to NHS key workers only.

It is a recurring theme throughout the document that a high level of poetic license is being applied to interpretation of policies or indeed simple disregard of them to them to suit the developer's needs.

To further this Policy H1 states that development will be approved in principle if it

Does not constitute over development - it would have to be argued that replacing 27 properties with 110. The minimum of 30 per hectare on a 1.5 hectare site would suggest that even at 50 per hectare 75 properties would be generous.

Does not have an unacceptable impact on the character or amenity of the surrounding area – once the existing NHS accommodation buildings are removed the existing properties adjacent to the site (including the Foresterhill Lea building to the north) are built solely from Granite and although there is a Policy in place regarding Aberdeen's Granite Heritage there are no plans to use granite at all within the development which will definitely impact upon the character of all of the adjacent residential properties in Burnside Gardens and Westburn Road.

The current residential houses in the area to be developed are only 1 ½ stories in height and a high proportion of the houses on Burnside Gardens face towards the proposed development. The new development consists solely of 3 and 4 storey high apartments (with pitched roofs which will bring them to be 4 and 5 storeys high respectively. The picture below taken from the Foresterhill Development Framework document clearly shows that with the exception of the Foresterhill Lea building to the north that all adjacent properties are of a similar low level to the residential properties on Burnside Gardens and Westburn Road to the south and east.

The drawings submitted do not show a true representation of how the proposed development actually imposes on the existing residential properties in Burnside

Gardens. You can see just how close to the boundary of No.8 the development will be in the corrected plan whereas the original submitted showed only the properties to the west which have a through road, mature trees and a grassed area to separate them from the new development. The site boundary at No.8 is actually the property's boundary wall. The top image is the original submitted. They also show how far away from the Foresterhill Lea building they are in comparison to the properties at Burnside Gardens and are therefore not in character with the closest adjacent buildings!

It is stated that 'Taller buildings should be permitted in the centre of the site to take advantage of its natural topography and to provide new landmarks on the city skyline' and the graphic below refers to the vision that there should be views from the main hospital buildings for patients to the south of the city. The new proposed taller blocks of flats (of some which are actually taller than the Lea building to the north) will impede these views which are graphically represented in the below picture taken from the Foresterhill Development Framework document. These buildings are also NOT in the centre of the site. They are very much at the southern perimeter.

Does not result in the loss of valuable and valued areas of open space. – it is stated that approx. 25% - one quarter of open space will be lost. There are stressed arguments regarding the value of these spaces – including misleading statements regarding the Bowling Green (that it has been derelict and unused for a number of years – when in fact the club was given their eviction notice late 2014 for the sole purpose of developing the site) and the 'abandoned allotments' which were fenced off from access from the north a few years ago (for no apparent reason) but can still be accessed from the east of the plot and also from a gate on Westburn Road. Why are the allotments unused – they are for use by patients, has this been revoked? Here are two prime opportunities to develop already established open and green spaces within the hospital complex.

'Heritage and D6 Landscape will be used to guide the proposal and to ensure it will conform to the high standards set by the council. The framework is in accordance with other Local Plan policies (urban green space, nature conservation and amenity considerations) and will play an important part in regenerating healthcare and educational facilities for the wider Grampian area.' -  
The bowling green could become a retreat, walled garden e.g. and the allotments re-instated. The existing residential units could be redeveloped and a great new green space available at the same time.



### **Policy NE3 – Urban greenspace**

There is **NO** loss of established or mature trees – however a number of established mature trees (which are neither diseased nor dead) are earmarked for removal to allow access to areas of the site. Blatant disregard for policy.

Replacement greenspace of similar or better quality is located in or immediately adjacent to the same community, providing similar or improved benefits to the replaces area and is accessible to the community taking into account public transport, walking and cycling networks and barriers such as major roads. The greenspace is to be replaced with high rise buildings and car park spaces. Unfortunately 'grasscrete' car parking spaces made to look like 'green urban areas' is certainly not similar nor an improvement to the safe grassed area to the north of No. 8 Burnside Gardens where my children play whilst visiting their Grandmother (even with the restriction to the area due to the erected wire fence to stop access the to the allotment space)– and they are too young to be able to make the journey unaccompanied to the nearest parks.

The developers argue that they are exceeding the required useable open space as per Policy NE4. This 'open space' however is mainly car parking and is not usable recreational space.

The proposer has stated that the revision of the Foresterhill Development Framework in July 2014 states that it sets out a vision for the next 20-30 years. It in fact only refers to the historic development of the past 20-30 years but sets out a vision for the next 10 years. Another misleading statement. They say that many of the buildings are now dated and not fit for purpose 'including the existing staff accommodation'. There is nowhere within the document which actually states that staff accommodation is included with these buildings. There is no denying that the existing staff accommodation is probably not fit for purpose and I have no objections to the existing footprint of the existing housing being developed. The objection is to the cramming in to the plot of the significant number high rises contain unattractive shoebox sized apartments.

The Framework development highlights a weakness as – poor quality public realm, landscape and open space. Yet instead of developing potential open space it is to be built upon.

Opportunity - Enhance the landscape character of the site!

A further argument under PAN 65 states that 'Open Space has a social, environmental and economic value. Paragraph 7 states that:

Open spaces provide opportunities for sport and recreation, helping to promote active and healthy lifestyles and can open up opportunities for environmental education for local groups, schools and individuals' Ironic therefore that the proposition is to replace a recreational space (bowling green) and allotments – ideal in our built up community to get patients, local groups and school children involved in healthy eating and self-sufficiency. (I'm sure that the children at Mile-End would love to get involved with such a project!) with concrete towers and car parking spaces. The spaces are only inaccessible because the NHS have made them this way. The areas could be utilised in any number of ways – even as safe play areas for the children of staff using the accommodation and the residents of the surrounding area.

**Additional points for opposing the development:**

Aberdeen development plan states that there are 6 qualities of successful place making:

One of which is the invasion of privacy and overshadowing.

It has already been touched on the sheer imposing qualities of the proposed apartments in comparison to the existing residential properties, but I would like to make a specific objection towards the design and placement of Block C (and less so Block D) next to No. 8 Burnside Gardens. The property boundary wall also makes up part of the site boundary of the development and whereas currently to the North of the property currently there is an open grass space of 10-15 metres prior to the bowling club wall, which is the only restriction to the

north currently and only sits about 2 metres high. This is to be replaced with a 3 storey high (4 including pitched roof) apartment block which has floor to ceiling height 'bay windows' on the southern corner which provides views directly into the garden at No. 8 and invades the privacy in a manner in which it wasn't previously. In addition the apartment block is to be erected only approx. 4-5 metres from the boundary wall (by interpretation of the plans submitted)

Previously, planning permission has been submitted to extend the property at No.8 Burnside Gardens (application number 061911) and was approved unconditionally. The building warrants took some time to organise and although they were also approved unfortunately before the build could commence the credit crunch hit and the banks tightened their belts regarding lending. The time has been taken since to save so that we can commence the build and in the near future the plans will be re-submitted with there having been no reason for it not to be passed again. It is hoped that this will not change. The design will extend the existing property towards the north boundary wall and incorporates a dormer window on the north side. Should the plans for Block C be approved then there would be a direct line of sight from the floor to ceiling windows on the south west corner of the building into one of the bedrooms in the property. I would like to object on the grounds of privacy. The windows on the apartment block extend around the corner and therefore look down onto the property. The sheer size and dominance of the flats would also overshadow and impede on the light to the property. Please see below the diagram regarding the new development and that of number eight with the position of the 'bay' window on the new Block C and line of sight to the property at No. 8.

The developer has claimed that 'mature trees' provide screening of the development from Burnside and also Westburn road. I have provided the following pictures taken with a view to the North from the back and front gardens at No's 3, 6 and 8 Burnside Gardens to show how little screening is actually provided by these trees which are bare for 8 months of the year (and some of which appear to be earmarked for removal). Please also note the lack of imposing buildings on the skyline and therefore further evidence that the proposed over development does not fit in with the character of the existing area.

A view to the east towards the laundry buildings.

A view to the east where the 4/5 storey properties will be positioned. Again, not in character incorporating the supposed 'unkempt' open green space to the north of the allotments!

The plot in which the 3/4 storey Block C is to be erected half way between the property wall and the bowling club perimeter. Showing how close the proximity and how much it will dwarf the neighbouring property, also showing the area is

not 'abandoned and litter strewn'

Another point of objection is regarding road access, safety and increased noise/smell/air quality due to the increased volume of traffic which will be borne by the occupants at numbers 1-8 Burnside Gardens as they are the properties which will be most affected by access to the site.

It has been confirmed by a planning consultant that according to a calculation based on Affordable housing car parking standards that there will be an allocation of 85 parking spaces within the development. Considering that 107 of the proposed 110 properties are 2 bedroomed I think it would be fair to presume that a high volume of these will be occupied by 2 persons. I think that to apply the 'common sense' standards it would be fair to presume that it is very possible that there will be upward of 150 occupants of the apartments who will be driving vehicles and will require somewhere to park them. Consideration has not been given to the parking requirements of visitors to the residents also.

It is worrying that the 'key workers' as described in the original Foresterhill Development document has now been interpreted to include public sector key workers and therefore what should be NHS staff accommodation is now open to all. More worrying is that it is stated that 'public key workers will be given priority regarding getting access to the units' but this is not a guarantee that the units will in fact be filled with 'key workers' they may be given priority, but if they choose to not take up the offer then who exactly will be allowed to rent the units? As far as I'm aware there are not any schools, police stations or fire stations upon the Foresterhill site and therefore these 'key workers' will require transport to get them to their place of work. Many 'key workers' also work shifts which mean that there will be an increase in noise levels during unsocial hours as they rely on their cars to get to the workplace or recreational activities.

Burnside Gardens currently has a parking permit system in place on one side of the road and single yellow lines on the other, however there is not space for three cars to be side by side on the street so it is anticipated that the guaranteed overflow from the insufficient parking provision upon the site will be on the street, and more likely upon the pavement making it very unsafe for all other road users.

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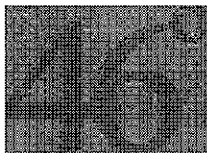
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Road, not only for the school access, but also for all other cars. There is also another access point to the site directly from the road accessing the hospital to the west of the site. It currently has bollards up, but there is no reason why these cannot be removed. It is an NHS development so why should the residents of Burnside Gardens bear the brunt of the increased traffic congestion and reduced quality of air and other pollution aspects?

In principal there is no objection to the redevelopment of the existing flats and the area to the north of them, however there is a strong objection to the additional housing proposed to the east of the site primarily to the south and east of the existing bowling green. It is believed that car parking provision is completely inadequate and it will have a huge safety impact upon the residents of Burnside Gardens and that Block C should be removed entirely based on its overwhelming design and position within the site which puts it in much too close proximity to the existing residential properties and impedes the privacy of those which are next to and face onto it. At the very least the eight of the blocks at the east of the development should be reduced by a floor level to compensate for the replacement of flat roofs to pitched ones.

Regards,

Rachel Holdsworth



46 Degrees

**Rachel Holdsworth** | Event Manager




**46 Degrees**

01224 439 977

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**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Planning Comment for 151842  
**Sent:** Mon 12/21/2015 8:21:02 AM  
**From:** webmaster@aberdeencity.gov.uk

Comment for Planning Application 151842

Name : Lee Ann  
Address : Station House  
Inchbare  
by Edzell  
DD9 7QJ

Telephone :

Email : :

type :

Comment : I object on the grounds of invasion of privacy due to design and orientation of buildings. Over development of site, loss of green space, road traffic problems, safety of residents and road users, access problems, removal of protected trees.

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6<sup>th</sup> June 2016

6 Burnside Gardens  
ABERDEEN  
AB25 2QW

Planning Department  
Aberdeen City Council  
Marischal College  
Broad Street  
ABERDEEN

Dear Sirs

PLANNING APPLICATION REF: 151842  
REPLACEMENT OF NHS ACCOMMODATION  
FORESTERHILL COURT/BURNSIDE GARDENS

We would like to register our objections to the height of the flats at the site.

To begin with, these blocks of flats were going to be three storeys high - this has now changed to four storeys which is far too high and the number of flats has increased by nearly two-thirds.

This is a lovely area and the buildings are mostly low, apart from NHS buildings but these are a good bit away up Westburn Road. Apart from the height, the huge number of flats means a great deal more traffic using this Street which is not suitable for more traffic. The access from Westburn Road should be gone into also.

This letter is a bit late but we have been on holiday.

