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To: Councillor Milne, Convener; and Councillors Jaffrey and Sandy Stuart

Town House,
ABERDEEN, 8 February 2016

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in Committee Room 5 - Town House on **TUESDAY, 16 FEBRUARY 2016 at 10.00 am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

- 1 Procedure Notice (Pages 3 - 4)

COPIES OF THE RELEVANT PLANS / DRAWINGS ARE AVAILABLE FOR INSPECTION IN ADVANCE OF THE MEETING AND WILL BE DISPLAYED AT THE MEETING

TO REVIEW THE DECISION OF THE APPOINTED OFFICER TO REFUSE THE FOLLOWING APPLICATIONS

PLANNING ADVISER - PAUL WILLIAMSON

- 2.1 17 Murray Terrace, Aberdeen - Erection of Single Storey Extension to Rear - 151445
- 2.2 Delegated Report, Decision Notice and Letter of Objection (Pages 5 - 16)
- 2.3 Planning Policies Referred to in Documents Submitted (Pages 17 - 60)

- 2.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 61 - 72)
- 2.5 Determination - Reasons for Decision
Members, please note that reasons should be based against Development Plan policies and any other material considerations.
- 2.6 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-turn the Decision of the Case Officer

PLANNING ADVISOR - ANDREW MILLER

- 3.1 Small Holdings, 10 Lang Stracht, Aberdeen - Demolition of Existing House and Erection of 2 No. Dwellinghouses and Integral Garages - 151719
- 3.2 Delegated Report and Decision Notice (Pages 73 - 86)
- 3.3 Planning Policies Referred to in Documents Submitted (Pages 87 - 158)
- 3.4 Notice of Review with Supporting Information from the Applicant / Agent (Pages 159 - 192)
- 3.5 Determination - Reasons for Decision
Members, please note that reasons should be based against Development Plan policies and any other material considerations.
- 3.6 Consideration of the conditions to be attached to the application - if Members are minded to over-turn the decision of the case officer

PLANNING ADVISOR - GAVIN EVANS

- 4.1 6 Golden Square, Aberdeen - Change of Use of Office to 13 Residential Flats, Replace Windows and Over Clad of Rear of Building - 151103
- 4.2 Delegated Report, Decision Notice and Letter of Objection (Pages 193 - 218)
- 4.3 Planning Policies Referred to in the Documents Submitted (Pages 219 - 352)
- 4.4 Notice of Review with Supporting Information Submitted by the Applicant / Agent (Pages 353 - 368)

4.5 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

4.6 Consideration of the Conditions to be Attached to the Application - if Members are Minded to Over-turn the Decision of the Case Officer

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain on lymcbain@aberdeencity.gov.uk / tel 01224 522123; or Allison Swanson on aswanson@aberdeencity.gov.uk/tel 01224 522822.

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LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

PROCEDURE NOTE

GENERAL

1. The Local Review Body of Aberdeen City Council (the LRB) must at all times comply with (one) the provisions of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 (the regulations), and (two) Aberdeen City Council's Standing Orders.
2. In dealing with a request for the review of a decision made by an appointed officer under the Scheme of Delegation adopted by the Council for the determination of "local" planning applications, the LRB acknowledge that the review process as set out in the regulations, shall be carried out in stages.
3. As the first stage and having considered the applicant's stated preference (if any) for the procedure to be followed, the LRB must decide how the case under review is to be determined.
4. Where the LRB consider that the review documents (as defined within the regulations) provide sufficient information to enable them to determine the review, they may (as the next stage in the process) proceed to do so without further procedure.
5. Should the LRB, however, consider that they are not in a position to determine the review without further procedure, they must then decide which one of (or combination of) the further procedures available to them in terms of the regulations should be pursued. The further procedures available are:-
 - (a) written submissions;
 - (b) the holding of one or more hearing sessions;
 - (c) an inspection of the site.
6. If the LRB do decide to seek further information or representations prior to the determination of the review, they will require, in addition to deciding the manner in which that further information/representations should be provided, to be specific about the nature of the information/representations sought and by whom it should be provided.
7. In adjourning a meeting to such date and time as it may then or later decide, the LRB shall take into account the procedures outlined within Part 4 of the regulations, which will require to be fully observed.

DETERMINATION OF REVIEW

8. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.

9. The starting point for the determination of the review by the LRB will be Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that:-

“where, in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise.”
10. In coming to a decision on the review before them, the LRB will require:-
 - (a) to consider the Development Plan position relating to the application proposal and reach a view as to whether the proposal accords with the Development Plan;
 - (b) to identify all other material considerations arising (if any) which may be relevant to the proposal;
 - (c) to weigh the Development Plan position against the other material considerations arising before deciding whether the Development Plan should or should not prevail in the circumstances.
11. In determining the review, the LRB will:-
 - (a) uphold the appointed officers determination, with or without amendments or additions to the reason for refusal; or
 - (b) overturn the appointed officer's decision and approve the application with or without appropriate conditions.
12. The LRB will give clear reasons for its decision in recognition that these will require to be intimated and publicised in full accordance with the regulations.

Agenda Item 2.2

Signed (authorised Officer(s)):

17 MURRAY TERRACE, ABERDEEN

ERECTION OF SINGLE STOREY
EXTENSION TO REAR

For: Mr Andrew Dines

Application Type : Detailed Planning
Permission

Application Ref. : P151445

Application Date : 08/09/2015

Advert :

Advertised on :

Officer : Ross McMahon

Creation Date : 3 December 2015

Ward: Torry/Ferryhill (Y Allan/A Donnelly/J
Kiddie/G Dickson)

Community Council: No comments

RECOMMENDATION:

Refuse

DESCRIPTION

The application site, located on the south side of Murray Terrace, extends to 276sq.m and is occupied by a one-and-a-half storey mid-terraced dwelling house, of slate and granite construction, set within an established residential area. The footprint of the existing dwelling results in a site coverage of approx. 21%. The site remains relatively level from Murray Terrace to the rear (south) of the site, and is demarcated by a c. 1.5m high stone wall and timber fence to all rear boundaries, in addition to trees and small hedges. The site is identified as a Residential Area in the adopted Aberdeen Local Development Plan 2012.

RELEVANT HISTORY

None.

PROPOSAL

Planning permission is sought for the erection of a single storey extension to the rear (south) elevation of the property to accommodate a new kitchen, living room and utility at ground floor level. The proposed extension would measure the full width of the site (approx. 6.19m) and would project 4.8m from the rearmost part of the rear elevation. The proposed extension would be flat roofed and would

measure 2.6m to the eaves, with an overall height of 3.2m. The south elevation of the proposed extension would incorporate a large expanse of full height glazing, with a short 1.5m projection of timber decking leading into the back garden.

The proposed extension would be finished in new granite (grey) to the proposed walls; a Sarnafil flat roof membrane, zinc projection fascia and anthracite coloured aluminium bi-folding doors.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref.=151445>
On accepting the disclaimer enter the application reference quoted on the first page of this report.

CONSULTATIONS

Roads Development Management – No observations.

Environmental Health – No observations.

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

Community Council – No comments received.

REPRESENTATIONS

One letter of representation has been received in connection with the application. The points raised relate to the following matters –

1. Concerns relating to the efficient draining of surface water from the flat roof of the proposed extension and resultant damp issues to the adjacent property;
2. Requests that no access should be made via no. 15 Murray Terrace and that this is confirmed through any approval of planning permission.

PLANNING POLICY

Aberdeen Local Development Plan

Policy D1 – Architecture and Placemaking

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

Policy H1 – Residential Areas

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

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

Proposed Aberdeen Local Development Plan

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

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

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

EVALUATION

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

Principle of Development

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

Design, Scale and Massing

General principles expect that all domestic extensions should be architecturally compatible in design and scale with the original house and surrounding area, materials should be complementary and any development should not overwhelm or dominate the original form or appearance of the dwelling house.

The proposal would result in an increase in site coverage to 33% which is considered to be acceptable within the context of the surrounding area. This is in line with the Council's supplementary guidance on householder development, in

that the proposal would not double the existing footprint of the original dwelling, and at least half of the rear garden ground would remain. It is therefore not considered that the proposal would result in overdevelopment of the site.

The extension is considered to be secondary to the property by virtue of its overall height relative to the existing dwelling. However, it is considered that the overall design and detailing of the proposed extension would give the appearance of being particularly bulky in this location by virtue of its overall height relative to the existing eaves height of the property, and depth of the proposed fascia, which would be approx. 600mm deep. However, it is noted that the proposal would not be readily viewable from the streetscape, nor would be visible from the surrounding pedestrian footpath to the south of the site, as a result of the existing screening found to this boundary. Therefore, it is not considered that the proposed extension would appear at odds with the established character of the surrounding area nor would it be detrimental to the overall appearance of the immediate locale.

Amenity Impact

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

Turning to the impact to adjacent properties in terms of overshadowing, the orientation of the proposed extension and its distance are important factors. Calculations indicate that due to the orientation of the extension and distance from neighbouring properties, the additional overshadowing that would result from the erection of the proposal is considered to be within acceptable levels.

The proposed south facing bi-fold doors would not directly face the habitable room windows of neighbouring properties, and the rear garden is well screened to all boundaries, therefore there would be no additional impact in terms of loss of privacy.

The overall projection of single storey extensions to the rear of terraced properties which project along a common boundary shared with the adjoining terraced properties are restricted to 3m in projection from the rearmost part of the rear elevation. This guidance exists to protect the overall residential amenity enjoyed by immediate properties and so to avoid situations where the useable rear garden ground to adjacent properties becomes 'hemmed in' through the siting of development with excessive rear projections along common boundaries. While it has been demonstrated that the proposed extension would not have an unacceptable impact to properties to the east and west of the application site in

terms of overshadowing and loss of daylight, the proposed extension would exceed the maximum allowable projection of 3m set out in the aforementioned guidance by an additional 1.8m, bringing the overall projection to 4.8m from the rear elevation of the property, the limitation in respect of the maximum allowable projection still applies in this instance, and it is considered that the proposed extension would form a particularly overbearing elevation to the rear elevation and garden ground of no. 15 Murray Terrace.

Additionally, limitations in respect of rear projections are in place to prevent situations where properties are repeatedly extended over time – this is typically deemed acceptable where two adjoining properties have been extended significantly along a common boundary, allowing for a projection that otherwise would not comply with the aforementioned limitations – leading to an excessive increase in property footprint.

Therefore, it is considered that the proposal would not satisfy the requirements set out in the Council's Supplementary Guidance: Householder Development Guidance and as such, is contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2012.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to representation and are regarded as unresolved issues to be determined at the Examination; and
- the relevance of these matters to the application under consideration.

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis. In relation to this particular application, proposed policies D1 (Quality Placemaking by Design) and H1 (Residential Areas) substantively reiterate policies, D1 (Architecture and Placemaking) and H1 (Residential Areas) of the adopted Aberdeen Local Development Plan and therefore raise no additional material considerations.

Matters Raised in Representations

In respect of objection point 1, there is no statutory requirement for applicants to submit information to the Planning Authority relating to building services dealing

with potential drainage/ingress implications associated with development. Separate legislation dictates the manner in which drainage and/or technical implications associated with development are assessed, such as via a building warrant etc.

With regard to objection point 2, there is no provision in planning legislation regarding issues relating to site access/construction and/or encroaching established boundary. Any consequential issues arising from such situations would be private, civil matters between concerned parties.

Full regard has been given to all concerns raised in representations, however, all matters raised do not outweigh the policy position as detailed above.

Conclusion

To summarise, while the principle, footprint and overall design of the proposed rear extension are considered to generally be acceptable; the development fails to comply with the Council's Supplementary Guidance: Householder Development Guide in respect of its proposed projection from the rear elevation of the existing property and as such, the proposal is contrary to Policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2012 as it would have a negative impact on the amenity enjoyed by the adjacent property.

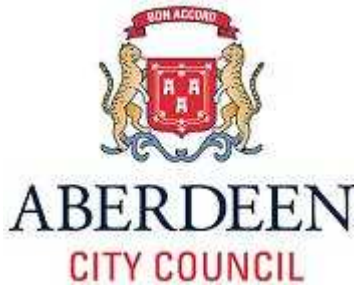
On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations – including the Proposed Aberdeen Local Development Plan – that would warrant approval of the application.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The proposal fails to comply with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan, in that it would have an unacceptable impact on the amenity of the adjoining property, and additionally would not comply with Supplementary Guidance contained in the Householder Development Guide in respect of maximum allowable projection for single storey extensions to the rear of terraced properties. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations – including the Proposed Aberdeen Local Development Plan – that would warrant approval of the application.



PLANNING & SUSTAINABLE DEVELOPMENT
Communities, Housing and Infrastructure
Business Hub 4, Marischal College, Broad Street,
ABERDEEN. AB10 1AB

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Refusal of Planning Permission

J.V. Carroll
Inverden House
Queens Lane North
Aberdeen
AB15 4DF

on behalf of **Mr Andrew Dines**

With reference to your application validly received on 8 September 2015 for Planning Permission under the above mentioned Act for the following development, viz:-

ERECTION OF SINGLE STOREY EXTENSION TO REAR at 17 Murray Terrace, Aberdeen

the Council in exercise of their powers under the above mentioned Act hereby REFUSE Planning Permission for the said development as specified in the application form and the plan(s) and documents docketed as relative thereto and numbered as follows:-

D:41 02 'A'.

The reasons on which the Council has based this decision are as follows:-

The proposal fails to comply with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan, in that it would have an unacceptable impact on the amenity of the adjoining property, and additionally would not comply with Supplementary Guidance contained in the Householder Development Guide in respect of maximum allowable projection for single storey extensions to the rear of terraced properties. On the basis of the above, and following on from the evaluation under policy and guidance, it is considered that there are no material planning considerations - including the Proposed Aberdeen Local Development Plan - that would warrant approval of the application.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- D:41 02 'A'.

PETE LEONARD
DIRECTOR

Date of Signing 4 December 2015

Daniel Lewis
Development Management Manager

Enc.

PETE LEONARD
DIRECTOR

NB. EXTREMELY IMPORTANT INFORMATION RELATED TO THIS REFUSAL OF PLANNING APPROVAL

The applicant has the right to have the decision to refuse the application reviewed by the planning authority and further details are given in Form attached below.

Regulation 28(4)(a)
Form 1

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions

1. If the applicant is aggrieved by the decision of the planning authority to –
 - a. refuse planning permission for the proposed development;
 - b. to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c. to grant planning permission or approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at <http://eplanning.scotland.gov.uk/>.

Notices of review submitted by post should be sent to –

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

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

PETE LEONARD
DIRECTOR

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**18 Holyrood Road
Northampton
NN5 7AH**

Aberdeen City Council
Planning and Development

23rd September 2015

Planning Application Number 151445

Dear Sirs

I refer to the above numbered Planning Application for development at 17 Murray Terrace, Aberdeen AB11 7SA.

I hold shared ownership of No15 Murray Terrace. I have no objection in principle to the proposal, however, I do have concerns regarding efficient drainage of water from the flat roof of the proposed extension. I am concerned that if drainage is not fully effective, damp problems could arise within my property in the future.

This concern is exacerbated by an existing potential damp problem at the front of the property. On a previous occasion, damp penetrated one of my front bedrooms due to surface water overflowing down my roof from the dormer extension on No 17 and the problem has not, to my knowledge, been addressed by the current owner. Consequently, I do have a serious concern regarding the possibility of damp issues arising at the rear of the property.

I would appreciate these comments being noted by the Planning Committee and acted on if this is within your jurisdiction.

Regarding access to No17 for builders and building supplies, the owner has assured me that no access will be required through the garden of No15, which I would wish Planning Committee to confirm if approval is granted.

 Murray Terrace

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Policy D1 – Architecture and Placemaking

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

To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.

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.

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Policy H1 – Residential Areas

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

1. Does not constitute overdevelopment
2. Does not have an unacceptable impact on the character or amenity of the surrounding area
3. Does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010
4. Complies with Supplementary Guidance on Curtilage Splits; and
5. Complies with Supplementary Guidance on House Extensions

Within existing residential areas, proposals for non-residential uses will be refused unless:

1. They are considered complementary to residential use
2. It can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity

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Supplementary Guidance

Topic: Householder Development Guide



▪ INTRODUCTION

Good quality design, careful siting and due consideration of scale are key to ensuring that domestic development does not erode the character and appearance of our residential areas. Poorly designed extensions and alterations to residential properties can have a significant impact on the character and appearance of a building which, when repeated over time, can have a significant cumulative impact upon the wider area. By ensuring that careful consideration is given to such works, and consistent standards applied, we can seek to retain the characteristics of the built environment which contribute towards the character and identity of an area, while also protecting the amenity enjoyed by residents.

▪ OVERALL OBJECTIVE

All extensions and alterations to residential properties should be well designed, with due regard for both their context and the design of the parent building. Such extensions and alterations should make a positive contribution to the design and appearance of a building, maintain the quality and character of the surrounding area, and respect the amenity of adjacent neighbours. This document seeks to facilitate good design and provide a sound basis for restricting inappropriate development, bringing together a number of existing pieces of supplementary guidance into a single document in the process.

▪ SCOPE OF GUIDANCE

The guidelines set out in this document shall apply, on a city-wide basis unless otherwise stated, to all domestic properties. In the case of dormer windows and roof extensions, the guidelines will also extend to originally residential properties now in non-domestic use. It should be noted that the guidance contained within this document will be applicable only to those development proposals which require an express grant of planning permission, and shall not apply where any proposal is exempted from the application process by virtue of relevant permitted development rights. Permitted Development is a term used for certain types of development which, by satisfying specified conditions, is automatically granted planning permission without the submission of an application to the planning authority.

This document supersedes existing supplementary guidance relating to *'Dormer Windows and Roof Extensions'*, *'Dwelling Extensions in Aberdeen City'*, *'Dwelling Extensions in Cove'* and *'Extensions forward of the Building Line'*. The guidelines set out in this supplementary guidance should, where relevant to the development proposal, be read in conjunction with the City Council's other published Supplementary Guidance and Technical Advice Notes.

▪ THE ROLE OF THE PLANNING SYSTEM

In coming to a decision on any planning application, the planning authority must determine that application in accordance with the development plan, unless '*material considerations*' indicate otherwise. At time of writing, the development plan comprises the Aberdeen Local Plan 2008 and the Aberdeen City and Shire Structure Plan 2009.

There are two main tests in deciding whether a consideration is material and relevant:

- It should serve or be related to the purpose of planning – it should therefore relate to the development and use of land; and
- It should fairly and reasonably relate to the particular application.

It is for the decision-maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the provisions of the development plan. As a result of changes to the planning system, made through the 2006 Planning etc. (Scotland) Act and associated regulations, Supplementary Guidance prepared and adopted in connection with a Local Development Plan will form part of the development plan.

It should be noted that the planning system does not exist to protect the interests of one person against the activities of another, although in some cases private interests may well coincide with the public interest. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.

▪ STATUTORY REQUIREMENTS

The definition of "development" is set out in the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, and is termed as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. There are various exemptions to this, details of which can be provided by the planning authority.

Permitted Development rights set out in the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended. This document, commonly termed the 'Permitted Development Order' or 'PD Order', sets out various works which will not require an express grant of planning permission, provided those works are carried out in accordance with certain criteria. Where it is intended to utilise these rights, we encourage householders to seek confirmation from the planning authority before any works are carried out. The permitted development rights available to any

particular property can vary depending on factors such as location within a conservation area, removal of such rights by condition placed on a past approval, or removal of such rights by a virtue of an Article 4 direction. The effect of such a Direction is to remove permitted development rights, thereby necessitating submission of a formal application for planning permission. All of Aberdeen's Conservation Areas are covered by Article 4 Directions, with the exception of Rosemount and Westburn (Conservation Area 11). Article 4 directions also apply to areas of areas of Kingswells and Burnbanks, which lie outwith any Conservation Area. Please contact the planning authority for further details.

Taking into account the above, householders considering any works to land or property, should ask the following questions;

1. Do these works constitute 'development' as set out in planning legislation?
2. If the works constitute 'development', can they be carried out as 'Permitted Development'?

The answers to these questions will determine whether a planning application is necessary for any works, though it is recommended that the Council be consulted in order to ensure that any interpretation of legislation is correct.

In assessing planning applications, there are a number of duties incumbent upon Aberdeen City Council as the planning authority. These are duties set out in relevant planning legislation, and include the following;

Listed Buildings – The authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Conservation Areas – With respect to buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Trees – The planning authority shall, in granting planning permission for any development, ensure adequate provision is made for the preservation or planting of trees. Furthermore the authority shall make tree preservation orders (TPOs) as it considers to be necessary in connection with the grant of any such permission.

Protected Species – Where there is reason to believe that protected species may be located within or adjacent to a development site, the Planning Authority may deem it necessary for an application to be accompanied by additional supporting information in order to allow proper assessment of any likely impact as a result of development. For further guidance in relation to protected species, applicants should consult the City Council's published Supplementary Guidance on **Natural Heritage**; and **Bats and Development**.

Where works would affect a listed building, it may be necessary to apply for a separate consent for those works, called Listed Building Consent. This consent is independent from ordinary planning permission, and may be required in addition to planning permission. Where both consents are necessary, the applicant must obtain both consents before work can begin.

In assessing any application for Listed Building Consent, the emphasis is placed on preserving the historic character of the building(s) in question. Applications can be made online via the Scottish Government's e-planning website (www.eplanning.scotland.gov.uk) or direct to Aberdeen City Council using the application forms available on our own website. For advice on whether Listed Building Consent will be necessary for your proposal, please contact Aberdeen City Council's Development Management section on 01224 523 470 or by email via pi@aberdeencity.gov.uk. In considering proposals for Listed Building Consent, Conservation Area Consent or planning permission for development which may affect the historic environment, the planning authority will take into account Scottish Planning Policy (SPP), the Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment guidance note series published by Historic Scotland.

Planning legislation requires that certain applications are advertised in the local press. Applications for Listed Building Consent or planning applications that affect the setting of a listed building will be advertised, while those located within a Conservation Area may be advertised depending on the potential impact of the proposal. There is no charge to the applicant in such instances. Advertisement is also required where it has not been possible to issue notification because there are no properties on adjacent land, and for this the cost will be borne by the applicant.

▪ GENERAL PRINCIPLES

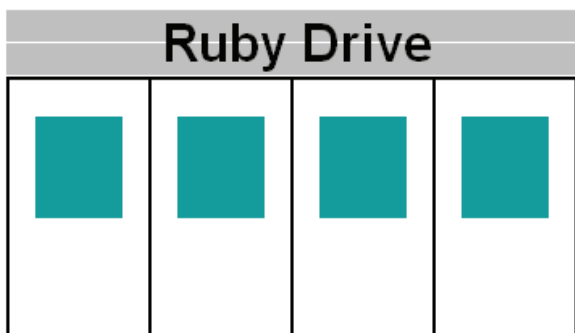
Elsewhere in this document, guidelines are set out in relation to specific types of development, such as house extensions, porches etc. In addition to those specific criteria, the following principles will be applied to **all** applications for householder development:

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

3. Any existing extensions, dormers or other alterations which were approved prior to the introduction of this supplementary guidance will not be considered by the planning authority to provide justification for a development proposal which would otherwise fail to comply with the guidance set out in this document. This guidance is intended to improve the quality of design and effectively raise the design standards and ground rules against which proposals will be measured.
4. The built footprint of a dwelling house as extended should not exceed twice that of the original dwelling.
5. No more than 50% of the front or rear curtilage shall be covered by development.

▪ **REAR & SIDE EXTENSIONS**

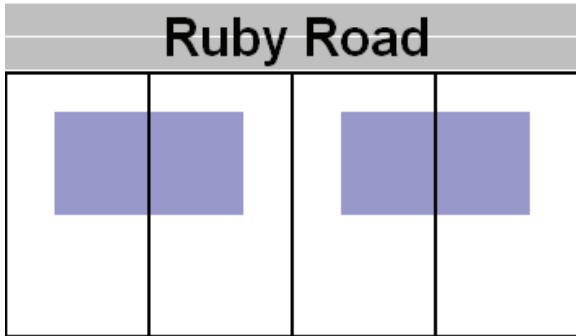
In addition to the design considerations noted above, the planning authority shall continue to apply guidelines relating to specific types of dwellings, as follows. Where dimensions are stated for projection of extensions, these should be measured from the rearmost original part of the main building, and should not include any store or outhouse which did not originally contain any internal living accommodation. Where an extension is proposed as part of a steading conversion, the proposal will be assessed primarily against the Council’s published Supplementary Guidance on *‘The Conversion of Steadings and other Non-residential Vernacular Buildings in the Countryside’*.



1. Detached Dwellings

- a) The maximum dimensions of any single-storey extension will be determined on a site-specific basis.
- b) On detached properties of 2 or more storeys, two storey extensions will generally be possible, subject to the considerations set out in the ‘General Principles’ section, above.

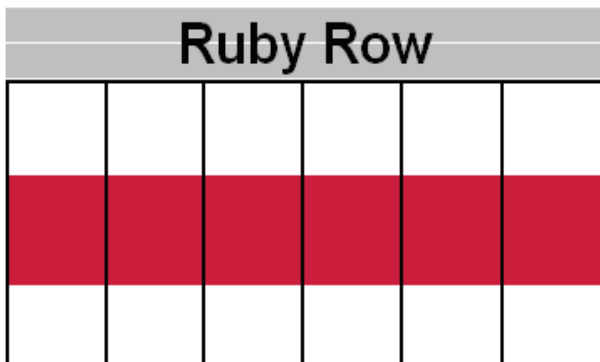
2. Semi-detached Dwellings



- a) Single storey extensions will be restricted to 4m in projection along the boundary shared with the other half of the semi-detached property. In all other cases, the maximum size of single storey extension will be determined on a site-specific basis, with due regard for the topography of the site and the relationship between buildings.

- b) On properties of 2 or more storeys, two storey extensions may be possible, subject to the design considerations set out in the 'General Principles' section, above. The projection of two-storey extensions will be restricted to 3m along the boundary shared with the other half of the semi-detached property.

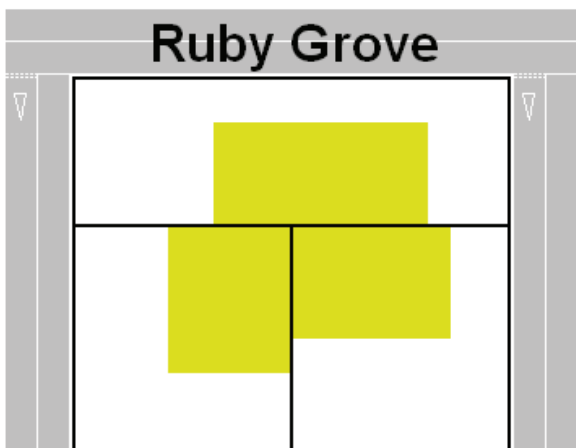
3. Conventional Terraced Dwellings



- (a) Single storey extensions to terraced dwellings will be restricted to 3m in projection along a mutual boundary.
- (b) Two storey extensions will normally be refused where the proposal runs along a mutual boundary. There will generally be limited scope for the addition of two-storey extensions to terraced properties.

- (c) Proposals for extensions to end-terrace properties will be subject to these standards unless it can be demonstrated that the specific circumstances of the site and the proposal justify a departure from the above.

4. Grouped Terraces



- (a) Extensions should not project forward of any established building line
- (b) Single-storey extensions to group terrace properties will be restricted to 3m in projection from the rear wall of the original dwelling
- (c) Two-storey extensions to grouped terrace properties will not normally be acceptable

▪ FRONT EXTENSIONS / PORCHES

The Council has developed the practice, when considering proposals for porch extensions in front of a formal building line, of limiting such structures to the minimum size necessary for protection from storms.

The practice which has become established is intended to preserve the consistent architectural form of a terrace, maintain an uncluttered street scene and to ensure that light and prospect are not lost to neighbouring properties. Recent changes to permitted development legislation allow the construction of porches in certain prescribed instances. In assessing applications of this nature, the following will apply;

a) Front extensions of any type should be of a scale and design which is complementary to, and consistent with, the original dwelling. Modest porches will generally be acceptable, but these should not incorporate additional rooms (e.g. toilet, shower room), and should not detract from the design of the original building or the character of the street.

b) In all cases, careful consideration will be given to (i) impact on adjacent property; (ii) visual impact; and (iii) the extent of any building line and the position of the adjacent buildings generally.

c) Within a Conservation Area, it will not be permitted to add a front extension to any property which forms part of an established building line.

d) Given the wide variety of house types across the city and the existence of 'dual-frontage' dwellings, it will be for the planning authority to determine which elevation forms the principal elevation of a dwelling for the purposes of this guidance.

e) It may be permissible to incorporate bay windows on front elevations, subject to an appropriate restriction in depth and an acceptable design outcome which will complement the original property. The design and scale of such extensions should reflect that of the original dwelling, and should not be utilised as a means to secure significant internal floorspace.

f) Any front extension should incorporate a substantial proportion of glazing, in order to minimise its massing and effect on the streetscape.

▪ DORMER WINDOWS AND ROOF EXTENSIONS

Recent changes to the Permitted Development rights available to householders allow for the addition of dormer windows (subject to criteria regarding position in relation to a road, distance from site boundaries etc) to properties outwith Conservation Areas. Nevertheless, such alterations can have a significant impact upon the character of a property and the wider streetscape, and so careful consideration of proposals remains important.

As a basic principle, new dormer windows or roof extensions should respect the scale of the building and they should not dominate or tend to overwhelm or unbalance the original roof. The purpose of this design guide is to assist those intending to form, alter or extend dormer windows in their property, in formulating proposals which are likely to be considered favourably by the planning authority. Situations may arise where the extent of new dormers or roof extensions will be considered excessive. There may also be situations where any form of roof extension or dormer will be considered inappropriate e.g. on a very shallow pitched roof with restricted internal headroom. It is recommended therefore that advice from the planning authority is obtained before submitting a formal application for any consent.

A series of general guidelines are outlined below, and are followed by further guidelines which will be applied to older properties of a traditional character and modern properties respectively.



Above: Examples of the variety of dormer types to be seen around Aberdeen

Below: Situation where roof pitch is too shallow to comfortably accept any type of dormer or roof extension



Example of a poorly designed roof extension – Dormers are too large, dominating the roof slope, and use of substantial infill panels and slated aprons contributes to bulky appearance

Dormer Windows: General Principles

The following principles will normally apply in all cases:

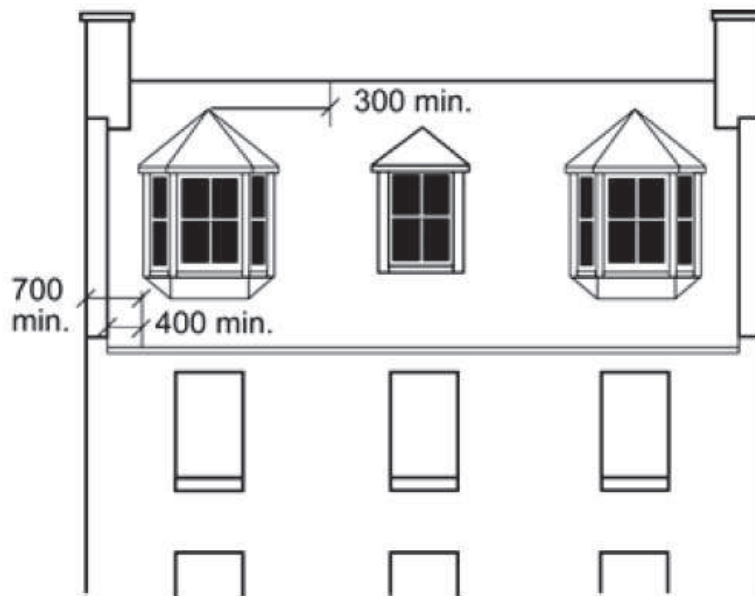
- a) On traditional properties, original dormers must be retained and repaired, and their removal and/or replacement with larger or modern dormers will not be permitted;
- b) The removal of inappropriate earlier dormers and roof extensions, and their replacement by architecturally and historically accurate dormers will be actively encouraged;
- c) In terraces or blocks of properties of uniform design where there are no existing dormers, the construction of new dormers will not be supported on the front or other prominent elevations (e.g. fronting onto a road);
- d) On individual properties or in terraces where there are existing well-designed dormers and where there is adequate roof space, the construction of new dormers which match those existing may be acceptable. Additional dormers will not be permitted however, if this results in the roof appearing overcrowded. These dormers should be closely modelled in all their detail and in their position on the roof, on the existing good examples. They will normally be aligned with windows below;
- e) Box dormers will not be permitted anywhere on listed buildings, nor will the practice of linking existing dormers with vertical or inclined panels; and
- f) In the case of non-listed buildings in conservation areas, consideration may be given to the provision of linked panels between windows on the private side of the building, where the extension is not seen from any public area or is otherwise only visible from distant view. In such cases any linked panel should slope at a maximum of 75° to the horizontal.

Non-traditional style dormers may be accepted on the rear of non-listed buildings in conservation areas, but generally not on the rear or any other elevations of listed buildings.

Dormer Windows: Older properties of a traditional character

1. Front Elevations

- a) On the public elevations of older properties the Council will seek a traditional, historically accurate style of dormer window. In addition, all new dormers will have to be of an appropriate scale, i.e. a substantial area of the original roof must remain untouched and clearly visible around and between dormers. The main principles to be followed are:
- b) Existing original dormers should be retained or replaced on a "*like for like*" basis. Box dormer extensions will not normally be acceptable on the front elevations;
- c) The aggregate area of all dormers and/or dormer extensions should not dominate the original roof slope. New dormers should align with existing dormers and lower windows and doors;
- d) The front face of dormers will normally be fully glazed and aprons below the window will not be permitted unless below a traditional three faceted piended dormer;
- e) Dormers should not normally rise directly off the wallhead. In the case of stone buildings, dormers which rise off the inner edge of the wallhead will generally be acceptable. The position of the dormer on the roof is very important. Dormers which are positioned too high on the roof give the roof an unbalanced appearance
- f) The outer cheek of an end dormer should be positioned at least 700mm in from the face of the gable wall or 1000mm from the verge. Where there is tabling on top of the gable, the cheek should be at least 400mm in from the inside face of the tabling. It is never acceptable for a dormer haffit to be built off the gable or party wall; and
- g) The ridge of any new dormer should be at least 300mm below the ridge of the roof of the original building. If it is considered acceptable for the dormer ridge to be higher than this, it should not nevertheless, breach the ridge or disturb the ridge tile or flashing.

