

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 6 September 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, 15 SEPTEMBER 2016 at 10.00 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

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

MINUTES OF PREVIOUS MEETINGS

- 1 Minute of Meeting of the Planning Development Management Committee of 18 August 2016 - for approval (Pages 5 - 16)
- 2 Minute of Meeting of the Planning Development Management Committee (Visits) of 25 August 2016 - for approval (Pages 17 - 24)

WHERE THE RECOMMENDATION IS TO DEFER (NO HEARING)

- 3 Victoria Road Primary School - Demolition of the existing Victoria Road Primary School and erection of 56 residential units, along with open space, parking and associated infrastructure - 161051 (Pages 25 - 52)

Planning Reference Number – 161051

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 – Andrew Miller

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 4 Burnside Drive, Dyce - Erection of flatted development (37 units) with associated infrastructure and landscaping, including the demolition of existing Travelodge and Restaurant - 151999 (Pages 53 - 76)

Planning Reference Number – 151999

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 – Sepideh Hajisoltani

- 5 Causewayend Primary School - Formation of doorway within boundary wall to provide emergency access for fire brigade only - 160786 (Pages 77 - 94)

Planning Reference Number – 160786

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 – Sepideh Hajisoltani

- 6 Boyne Villa, Old Stonehaven Road - Variation of Condition 1 (transport depot on completion of AWPR) of P151878 to completion of depot with revised safety measures - 161093 (Pages 95 - 104)

Planning Reference Number – 161093

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 – Lucy Greene

Website Address: 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 Lynsey McBain on 01224 522123 or email lymcbain@aberdeencity.gov.uk

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

18 August 2016

ABERDEEN, 18 August 2016. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Milne, Convener; Councillor Finlayson, Vice Convener; and Councillors Cooney, Corall, Cormie, Crockett (items 1 to 3 only), Donnelly, Dunbar (as substitute for Councillor Crockett from Item 4 onwards) Greig, Hutchison, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Nicoll, Jennifer Stewart 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=3848&Ver=4>

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

MINUTE OF PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 14 JULY 2016

1. The Committee had before it the minute of its previous meeting of 14 July 2016 for approval.

The Committee resolved:-

to approve the minute as a correct record.

KINGSHILL ROAD, COUNTESSWELLS – PHASE 1 HOUSING - 140730

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

That the Committee show **willingness to approve the application**, subject to a Section 75 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, subject to the following 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

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

18 August 2016

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

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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.

The Committee heard from Paul Williamson, Senior Planner, who spoke in furtherance of the report and answered questions from members.

It was suggested that a standard informative be added relating to time constraints during construction activity.

The Committee also heard from Hugh Murdoch, who answered questions in regards to road issues.

The Convener, seconded by Councillor Donnelly moved:-

to approve the recommendation within the report with the addition of an informative relating to the date and time of construction activity.

Councillor Greig, seconded by Councillor Jennifer Stewart, moved as an amendment:-
that the application be refused on the following grounds:-

- there would be a significant increase in traffic which would not be sustained by the local road network;
- the negative design of the development in relation to safety issues;

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- there are no internal footways, and the narrowness of roads and vehicle access would be a safety risk for pedestrians, and
- a condition should be added in relation to the times/dates of the construction activity.

On a division, there voted:- for the motion (14) the Convener, the Vice Convener and Councillors Cooney , Corall, Cormie, Crockett, Donnelly, Hutchison, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Nicoll and Sandy Stuart; for the amendment (2) Councillors Greig and Jennifer Stewart.

The Committee resolved:-

to adopt the motion and to request that a standard informative be added as follows, "Unless otherwise agreed in writing with the Planning Authority, during the construction of any phase of the development, the normal hours of operation for all activity audible at the boundary of the nearest noise sensitive premises shall be between 07:00 to 19:00 hours Monday to Friday; 07:00 to 12:00 hours on Saturday, with no working on Sundays";

ROWETT SOUTH, 1700 HOMES - 140844

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

That the Committee **approve the application 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; and
- (8) Financial contributions towards mitigation on the local roads network .

Members received information in relation to the legal challenge to the Strategic Development Plan Supplementary Guidance in respect of the Strategic Transport Fund.

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The Committee heard from Matthew Easton, Senior Planner, who spoke in furtherance of the report.

The Committee resolved:-

to approve the application conditionally as outlined above.

At this juncture, the Convener indicated that he would be speaking on behalf of Froghall, Powis and Sunnybank Community Council in support of their objections in relation to the following item of business, and therefore vacated the Chair in favour of the Vice Convener.

FROGHALL TERRACE, RESIDENTIAL AND STUDENT ACCOMMODATION (PPiP) - 151772

4. 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 approve the application** subject to a 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, as follows:-

(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:-

- (a) detailed design and external appearance of the building(s) the height and roof form shall accord with the submitted drawings;
- (b) 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;
- (c) details of the boundary treatments, including the hedge and temporary treatment to the boundary in the period before the hedge reaches its intended height;
- (d) a construction method statement;
- (e) full details of access junctions onto local road network; and
- (f) 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.

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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; and
- (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.

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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.

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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.

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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:-

- (a) 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;

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- (b) 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; and
- (c) 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.

The Committee heard from Nicholas Lawrence, Senior Planner, who spoke in furtherance of the report and answered questions from members.

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The Committee resolved:-

- (i) to request that a site visit be undertaken to allow the application to be determined; and
- (ii) to note that the Convener would speak on behalf of Froghall, Powis and Sunnybank Community Council in support of their objections at the site visit.

BURNSIDE GARDENS (FORESTERHILL COURT) - 151842

5. 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 replacement NHS staff accommodation with new build key worker housing comprising of 110 units along with associated open space, parking and infrastructure.

The Committee heard from Nicholas Lawrence, Senior Planner who spoke in furtherance of the report and answered questions from members.

The Convener, seconded by Councillor Cooney moved a procedural motion:-

To defer consideration of the application until a future meeting of the Committee to allow officers to discuss with the applicant the possibility of resolving issues pertaining to the current application involving the omission of block G and the 'allotment area' including the access road and rotating block E and in the meantime to undertake a non-determining site visit of the location

On a division, there voted:- for the procedural motion (15) – The Convener, the Vice Convener and Councillors Cooney, Corall, Cormie, Dunbar, Greig, Hutchison, Jaffrey, Lawrence, Malik, Jean Morrison MBE, Nicoll, Jennifer Stewart and Sandy Stuart; against the procedural motion (1) – Councillor Donnelly.

The Committee resolved:-

to adopt the procedural motion.

20 FARBURN TERRACE – REDEVELOPMENT OF INDUSTRIAL SITE - 160379

6. 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 proposed demolition of existing single storey office and workshop building and the erection of new 3 storey office, training workshop building including storage and associated car parking.

The Committee resolved:-

to approve the recommendation and therefore refuse the application.

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WELLSIDE CIRCLE, KINGSWELLS – ERECTION OF TWO RESIDENTIAL DWELLINGS - 160753

7. 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 two semi-detached residential dwellings.

The Committee resolved:-

to approve the recommendation and therefore refuse the application.

- **Councillor Ramsay Milne, CONVENER**

DRAFT

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 25 August, 2016. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor Milne, Convener, Councillor Finlayson, Vice Convener; and Councillors Cooney, Corall, Donnelly, Greig, Hutchison, Jaffrey, 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=152&MI d=3852&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 Planning Development Management Committee minute and this document will not be retrospectively altered.

BURNSIDE GARDENS, FORESTERHILL COURT - 151842

1. With reference to Article 5 of the minute of meeting of the Planning Development Management Committee of 18 August 2016, wherein it had been agreed to undertake a **non-determining** visit of the site, 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 replacement NHS staff accommodation with new build key worker housing comprising of 110 units along with associated open space, parking and infrastructure.

The Committee heard from Nicholas Lawrence, Senior Planner who provided information on the design and layout of the proposed development and answered questions from members.

At this juncture, the Convener indicated that for the next item, he would be speaking on behalf of Froghall, Powis and Sunnybank Community Council in support of their objections in relation to the following item of business, and therefore vacated the Chair in favour of the Vice Convener.

FROGHALL TERRACE, RESIDENTIAL AND STUDENT ACCOMMODATION (PPiP) - 151772

2. With reference to Article 4 of the minute of meeting of the Planning Development Management Committee of 18 August 2016, wherein it had been agreed to undertake a visit of the site, the Committee had before it a report by the Interim Head of Planning and Sustainable Development which recommended:-

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

25 August 2016

That the Committee show **a willingness to approve the application** subject to a 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, as follows:-

- (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:-
- (a) detailed design and external appearance of the building(s) the height and roof form shall accord with the submitted drawings;
 - (b) 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;
 - (c) details of the boundary treatments, including the hedge and temporary treatment to the boundary in the period before the hedge reaches its intended height;
 - (d) a construction method statement;
 - (e) full details of access junctions onto local road network; and
 - (f) 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;

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

25 August 2016

- (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; and
- (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.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

25 August 2016

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

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

25 August 2016

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.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

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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:-

- (a) 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;
- (b) 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; and
- (c) 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.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

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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.

As requested by the Committee at the meeting on 18th August 2016, they were given access to two properties by residents who had submitted letters of representation. The Committee were given access to 45H Sunnybank Road and 21 Froghall View which provided views across the site.

During the visit, the Committee heard from Nicholas Lawrence, Senior Planner, who provided information on the design and layout of the proposed development and answered questions from members.

DECLARATION OF INTEREST

The Convener addressed the Committee as indicated above and requested that the application be refused. Accordingly, in terms of Section 7.15 of the Councillors' Code of Conduct, the Convener declared an interest in the

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

25 August 2016

matter and withdrew from the meeting. The Vice Convener then took the Chair.

Councillor Donnelly, seconded by Councillor Corall moved:-

That the application be approved in accordance with the recommendation set out in the report.

The Vice-Convener, seconded by Councillor Jean Morrison MBE, moved as amendment:-

That the application be refused on the following grounds:-

- that there would be an overdevelopment of the site in terms of the concentration of student accommodation in a residential area;
- that there would be insufficient parking on site and in the already congested surrounding area as a result of the large number of students proposed for the development; and
- there were concerns that the existing drainage system could not accommodate the flow arising from the proposed development.

On a division, there voted:- for the motion (2) – Councillors Donnelly and Corall; for the amendment (9) – the Vice Convener, and Councillors Cooney, Greig, Hutchison, Jaffrey, Malik, Jean Morrison MBE, Nicoll and Sandy Stuart.

The Committee resolved:-

to adopt the amendment and refuse the application.

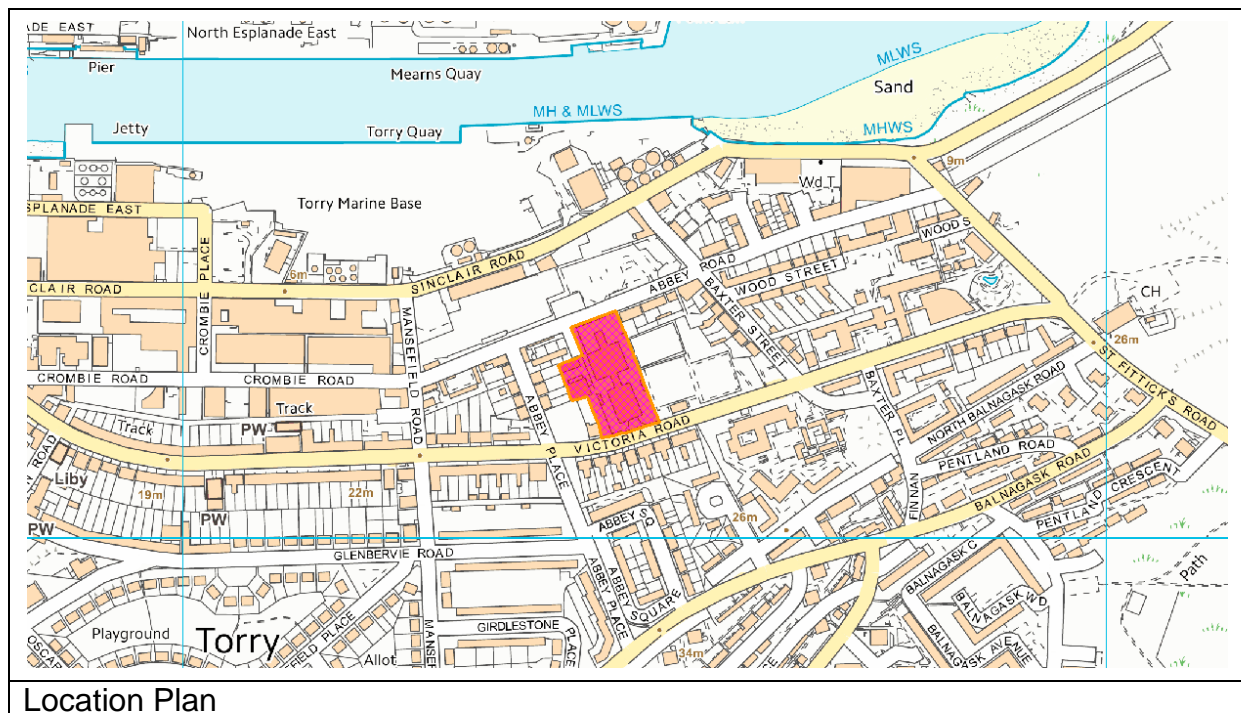
- **Ramsay Milne, Convener**

Planning Development Management Committee Detailed Planning Permission

161051/DPP: Demolition of the existing Victoria Road Primary School and erection of 56 residential units, along with open space, parking and associated infrastructure at Victoria Road Primary School, Victoria Road, Aberdeen, AB11 9NT.