Yours faithfully

CATHERINE & BRIAN WILSON



**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Planning Comment for 151842  
**Sent:** Mon 12/21/2015 10:39:48 AM  
**From:** webmaster@aberdeencity.gov.uk

Comment for Planning Application 151842

Name : Sandra Mann  
Address : 5 Burnside Gardens  
Mile-End

Telephone :

Email :

type :

Comment : The proposed development for key workers is now not required in this current climate where property rental costs have dropped by 20% and are continuing to drop further.

The impact of 110 flats and associated parking spaces is vastly overdeveloped for the site, the plans show green areas, that are in reality "grasscrete", so the actual green areas will be vastly reduced..At present the local residents and hospital staff enjoy the safe green area in front of the bowling green, the street is almost devoid of traffic in evenings and weekends so children can safely cross the road to access the area. Many games of football and rounders have been played there! And local children can be encouraged to play together in a safe area. Access to the local parks are along the busy Westburn Road, where I would worry about primary age children to walk and cross by themselves. The bowling green was in use as recently as 2014, when the bowlers were given notice by the hospital to vacate, the club was low cost allowing many local residents access, providing exercise and company. So the design statement about the green being unused for several years is totally untrue. The allotment area, has been unused in several years, allowing local wildlife a haven in the city. As the allotments were restricted for hospital use, I don't believe local residents were aware that this resource could be available to them. There is great demand for allotments in the city and to reintroduce the allotment spaces, would encourage exercise, fresh air and company to the city's residents, with pedestrian access from Westburn Road.

The proposed development includes 77 parking spaces, with access from Burnside Gardens, a small cul de sac of 14 houses. The access to Westburn road is already blocked by traffic on Westburn road at peak times. The local school for the area is Cornhill Primary so there will be several cars queuing in Burnside Gardens to access the busy Westburn Road, for the school/work run. Increasing air pollution for the residents. There are several points of potential vehicular access for the development, access from the hospital where there is a wider well maintained access is preferable, with access leading directly onto the site.

The development shows three and four storey flats, where there is precedence of a single four storey building in the area. The surrounding hospital and residential housing are one and half/two storeys, so the development is out of character with present buildings.

In summary, I believe the site to be over developed, the requirement for low cost housing has diminished, the local area will suffer from increased air pollution and loss of green areas that are enjoyed by local residents and hospital staff. In preparation for the development, the bowling club was closed, withdrawing an resource for exercise, fresh air and company for the city's residents.

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**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Objection Commenting on planning application 151842.  
**Sent:** Mon 12/21/2015 12:50:47 PM  
**From:** Shaun Waddell  
X-URLSB-Wrapped: false  
X-Scanned-By: MailControl 44278.411 (www.mailcontrol.com) on 10.65.0.136  
Return-Path: ·  
X-MS-Exchange-Organization-AuthSource: MSEXCH002.acc.gov.uk  
X-MS-Exchange-Organization-AuthAs: Anonymous

Dear Sir/Madam

Please note the specific planning objection, which I omitted from the original email.

Thank You

Shaun Waddell

Begin forwarded message:

**From:** Shaun Waddell  
**Date:** 21 December 2015 at 12:46:53 GMT  
**To:** [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk)  
**Subject:** **Planning Objection**

Dear Sir/Madam

I wish to object to Planning Application Reference No: 151842 for the following reasons.

Due consideration should be given to a review of the sheer volume of units being squeezed into the small development site. The volume of accommodation is to increase by 300% and this amount was determined during a period of 'boom' within the city when there was a high demand for housing affordable or otherwise. The prices were forced up due to the lack of properties available on the rental market, however that bubble has now burst. The property market is stagnant and therefore there is now an abundance of affordable properties available to let in the city. To

build such a large volume of 'shoebox' sized units is short sighted when there are more spacious traditional properties available at a very close proximity to the development.

It also hasn't been clarified as to what exactly constitutes 'affordable housing' will the rent actually be any more attractive than other properties? It's not just house prices which have failed to attract people to work in the city, it's the overall inflated cost of living. I would like to see the market research which provides the evidence that building these smaller than average units for 'key workers' who will most likely not even be employed in the healthcare system will attract enough interest to fill the jobs which we need them for.

To replace 27 units with 110 by destructing potentially valuable green open environmental space which is under utilised solely because the access has been revoked and not then providing sufficient infrastructure such as car parking to support it has to be opposed. There is no case for the height of the proposed buildings apart from one solitary unit to the north of the site (Foresterhill Lea building) which is not even as tall as the highest proposed building and considering that the topography of the site allows for views to the south rather than the north then the buildings should be aligned with those to the south, east and west of the site which are no higher than 2 storeys and those within the closest proximity are only 1.5 storeys and will be dominated by the new buildings.

The application evidence states that there are no objections to the proposed heights of the buildings. I cannot see any evidence to this extent, all the feedback I have read from the consultations in fact show concern regarding the heights of the blocks. It was noted whilst reading all of the supporting documents that the proposers were economical with the truth in several instances whilst trying to justify the scale of the build.

There are a number of conflicts regarding existing policies within the supporting Design and Access Statement submitted with the Planning Application. Many of them conflict with the Foresterhill Development Framework (July 2012, revised in 2014) which is quoted as being used as the basis for the vision of the development.

There is a weighted argument within the Design and Access statement Location and Context section regarding policy CF1 – Existing Community Sites and Facilities regarding the 'provision of staff accommodation as part of future plans' as 'It is vital that the accommodation is provided in order to ensure that the region is able to attract HEALTHCARE workers who are often put off moving into the area.'

It is further emphasised that the provision is for HEALTHCARE workers

throughout the argument for the development due to the fact that as per the Aberdeen City Local Development Plan (2012) Policy CF1 states that EXISTING healthcare sites must be used primarily for healthcare and/or related medical and educational purposes.

Within the Site Analysis section it states that the site is located within the University Core and Health Related Facilities character area – which is not highlighted for Key worker Accommodation development within the Foresterhill Development Framework document. The ONLY mention of 'Key worker accommodation' within the document is in section 4 – Development influences 'Additional NHS projects e) provision of key worker accommodation on site. There is no mention within either the Joint projects or University Projects sections regarding development of accommodation. Because this document precedes the @Aberdeen City Council Communities, Housing and Infrastructure Committee Report (Mar 2015) it would be presumed that Which would lead to believe that this document referred to NHS key workers only.

It is a recurring theme throughout the document that a high level of poetic license is being applied to interpretation of policies or indeed simple disregard of them to them to suit the developers needs.

To further this Policy H1 states that development will be approved in principle if it

Does not constitute over development - it would have to be argued that replacing 27 properties with 110. The minimum of 30 per hectare on a 1.5 hectare site would suggest that even at 50 per hectare 75 properties would be generous.

Does not have an unacceptable impact on the character or amenity of the surrounding area – once the existing NHS accommodation buildings are removed the existing properties adjacent to the site (including the Foresterhill Lea building to the north) are built solely from Granite and although there is a Policy in place regarding Aberdeen's Granite Heritage there are no plans to use granite at all within the development which will definitely impact upon the character of all of the adjacent residential properties in Burnside Gardens and Westburn Road.

The current residential houses in the area to be developed are only 1 ½ storeys in height and a high proportion of the houses on Burnside Gardens face towards the proposed development. The new development consists solely of 3 and 4 storey high apartments (with pitched roofs which will bring them to be 4 and 5 storeys high respectively. The picture below taken from the Foresterhill Development Framework document clearly shows that with

the exception of the Foresterhill Lea building to the north that all adjacent properties are of a similar low level to the residential properties on Burnside Gardens and Westburn Road to the south and east.

The drawings submitted do not show a true representation of how the proposed development actually imposes on the existing residential properties in Burnside Gardens. You can see just how close to the boundary of No.8 the development will be in the corrected plan whereas the original submitted showed only the properties to the west which have a through road, mature trees and a grassed area to separate them from the new development. The site boundary at No.8 is actually the property's boundary wall. The top image is the original submitted. They also show how far away from the Foresterhill Lea building they are in comparison to the properties at Burnside Gardens and are therefore not in character with the closest adjacent buildings!

It is stated that 'Taller buildings should be permitted in the centre of the site to take advantage of its natural topography and to provide new landmarks on the city skyline' and the graphic below refers to the vision that there should be views from the main hospital buildings for patients to the south of the city. The new proposed taller blocks of flats (of some which are actually taller than the Lea building to the north) will impede these views which are graphically represented in the below picture taken from the Foresterhill Development Framework document. These buildings are also NOT in the centre of the site. They are very much at the southern perimeter.

Does not result in the loss of valuable and valued areas of open space. – it is stated that approx 25% - one quarter of open space will be lost. There are stressed arguments regarding the value of these spaces – including misleading statements regarding the Bowling Green (that it has been derelict and unused for a number of years – when in fact the club was given their eviction notice late 2014 for the sole purpose of developing the site) and the 'abandoned allotments' which were fenced off from access from the north a few years ago (for no apparent reason) but can still be accessed from the east of the plot and also from a gate on Westburn Road. Why are the allotments unused – they are for use by patients, has this been revoked? Here are two prime opportunities to develop already established open and green spaces within the hospital complex.



'Heritage and D6 Landscape will be used to guide the proposal and to ensure it will conform to the high standards set by the council. The framework is in accordance with other Local Plan policies (urban green space, nature conservation and amenity considerations) and will play an important part in regenerating healthcare and educational facilities for the wider Grampian area.' - The bowling green could become a retreat, walled garden e.g and the allotments re-instated. The existing residential units could be redeveloped and a great new green space available at the same time.

#### Policy NE3 – Urban greenspace

There is **NO** loss of established or mature trees – however a number of established mature trees (which are neither diseased nor dead) are earmarked for removal to allow access to areas of the site. Blatant disregard for policy.

Replacement greenspace of similar or better quality is located in or immediately adjacent to the same community, providing similar or improved benefits to the replaces area and is accessible to the community taking into account public transport, walking and cycling networks and barriers such as major roads. The greenspace is to be replaced with high rise buildings and car park spaces. Unfortunately 'grasscrete' car parking spaces made to look like 'green urban areas' is certainly not similar nor an improvement to the safe grassed area to the north of No. 8 Burnside Gardens where my children play whilst visiting their Grandmother (even with the restriction to the area due to the erected wire fence to stop access the to the allotment space)– and they are too young to be able to make the journey unaccompanied to the nearest parks.

The developers argue that they are exceeding the required useable open space as per Policy NE4. This 'open space' however is mainly car parking and is not usable recreational space.

The proposer has stated that the revision of the Foresterhill Development Framework in July 2014 states that it sets out a vision for the next 20-30 years. It in fact only refers to the historic development of the past 20-30 years but sets out a vision for the next 10 years. Another misleading statement. They say that many of the buildings are now dated and not fit for purpose 'including the existing staff accommodation'. There is nowhere within the document which actually states that staff accommodation is included with these buildings. There is no denying that the existing staff accommodation is probably not fit for purpose and I have no objections to the existing footprint of the existing housing being developed. The objection is to the cramming in to the plot of the significant number high rises containing unattractive shoebox sized apartments.

The Framework development highlights a weakness as – poor quality public realm, landscape and open space. Yet instead of developing potential open space it is to be built upon.

Opportunity - Enhance the landscape character of the site!

A further argument under PAN 65 states that 'Open Space has a social, environmental and economic value. Paragraph 7 states that:

Open spaces provide opportunities for sport and recreation, helping to promote active and healthy lifestyles and can open up opportunities for environmental education for local groups, schools and individuals' Ironic therefore that the proposition is to replace a recreational space (bowling green) and allotments – ideal in our built up community to get patients, local groups and school children involved in healthy eating and self sufficiency. (I'm sure that the children at Mile-End would love to get involved with such a project!) with concrete towers and car parking spaces. The spaces are only inaccessible because the NHS have made them this way. The areas could be utilised in any number of ways – even as safe play areas for the children of staff using the accommodation and the residents of the surrounding area.

Additional points for opposing the development:

Aberdeen development plan states that there are 6 qualities of successful place making:

One of which is the invasion of privacy and overshadowing.