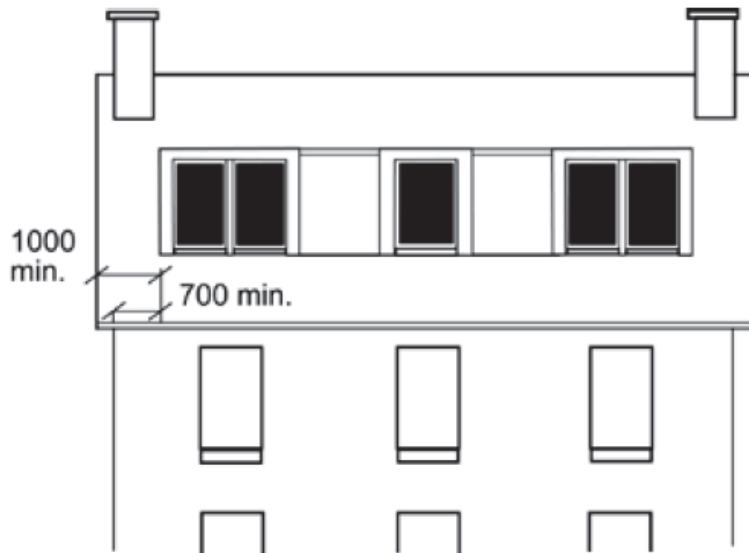


Piended dormers on typical Aberdeen tenement (linking dormers not acceptable on front elevations)

2. Rear Elevations and Exceptions

The guidelines for older properties may be relaxed where a property is situated between two properties which have existing box dormer extensions, or in a street where many such extensions have already been constructed. They may also be relaxed on the non-public (rear) side of a property. In such cases, and notwithstanding the design and finish of neighbouring development, the following minimum requirements will apply:

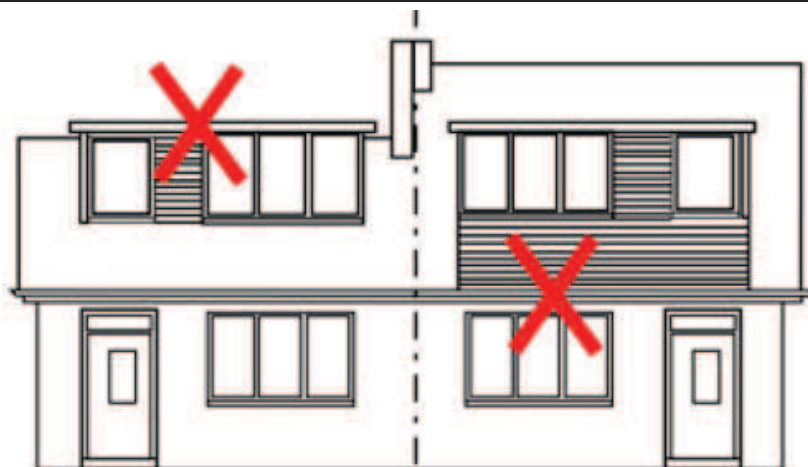
- a) The aggregate area of all dormer and/or dormer extensions should not dominate the original roof slope;
- b) Dormer haffits should be a minimum of 400mm in from the inside face of the gable tabling;
- c) The front face of dormer extensions should be a minimum of 400mm back from the front edge of the roof, but not so far back that the dormer appears to be pushed unnaturally up the roof slope.
- d) Flat roofs on box dormers should be a reasonable distance below the ridge;
- e) Windows should be located at both ends of box dormers;
- f) A small apron may be permitted below a rear window; and
- g) Solid panels between windows in box dormers may be permitted but should not dominate the dormer elevation.



Flat roofed box dormer (normally only acceptable on rear elevations)

Dormer Windows: Modern Properties

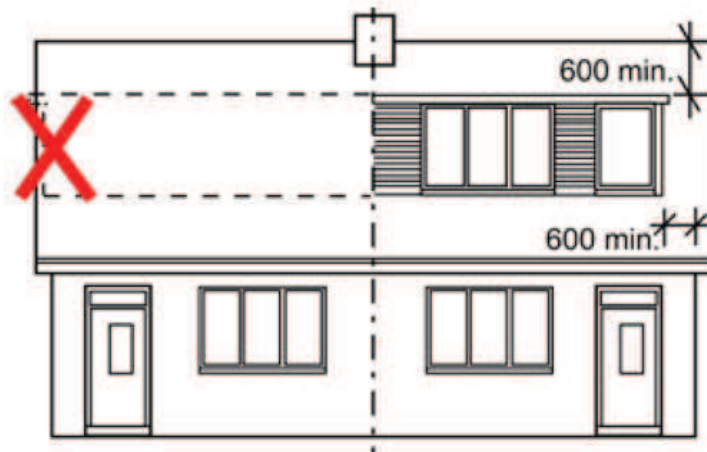
- a) Dormers and box dormer extensions have become common features in many modern housing areas, and the wide variety of designs of modern dwellings necessitates a greater flexibility in terms of design guidance. The amenity of other properties and the residential neighbourhood must however, still be protected, with the integrity of the building being retained after alteration. The following basic principles may be used to guide the design and scale of any new dormer extension:
- b) The dormer extension should not appear to dominate the original roofspace.
- c) The dormer extension should not be built directly off the front of the wallhead as the roof will then have the appearance of a full storey. On public elevations there should be no apron below the window, although a small apron may be acceptable on the rear or non-public elevations. Such an apron would be no more than three slates high or 300mm, whichever is the lesser;



Dormer extension should not extend to or breach ridge (roof too shallow)

Dormer extensions should not be built off front of wall head or include apron

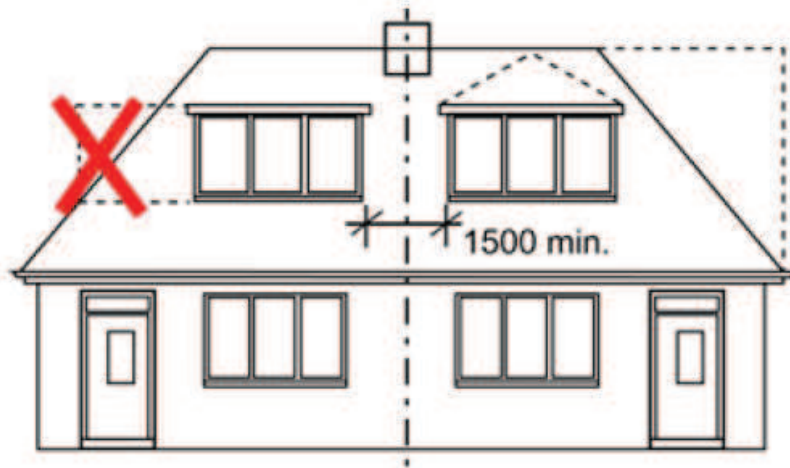
- d) The roof of the proposed extension should not extend to, or beyond the ridge of the existing roof, nor should it breach any hip. Dormer extensions cannot easily be formed in hipped roofs. Flat roofed extensions should generally be a minimum of 600mm below the existing ridge;
- e) The dormer extension should be a minimum of 600mm in from the gable. The dormer haffit should never be built off the gable or party walls, except perhaps in the situation of a small semi-detached house where the dormer extension may sometimes be built off the common boundary. In terrace situations, or where a detached or semi-detached bungalow is very long, dormer extensions should be kept about 1500mm apart (i.e. dormer haffits should be 750mm back from the mutual boundary) so as not to make the dormer appear continuous or near continuous;



Box dormer extension on small semi-detached house (in this case it is permissible to build up to the party wall). Dormers should not extend out to verge / roof edge.

- f) The outermost windows in dormer extensions should be positioned at the extremities of the dormer. Slated or other forms of solid panel will not normally be acceptable in these locations. In the exception to this situation, a dormer on a semi-detached house may have a solid panel adjacent to the common boundary when there is the possibility that the other half of the house may eventually be similarly extended in the foreseeable future. In this case the first part of the extension should be so designed as to ensure that the completed extension will eventually read as a single entity;
- g) There should be more glazing than solid on the face of any dormer extension.
- h) Box dormer extensions should generally have a horizontal proportion. This need not apply however, to flat roofed individual dormer windows which are fully glazed on the front;

- i) Finishes should match those of the original building and wherever possible the window proportion and arrangement should echo those on the floor below:
- j) The design of any new dormer extension should take account of the design of any adjoining dormer extension.

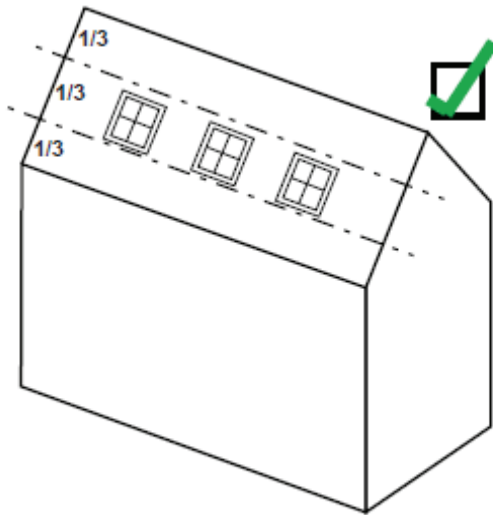


Flat roofed dormers on more traditional hipped roof house (Dormers should not breach hips. A pitched roof on this kind of dormer greatly increases its bulk). Extending roof to the gable on one side only is best avoided.

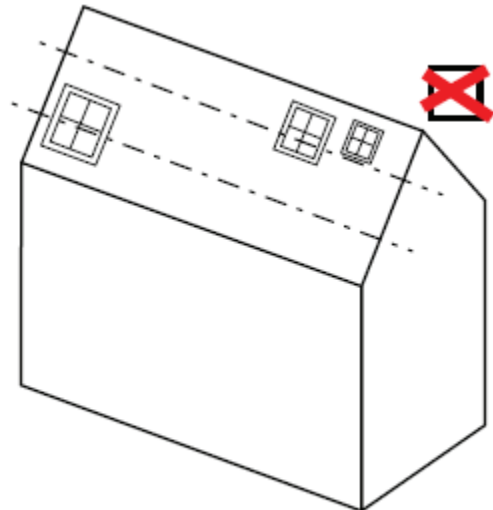
▪ **ROOFLIGHTS**

The installation of rooflights is a simple and cost effective method of allowing additional natural light and ventilation into an attic or roofspace. An excessive use of these rooflights can however, create visual clutter on a roof. Planning Permission is required for the installation of such rooflights on buildings in conservation areas and Listed Building Consent is required for proposals involving alteration of a listed building. When considering the installation of a rooflight, account should be taken of the following:-

a) A rooflight provides considerably more light than a normal vertical window of the same dimension. Many rooflights installed are consequently, larger and more numerous than is really necessary. In a roofspace used only for storage, the smallest rooflight will generally be adequate;



Small rooflights in the middle third of roof space and evenly spaced.

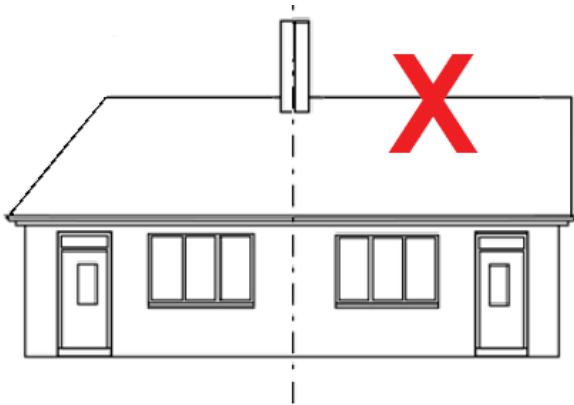


Rooflights too large and too close to eaves and verge. A variety of sizes, spacing and levels.

- b) Rooflights should have a conspicuously vertical proportion. Seen from ground level, the foreshortening effect will tend to reduce the apparent height of the window, giving it a more squat appearance;
- c) On older buildings, and particularly on listed buildings and buildings in conservation areas, a 'heritage' type of rooflight will be expected. This is of particular importance on public elevations. Even the addition of a central glazing bar to a rooflight can provide a more authentic appearance in such instances;
- d) Large timber or cast iron rooflights divided into several sections were frequently provided above stairwells. It is not ideal to replace these with a single-pane modern rooflight. If the original rooflight cannot be repaired, aluminum or steel patent glazing is a more satisfactory option; and

- e) For rooflights fitted into slated roofs, manufacturers can provide a special flashing with their rooflights to keep the projection of the rooflight above the plane of the slates to a minimum.
- f) There are available metal roof windows which have an authentic traditional appearance whilst meeting current standards for insulation and draught exclusion.

▪ **OTHER FORMS OF DORMER WINDOW AND ROOF EXTENSION**



Hipped roof extensions

Modifying only one half of a hipped roof is likely to result in the roof having an unbalanced appearance. The practice of extending a hipped roof on one half of a pair of semi-detached houses to terminate at a raised gable will not generally be accepted unless;

- The other half of the building has already been altered in this way; **or**
- Such a proposal would not, as a

result of the existing streetscape and character of the buildings therein, result in any adverse impact on the character or visual amenity of the wider area.

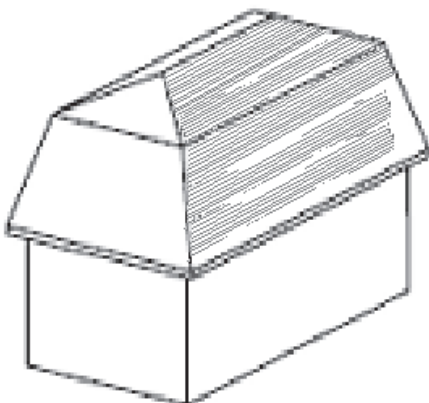
Half dormer windows

Half dormer windows have the lower part of the window within the masonry wall, with the part in the roof space surrounded by masonry or timberwork. This type of window is usually quite narrow, vertical in proportion, and is appropriate when the floor is below the wall-head level.



Wall-head gables

A wall-head gable commonly has a centre window, with flues passing each side within the masonry to a common central chimney. It would be essential for any such feature to be constructed in the same material as the wall below. (Both half dormer window and wall-head gables have a strong visual impact which could substantially alter the character of a building. They are therefore, unlikely to be acceptable on listed buildings, but might be accepted in conservation areas or on other older buildings of a traditional character.)



Mansard Roofs

Mansard roofs are a common, even a somewhat overused method of obtaining additional attic floorspace having standard headroom overall. Mansard roofs tend to have a top heavy appearance on buildings which have only a single storey of masonry, and should be restricted to buildings of two or more masonry storeys. They will not normally be acceptable in semi-detached or terraced situations unless all the other properties in the

group are to be similarly altered at the same time. In effect, few situations will arise where an existing roof can readily be converted to a mansard roof.

On the occasions when a mansard roof solution is acceptable, considerable attention to detail is required to ensure that the altered roof is visually authentic. The following points should be observed:

- a) There should be no fascia at the eaves, nor should the mansard project forward of the masonry line;
- b) The mansard should be taken down to either a concealed lead gutter behind a masonry parapet, or to an "ogee" or half round cast iron gutter in line with the face of the masonry;
- c) The gables of the building should be extended up in the same material as the original gables, and should terminate at a masonry skew in the same profile as the mansard roof. It will not normally be acceptable to return the mansard roof across the gable with hipped corners;
- d) The lower slope of the roof should be inclined at no greater than 75° to the horizontal.

▪ OTHER DOMESTIC ALTERATIONS

Replacement Windows and Doors

Windows and doors are important features of a building that contribute greatly to the character of the building and of the street in which the building stands. They are also increasingly subject to alteration or replacement. Householders are referred to the council's Supplementary Guidance entitled '*Guidance on the Repair and Replacement of Windows and Doors*'.

Satellite Dishes

In all cases, microwave antennas should, as far as is practicable, be sited so as to minimise their visual impact and effect on the external appearance of a building. The cumulative effects of such seemingly minor additions can be significant, particularly within conservation areas and where installed on listed buildings. Permitted development rights exist for the installation of satellite dishes on dwellinghouses outwith Conservation Areas, provided any dish installed would not project more than 1m from the outer surface of an external wall, roof plane, roof ridge or chimney of the dwellinghouse.

For buildings containing flats, satellite dishes may only be installed without planning permission where the site;

1. Lies outwith any Conservation Area
2. Is not within the curtilage of a Listed Building
3. Would not protrude more than 1m from the outer surface of any wall, roof place, roof ridge or chimney.

Where planning permission is required for such works, the Council's duties in relation to listed buildings and conservation areas will be of relevance. Householders should also be aware that, irrespective of the Permitted Development rights set out above, a separate application for Listed Building Consent is likely to be required where installation is proposed within the curtilage of a listed building.

Decking

Homeowners are often unaware that the formation of decking may require planning permission. It is therefore important to discuss any such proposals with the planning authority at an early stage to determine what consents may be necessary and to identify any potential issues with a proposal. The formation of decking will require planning permission in the following instances;

- Any part of the deck would be forward of a wall forming part of the principal elevation, or side elevation where that elevation fronts a road;
- The floor level of any deck or platform would exceed 0.5m in height;
- The combined height of the deck and any wall, fence, handrail or other structure attached to it, would exceed 2.5m;
- If located within a Conservation Area or within the curtilage of a Listed Building, the deck or platform would have a footprint exceeding 4 square metres

Raised decking can in many cases provide a desirable outdoor amenity space, but the impact upon adjacent properties should be given careful consideration. The raised surface of a deck may result in overlooking into neighbouring gardens and a consequent loss of privacy. Equally, enclosing raised decks with additional fencing can result in neighbours being faced with excessively tall boundary enclosures which can affect light in neighbouring gardens.

The following guidelines will be relevant to the assessment of proposals involving raised decking areas;

- a) Proposals should not result in an unacceptable loss of privacy for neighbouring residents.
- b) Proposals should not result in an adverse impact upon the amenity of adjacent dwellings, including both internal accommodation and external private amenity space.
- c) There will be a presumption against the formation of decking to the front of any property, or on any other prominent elevation where such works would adversely affect the visual amenity of the street scene.

Fences, Walls and Other Boundary Enclosures

Boundary enclosures such as fences, gates and walls may not require planning permission, due to the permitted development rights which exist.

- a) Planning permission will always be required for such works to a listed building, or within the curtilage of a listed building.
- b) Planning permission will always be required for such works within a Conservation Area.
- c) Conservation Area Consent may be necessary for the demolition of boundary walls with conservation areas.
- d) In all instances, the scale and form of boundary enclosures should be appropriate to their context and should not detract from the street scene as a result of inappropriate visual impact.
- e) In all instances, proposals for boundary enclosures should not result in an unacceptable impact upon the amenity of neighbouring dwellings.

Driveways

The Council's Supplementary Guidance on *'Transport and Accessibility'* provides guidance on situations where planning permission will be required for such works. This guidance also sets out criteria by which applications for parking areas in Conservation Areas and within the curtilage of Listed Buildings will be assessed.

Planning permission will be required in the following circumstances;

- The property is a flat;
- Construction work involves over 0.5 metres of earthworks (excavation or raising of ground level);
- The verge to the footway has grass over 2.5 metres wide;
- The driveway accesses on to a classified road;
- The property is a listed building or is situated in a conservation area.

Permission will not be granted for a driveway across an amenity area or roadside verge unless it would have no detrimental impact in road safety and would have no adverse effect on the amenity of the area (e.g. involves the loss of mature or semi-mature trees).

For more detailed guidance on proposals involving the formation of a driveway, please consult sections 8 and 9 of the Council's *'Transport and Accessibility'* Supplementary Guidance.

Microrenewables

The term 'micro-renewables' refers to all forms of domestic micro-generation utilising a renewable form of energy. These come in a number of forms, and are increasingly common as the relevant technology evolves and becomes more widely available, efficient, and reliable.

The planning authority aims to encourage the use of micro-renewable technologies within the curtilage of domestic dwellinghouses. Careful consideration is required in relation to their positioning, however, in order to avoid undue prominence within the street scene, particularly within conservation areas and where proposals may affect the setting of a listed building. Installation of such equipment can in many cases be carried out by virtue of Permitted Development rights, which allow for improvements and alterations to dwellinghouses and other works within the curtilage of a dwellinghouse, provided the site is located outwith any designated Conservation Area and does not involve works within the curtilage of a Listed Building. At present there are no permitted development rights available for domestic microgeneration via the installation of wind turbines on a dwellinghouse. In most circumstances, planning permission will be required for the installation of wind turbines elsewhere within the curtilage of a domestic property.

▪ **CHANGE OF USE FROM AMENITY SPACE TO GARDEN GROUND**

Amenity space and landscaping are valued assets within residential areas. They are common features in most housing developments and are provided for a number of reasons including –

- to improve the appearance of the area;
- to provide wildlife habitats, enhance ecology and often form part of sustainable urban drainage systems;
- to act as pedestrian routes through developments;
- to provide informal recreation areas;
- to provide good safety standards for drivers, cyclists and pedestrians in terms of road verges or visibility splays.

Many homeowners seek to purchase areas of such land from either the Council or a housing developer to enlarge their own gardens. In all circumstances this requires planning permission for a change of use from amenity ground to garden ground.

Prior to submitting a planning application it is advisable to contact the landowner to see if they would be willing to sell the particular piece of land. In the case of the Council land you should contact –

Asset Management
Enterprise, Planning and Infrastructure

Business Hub 10
Second Floor South
Marischal College
Broad Street
AB10 1AB

It is also advisable to contact Planning and Sustainable Development prior to submitting your application for planning advice on acceptability of your proposal.

Planning applications will be assessed in the context of Policy H1 (Residential Areas) of the Aberdeen Local Development Plan which states that proposals for householder development will only be approved if they do not result in the loss of valuable open space. Each planning application for change of use is dealt with on its own individual merits, however in considering whether an application is acceptable the Council will assess the proposal against the following criteria –

- The proposal should not adversely affect amenity space which makes a worthwhile contribution to the character and amenity of the area or contains mature trees that make a significant contribution to the visual amenity of the wider neighbourhood. In most circumstances the amenity ground will make a contribution, however sometimes small incidental areas of ground make little contribution to the appearance of the neighbourhood. For instance it may be acceptable to include within garden ground secluded areas that are not visible from footpaths or roads and that do not make a contribution to the wider visual amenity of the area. Similarly it may be acceptable to include small corners of space that can be logically incorporated into garden ground by continuing existing fence lines.
- The proposal should not fragment or, if replicated, be likely to incrementally erode larger areas of public open space or landscaping.
- The proposal should not worsen or create a deficiency in recreational public open space in the area. The less amenity space there is in an area the more value is likely to be placed on the existing amenity space. The Open Space Audit identifies areas of the city where there is a deficiency and should this be the case there will be a presumption against the granting of planning permission.
- The proposal should not result in any loss of visual amenity including incorporating established landscaping features such as mature trees or trees that make a significant contribution to the area. It is unlikely the Council would support the incorporation and likely loss of such features, however in circumstances where it is acceptable replacement planting to compensate will normally be required.
- The proposal should not result in an irregular boundary layout that would be out of keeping with the otherwise uniform character of the area.

- The proposal should not result in the narrowing of footpath corridors or lead to a loss of important views along such footpaths, making them less inviting or safe to use.
 - The proposal should not prejudice road or pedestrian safety. Areas of amenity space often function as visibility splays for roads and junctions.
 - The proposal should not give rise to the setting of a precedent that would make it difficult to resist similar proposals in the future. Over time the cumulative impact of the loss of separate areas of ground can lead to the gradual erosion of amenity space, which is not in the public interest and can affect the overall amenity and appearance of the area.
- **HOUSES IN MULTIPLE OCCUPATION (HMOs)**

Presently the term House in Multiple Occupation (HMO) is not one commonly associated with the planning system in Scotland. The term is not defined in planning legislation, though Scottish Government Circular 8/2009 does provide some advice on HMOs, suggesting that there may be a role for the planning system in managing HMOs where a material change in the use of a house or flat has taken place. Multiple occupancy can intensify pressure on amenity, particularly with regards to shared/mutual areas and car parking. It is therefore appropriate to ensure that appropriate provision is made prior to granting planning permission for an HMO.

A useful starting point is to clearly identify what constitutes an HMO for the purposes of this Supplementary Guidance. The planning system defines 'dwellinghouse' and 'flat' as detailed below;

Flat "means a separate and self contained set of premises whether or not on the same floor and forming part of a building from some other part which it is divided horizontally." Part 1 (2) Town and Country Planning (General Permitted Development) (Scotland) Order 1992)

A house is defined within class 9 (houses) under the Town and Country Planning (Use Classes) (Scotland) Order 1997. This allows for use as;

- a) *A house, other than a flat, whether or not as a sole or main residence, by-*
 - (i) *A single person or by people living together as a family; or*
 - (ii) *Not more than 5 residents living together including a household where care is provided for residents*
- b) *as a bed and breakfast establishment or guesthouse, where at any one time not more than 2 bedrooms are, or in the case of premises having less than 4 bedrooms, 1 bedroom is, used for that purpose.*

This means that, where more than 5 persons are living together, other than as a family, the premises would not fall within the definition of a 'dwellinghouse' for planning purposes. It is reasonable to use this same threshold as the point at which a material change in the use of premises has occurred, and an application for change of use to form an HMO would be necessary.

Where flats are concerned, planning legislation does not specify any number of residents above which premises will no longer be considered a 'flat' for planning purposes. Given the potential for increased pressure on amenity, particularly in shared/mutual areas and car parking, it is necessary for this guidance to set a threshold above which use will no longer be considered as a 'flat'. HMOs account for a significant proportion of the available rental accommodation in Aberdeen, and are particularly important in supporting the City's sizeable student population. In setting a threshold above which planning permission will be necessary, it is noted that any number of people may live together in a single property, provided they are part of the same family unit. Taking this into account, it is considered that 6 or more unrelated people living together in a flat would be materially different from family use. This will be the threshold used for the purposes of this guidance.

Planning permission will be required for change of use to a House in Multiple Occupation in the following instances;

- 1. The occupation of a house by 6 or more unrelated persons**
- 2. The occupation of a flat by 6 or more unrelated persons**

It is important to note that separate licensing requirements exist for the establishment of an HMO, irrespective of the planning-specific guidance set out in this document. The granting of planning permission does not remove any requirement to obtain the appropriate licence and vice versa. Furthermore, success in obtaining planning permission for use of premises as an HMO does not guarantee a successful license application. It should be noted that, while the term 'HMO' is common to both systems, it has a different meaning depending on the context in which it is used. For licensing purposes, an HMO is defined as any house or flat which is the principal residence of three or more people who are members of three or more families.

This guidance is intended to set the thresholds at which a house or flat will no longer be considered to be in domestic use and will be treated as a House in Multiple Occupation for planning purposes. Having identified where such changes of use take place, it is then necessary to set out the factors which will be considered in assessing any such application.

Proposals involving formation of an HMO as defined in this guidance will be assessed with regard to matters including, but not limited to, the following;

1. Any adverse impact upon pedestrian or road traffic safety as a result of increased pressure on car parking;
2. Significantly adverse impact upon residential amenity for any reason. This may include, but not be limited to, adequate provision of refuse storage space, appropriate provision of garden ground/amenity space, and an appropriate level of car parking.
3. An excessive concentration of HMOs in a given locality, cumulatively resulting in a material change in the character of that area. This will be assessed in consultation with the Council's HMO Unit within the Housing & Environment service, who hold relevant information on the location of existing licensed HMO properties.

Where it is not practicable for dedicated car parking to be provided alongside the development, a proposal must not exacerbate existing parking problems in the local area.

APPENDIX A: GLOSSARY OF TERMS

Amenity - The attributes which create and influence the quality of life of individuals or communities.

Amenity space - Areas of open space such as gardens, balconies and roof terraces.

Article 4 direction – Some types of development do not need planning permission by virtue of permitted development rights. An Article 4 Direction is an order made by Scottish Ministers which suspends (for specified types of development) the general permission granted under the Town and Country (General Permitted Development) (Scotland) Order 1992 (as amended), thereby removing permitted development rights.

Bay window - a window or series of windows forming a bay in a room and projecting outward from the wall externally

Boundary enclosure – Boundary treatment such as a fence, wall, hedge, ditch or other physical feature which demonstrates the edges of a site or otherwise encloses parts of that site

Building line - The line formed by the frontages of buildings along a street. For the purposes of this guidance, this shall not generally include elements such as the front of any porches, canopies, garages or bay windows.

Common boundary – A boundary which is shared by residential properties on either side

Conditions – Planning conditions are applied to the grant of planning permission and limit and control the way in which a planning consent may be implemented. Such conditions can require works to be carried out in a certain way (e.g. restriction on opening hours or adherence to an approved tree management plan) or can require submission of further information in order to demonstrate the suitability of technical details (e.g. drainage or landscaping schemes for a new development)

Conservation Area – Conservation Areas are areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance. Such areas are designated by the local planning authority. Details of the Conservation Areas in Aberdeen can be found on the Council's website, www.aberdeencity.gov.uk.

Conservation Area Consent – Conservation Area Consent is required for proposals which involve the whole or substantial demolition of any unlisted building or structure in a Conservation Area. Conservation Area Consent is not required for the demolition of a building which has a volume of less than 115 cubic metres, or for the partial demolition of a building, or for minor alterations to gates, walls and fences within a Conservation Area. Demolition

works may, however, require planning permission, and so confirmation should be sought from the planning authority.

Curtilage - The land around, and belonging to, a house.

Daylight – Diffuse level of background light, distinct from direct sunlight

Development Plan – The “Development Plan” is a term used to incorporate both the current Local Plan/Local Development Plan and the current Structure Plan/Strategic Development Plan.

Dormer Window – Dormer windows are a means of creating useable space in the roof of a building by providing additional headroom.

Dwellinghouse – For the purposes of this guidance, the term “dwellinghouse” does not include a building containing one or more flats, or a flat contained within such a building

Fenestration - The arrangement of the windows in a building.

Gable - The part of a wall that encloses the end of a pitched roof.

Habitable rooms - Includes bedrooms and living rooms, but does not include bathrooms, utility rooms, WCs or kitchens when not accompanied by dining facilities.

Haffit – The sides or ‘cheeks’ of a dormer window.

Hipped Roof – A four-sided roof having sloping ends as well as sloping sides

Listed Building – Working on behalf of Scottish Ministers, Historic Scotland inspectors identify buildings which are worthy of statutory protection. These are ‘Listed Buildings’. The criteria by which the Scottish Ministers define the necessary quality and character under the relevant legislation are broadly; Age and Rarity; Architectural Interest; and Close Historical Association

Listed building Consent – Listed Building Consent is obtained through an application process which is separate from, but runs parallel to, that by which planning permission is obtained. This separate regulatory mechanism allows planning authorities to ensure that changes to listed buildings are appropriate and sympathetic to the character of the building. Listed Building Consent must be obtained from the planning authority if you wish to demolish, alter or extend, either internally or externally, a listed building.

Mansard Roof – A four-sided roof having a double slope on all sides, with the lower slope much steeper than the upper.

Material Consideration - Any issue which relates to the use and development of land and is relevant to the planning process.

Permitted Development - an aspect of the planning system which allows people to undertake specified forms of minor development under a deemed grant of planning permission, therefore removing the need to submit a planning application.

Piended – scots term for hipped (pronounced peended)

Planning Authority – This is the term given to the Council in its role exercising statutory functions under Planning legislation. Authorities have three main planning duties: Development Management (assessing and determining planning applications); Development Planning (preparing, updating and monitoring the authority's Local Plan/Local Development Plan); and Enforcement (seeking to investigate and resolve breaches of planning control)

Porch - A covered shelter projecting in front of the entrance of a building.

Roads Authority - This is the term given to the Council in its role exercising statutory functions under Roads legislation. Where trunk roads are concerned, Transport Scotland is the relevant roads authority.

Sunlight – The sun's direct rays, as opposed to the background level of daylight

Supplementary Guidance – Supplementary Guidance is prepared by the planning authority in support of its Local Plan/Local Development Plan. These documents are generally intended to provide greater detail or more specific and focused guidance than might be practicable within the Plan itself.

Tabling – A raised horizontal surface or continuous band on an exterior wall; a stringcourse

Tree Preservation Order – The planning authority has the powers to make Tree Preservation Orders if it appears to them to be a) expedient in the interest of amenity and/or b) that the trees, groups of trees or woodlands are of a cultural or historical significance. The authority has duties to a) make such TPOs as appear to the authority to be necessary with any grant of planning permission; and b) from time to time to review any TPO and consider whether it is requisite to vary or revoke the TPO.

Wallhead – The uppermost section of an external wall.

APPENDIX B: APPLICATION CHECKLIST GUIDE

Have you discussed the proposed works with your neighbours?	
Is planning permission required? Remember, some works can be carried out as 'Permitted Development'	
Is any other form of consent required for the works?	
Have you considered the appointment of an architect, planning consultant or other agent to act on your behalf? Though not mandatory, this can be worthwhile as agents will be familiar with the planning system and should be able to provide the drawings and supporting information to the necessary standards.	
Will any supporting information be necessary to enable the planning authority to make a full assessment of issues relevant to the proposal? For example, are there trees or protected species within the site?	
Is the building a Listed Building or within a Conservation Area? If so, it is recommended that advice is sought from the planning authority prior to submission in order to gauge the potential impact on these designations.	
Have you considered your proposal in relation to the guidance contained within the Householder Development Guide? Any proposal for householder development will be assessed against this Supplementary Guidance	
Is the proposed design consistent with the character of the property and the surrounding area?	
Would the development proposed result in any significant adverse impact on your neighbours in terms of loss of light, overshadowing and/or privacy?	
Would the proposed development result in an insufficient provision of amenity space/private garden?	
Have any changes to access and/or parking requirements been discussed with the Council in its role as Roads Authority?	

APPENDIX C: DAYLIGHT AND SUNLIGHT

Daylight

It is appropriate to expect that new development will not adversely affect the daylighting of existing development. Residents should reasonably be able to expect good levels of daylighting within existing and proposed residential property.

A useful tool in assessing the potential impact of proposed development upon existing dwellings is the BRE Information Paper on 'Site Layout Planning for Daylight'. This document sets out techniques which can be applied as a means of assessing the impact of new development upon daylighting. These techniques should only be applied to "habitable rooms", which for the purposes of this guidance shall mean all rooms designed for living, eating or sleeping eg. lounges, bedrooms and dining rooms/areas. Kitchens without dining areas are not considered as habitable rooms.

For domestic extensions which adjoin the front or rear of a house, the 45° method will be applied in situations where the nearest side of the extension is perpendicular (at right-angles to) the window to be assessed. The 45° method is not valid for windows which directly face the proposed extension, or for buildings or extensions proposed opposite the window to be assessed. In such instances, the 25° method, also detailed below, may be appropriate.

It should be noted that these guidelines can only reasonably be applied to those buildings which themselves are good neighbours, standing a reasonable distance from the boundary and taking only their fair share of light. Existing windows which do not meet these criteria cannot normally expect the full level of protection. It is important to note that these tools will be used as and when the planning authority deems it appropriate due to a potential impact on daylight to an existing dwelling. The results of the relevant daylighting assessment will be a material consideration in the determination of an application, and should not be viewed in isolation as the sole determining factor.

The 45° Method for daylight

This method involves drawing 45° lines from the corner of a proposed building or extension in both plan and section views. If the shape formed by **both** of these lines would enclose the centre point of a window on an adjacent property, the daylighting to that window will be adversely affected.