For: Barratt North Scotland

Application Date:	18 July 2016
Officer:	Andrew Miller
Ward:	Torry/Ferryhill
Community Council:	Torry
Advertisement:	None
Advertised Date:	N/A



RECOMMENDATION: Defer no hearing

SITE DESCRIPTION

The site comprises the former Victoria Road Primary School, a granite built school opened in 1873 and extended in 1905. The school is formed of two distinct parts, the original block on the northern part of the site and the more recent extension to the south, linked by a corridor. The site slopes down from the boundary with Victoria

Road to the boundary with Abbey Road. The surrounding area is largely residential, though tennis courts and bowling greens bound the site to the east.

RELEVANT HISTORY

P141670 – Proposal of Application Notice (PoAN) for re-development of site for residential development along with open space, parking and associated infrastructure. In responding to the PoAN, the Council requested further consultation be undertaken.

The proposal was presented to the Pre-Application Forum on 26 January 2015, at which The Forum resolved:-

- (i) to express the importance to the applicant of continuing the consultation with local residents;
- (ii) to express the desire of the Forum for the retention and reuse of as much of the existing granite and granite façade as possible; and
- (iii) to note that the proposal was still at an early stage and to agree that the applicant could attend a future meeting to give a further, more detailed presentation if they wished.

Following on from this, the proposal was presented to the Pre-Application Forum on 16 July 2015, at which the forum resolved:

- (i) to express the desire of the Forum that the developer give consideration to the inclusion of a vehicle charging point on site;
- (ii) to suggest that the developer discuss waste management with officers in the Council's recycling team;
- (iii) to request that the developer take into consideration access and egress on to Victoria Road and Abbey Road, particularly in relation to safety concerns around any use of HGVs should the proposal be granted planning permission.

P151260 – Detailed Planning Permission for the demolition of Victoria Road Primary School and other buildings within the site and the erection of 56 Residential Units, with associated open space, parking and infrastructure.

The application was subject to a site visit and Public Hearing in May 2016, due to the number of representations received (over 260) and the Council's financial interest in the site.

The application was subsequently withdrawn by the applicant.

DESCRIPTION OF PROPOSAL

Detailed Planning Permission is sought for the demolition of all buildings within the application site (including Victoria Road Primary), and the erection of 56 residential units split into the following:

APPLICATION REF: 161051/DPP

- 23 terraced 3-bedroom houses in the northern half of the site accessed from Abbey Road.
- 33 flats over four 3-storey blocks in the southern half of the site accessed from Victoria Road.

The units would be finished in white dry dash render and grey slate effect roof tiles, though the flats would incorporate new granite into certain aspects of their elevations. The distinct split in the site would involve a difference in levels, with the northern half being elevated above the southern half of the site by approximately 2.3 metres. Both halves of the site would be connected by stairs and a ramp.

Car parking would be provided within the site (78 spaces) with 2 on street spaces provided for Car Club cars. Cycle parking and bin stores would also be provided for the flats in the southern half of the site.

Within the site, there would be a loss of 6 trees though 9 trees would remain. These trees are subject to a Tree Preservation Order (TPO).

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at <https://publicaccess.aberdeencity.gov.uk>.

Supporting documents provided with this application include:

- Transport Assessment
- Pre-Application Consultation Report
- Supporting Statement

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation in Torry Youth and Leisure Centre on 25 February 2015 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 was subject to publicity in the local press, as well as public notices being displayed in the surrounding area and notifications sent direct to 103 neighbours.

The event entailed a drop-in exhibition open to the public, with specific invites for a preview before the event sent to Torry Community Council and Torry/Ferryhill Elected Members. Whilst not everyone signed the sign in sheet at the event, it is estimated that 85 members of the public attended.

Two presentations were also given to the Council's Pre-Application Forum as detailed under Relevant History above.

CONSULTATIONS

Consultee	Comments Made
Scottish Water	Awaiting response.
ACC - Roads Development Management	Awaiting response.
Police Scotland	Recommend cycle store moved to adjacent bin store to enable natural surveillance. Additional comment provided on site security during construction works.
Developer Obligations Team	Contributions sought towards: <ul style="list-style-type: none"> • Community Facilities • Sport and Recreation • Core Path Network
ACC - Environmental Health	Affordable housing identified at 25% on site delivery. Conditions recommended requiring: <ul style="list-style-type: none"> • Noise Impact Assessment • Construction Management Plan • Dust Management Plan
ACC - Flooding And Coastal Protection	Require Drainage Impact Assessment to be undertaken. Confirmation required that: <ul style="list-style-type: none"> • development is in accordance with CIRIA SuDS manual; • the cellular store on site is 0.5% + CC and is existing at green field run-off rate; and • there is not overland flow existing on the site.
SEPA	Awaiting response.
ACC – Waste Services	Details of bin provision for the development along with clarification requested on refuse vehicle swept paths and collection arrangements for houses.
Health and Safety Executive	Does not advise against granting of consent.
Torry Community Council	Awaiting response.

REPRESENTATIONS

559 objections and 1 neutral representation have been received.

The matters raised in the representations can be briefly summarised as follows:

APPLICATION REF: 161051/DPP

- Loss of Granite Building/Built Heritage and insufficient re-use of granite in development contrary to policy D4 of the ALDP.
- Design and siting out of character with Old Torry.
- Insufficient parking on site and subsequent overflow on to surrounding streets.
- Insufficient access for emergency vehicles such as fire engines.
- Loss of education resource with identified need for new primary school in Torry.

Suggested alternative uses, examples of former schools restored to alternative uses, potential damage to private property and breach of EU Directives were raised in representations but are not material planning considerations.

PLANNING POLICY

Aberdeen Local Development Plan 2012

H2: Mixed Use Areas
H5: Affordable Housing
D1: Architecture and Placemaking
D2: Design and Amenity
D3: Sustainable and Active Travel
D4: Aberdeen's Granite Heritage
NE4: Open Space Provision in New Development
NE5: Trees and Woodlands
NE6: Flooding and Drainage
NE8: Natural Heritage
R7: Low and Zero Carbon Buildings
I1: Infrastructure Delivery and Develop

Proposed Aberdeen Local Development Plan 2015

H2: Mixed Use Areas
H5: Affordable Housing
D1: Quality Placemaking by Design
D5: Our Granite Heritage
I1: Infrastructure Delivery & Planning Obligations
T2: Managing the Transport Impact of Development
T3: Sustainable and Active Travel
NE4: Open Space Provision in New Development
NE5: Trees and Woodlands
NE6: Flooding, Drainage and Water Quality
NE8: Natural Heritage
R6: Waste Management Requirements for New Developments
R7: Low & Zero Carbon Buildings, Water Efficiency
CI1: Digital Infrastructure

OTHER RELEVANT MATERIAL CONSIDERATIONS

“Permitted Development” rights for the demolition of buildings under Class 70 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended).

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.

Hearing Guidelines

Under Section 38A (4) of the Planning Act, the planning authority may decide to hold a hearing for any development not covered by the mandatory requirements and to give the applicant and any other person an opportunity of appearing before and being heard by the committee.

In June 2010 the Council agreed guidelines on ‘When to hold public hearings in relation to planning applications’. The circumstances in which it is appropriate to hold a public hearing prior to determination of a planning application (where a pre-determination hearing is not a statutory requirement) are: (i) where the application has been the subject of more than 20 objections; and (ii) the Council has a financial interest; and / or (iii) the application is a departure from the development plan.

(i) Level of Representation

This proposal has attracted a total of 559 objections, exceeding the threshold stated in the first of these criteria.

(ii) Ownership/Financial Interest

The application site is owned by the Council and it therefore has a direct financial interest in the outcome of the application.

The combination of these two factors alone is sufficient to trigger a requirement for this report, the purpose of which is to establish whether officers consider a public hearing should be held and to make a recommendation to members accordingly. No recommendation is being made at this time in respect of the determination of the application. A later report will be presented to a future committee making such a recommendation.

On whether the proposal represents a departure from the Development Plan – the site is designated as an opportunity site within the ALDP 2012. It’s designation OP127 (Victoria Road Primary School, Torry), identifies the site for sensitive residential redevelopment, though the wider zoning within the ALDP is for mixed use,

with associated policy H2 requiring developments to take into account the existing uses and character of the surrounding area. The surrounding area is largely residential.

Taking these matters into account, it is concluded that the proposal does not represent a departure from the Development Plan in principle, having had regard to its zoning and the nature of the proposed development, and that detailed assessment of the finer details will establish whether there are any areas of conflict with policy. For the purposes of this report, the proposal is not considered to represent a departure from the Development Plan.

The Council's established hearing guidelines state that the issues which require to be addressed in determining whether a hearing should be held will include 'whether the development plan policy is up to date and relevant to the matters raised, and whether these matters are material planning considerations.'

In determining the proposals, the main considerations will relate to the following:

- The loss of the granite built school with reference to Policy D4 of the adopted ALDP 2012, which contains criteria relative to the retention of granite buildings.
- The principle of the redevelopment of the site for residential use taking account of the requirements of policy H2 of the ALDP 2012 and relevant designations.
- The layout, design and form of the development, and the provision of open space. Subsequent implications of policies D1 and D2 of the ALDP 2012 and Designing Streets.
- Impact on protect trees (covered by Tree Preservation Order) and the requirements of policy NE5 of the ALDP 2012.
- Access to the site (Public Transport, Pedestrian, Cycles and Cars) and the requirements of policy T2 of the ALDP 2012 and associated Transport and Accessibility Supplementary Guidance.

Following on from the hearing for the similar application 151260, there has been no significant change in the Membership of the Planning Development Management Committee, the Local Development Plan has not changed and matters raised in the representations have not raised new issues that were not previously heard in detail at that time.

Taking the foregoing into account it is considered that a further hearing is not necessary for this application.

RECOMMENDATION: Defer No Hearing

REASONS FOR RECOMMENDATION

The application has met the trigger whereby members must determine whether a public hearing is to be held on account of the number of objections received and the Council's financial interest in the application (as land owner). As a similar previous application was subject to a public hearing (application 151260 refers) and the

representations received to the current application raise no new issues, a public hearing is not recommended for this application.

Comments for Planning Application 161051/DPP

Application Summary

Application Number: 161051/DPP

Address: Victoria Road Primary School Victoria Road Aberdeen AB11 9NT

Proposal: Demolition of the existing Victoria Road Primary School and erection of 56 residential units, along with open space, parking and associated infrastructure.

Case Officer: Andrew Miller

Customer Details

Name: Mrs Susan Montgomerie

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I live in a 2 flatted property and the garden backs directly on to the proposed development. I would want a guarantee that any damage done to the garden wall or my property would be repaired and restored; I would not expect workmen using my pathway or garden to access the site; I would assume there would be no traffic congestion or any problems getting parked if/ when the work commences. More importantly, I would definitely not want any part of the new development overlooking our garden and that the new houses would not be built directly adjacent to our property. Presumably, too, contractors would be aware of noise at particular times of the day.

I would hope, too, that consultation will be ongoing re the development.

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

David Fryer
66 Abbey Road.....
Torry.....
AB11 9PE.....

28th August 2016

Dear Sir/Madam,

Application Reference P161051, Victoria Road Primary School, Torry, Aberdeen.