It has already been touched on the sheer imposing qualities of the proposed apartments in comparison to the existing residential properties, but I would like to make a specific objection towards the design and placement of Block C (and less so Block D) next to No. 8 Burnside Gardens. The property boundary wall also makes up part of the site boundary of the development and whereas currently to the North of the property currently there is an open grass space of 10-15 mtrs prior to the bowling club wall, which is the only restriction to the north currently and only sits about 2 mtrs high. This is to be replaced with a 3 storey high (4 including pitched roof) apartment block which has floor to ceiling height 'bay windows' on the southern corner which provides views directly into the garden at No. 8 and invades the privacy in a manner in which it wasn't previously. In addition the apartment block is to be erected only approx 4-5 mtrs from the boundary wall (by interpretation of the plans submitted)

Previously, planning permission has been submitted to extend the property at No.8 Burnside Gardens(application number 061911) and was approved unconditionally. The building warrants took some time to organise and although they were also approved unfortunately before the build could commence the credit crunch hit and the banks tightened their belts regarding lending. The time has been taken since to save so that we can commence the build and in the near future the plans will be re-submitted with there having been no reason for it not to be passed again. It is hoped that this will not change. The design will extend the existing property towards the north boundary wall and incorporates a dormer window on the north side. Should the plans for Block C be approved then there would be a direct line of sight from the floor to ceiling windows on the south west corner of the building into one of the bedrooms in the property. I would like to object on the grounds of privacy. The windows on the apartment block extend around the corner and therefore look down onto the property. The sheer size and dominance of the flats would also overshadow and impede on the light to the property. Please see below the diagram regarding the new development and that of number eight with the position of the 'bay' window on the new Block C and line of sight to the property at No. 8.

The developer has claimed that 'mature trees' provide screening of the development from Burnside and also Westburn road. I have provided the following pictures taken with a view to the North from the back and front gardens at No.s 3, 6 and 8 Burnside Gardens to show how little screening is actually provided by these trees which are bare for 8 months of the year (and some of which appear to be earmarked for removal). Please also note the lack of imposing buildings on the skyline and therefore further evidence that the proposed over development does not fit in with the character of the existing area.

A view to the east towards the laundry buildings.

A view to the east where the 4/5 storey properties will be positioned. Again, not in character incorporating the supposed 'unkempt' open green space to the north of the allotments!

The plot in which the 3/4 storey Block C is to be erected half way between the property wall and the bowling club perimeter. Showing how close the proximity and how much it will dwarf the neighbouring property, also showing the area is not 'abandoned and litter strewn'

Another point of objection is regarding road access, safety and increased noise/smell/air quality due to the increased volume of traffic which will be borne by the occupants at numbers 1-8 Burnside Gardens as they are the properties which will be most affected by access to the site.

It has been confirmed by a planning consultant that according to a calculation based on Affordable housing car parking standards that there will be an allocation of 85 parking spaces within the development. Considering that 107 of the proposed 110 properties are 2 bedroomed I think it would be fair to presume that a high volume of these will be occupied by 2 persons. I think that to apply the 'common sense' standards it would be fair to presume that it is very possible that there will be upward of 150 occupants of the apartments who will be driving vehicles and will require somewhere to park them. Consideration has not been given to the parking requirements of visitors to the residents also.

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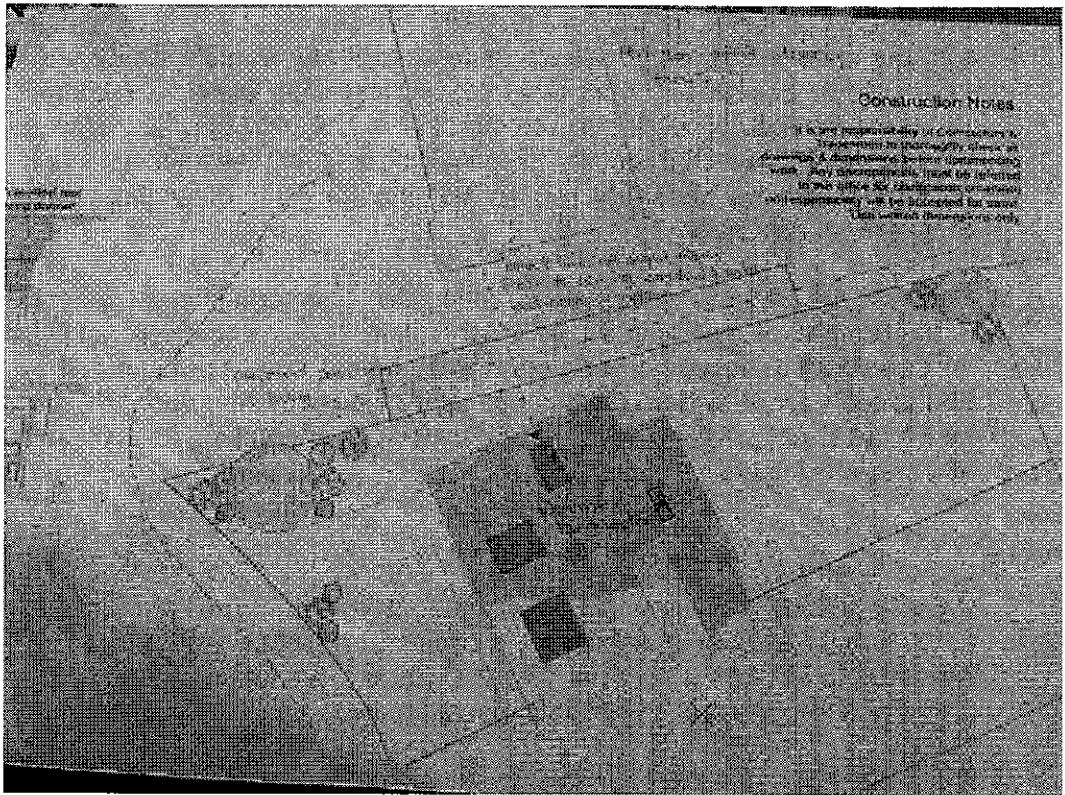
Burnside Gardens currently has a parking permit system in place on one side of the road and single yellow lines on the other, however there is not space for three cars to be side by side on the street so it is anticipated that the guaranteed overflow from the insufficient parking provision upon the site will be on the street, and more likely upon the pavement making it very unsafe for all other road users.

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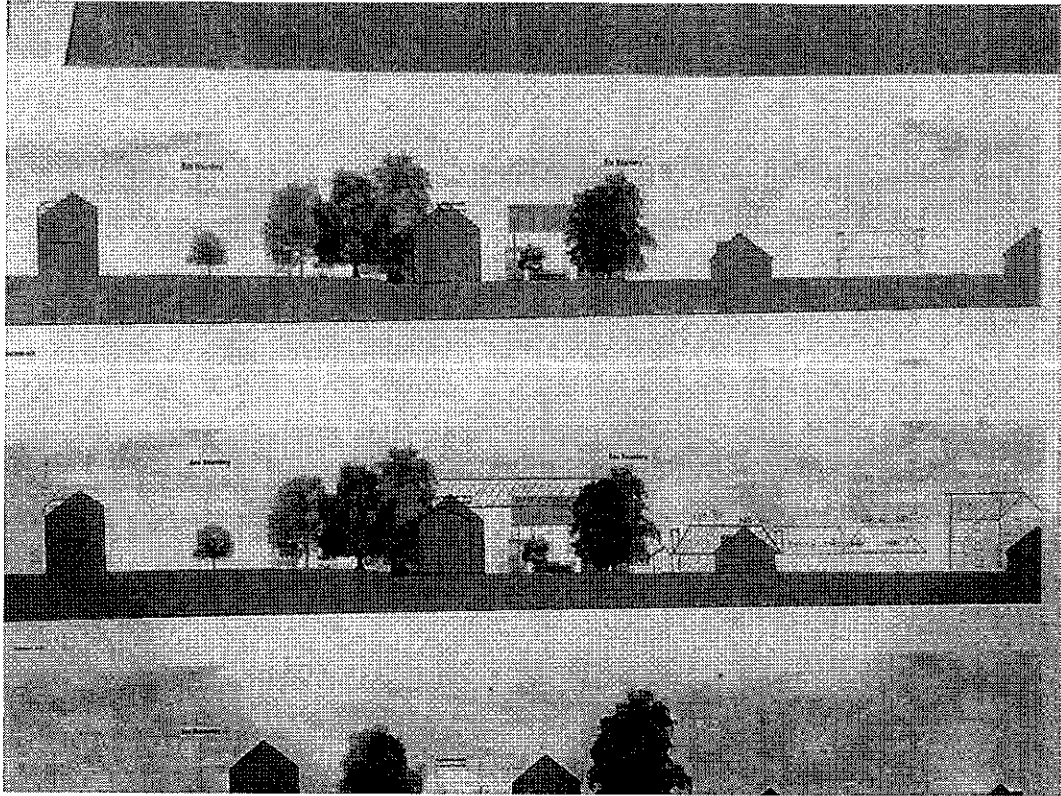
It is understood that the boundary for Mile-End Primary is to be Burnside Gardens and that all children within the development will attend Cornhill Primary School, therefore it would make more sense to access the site from Cornhill Road, not only for the school access, but also for all other cars. There is also another access point to the site directly from the road accessing the hospital to the west of the site. It currently has bollards up, but there is no reason why these cannot be removed. It is an NHS development so why should the residents of Burnside Gardens bear the brunt of the increased traffic congestion and reduced quality of air and other polluttional aspects?

In principal there is no objection to the redevelopment of the existing flats and the area to the north of them, however there is a strong objection to the additional housing proposed to the east of the site primarily to the south and

east of the existing bowling green. It is believed that car parking provision is completely inadequate and it will have a huge safety impact upon the residents of Burnside Gardens and that Block C should be removed entirely based on its overwhelming design and position within the site which puts it in much too close proximity to the existing residential properties and impedes the privacy of those which are next to and face onto it. At the very least the eight of the blocks at the east of the development should be reduced by a floor level to compensate for the replacement of flat roofs to pitched ones.



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401AD808831F



9F48A17A-73CC-4D4E-936E-8B04925455CC

Yours Sincerely  
Shaun Waddell





**To:** PI[PI@aberdeencity.gov.uk];  
**Subject:** Planning Comment for 151842  
**Sent:** Mon 12/21/2015 1:19:49 PM  
**From:** webmaster@aberdeencity.gov.uk

Comment for Planning Application 151842

Name : Bruce Mann  
Address : 5 Burnside Gardens  
Mile-End  
Aberdeen  
AB25 2QW

Telephone :

Email : '

type :

Comment :

I wish to object to the Planning Application 151842 as put forward by Halliday Fraser Munro on behalf of Grampian Housing Association on the grounds that this is gross over development of the proposed site as well as having a profound health safety and environmental impact on the residents and the immediate locale of the area. The proposed development for key workers is now not required in this current climate where property rental costs have dropped by 20% and are continuing to drop further. The impact of 110 flats and associated parking spaces is vastly overdeveloped for the site, the plans show green areas, that are in reality "grass-crete", so the actual green areas will be vastly reduced. At present the local residents and hospital staff enjoy the safe green area in front of the bowling green, the street is almost devoid of traffic in evenings and weekends so children can safely cross the road to access the area. Many games of football and rounders have been played there! And local children can be encouraged to play together in a safe area. Access to the local parks are along the busy Westburn Road, where I would worry about primary age children to walk and cross by themselves.

I believe that the proposers have been rather economical with the truth to the point of being underhand in how they have presented the proposal for the Development of 110 (or is it 112 as shown on the floor plans) flats on the footprint of site of the current staff accommodation of 27 flats, the bowling Green - ground to the south of the bowling green and the ground that surrounds and incorporates previous NHS Allotments. The proposers have not been totally truthful when they mention that the bowling green has been unused for years or that the site is inaccessible. Had the bowling-green not been used or maintained for years it would have been much more overgrown than the photographs show. The bowling green was utilised to the full by the bowling club until 2014 when they were given notice to leave by the proposers as they were to be developing the site. The allotments have always been accessible. There is an open gate on Westburn Road, or access can be had from the access road to the Laundry Buildings. However the area is totally within the NHS/University of Aberdeen Boundaries and therefore the general public is more likely to presume that access would be restricted.

There has been absolutely no consideration whatsoever given by the developers to the impact on the health and safety and quality of life that the relatively safe and private environment enjoyed by the longstanding residents of the 14 residents of Burnside Gardens and their visitors..