DIAGRAM 1: 45° METHOD

The line drawn at 45° would pass through the mid-point of the window on elevation drawing, but not on the plan. This extension would therefore satisfy the 45° method for daylighting assessment. Were the proposal to fail on both diagrams, it is likely there would be an adverse affect on daylight to the adjacent window of the neighbouring property.

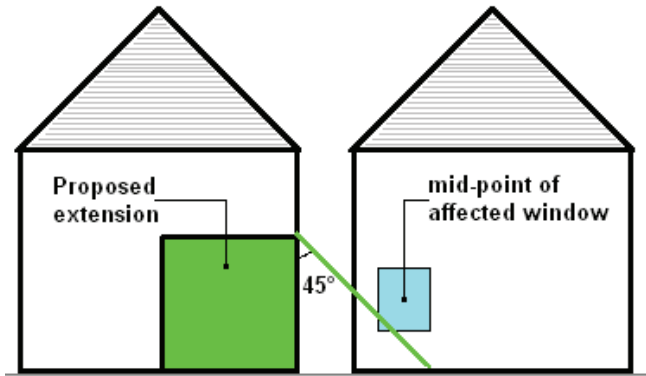


Fig A: Elevation view

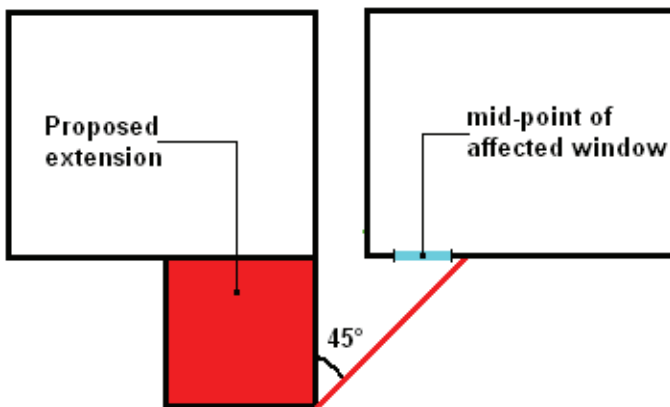


Fig B: Plan view

The 25° Method

The 25° method should be applied in situations where existing windows would directly face the proposed building or extension. Firstly, a section should be drawn, taken from a view at right angles to the direction faced by the windows in question. On this section, a line should be drawn from the mid-point of the lowest window, 25° to the horizontal, towards the obstructing building or extension. If the proposed building or extension is entirely below this line, it is unlikely to have a substantial effect on the diffuse daylighting of the existing building. Where the 25 degree approach is not satisfied, it will be for the planning authority to make a judgement on the degree of impact upon an adjacent dwelling.

DIAGRAM 2: 25° METHOD

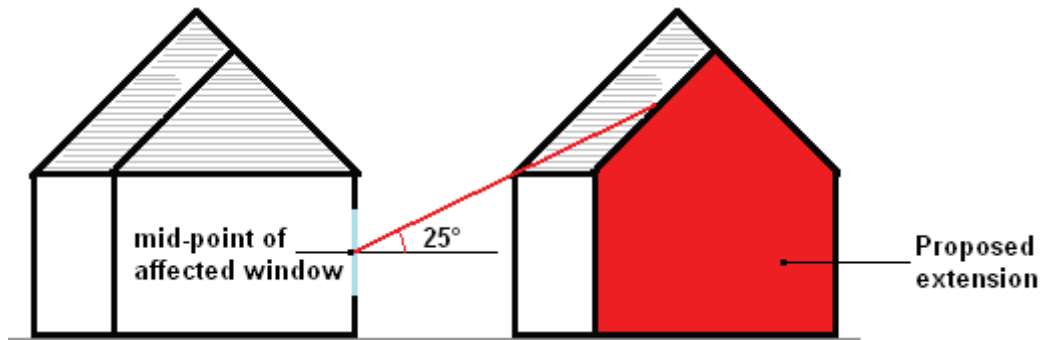


Fig A: Proposed extension may result in loss of daylight to adjacent window of a habitable room

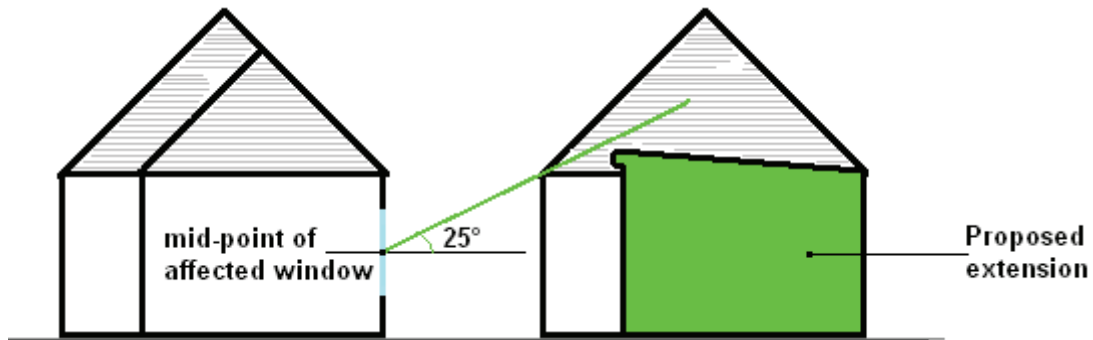


Fig B: Proposed extension would not result in loss of daylight to adjacent window of a habitable room

Both diagrams show line drawn from mid-point of affected window, at 25° to the horizontal.

Sunlight

In many instances, extensions to residential property will have at least some effect on the level of direct sunlight which falls on adjacent land or buildings. Where such overshadowing is excessive, substantial areas of land or buildings may be in shade for large parts of the day, resulting in a significant impact on the level of amenity enjoyed by residents. It is therefore helpful to have some means by which an assessment of any potential overshadowing can be made.

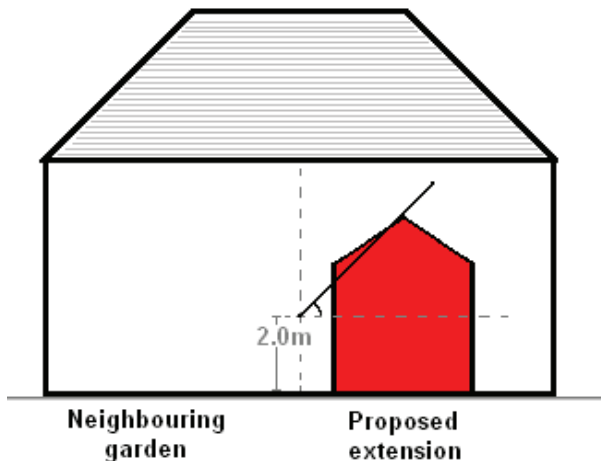
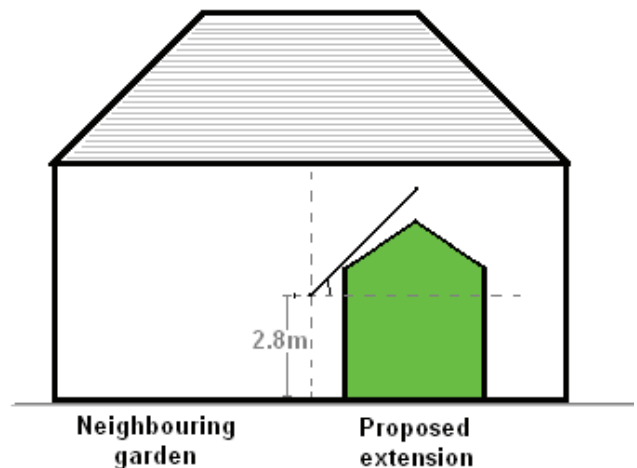
The method used involves drawing a line at 45 degrees to the horizontal. This line will begin at a point above ground level on the relevant boundary. The height above ground level will be determined by the orientation of the proposed building or structure relative to the affected space, as shown in the table opposite;

Orientation of extension relative to affected space	Height from which 45 degree line should be taken
N	4m
NE	3.5m
E	2.8m
SE	2.3m
S	2m
SW	2m
W	2.4m
NW	3.3m

This method is intended as a tool to assist case officers in their assessment of potential overshadowing, and it is important that this be applied sensibly and with due regard for the context of a particular site. Where a proposal is not able to satisfy the requirements of the relevant test, it will then be appropriate for officers to consider other factors relevant to the likely impact on amenity. These will include, but will not be limited to: the proportion of amenity space/garden affected; the position of the overshadowed area relative to windows (of habitable rooms) of an adjacent property; and the nature of the space affected (e.g. overshadowed driveway).

Example 1: In this example (right), the proposed extension would be located to the East of the neighbouring garden ground. A point 2.8m above ground level, on the site boundary, is found. From this point, a line is drawn at 45 degrees to the horizontal.

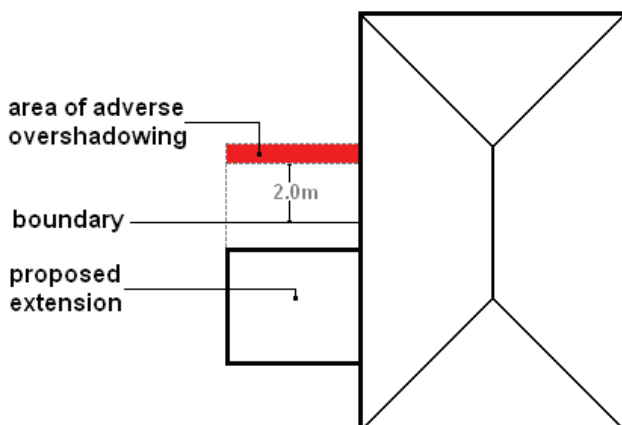
The diagram in Example 1 shows that the line drawn would not strike any part of the proposed extension, and therefore for the purposes of this test there would be no adverse affect on sunlight to the neighbouring garden.



Example 2: In this second example (left), the proposed extension would be constructed to the south of the adjacent garden ground. The same process is followed, but in this instance the line is drawn from a point 2m above ground level.

As the first diagram shows, the proposed extension would intersect the 45 degree line drawn. This suggests that there would be an area of adverse overshadowing in the neighbouring garden as a result of this proposal.

The second diagram demonstrates the area of adjacent garden ground which would be affected in plan view. This allows the case officer to make an assessment of the proportion of garden affected relative to the total useable garden area. As mentioned previously, the nature of the affected area will also be of relevance in



determining whether there is justification in allowing a proposal which does not satisfy the 45 degree test for sunlight. There will be instances where proposals will be approved on this basis.

Appendix D: Privacy

New development should not result in significant adverse impact upon the privacy afforded to neighbouring residents, both within dwellings and in any private garden ground/amenity space. What constitutes an acceptable level of privacy will depend on a number of factors. The purpose of this guide is not to create a rigid standard which must be applied in all instances, but rather to set out the criteria which will be taken into account in determining the impact of a particular development.

It is common practice for new-build residential development to ensure a separation distance of 18m between windows where dwellings would be directly opposite one another. Given the application of this distance in designing the layout of new residential development, it would appear unreasonable to then apply this to residential extensions to those same properties.

Assessment of privacy within adjacent dwellings will therefore focus upon the context of a particular development site, taking into account the following factors:

- existing window-to-window distances and those characteristic of the surrounding area;
- any existing screening between the respective windows;
- appropriate additional screening proposed
- respective site levels
- the nature of the respective rooms (i.e. are windows to habitable rooms); and
- orientation of the respective buildings and windows.

Any windows at a distance of 18m or more will not be considered to be adversely affected through loss of privacy. At lesser distances, the factors stated above will be considered in order to determine the likely degree of impact on privacy. For the purposes of this guidance, habitable rooms constitute all rooms designed for living, eating or sleeping eg. lounges, bedrooms and dining rooms/areas.

Any windows to habitable rooms should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings. In these circumstances the windows of non-habitable rooms should be fitted with obscure glass.

The addition of balconies to existing residential dwellings will require careful consideration of their potential impact upon privacy. Such additions, if poorly considered, can result in significant overlooking into adjacent gardens. Any

proposed balcony which would result in direct overlooking of the private garden/amenity space of a neighbouring dwelling, to the detriment of neighbours' privacy, will not be supported by the planning authority.

Policy D1- Quality Placemaking by Design

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials.

Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

- **distinctive**
- **welcoming**
- **safe and pleasant**
- **easy to move around**
- **adaptable**
- **resource efficient**

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

To further ensure there is a consistent approach to placemaking throughout the city, the Aberdeen Masterplan Process will be applied to larger sites within the city.

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Policy H1 Residential Areas

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

- 1 does not constitute over development;
- 2 does not have an unacceptable impact on the character and amenity of the surrounding area;
- 3 does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and
- 4 complies with Supplementary Guidance.

Within existing residential areas, proposals for non-residential uses will be refused unless:

- 1 they are considered complementary to residential use; or
- 2 it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

Any proposed loss of Local Shops or Community facilities would need to comply with the relevant policies Policy CF1 Existing Community Sites and Facilities and Policy NC7 Local Shop Units.

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ABERDEEN
CITY COUNCIL

Business Hub 4, Ground Floor North Marischal College, Broad Street ABERDEEN AB10 1AB

Tel: 01224 523 470

Fax: 01224 523 180

Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000129268-002

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	J.V. Carroll
Ref. Number:	
First Name: *	Ross
Last Name: *	Clarihew
Telephone Number: *	01224-643106
Extension Number:	
Mobile Number:	
Fax Number:	01224-649996
Email Address: *	info@jvcarroll.co.uk

You must enter a Building Name or Number, or both:*

Building Name:	Inverden House
Building Number:	
Address 1 (Street): *	Queens Lane North
Address 2:	
Town/City: *	ABERDEEN
Country: *	UK
Postcode: *	AB15 4DF

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Mr	You must enter a Building Name or Number, or both:*	
Other Title:		Building Name:	
First Name: *	Andrew	Building Number:	17
Last Name: *	Dines	Address 1 (Street): *	Murray Terrace
Company/Organisation:		Address 2:	
Telephone Number:		Town/City: *	Aberdeen
Extension Number:		Country: *	SCOTLAND
Mobile Number:		Postcode: *	AB11 7SA
Fax Number:			
Email Address:			

Site Address Details

Planning Authority:	Aberdeen City Council		
Full postal address of the site (including postcode where available):			
Address 1:	17 MURRAY TERRACE	Address 5:	
Address 2:		Town/City/Settlement:	ABERDEEN
Address 3:		Post Code:	AB11 7SA
Address 4:			

Please identify/describe the location of the site or sites.

Northing	804673	Easting	393779
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Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of rear single storey extension to form open plan kitchen / living / dining room.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

SEE ATTACHED SHEET WITHIN SUPPLEMENTARY DOCUMENTS

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

Yes No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

- 1) Copy of Refusal Document and Refused Drawing
- 2) Notice of Review Statement
- 3) Example extension at 28 Beaconsfield Place (P140995), drawings which are available via Planning Portal online. Drawing No. 5004/02 C.
- 4) Example extension at 29 Osborne Place (P091539), drawings which are available via Planning Portal online. Drawing No. 4263/03.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

P151445

What date was the application submitted to the planning authority? *

01/09/15

What date was the decision issued by the planning authority? *

04/12/15

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Terraced dwelling with no access to the rear, other than through the house or the rear elevation can be viewed from some distance from the former railway line pathway at the rear.

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ross Clarihew

Declaration Date: 18/12/2015

Submission Date: 18/12/2015

Notice of Review Statement

P151445 – Erection of Single Storey Extension to Rear at 17 Murray Terrace, Aberdeen

We submitted an application for a single storey rear extension at 17 Murray Terrace, Aberdeen on 1st September 2015, which was later refused Planning Permission on 4th December 2015.

The main concern for the Planning Department appears to have been the projection from the rear elevation of the existing building, the full width of the building which is in a terraced row. We have had many discussions with the Planning Officer as well as our client regarding alternatives, however our client feels this layout is architecturally and functionally the best solution. The planning Officer has verbally agreed that returning the building inwards 1 meter, after 3 metres down the east boundary would be acceptable, however our client feels this will provide an odd shaped room which is difficult to work with.

We feel the supplementary guidance regarding projections to terraced houses is somewhat outdated, given the restrictions that a 3 metre extension provides. A rear extension of any form with a 3m projection, especially on our clients site which is difficult to access with poor ground conditions, is in our opinion is not financially viable. Given the ever increasing thermal efficiency requirement which necessitates thicker walls, along with framing out the existing rear wall of the house, will result in the internal size of the extension being only 2.5m.

From a design perspective we are keen to get away from the short projection 'lean-to' extensions which were historically popular throughout Aberdeen in 1970/80's, but are now being demolished and replaced with larger extensions to cater for the modern living standard of today's families. In particular our clients kitchen is very poor, an extension projecting only 3m would not provide sufficient additional space to improve this situation, given the costs involved.

We have scoured the local housing stock for recently completed/approved extensions, and note that terraced houses have been extended down mutual boundaries in excess of our own projection throughout the city. With much of the west end including within conservation areas being terraced type dwellings. We realise historically these houses may have had small rear annexes which have been knocked down and replaced with the larger extensions. However we do not feel our client should be restricted from doing the same, as these houses are in need of modernisation and such an extension will allow similar improvements to adjoining dwellings in the future.

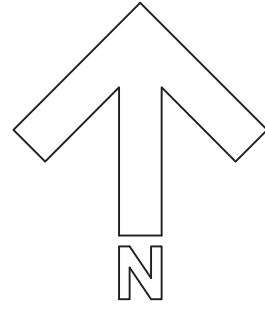
We noted an extension at 28 Beaconsfield Place (P140995) which obtained Full Planning Permission on 30th June 2014 for a full width extension which projects considerably further than our own proposal. In the Planning Permission approval, it states; ***" Although the extension to the annexe would be fully compliant with the relevant Supplementary Guidance contained in the Householder Development Guide in terms of projection, the projection of the new extension would be contrary to this guidance. However site circumstances are such that it is deemed acceptable in this case since there would be no detrimental impact to neighbouring prosperities"***. We would suggest that a similar view could quite easily be applied to our own proposal, with no objections regarding design or scale being submitted by neighbouring properties.

2.

The Planning Officer has confirmed in his report that there are no issues from a design perspective, nor a loss of amenity by overshadowing or loss of privacy. However the Officer does mention they are keen to avoid rear garden space being 'hemmed in' through the erection of rear extensions along common boundaries. We would point out that the gardens to these properties are particularly large, and stretch to 31m from the rear elevation to the rear boundary line.

In addition to the above example, we further noted a rear extension at 29 Osborne Place (P091539) which was overturned and approved by the LRB as a full width rear extension, which again projects further than our own proposal.

We would hope for a view that is more suited to the requirements of homeowners and how they now wish to live, i.e. larger kitchen, open plan living areas etc, as well as taking account of similar approvals elsewhere in the city.



Location Plan Scale 1:2500

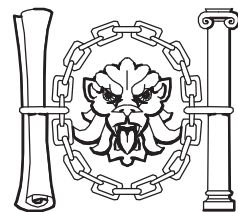
17 Murray Terrace, Aberdeen

J V CARROLL

ARCHITECTURAL TECHNOLOGIST
BUILDING DESIGN CONSULTANTS

INVERDEN HOUSE, QUEEN'S LANE NORTH
ABERDEEN AB15 4DF

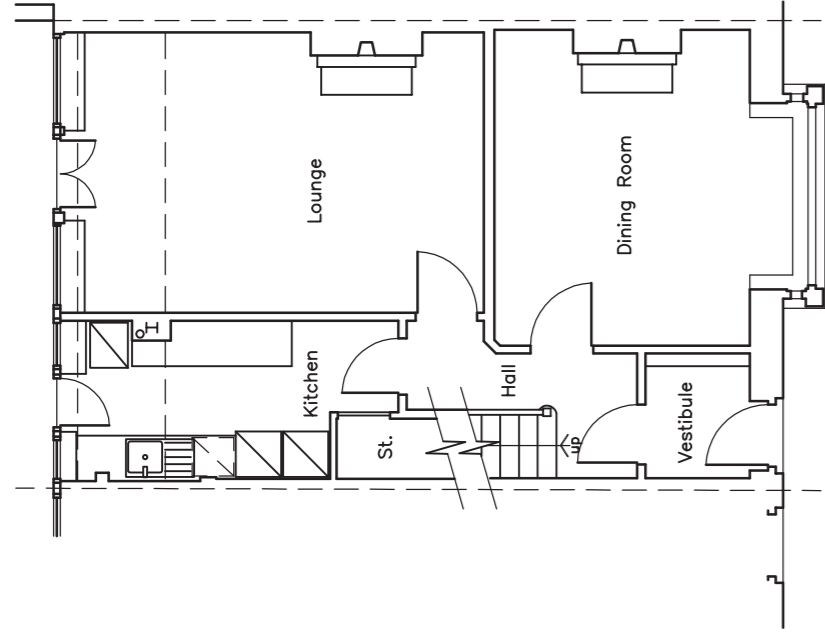
w: www.jvcarroll.co.uk e: info@jvcarroll.co.uk



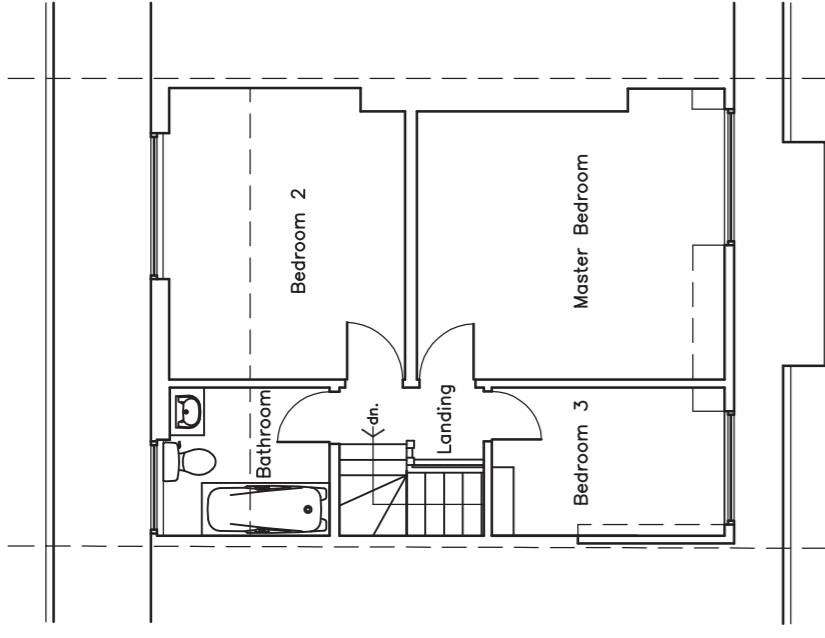
TEL. (01224) 643106

FAX (01224) 649996

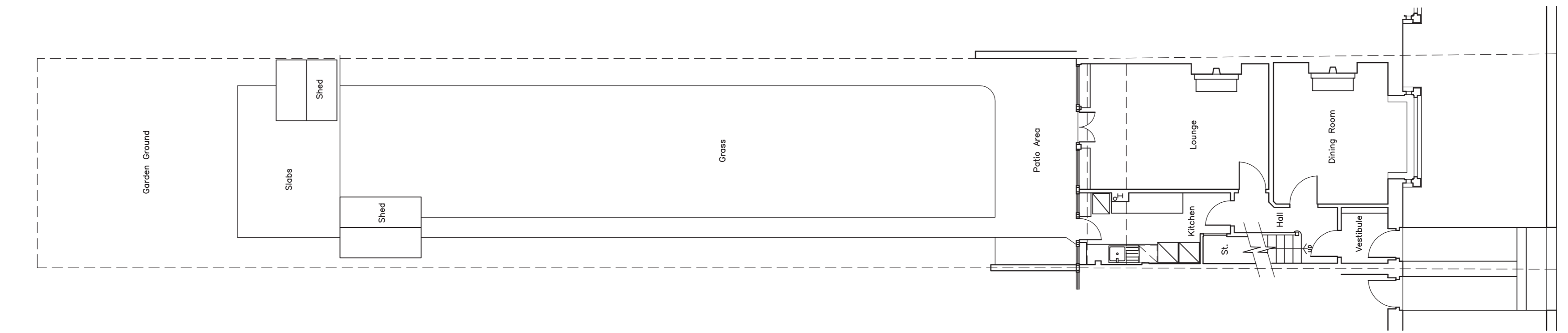
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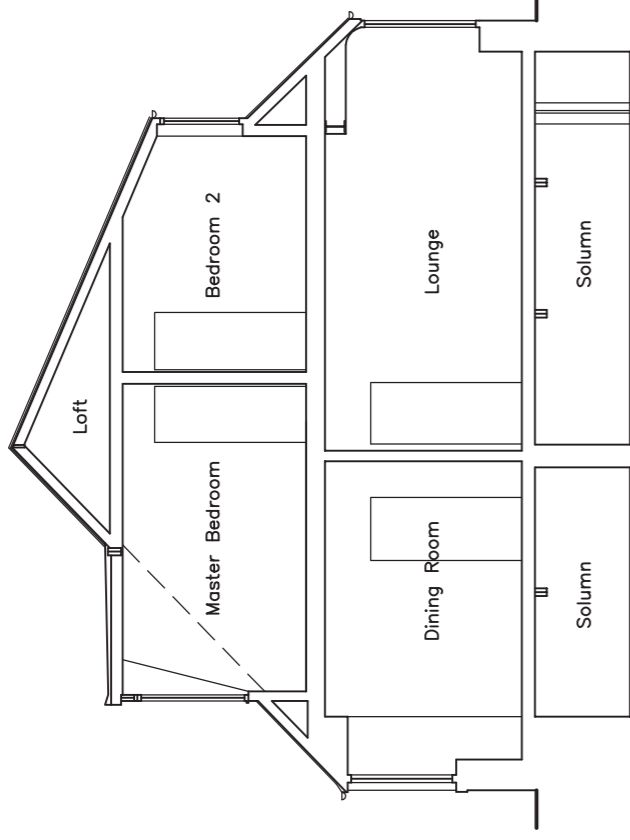
Ex. Ground Floor Plan



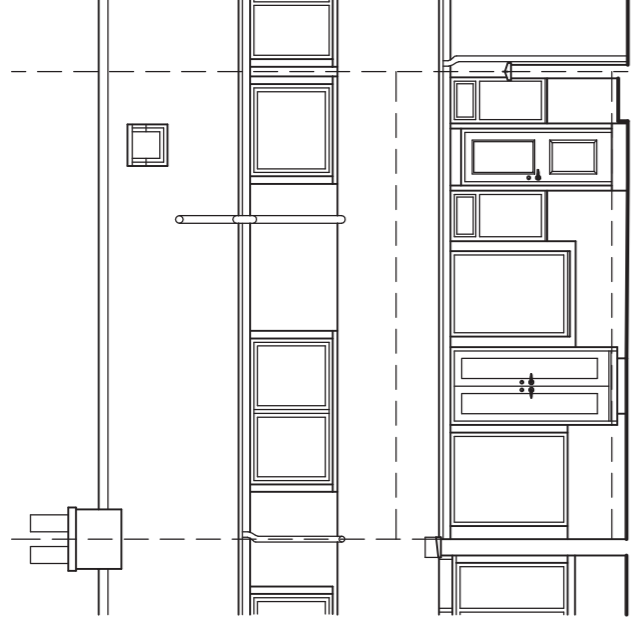
Ex. First Floor Plan



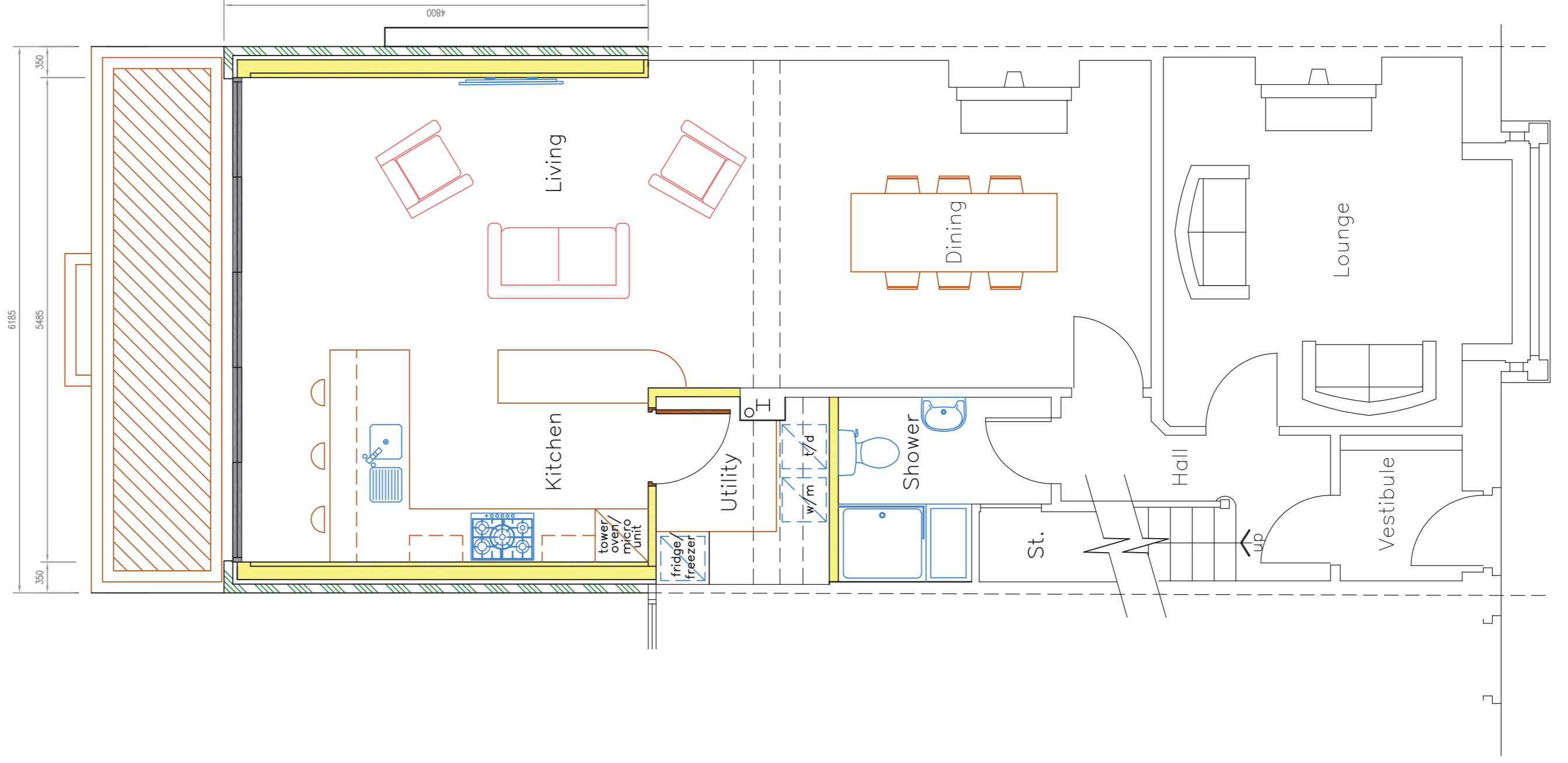
Existing Site Layout Plan



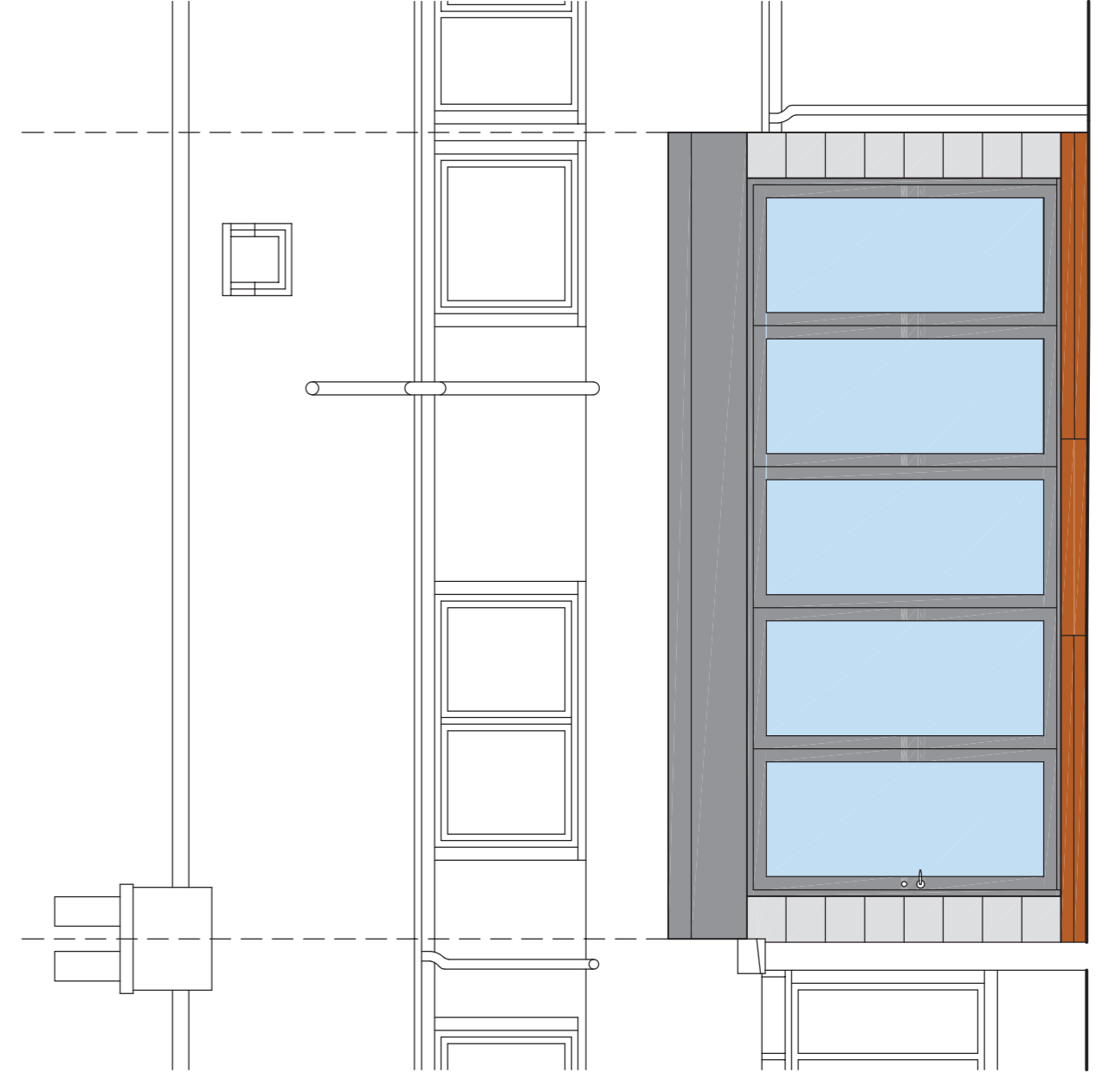
Existing Cross Section



Existing Rear Elevation



Proposed Ground Floor Layout Plan



Proposed Rear Elevation

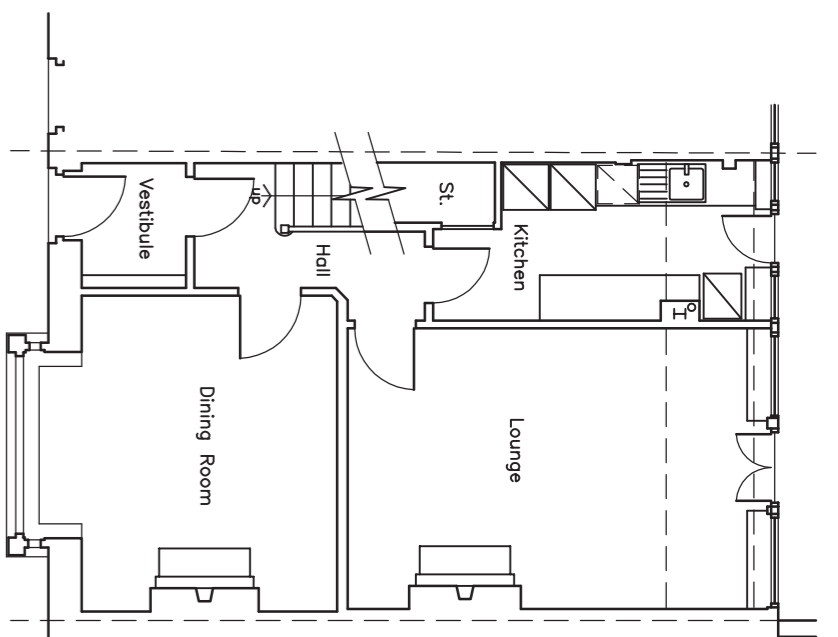


Location Plan Scale 1:2500

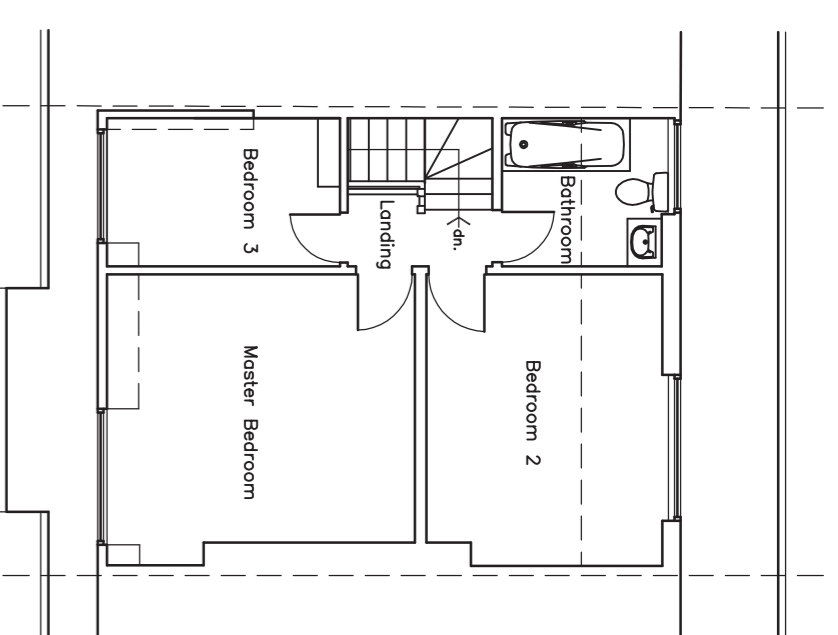
PROJECT Alterations & Extension at 17 Murray Terrace Aberdeen		CLIENT Mr Andrew Dines 17 Murray Terrace Aberdeen		TITLE Survey & Sketch Proposal – Planning	
SCALE 1:50/1:100 @ A1		DRAWN BY R.D.C		JOB No. D:41	
REV. 02		DATE Aug. 15		REVISIONS	