This letter is to object to this planning application on the following grounds: --

1. The demolition of the Victoria Road School buildings would be a major loss of a granite heritage building and would contravene Policy D.4 of the present 2012 Local Development Plan. Planning Officers have stated in a formal report to the Planning Committee that the loss of a substantial and unique granite building cannot be accommodated within the policy. I ask how a policy is being maintained if it allows for smashing a structurally sound building into a million pieces?
2. The destruction of these locally and very important granite structures will have a negative impact on the area's visual character and the most likely crushing of the granite material represents a loss which would breach current EU Directives relating to the recycling of materials, and would also breach Policy H1 of the present 2012 Local Development Plan.
3. The proposed development is out of character in every sense with the significant presence of granite in Old Torry and the lack of architectural cohesion and fenestration only completes the bland character of this scheme.
4. The proposed development will lead to the loss of a significant community resource, with the accompanying negative impact on community cohesion. In my considered view, the speculative and commercial nature of these proposals provides no offset of community gain and does not comply with the ethos of paragraph 3.51 of the present 2012 Local Development Plan.

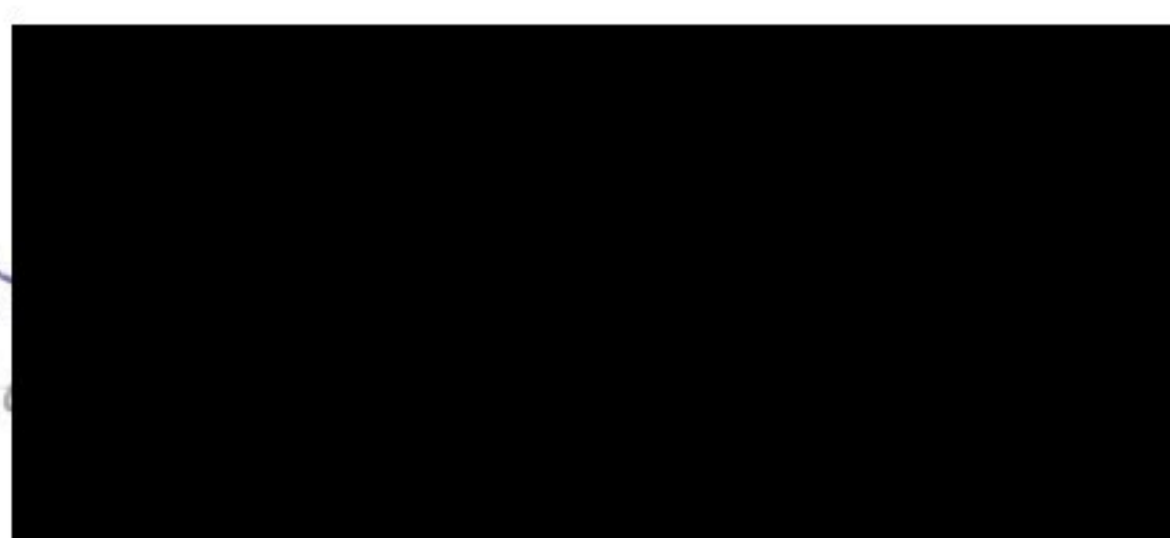
These buildings should be kept as an irreplaceable piece of the granite heritage of Old Torry. Fine example of granite buildings involving former schools that have been restored and brought back into new uses. In particular, I cite Mile End School, Causewayend School and Hanover Street remains a school where retention of structures has worked well. What is required are possible future uses that will meet local needs and must these be considered are:

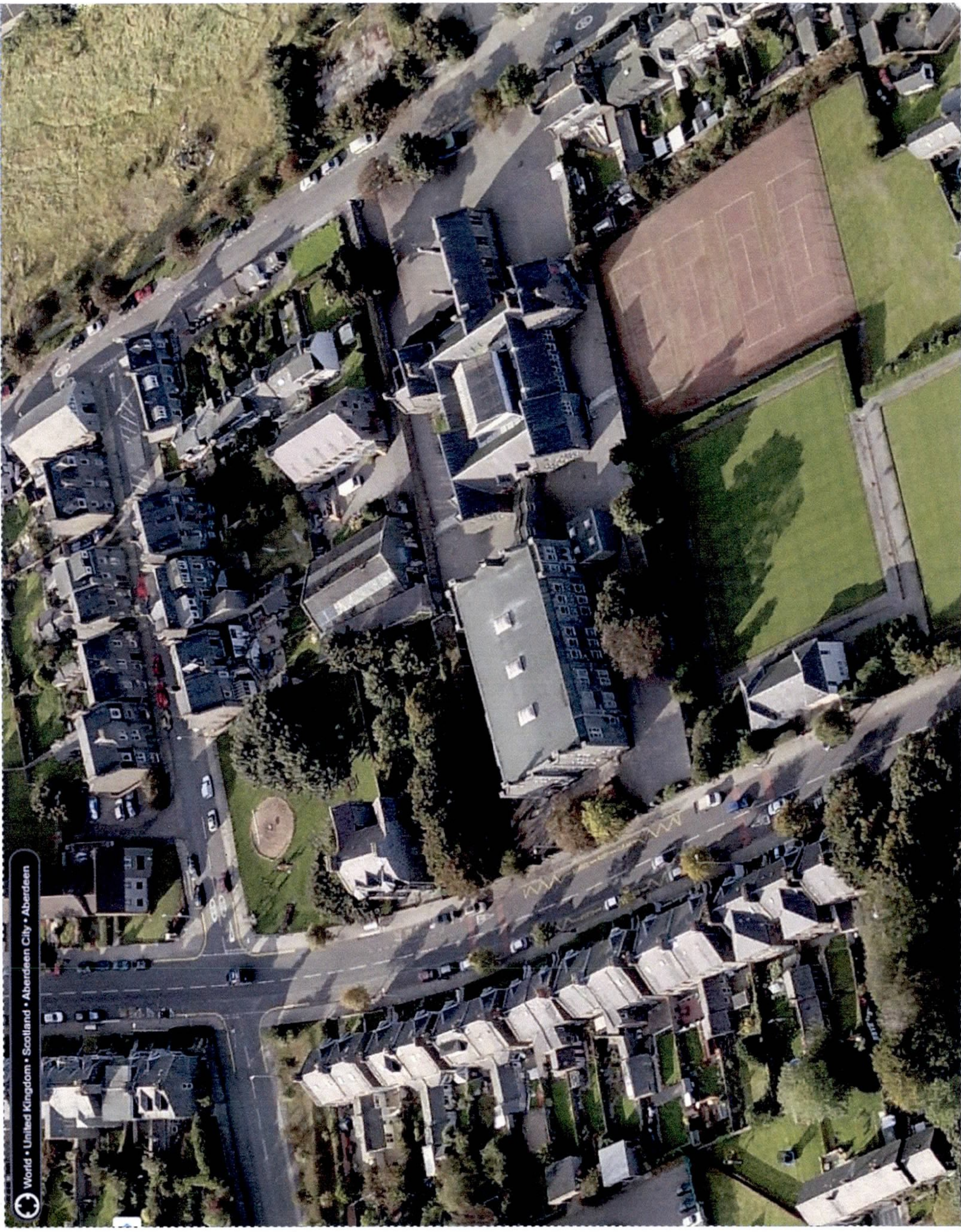
- 1 The Council is on record in that there is a need for a new primary school in Torry to alleviate the chronic overcrowding in the local primary schools. I urge that this set of buildings be repaired, restored and brought back into use as a school using adjacent lands as needed for education and community needs
- 2 Alternatively, there can be conversion into low-cost homes and/or offices for small businesses
- 3 A community hub with a focus on health and wellbeing, arts and small workshops, and also linked to the sports centre is another viable alternative

By reason of the clear breaches of Council Policy, to preserve our granite heritage and to meet local needs of the community of Torry, I would appeal for the Planning Committee and the City Council to refuse this planning application.

Yours sincerely,

.....
A photo of the s





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

Andrea Lobban
32 Ascot Avenue
GLASGOW
G12 0AX

Date: 16th August 2016

Dear Sir/Madam,

Application Reference P161051, Victoria Road Primary School, Torry, Aberdeen.

I wish to object to the present planning application on the following grounds: --

1. The demolition of the Victoria Road School buildings would be a major loss of a granite heritage building and would contravene Policy D.4 of the present Local Development Plan. Planning Officers have stated in a formal report that the loss of a substantial and unique granite building cannot be accommodated within the policy. How can a policy be maintained if a structurally sound building is demolished?
2. The destruction of this locally important granite structure will have a negative impact on the area's visual character and the most likely crushing of the granite material represents a loss which would breach current EU Directives relating to the recycling of materials, and would also breach Policy H1 of the present Local Development Plan.
3. The proposed development is out of character with the significant presence of granite in Old Torry and the lack of architectural fenestration only completes the bland character of this scheme.
4. The proposed development will lead to the loss of a significant community resource, with the accompanying negative impact on community cohesion. The purely speculative and commercial nature of these proposals provides no offset of community gain and does not comply with the ethos of paragraph 3.51 of the present Local Development Plan.

These buildings should be kept as an irreplaceable piece of the granite heritage of Old Torry. Fine example of granite buildings, and there are good examples involving former schools that have been restored and brought back into new uses. Possible future uses that will meet local needs and must be considered are:

- 1 The Council is on record in that there is a need for a new primary school in Torry to alleviate the chronic overcrowding in the local primary schools. I urge that this set of buildings be repaired, restored and brought back into use as a school using adjacent lands as needed for education and community needs
- 2 Conversion into low-cost homes and/or offices for small businesses
- 3 A community hub with a focus on health and wellbeing, arts and small workshops, and also linked to the sports centre

By reason of the clear breaches of Council Policy, to preserve our granite heritage and to meet local needs of the community of Torry, I would appeal for the Planning Committee and the City Council to refuse this planning application.

Yours sincerely,



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163 Hardgate

Aberdeen

AB11 6XQ

22nd August 2016

Dear Sirs

Reference: 161051/DPP

Proposal: Demolition of the existing Victoria Road Primary School and erection of 56 residential units, along with open space, parking and associated infrastructure

I refer to the above and I am very disappointed that a new application has been submitted for the demolition of Victoria Road Primary School.

The fact that the previous application was recommended for refusal should have been deterrent enough.

I notice that in the recent application the number of parking spaces within the development have been reduced to promote sustainable travel. Whilst it is good to promote sustainable travel, it cannot be enforced, therefore should the residents of this development not use sustainable travel this will have a knock on effect to parking in the surrounding areas, namely, Victoria Road, Abbey Place, Abbey Road and Baxter Street, where, at this present time parking is difficult enough.

Also I note that access to the development would be from Victoria Road and Abbey Road. Abbey Road has traffic calming measures in place and as discussed at the public hearing earlier this year, this would make it difficult for the emergency services to access the Abbey Road entrance. However, as mentioned by one of the members of the council on the panel at the public hearing, the emergency services could "use their cutting equipment to remove the bollards". Ideal, when there is a fire or someone is seriously ill on the development. We'll be with you shortly; we just need to remove these bollards. Ridiculous!!

Viewing the proposed layout of the development it seems there is very little room for manoeuvre should a fire engine or engines be called and I very much doubt (as they will have to access Abbey Road via Baxter Street) that they would be able to do a 3 point turn on Abbey Road to get back up Baxter Street.

Aside from all of this and before any of this can take place, the proposal is to knock down a structurally sound granite building. What Aberdeen was built on, granite! This would contravene Policy D.4 of the present Local Development Plan. Planning Officers have stated in a formal report that the loss of a substantial and unique granite building cannot be accommodated within the policy.

These buildings should be kept as an irreplaceable piece of the granite heritage of Old Torry. There are good examples involving former schools that have been restored and brought back into new uses in Aberdeen, Causewayend, Frederick Street, and Commerce Street.

Whilst Victoria Road Primary School may not be converted back in to a school, there are numerous future uses that would meet the local needs, for example:

- A) Conversion into low-cost homes and/or offices for small business.

- B) A community hub with a focus on health, wellbeing, arts and small workshops and also linked to the sports centre.

Also at the present time, numerous groups use The Old Torry Community Centre, one of those groups is the Torry Heritage Group. We have amassed a huge amount of photographs and other items over time but are restricted in what we can display due to the needs of other groups. If Victoria Road Primary School was converted in to a community hub, we could display our collections on a permanent basis, a museum if you like, which would attract more visitors and tourists to the area.

Finally as I've said before and I shall say it again, how much longer can we continue to call Aberdeen the Granite City, if we continue to demolish perfectly sound granite buildings?