One of the main concerns is that of safety and the fact that the only vehicular access to the proposed development is via Burnside Gardens. Given that currently Burnside Gardens is populated by only 14 dwelling houses, the fabric of the street is like a patchwork quilt where numerous potholes have been filled-in not once, but many times, does not bode well for a potential increase of traffic 20-fold passing the front doors of numbers 1 to 8 Burnside Gardens. The increase in traffic estimate is not unrealistic. It is based on the assumption of the addition of at least one car per household only which is not unreasonable given the accommodation is for key workers and as there are no schools, police stations etc. on site where these key workers can walk to!. There is also the fact that there is every likelihood that there will be children on the development given that the majority of the accommodation is two bedroomed. These Families will need transport and given the current cost of public transport within Aberdeen City driving direct from A to B is much convenient and also more economic than taking public transport for most families. This additional number of journeys excludes visitors, service vehicles, delivery vans etc. once the development is completed. Even though residents will be provided with a

traffic pack there is no guarantee that residents will follow the guidelines and from experience it is unlikely that little if any notice will be taken of the proposed measure to use public transport! Given the potential increase in volume of traffic there is at the very least the question of safety, concerns with people getting frustrated at having to wait to exit the development particularly at peak times of the day when current access on to the main arterial route from the immediate west of the city is becoming increasing more difficult. The continuing increase in developments such as the Prime Four Business Park, new housing along the western city corridors, the growth of Kingswells and Westhill on the periphery of the city will continue to add to the passing traffic and it is unlikely that the opening of the Western Peripheral Route will have any impact on this commuter traffic including the many 'key workers' who live along these routes as their workplaces are within the bounds of the city centre so they will not use the bypass. No account of this appears to have been taken into account in the Transport Survey which uses affordable housing statistics in a number of places in both England and Ireland NB there was no mention in the statistics of any Scottish cities and nothing pertaining to the fact that development is to satisfy the needs of the University /Hospital whose infrastructure is currently in place and surrounds the proposed development. Using the tracs statistics is irrelevant as there is no consideration taken into account of this fact and there is the possibility of being more than once access point into the development. This would in itself increase the permeability which is one of the points the proposers have taken pains to highlight and would also give 'flat access to the development.

The health and safety of the current residents will also be compromised not least by the increase in air pollution as a result of the increased level of traffic passing through the street and whilst sitting waiting to exit the development. As there is a significant drop in elevation from the Westburn Road. This could result in a significant increase in exhaust fumes etc. due to the additional acceleration being applied while waiting on the incline to exit the street.

The proposed development includes 77 parking spaces, with access from Burnside Gardens, a small cul de sac of 14 houses. The access to Westburn road is already blocked by traffic on Westburn road at peak times. The local school for the area is Cornhill Primary so there will be several cars queuing in Burnside Gardens to access the busy Westburn Road, for the school/work run. Increasing air pollution for the residents. There are several points of potential vehicular access for the development, access from the hospital where there is a wider well maintained access is preferable, with access leading directly onto the site. The street is extremely narrow and parking is only restricted in certain areas to a minimum of 6 hours per day which means that overspill parking for the development will inevitably be along Burnside Gardens. If two cars are parked on opposite sides of the street it is impossible to pass by and the lack of parking spaces in the development will undoubtedly increase parking on Burnside Gardens and potentially its pavements thereby causing access problems for pedestrians and motorists alike. It may be worth noting that the traffic restrictions were only introduced on Burnside Gardens previously as residents were having difficulty in getting into their properties as NHS staff were using Burnside Gardens as their workplace car park! Current resident's free access to their properties is therefore more likely to be severely compromised. The development will also have an impact on my ability to allow my family to play in the safety of open space across the street from me and adjacent to No 8 to the south of the bowling green. I would have major concerns in allowing them to do this if traffic for over 100 hundred flats is utilising the street as there appears to have been no consideration taken into place for children being in the area or crossing the street and therefore no plans for traffic calming measures.

Privacy will also be compromised particularly for the residents who are adjacent to /face onto the current bowling green and allotment site. the Proposers have stated that in order to maintain the character of the area it is proposed that a large proportion of the existing mature trees on the site will be retained. And these will form a visual buffer between new units and existing properties. These trees are devoid of leaves for approximately 8 months of the year so therefore the argument that they will provide an adequate shield for the residents of Burnside gardens is nonsense. In addition only those trees actually marked as being retained will be and I can state that there are a number of trees along the boundary of No 8 Burnside Gardens that have not been tagged for retention and of those closest to where the very adjacent flats will be, 50 of the

trees will be removed. There is no visual buffer of any sort never mind trees to the proposed development of the 50+ flats to the east of the site from some locations within Burnside Gardens. I would also question the need to place a block of flats in such close proximity to No. 8 Burnside Gardens which will limit the privacy of the occupants of No 8, myself at No 5 and my neighbours at No 3 and No7. These flats will be in direct line of sight of my property at No 5 as will the building of the four storey blocks behind as their windows will also overlook our homes. The erection of the block of flats (Block G is in direct line of sight of my home and the removal of the trees and bushes along the proposed traffic route means that there will be absolutely no visual buffer at all from my home either.

The development shows three and four storey flats, where there is precedence of a single four storey building in the area. The surrounding hospital and residential housing are one and half/two storeys, so the development is out of character with present buildings. On the point of the three and four storey blocks of flats to the east of the development, when the original drawings were issued for the initial consultation process the development included town houses and blocks of three storey blocks of flat with flat roofs. Subsequent to the public consultation the proposal has been amended to consist of a number of three and four storey blocks with pitched roofs which effectively adds on an additional one or two storeys. There was no further notification of this fact from the developers. This is totally unacceptable given the surrounding properties on Burnside Gardens that will be overlooking this area of the development are of 1.5 storeys high. The existing hospital buildings including those of the laundry that are currently in line of sight of these dwellings are of single storey construction so the flats will be up to 400% higher than the current buildings on the proposed site ..

From an environmental point of view the proposers have stated that the poor quality open space which currently exists on site will be enhanced. This is where artistic licence has been utilised to the full. The audit report was written in 2010 when the bowling green was being utilised to the full and the allotments, if my memory serves me well, were still in place. And having read the report appear to have been treated as such. \_The quality of green space scores of 8 and 6 relate to the green space surrounding Burnside Gardens and Foresterhill Hospital as a whole and therefore did not relate to the inaccessible and unmaintained bowling green and allotments. Perhaps these related to the fact that there is little in the way of accessible play areas for any children in the street or the surrounding hospital grounds, or the fact that the biodiversity and health scores were low in comparison to other wards within the city.

The biodiversity of the area will also decrease with the development of the allotments area which currently provides a small oasis for wild life to flourish in a natural habitat and I think there is evidence that a small stream still runs through at the northern edge of the allotment area. Why should the residents of Burnside Gardens bear all of the impact that the additional accommodation and traffic that this development will create when this is to supposedly to support the Hospital and Universities needs. It is possible to access the development from at least three other entrances with the access entry point on Cornhill Road being the most logical as the current infrastructure within the site from this point leads directly to the north of the proposed development site, but this is by no means the only means of access. There are a number of additional access points within the current infrastructure. Access to the Development should be from within the hospital/university infrastructure with the access from Burnside Gardens restricted to pedestrian access only.

No statistical evidence has been provided to show that there will be total uptake of these apartments by low paid key workers employed by the NHS/University staff or in fact if they the apartments are affordable. The economic situation within the city has changed significantly since the proposal was first mooted. The recent decline in oil price with thousands of oil related workers being made redundant has resulted in a flood of both rental and private properties on the market. Rents are declining and with further cutbacks proposed in public and private sectors there is every likelihood that there will be an abundance of affordable community housing available within the city and therefore there is no need to overdevelop a site with matchbox apartments for workers who would probably prefer to not live and work on the same site. In summary, I believe the site to be over developed, the requirement for low cost housing has diminished, the local area will suffer from increased air pollution and loss of green areas that are enjoyed by local residents and hospital staff. In preparation for the development, the bowling club was closed,

withdrawing a resource for exercise, fresh air and company for the city's residents.

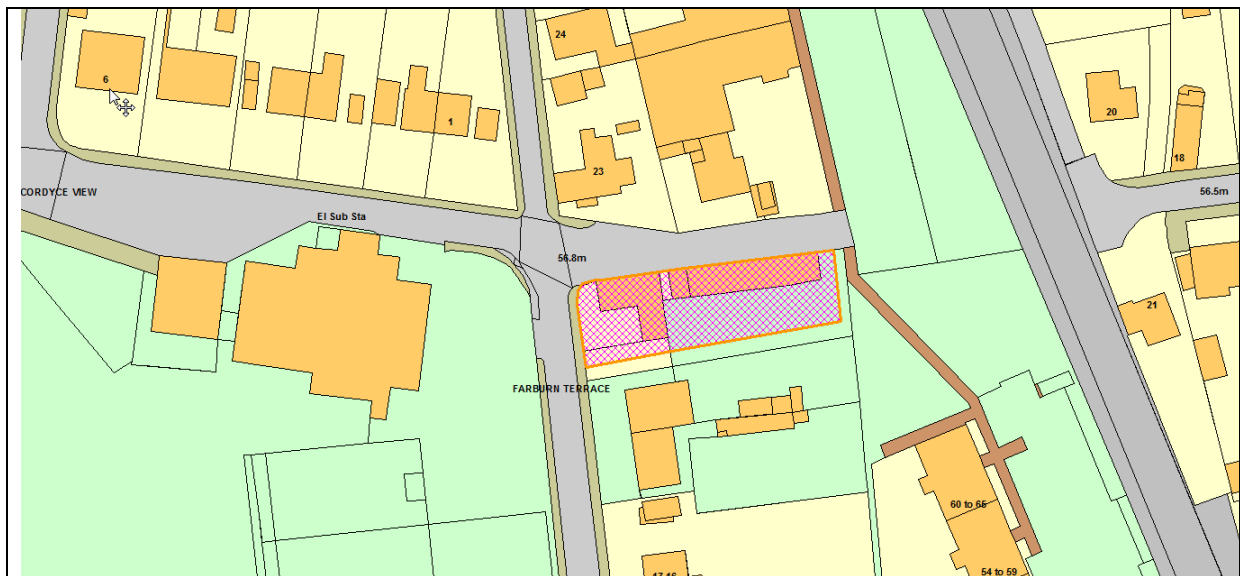
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## Planning Development Management Committee Detailed Planning Permission

**160379:** Proposed demolition of existing single storey office and workshop building. Erection of new 3 storey office, training, workshop building including storage & associated car parking at 20 Farburn Terrace, Dyce, Aberdeen.

For: Donut Safety Systems Ltd

|                    |                                   |
|--------------------|-----------------------------------|
| Application Date:  | 25 April 2016                     |
| Officer:           | Matthew Easton                    |
| Ward:              | Dyce/Bucksburn/Danestone          |
| Community Council: | Dyce And Stoneywood – No comments |
| Advertisement:     | n/a                               |
| Advertised Date:   | n/a                               |
|                    |                                   |



Location Plan

### RECOMMENDATION: Refuse

### SITE DESCRIPTION

The application relates to a single storey office and workshop within a site of approximately 880m<sup>2</sup>, located on the east side of Farburn Terrace and close to the junction with Cordyce View. The building is relatively narrow, with it being 41.5m in length and generally 5.5m wide although there is a small wing which increases the width to 11.5m. The building has a pitched roof with eastern section being 4m and the western section 4.8m high. The walls are finished in a combination of granite stone and white wet dash render whereas the roof is finished in slate and aluminium

## **APPLICATION REF: 160379**

cladding. The external area comprises a tarmac parking area which is approximately 300m<sup>2</sup> and a small parking area and access at the front.

To the west of the site across Farburn Terrace are Aberdeen International Airport and the Bond Helicopters passenger terminal. To the immediate south is a two storey office and workshop with storage yard. To the south east is open space associated with the flats at Farburn Place beyond which is the Aberdeen to Inverness railway line. To the north and north west is a motor garage and open vehicle storage currently occupied by Farburn Motors. Also to the north are residential properties at 21 and 23 Farburn Terrace. The wider area is dominated by Aberdeen International Airport, with a mixture of residential and commercial properties the length of Farburn Terrace.

### **RELEVANT HISTORY**

- Detailed planning permission (87/1682) for change of use from a house to offices was approved by the Planning Committee in January 1988.
- Detailed planning permission (A8/0778) for a two storey workshop extension and alterations to existing door opening was approved by delegated powers in June 2008. This consent has not been implemented and now expired.
- Detailed planning permission (P141857) for a four storey extension to the building was withdrawn by the applicant in April 2015 after it was to be recommended for refusal.

### **DESCRIPTION OF PROPOSAL**

Detailed planning permission is sought for the demolition of the existing building and construction of a predominately two storey workshop and training facility. The building would be U-shaped and be situated along the eastern side of the site. It would be approximately 16.3m at its widest and 41m long. The building is predominately 7.1m high with a smaller area 9.7m high to allow for a training tower. It would be finished externally in light grey horizontal cladding panels, grey standing seam aluminium roofing, with black PVCu windows and areas of curtain walling.

The extension would accommodate a workshop and offices space and a training facility to allow the applicant to train delegates on-site in the use of safety equipment which they manufacture.