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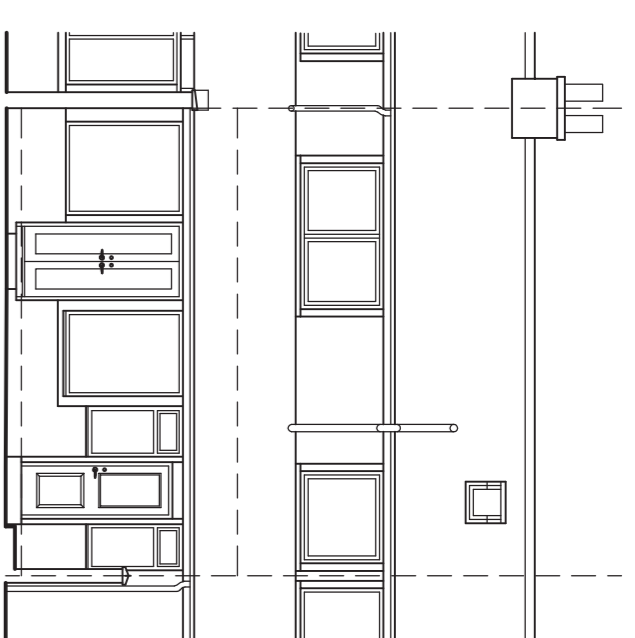
Ex. Ground Floor Plan



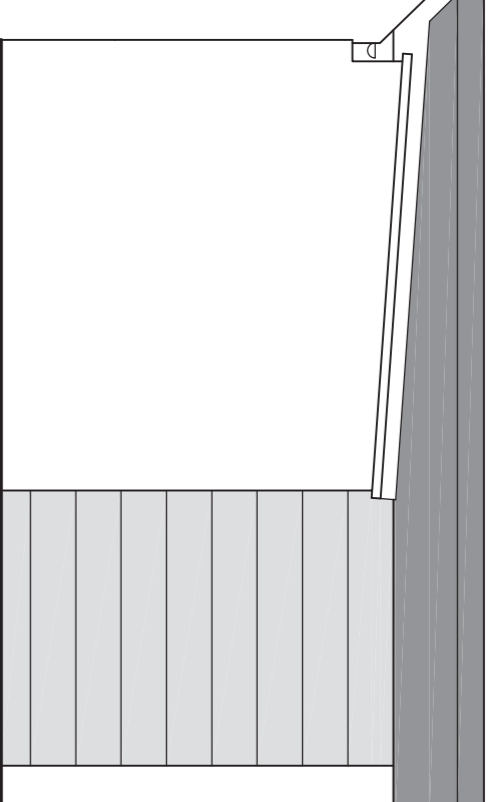
Ex. First Floor Plan



Ex. Cross Section



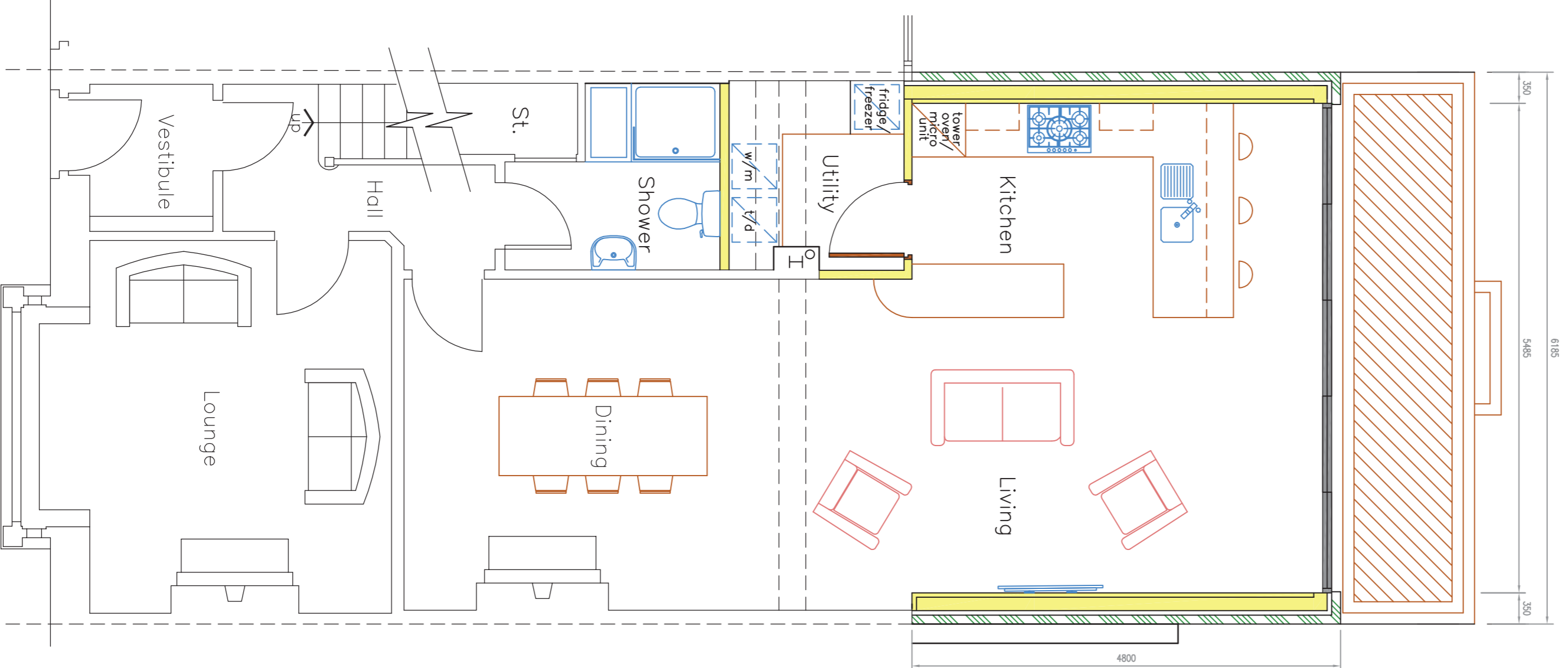
Ex. Rear Elevation



Proposed Side West Elevation



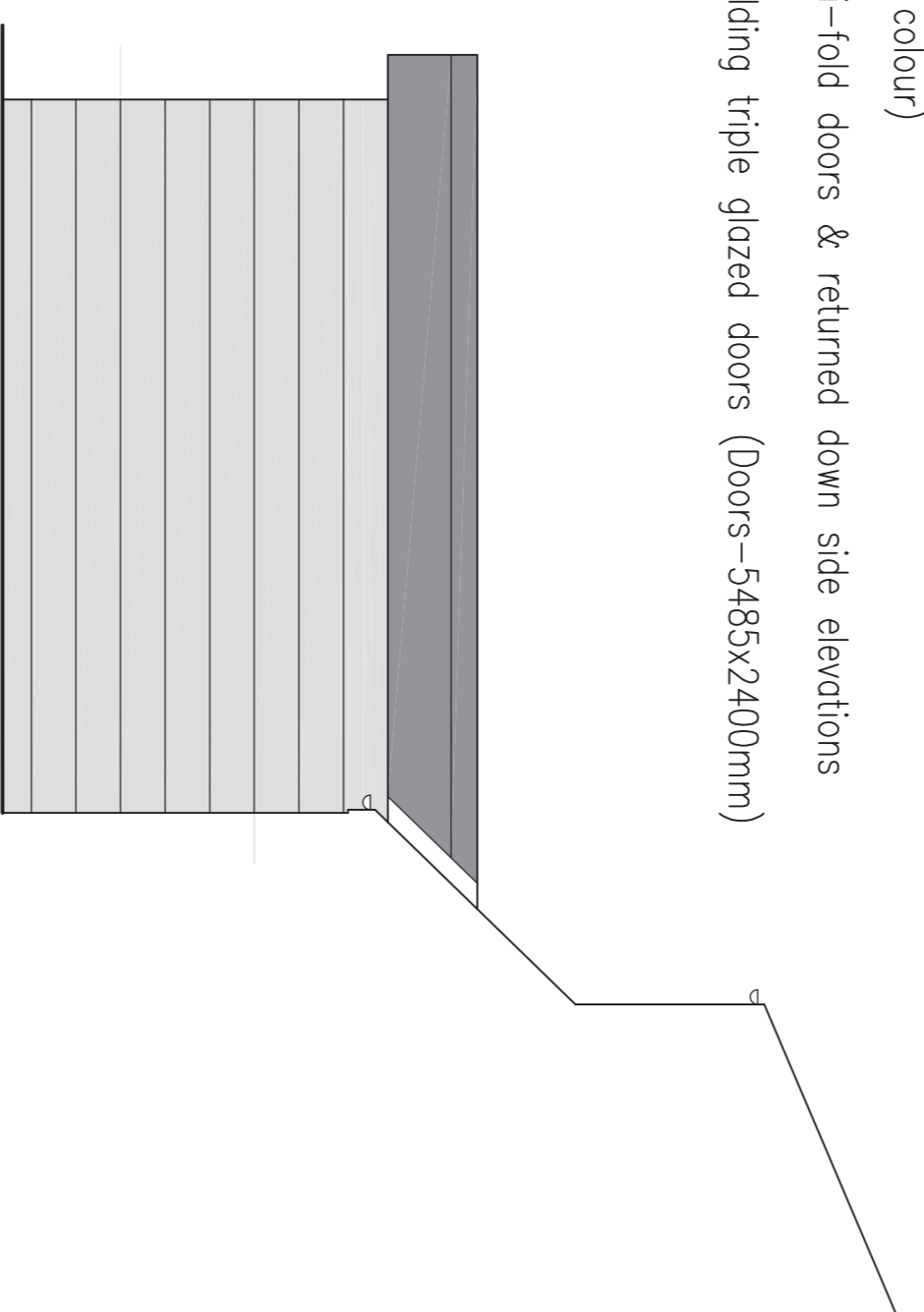
Ex. Site Layout Plan



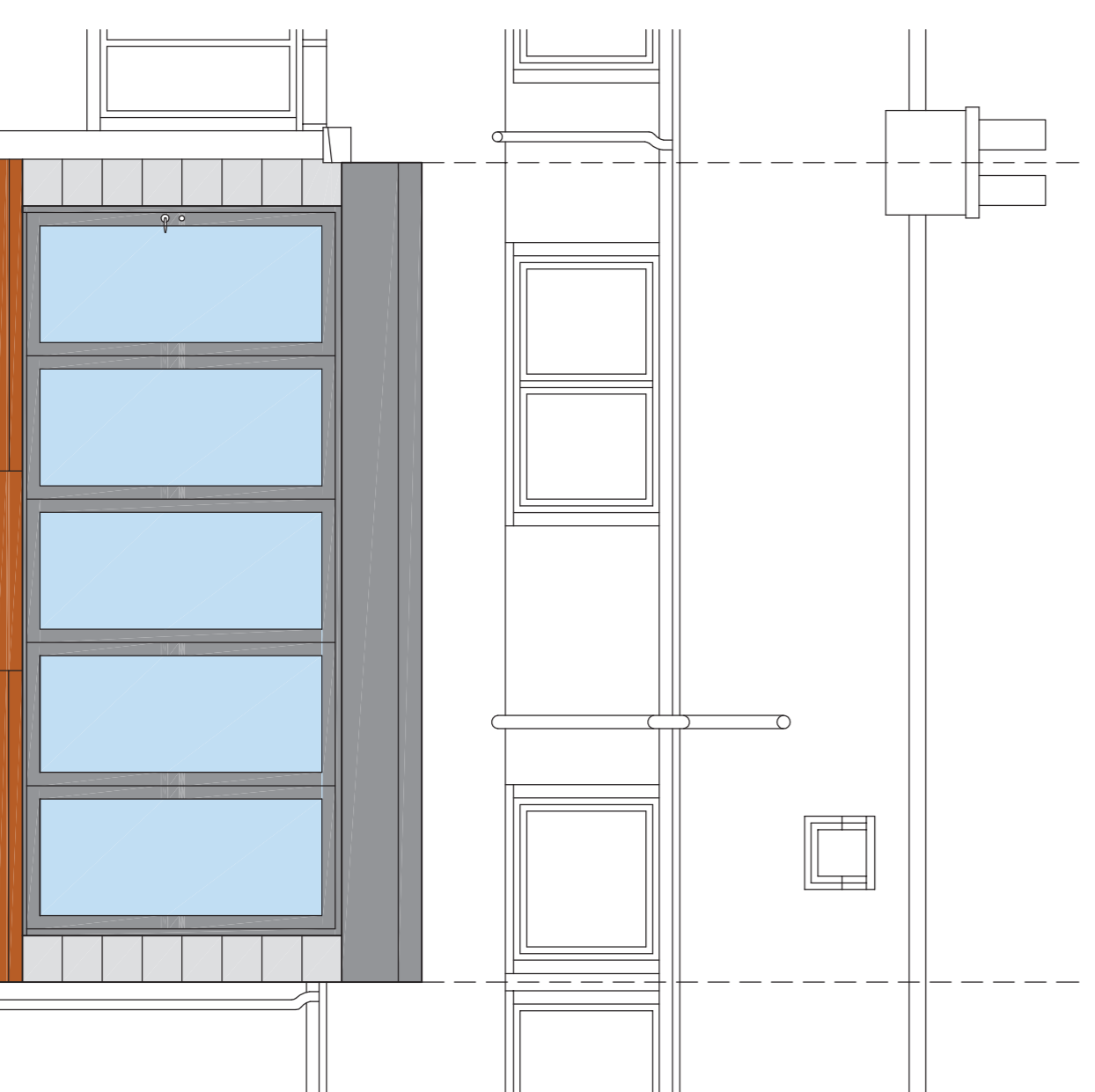
Proposed Ground Floor Layout Plan

External Finishes:

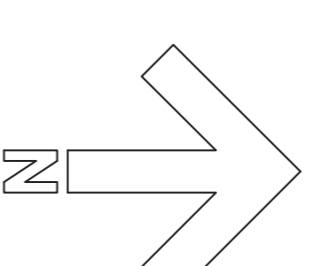
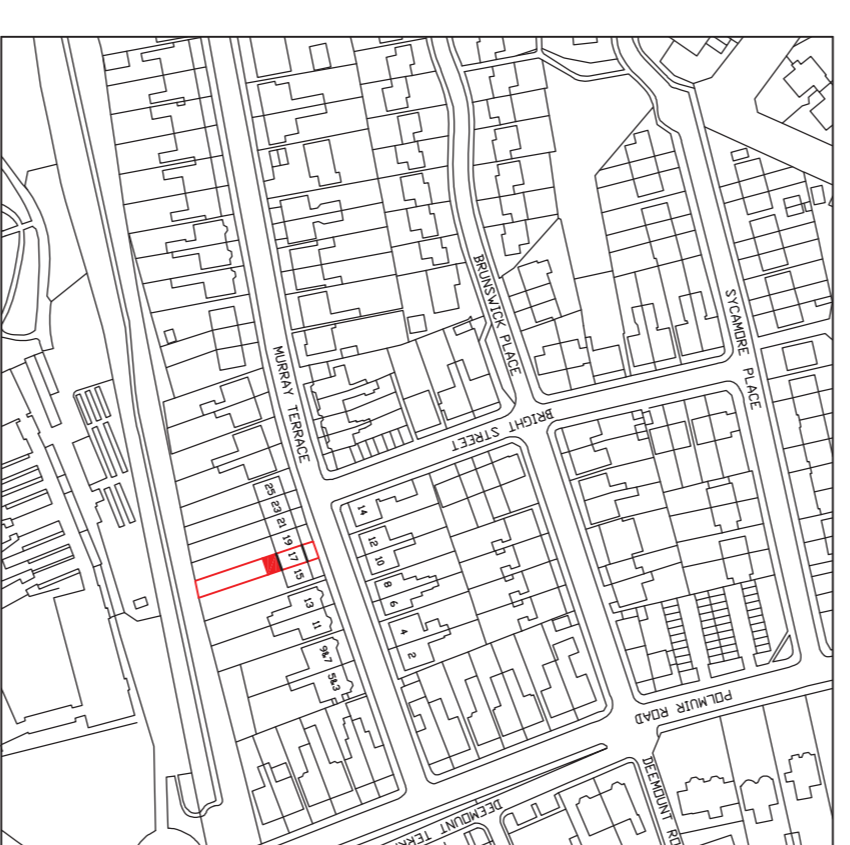
- Roof:— new sarnafil flat roof
- zinc projecting fascia (natural zinc colour)
- Walls:— new granite (grey) either side of bi-fold doors & returned down side elevations
- Doors:— aluminium (colour—anthracite) bi-folding triple glazed doors (Doors—5485x2400mm)



Proposed Side East Elevation



Proposed Rear Elevation



Location Plan Scale 1:2500

Rev 'A' – Additional info for Planning 07/09/15

PROJECT
Alterations & Extension at
17 Murrey Terrace
Aberdeen

CLIENT
Mr Andrew Dines
17 Murrey Terrace
Aberdeen

TITLE
Survey & Sketch Proposal – Planning

SCALE
1:50/1:100 @ A1

JOB No. D:41
DRAWG. No. 02
REV. 'A'
DATE Aug. '15

DRAWN BY
R.D.C.

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Agenda Item 3.2

Signed (authorised Officer(s)):

SMALL HOLDINGS, 10 LANG STRACHT,
ABERDEEN

DEMOLITION OF EXISTING HOUSE AND
ERECTION OF 2NO. DWELLINGHOUSES
AND INTEGRAL GARAGES

For: Mr R Rattray

Application Type : Detailed Planning
Permission

Application Ref. : P151719

Application Date : 04/11/2015

Advert : Can't notify

neighbour(s)

Advertised on : 18/11/2015

Officer : Gareth Allison

Creation Date : 16 December 2015

Ward: Kingswells/Sheddocksley/Summerhill
(L Ironside/S Delaney/D Cameron)

Community Council: No response received

RECOMMENDATION:

Refuse

DESCRIPTION

The application site refers to an existing residential plot located to the south of the Lang Stracht (A944), to the west of the city centre. The site currently incorporates a single dwelling located to the northern edge of a number of units that make up a grouping known as 'Whitemyres'. The site is located within a wider Opportunity Site identified as Maidenraig South East (OP43) within the adopted Aberdeen Local Development Plan 2012, which combined with Opportunity Site OP44 to the north of the A944, has been allocated for a total of 750 new homes. Notwithstanding the allocation for the wider area, the current site is currently one of a small group of units, set within an isolated location with a typically rural identity. The existing residential unit is a mid 20th Century single storey (with attic accommodation) and of render and tile finish.

RELEVANT HISTORY

Site Zoning: Maidenraig South-East was originally identified within the Aberdeen Local Plan 2008 as 'Strategic Housing Land Reserve' (SHLR30). The Local Plan (p28) confirmed that this site would be planned through the Local Development Plan, which was confirmed through formal identification in the Aberdeen Local Development Plan 2012 via OP43, requiring a joint Masterplan

for this and OP44; and Policy LR1: Land Release, as land that is suitable for development within through the OP43 allocation.

P130265: Planning Permission in Principle (PPiP) for mixed use development incorporating residential, commercial uses, community facilities, open space, landscaping and associated infrastructure: This application is currently pending determination subject to signing of a legal agreement. The Maidencraig Masterplan fed into the formulation and submission of this PPiP, which encompasses the whole of Maidencraig North East (OP44) and South East (OP43) sites.

P130491: Detailed Planning Permission for the erection of 92 No. dwellings as the first phase of OP43, including formation of access road and associated infrastructure. This was referred to as Phase 1(A) of the wider Maidencraig development, and was granted conditional approval on 06 June 2014.

P151724: An application mirroring this submission, has been submitted by the same agent, for the same applicant, parallel to this application. The decision is currently pending.

Pre-Application Discussions: Whilst it is noted that the agent for these applications did not undertake pre-application discussions, the principle of the same development on this site has been discussed, in detail with the Planning Authority, by a separate developer prior to submission of these applications. Likewise significant pre-application discussions have taken place regarding similar proposals on neighbouring plots within the vicinity. Full details are referred to in the Evaluation section below.

PROPOSAL

This application seeks detailed planning permission to demolish the existing residential building and replace it with 2 no. new dwellings, set within the same curtilage. The replacement dwellings would both be single storey in height and identical in design, with a mirrored layout, conjoined by adjacent single garages. Access for both would be via driveway from the north, with vehicular access taken from the existing access road to the east. Proposed finishes would include cream rendered walls; grey pre-cast slip cills; buff coloured basecourse; stained timber linings; Marley Duo Edgemere slates; black uPVC rainwater goods; oak timber effect uPVC window frames and oak timber effect GRP doors. Proposed plot ratios would be circa 22% and 23%; and each unit would connect to existing services.

Supporting Documents

A Design Statement has been submitted in support of the application. All drawings and supporting documents relating to this application can be viewed on the Council's website at:

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref.=151719>

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

CONSULTATIONS

Roads Development Management: Comments received confirming initial objection on the basis that further information is required to allow a full and informed evaluation. This is detailed further in the Evaluation section below.

Environmental Health: No observations

Communities, Housing and Infrastructure (Flooding): No comments received

Community Council: No comments received

REPRESENTATIONS

No letters of representation have been received.

PLANNING POLICY

1. Aberdeen Local Development Plan (ALDP)

Opportunity Site – OP43 Maidencraig South East – A joint Masterplan is required for this site and OP44 Maidencraig North East.

Policy LR1 – Land Release – Proposed housing will be considered acceptable in principle through the OP43 allocation. Development on an allocated site or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused.

Policy D1 – Architecture & Placemaking – New development must be designed with due consideration for its context and make a positive contribution to its setting in terms of siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments. High buildings should respect the height and scale of their surroundings.

Policy NE5 – Trees and Woodlands – Presumes against development which would result in the loss or or damage to trees and woodlands which contribute to nature conservation, landscape character or local amenity.

2. Aberdeen City Council Supplementary Guidance (SG)

The following SG document is a relevant material consideration:

- *The Maidencraig Masterplan*

3. Proposed Aberdeen Local Development Plan (2016)

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. In particular the following policies and SG are of relevance:

- *Opportunity Site OP31 – Maidencraig South East;*
- *Policy LR1: Land Release Policy;*
- *Policy D1: Quality Placemaking by Design; &*
- *The Maidencraig Masterplan (SG)*

EVALUATION

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

Principle of Development: The Maidencraig Opportunity Site

To ascertain whether the principle of development is acceptable, the relevant zoning under the ALDP must be identified and the appropriate policies applied. The site is clearly located within an opportunity site, which provides allocation for a large amount of housing through the wider area. To deliver this allocation, OP43 of the ALDP specifically requires a Masterplan (MP) to control delivery of new housing. The Maidencraig MP has since been approved as SG to the ALDP, which included a clear phasing plan for development across the entire OP site. Policy LR1 of the ALDP states that housing within such an area will be considered acceptable in principle through this allocation; however any development, on either an allocated site or in close proximity to an allocation, which jeopardises the full provision of the allocation, will be refused. As noted above, the Maidencraig MP includes a phasing plan to ensure this allocation is delivered in a coherent and logical manner; whereby development will be introduced from a generally east to west axis on a controlled and phased basis, on both sides of the Lang Stracht, extending the existing suburban areas outwards over a sustained period of time.

Principle of Development: The Maidencraig Masterplan

Whilst the application site is included within the Maidencraig MP boundary; it was neither included within the development proposed therein, nor was it incorporated within the approved phased delivery plan for the housing allocation. Rather, the site is omitted from all layout plans for development. Due to its location, it would potentially coincide with Phase 4 of the wider development, which is unlikely to be delivered for some 6 to 8 years; due to the post-Aberdeen Western Peripheral Route restrictions on unit numbers, and the phased development of the remainder of the site. The possibility certainly exists that the proposed

development could be incorporated within the forthcoming development, however to do so it would need to be included within, or considered in tandem with, the detailed applications to deliver that specific phase. However, this application does not propose such an approach; rather this is a standalone application for planning permission that would theoretically deliver additional housing in advance of the surrounding development, independent of the MP and premature of the phasing plan. It is therefore concluded that the principle of development on this particular site cannot be considered under the allocation of OP43, as it has not been incorporated within a MP as required. Subsequently the principle of housing development under Policy LR1 cannot be applied for the same reason, whilst developing the site outwith a phased delivery plan would conflict entirely with the principles of the approved Maiden Craig MP. Such conflict may also jeopardise the full provision of the allocation which cannot be supported by Policy LR1, given that the MP only considered the orientation and number of existing units.

This position is further supported through a report that was considered at the Enterprise, Strategic Planning and Infrastructure Committee on 6 November 2012, in respect of the Council's agreed approach to Masterplanned sites. It was agreed that "In order to prevent piecemeal development and problems with delivery of key infrastructure for development framework or masterplan sites it is expected that an application for planning permission in principle or detailed planning permission for the entire site based on the development framework or masterplan will be submitted in advance of any other applications for development of the site. This application and its associated legal agreement will be the mechanism for controlling development and infrastructure delivery for the site as a whole". As such, as no over-arching Planning Permission in Principle and associated legal agreement is in place, the approval of this current application would be premature.

Principle of Development: The Existing Site

In the absence of a suitable delivery mechanism and any relevant housing / redevelopment policy of the ALDP, to fully evaluate the principle of development one must look at the individual site context on its own merits, as it currently exists, and separate from the surrounding development. Policy D1 of the ALDP requires that all new development is designed with due consideration for its context, and in this instance it is noted that the site is located within a small group of units, set within an isolated location with a typically rural identity. Whilst it may not be zoned as green belt, it is acknowledged that prior to being identified as land reserve and an opportunity site; it was originally zoned as green belt due to its nature and characteristics. As the site characteristics have not changed, and until such times as the surrounding area is developed; the context of the site requires to be considered in any determination. In this regard there are a not inconsiderable number of trees within the site, none of which are indicated to be retained on the submitted plan (Ref: 5206/01A). As such the proposals are considered not to comply with the intentions of Policy NE5.

Pre-Application Discussions

The principle of this proposal was discussed in full detail at pre-application stage with a separate developer, whereby it was confirmed that the development could not be supported if it was proposed out-with the agreed MP phasing for the Maidenraig opportunity site, for the same reasons as noted above. As the circumstances have not changed for either the site or the proposal, the position of the Planning Authority also remains the same. Further to this specific site, similar proposals have also been discussed in significant detail with neighbouring property owners; whereby the same advice has been given.

Roads & Access

The Council's Roads Engineer has noted potential concerns relating to the existing access road, which appears to serve 5 no. existing units, including the application site, although the submitted information does not clarify this. If it were the case that there are currently 5 no. units within this grouping, the proposal would result in a total of 6 no. units being served by the existing access, which is currently un-adopted. The National Roads Development Guide requires any access road serving 6 no. or more individual dwellings to be of adoptable standards. In such a scenario the applicant would require Roads Construction Consent to bring the road up to adoptable standards; the cost of which would be borne by the private users of that road. Furthermore it should be noted that the Council may not be in a position to approve Roads Construction Consent as it could jeopardise potential delivery of the forthcoming infrastructure through the approved MP phasing. Notwithstanding this uncertainty, and whilst the Roads Engineer has requested further information; resolution of this matter would not outweigh the policy conflict with the principle of development as identified above. It is not considered prudent therefore to require submission of this information prior to determination of the application, as it would not change the final recommendation and could place disproportionate burden and cost on the applicant for no benefit.

Other Material Considerations

The submitted Design Statement focuses primarily on a presumption in favour of the development due to the zoning of the site within opportunity site OP43 and its allocation under Land Release policy, stating that *'this is an area where redevelopment and new housing development is acceptable, in principle'*. As established above this is incorrect; new housing under the OP43 allocation can only be considered acceptable in principle where it is delivered through a suitable MP with an appropriate phasing plan. The Design Statement fails to recognise this aspect, and also fails to address the requirement of Policy D1 which subsequently requires all new development to be suitable for its context. Again, the focus of the DS promotes the context of the site being that of the wider Maidenraig development, however in the absence of support from OP43, policy LR1 and the Maidenraig MP, the principle of development can only be ascertained based on the individual context of the site in its existing form, which

is likely to remain for a significant number of years. The remainder of the statement focusses on the design and amenity merits of the proposal; and whilst there is no denying that there is clear benefit to replacing an older unit, showing clear signs of deterioration, with modern units of both improved design and energy efficiency; such matters are secondary to, and cannot be considered sufficient to outweigh the conflicts that exist with, the principle of the proposal. Again, all of the above concerns have been clarified in detail at pre-application stage both for this site and others in the immediate area.

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 is regarded as an unresolved issue 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 listed above under '*Planning Policy: 3. Proposed Aberdeen Local Development Plan (2016)*' substantively reiterate the guidance given from policies in the adopted Local Development Plan, as follows:

- Opportunity Site OP31 – 'Maidencraig South East' *provides an allocation for new housing to be provided through the prepared Masterplan for this and the northern site (OP32).*
- Policy LR1: 'Land Release Policy' *supports the principle of housing development where it is delivered through the OP31 allocation. Any development on an allocated site or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused.*
- The Maidencraig Masterplan, as Supplementary Guidance to the Proposed ALDP, *sets out a clear and coherent phased delivery plan to ensure that development can be provided through a sustainable and manageable process.*

- Policy D1: 'Quality Placemaking by Design' *requires the design of all new development to have regard for a context appraisal, with a true understanding of the site context.*

Conclusion

The principle of development would involve the introduction of additional housing on a site that has not been incorporated within the approved MP for the area; in a manner which would conflict with the phased delivery mechanism for the wider development and may subsequently jeopardise the full provision of the allocation. It is therefore not supported under the ALDP's Opportunity Site OP43 allocation, the Land Release Policy; or the approved SG; the Maidencraig MP. Furthermore and in terms of the existing site, the proposal has not been designed with due consideration for its context, in that it proposes additional housing on a rural, isolated site, resulting in the loss of a number of established trees, and within which additional dwellings would not normally be supported, thereby failing to comply with Policies D1 and NE5 of the ALDP. Additionally the standard of the access road is insufficient to serve the additional dwelling proposed. The potential energy efficiency merits to the proposed units are considered secondary to the principle of development, as are the potential access concerns, and in this instance they would not outweigh the above policy position. In addition to the policies and guidance of the current ALDP, the proposals also fail to comply with those of the proposed ALDP for the same reasons.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The principle of development cannot be supported under the Opportunity Site OP43 housing allocation; Policy LR1 'Land Release Policy'; or the approved supplementary guidance; 'The Maidencraig Masterplan' of the Aberdeen Local Development Plan 2012; in that it would introduce additional housing in isolation of the approved Masterplan for the area, in a manner which conflicts with the phased delivery mechanism for the wider development and may subsequently jeopardise provision of the allocation. Furthermore the proposal is considered to fail under Policies D1 and NE5 of the Aberdeen Local Development Plan 2012; in that it proposes additional housing on a rural, isolated site within which additional dwellings would not normally be supported; and would result in the loss of a number of trees; thus it has not been designed with due consideration for its context. Additionally the standard of the access road is insufficient to serve the additional dwelling proposed. The proposals are also found to conflict with the housing allocation under Opportunity Site OP31; Policy LR1: 'Land Release Policy'; Policy D1: 'Quality Placemaking by Design' and 'The Maidencraig Masterplan' supplementary guidance of the proposed Aberdeen Local Development Plan 2016, for the same reasons. In this instance there are no

material considerations to outweigh the above policy position, and as such the application is recommended for refusal.