Yours faithfully



Pamela Swanson

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

ADELINE FALCONER
93 GIRDLENESS ROAD
TORRY
AB11 8DT
Date: 19-8-16

Dear Sir/Madam,

Application Reference P161051, Victoria Road Primary School, Torry, Aberdeen.

I wish to object to the present planning application on the following grounds: --

1. The demolition of the Victoria Road School buildings would be a major loss of a granite heritage building and would contravene Policy D.4 of the present Local Development Plan. Planning Officers have stated in a formal report that the loss of a substantial and unique granite building cannot be accommodated within the policy. How can a policy be maintained if a structurally sound building is demolished?
2. The destruction of this locally important granite structure will have a negative impact on the area's visual character and the most likely crushing of the granite material represents a loss which would breach current EU Directives relating to the recycling of materials, and would also breach Policy H1 of the present Local Development Plan.
3. The proposed development is out of character with the significant presence of granite in Old Torry and the lack of architectural fenestration only completes the bland character of this scheme.
4. The proposed development will lead to the loss of a significant community resource, with the accompanying negative impact on community cohesion. The purely speculative and commercial nature of these proposals provides no offset of community gain and does not comply with the ethos of paragraph 3.51 of the present Local Development Plan.

These buildings should be kept as an irreplaceable piece of the granite heritage of Old Torry. Fine example of granite buildings, and there are good examples involving former schools that have been restored and brought back into new uses. Possible future uses that will meet local needs and must be considered are:

- 1 The Council is on record in that there is a need for a new primary school in Torry to alleviate the chronic overcrowding in the local primary schools. I urge that this set of buildings be repaired, restored and brought back into use as a school using adjacent lands as needed for education and community needs
- 2 Conversion into low-cost homes and/or offices for small businesses
- 3 A community hub with a focus on health and wellbeing, arts and small workshops, and also linked to the sports centre

By reason of the clear breaches of Council Policy, to preserve our granite heritage and to meet local needs of the community of Torry, I would appeal for the Planning Committee and the City Council to refuse this planning application.

Yours sincerely,



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

MRS DORFEN LYON
20 PRADIST HEGG COURT
VICTORIA ROAD
AB11 9NF

Date: 18.8.16

Dear Sir/Madam,

Application Reference P161051, Victoria Road Primary School, Torry, Aberdeen.

I wish to object to the present planning application on the following grounds: --

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Yours sincerely,

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

Karen Crighton
80 Corrennie Circle
Dyce, Aberdeen
AB21 7LL
Date: 15-8-2016

Dear Sir/Madam,

Application Reference P161051, Victoria Road Primary School, Torry, Aberdeen.

I wish to object to the present planning application on the following grounds: --

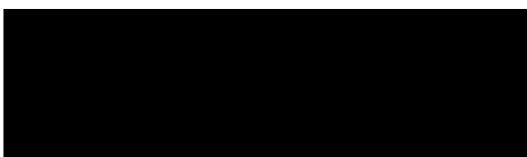
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Yours sincerely,



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

STEPHEN BARNEY
8 CHERRY ROW
UNION STATION
AB11 6AF
Date: 19-8-2016

Dear Sir/Madam,

Application Reference P161051, Victoria Road Primary School, Torry, Aberdeen.

I wish to object to the present planning application on the following grounds: --

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

DAVID LEYS
302 NORTH BALNAGASK
ROAD
ABERDEEN

Date: 19-8-2016

Dear Sir/Madam,

Application Reference P161051, Victoria Road Primary School, Torry, Aberdeen.

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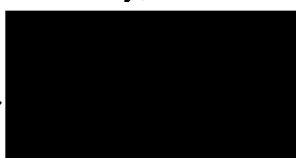
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Development Management
Planning and Sustainable Development
Aberdeen City Council
Business Hub 4, Marischal College
Broad Street, Aberdeen, AB10 1AB

W.A.M. 1165... S.M. 1111... H. 1026
... C.M. 1111...
... A.B. 1165...
... A.B. 41... SPL
Date: 22/02/16

Dear Sir/Madam,

Application Reference P161051, Victoria Road Primary School, Torry, Aberdeen.

I wish to object to the present planning application on the following grounds: --

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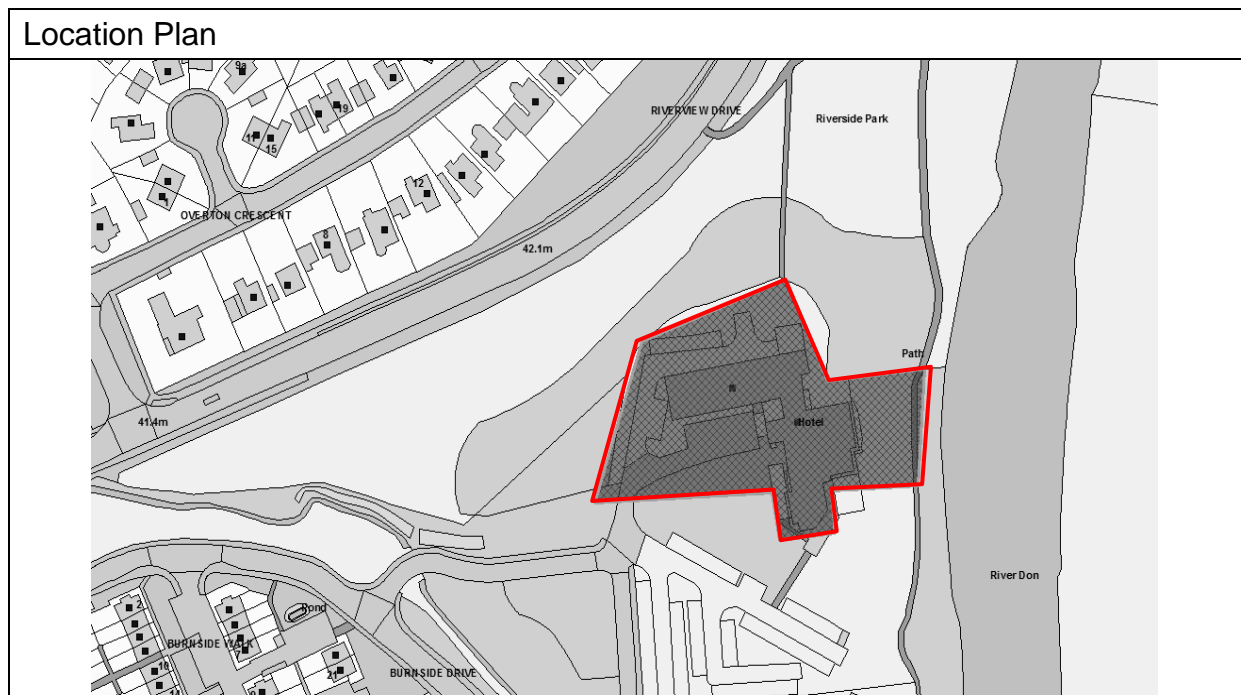
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Planning Development Management Committee Detailed Planning Permission

151999: Erection of flatted development (37no. units) with associated infrastructure and landscaping, including the demolition of existing Travelodge and Restaurant at Burnside Drive, Dyce, Aberdeen, AB21 0HW

For: Energy Dawn Ltd S2 Asset Management Ltd

Application Date:	6 January 2016
Officer:	Sepideh Hajisoltani
Ward:	Dyce/Bucksburn/Danestone
Community Council:	Comments Received (Dyce and Stoneywood Community Council)
Advertisement:	Development Plan Departure
Advertised Date:	13/07/2016



RECOMMENDATION:

Approve conditionally and subject to legal agreement in relation to affordable housing, community facilities, sports and recreation and core path network.

SITE DESCRIPTION

1.4 acres of land within the identified Green Belt, but currently largely occupied by a 40 bedroom hotel and a closed pub/restaurant situated to the east of Burnside Drive in Dyce. To the east is the River Don; to the south, beyond an area of trees and then car parking associated to the hotel and pub/restaurant, are 3 storey residential flats.

Riverside Park, an area of public amenity land, is to the immediate north, with residential properties across Riverview Drive. In addition there are terraced residential properties some distance to the west and a number of large scale industrial buildings further to the southwest.

RELEVANT HISTORY

15/1998 - Detailed planning permission for a replacement hotel and restaurant, with associated works and landscaping (between the site and existing flats to the south) was approved conditionally under delegated powers in June 2016.

A4/0868 (PLU 000422) – Detailed planning permission for the 36 flats and associated car parking, refuse storage and landscaping at Glen Farm (being those flats to the south) was approved conditionally in July 2004.

Planning records associated to the existing hotel and restaurant have not been able to be located.

DESCRIPTION OF PROPOSAL

37 flats and associated infrastructure and landscaping.

The flats would be contained within two blocks, each incorporating three combined towers/wings: two 7 storey and one 6 storey wing for 'block 1', in the northern area; and two 6 storey and a 5 storey wing for 'block 2', to the east.

It should be noted that the proposal has been amended since submission, to address a number of issues raised by officers.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

The following documents were submitted in support of the proposal:

- Transport Statement;
- Site Investigation;
- Design Statement;
- Tree Survey Report;
- Flood Risk Assessment; and
- Drainage Impact Assessment.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because Dyce and Stoneywood Community Council object, and as the proposal constitutes a departure from the adopted Local Development Plan. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – No objections. Request conditions relating to: pedestrian, cycle and public transport accessibility; improving the existing vehicular access; and a Travel Plan.

Environmental Health – No observations.

Developer Contributions Team – Developer contributions are required towards community facilities, sports and recreation and core path networks. In connection with affordable housing, contributions are required along with delivery of 9 units of Low Cost Home Ownership (LCHO) onsite.

Communities, Housing and Infrastructure (Flooding) – No objections. Advise that the drainage strategy is acceptable.

Scottish Environment Protection Agency – No objection.

Community Council – Dyce and Stoneywood Community Council object for the following reasons:

- Loss of amenity;
- Domination of the open public open space beside Riverview Drive and the River Don;
- The scale and design is out of keeping with the character of the location; and
- Overdevelopment of the site.

NATS (En-Route) Plc. – Advise that from a technical safeguarding aspect there is no objection.

Aberdeen Airport - No objections. Request conditions relating a bird hazard management plan to address potential bird attractants.

REPRESENTATIONS

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

- 1) The overall scale and design is not in keeping with the surrounding development;
- 2) The proposal would have a detrimental impact on amenity of the area;
- 3) Loss of privacy for surrounding residential properties;
- 4) The proposal would result in over-development of the site and have a negative impact on traffic in the area; and
- 5) Detrimental impact on existing trees.

PLANNING POLICY

Aberdeen Local Development Plan
Policy NE2- Green Belt

Policy D1 - Architecture and Placemaking
Policy D2 - Design and Amenity
Policy D6 – Landscape
Policy T2 - Managing the Transport Impact of Development
Policy D3 – Sustainable and Active Travel
Policy NE6 - Flooding and Drainage
Policy R7 – Low and Zero Carbon Buildings
Policy R6 - Waste Management Required for New Development
Policy NE5 – Trees and Woodlands
Policy H5 - Affordable Housing

Proposed Aberdeen Local Development Plan

Policy H2 - Mixed Use Areas
Policy D1 - Quality Placemaking by Design
Policy D3 - Big Buildings
Policy D2 – Landscape
Policy T2 - Managing the Transport Impact of Development
Policy T3 – Sustainable and Active Travel
Policy NE6 - Flooding and Drainage
Policy R7 – Low and Zero Carbon Buildings, and Water Efficiency
Policy R6 - Waste Management Required for New Development
Policy NE5 – Trees and Woodlands
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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.

Policy NE2- Green Belt

Being within the Green Belt, Policy NE2 seeks to restrict development to that essential for agriculture, woodland and forestry, recreational uses compatible with the agricultural or natural setting, mineral extraction or restoration or landscape renewal. Clearly the proposals are not for these purposes. However, the following exceptions apply:

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

Again the proposed development does not directly accord with these exceptions, in that it is not small-scale and would increase the intensity of activity at this location.

However it is noted that the existing hotel has been established since the 1990s (although detailed records associated to the planning application associated to their development have not been found) and the flats to the south are also relatively modern yet are also positioned in the Green Belt. Planning permission for these flats was approved in 2004. At that time the site of those flats was identified, by policy EN1 (Lower Don River Policy) in the adopted Local Plan, as an opportunity site for housing purposes. It is also important to note that the allocation of this area is due to change in the Proposed Local Development Plan (2015) from 'Green Belt' to a 'Mixed Use Area'.