Vehicular access would continue to be from Farburn Terrace with fourteen parking spaces along the western boundary with Farburn Terrace, including within a pend underneath the building.

### **SUPPORTING DOCUMENTS**

All drawings and supporting documents listed below can be viewed on the Council's website at [www.publicaccess.aberdeencity.gov.uk](http://www.publicaccess.aberdeencity.gov.uk).

## CONSULTATIONS

**Aberdeen International Airport** – The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to a condition requiring the approval of a bird hazard management plan.

**ACC Contaminated Land Unit** – No objection, however since this site is in an industrial area, it is recommended that conditions are attached to any approval relating to the addressing of any significant risks from contamination.

**ACC Roads Development Management Team** – Clarification sought on proposed floor space in order to determine required parking provision.

**Dyce and Stoneywood Community Council** – no response.

**NATS** – No objection, the proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria relating to Perwinnes Radar.

## REPRESENTATIONS

Nine objections have been received from residents and a business in the Farburn Terrace area. The following issues have been raised –

1. The development would be overbearing on residential properties (specifically no.21 and 23)
2. The building is out of keeping with the residential character of the area.
3. An industrial estate would be a more appropriate location for such a development.
4. There would not be enough parking.
5. The development would reduce available light for houses on Farburn Terrace.
6. The development would reduce privacy for houses on Farburn Terrace.
7. Another access onto the un-adopted lane is not appropriate as the lane is busy and used by the nearby garage.

## PLANNING POLICY

### **Aberdeen Local Development Plan (2012)**

Policy H2 (Mixed Use Areas)

Policy BI4 (Aberdeen Airport and Harbour)

Policy D1 (Architecture and Placemaking)

Policy D3 (Sustainable and Active Travel)

Policy T2 (Managing the Transport Impact of Development)

## **Proposed Aberdeen Local Development Plan (2015)**

Policy D1 (Quality Placemaking by Design)  
Policy T2 (Managing the Transport Impact of Development)  
Policy T3 (Sustainable and Active Travel)  
Policy B4 (Aberdeen Airport)  
Policy H2 (Mixed Use Areas)

## **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 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 Use**

The site is located within an area zoned as mixed use under Policy H2 in the adopted local plan. In such areas new development must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity.

Given that it is proposed to use the site for the same purpose as it is currently used for, albeit the training element would be new, it is considered that the principle of the proposed workshop and training use is acceptable in this area. It has been suggested in representations that an industrial estate would be a more appropriate area for the proposed development (*issue 3 in representations*), however given the mixed use nature of the area, a use such as the one proposed is entirely reasonable if carried out at a level and intensity which does not affect neighbouring properties. Therefore the primary matter to be considered is whether or not the scale of development and activity would introduce any conflict with existing uses.

### **Design of Building and Impact on Amenity**

The proposed building would be significantly larger than the existing building, reflecting the applicant's desire to have modern fit for purpose buildings and the introduction of training facilities. Concern has been raised by neighbouring residents that the new building would affect their amenity in terms of privacy and daylight. The size of building which is considered to be overbearing is also highlighted.

Efforts have been made to minimise the impact of the building, firstly by flipping the main part of the new building to the opposite side of the site from where the previous building was and secondly by reducing the height of the tower element compared to the 2015 proposal. Notwithstanding, the new building has significantly more mass than the existing and is over two storeys in height.

Daylight assessments show that there is unlikely to be any reduction in daylight to neighbouring properties however the 7m high sides of the building would be approximately 14m away from residential properties opposite. It is considered that



this would result in the new building having an overbearing presence to the detriment of residential amenity (*issue 1 and 5*).

Concerns are raised by neighbours with the potential loss of privacy from windows within the new building. Whilst it is not unusual to have buildings facing each other across a street, there is the potential for a loss of privacy or at least the impression of being overlooked being introduced to the properties at no. 21 and 23 Farburn Terrace. The new building would predominately be over two storeys and would have five windows on its north elevation facing towards the gardens which sit at the side of the houses. There would also be windows facing west within the smaller three storey element of the building. The level of outdoor amenity for these residential properties is already somewhat affected by other surrounding non-residential uses and therefore it is considered that it should not be diminished further by overlooking.

From a visual perspective and in terms of the wider Farburn Terrace area, the building would be considerably larger and taller than any other building. Whilst it is acknowledged that larger buildings, such as aircraft hangars, are located on the opposite side of Farburn Terrace, these are seen in the context of the airport and the open aspect of the airfield, whereas the new building would be located in part of the street which is characterised by buildings of lower height and more of a domestic appearance. This would result in the new building having an uncomfortable relationship with its neighbours and the wider area; contrary to Policy D1 (*issue 2*).

### **Access and Parking**

Vehicular access would continue to be taken from the existing access on Farburn Terrace. It has been clarified by the applicant that the new access onto the lane would be for pedestrians only and not vehicles (*issue 7*). Details of the floor space and number of people who are likely to be attending training sessions was requested from the applicant however information has not been forthcoming. Nonetheless, dividing the proposed gross floor space of 852sqm by three and applying the office and workshop parking standards to the first two thirds of the space would equate to a parking requirement of 17 spaces. This does not take account of the training element proposed which it is anticipated would create at least some demand for parking from those attending training courses. A total of 11 parking spaces are proposed and therefore without evidence to the contrary, it would appear that there is likely to be a shortfall in parking available at the site, contrary to Policies D3 and T2 (*issue 4*).

### **Aviation Safeguarding**

Both Aberdeen International Airport and NATS have been consulted and do not object to the proposal in terms of the safeguarding of either the airport or Perwinnes radar. The airport has requested a condition requiring a bird hazard management plan to be submitted should the application be approved. The impact upon the airport and radar has been therefore been taken into account in accordance Policy BI4.

### **Proposed Aberdeen Local Development Plan**

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. 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 representation and are regarded as unresolved issues to be determined at the Examination; and
- the relevance of these matters to the application under consideration.

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis. In this instance the policies in the proposed plan largely reiterate the existing policies and do not introduce any further considerations.

### **Conclusion**

In summary it is considered that by way of its inappropriate scale and massing the building would fail to satisfactorily take into account the existing uses and character of the surrounding area and would have an overbearing presence to the detriment of residential amenity and privacy of residential properties. It is also anticipated that there is likely to be a shortfall in parking at the site. Therefore the application is recommended for refusal. Should members be minded to grant consent, conditions should be attached relating to remediation of any contamination on the site, submission of a bird hazard management plan, details of how surface water drainage would be dealt with, submission of a noise assessment in order to protect occupants from aircraft noise and a condition to ensure the proposed car parking is provided.

### **RECOMMENDATION: Refuse**

### **REASONS FOR RECOMMENDATION**

The proposed building by way of its inappropriate scale and massing would fail to satisfactorily take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity, contrary to Policy H2 (Mixed Use Areas). The building would have an overbearing presence to the detriment of residential amenity and privacy of residential properties at no. 21 and 23 Farburn Terrace and have an uncomfortable relationship with its neighbours and the wider area; contrary to Policy D1 (Architecture and Placemaking).

Without evidence suggesting otherwise and based on the floor space proposed, it is anticipated that there is likely to be a shortfall in parking at the site, contrary to Policies D3 (Sustainable and Active Travel) and T2 (Managing the Transport Impact of Development).

From: "webmaster@aberdeencity.gov.uk" <webmaster@aberdeencity.gov.uk>

Sent: 16/05/2016 11:59:09

To: PI </O=ACC FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PI>

Subject: Planning Comment for 160379

Comment for Planning Application 160379

Name : Andrew P Bates

Address : 32 Farburn Terrace

Dyce

Aberdeen

Telephone :

Email : /

type :

Comment : I wish to object to this application and refer to previous objection to previous application, in addition. Building appears to be as large as the area it s being built in. The surrounding area is residential, the building is out of keeping w ith the residential area and is going to block light. No apparent parking availability. The surrounding streets are not as wide as a standard road and are exposed to a substantial volume of traffic both pedestrian and vehicle, also a bus route for airport passes the property. Introduction of another training facility is going to generate high numbers of delegates w ho appear to have now here to park other than in the street.

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21A Farburn Terrace • Dyce • Aberdeen AB21 7DR  
Tel: 01224 770471 • Fax: 01224 772254  
Email: farburnmotors@btinternet.com

12 May 2016

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

ATTENTION APPLICATION SUPPORT TEAM

APPLICATION NUMBER 160379, 20 Farburn Terrace, Dyce, Aberdeen, AB21 7DT  
DATE OF NOTICE 27 APRIL 2016

#### Note Of Concern

#### Use of Private Lane

With regards to the above planning application we have no objections to the planning in principle, however we would like to note our concern and seek reassurance that the private lane which leads to our garage premises at 21A Farburn Terrace will not be used/blocked by excess traffic generated by way of delivery trucks, staff vehicles and any other vehicle associated with the business of applicant Donut Safety Systems Ltd..

We would not welcome any disruption to the current ease of access for our customers dropping off and collecting cars at all times of the day.

Yours faithfully

  
Mr Gordon Ritchie  
Proprietor

From: "webmaster@aberdeencity.gov.uk" <webmaster@aberdeencity.gov.uk>  
Sent: 14/05/2016 10:51:18  
To: PI </O=ACC FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PI>  
Subject: Planning Comment for 160379

Comment for Planning Application 160379

Name : Ian Duncan  
Address : 23 Farburn Terrace  
Dyce  
Aberdeen  
AB21 7DR

Telephone :  
Email : i  
type :

Comment : I object to this application due to the size, location and access .

The height of 9.550 metres would have a major impact on blocking out any sunlight and daylight from my residential property. I have measured the distance from my house boundary to the proposed boundary . This is only 6.5 metres.

The access to the car park area seems to be from the lane in Farburn Terrace. ( North Elevation)

This lane was owned by railway authorities originally. Over 20 years ago the council were approached to upgrade the road surface. They made it very clear that they did not own the road. A resident had to resurface at his own expense. This lane is used regularly by recovery trucks accessing the commercial garage .

Can access to the applicants building be suitable via a private lane?

This is very close to my property and is an unacceptable sense of enclosure.

There are many vacant buildings around the Industrial Estate that would be more suitable rather than build this large structure on the doorstep of residential properties.

I do not want to look from my window into a building this size only 6.5 metres from my boundary wall.

This is a totally inappropriate location for this commercial business .

Regards  
Ian Duncan

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Sent: 09/05/2016 21:08:36

To: PI </O=ACC FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PI>

Subject: Planning Comment for 160379

Comment for Planning Application 160379

Name : Jacqueline Morrison

Address : 21 Farburn Terrace

Dyce

Aberdeen

AB21 7DR

Telephone :

Email

type :

Comment : When the planning notification came in my first thoughts were that a 3 storey building will block out all the light from our house, which it will. By what I can see from the plans (I feel that the plans are not very clear - perhaps deliberately) it appears that the building is going to be facing our property and we will lose our privacy. It also looks like they are going to use the lane for an entrance to the building, this is already a busy lane as it is used by the garage next door. It is also not maintained by the Council and at present Donut do not contribute to the maintenance. If Donut require such a large building, I would think that with so many buildings sitting empty on industrial sites, it would be a cheaper and more practical option to move to one of them, which would be better suited to their needs. This would also provide them with enough parking as well.

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From: "webmaster@aberdeencity.gov.uk" <webmaster@aberdeencity.gov.uk>  
Sent: 16/05/2016 12:01:52  
To: PI </O=ACC FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PI>  
Subject: Planning Comment for 160379

Comment for Planning Application 160379

Name : Morven Robertson  
Address : 31 Farburn Terrace  
Dyce  
Aberdeen

Telephone :  
Email :  
type :

Comment : I wish to object to this application and refer to previous objection to previous application, in addition. Building appears to be as large as the area it s being built in. The surrounding area is residential, the building is out of keeping w ith the residential area and is going to block light. No apparent parking availability. The surrounding streets are not as wide as a standard road and are exposed to a substantial volume of traffic both pedestrian and vehicle, also a bus route for airport passes the property. Introduction of another training facility is going to generate high numbers of delegates w ho appear to have now here to park other than in the street.

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From: "webmaster@aberdeencity.gov.uk" <webmaster@aberdeencity.gov.uk>

Sent: 16/05/2016 09:58:41

To: PI </O=ACC FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PI>

Subject: Planning Comment for 160379

Comment for Planning Application 160379

Name : Pat Bates

Address : 32 Farburn Terrace

Dyce

Aberdeen

Telephone :

Email :

type :

Comment : I wish to object to this application and refer to previous objection to previous application, in addition. Building appears to be as large as the area it s being built in. The surrounding area is residential, the building is out of keeping with the residential area and is going to block light. No apparent parking availability. The surrounding streets are not as wide as a standard road and are exposed to a substantial volume of traffic both pedestrian and vehicle, also a bus route for airport passes the property. Introduction of another training facility is going to generate high numbers of delegates w ho appear to have now here to park other than in the street.