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THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Refusal of Planning Permission

William Lippe Architects Ltd Inverurie
4 St James Place
Inverurie
AB51 3UB

on behalf of **Mr R Rattray**

With reference to your application validly received on 4 November 2015 for Planning Permission under the above mentioned Act for the following development, viz:-

DEMOLITION OF EXISTING HOUSE AND ERECTION OF 2NO. DWELLINGHOUSES AND INTEGRAL GARAGES
at **Small Holdings, 10 Lang Stracht, Aberdeen**

the Council in exercise of their powers under the above mentioned Act hereby REFUSE Planning Permission for the said development as specified in the application form and the plan(s) and documents docketed as relative thereto and numbered as follows:-

5206/Loc;
5206/Loc2;
5206/01A;
5206/02.

The reasons on which the Council has based this decision are as follows:-

The principle of development cannot be supported under the Opportunity Site OP43 housing allocation; Policy LR1 'Land Release Policy'; or the approved supplementary guidance; 'The Maidencraig Masterplan' of the Aberdeen Local Development Plan 2012; in that it would introduce additional housing in isolation of the approved Masterplan for the area, in a manner which conflicts with the phased delivery mechanism for the wider development and may subsequently jeopardise provision of the allocation. Furthermore the proposal is considered to fail under Policies D1 and NE5 of the Aberdeen Local Development Plan 2012; in that it proposes additional housing on a rural, isolated site within which additional dwellings would not normally

PETE LEONARD
DIRECTOR

Continuation

be supported; and would result in the loss of a number of trees; thus it has not been designed with due consideration for its context. Additionally the standard of the access road is insufficient to serve the additional dwelling proposed. The proposals are also found to conflict with the housing allocation under Opportunity Site OP31; Policy LR1: 'Land Release Policy'; Policy D1: 'Quality Placemaking by Design' and 'The Maidencraig Masterplan' supplementary guidance of the proposed Aberdeen Local Development Plan 2016, for the same reasons. In this instance there are no material considerations to outweigh the above policy position, and as such the application is recommended for refusal.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- 5206/Loc;
5206/Loc2;
5206/01A;
5206/02.

Date of Signing 22 December 2015

Daniel Lewis
Development Management Manager

Enc.

PETE LEONARD
DIRECTOR

**NB. EXTREMELY IMPORTANT INFORMATION RELATED TO THIS REFUSAL OF
PLANNING APPROVAL**

The applicant has the right to have the decision to refuse the application reviewed by the planning authority and further details are given in Form attached below.

Regulation 28(4)(a)
Form 1

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions

1. If the applicant is aggrieved by the decision of the planning authority to –
 - a. refuse planning permission for the proposed development;
 - b. to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c. to grant planning permission or approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at <http://eplanning.scotland.gov.uk/>.

Notices of review submitted by post should be sent to –

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

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

PETE LEONARD
DIRECTOR

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Policy D1 – Architecture and Placemaking

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

To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.

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.

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Policy LR1 – Land Release Policy

Part A - Phase 1 Release Development: Housing 2007 – 2016; and Employment 2007 – 2023

Housing and employment development on sites allocated in Phase 1 will be approved in principle within areas designated for housing or employment. Development on an allocated site or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused.

Part B - Phase 2 Release Development: Housing 2017 – 2023; and Employment 2024 – 2030

Housing and employment development on sites allocated in Phase 2 are safeguarded for future development and will be released by a review of the Local Development Plan. Development on a site allocated in Phase 2 or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused.

For housing developments, if the Housing Land Audit highlights that there is less than a 5 year supply of housing land, Supplementary Guidance may be prepared in conjunction with the Strategic Development Planning Authority to release allocations from Phase 2. Once released, sites will be assessed under the provisions of Part A of this Policy.

Part C - Phase 3 Housing 2024 - 2030

These sites are safeguarded for residential development for the period 2024 to 2030 to be released by a review of the Local Development Plan. Development on a site allocated for housing in Phase 3, or in close proximity to a housing allocation, that jeopardises the full provision of the allocation will be refused. The detailed phasing of greenfield housing and employment sites is set out in Tables 5 to 10.

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Policy NE5 – Trees and Woodlands

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

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

Native trees and woodlands should be planted in new developments.

Where trees are affected by a development proposal the City Council may make Tree Preservation Orders.

A tree protection plan for the long term retention of trees should be submitted and agreed with the Council before development commences on site.

See Supplementary Guidance on both protecting trees and woodlands and the trees and woodland strategy for Aberdeen for more information.

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Bancon Developments

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Maidencraig Masterplan

April 2013

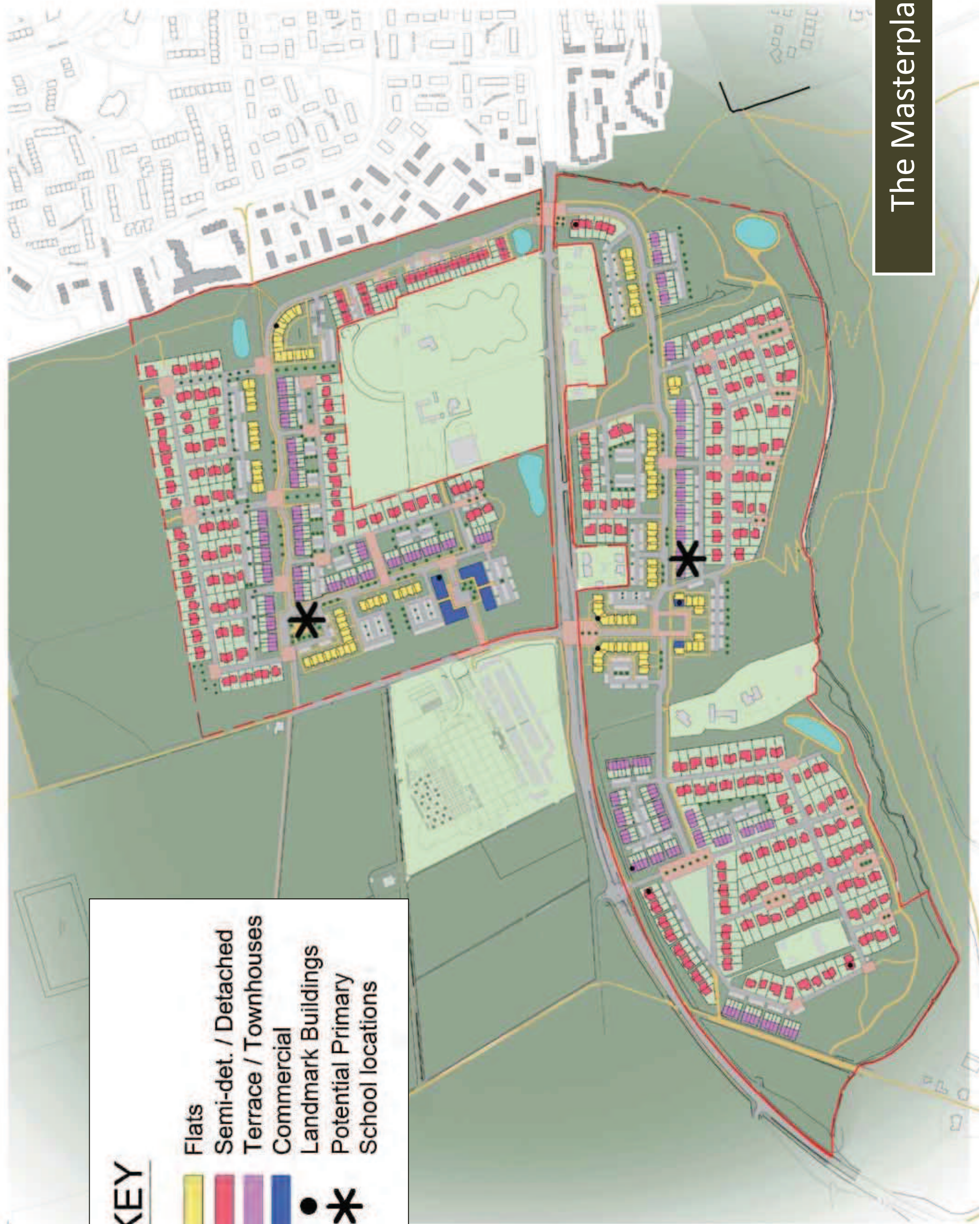
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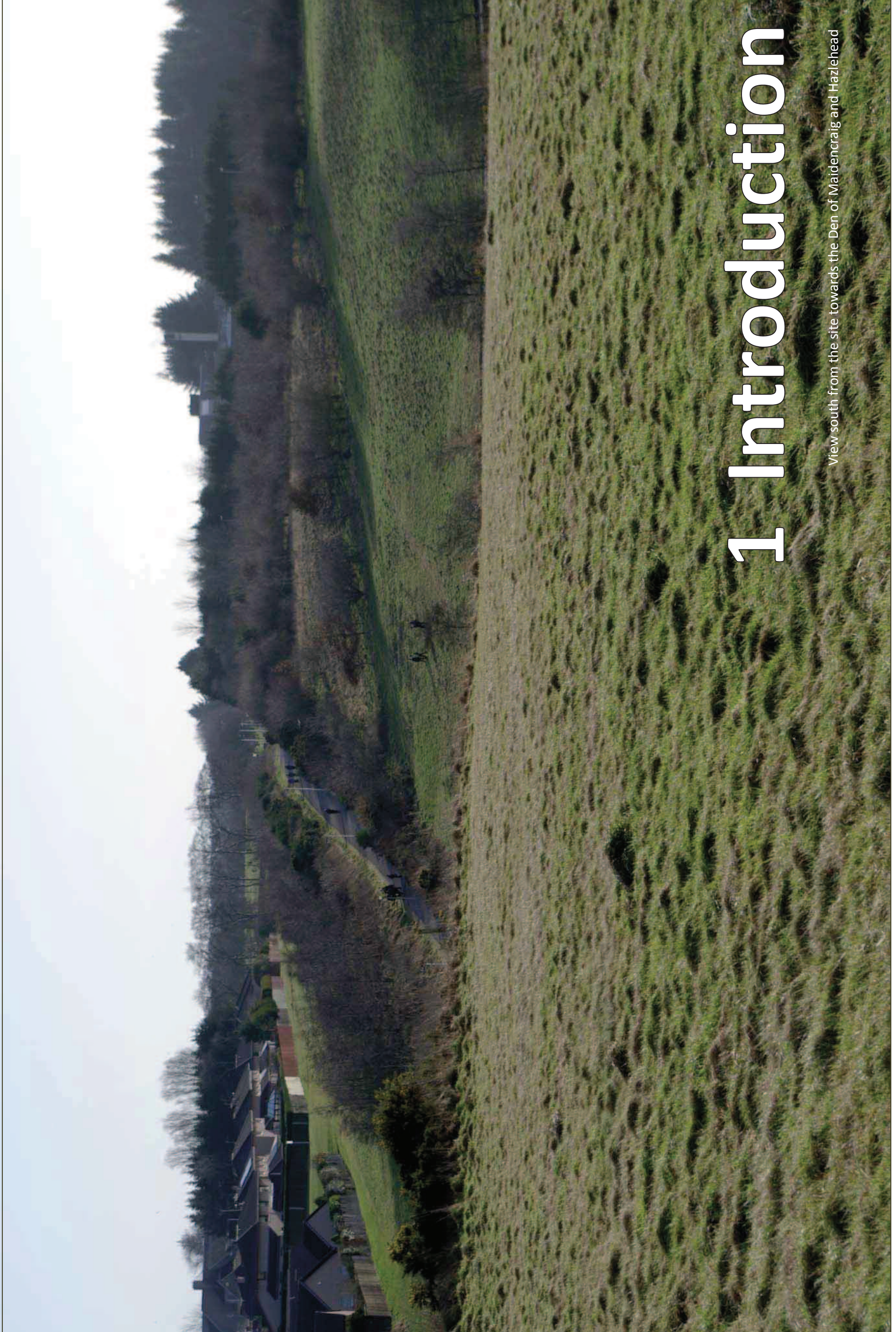
View north across the Den of Maidenraig towards the proposed development site

The Masterplan



KEY

- Flats
- Semi-det. / Detached
- Terrace / Townhouses
- Commercial
- Landmark Buildings
- Potential Primary
- School locations



1 Introduction

View south from the site towards the Den of Maidenraig and Hazlehead

1 Introduction

This masterplan provides a template for all development on the zoned housing land at Maidencraig, on the western edge of Aberdeen.

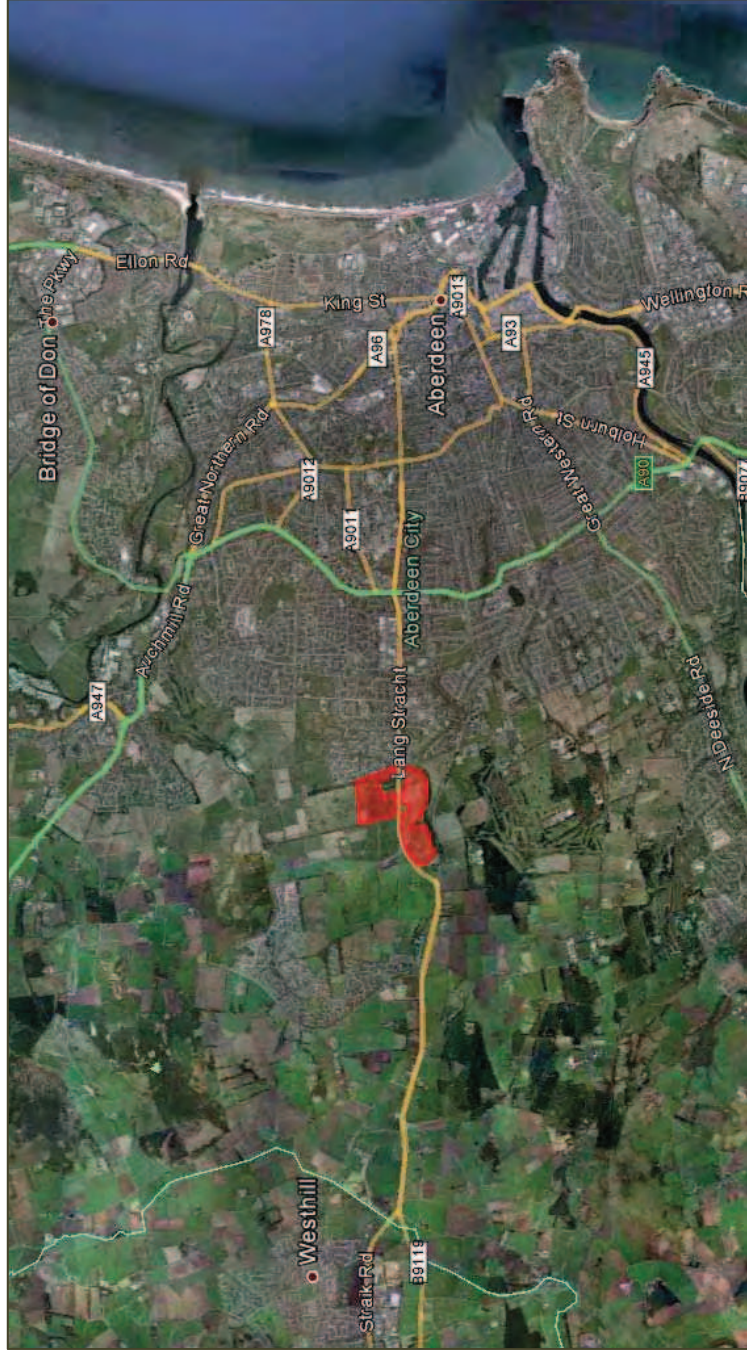


Fig 1 – site location (from Google Earth)

The site is identified in the adopted Aberdeen Local Development Plan 2012 as land for 750 dwellings, split into two areas, north and south of the A944 (Lang Stracht). The masterplan demonstrates how the housing, and associated infrastructure, facilities and services will be developed in a sustainable manner and with respect to the surrounding landscape and population. The masterplanning process is set out in supplementary guidance by Aberdeen City Council, and we have sought to follow it as closely as possible. This involved consultation with various Council and other agencies, as well as the local community. We have sought to engage with the local community as openly as possible throughout the development of this plan, with the aim that the resulting development will be a positive addition to the area for existing residents. This report and associated plans and documents will be adopted by the Council as Supplementary Guidance to the Local Development Plan. It sets out the principles and parameters for the site development, and will subsequently be used to assess planning applications. Applications for phases of development will be brought forward individually, and the masterplan ensures that they all work together to provide a vibrant new community, with its own identity.

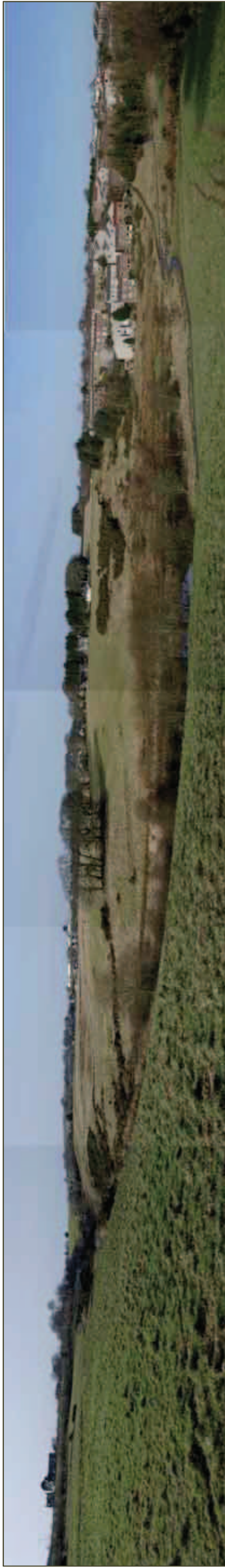


Fig 2 – the masterplan site viewed from the Den of Maidencraig Local Nature Reserve to the south.



2 Context

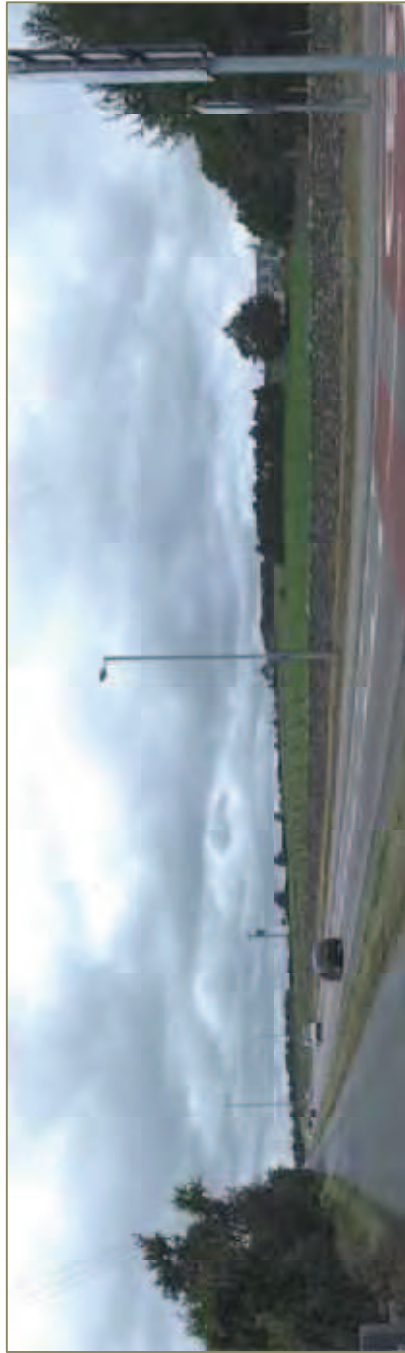
View north west along the Denburn Valley with the Maidencraig south east site on the right, taken from the Den of Maidencraig Local Nature Reserve

2.1. Site Description

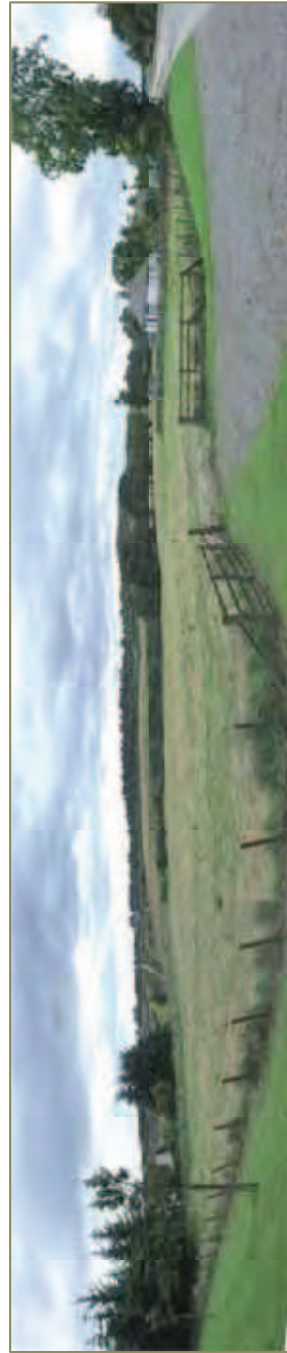
The proposed development area is made up of two parcels of land, identified in the Local Development Plan as OP43 – Maidencraig south east, and OP44 – Maidencraig north east. The two areas are bisected by the A944 (Lang Stracht) Road.

Maidencraig north east. This area extends to 22.8 hectares, and comprises the fields which surround Whytemyres House and Farmstead and Fernhill Farm. The site is generally on a south facing slope. To the east lies Sheddocksley, The northern section of the boundary with Sheddocksley is defined by a thick (30m+) tree belt, and the southern section by areas of hedgerow and sporadic trees. Along the northern boundary of the masterplan site is further tree planting, and combined with the topography, the site is fairly well screened from the north. The site contains two listed buildings, at Old Whytemyres Farmhouse (C(s)) and Whytemyres House (B).

Maidencraig south east. This area extends to 29.8 hectares, and encompasses the land between the A944 in the north and the Den Burn to the south. The land is on a south facing slope, which steepens as it approaches the Denburn. To the east is the residential area of Summerhill. Beyond the Den Burn Valley to the south of the site is the Den of Maidencraig Local Nature Reserve with Queens Road beyond. There is a TPO to the south of Maidencraig Steadings, and one covering part of Maidencraig Wood. The site contains one listed building, Old Whytemyres N Part of Steading (C(s)).



View 1 - Maidencraig NE - Looking North West across A944 with Whytemyres Farmhouse on the right.



View 2 – Maidencraig SE – Looking South West from A944



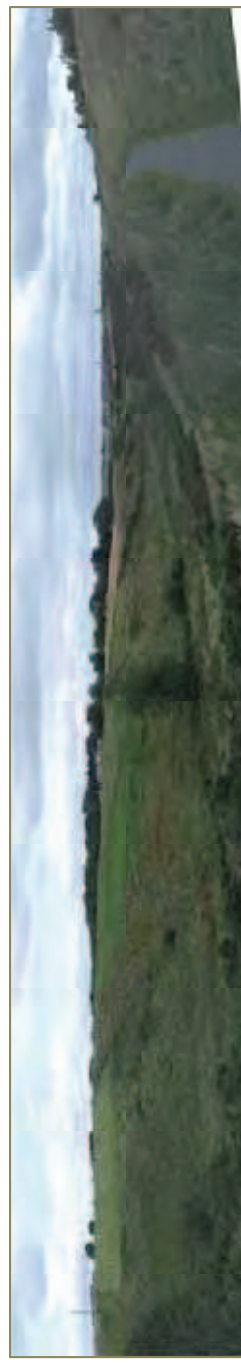
View 3 - Looking towards Site from South West across Nature Reserve from Queen's Road



View 4 – View from the North East looking over the whole site.



View 5 - West from the Summerhill area along the Denburn valley



View 6 - East from Nature Reserve across Denburn towards Aberdeen.

Topography

The whole of the site has a southern aspect, and slopes down from North to South, which is ideal for the development of highly sustainable housing. At the highest point the site is at the 145m contour line, and slopes down gradually to the 105m contour in the southeast. Only very close to the Denburn in the south does the land become steeper. This determines that a small portion of the southern edge of the site is undevelopable due to the steep slopes, but this will offer terrific vistas from the site across the Denburn Valley. Land to the east and west of the site varies slightly, but there are no extremes of elevation that offer views of any great distance. Fig 3 overleaf shows the topography with 0.5m contour lines.

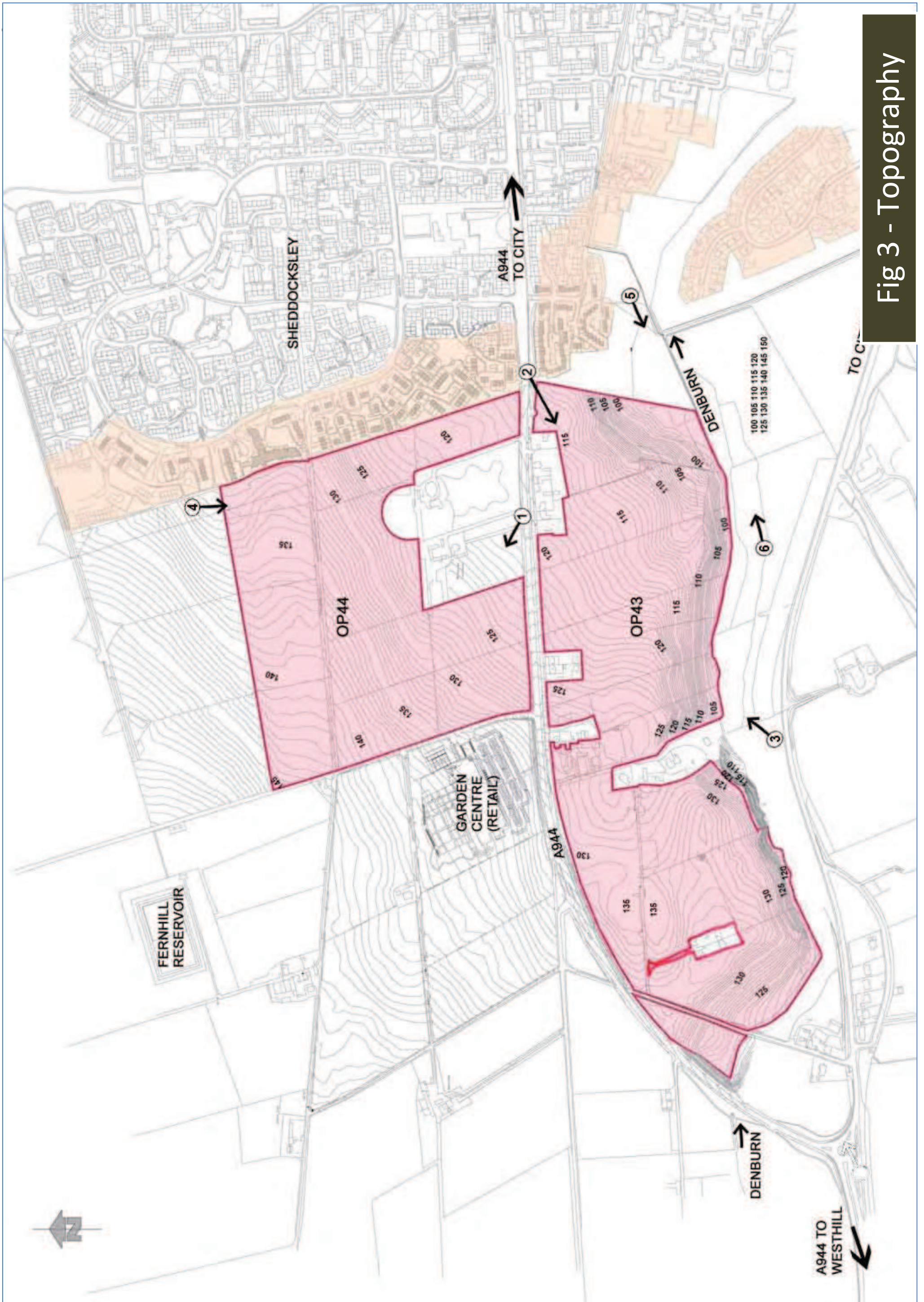


Fig 3 - Topography

Environment/Vegetation

As the site has previously been used on rotation both for rose growing and as pasture land and set out fields, the majority of the area is clear of significant vegetation or trees (see fig 6). These are restricted to the Den of Maidencraig, hedgerows, field boundaries and the grounds of existing houses. Where necessary, full tree surveys will be provided as part of detailed planning applications for individual phases. It is the intention to retain all trees on the site where possible.

The area to the south of the Maidencraig south east is identified as a Local Nature Reserve and is a valuable and popular recreational area. It is important that development of the Maidencraig masterplan area does not detract from or impact on the value of this area. Maidencraig Wood, to the south of the Local Nature Reserve is partly covered by a Tree Preservation Order – see fig 15 on p15.

Built Heritage

There are several buildings on the site, mainly associated with the southern edge of the A944. In addition to this, the buildings of Whitemyres House, Farmstead, and grounds occupy a large area of the Maidencraig north east area. These are set back from the A944 in wooded grounds. Several of these are listed buildings – see fig 5 overleaf.

A number of other private properties exist in the Maidencraig south east area, and these have been carefully considered in the formulation of the masterplan.

Stone walls are common throughout the site, and indeed the wider area. This is an attractive and characteristic asset, and one that can be utilised in designs of developed land. These can clearly be seen on fig 3, particularly in the northern area of the site.

Archaeology

There are not a great many archaeological and historical features recorded within the development area - a couple of farmsteads which may or may not have origins earlier than the first edition Ordnance Survey map. Historical research might determine whether they have medieval origins. However, the lack of recorded sites does not necessarily imply lack of archaeological remains.

Any development in the masterplan area would require a pre-development programme of archaeological work, probably in the form of a desk-based survey, a walkover and a field evaluation, probably in the region of 10%.

Landscape Character

The Landscape Character Analysis, published by Scottish Natural Heritage, classified the Maidencraig East site as Open Farmland and stated that it falls within the Maidencraig Character Area.

The distinctive landscape features are set out as follows:

- *“The small-scale valley landform;*
- *The beech trees that line the main road into the city;*
- *Stone dykes, occasionally consumption dykes;*
- *Frequent, scattered buildings, generally traditional in style;*
- *Views to architectural landmarks.”*

Hydrology

Part of the site has been identified by the Scottish Environmental Protection Agency (SEPA) as at risk from flooding. This is based upon their indicative one in 200 year flood risk maps, and relates solely to the Denburn Valley to the south of the site. Fig 4 shows the details from SEPA’s flood map with the development site shown. View 6 from page 7 gives an indication of the difference in levels along the southern part of the site, with the Denburn flowing along the valley floor.



Fig 4 – flood risk from SEPA's flood risk map.

Ecology/Biodiversity

The surrounding areas, particularly the woodland to the north and the Den of Maidencraig to the South are of high biodiversity and ecological value. At present there are pockets of trees and woodland within the site area, shown in fig 5.

One of the aims of the landscape and open space strategy is to link the main areas of woodland to the north and south of the site, with green corridors. The eastern edge, identified as Green Space Network in the Local Development Plan is of particular value, as it can contribute towards this link. This clearly offers a valuable biodiversity benefit by linking two currently fragmented habitat areas.



Fig 5 – existing woodland around site

The development areas (shown on the masterplan) are also detached from the principle habitat areas of the Den of Maidencraig by the steep slopes. With the exception of foot and cycle paths, and the proposed bridge(s) over the Denburn, the impact on the Den of Maidencraig Local Nature Reserve is anticipated to be negligible. Crossing points and paths – if appropriate – will be designed as part of detailed planning applications in full consultation with SEPA, SNH and Aberdeen City Council, to ensure an appropriate design solution that will not impact upon the nature conservation interests of the area, or the free flow of the Denburn in any way.

An ecological study was carried out in 2005, and clarified that the proposed development areas within the site are largely made up from poor semi-improved grassland, improved grassland and arable land. The study identified that the valuable areas for ecology and biodiversity are primarily in the Den of Maidencraig Local Nature Reserve area. The map from the study is shown in fig 6 below.



Fig 6 – Ecological Assessment plan.

Note – the full Ecological Assessment is included as Appendix 2

Utilities

The site is already well served by utilities. The Fernhill Reservoir sits immediately to the north west, and a water main runs through the site west of the Dobbies Garden Centre. A public sewer runs from east to west along the line of the Den Burn, immediately to the south. Gas, Phone and Electricity are readily available on the land. Fig 7 shows the utilities available on and adjacent to the site.