Policy H2 (Mixed Use Areas) in the Proposed ALDP states that applications for development or change of use within Mixed Use Areas must take into account the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity.

This history of decisions and likely revised land use allocation are significant material considerations when assessing the principle of the proposed development.

It is also considered that the proposal would constitute the redevelopment of a brownfield site (previously developed land), which is generally encouraged by the Local Development Plan (although not specifically within greenbelt locations) and Scottish Planning Policy (SPP) (2010), all to make effective use of existing infrastructure and service capacity and to reduce energy consumption and the need to travel.

Whilst the proposal is not explicitly included within the list of exemptions of Green Belt development, it is considered that the proposed redevelopment of this existing developed/brownfield site, which in effect already forms part of the established urban area, is not detached from that urban area, and does not have the characteristics or appearance of Green Belt or valued open space. This context is reflected in the proposed redesignation of the site from 'Green Belt' to a 'Mixed Use Area' in the emerging Local Development Plan. This course of action in regard to the underlying land use designation is not subject to challenge and is thus likely to be adopted in the near future. Taking all this into account the principle of developing the site would not cause detriment to the long or short term aims of the Aberdeen Green Belt which is 'to maintain the identity of Aberdeen and the communities within and around the city by defining their physical boundaries clearly, avoiding coalescence and urban sprawl, maintaining the landscape setting and providing access to open space'.

Policy D1 - Architecture and Placemaking

The two buildings are of a contemporary design, and clearly comprise relatively tall buildings in the context. In this regard Policy D1 comments that landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

In this regard the existing buildings (hotel/ restaurant and bar) are not of any particular architectural merit and importantly the location creates an opportunity for a development that makes the most of its relatively contained riverside setting and landscaped surroundings to the north, west and east. As such it is not considered that the development of the site requires to relate to the scale of existing buildings in the wider locality, rather there is scope to look at it as an individual element, sitting within a landscaped context and associated to the recently approved hotel and restaurant, and then the 3 storey flats to the south. Taking this into account it is considered that the proposed building, although of scale relate well to the immediate context and have a mass and form which would not see any significant impact on the wider city skyline, that the most would be made of the views available, whilst not significantly impacting on views afforded to others.

In response to concerns about the overall quality of design, significant involvement with Masterplanning, Design and Conservation colleagues has taken place and the proposal was amended and is considered of appropriate quality. There is a sufficient degree of landscaped amenity space between the blocks, and also breaking up car parking areas. The blocks themselves also maximise the degree of visibility towards the river and to the south. Bedroom windows are large providing significant outlook. Feature finishing materials have been incorporated to the stairwells, coloured grey (rather than the original red) to match the aluminium cladding panels to other parts of the elevations, creating visual perspective. The parapet height to the roof terraces and upper roof levels have been lowered and replaced with a structural glass balustrade to increase visibility for residents and create more interest from the street level.

In terms of overall height the proposed blocks (being a maximum of 23.4m for the 7 storey element of block 1) exceed that of the closest built context, including the approved proposal for a 5 storey hotel (with a maximum height of 17.5m) to the immediate south and the existing residential flats further to the south (which have a ridge height of approximately 10m). However, there would also be a clear increase in height from south to north, before the containment of the tree belt and openspace beyond. Whilst the proposals would be partially visible from Burnside Drive and Riverview Drive, intervening trees would mitigate views, containing the development and reducing the overall visual mass when seen from the public road.

There would be more than 40m between the proposed windows to the south elevation of Block 2 and the hotel to the south. Separation of 75m would exist between the proposed windows to the north elevation of block 1 and the dwellings to the north on Riverview Drive, and more than 100m for the other dwellings to the west of the application site, ensuring the proposal does not overlook them, although it is appreciated that the impact will exceed the current situation.

It is considered that the design of the proposal is of satisfactory quality in compliance with Policy D1 - Architecture and Placemaking.

Policy D2- Design and Amenity

It is considered that the revised layout improves the opportunity for flats at higher levels to benefit from the views up and across the river. In response to the requirements of policy D2 (Design and Amenity), roof terraces have been introduced in addition to balcony space that could be used as amenity space for residents.

Policy D6 – Landscape

It is also noted that given the level of containment provided by the significant areas of surrounding open space the proposed development would not impose significant adverse impacts upon existing landscape character, further compounded by the existing mixed use character of the surroundings, as such the proposals are considered to comply with policy D6 (Landscape).

Policy T2 - Managing the Transport Impact of Development

Parking provision, existing and proposed access arrangements and the general road network are acceptable. It is noted that the level of car parking proposed is below maximum level within ACC's parking standards, however given the level of parking proposed for the flats is larger than the census figures for car ownership for Dyce, the proposed arrangements are acceptable. A condition has also been applied in connection with ensuring adequate cycle and motorcycle parking.

The distance to the nearest bus stops is approximately 650m, with these stops being located east of the western Riverview Drive/ Wellheads Road junction. This is beyond the preferred 450m proximity distance for access to public transport and requires to be addressed. Accordingly a condition has been attached requiring the introduction of new bus stops (both directions of travel) on Riverview Drive. These bus stops will consist a minimum of a shelter, raised kerbs, seating, lighting and timetable information.

Burnside Drive is a residential street subject to a 20mph advisory speed limit. There are lit footways on both sides of the street, and given recent developments in the area, the street is in generally good condition and suitable for the level of development proposed. It is noted that Burnside Drive is adopted as far as the junction to the site, and beyond this, including presumably the culvert over the Far Burn, the infrastructure is not adopted. Given the scale of the development proposed, a condition has been applied for Burnside Drive to be upgraded to an adoptable standard.

Pedestrian access will be taken either along Burnside Drive or from a new path to the east connecting the site to the riverside walkway. From the riverside path future residents would be able to walk up to Riverview Drive a short distance to the north, which would form the shortest route to the facilities at Dyce shopping centre. However, the desire line would be to leave the site at the northern boundary and walk across the grassed area to access Riverview Drive. Therefore consideration should be given to the provision of a new path along this route. This would provide a shorter walking route to the train station, facilities on Victoria Street and bus services

on Riverview Drive. If this path were constructed to a standard to accommodate cyclists as well as pedestrians, it could provide a more direct linkage to the cycle routes on Riverview Drive. This can be secured through condition.

The TS has provided limited information about the type of infrastructure and facilities present. For example, it is not stated which footpaths are surfaced and where lighting extends. Crossing points have been identified in chapter 3 of the TS as: a signalised crossing point approximately 50 metres east of the Riverview Drive / Burnside Drive junction; and an island to the west of the Riverview Drive / Overton Circle junction. Provided that these are adequately lit, this provision is considered acceptable for the proposed development. However a condition has been applied for identification of the most convenient routes between the site and the key local facilities and the infrastructure including crossing points.

ACC's Roads Team confirmed their satisfaction with the proposals, and it is considered that subject to conditions the proposal accords with ALDP policy T2 - Managing Transport Impact of Development.

Policy D3 – Sustainable and Active Travel

In connection with policy D3 - Sustainable and Active Travel, in order to encourage active travel, improvements are to be made to local bus stops and details of proposed footpaths and a Travel Plan are to be provided. Provision of cycle and motorcycle parking has been secured by a condition.

Policy NE6 - Flooding and Drainage

The Drainage Impact Assessment is to the satisfaction of the ACC Flood Team and is considered to accord with Policy NE6 (Flooding and Drainage).

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. Compliance with this requirement will be demonstrated by the submission of a low carbon development statement secured by a condition.

Policy R6 - Waste Management Required for New Development

In terms of Policy R6 - Waste Management Requirements for New Development, discussions with ACC's Waste and Recycling Service raised no negative comments and it is considered that the proposal accords with this policy.

Policy NE5 – Trees and Woodlands

In connection to Policy NE5 - Trees and Woodlands, it is noted that while the tree belt around the site would be maintained the proposal would result in loss of a number of trees in the central sector of the site and thus there is an element of tension with the preferred approach. While no TPOs or other conservation designations are in place, there is a presumption against all activities and development that will result in the loss of trees. However it is noted that mitigating tree planting would be provided throughout the car park and access road, which

would compensate for the losses and complement the existing landscaping. The approach would also break up the openness of the hard surfaced areas between the buildings. Exact details of the external spaces and in particular new planting can be controlled through conditions.

Policy H5- Affordable Housing

Policy H5 stated that Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing. The proposal includes 9 Low Cost Home Ownership (LCHO) units which is an accepted delivery method for affordable housing, the balance of 0.25 units would be addressed via a commuted sum.

Other Matters Raised in Representations

Objection 1-5 relating to design, scale, impact on amenity, overdevelopment and impact of the development on traffic in the area and impact on trees have all been considered in the evaluation section of this report.

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

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 the relevant policies in the proposed plan largely reiterate the current policies, with the exception of the Green Belt designation being replaced with that of a Mixed Use allocation in the Proposed Local Development Plan, which would more explicitly support the principle – as is discussed in detail above.

RECOMMENDATION:

Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a section 75 legal agreement with the Council to secure the identified developer contributions. The legal agreement will seek affordable housing provision in form of 9 units for LCHO along with a commuted sum, and contributions towards community facilities, sports and recreation and core path network.

REASONS FOR RECOMMENDATION

Subject to conditions the proposal for Erection of flatted development (37no. units) with associated infrastructure and landscaping, including the demolition of existing Travelodge and Restaurant at Burnside Drive would be in accordance with Policies D3 - Sustainable and Active Travel, Policy D6 - Landscape, Policy R6 - Waste Management Required for New Development, Policy T2 – Managing the Transport Impact of Development, Policy NE6 - Flooding and Drainage and Policy H5- Affordable Housing of the Aberdeen Local Development Plan and the equivalent policies in the proposed Local Development Plan. A condition has been applied in connection to Policy R7 - Low and Zero Carbon Buildings.

The proposal does not comply with policy NE2 - Green Belt, although the existing developed nature of the site, attachment to and association with the existing urban area, and the proposed redesignation of the site from 'Green Belt' to a 'Mixed Use Area' in the emerging Aberdeen Local Development Plan justify a departure from this existing policy.

There is also an element of tension with policy NE5 - Trees and Woodlands, and the Supplementary Guidance: Transport & Accessibility, however there are material planning considerations including: landscaping proposals and the level of parking recorded for the locality that justify the proposal.

The development has been appropriately designed for its context and complies with Policy D1- Architecture and Placemaking and Policy D2- Design and amenity of the LDP. The proposal also accords with Policy H2 - Mixed Use areas of the proposed Local Development Plan.

All the other relevant material considerations have been considered, full consideration has been given to all concerns raised in representations; however they

neither outweigh the policy position as detailed above, not do they justify further amendments to the plans or refusal of the application.

CONDITIONS

(1) LOW AND ZERO CARBON BUILDINGS

That the flats 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.

Reason - 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'.

(2) DRAINAGE WORK

That no development shall take place unless an amended drainage drawing 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

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

(3) LIGHTING SCHEME

That neither of the blocks hereby approved shall be occupied unless a lighting scheme is submitted to and approved in writing by the planning authority and fully installed in complete accordance with the said scheme.

Reason – in order to ensure the development is adequately lit, to ensure public safety.

(4) LANDSCAPING SCHEME

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. The mentioned scheme should also address potential bird attractants.

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

(5) TREE PROTECTION

That no development shall take place unless the approved tree protection plan is in place. Should a different method of tree protection be proposed, this must be approved in writing by, the Planning Authority.

Reason- in order to ensure adequate protection for the trees onsite during the construction of the development.

(6) CAR PARKING

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. PL- 004 – 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.

Reason - in the interests of public safety and the free flow of traffic.

(7) TRAVEL PLAN

That no development shall take place unless a Travel Plan for the Hotel and bar/restaurant has been submitted to, and approved in writing by the planning authority. The framework should identify an overarching aim for the Travel Plan, objectives, mode split targets, an indication of the policies and procedures that will be implemented and timescales for the implementation of the future Travel Plan and ongoing reviews.

Reason - In the interest of promoting sustainable travel options.

(8) BUS STOP IMPROVEMENT

That the buildings hereby approved shall not be occupied unless a scheme detailing the design of and means of delivery for new bus stops serving both direction of travel are submitted to and approved in writing by the planning authority. Bus stops will consist of a minimum provision of a shelter, raised kerbs, seating, lighting and timetable information.

Reason- in order to encourage the use of public transport to the site and ensure the safety of pedestrians.