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From: "webmaster@aberdeencity.gov.uk" <webmaster@aberdeencity.gov.uk>  
Sent: 16/05/2016 09:55:54  
To: PI </O=ACC FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PI>  
Subject: Planning Comment for 160379

Comment for Planning Application 160379  
Name : Victor Bates  
Address : 32 Farburn Terrace  
Dyce  
Aberdeen

Telephone :  
Email :  
type :

Comment : Building appears to be as large as the area it s being built in. The surrounding area is residential, the building is out of keeping with the residential area and is going to block light. No apparent parking availability. The surrounding streets are not as wide as a standard road and are exposed to a substantial volume of traffic both pedestrian and vehicle, also a bus route for airport passes the property. Introduction of another training facility is going to generate high numbers of delegates who appear to have now here to park other than in the street.

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Sent: 09/05/2016 05:41:14  
To: PI </O=ACC FIRST ORGANIZATION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PI>  
Subject: Planning Comment for 160379

Comment for Planning Application 160379

Name : Wray Morrison

Address : 21 Farburn Terrace

Dyce

Aberdeen

Telephone :

Email

type :

Comment :

Dear Sir/Madam

I would like to submit an objection to this plans as this is a residential area albeit with some small businesses. At present we can see over the existing building but if this gets the go ahead we will be looking into a three story industrial unit, as these businesses grow they seem to think that redeveloping in a small space is a good option rather than move to a proper industrial estate and in this present climate there are plenty of available premises. If this had been for two or three houses then I would have had no objection as it would have improved the area.

I would like to highlight that they also have very little parking at present and will have less once they have expanded they will be moving their access to the side lane that is already very busy with Farburn Motors.

Regards

Wray Morrison

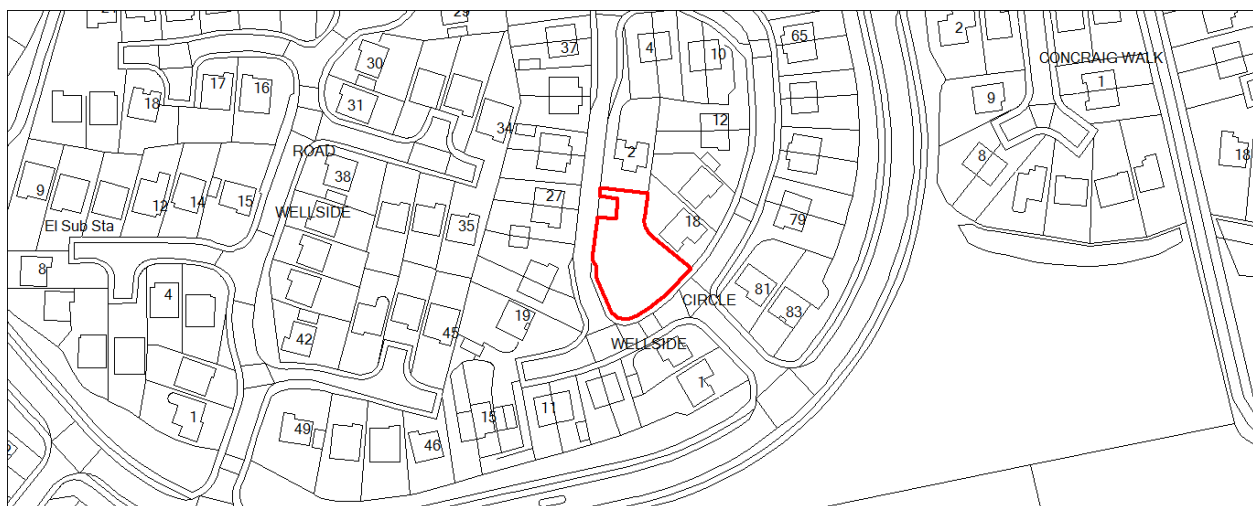
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## Planning Development Management Committee Planning Permission in Principle

**160753: ERECTION OF 2 RESIDENTIAL DWELLINGS (SEMI-DETACHED)  
at WELLSIDE CIRCLE, KINGSWELLS**

**For: Mr James Hewit**

|                           |   |
|---------------------------|---|
| <b>Application Date:</b>  | 16 June 2016                                      |
| <b>Officer:</b>           | Ross McMahon                                      |
| <b>Ward:</b>              | Kingswells/Sheddocksley/Summerhill                |
| <b>Community Council:</b> | Comment received (L Ironside/S Delaney/D Cameron) |
| <b>Advertisement:</b>     | NA  |
| <b>Advertised Date:</b>   | NA  |



### RECOMMENDATION:

**Refuse**

### DESCRIPTION

The application site extends to approximately 628sq.m. and comprises an area of open amenity space bounded by Wellside Circle and by detached and semi-detached residential properties, within a predominately residential area in Kingswells.

The site is located within a 'Residential Area' as identified in the adopted Aberdeen Local Development Plan.

## RELEVANT HISTORY

None relevant.

## PROPOSAL

Planning permission in principle is sought for the erection of two semi-detached dwellings, associated car parking and landscaping on the site within an area of open amenity space. Details in relation to design and layout have been submitted by the applicant. However, it is stated that such details are indicative and accordingly, no details in relation to design or layout are sought to be approved at this stage.

## 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=160753>

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

- Planning Statement

## REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee as more than 6 letters of representation – of which object to the proposal – have been received within the period of representation. Also application has been subject to formal objection by local community council within whose area the application site fall. Accordingly, the application falls out with the scope of the Council's Scheme of Delegation.

## CONSULTATIONS

**Roads Development Management** – No observations.

**Environmental Health** – No observations.

**Education** – Comments received. No objection, on the basis that whilst Kingswells school is slightly over capacity, the proposal would be likely to result in less than 1 additional pupil and thus would not have a material effect on the school roll.

**Flooding** – No observations.

**Community Council** – The Kingswells Community Council has objected to the proposal on the following grounds:

1. The Aberdeen City and Shire Strategic Development Plan has identified locations for all the housing required up to 2030. The Aberdeen Local Development Plan to 2017 – 2023, or thereby. The development is not included in any of these documents and is therefore not required.
2. The site was a space within a housing development that was left undeveloped to provide the residents with public open space and a break from relentless housing. The loss of this land to more housing does have an *“unacceptable impact on the character and amenity of the surrounding area”* and would *“constitute overdevelopment”*. The land is valued by the local residents despite it becoming neglected in recent months.

3. If the land was developed it would “*result in a loss of valuable or valued areas of open space*”.
4. Neighbouring residents are against the development.
5. Approval of the application would set a dangerous precedent.
6. The provision of open green space with plots dispersed throughout the local area is a feature that distinguishes Kingswells from many other areas.

## **REPRESENTATIONS**

35 letters of representation have been received in connection with the application; all of which object to the development proposal. The objections raised relate to the following matters:

1. Loss of valuable and valued open amenity space utilised by local residents;
2. Contrary to the Local Development Plan;
3. Impact on Kingswells Primary School in terms of overcrowding;
4. Loss of a view;
5. Overshadowing;
6. Overdevelopment;
7. Hazardous for children playing on the street;
8. Road safety concerns resulting from increased traffic movements;
9. Noise, dirt, dust and pollution associated with construction activities associated with the proposed development.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan**

- Policy H1 – Residential Areas
- Policy NE3 – Urban Green Space

### **Proposed Aberdeen Local Development Plan**

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

- H1 – Residential Areas
- NE3 – Urban Green Space

### **Other Material Considerations**

- Aberdeen Open Space Audit 2010

## **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.

### **Main Consideration – the Principle of Development**

The application site is located within a 'Residential Area' as identified in the adopted Aberdeen Local Development Plan (ALDP) 2012, and the proposal relates to new residential development. As set out in Policy H1, within existing residential areas, proposals for new residential development will be approved in principle if it:

1. does not constitute overdevelopment;
2. does not have an unacceptable impact on the character and amenity of the surrounding area;
3. does not result in the loss of valuable and valued areas of open space (as defined in the Aberdeen Open Space Audit 2010).

Open space is defined in the Aberdeen Open Space Audit 2010 as being, "...*the open, usually green land within and on the edges of settlements. Parks, public gardens, allotments, woodland, play areas, playing fields, green corridors and paths, churchyards and cemeteries, natural areas, institutional land and well as 'civic space' such as squares or other paved or hard surfaced areas with a civic function are all forms of open space.*"

The application site is considered to fall within the above description in that it is an open green space with a settlement. The site is surrounded by residential properties which face onto this amenity space, comprising the only area of accessible open space within the immediate area. It is considered that the site contributes to a 'sense of place' in that spatially it provides reprieve and outlook within a relatively compact residential area. The closest open space of a similar use and quality is located to the north-west of Wellside Circle, a 230m walk away, although that area does not directly serve this cluster of dwellings.

Accordingly, the approval of this application would result in the in the loss of a valuable and valued area of open space – a matter reflected and established in the level of public representation received – and would have an unacceptable impact on the character and amenity of the surrounding area in that it would lead to an intensification of residential properties within a relatively confined area and would eliminate outlook and informal recreational opportunities enjoyed by surrounding properties. Furthermore, while it is accepted that the site could physically accommodate two semi-detached dwellings in its own right, it is considered that, in terms of the wider context, the development would result in overdevelopment in that it would result in the loss of open space and would see an over intensification of residential use within Wellside Circle. Accordingly, it is considered that the erection of two semi-detached properties in this location would fail to comply with Policy H1 of the ALDP.

The application site constitutes an area of Urban Green Space and therefore the acceptability of the principle of the proposal is subject to Policy NE3 (Urban Green Space) – despite not being identified as such by the ALDP proposal map. Development within areas of Urban Green Space 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 of similar or better quality greenspace for the benefit of the local community is sought.

It is evident that the site is of no significant or specific wildlife or heritage value, nor would there be a loss of any established or mature trees resulting from the development. However, it is clear that the development would result in the loss of landscape character and amenity of the site. Public access would be neither maintained nor enhanced, and would in fact be lost altogether as a result of the proposal. Furthermore, replacement of similar or better quality greenspace for the benefit of local residents is neither proposed nor is it realistically achievable given the constrained nature and lack of opportunities for additional green spaces within the surrounding area. Accordingly, it is considered that the proposal would fail to comply with Policy NE3 of the ALDP.

### **Proposed Aberdeen Local Development Plan**

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. 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 representation and are regarded as unresolved issues to be determined at the Examination; and
- the relevance of these matters to the application under consideration.

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis. In relation to this particular application, proposed policies H1 (Residential Areas) and NE3 (Urban Green Space), substantively reiterate policies H1 (Residential Areas) and NE3 (Urban Green Space) of the adopted Aberdeen Local Development Plan and therefore raise no additional material considerations.

### **Matters Raised in Representations**

Points 1, 2 and 6 relating to loss of valuable open space, Local Development Plan Policies and overdevelopment of the site have been addressed in the Evaluation section of this report.

Point 3 relating to overcrowding relates to the impact of the development on the local school. Consultation response from the Education Team stated that for primary provision, Kingswells School is currently slightly over capacity, so any increase in pupil

numbers would add additional pressure on space at the school. However, given that this application is for just two houses, it is not anticipated that this would generate a significant number of pupils – the estimated pupil per household ratio for this area is 0.3, so this development would be expected to yield less than 1 pupil. As a result it is not expected that the development would result in material effect on the school roll. There is sufficient capacity at Bucksburn Academy so this development would not cause any difficulties for secondary provision.

Points 4 relates to loss of view which is not a material planning consideration and therefore cannot form part of the evaluation section of this report.

Points 9 relating to noise, dust and pollutions associated with construction are not material planning considerations and therefore cannot form part of the evaluation section of this report.

Point 5 relates to overshadowing and loss of residential amenity. The nature of the application is such that detailed matters are reserved and accordingly, issues relating to overshadowing etc. cannot be realistically assessed in relation to this application.

Points 7 and 8 relate to road safety. With regard to these concerns, the Council's Roads Development Management had no observations on the proposal and it is considered that the development would not result in a significant material increase in traffic or congestion, nor would it give rise to excessive road safety issues given the nature of the area i.e. lightly trafficked residential streets. While general layouts have been provided, such information is indicative and accordingly it is not for the Planning Authority to comment on such detailed matters in the processing of an application for Planning Permission in Principle.