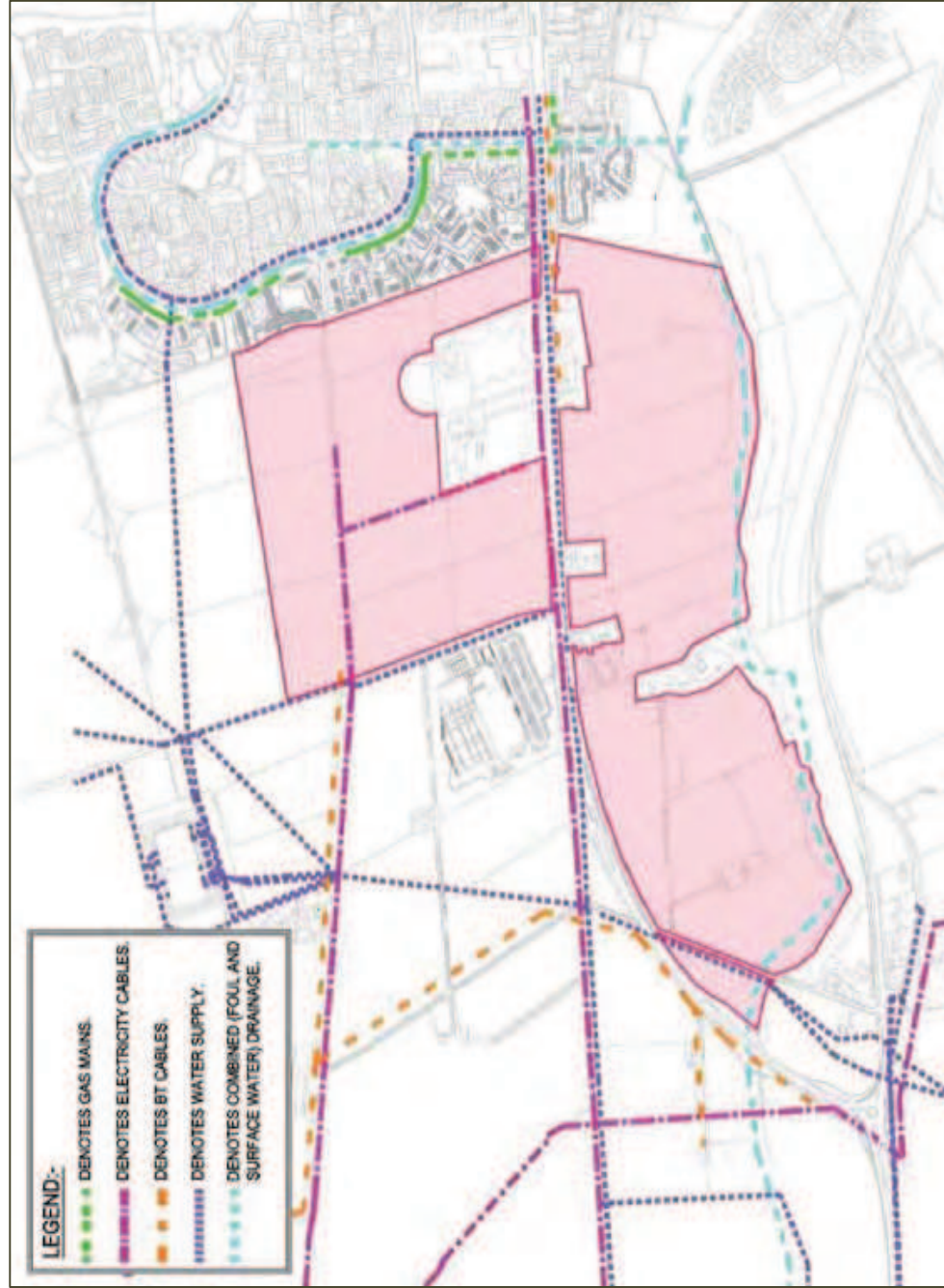


Fig 7 Existing Utilities

Access and Connectivity

Walking

Walking is clearly the most healthy, cost effective and sustainable mode of transport. Aberdeen City Council has developed a core path plan, identifying existing and proposed paths to create a network around the city. Fig 8 shows the core path plan for the area in and around the proposed development site, demonstrating excellent linkages, and great potential for further enhancement through the masterplanning process.

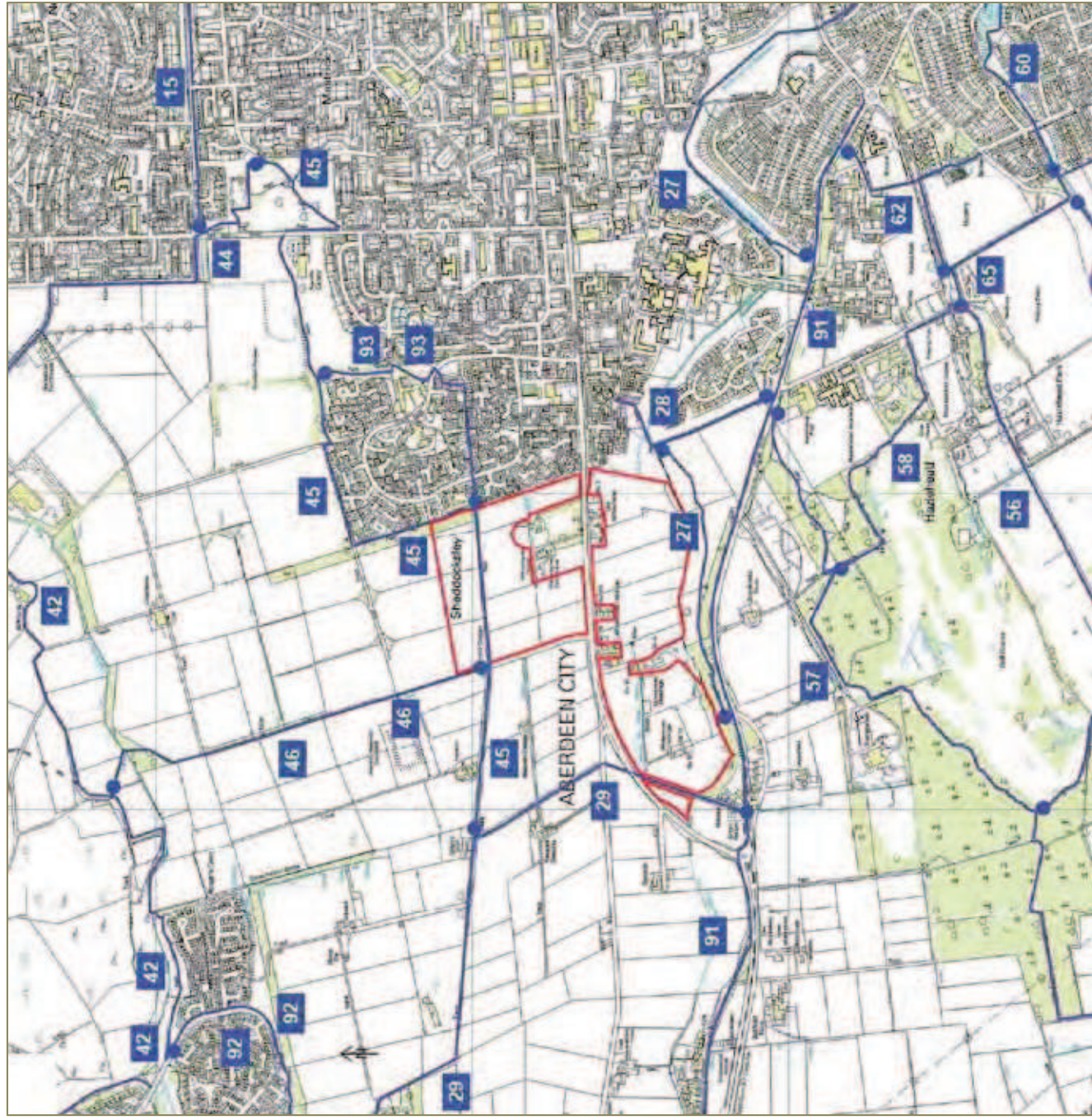


Fig 8 – core paths plan.

Cycling

Cycling is also a healthy and sustainable transport mode, and encouraged through the formation of both dedicated and shared cycle routes with footpaths and bus routes. The Aberdeen Cycle Forum was set up in 2003 to represent cyclists in Aberdeen. The group's aim is to encourage cycling of all types: cycling for pleasure, cycling to work and to school, to the shops, off-road or on-road.



Fig 9 – cycle routes from the Aberdeen Cycle Forum.

Note - Fig 9 has been adjusted to show the site boundary in red, and the cycle path provision along the south side of the A944 (utilising the old Lang Stracht Road) and down the Switchback Road to join the cycle path running alongside the B9119.

Public Transport

In order to ensure the delivery of the best public transport solution, it is important to establish the level of services that operate in the vicinity of the site at present. There are three services operated by the First Bus Group that could potentially serve the site. These are identified in Fig 10 as the 23, the 11 and the 41 (park and ride) routes. The Stagecoach X17/N17 service is also a useful existing service.

First Group 23 Service

The 23 service is the most local to the site, offering a route from the adjacent Sheddocksley area to the City Centre with an excellent 10 minute frequency. The buses currently travel around Lewis Road in an anti-clockwise direction, before heading along the Lang Stracht to the east. An excellent journey time of 24 minutes from Lewis Road to Union Street makes this a well used service. On Sunday, the frequency is every 30 minutes.

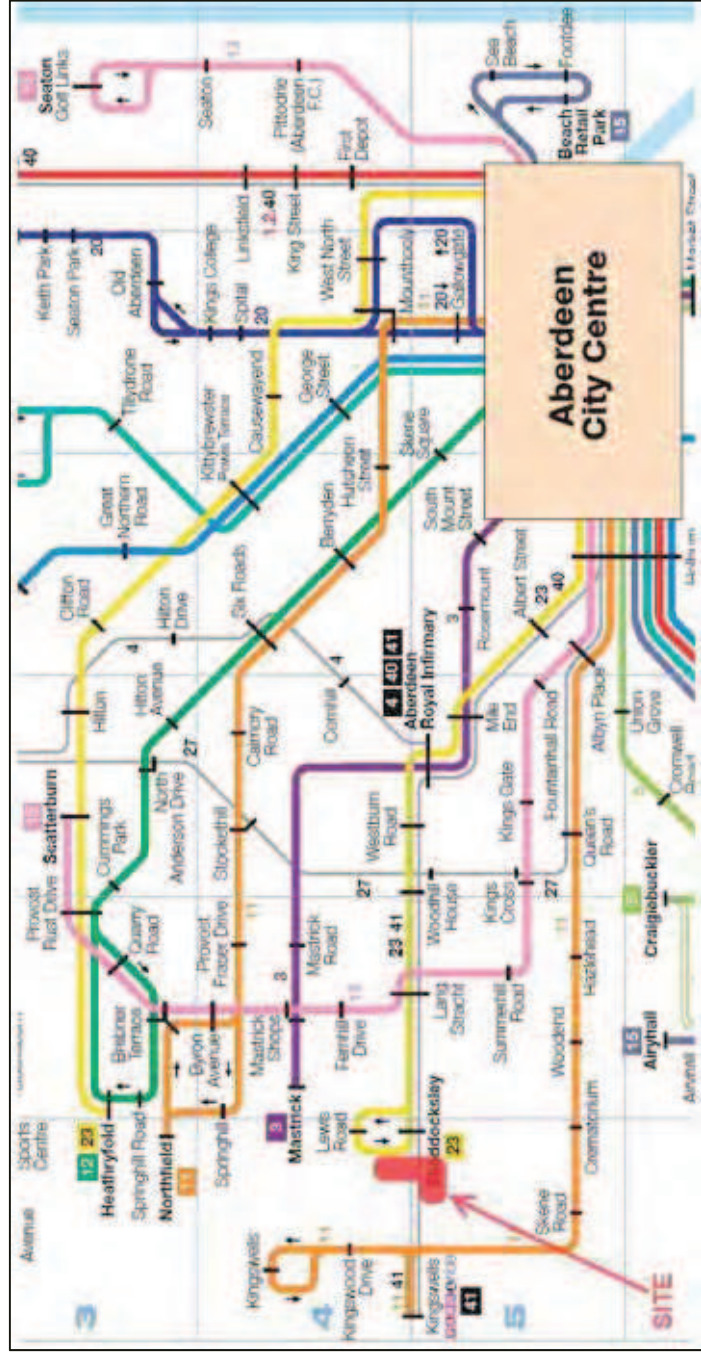


Fig 10 – First Group bus services (from First Bus website) with the masterplan site identified in red.

First Group 11 Service

The 11 service runs from Kingswells to the City Centre, and could potentially offer a service from south of the proposed development site with around a 23 minute journey time to Union Street. The frequency of this service is every 30 minutes.

Stagecoach X17/N17 Service

This service runs from Aberdeen City Centre to Westhill, including the Elrick area to the west of Westhill. During weekday daytime hours the frequency varies between 11 and 15 minutes, and runs along Skene Road/Queen's Road to the south of the development site (following a similar route to the First Group 11 bus).

First Group 41 Service

The 41 service has been included for completeness, although it is less likely that it could be utilised to serve the development. A high customer base would be necessary to justify additional halts on what is intended to be a direct service. However, as it currently uses the Lang Stracht (A944) which runs between the two sites at Maidencraig, the potential for a new halt in each direction will be explored further. This was formerly the 40 service that ran from Bridge of Don to Kingswells, but has been split into two services, with the 41 running from Kingswells to Aberdeen Royal Infirmary only.

Other Services

In addition to the above services, the Stagecoach 218 service from Alford to Aberdeen via Westhill offers an additional option, and currently stops at the junction of Lewis Road and the A944, approximately 400m east of the masterplan site. This service offers 9 buses per day during the week.

In accordance with local, regional and national policy on transport and land-use planning the combination of walking, cycling and public transport provision is aimed at creating a modal shift away from the reliance on the private car. Discussions are currently ongoing with First Bus Group with regard to an extension of the 23 service to serve the site.

Education and Routes to Schools

The Action programme for the Local Development Plan includes the following information on schools for the masterplan zone: -

OP43 Maidencraig South

Zoned to Fernielea PS which is forecast to have some spare capacity to accommodate pupils generated, but an extension or temporary accommodation may be required, as the forecasts suggest it that the roll will exceed capacity in 2017. Zoned to Hazlehead Academy which is forecast to have some spare capacity to accommodate pupils generated, but an extension or temporary accommodation may be required. Alternatively, any rebuild of Hazlehead Academy could accommodate the pupils generated. Community facilities including Learning & Development facilities may also be required.

OP44 Maidencraig North

Zoned to Kingsford PS which has spare capacity to accommodate development at this scale. Additional capacity is likely to be required at Northfield Academy to accommodate pupils generated by this development. Possible re-build of Northfield Academy could create capacity to accommodate these pupils and those from OP45 Greenferns development.

Considering the location of schools in relation to the proposed development site is also important. Fig 11 shows the site (in yellow), the four relevant schools (red) and the core paths network (in pink).

The accessibility of the Council’s preferred schools has been raised by the Mastrick and Sheddocksley Community Council in early discussions, and as a result the table in fig 12 shows the distances for pedestrian/cycle access to each school from the nearest and farthest points in the Maidencraig masterplan site.

Best principles of planning suggest that a 400m distance is a typical 5 minute walk, and an 800m distance is a typical 10 minute walk. The concern with this development is not necessarily school capacity therefore, but the distances to them. However, the City Council are currently undertaking a review of all school catchment areas and Bancon will liaise with the Education Service on this issue.

In addition, the provision of ‘safe routes to schools’ will be considered in detail.

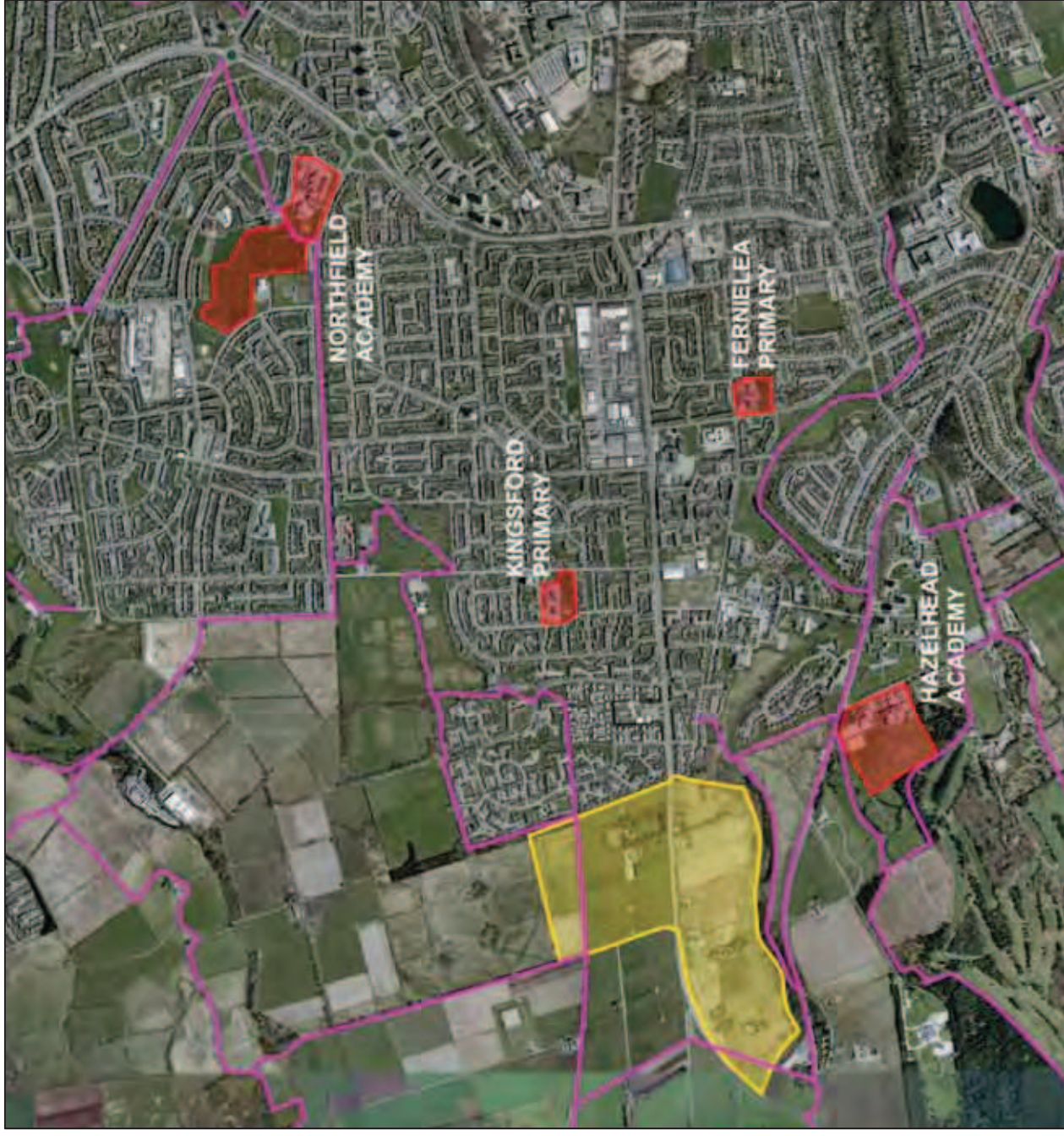


Fig 11 - Site in relation to schools, and core path network

School	Distance to nearest part of site	Distance to farthest part of site
Kingsford Primary School	0.84km	2.29km
Fernielea Primary School	1.56km	2.41km
Hazelhead Academy	0.68km	1.52km
Northfield Academy	3.01km	4.59km

Fig 12 - Distances from schools

2.2. Planning Policy Review

The Structure Plan – adopted in 2009

The Structure Plan is an expansive, visionary document which encourages both economic and population expansion in the North East in the period 2007 to 2030. The Spatial Strategy in the Plan highlights that this growth is envisaged to take place in three Strategic Growth Areas - in the transport corridor from Laurencekirk to Huntly, in the Aberdeen to Peterhead transport corridor, and in the City of Aberdeen.

Overall, the Plan anticipates there is a requirement for 72,000 new homes to be built across The City and Shire to facilitate this economic and population growth. Aberdeen is required to accommodate half of this growth, and the land required is to be identified through the Local Development Plan Review. The Structure Plan Schedule 1: Housing Allowances indicates that within the city, 12,000 new homes on Greenfield sites are to be identified for the period to 2016, and a further 5,000 homes for the period from 2017 to 2023. This is shown in Fig 13 below.



Fig 13 - Structure Plan key diagram excerpt

The Structure Plan encourages growth, but not at any price. New developments require to be sustainable, well designed and attractive.

The Aberdeen Local Development Plan (ALDP)

The Aberdeen Local Development Plan, adopted on the 29th February 2012, aims to implement the growth strategy set out in the Structure Plan.

Site OP 43 Maidencraig SE is allocated for 450 homes by 2016, while site OP 44 Maidencraig NE is allocated for 300 homes in the same time period. The Plan does not allocate employment land for either site.

These allocations are confirmed on the Proposals Map.

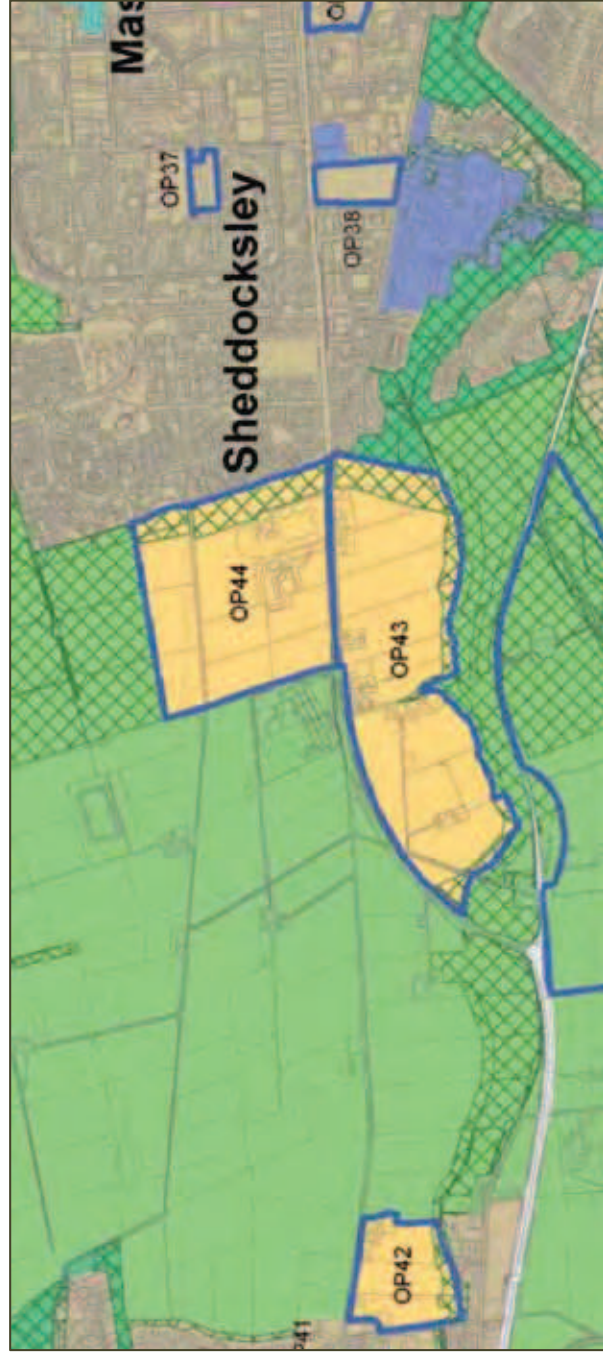


Fig 14 - Aberdeen Local Development Plan zoning map excerpt

2.3. Site Analysis Summary

Fig 15 overleaf shows an aerial photograph of the site, with several features overlaid to show the context of the development site. The site boundary is shown in red, and listed buildings and the Tree Preservation Orders are shown in yellow. The plan also identifies the boundaries of the Den of Maidencraig Local Nature Reserve.

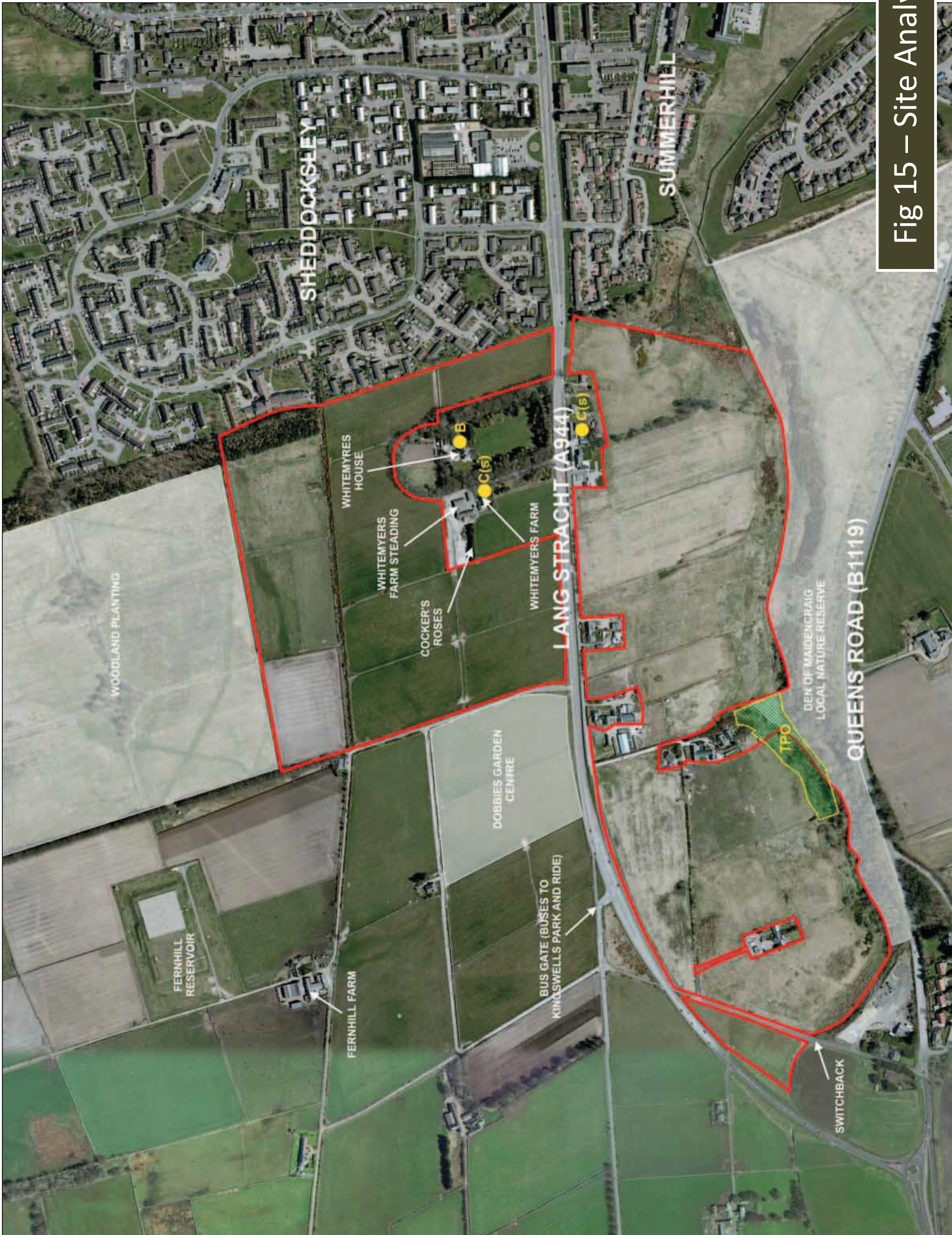
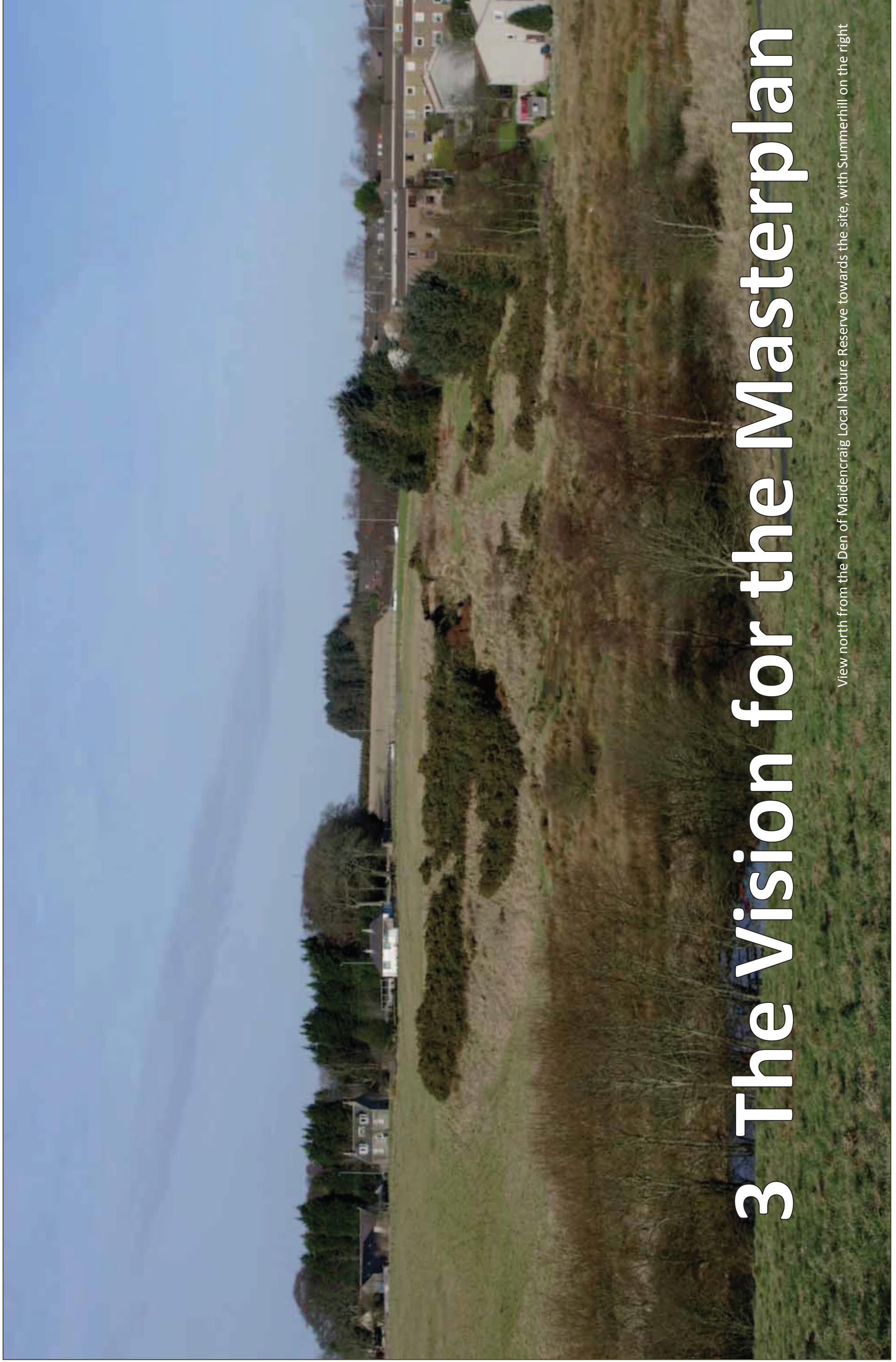


Fig 15 – Site Analysis



3 The Vision for the Masterplan

View north from the Den of Maidencraig Local Nature Reserve towards the site, with Summerhill on the right

3 The Vision

Maidencraig has great potential as a residential development site. It is well located, on a south facing slope and has great views, but it is bisected by a main arterial road – the A944 (Lang Stracht).

Our Vision is to harness these advantages to produce a vibrant, welcoming, attractive and sustainable community which is safe and easy to move around, while minimising the segregation which the Lang Stracht tends to impose.

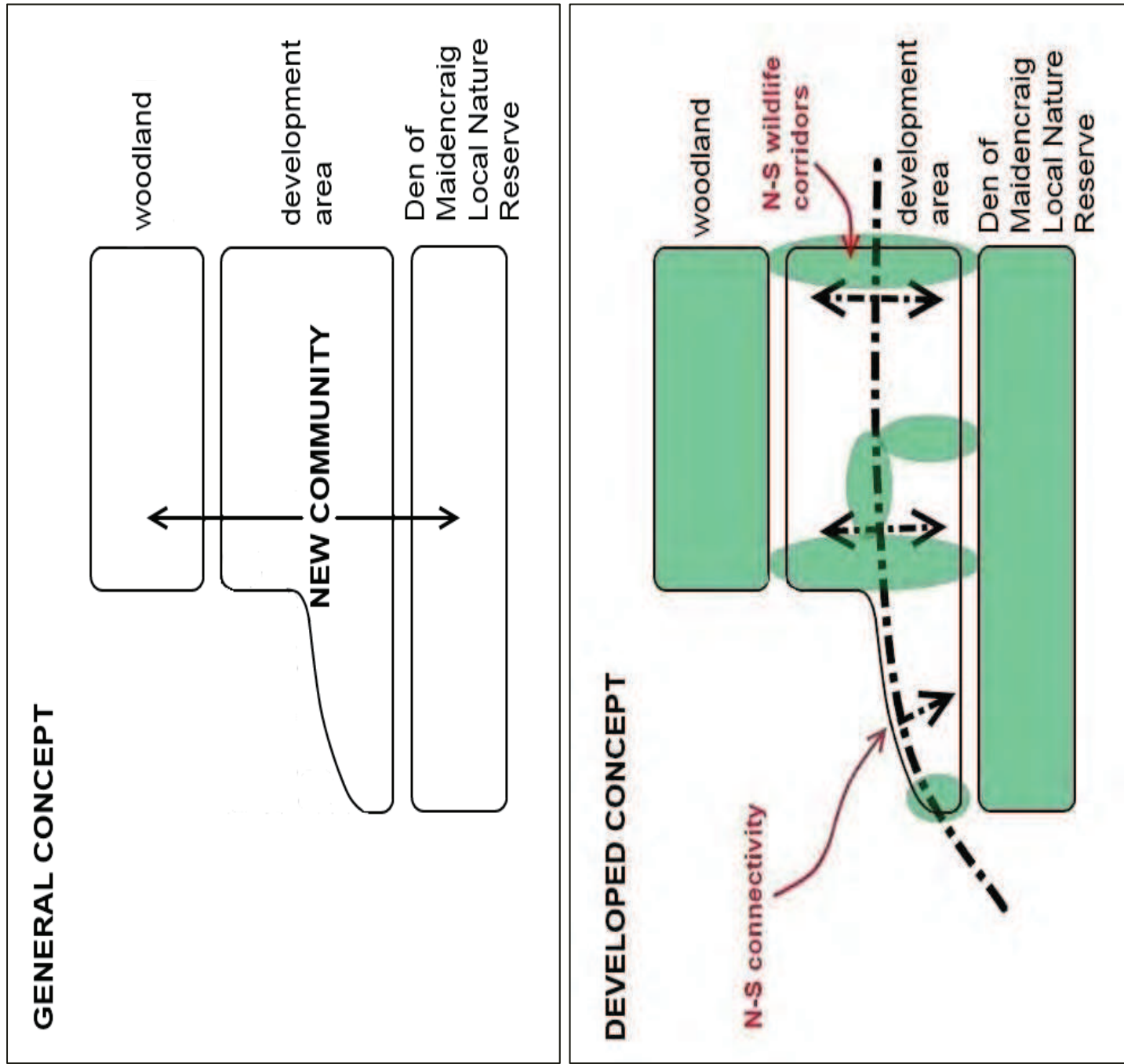


Fig 16 – Diagrammatic concept

The development will be highly landscaped – echoing and absorbing the surrounding landscape (of the Northern woodland, the Green Space Network, and the Den of Maidencraig), and highly sustainable, with a mix of uses and good connections to walking, cycling and public transport routes. Within this over-arching framework we will develop three distinct character areas containing attractive residential neighbourhoods where families can live, work and play.

We are looking to deliver this Vision by adopting the concept shown in Fig 17. This concept diagram suggests linking the new community to the major environmental assets and areas of recreational open space which lie to the north (the woodland) and south (the Den of Maidencraig) of the site, and maintaining ready north – south connectivity by introducing three pedestrian and vehicular connections associated with broad wildlife corridors, so that the connectivity is both visual as well as physical.

Fig 17 (overleaf) develops this concept further and shows how it might form the basis of an attractive plan for the area.

From fig 17 it will be clear that the masterplan for Maidencraig falls naturally into three distinct character areas, area A (OP44) north of the Lang Stracht, and areas B and C (in OP43) to the south of the Lang Stracht.