(9) BURNSIDE DRIVE

That the buildings hereby approved shall not be occupied unless a scheme detailing upgrading Burnside Drive is submitted to, approved in writing by the planning authority and thereafter are in place.

Reason – To adopt and improve the infrastructure for the new development.

(10) IMPLEMENTATION OF PEDESTRIAN ACCESS

That the flats hereby approved shall not be occupied unless a scheme detailing the provision of a new lit path to the riverside walkway is submitted to, approved in writing by the planning authority and thereafter constructed.

Reason - in order to integrate the development with the surrounding path network.

(11) DIRECTIONAL SIGN POSTS

That the buildings hereby approved shall not be occupied unless a scheme detailing directional signposts identifying the shortest route to surrounding facilities has been submitted to and approved in writing by the planning authority. The scheme should be supported by identification of the most convenient routes between the site and the key local facilities and infrastructure including crossing points.

Reason- in order to integrate the development with the surrounding path network and to encourage use of sustainable modes of transport to the development.

(12) IMPROVING VEHICULAR VISIBILITY

That no development shall take place until a plan detailing the sight lines at the main junction providing vehicular access to the development from Burnside Drive has been provided and approved in writing by the planning authority. Thereafter the flats shall not be occupied until all obstructions to visibility within that sightline have been removed. Thereafter all obstructions, including vegetation, should be maintained at a height no greater than 1.05m in accordance with National Roads Development Guide (2014).

Reason – in order to improve visibility.

(13) SUBMISSION OF CYCLE AND MOTORCYCLE PARKING DETAILS

That no development shall take place unless a scheme of showing (i) secure and covered cycle parking and (ii) details of the motorcycle parking anchor points, has been submitted to and approved in writing by the planning authority. Thereafter the approved scheme shall be implemented and shall be ready for use prior to the occupation of the hotel.

Reason- in order to encourage use of sustainable modes of transport to the development.

(14) BUILDING MATERIALS

That no development shall take place unless samples of the proposed external finishes to be used on the elevations of the proposed blocks and proposed 'grass-crete' surfacing to car park areas have been submitted to, and approved in writing by the planning authority.

Reason - in order to protect the visual amenities of the area.

(15) BIRD HAZARD MANAGEMENT PLAN

Development shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority and thereafter the agreed measures shall be implemented in full.

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

ADVISORY NOTES FOR APPLICANT

- (1) 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, 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 / 01224 725756) at least one month prior to use. Failure to do so may result in any responsible person to be guilty of an offence under Article 137 (Endangering Safety of an 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. Further Information can be obtained from Aberdeen International Airport Safeguarding Manager (safeguarding@aiairport.com / 01224725756)
- (2) The applicant is advised to contact Colin Burnet of ACC (cburnet@aberdeencity.gov.uk or 01224 522409) to discuss any upgrades that will be required to upgrade Burnside Drive to an adoptable standard.
- (3) Developers and applicants are advised to ensure that all permanent lighting, construction lighting, or illuminated signage, within the development site must be of a type which does not cause spillage of light above the horizontal, or include strobe, laser or flashing light. Failure to do so may result in any responsible person being guilty of an offence under Article 135 (Dangerous Lights) of the Air Navigation Order (CAP 393) which states that a person must not exhibit any light which (i) by reason of

its glare is liable to endanger aircraft taking off from or landing at an aerodrome or (ii) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft. Further information can be obtained from Aberdeen International Airport Safeguarding Manager (safeguarding@aiairport.com / 01224725756).

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Comment for Planning Application 151999

Name : Bill Harrison

Address : 16 Summer Place

Dyce

Aberdeen AB21 7EJ

Telephone :

[REDACTED]

type :

Comment : Hello,

I am writing on behalf of Dyce and Stoneywood Community Council. We object to this application.

Reasons: (1) loss of amenity. The proposed 7-storey blocks will dominate the public open space beside Riverview Drive and the River Don. They are totally out of character with the location and far taller than the buildings proposed for demolition. (2) Overdevelopment of site. There is too much crammed onto the site [40 flats, adjacent new hotel (as per separate application)].

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From: webmaster@aberdeencity.gov.uk

Sent: 31 January 2016 16:01

To: PI

Subject: Planning Comment for 151999

Comment for Planning Application 151999

Name : Evelyn Shearer

Address : 12 Overton Crescent

Dyce

AB21 7FW

[REDACTED]

[REDACTED]

type :

Comment : As a householder I object to this application which would deprive existing occupants directly across Riverview Drive of visual privacy from several dozen windows.

Seven-storey buildings are much too tall and prominent for the riverbank, Dyce's main green space. As a member of Dyce in Bloom which strives to promote green over grey locally, I object to the loss of trees which I know to harbour greater spotted woodpeckers.

My third objection is that this application represents massive over-development of what is a small site, with attendant traffic filtering onto what is already a busy corner.

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Comment for Planning Application 151999

Name : David Barron
Address : 14 Overton Crescent
Dyce
Aberdeen
AB21 7FW



type :

Comment : Having viewed the documentation for this application I am dismayed to find that these flats are 6 & 7 stories respectively.

The height and design of this development is not in keeping with the surrounding developments and I believe they would have a negative impact on the amenity of the area.

My front garden overlooks the development and I feel that there will also be a significant impact on my privacy.

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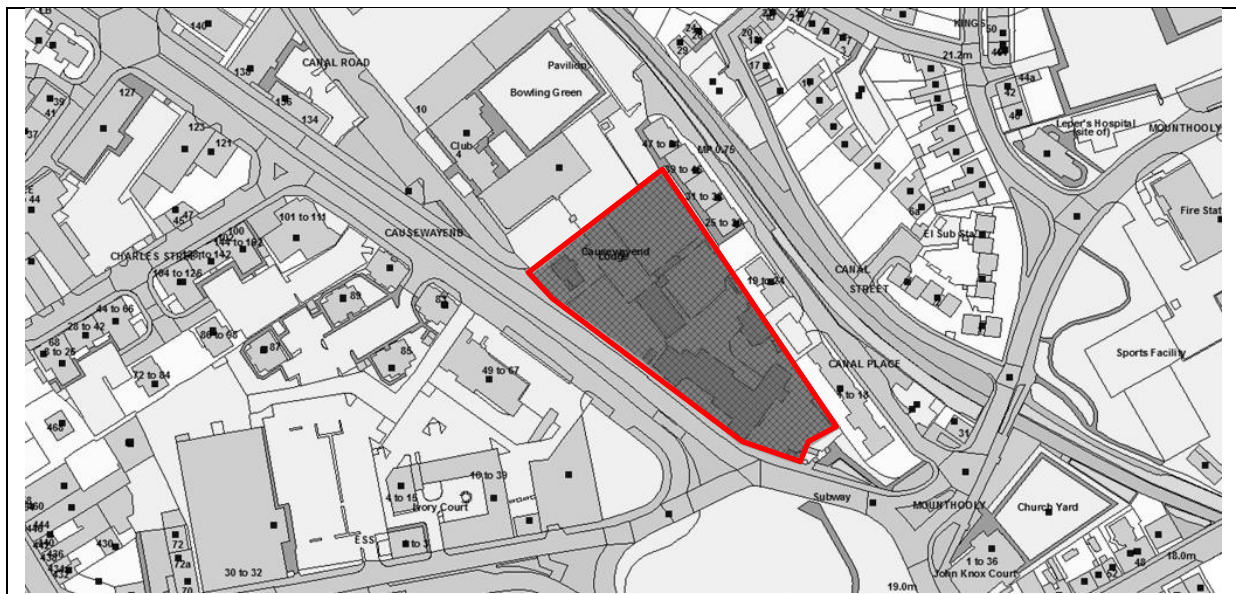
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Planning Development Management Committee Detailed Planning Permission

160786: Formation of doorway within boundary wall to provide emergency access/ egress only (Retrospective) at Causewayend Primary School, Causewayend, Aberdeen, AB25 3TJ

For: Unite Integrated Solutions Plc

Application Date:	15 June 2016
Officer:	Sepideh Hajisoltani
Ward:	George Street/Harbour
Community Council:	No comments received
Advertisement:	SB- Can't notify neighbours
Advertised Date:	06.07.2016



Location Plan

RECOMMENDATION: Approve Unconditionally

SITE DESCRIPTION

The proposal relates to the former Causewayend Primary School, a category 'C' listed building located within a mixed use area on Causewayend, at the north-east corner of the Mounthooly roundabout. The main building is of granite and slate construction built in the 19th century, it is of the 'Scottish Baronial' architectural style and set over 2-3 storeys. The former school has recently been transformed into student accommodation.

RELEVANT HISTORY

There have been a number of applications for internal and external alterations to the former main school building for student accommodation and associated facilities.

A listed building application (P160784) has been submitted in June 2016 for formation of doorway within boundary wall to provide emergency access and is yet to be determined.

DESCRIPTION OF PROPOSAL

Detailed planning permission is sought for creation of an emergency access doorway in the North-West boundary wall to provide emergency access for fire brigade only (retrospective).

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because the proposal has attracted 7 objections. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management- No observations.

Community Council – No comments received.

REPRESENTATIONS

The seven objections raise the following matters –

- 1) Impact of the proposal on safety and security of the surrounding area;
- 2) Developer's lack of engagement with local residents and accessing their land without prior notification;
- 3) There are other suitable areas for the proposal on the application site;
- 4) The proposal would increase the number of pedestrians trying to access the site through the proposed door;
- 5) The proposal does not meet the technical requirements.

PLANNING POLICY

**Historic Environment Scotland Policy Statement
Scottish Planning Policy (SPP)**

Aberdeen Local Development Plan (2012)

Policy D1- Architecture and Placemaking
Policy D5 – Built Heritage

Proposed Aberdeen Local Development Plan (2015)

Policy D1- Quality Placemaking by Design
Policy D5- Our Granite Heritage

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.

It should be noted that the main purpose of this opening/ doorway is to comply with Fire Fighting Strategy requirements, as required by building standards. The doorway would provide emergency access only, primarily to firefighters; no students or staff are intended to use this doorway. As a secure access door it is to remain locked at all times with no method of opening, without the use of a key. The agent has clarified that a key to this door will remain onsite with the management team for use only by the Fire Authorities in the event of fire.

The emergency access doorway, which is in situ, is located within the boundary wall to the north east of the listed building and is not visible from Canal Place. In relation to Policy D1, the siting, design and scale of the access door is such that it is not considered to detract from the setting, character and visual amenity of the listed building or the wider area. The proposal is minor in scale and there would not be any detrimental impact on the special historic and architectural interest of the listed building and as a result would be in compliance with Policy D5 of ALDP.

Other Matters Raised in Representations

Objection 1 & 4 relating to safety and security of the surrounding area and that the proposal would increase in the number of pedestrians using this access. These comments appear to be based on the assumption that this access would be open to public or future occupants of the student accommodation. However as clarified in the evaluation section of this report the proposed access is not an emergency fire escape and is only an emergency access that would generally be used by fire fighters only (in case of fire).

Objection 2, 3 & 5 relating to problems arising between neighbours and technical details of the emergency access are not material planning considerations thus are not considered in this assessment.

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

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, the policies in the Proposed ALDP substantively reiterate those in the Adopted Local Development Plan and the proposal is considered to be acceptable in terms of the relevant policies set out in the Proposed ALDP.

RECOMMENDATION: Approve Unconditionally

REASONS FOR RECOMMENDATION

The location, scale and design of the proposed access are acceptable. The proposal would not be detrimental to the character of the area nor would it have a significant impact on the setting of the listed building that forms part of the student accommodation across the wider site. Therefore the application complies with the adopted Local Development Plan Policies D1- Architecture and Placemaking, and D5 Built Heritage and the equivalent policies in the Proposed Local Development Plan.

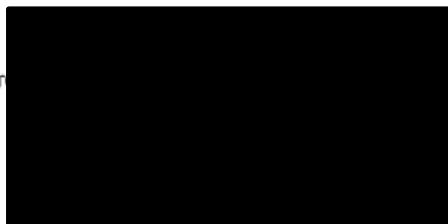
All the other relevant material considerations have been considered, whilst full consideration has been given to all concerns raised in representations; however they neither outweigh the policy position as detailed above, nor do they justify further amendments to the plans or refusal of the application.