All other matters raised through representations have been addressed in the evaluation section of this report. The proposal had been found to be non-compliant with the relevant policies set out in the Aberdeen Local Development Plan.

### **Conclusion**

It is considered that the proposal fails to comply with the relevant policies of the Aberdeen Local Development Plan due to unacceptable impact on the surrounding area and that there are no material planning considerations that would justify approval of the application. If members are minded to approve this application, it is recommended that conditions relating to siting, scale, design, materials, access points and boundary enclosures should be attached to the decision.

### **RECOMMENDATION**

**Refuse**



## **REASONS FOR RECOMMENDATION**

The proposed development, in principle, fails to comply with the relevant policies of the Aberdeen Local Development Plan 2012, namely Policies H1 (Residential Areas) and NE3 (Urban Green Space) in that it would: have an unacceptable impact on the character and amenity of the surrounding area; result in the loss of a valuable and valued area of open space; constitute overdevelopment in terms of a wider context; result in the loss of public access to an urban green space and would fail to offset the loss of such a space through the provision of a similar or better quality greenspace. Furthermore, it is considered that approval of the application would set an undesirable precedent which would result in the loss of similar areas throughout the City. 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 – including the Proposed Aberdeen Local Development Plan – that are of sufficient weight to warrant approval of the application.

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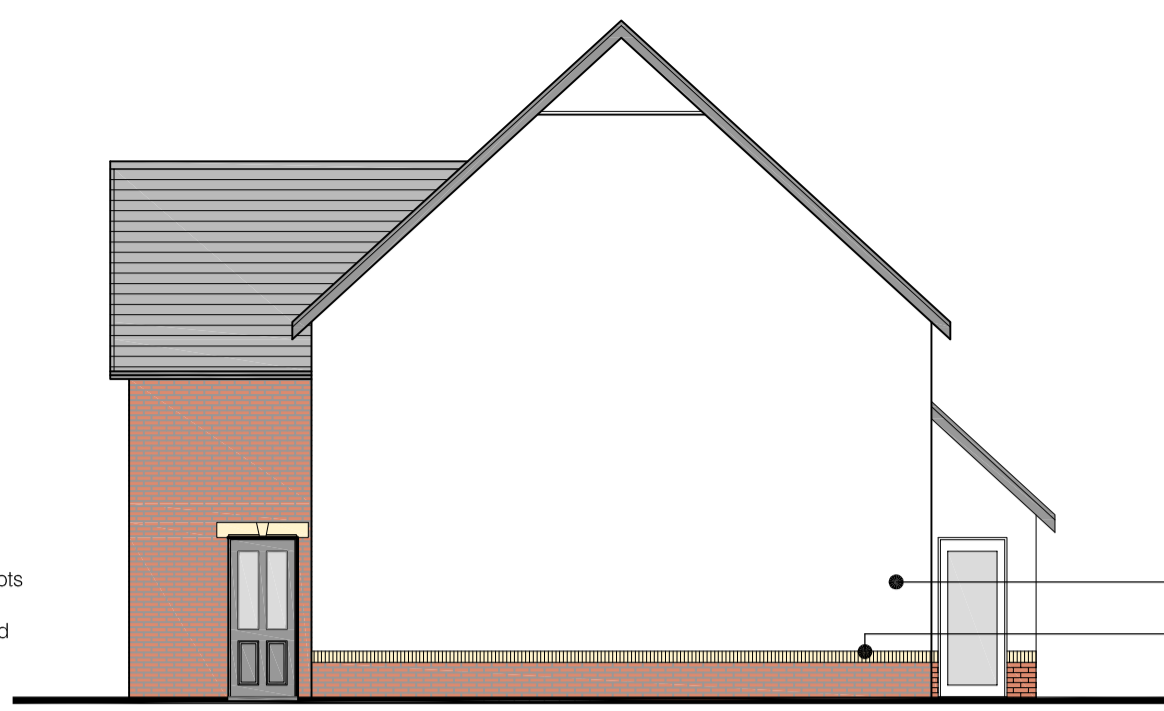


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proposed southerly elevation  
scale: 1:100



proposed easterly elevation  
scale: 1:100



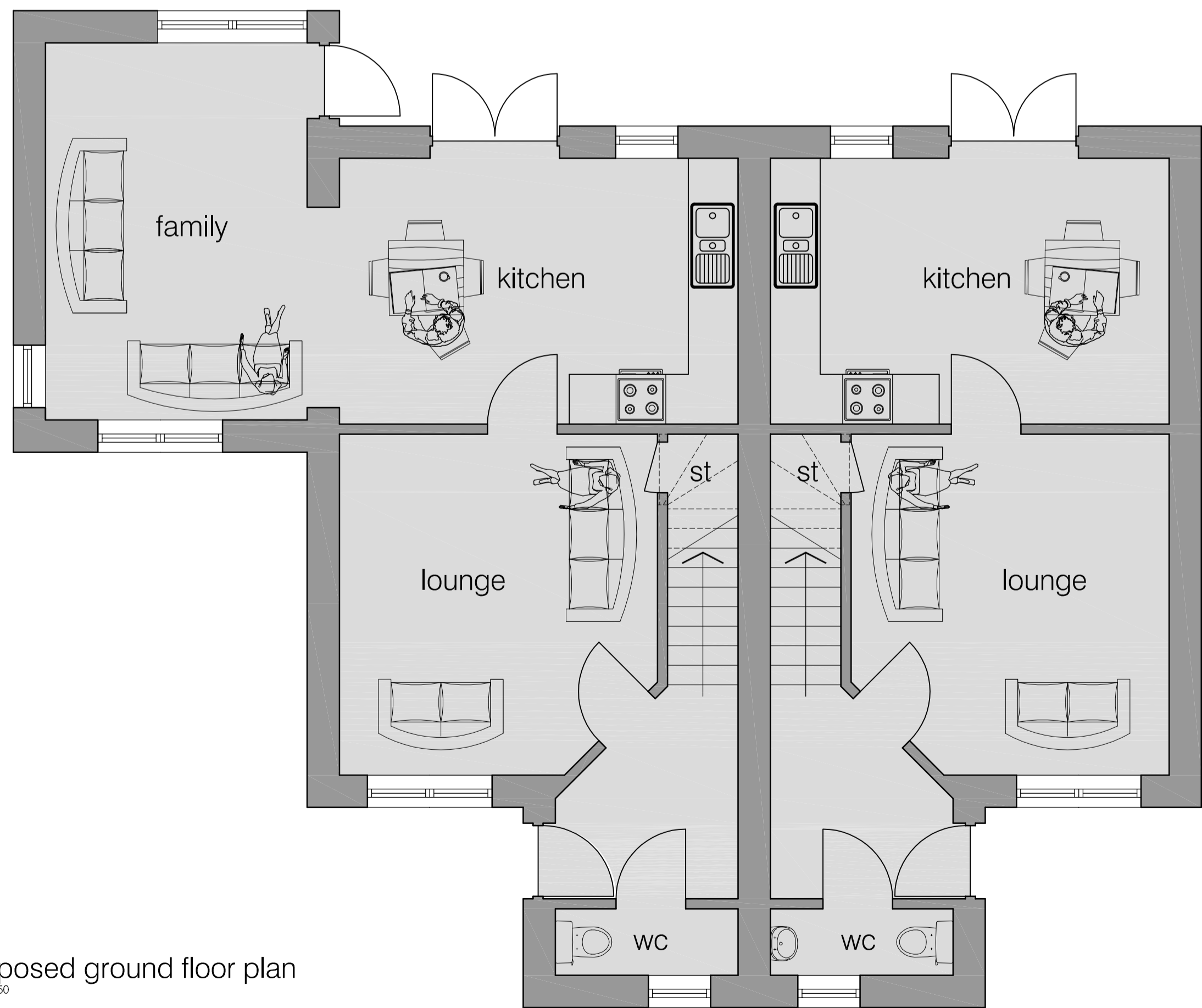
proposed northerly elevation  
scale: 1:100



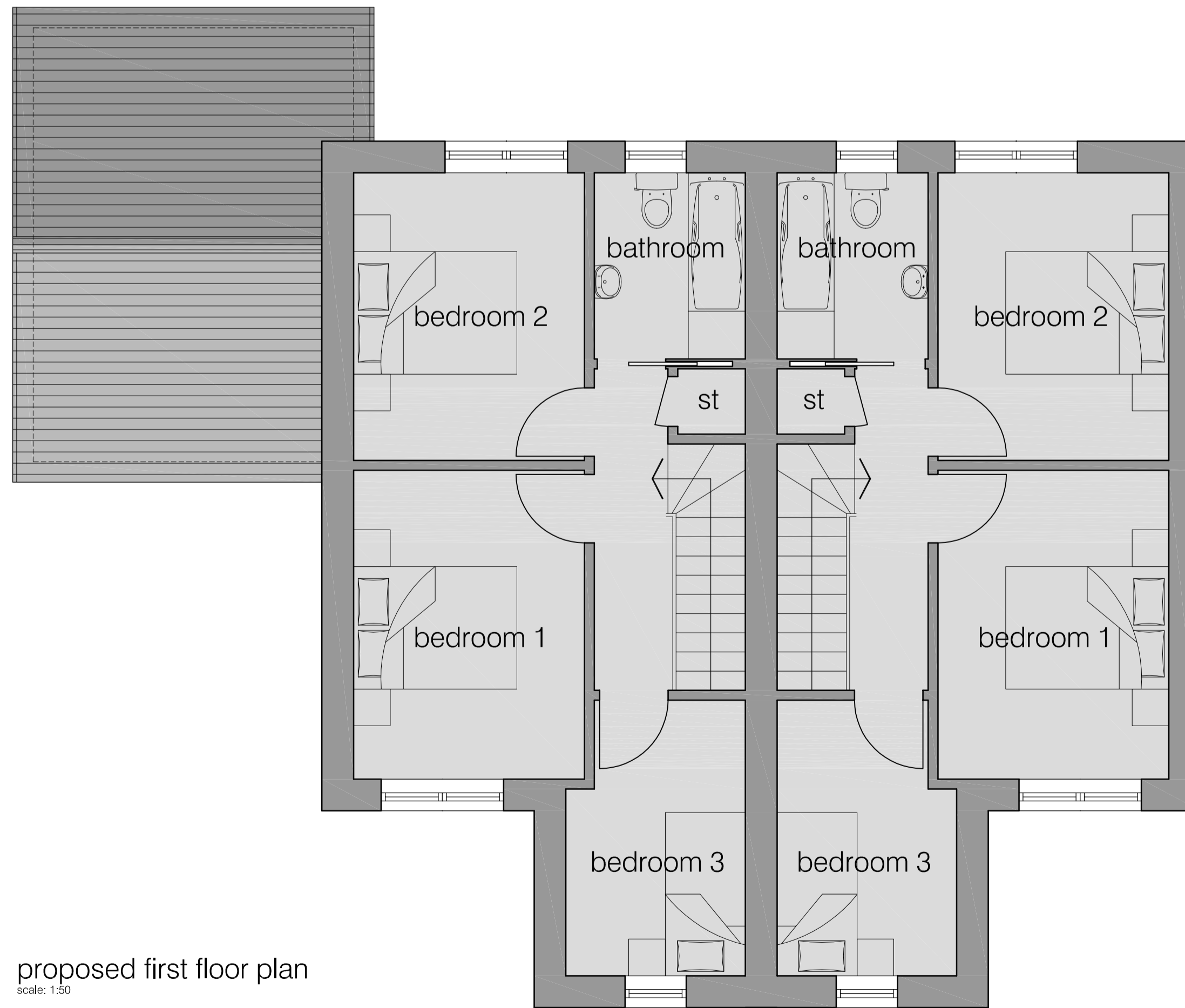
proposed westerly elevation  
scale: 1:100



proposed site plan  
scale: 1:200



proposed ground floor plan  
scale: 1:50



proposed first floor plan  
scale: 1:50

concept proposals

formation of 2 dwelling houses at wellside circle, aberdeen  
for james hewit properties

drawing no: P432-SK-001 scale: 1:50/1:100/1:200 @ A1

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

From: [webmaster@aberdeencity.gov.uk](mailto:webmaster@aberdeencity.gov.uk) [mailto:[webmaster@aberdeencity.gov.uk](mailto:webmaster@aberdeencity.gov.uk)]

Sent: 05 July 2016 20:26

To: PI

Subject: Planning Comment for 160753

Comment for Planning Application 160753

Name : Simon Robertson

Address : 79 Wellside Circle

Kingswells

AB15 8DY

  
type :

Comment : Dear Sir / Madam

I write to object to Planning Application 160753 for two residential properties in Wellside Circle, Kingswells.