Area A is bounded on the east by Sheddocksley, on the north by a woodland, on the west by Dobbies Garden Centre, (with open countryside beyond) and on the south by the Lang Stracht. Each of these adjoining areas has an influence on the character of the area, and the design of Area A must respond accordingly.

Area B occupies the western section of OP43, and is bounded on the north by the Lang Stracht, on the west by the switch-back road, on the south by the Den of Maidencraig, and on the east by a group of existing buildings, which front on to a stream which runs through a steep gully.

This gully forms the western boundary of Area C. It is flanked on the south by the Den of Maidencraig, on the east by an area of open space (which marks the western edge of Summerhill), and on the north by the Lang Stracht.

Each of these adjoining areas has a distinct landscape character, which will have an influence on the detailed design of Areas A, B and C.

How we have translated this vision into our detailed masterplan is set out in the following section entitled Developing the Masterplan.

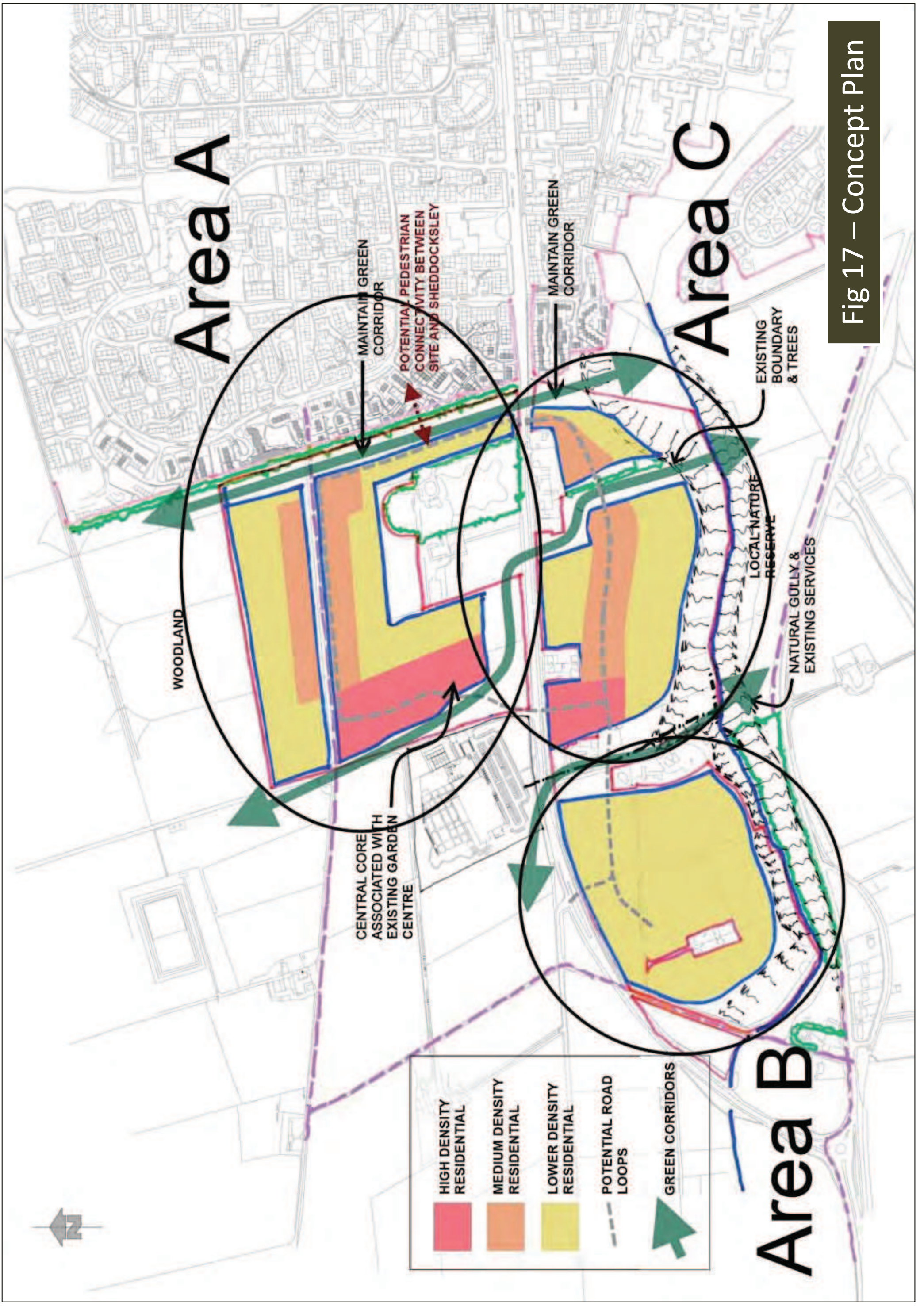
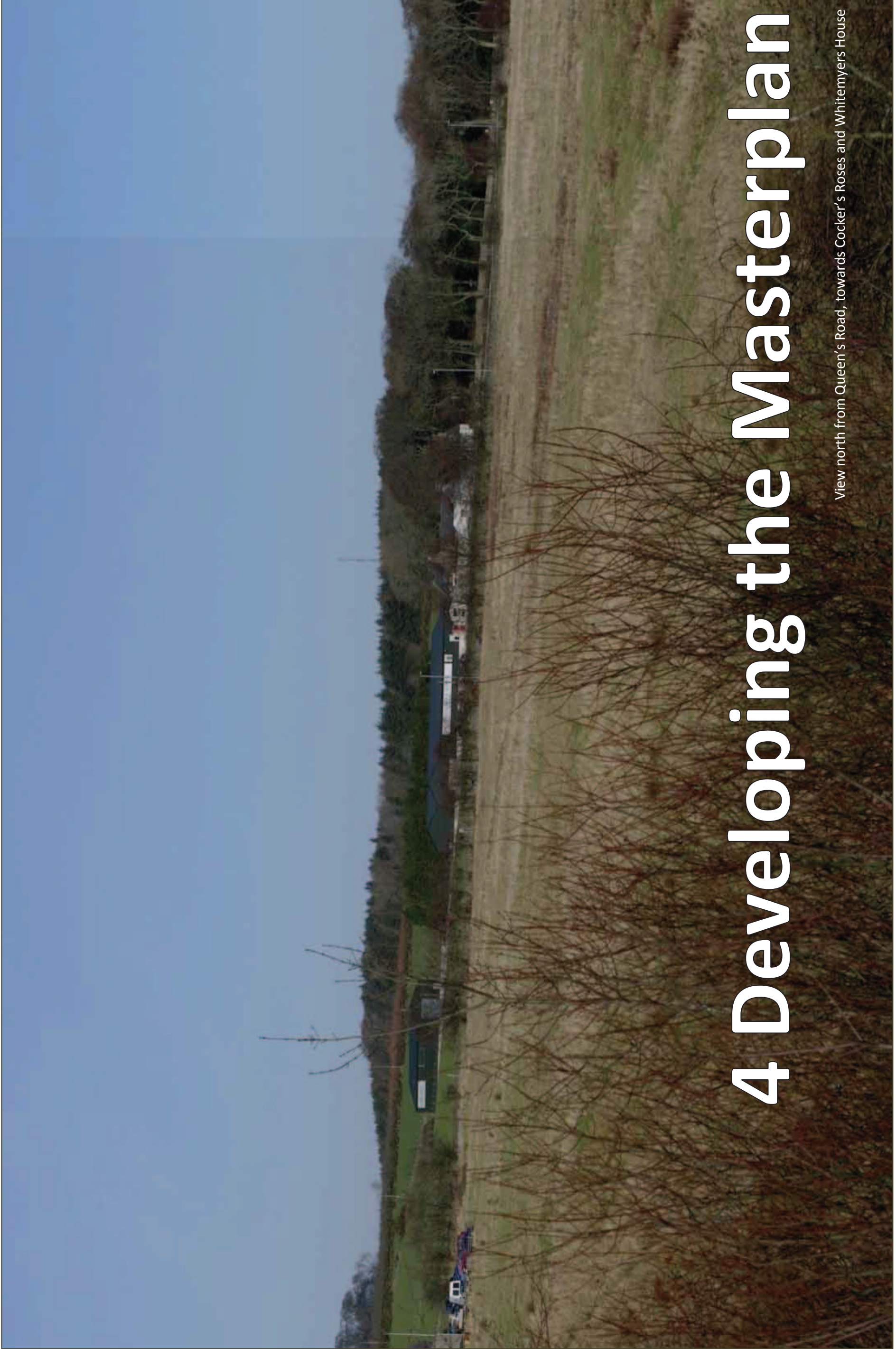


Fig 17 – Concept Plan



View north from Queen's Road, towards Cocker's Roses and Whitemyers House

4 Developing the Masterplan

4 Developing the Masterplan
4.1. Over-arching Principles

4.1.1 Connectivity

This section sets out our proposals to provide a high degree of connectivity to the site to encourage modal shift. It deals with walking, cycling, public transport, and vehicular access. It will refer to the existing position, which is set out in detail in section 2.1, and describe proposed improvements.

Walking

We will retain all the existing footpaths and add additional routes as shown on fig 18. These routes are complimented by the provision of segregated footways alongside the bus loop through the site, and throughout all of the rest of the development via footways or shared surfaces, where roads are designed to ensure traffic speeds are <20mph. The exact routes to the south, across the Denburn, will be considered in detailed planning applications in consultation with the Council’s Environment Planners.

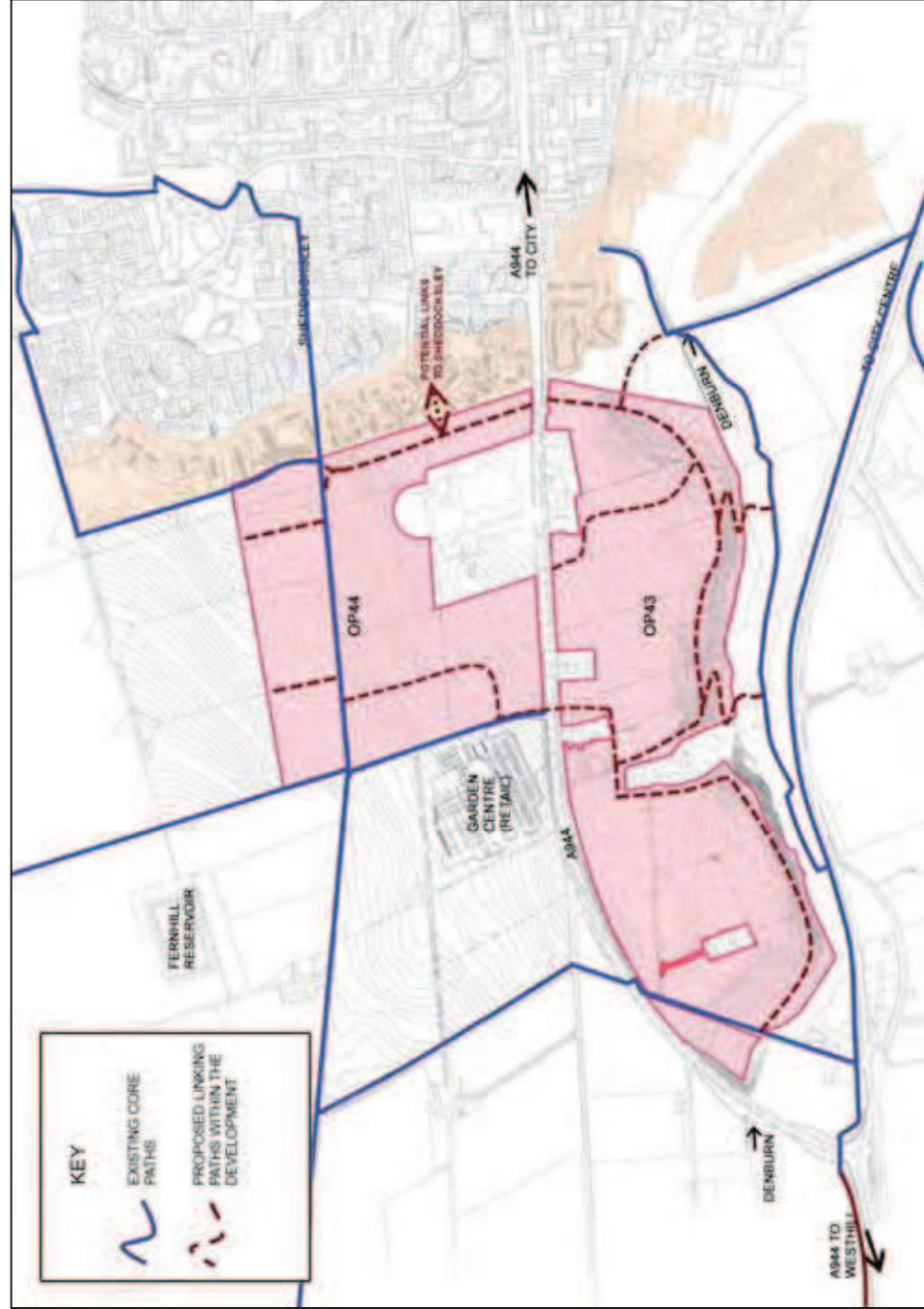


Fig 18 – existing and proposed footpaths

The Lang Stracht creates a physical barrier between the two halves of the development, but we will seek to address this by the careful location of pedestrian crossings. All routes located away from roads should also be designed to accommodate cyclists too.

This will provide a very ‘walkable’ neighbourhood which has excellent connections to the facilities provided in adjoining areas. Fig 20 below shows the commercial areas in each part of the site (marked with black dots) with a 400m radius circle around it, indicating a 5 minute walking zone. This demonstrates that the location of the commercial facilities will provide for the majority of the population of the development, thereby reducing the need to rely on private car use for simple shopping needs. A large proportion of the site falls within 400m of both commercial areas.

Connectivity with the existing residential areas is essential but must not be done at the expense of compromising privacy, security and safety. In addition, the exact route of core path 93 will be determined through the detailed planning application and must not compromise the amenity of existing residents.



Fig 19 – 400m walking distances from commercial areas.

Cycling

We will retain all the existing cycle routes (enhancing them where necessary) and also provide the additional facilities shown on fig 20. As these follow the bus route around the site, they will be provided as segregated from vehicular traffic, although in places will be combined with the pedestrian routes. The route down the slope to the south east to meet the existing cycle path network will be a separate route from the vehicular network, but shared with pedestrian access.

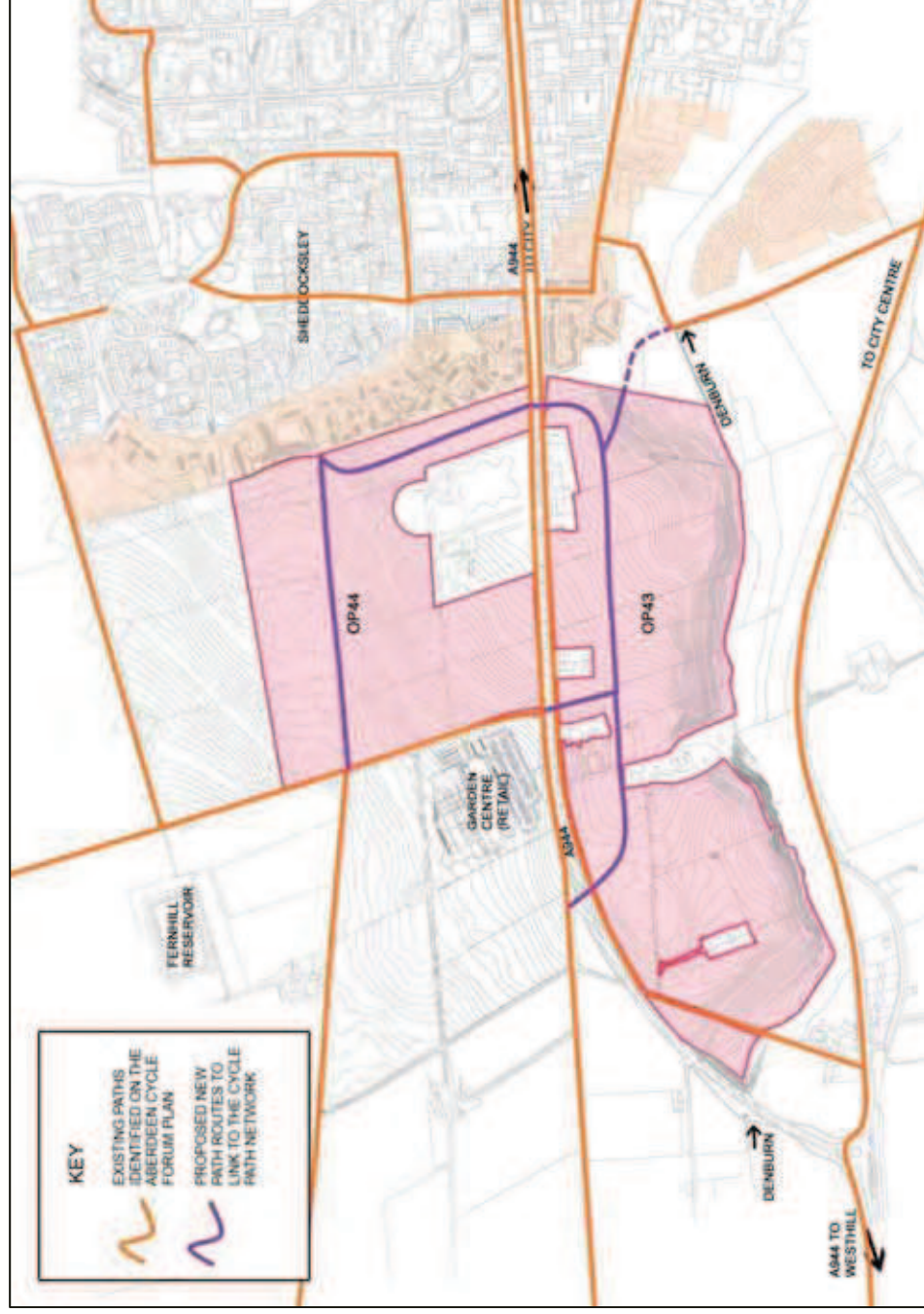


Fig 20 – existing and proposed cycle paths

These additional connections will clearly improve what is already a very accessible site for cyclists. Cyclists will also be able to use the internal road networks, which will be designed to have low traffic speeds.

Public Transport

The existing bus network is detailed in section 2.1. We will supplement this by extending the 23 service westwards through the site as shown on fig 21. We have met with the First Bus Group with a view to progressing this proposal, and they consider the 23 service to be one of their most popular. The frequency has recently been improved from 12 to 10 minute intervals (30 minutes on Sundays). With the proposed increased customer base, the operator was satisfied, in principle, that an extension to loop through the site would be of mutual benefit to them and new residents of the site.

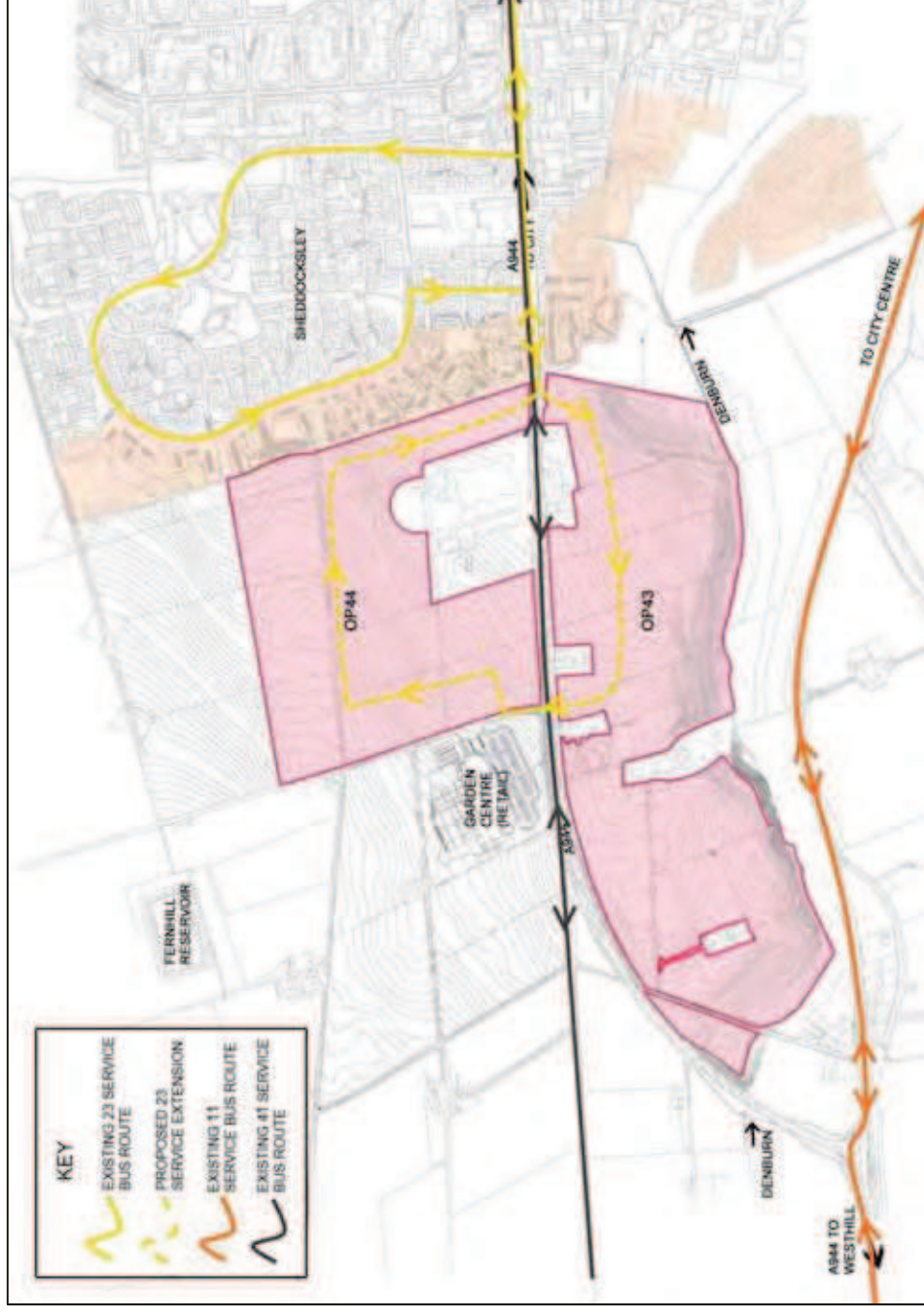


Fig 21 – existing and proposed 23 bus service.

Parking

The parking provision identified on the masterplan are based upon the maximum requirements for each of the residential and commercial areas. Through detailed design, it is expected that the number of spaces will be reduced, with the heights of buildings established and the overall housing mix finalised. In the lower density areas, where housing is predominantly detached and semi-detached, parking will be accommodated off street, with the majority of houses having garages. Terraces properties will have on street parking close to the properties, or organised in rear courtyards. Flats will similarly have parking located in courtyards. Cycle and motorcycle parking will be provided as appropriate. Details of this will be considered as part of detailed planning applications.

The Landscape plan identifies considerable landscape planting proposed to screen car parking areas, which will be increased in the event that the parking requirement is reduced. This is particularly relevant to areas around the commercial centre and the southern square, where there is a high percentage of flatted development proposed. When the number of storeys of development is agreed through a detailed planning application, along with the agreement to the provision of affordable housing, the parking requirements will be reduced accordingly.

4.1.1.2. Access Strategy

Site Access

The Council have agreed that Site OP 44 will be served with 2 points of access, while OP 43 will have 3 connections to the Lang Stracht. The existing access from the site to Queens Road will be retained for existing users only. Of the 3 access points agreed, the central one (currently serving Dobbie’s Garden Centre) will be controlled by traffic signals. The other two will be left-in, left-out only junctions. However the eastern junction will initially operate as unrestricted junctions until a second means of access (the central junction) is opened up and available.

The preliminary layout of the central junction can be seen in fig 22 below. (please note that the diagrams are indicative, and have not been the subject of detailed discussion with the Council’s Roads Officials)



Fig 22 – Central junction – indicative layout

Whilst the eastern and western junctions will be left-in/left-out arrangements, there is the necessity to design a temporary all ways junction for the eastern access point, to be utilised until the central junction is completed, providing an alternative means of access for residents.

The temporary layout of the eastern junction, as well as the final design can be seen below in figs 23 and 24. These all include the provision of pedestrian crossings. The most appropriate location for pedestrian crossings, however, will be established through the detailed planning application process.

Based on the current phasing plan, the central junction will be completed in advance of the western junction, which will therefore be constructed as a left-in/left-out arrangement, with provision for buses

to still access the bus-only gate to Kingswells. The indicative proposals for this junction are shown in fig 25.

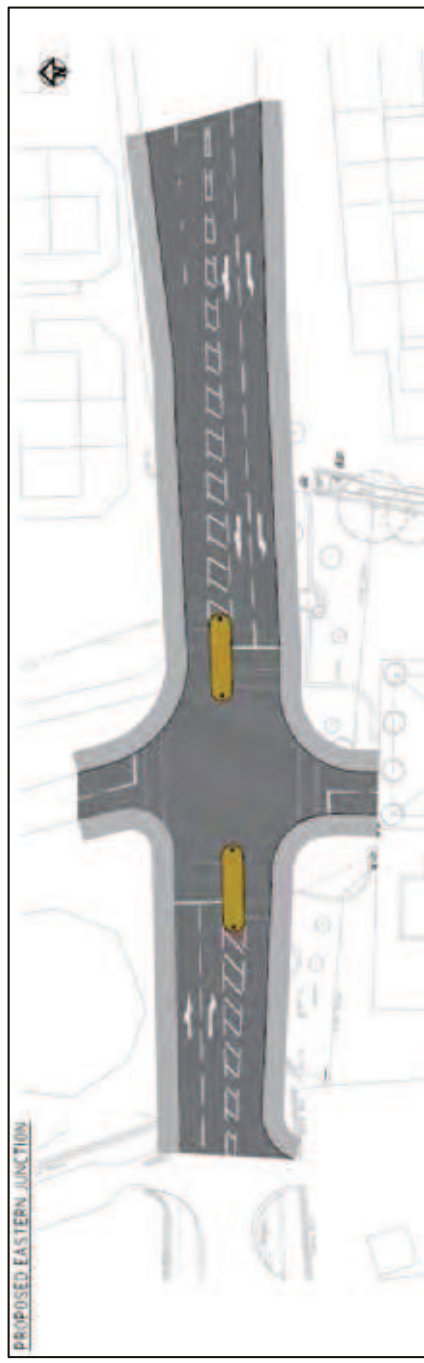


Fig 24 – Eastern junction – indicative layout – temporary all ways solution

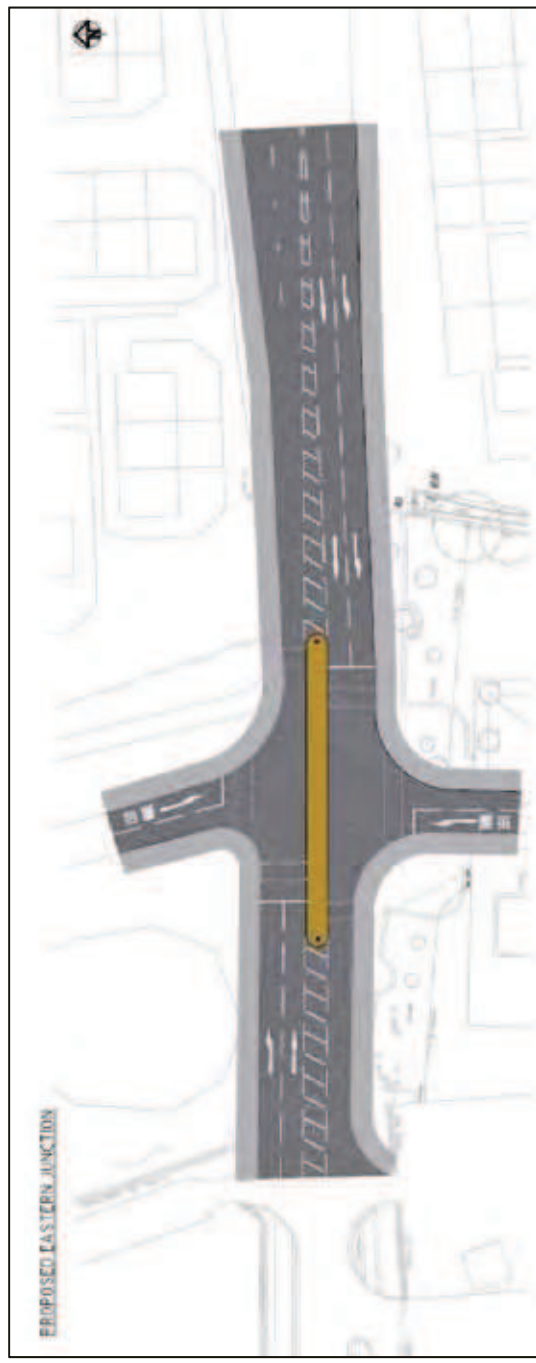


Fig 24 – Eastern Junction – indicative layout – final left-in/left-out solution



Fig 25 – Western junction – indicative left-in/left-out solution

Strategic Transport Fund

In 2011, The Aberdeen City and Shire Strategic Development Planning Authority and Nestrans, along with the two councils commissioned a cumulative transport assessment (CTA) of the sites identified in both LDPs up to 2023. This identified, at a strategic level, the additional infrastructure improvements required to mitigate the cumulative impact of future development proposals. On this basis, a contribution will be sought from developments including the Maidencraig masterplan area, and this money used by Nestrans as the Regional Transport Partnership to deliver the improvements.

Transport Assessment

A Transport Assessment is progressing. It will identify the necessary mitigation works in the local area to ensure that any impact on the capacity of roads and junctions in the vicinity of the site is minimised. As mentioned above, encouraging people out of private cars, to walk, cycle or use buses is the ideal solution to minimising traffic impact.

The initial Transport Assessment pre-dates the Strategic Transport Fund, and there are other variables that will impact upon its conclusions. The scope for an amended assessment is currently being agreed with officers at Aberdeen City Council, and will be carried out accordingly. The Transport Assessment will inform subsequent planning applications. It would be misleading to include the contents of the initial assessment in this document. However the objectives of the Transport Assessment are to maximise connectivity and integration between sustainable transport modes, and minimise the impact of car based trips, whilst fully embracing the principles of Designing Streets.

4.1.3. Education

Section 2.1 sets out the existing Primary and Secondary education capacity in the area. Appendix 1 (Community Consultation Report) highlights that various members of the local community were concerned about the proposals for meeting the education needs of the development. However, the Council have initiated a catchment area review, and we will engage with the Education Service to help secure the best possible outcome. In order to maintain a flexible approach to this matter, a section of housing in either the north or south of the site could be substituted for a primary school should this be required. In terms of access to schools, the site is well linked to the core path network to provide safe and convenient access for pedestrians and cyclists. Upgrades will be provided to ensure that residents of the Maidencraig masterplan area have access along appropriately lit and surfaced routes (unless otherwise required by environmental constraints). Fig 26 below shows the principle pedestrian/cycle routes to schools from the site. Core paths are shown in purple, and proposed routes are shown in green. Safe routes to schools will be explored through the planning application process, with any barriers to walking and cycling identified, and mitigation proposed. This will apply equally if a school is ultimately provided on site.



Fig 26 – Routes to schools.

Fig 26 shows that the only route that would involve significant departure from the core path network would be the route to Fernielea primary school, which requires around 800m of walking on the public footpath adjacent to the road. The detailed design of phases 1a and 1b will both ensure an appropriate surfaced and lit link is provided from the site to the adjacent core paths, to ensure there is a complete route available to all the schools. Where this connects to the core path network south of Maidencraig south east, it is important to ensure that the lighting and routing are both appropriate for the location in the Local Nature Reserve. This will also be considered as part of the detailed planning application for phase 1a. All new paths will be designed in consultation with the Council's Countryside Officer and Environment Planner.

4.1.4 Landscape Strategy

Section 2.1 contains a review of the existing landscape resources in and around the site. Of particular note are : a) The Northern Woodland, b) The Green Space Network, c) The current setting of The Lang Stracht, and d) The Den of Maidencraig Local Nature Reserve. We set out below (see Landscape Character Areas) how we will respond to, and exploit these assets – opening up access and views to them. A full landscape strategy report is included as Appendix 3, and the landscape and Visual Impact Assessment carried out in 2006 is included as Appendix 4. A level 1 habitat survey will be carried out to supplement the planning application.

Boundary to Summerhill

South of the A944, the site opens out along the line of the Local Nature Reserve and follows the steep contours along the banks of the Denburn. The design adds the SUDS area and further related open space to the existing provision adjacent to Summerhill to create a larger green area which contributes both visually and ecologically to this important edge. The access to the development, at this point, is also emphasised with a new entrance including a mixture of hard and soft treatment. This will make a major statement at this part of the Lang Stracht and will be further emphasised by a similar treatment on the opposite side of the road.

The Den of Maidencraig

There is a steep embankment from the southern edge of Maidencraig South East down to the Denburn. This provides an immediate separation but the buildings will be pulled further back and additional woodland planting will add to the screening and provide an ecological link between the nature reserve and the new development. There will be pedestrian routes to encourage greater access and the views from and to the reserve have been carefully considered. The formation of residential courtyards opening out to the green space creates an appropriate transition between the development and the surrounding countryside. Information on the Den of Maidencraig Local Nature Reserve will be included in the sales packs for house buyers, including responsible access principles.

The landscape strategy report (appendix 2) states that there is potential for conflict between providing additional public access to the Local Nature Reserve, and protecting the nature conservation interests of it. In order to ensure no detriment is caused to these interests, we have identified up to three possible links from the site into the area. These are identified on fig 19 above.

If appropriate, these routes and their locations will be designed in consultation with the Council and Scottish Natural Heritage as part of the detailed planning applications for phases 1a, 2a and 3a. The position of the paths have been chosen to link with the existing core path network, and to provide convenient access to the 11 service bus route, the recreational facilities at Hazlehead, and primary and secondary schools. The intention is to provide appropriately designed links, with crossing points of the Denburn appropriately constructed, to avoid potentially damaging desire lines emerging.



Fig 27 - The Denburn crosses the Lang Stracht and the land opens out to the nature reserve

The opportunity will be taken to create maximum landscape and ecological value from the SUDS basins at the southern edge of the site. That, added to the choice of planting, will enhance biodiversity and, including the two landscape routes which pass through the southern part of the development, it should encourage wildlife to permeate through the site. Many private gardens are known to have a high biodiversity level, so this, matched with additional ecological features including bat boxes and swift boxes, should ensure that this site is sympathetic to the nature reserve. The details of such provisions will be developed as part of detailed planning application submissions. Details of planting proposals are shown below on the landscape strategy plan in fig 30.

Junction of Lang Stracht and Queens Road/Skene Road

Although included in the development zoning, this area is not promoted for development as part of the masterplan, and will be retained as agricultural land.