**OBJECTION TO PLANNING APPLICATION NO 160786 - FORMATION OF DOORWAY
WITHIN BOUNDARY WALL TO PROVIDE EMERGENCY EXIT**

I object to the planning application for an emergency exit on the boundary wall between my property at 28 Canal Place, Aberdeen and the former Causewayend Primary School/New Unit Student Accommodation, for the following reasons:

1. The door was put in by the developer and our land was accessed and tarpaulin lifted and damaged without prior permission or discussion.
2. The space between the door and our properties is not sufficient for large numbers of persons to exit onto in the case of a fire or emergency evacuation.
3. The space between the door and our properties is not sufficient for firemen and their equipment to access the development.
4. There are areas further down Canal Place, owned by the Council, which would provide a larger area for this door to be accessed or exited from.
5. The water hydrant the fire brigade would be using is not directly opposite the door and the space up the side of our properties, which houses four large bulk rubbish bins, is not sufficient for firemen and their equipment to access the development.
6. If occupants of the development see the door from their side and do not realise it's a fire exit only, they may walk up the back of our properties to try to use the door for access to the development.
7. The area concerned, at the rear of our properties, is the only pathway to our car park and out onto Canal Place as there is not a pathway at the front of the properties. The general disruption to us should there be firemen and equipment in the area between the development and our properties could be dangerous as we would have no option but to exit our front doors straight onto the street.

Signature



Date

29/6/16

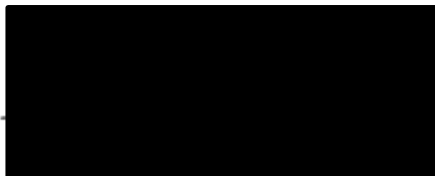
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**OBJECTION TO PLANNING APPLICATION NO 160786 - FORMATION OF DOORWAY
WITHIN BOUNDARY WALL TO PROVIDE EMERGENCY EXIT**

I object to the planning application for an emergency exit on the boundary wall between my property at 4 Canal Place, Aberdeen and the former Causewayend Primary School/New Unit Student Accommodation, for the following reasons:

1. The door was put in by the developer and our land was accessed and tarpaulin lifted and damaged without prior permission or discussion.
2. The space between the door and our properties is not sufficient for large numbers of persons to exit onto in the case of a fire or emergency evacuation.
3. The space between the door and our properties is not sufficient for firemen and their equipment to access the development.
4. There are areas further down Canal Place, owned by the Council, which would provide a larger area for this door to be accessed or exited from.
5. The water hydrant the fire brigade would be using is not directly opposite the door and the space up the side of our properties, which houses four large bulk rubbish bins, is not sufficient for firemen and their equipment to access the development.
6. If occupants of the development see the door from their side and do not realise it's a fire exit only, they may walk up the back of our properties to try to use the door for access to the development.
7. The area concerned, at the rear of our properties, is the only pathway to our car park and out onto Canal Place as there is not a pathway at the front of the properties. The general disruption to us should there be firemen and equipment in the area between the development and our properties could be dangerous as we would have no option but to exit our front doors straight onto the street.

Signature



Date

30/6/16

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Sent: 5 Jul 2016 15:59:50 +0000

To: PI

Subject: Planning Application 160786

Hello,

My name is Chae Anderson and I live at 25 Canal Place. In reference to the above I strongly object to this request and would also like to point out that they have now completed this work. It was started prior to the 1st of June. When I spoke to them regarding the door they informed me it was the fire brigade that requested this due to not being able to have a fire hose reach a hydrant in case of a fire. I was also told it would be locked at all times. What they told me was that because the fire brigade requested it the only other option was for them to dig up the road which would cost them a fortune, prior to speaking to them I had just walked outside the back door of my flat and discovered they had cut a hole in the wall. As I have said this was prior to the 1st of June and the work is now completed and the door is unlocked and is basically an access way between the student accommodation and canal place. I'm sure this will be very handy for people parking their cars in our private car park and using it as a shortcut between the two locations. It will also be handy for burglars and anyone else who can now just pop between the once separated boundaries by a thick wall. I'm sure you would not like to come home one day to see someone cut a hole in a wall and turned your once secure area into a shortcut by adding a doorway. I am absolutely furious about this and it has really been quite depressing and traumatising that someone can just cut a hole in our wall without informing us and put a doorway in. These people do not care that this is where people live and they do not care about planning permission either as they have already completed the work.

Please have someone come and visit this monstrosity and have it boarded up with cement. They should have realised they needed a door there maybe they knew all along and now we have been totally screwed over. As I have already said I am furious about it and have to try to force it out of my mind as it is completely depressing that they have done this.

Chae Anderson
25 Canal Place

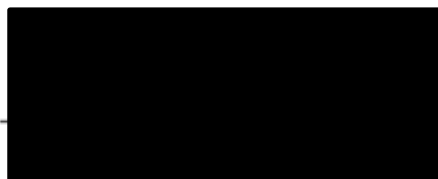
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**OBJECTION TO PLANNING APPLICATION NO 160786 - FORMATION OF DOORWAY
WITHIN BOUNDARY WALL TO PROVIDE EMERGENCY EXIT**

I object to the planning application for an emergency exit on the boundary wall between my property at 40 Canal Place, Aberdeen and the former Causewayend Primary School/New Unit Student Accommodation, for the following reasons:

1. The door was put in by the developer and our land was accessed and tarpaulin lifted and damaged without prior permission or discussion.
2. The space between the door and our properties is not sufficient for large numbers of persons to exit onto in the case of a fire or emergency evacuation.
3. The space between the door and our properties is not sufficient for firemen and their equipment to access the development.
4. There are areas further down Canal Place, owned by the Council, which would provide a larger area for this door to be accessed or exited from.
5. The water hydrant the fire brigade would be using is not directly opposite the door and the space up the side of our properties, which houses four large bulk rubbish bins, is not sufficient for firemen and their equipment to access the development.
6. If occupants of the development see the door from their side and do not realise it's a fire exit only, they may walk up the back of our properties to try to use the door for access to the development.
7. The area concerned, at the rear of our properties, is the only pathway to our car park and out onto Canal Place as there is not a pathway at the front of the properties. The general disruption to us should there be firemen and equipment in the area between the development and our properties could be dangerous as we would have no option but to exit our front doors straight onto the street.

Signature



Date 30-06-2016

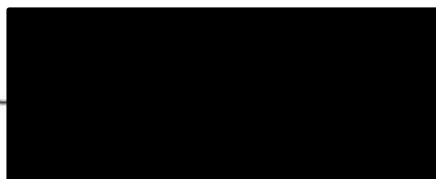
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**OBJECTION TO PLANNING APPLICATION NO 160786 - FORMATION OF DOORWAY
WITHIN BOUNDARY WALL TO PROVIDE EMERGENCY EXIT**

I object to the planning application for an emergency exit on the boundary wall between my property at 31 Canal Place, Aberdeen and the former Causewayend Primary School/New Unit Student Accommodation, for the following reasons:

1. The door was put in by the developer and our land was accessed and tarpaulin lifted and damaged without prior permission or discussion.
2. The space between the door and our properties is not sufficient for large numbers of persons to exit onto in the case of a fire or emergency evacuation.
3. The space between the door and our properties is not sufficient for firemen and their equipment to access the development.
4. There are areas further down Canal Place, owned by the Council, which would provide a larger area for this door to be accessed or exited from.
5. The water hydrant the fire brigade would be using is not directly opposite the door and the space up the side of our properties, which houses four large bulk rubbish bins, is not sufficient for firemen and their equipment to access the development.
6. If occupants of the development see the door from their side and do not realise it's a fire exit only, they may walk up the back of our properties to try to use the door for access to the development.
7. The area concerned, at the rear of our properties, is the only pathway to our car park and out onto Canal Place as there is not a pathway at the front of the properties. The general disruption to us should there be firemen and equipment in the area between the development and our properties could be dangerous as we would have no option but to exit our front doors straight onto the street.

Signature



Date

30/6/16

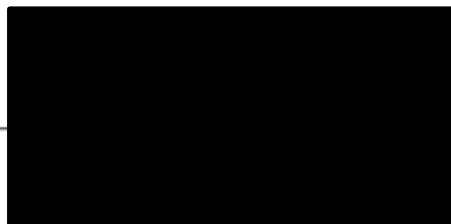
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**OBJECTION TO PLANNING APPLICATION NO 160786 - FORMATION OF DOORWAY
WITHIN BOUNDARY WALL TO PROVIDE EMERGENCY EXIT**

I object to the planning application for an emergency exit on the boundary wall between my property at 30 Canal Place, Aberdeen and the former Causewayend Primary School/New Unit Student Accommodation, for the following reasons:

1. The door was put in by the developer and our land was accessed and tarpaulin lifted and damaged without prior permission or discussion.
2. The space between the door and our properties is not sufficient for large numbers of persons to exit onto in the case of a fire or emergency evacuation.
3. The space between the door and our properties is not sufficient for firemen and their equipment to access the development.
4. There are areas further down Canal Place, owned by the Council, which would provide a larger area for this door to be accessed or exited from.
5. The water hydrant the fire brigade would be using is not directly opposite the door and the space up the side of our properties, which houses four large bulk rubbish bins, is not sufficient for firemen and their equipment to access the development.
6. If occupants of the development see the door from their side and do not realise it's a fire exit only, they may walk up the back of our properties to try to use the door for access to the development.
7. The area concerned, at the rear of our properties, is the only pathway to our car park and out onto Canal Place as there is not a pathway at the front of the properties. The general disruption to us should there be firemen and equipment in the area between the development and our properties could be dangerous as we would have no option but to exit our front doors straight onto the street.

Signature _____



Date 30.6.16

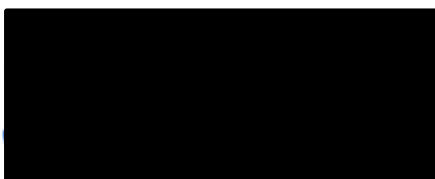
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**OBJECTION TO PLANNING APPLICATION NO 160786 - FORMATION OF DOORWAY
WITHIN BOUNDARY WALL TO PROVIDE EMERGENCY EXIT**

I object to the planning application for an emergency exit on the boundary wall between my property at 33 Canal Place, Aberdeen and the former Causewayend Primary School/New Unit Student Accommodation, for the following reasons:

1. The door was put in by the developer and our land was accessed and tarpaulin lifted and damaged without prior permission or discussion.
2. The space between the door and our properties is not sufficient for large numbers of persons to exit onto in the case of a fire or emergency evacuation.
3. The space between the door and our properties is not sufficient for firemen and their equipment to access the development.
4. There are areas further down Canal Place, owned by the Council, which would provide a larger area for this door to be accessed or exited from.
5. The water hydrant the fire brigade would be using is not directly opposite the door and the space up the side of our properties, which houses four large bulk rubbish bins, is not sufficient for firemen and their equipment to access the development.
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Signature



Date

29/6/16

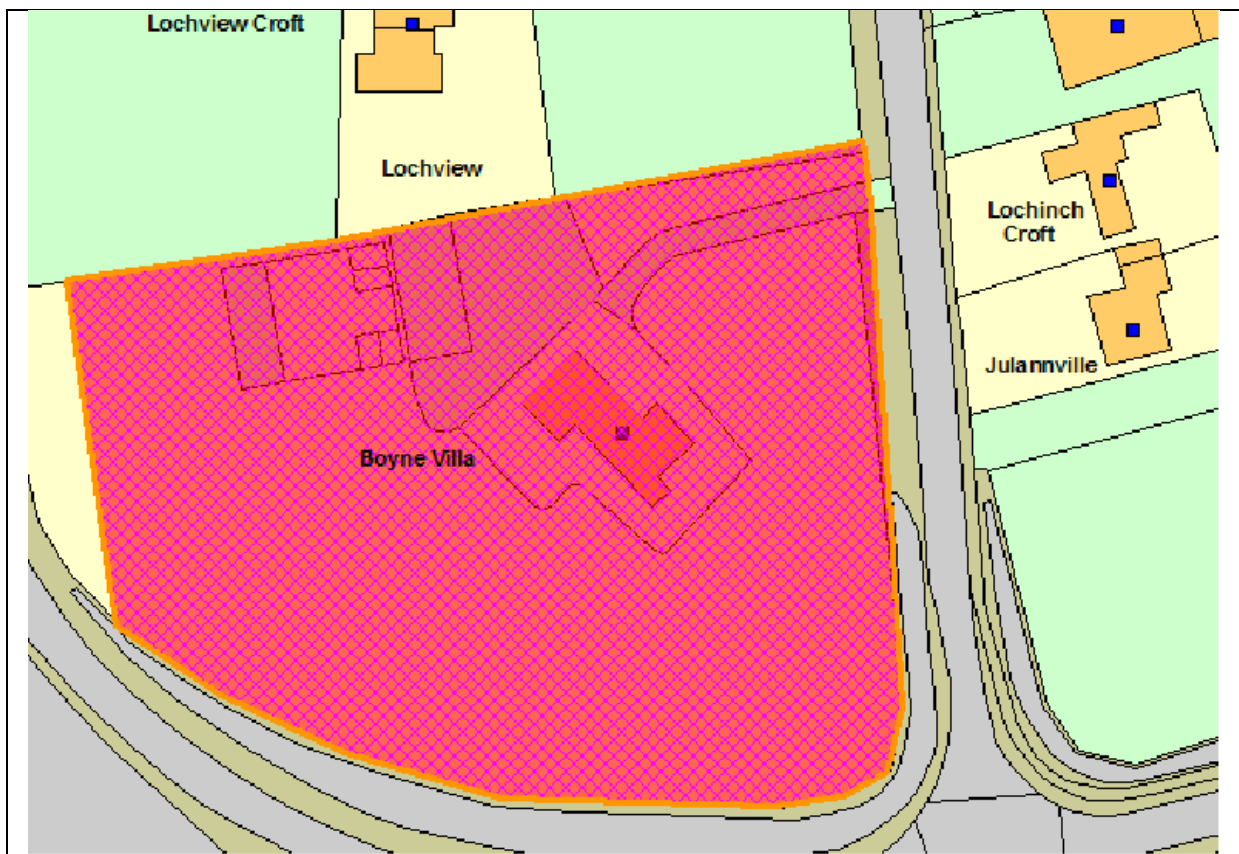
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Planning Development Management Committee Section 42 (Variation to Conditions)