When we purchased our home in 1997, during the development of 'The Brackens' by Wimpey Homes, the development layout in the sales brochure clearly described the area of land in question as 'Public Open Space'.

This Public Open Space is an area where the local children can play SAFELY all year round, in summer and in the winter months, sledging on the slope and building snowmen. This development will lead to the children playing increasingly on the road.

In addition, both I and my neighbours have become accustomed to the peace and quiet afforded to us now that the development of this area of Kingswells is complete. We have no desire to suffer any more the noise, dirt, dust and pollution that this development will bring with it, with excavators, lorries, cement mixers, saws, hammers, drills etc. not to mention the disruption caused by tradesmen's vehicles blocking the road and driveways for the duration of the construction period.

Kingswells Primary school is already suffering from overcrowding, taking into account the additional development which is currently ongoing in Fairley Road, and this will only add to the overcrowding in the area. We do not need every remaining piece of open space built on.

Wellside Circle already has four properties for sale and one for let, some of these properties have been on the market for a considerable period of time and added to the number of properties for sale or let in the village, these are showing no sign of movement in the market.

For these reasons I strongly object to the proposed development.

Yours faithfully

Simon Robertson

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Sent: 05 July 2016 13:22

To: PI

Subject: Planning Comment for 160753

Comment for Planning Application 160753

Name : Carlene Bray

Address : 5 Wellside Circle

Aberdeen

AB15 8DY



type :

Comment : I OBJECT !!!!!!!!!

Reasons for objection - I live virtually opposite the proposed site and think that this application is ridiculous. I purchased my property in October 2015 and there was no indication that there was this proposal PENDING OR INDEED in place.

My view will be totally blocked / overshadowed by this development if this goes through. There are more than enough houses in this street and this is the only green area where my grandchildren can play safely.

I would have never purchased my house had I know that there was some hideous application pending to build opposite my home. I expect a response ASAP.

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Sent: 04 July 2016 17:21

To: PI

Subject: Planning Comment for 160753

Comment for Planning Application 160753

Name : Elaine Buchan

Address : 61 wellside circle

Kingswells

Aberdeen

Ab15 8dy

Telephone :

[REDACTED]

type :

Comment : As a resident I object to the proposal to build 2 semi-detached properties at Wellside Circle, Kingswells.

The original plans from Wimpey Homes sites this as 'green space' and up until recently this has been well maintained with children using the area as a place to play in summer and winter.

To level the land and install services would create disruption to the residents as the only access and egress is via Kingswells Crescent on to Wellside Circle.

This would also be hazardous for the many children who currently reside and play in the street.

This is an established area of over 18 years and permission granted to build would deprive residents of the only green public space within Wellside Circle.

Regards

Elaine Buchan

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Sent: 10 July 2016 21:23

To: PI

Subject: Planning Comment for 160753

Comment for Planning Application 160753

Name : Iain & Rachel Watson

Address : 57 Wellside Circle

Kingswells

Aberdeen

AB15 8DY

Telephone :

[REDACTED]

type :

Comment : As residents, we object to the proposal to build 2 semi-detached properties at Wellside Circle, Kingswells.

The original plan from Wimpey Homes, designated this particular area as "public open space". The area has been maintained until recently and is utilised by residents in Wellside circle for various activities in both summer and winter (our kids and their friends regularly use this for playing in the summer and sledging in the winter).

To level this land and install services would create disruption and inconvenience for residents. The only access and egress is via Kingswells Crescent into Wellside Circle which would restrict access to residential properties.

In addition the road is already very narrow in this street, especially where they are planning on putting the drives, many people already have no option but to mount the pavements to try and leave enough room to get past. This happens at both sides of the street. Most mornings you struggle to get through, the gritter or a fire engine wouldn't. Adding further houses/traffic and cars to the street would just add to the problem and potentially impact on the safety of other residents.

This is an established residential area of over 18 years and to permit planning permission for these 2 properties would deprive the residents of the only public green space within Wellside circle. Thank you.

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Sent: 05 July 2016 20:36

To: PI

Subject: Planning Comment for 160753

Comment for Planning Application 160753

Name : George Morrison

Address : 4 Wellside Gardens

Kingswells

Aberdeen

  
type :

Comment : 4 Wellside Gardens

Kingswells

Aberdeen

AB15 8EU

5th July 2016 Development Management Planning and

Sustainable Development Aberdeen City Council Business Hub 4 Marischal College Broad Street

Aberdeen

AB10 1AB

Dear Sirs,

Application Reference: 160753

Local Authority Reference: 100015184-001

Proposal Description: Erection of 2 residential dwellings (Semi detached)

Application type: Planning Permission in Principle

I refer to the above application and would confirm my objection, listed below are reasons I believe are relevant to the application:

1. The open space formed part of the Wimpey Development within the Kingswells Stage Two area. The Minute of Agreement presented on 24th September 1995 between The City of Aberdeen District Council and others for the Whole Development defined certain conditions in relation to planning open space with particular reference to document Kingswells Stage Two, A Design Guide January 1995.

This application fails to meet the requirement of the Design Guide and particular the 'Principles of layout'; it is important to avoid the blandness and monotony of so much suburban development;.

Further guidance was given in the aforementioned document with reference to the 'Landscape Treatment'; Local amenity Planting; Such Landscaping areas adjacent to housing areas will help to unify the overall design , and create interest and identity in individual areas;.

Clause 15 of the above agreement required a minimum level of open space and the requirement to distribute relatively evenly throughout housing areas to the Whole Development. This application would remove the only open space from the Wimpey Development.

I believe that had the Wimpey Development tried to obtain planning permission without this open space in the late 90's the application would have most certainly failed.

2. That under current guidelines the Wimpey Development would fail to meet the latest requirements for open space in particular The Aberdeen Local Development Plan 2012 (2.5 New development, whether in greenfield or brownfield locations, will have to be of the best standard to deliver opportunities for people to enjoy a high quality of life within an attractive, sustainable and safe environment.) It is inconceivable that this application would deliver an improvement to the local population.
3. The main criteria of The Open Space Supplementary Guidance is to protect current open space and indeed promote an increase certainly not to decrease.
4. It is my understanding that the applicant may have incorrectly stated that there was no public right of access.  
(Are you proposing any change to public paths, public rights of way or affecting any public right of access? \* Yes; No)

Clause 16 of the minute of agreement entered into by the Developer ( Stewart Milne Homes) and imposed on the subsequent successors ( Wimpey & Mr. Hewit) shall make same available for use in perpetuity , solely as open amenity and recreational space, to the public who shall have access thereto at all times;

5. Residents of Kingswells have to be assured that safeguards are in place within the Planning process, a Developer or an opportunist at a later date cannot remove open space with no regard to agreed plans and reduction in quality of life for the Residents of the Development.

Yours faithfully

George Morrison

Copy : Kingswells Community Council

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

From: [webmaster@aberdeencity.gov.uk](mailto:webmaster@aberdeencity.gov.uk) [mailto:[webmaster@aberdeencity.gov.uk](mailto:webmaster@aberdeencity.gov.uk)]

Sent: 16 July 2016 07:57

To: PI

Subject: Planning Comment for 160753

Comment for Planning Application 160753

Name : Alana Davidson

Address : 10 wellside circle kingswells



type :

Comment : I do not agree with two houses being squeezed into such a small space. We need to save some greenery in the area. This is an area normally full of children playing on it (before they stopped cutting the grass) and means they can do so safe in view of the parents. If these houses do go ahead then I hope they will be in keeping with the style and colours of the houses in the street otherwise they will look terrible and out of place. Also there better be room for drive ways as parking on this street is already full, access to the street will also be inconvenanced during the building stage. I hope aberdeen city council will listen to the public on this street and not agree to build yet more houses which are not selling or renting in this market on every little part of free land in Aberdeen. There is land elsewhere they can build houses rather than directly in the middle of an existing housing estate. In summary I object to this planning application

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**PLANNING APPLICATION NO P160753**

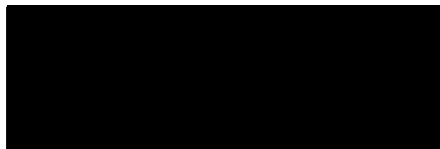
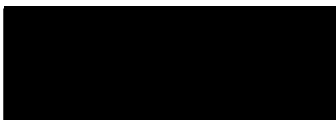
As a resident, we object to the proposal to build 2 semi-detached properties at Wellside Circle, Kingswells.

The original plans from Wimpey Homes, designates this particular area as "public open space". The area has been maintained until recently and is utilised by residents in Wellside Circle for various activities in both summer and winter.

To level this land and install services would create disruption and inconvenience for residents. The only access and egress is via Kingswells Crescent into Wellside Circle which would restrict access to residential properties.

This is an established residential area of over 18 years and to permit planning permission for these 2 properties would deprive the residents of the only public green space within Wellside Circle.

Signed



Address

1 WELLSIDE CIRCLE  
KINGSWELLS  
AB15 8DY

**PLANNING APPLICATION NO P160753**

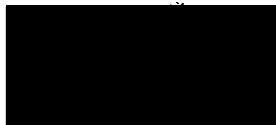
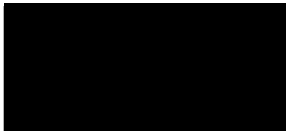
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Signed



Address 15 Wellside Circle  
Kingswells  
Abis 8DY

**To:** PI[PI@aberdeencity.gov.uk];  
**Sent:** Tue 6/28/2016 3:19:56 PM  
**From:** webmaster@aberdeencity.gov.uk  
**Flag Status:** 0x00000000  
**Subject:** Planning Comment for 160753

Comment for Planning Application 160753

Name : David Stewart  
Address : 19 Wellside Circle,  
Kingswells,  
Aberdeen,  
AB15 8DY

Telephone : 07989696983  
Email : david.aenea@hotmail.com  
type :  
Comment : Dear Sir/Madam,

I received Notification today for the building of 2 residential dwellings in Wellside Circle.

I STRONGLY OBJECT FOR THIS PROPERTY TO BE BUILT AT THIS SITE.

This is a small patch of ground in the middle of a housing estate, directly in front of my house &#8211; 19 Wellside Circle. We have been in this residence for 19 years, since they were built by Wimpey Homes. Wimpey intended this piece of ground to be for communal use.

This ground has recently become neglected, and I&#8217;ve just recently heard that the council has sold it for the above purpose.

There are lots of children that play around the circle, how would their safety be guaranteed during the building work? During the summer months this ground is used by the young children of Wellside Circle. In Winter months they sledge on it and build snowmen. Where are they expected to go now? If work goes ahead, how will you guarantee the safety of the children?

I work from home, would I be expected to work in a Building site for months on end, with the noise and pollution generated?

Where are the plans for the two houses? How high would the houses be? How would we ensure that the house does not look directly into our own? Where would their cars be expected to park? There is currently not enough parking in the street as it is. Coming round the corner towards our house is often a risk with cars parked on both sides. I cannot even see plans for the pavement, is there still going to be one?

I expect the current owner will keep this area clean and clear since it is extremely unsightly and not at all safe in its current state. I think it was highly irresponsible of the council to not ensure that the grass cutting would continue.

Aberdeen are currently building 3000 houses a mile or two away, I would suggest that in this current climate this is more than enough. Are we going to be in a position where it will take months for the houses to be built and the ground lie empty and derelict for years on end and become unsightly? There are many houses for sale in Wellside Circle, and all around Kingswells, and they have not been moving quickly.

In the worst case scenario if this planning was accepted, I would like to understand how they will be able to carry out building work during this time and ensure it is still safe in and around the area. Would it obstruct our ability to get out of the circle? How much mess/dust would be generated from building? Are

we expected to keep all our doors and windows closed during the building period? How would any diggers get access to the site without blocking our own access to our houses?

I kindly suggest that this ridiculous idea is immediately rejected otherwise the next few months are going to be extremely unpleasant for all the residents of Wellside Circle.

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**PLANNING APPLICATION NO P160753**

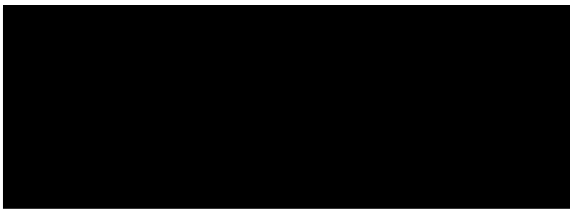
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Signed



Address

33 wellside circle

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