161093/S42: Variation of Condition 1 (transport depot on completion of AWPR) of P151878 to completion of depot with revised safety measures at Boyne Villa, Old Stonehaven Road, Aberdeen, AB12 3LL

For: CF Jennings Ltd

Application Date:	28 July 2016
Officer:	Lucy Greene
Ward:	Kincorth/Nigg/Cove
Community Council:	Nigg
Advertisement:	
Advertised Date:	



Location Plan

RECOMMENDATION: Approve the variation of condition 1 on application 151878

SITE DESCRIPTION

The application site consists of a formerly residential plot containing a detached house. The area in question is a total of 1.15 hectares in size. The plot is located at the junction of Old Stonehaven Road and Wellington Road, and bounds the junction of the A90, with Wellington Road. Both junctions will be replaced as part of the Aberdeen Western Peripheral Route, which is commencing at present. Access into the Boyne Villa plot, is taken from the northern end of the site via Old Stonehaven Road, which runs along the eastern site boundary. On the site at present, is a single storey 'Z' plan house, with the remainder of the area laid with hard core. There are also small trees along the site boundary adjacent to Old Stonehaven Road and larger coniferous trees along the Wellington Road (southern) boundary. Also running alongside the site boundary on Old Stonehaven Road, is a drainage ditch.

RELEVANT HISTORY

Application Number	Proposal	Decision Date
151878	Change of use from residential to transport depot office and storage/parking of vehicles.	26.04.2016 The application was approved conditionally.
161164/DPP	Erection of storage shed with associated car parking	Pending Consideration

DESCRIPTION OF PROPOSAL

The application is made under Section 42 of the Planning Act for for a new planning permission for a development of a transport depot at Boyne Villa (App.Ref: 151878) with different conditions from those attached to the previous permission for that development. The applicant wishes to alter condition 1 on the previous permission (Reference: 151878), which reads:

(1) That the transport depot use shall not take place on the site unless there has been completed and open to traffic, the Aberdeen Western Peripheral Route (AWPR) junction of the A90 / A956 Wellington Road, at Charleston, including the Old Stonehaven Road / A956 Wellington Road junction - in the interests of road safety.

The amendment would allow for the transport depot element of the above permission being brought into use following implementation of various safety measures that are proposed in connection with the Aberdeen Western Peripheral Route (AWPR).

The measures are proposed on a temporary basis in order to carry out works to form the new junction of the A90 / A956. These consist of:

- Speed restriction on the south bound slip carriageway
- Prevention of right turns out of Old Stonehaven Road on the north side of the A956, by signage.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

CONSULTATIONS

Consultee	Date of Comments	Comments Made
Nigg Community Council	25.08.16	Representation – see section below
Transport Scotland	25.08.16	No objection
ACC - Roads Development Management Team	05.09.2016	<p>The proposed measures are noted: including that right turns out of Old Stonehaven Road would be prevented, whilst right turns in would be permitted – from the west bound A956.</p> <p>The measures are considered to be an improvement to the existing junction layout and are considered satisfactory in road safety terms. Operation of Boyne Villa for transport operations will then meet with ACC Roads / RDM approval provided these measures are in place.</p>

REPRESENTATIONS

Nigg Community Council wishes to challenge the findings and decision of the Roads Development Management Team. In the interests of road safety, the condition should not be altered.

PLANNING POLICY

Aberdeen Local Development Plan (LDP)

Policy T2 – Managing the Transport Impact of Development

Proposed Aberdeen Local Development Plan (PLDP)

Policy T2 – Managing the Transport Impact of Development

OTHER RELEVANT MATERIAL CONSIDERATIONS

Transport and Accessibility SG

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because there is an objection from the Community Council. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

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 issue for consideration in the determination of the application is that of the conditions that were attached to the original permission (ref. 151878), but in particular transportation and road safety, specifically whether the revised condition would achieve the aims of the original condition, or whether circumstances have changed such that a different condition may be applied.

Condition 1 on the original permission was applied in order to ensure that the transportation impact of the development was acceptable on the surrounding road network.

It was considered that due to concerns about visibility to the right(west) on exiting Old Stonehaven Road, in particular when making right hand turns (to head westward), the transport depot element of the proposal should not be implemented until the AWPR was open and operational.

It has now become clear that in order to carry out the construction works to build the new junction at Charleston (A90/A956), temporary measures would need to be put in place. These measures include: the restriction of speed on the left hand south bound slip road – between the A90 and A956 (Wellington Road); and, the prevention of right turns onto the A956 (Wellington Road) when exiting Old Stonehaven Road. These works are described in the letter from the AWPR Team dated 29th July that was submitted with this application.

It is considered by the City Council's Roads Development Management Team that if and when these measures are in place then the vehicle movements associated with the transport depot would be acceptable in their impact on road safety on the surrounding road network and would thus comply with Policy T2 – Managing the Transport Impact of Development. With this in mind it is recommended that the wording of the condition is varied as below. It is considered that all other conditions attached to the original consent (151878) should remain as approved by Committee on 26 April 2016.

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 Policy T2 in the adopted Local Development Plan, substantially reiterates that in the proposed plan.

RECOMMENDATION: Approve application to vary condition 1 of application 151878.

REASONS FOR RECOMMENDATION

The measures proposed to be put in place temporarily during construction works for the A90 / A956 Charleston junction on the Aberdeen Western Peripheral Route (AWPR) would result in an improvement to the existing junction layout. With these measures in place the operation of Boyne Villa as a transport depot would be considered satisfactory in road safety terms. The variation of the condition to require these measures to be in place, in the period before the AWPR is fully operational would therefore be acceptable in road safety terms and would comply with transport related policy in the Aberdeen Local Development Plan as well as supplementary guidance.

CONDITIONS

- (1) That unless otherwise agreed in writing with the planning authority, the transport depot use shall not take place on the site unless either:
 - a) Measures are in place to restrict the speed on the south bound left hand slip from the A90 onto the A956; and that, the U166K Old Stonehaven Road right turn onto the A956 west bound is suspended in accordance with a scheme that has been submitted to and approved in writing by the planning authority; or,
 - b) there has been completed and open to traffic, the Aberdeen Western Peripheral Route (AWPR) junction of the A90 / A956 Wellington Road, at Charleston, including the Old Stonehaven Road / A956 Wellington Road junction - in the interests of road safety.

- (2) That the transport depot use shall not take place unless there has been implemented on site a scheme to provide:
 - a. Safe pedestrian access to the site,
 - b. Visibility splays at the site entrancein accordance with plans to be submitted to, and approved in writing by, the planning authority - in the interests of pedestrian and vehicular safety.

- (3) 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 also 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.

(4) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the commencement of use of the office and/or depot whichever is the earlier 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.

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

(6) That the office and depot use hereby granted planning permission not take place unless a scheme detailing cycle and motorcycle storage 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.

(7) That no external lighting shall be installed on site other than in accordance with a scheme and details that have been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme - in the interest of residential amenity and road safety.

(8) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems in accordance with the Cameron and Ross (March 2016) Drainage Impact Assessment, or such other as is subsequently 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.

(9) Vehicle parking and turning areas shall not be used for any other purpose other than the purpose of the parking of vehicles ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(10) That neither the office nor the transport depot use shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan based on the framework within the Cameron and Ross Transport Statement dated February 2016 (or such as other as is subsequently approved). Thereafter the travel plan shall be implemented, including monitoring and reporting - in order to encourage more sustainable forms of travel to the development.

(11) That the transport depot use shall not take place unless there has been submitted to and approved in writing , in consultation with Scottish Water, by the planning authority full details of the foul drainage system for the site - in the interests of the environment, amenity and public health.

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N I G G C O M M U N I T Y C O U N C I L

A B E R D E E N

Lucy Greene,
Aberdeen City Council,
Enterprise Planning & Infrastructure,
Business Hub 4,
Marischal College,
Broad Street,
Aberdeen.

Date:- 23rd August 2016

Ref. **Planning Application 151878** (Boyne Villa)
Change of use from residential to transport depot office and
storage/parking of vehicles.

Dear Lucy,

Further to our previously submitted letters listing our observations and objections regarding the above planning application, we wish to make further comment on matters which have now arisen in respect of the conditions attached to the original planning consent.

We note that condition 1 states - “that the transport depot use shall not take place on the site unless there has been completed and open to traffic, the AWPR junction of the A90 / A956 Wellington Road, at Charleston, including the Old Stonehaven Road / A956 Wellington Road junction – in the interests of road safety”.

Within the last two weeks, we have received the AWPR, Aberdeen Roads Ltd. (Update July 2016), intimating the three key phases of road works for the completion of the A90 Charleston / A956 Wellington Road.

We also have a copy email response, (from ACC, Roads Development Management, Engineering Officer, Gregor Whyte to Clr. S. Flynn), stating that RDM consider the proposed “traffic management works and speed restrictions” to be an improvement and therefore satisfactory in road safety terms, so would not object to variation of condition.

Please reply to -
Mr. Alan Strachan
Chairman
Nigg Community Council
18, Redmoss Road,
Nigg, Aberdeen
AB12 3JN
Telephone 01224 897638

Mr. James Brownhill
Vice Chairman
Nigg Community Council
The Lodge, Charleston
Nigg, Aberdeen
AB12 3LL
Telephone 01224 897273

Mrs. Jenny Gall
Secretary
Nigg Community Council
Lochinch Cottage, Charleston
Nigg, Aberdeen
AB12 3LL
Telephone 01224 897511

We are totally amazed, bewildered and confused with the response from RDM, (Gregor Whyte).

It must be noted, that in the AWPR (update July 2016), it clearly states that the proposed restrictions will be introduced to protect the workforce until the new junctions are complete. If the AWPR team, “in the interest of safety”, deem it necessary to implement these restrictions to protect their workforce, ----

how can RDM justify their acceptance to satisfy condition 1.

Nigg CC wish to challenge their findings and decision.

Nigg CC respectfully request a written explanation, as to how condition 1, could now be deemed satisfied, when it clearly states that the *“transport depot use shall not take place on the site unless there has been completed and open to traffic, the Aberdeen Western Peripheral Route (AWPR) junction of the A90 / A956 Wellington Road, at Charleston, including the Old Stonehaven Road / A956 Wellington Road junction - in the interests of road safety”*, when all correspondence clearly states that completion is likely to be winter 2017.

In considering the above, it is the view of Nigg Community Council, that since AWPR (Aberdeen Roads), (in the interest of safety), now wish to introduce further restrictions during construction, and that the AWPR has not yet been completed, condition 1 has most certainly not been satisfied, and must therefore remain in force.

Yours faithfully,

A large black rectangular redaction box covering the signature of Alan Strachan.

Alan Strachan - chair
(for and on behalf of Nigg CC)

cc. Cllr's / N. Cooney / A. Finlayson / S. Flynn