The Lang Stracht South

There is a small group of houses on the southern edge of the Lang Stracht opposite the Cocker's Roses / Whitemyres House site and a further two opposite the Dobbies Garden Centre entrance. The proposal is to extend that along most of the length, but maximising the number of properties with the principle elevation facing the Lang Stracht (albeit set back from the road edge). In this way a varied urban frontage can be achieved which connects visually to the main road and ultimately to the northern site.

At the eastern end a new entrance to the site will be created which will link with a new entrance on the northern side and incorporate the SUDS area and related open space.

The Lang Stracht North

On the north face the character is set by the trees round Cocker's Roses and Whitemyres House and their relationship to the adjoining fields. Dobbies Garden Centre adds an urban element but it is far enough away to sit on its own and allow the trees and fields to retain this softer character. This character is then carried into the new development by replacing the fields with the SUDS areas and wider open space adjacent to them. These larger green areas will also include further tree planting to soften the impact of the housing behind them. This move to have a hard face on the south and a soft face on the north ensures that the development does not combine to overpower the road as it heads into rural Aberdeenshire. The approach will also protect the setting of the listed buildings at Whitemyres House and Farm.

Lang Stracht at Sheddocksley

This part of the site fills the gap between Sheddocksley and Cocker's Roses and includes the SUDS area. As a result, housing is kept well back from the road and this becomes an important soft feature along both the Lang Stracht and when entering into North East Maidencraig.

Between Cocker's Roses and Dobbies Garden Centre

Housing is also kept well back from this face of the road and the second SUDS area contributes to an important piece of designed open space. The design will also retain many of the dry stone walls which permeate this area. As a result of this more open treatment the northern face of the Lang Stracht, along this stretch, is lush green landscaping. This planting follows round and along the access road to Dobbies Garden Centre to screen the car park from the housing. It also provides a soft lead into the new northern commercial centre.



Fig 28 - View from Dobbies out to the Lang Stracht and across to Cocker's Roses

The Top Woodland

The proposed site neatly abuts the woodland owned by Aberdeen City Council. The southern edge of this ground is already a popular walkway and it could be a valuable part of the Green Space Network. Although it is outwith the land owned by Bancon Developments the new site will be designed to provide routes through the development and out onto the green space.



Fig 29 - The top woodland provides a valuable link across to Sheddocksley

Sheddocksley North

Along the boundary between the site and Sheddocksley there is an existing stretch of mature conifer woodland with a narrow stream running through it. It is already used as a popular walking area by the residents of Sheddocksley. It also works in effectively screening the Sheddocksley development from the adjacent fields, so it should continue to provide a strong visual barrier. It will also provide an important part of the pedestrian routes through and round the development. However, there are already signs of the trees reaching to and beyond their maturity. Maintenance will be an important issue. The land is in the Council's ownership, so it is assumed that maintenance is their responsibility.

Sheddocksley South

This open space continues further south. Unfortunately it does not retain the same tree cover. A tree screen is required, and is proposed as a fairly dense tree belt. Any overshadowing or public safety concerns are addressed by locating the road (bus link) between the buffer strip and the housing, and providing safe and convenient pedestrian and cycle routes from north to south outwith the tree belt (i.e. along the road line). To the east of the proposed planting, an appropriate space will be maintained to ensure overshadowing occurs to existing dwellings. The principle function of the buffer is as a visual break and a wildlife corridor between the northern woodland and the Den of Maidencraig, not for public access.

4.1.5. Green Space Network

The allocation of the site in the Aberdeen Local Development Plan includes an area of Green Space Network along the eastern edge of the site.



Fig 31 – Green Space Network highlighted.

The areas of woodland to the north of the site, and the Den of Maidencraig Local Nature Reserve to the south offer valuable contributions to the Green Space Network, and the provision of a connection between them is essential along the eastern boundary of the proposed development. However, the plan indicatively shows a corridor which is in parts over 70m in depth. This appears excessive for the purpose, but fortunately the Local Development Plan indicates that detailed boundaries are a matter for the masterplan.

In order to provide appropriate access and circulation (for buses in particular), it is essential to include a second means of access to the OP44 site. Through detailed negotiations with the local community, the potential to take vehicular access from the site to the east into Sheddocksley has been fervently opposed, and has therefore been ruled out as a deliverable solution.

The value of this area at present is limited – it is merely agricultural pasture, and it is therefore deduced that the purpose of the strip in the Local Development Plan is to provide a visual buffer between the site and Sheddocksley/Summerhill, and to provide a suitable link between the Den of Maidencraig and the woodland to the north of site OP44, to maximise connectivity and avoid fragmentation of the Green Space Network.

The solution to maintaining a suitable proportion of Green Space Network is to provide a second strip between the development and Dobbies Garden Centre. This will connect with two separate green corridors running through the southern part of the masterplan area, providing a better overall connection between the Den of Maidencraig and the woodland to the north than one single 70m wide belt. Together, these belts will be in excess of the 70m width identified in the Local Development Plan.

Fig 32 shows the Green Space Network as identified in the Local Development Plan, and Fig 33 clearly shows the benefit of this approach achieving better connection and permeability of the Green Space Network, providing several links between the Den of Maidencraig and the woodland to the north instead of one single green corridor. In terms of wildlife corridors, each of the belts is of an adequate width to provide shelter and habitats to ensure the long terms connection between the main green spaces.



Fig 32 – existing Green Space Network imposed on aerial photograph of the site.

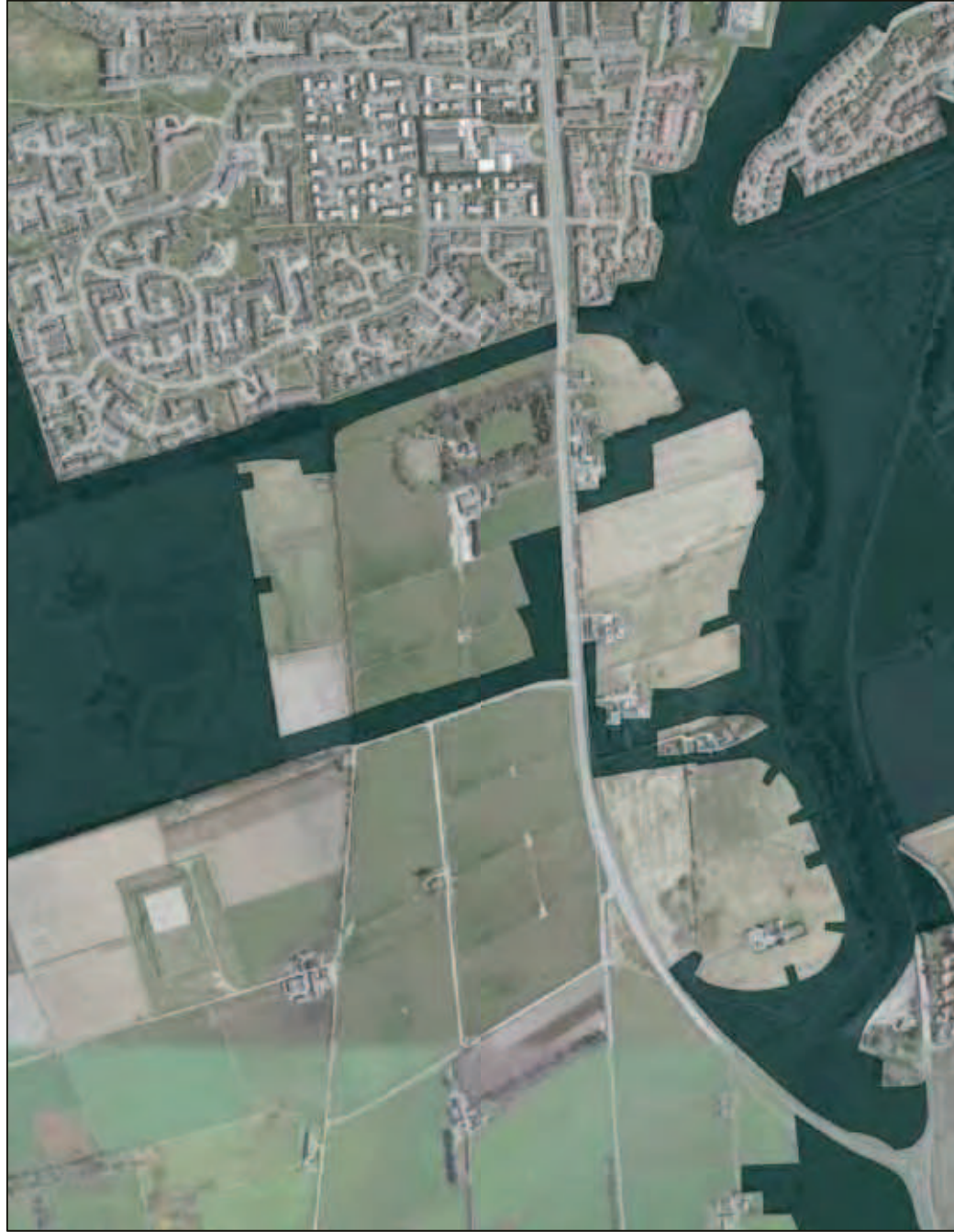


Fig 33 – proposed Green Space Network after development of the site

4.1.6. Local Recreational Facilities and Open Space

The Aberdeen Local Development Plan sets out the requirements for open space within new developments. These are further explained in the Supplementary Guidance on Open Space. The responses are set out below and illustrated in fig 34. More detail will be provided as part of the planning applications for the site.

Major Open Space

Initially there is a requirement for Major Open Space, greater than 5ha, within 1500m. The site falls within 1500m of Hazlehead Park, and appropriate developer contributions towards the improvement of that facility is considered logical.

Neighbourhood Open Space

South of the Lang Stracht the Neighbourhood Open Space continues down from the north and follows the east, south and west boundaries of the site. This forms the defining boundary with the Den of

Maidencraig and, in so doing, allows for a continuation of the habitat provided by the Nature Reserve. The footpath allows a long pedestrian and cycle route which connects back to the north of Maidencraig and ultimately with the Core Path. The two areas provide a total of 9.32ha.

Local Open Space

In the north there is one Local Open Space (1.66ha) within 400m of most of the houses in this part of the site. There is a small area in the northeast corner which is slightly beyond the limit. However this area is covered by the woodland area to the north, the Neighbourhood Open Space to the east and various small areas of open space in Sheddocksley. In the south the central Local Open Space (0.44ha) covers most of the site with the exception of a small area at the east end. This is covered by a second area of Local Open Space (0.25ha). This gives a total coverage of 2.35ha

Play areas

In the current layout there are 930 residents in the north and 1153 in the south. This gives a total of 2083 and a play area requirement of 0.62ha. There are four play areas proposed, one in the north (0.26ha) and three in the south (0.22 and 0.45ha). This gives a total of 0.93ha. Most of the site is within 400m of these play areas as is shown by the 400m radius circles on fig 30. Again, there is a small group of houses in the far east corner that are outwith the limit. This is covered with an equipped play zone set on the edge of the new woodland and as part of the public street treatment in that location. This allows a full and generous coverage of equipped play facilities.

Outdoor sports

In the public consultations the response has been that there is no requirement for additional outdoor sports facilities, taking into account what is currently available at Sheddocksley Sports Grounds. This is conveniently accessible from the site via a choice of pedestrian and cycle routes on the core path network. There are areas at both ends of the site, in the north western and south western corners, which could comfortably meet any requirements.

Natural Green Space

The requirement here is for 1ha per 1000 population, working out at 2.085ha. This is comfortably met by the 9.65ha of Neighbourhood Open Space.

Allotments

This figure is similar to the play requirement at 0.3ha per 1000 population who do not have at least 60m private garden area. This would therefore apply only to the flats on site. The requirement is therefore very small. It may be more suitable to provide allotments off site.

Amenity Open Space

From the above the specific requirements have been comfortably met. However, this does not take account of the large amount of amenity open space which has been carefully designed into the development.



Fig 34 – Open Space Strategy

4.1.7. Topography

The plan below shows the masterplan imposed onto the topographical plan, demonstrating the measures taken through the design to ensure the development respects the slopes appropriately.

The land covered by the combined Maidencraig Masterplan slopes down from north to south, and the slopes become quite severe as one approaches the Denburn valley. However, the more severe slopes were taken as a primary constraint to development, and for that reason, building on those areas has mostly been avoided. This southern orientation has great potential for maximising passive solar gain, particularly if the streets can be laid out in a generally east – west configuration. As a consequence of the slope of the land, sunlight can readily penetrate between streets. The slope thus provides opportunities to introduce changes in building height without compromising the potential for utilising passive solar gain.

Looking in detail firstly at OP 44, the slope from the northern woodland down to the Lang Stracht is fairly gentle. The fall is of the order of 20 metres but is evenly spaced over 500 metres, giving an overall gradient of 1:25. This is not excessive and does not require particular resolution when considering layout and house type design.

Looking at OP 43, the slope is much the same as above the Lang Stracht. However, one can see from the overlay drawing that there are areas of the site where the gradients are potentially excessive, and where the house types will require to be tailored to suit the levels. Most of the areas of steeper ground have been avoided, however, to minimise any inappropriate visual impact or excessive re-contouring of land.



Fig 35 – Contours overlaid on masterplan

4.1.1.8. Designing Places

In recent years the Scottish Government's policies on Designing Streets and Designing Places have been issued and have played a major role in the change of attitude to masterplanning: The six key features that are now required are:

- Distinctive
- Safe and pleasant
- Easy to move around
- Welcoming
- Adaptable
- Resource efficient

Distinctive

The proposed development is carefully set into the existing landscape. It extends the City boundary west, but does so in a manner that will create a softer transition between the open countryside and the urban realm. The development will incorporate architecture of traditional proportions, but with a modern clean finish using a limited palette of materials, including a limited mix of renders, timber cladding, and limited use of stonework, to create a uniform character. The location of the access points will welcome people into the site, and the extensive landscaping will provide a sense of enclosure.

The southern edge of the development will address the Den of Maidencraig with open courtyards and gables (ensuring these are not blank gables with no windows), rather than turning its back on it, creating attractive views into and out of the site. Along the Lang Stracht, a main arterial route into the City, houses on the south side are orientated to address the road, and landscaping will provide a green edge to the north. This will give a welcoming approach to the city as well as the site itself.

Safe and pleasant

The site contains one principle bus loop, which will be designed to be suitable for larger vehicles, with a distinctly separate pedestrian and cycle path provision. However, these streets will contain the highest density of development, with taller buildings, and the sense of enclosure they provide will give a more urban feel.

Outwith this main loop, the street designs and courtyard designs will take on a pedestrian and cycle priority, with landscaping to reduce traffic speeds and maximise safety. The specification of street lighting and related signs and markers will be undertaken to meet the Council's requirements but to ensure that they are as discreet as possible. In addition the relation of the buildings to each other will work to encourage socialising without being overpowering.

Children's play will be located so that there is freedom for young children but that there will be maximum informal supervision. Older children will have places that they can congregate in without

appearing threatening, through the provision of considerable areas of informal open space. Access via the core path network to the Sheddocksley Playing Fields is also convenient at the north of the site, offering organised sports facilities. It is also important that there are places where the elderly can meet and socialise. The commercial square, and the residential squares at the north west and southern central areas will be designed to be a safe, accessible and well overlooked landscaped areas on the bus route. Seating will be incorporated into these areas to encourage use by all agegroups.

Easy to move around in

Special care has been taken to provide good connectivity for all modes of transportation and public transport routes have been considered. Foot and cycle path connections to and from the site have been located and designed where desire lines would otherwise be likely, to link to specific locations, such as routes to schools, public open space and bus routes.

The site is on a slope and, in certain parts, the slope can be quite steep. Access routes will be carefully considered to ensure that the less able can move freely around. The footpaths and cycle routes through the green areas will also help to encourage walking and cycling.

Welcoming

The principle access point, opposite Dobbies Garden Centre has been designed to provide an attractive and welcoming access to the southern site, and the provision of a commercial square immediately east of the garden centre provides a similarly welcoming character to the northern area. Houses have been designed to address the Lang Stracht and surrounding open space to reduce the insular impression that a more standard layout would.

Adaptable

The street patterns are fully integrated with the surrounding area and will allow full flexibility with future changes. The parking has been designed to sit near the houses but have minimum visual impact by incorporating various hard and soft design treatments. At the same time there is full access for service vehicles without compromising the overall urban and landscape character. The housing layout in the northern area in particular has been designed to retain the potential for future vehicular links to the north and east (to Sheddocksley), should these be required in the future.

Flexibility has also been designed into this masterplan to allow for any future education or healthcare facilities, and also to provide a range of opportunities in the commercial areas, such as live/work units or commercial units.

Resource efficient

The architect has worked to ensure that the buildings are located in the most environmentally efficient manner without compromising the character of each individual location.

The SUDS system has been used to effectively deal with rain water whilst also contributing to the open space and bio-diversity, with the minimum number of individual basins.

The sociable and welcoming nature of the development has been the prime factor in the design. Roads and utilities have been secondary to that and designed to fit effectively within that framework.

The architect and the landscape architect have worked together to ensure that the landscape fits seamlessly through the development and that there is no unused space. The planting will then be specified to ensure an appropriate mixture of native planting and habitat creation and local areas of excitement and interest.

The choice of materials will be made to reflect the character and environmental requirements of this Aberdonian location, with appropriate renders and stone detailing reflective of the traditional granite buildings.

4.1.9. Designing Streets

Designing Streets is a policy document aimed at changing the fundamental design of streets, aiming to create a 'sense of place' rather than primarily facilitating traffic movement.

Distinctive

The roads layout for the development will be designed to be clearly different from the established standards, through compliance with Designing Streets. The general principles of road design can be broken down into three types around the site, the bus route, the residential streets, and the residential courtyards. These are described in figs 36-42 below.

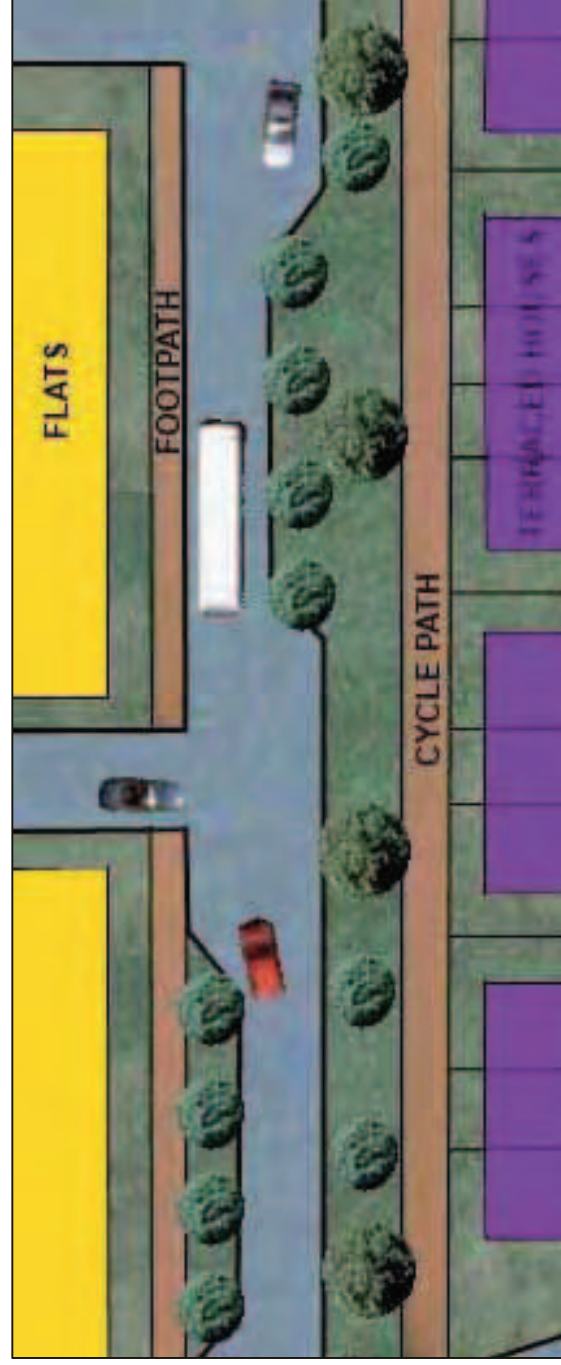


Fig 36 – The principle bus route – indicative arrangement

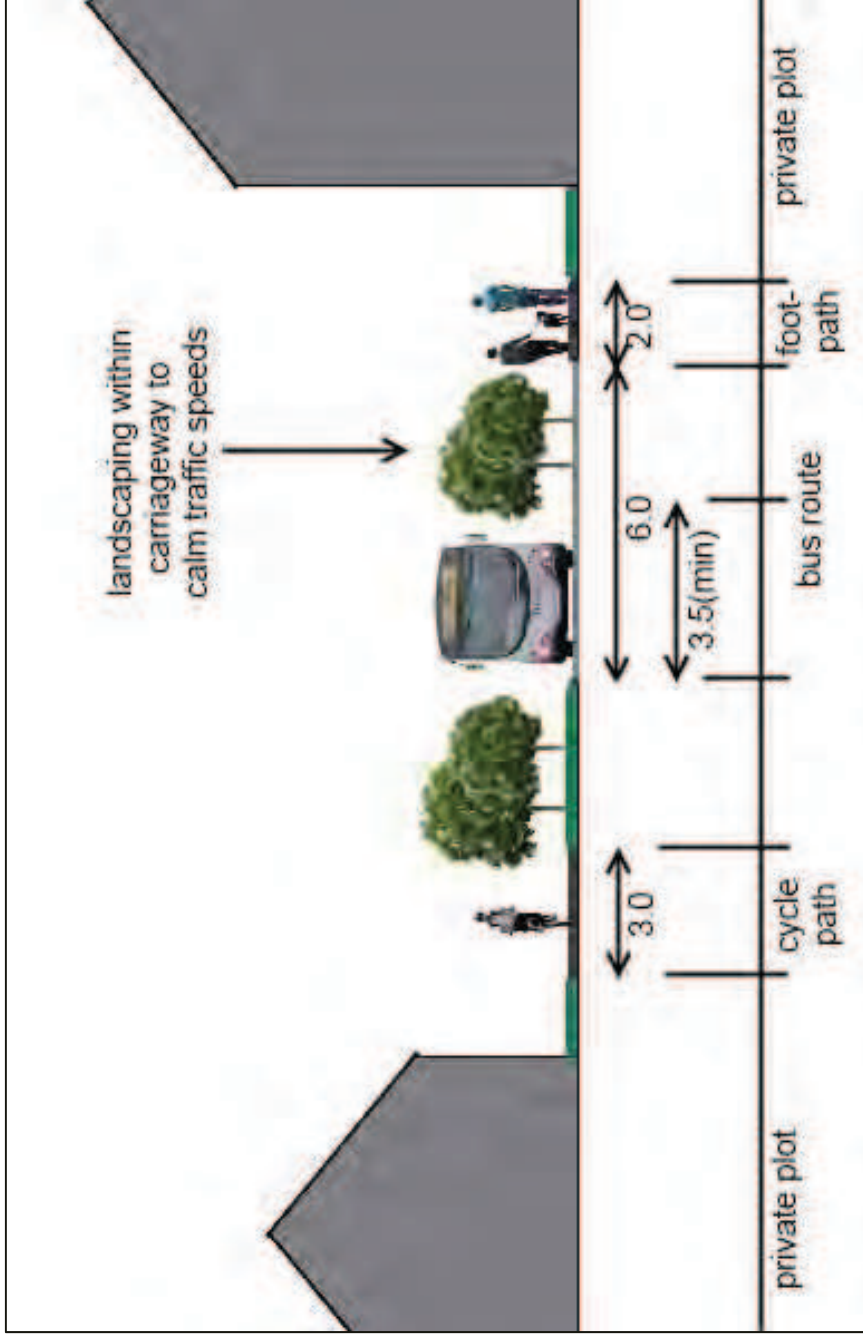


Fig 37 – indicative section through the bus route

Along the bus route, long straights will be avoided by introducing landscape features as traffic calming. These will be designed having regard to the swept path which buses require, so that their visibility and free-flow, is not interrupted. Roads will be finished in bitmac, and will not include any vertical deflection to calm traffic speeds. Buses will use the route in a clockwise direction, but cars will be able to travel in both directions – limited by the left-in, left-out arrangements at the east and west junctions with the Lang Stracht. As the width and alignment of the carriageway vary, a minimum of 2.0m verge width will also be provided at all times.

Due to the volume of movement along these high density corridors, pedestrians and cyclists will be segregated from the bus route in the interest of increased public safety.

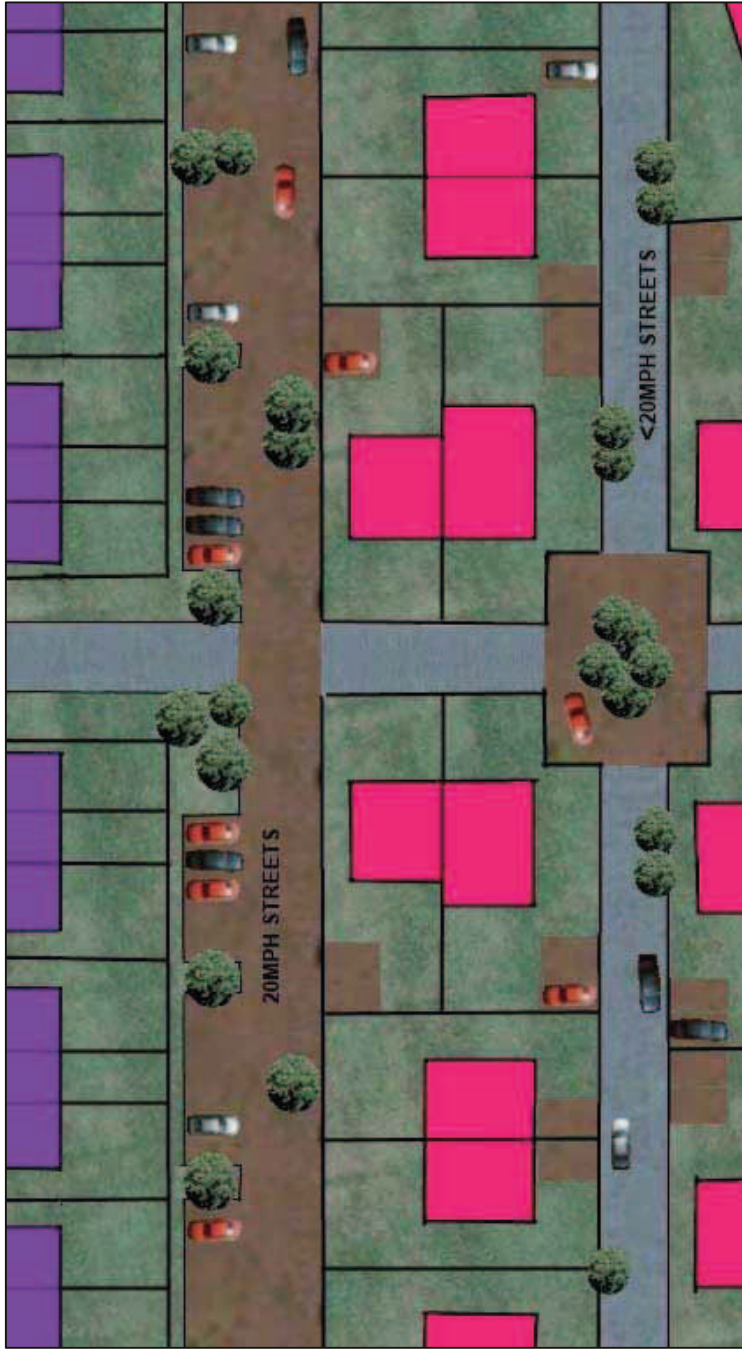


Fig 38 – Residential streets – indicative arrangement

The design of the streets in the residential areas will be less than 20mph, with speeds controlled by landscaping and road geometry. Limited forward visibility will require drivers to drive slowly and naturally give way to pedestrians. Right angled bends and landscaped squares will further reduce speeds and maximise pedestrian safety.

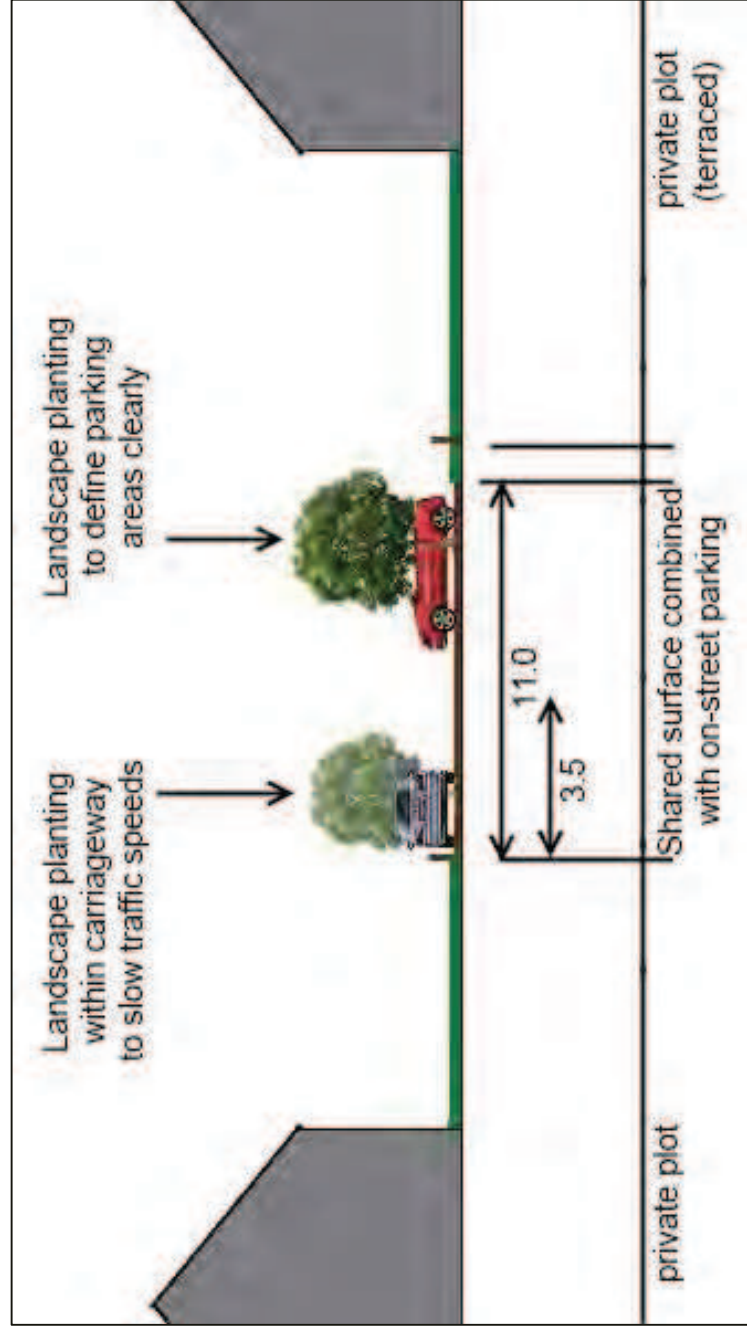


Fig 39 – indicative section through road to rear of terraced housing

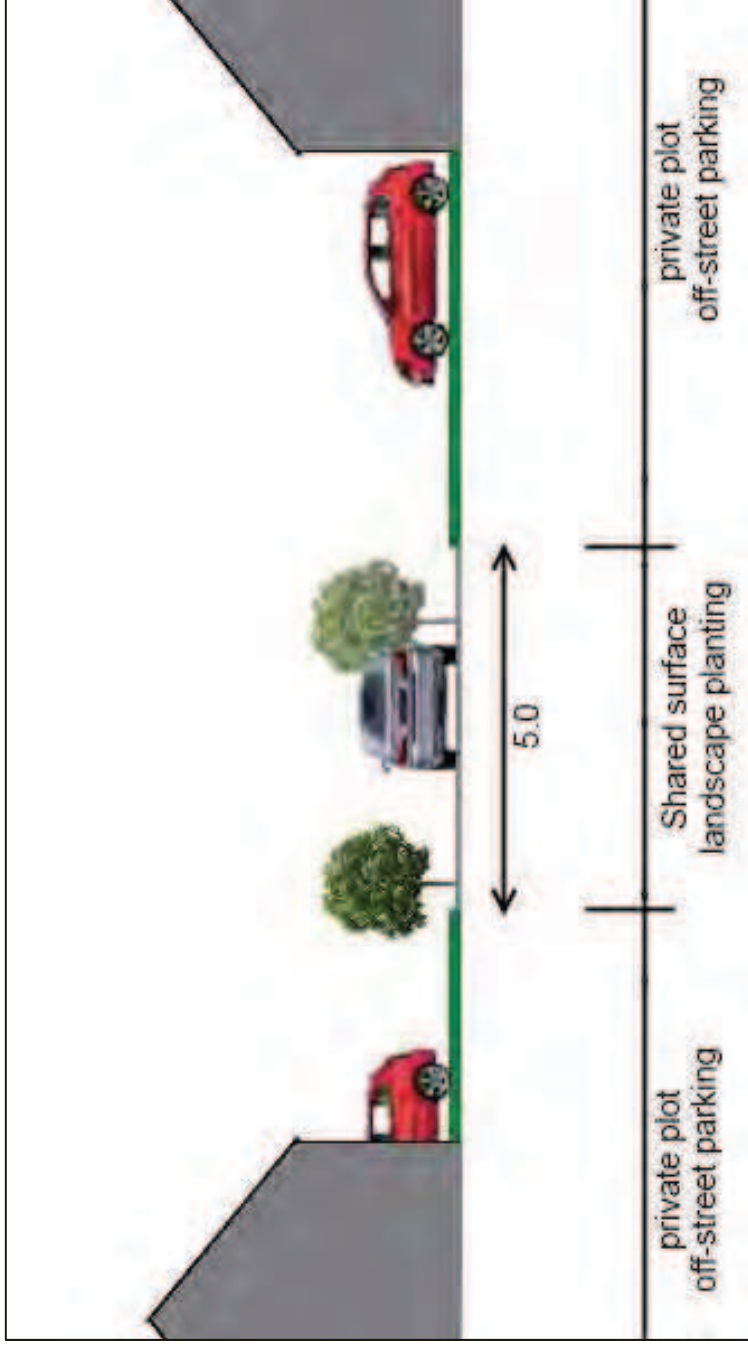


Fig 40 – indicative section through road serving low density housing

The terraced houses are designed to provide a frontage addressing the main bus route, but the bus route will not provide on-street parking (to ensure free flow for the buses and maximise pedestrian safety). Parking for the terraces will be provided at the rear of the properties in a 'nose-in' arrangement. These parking areas will be marked by landscaping blocks. The materials will be continuous from the carriageway to the parking areas, to define it as a shared surface for pedestrians, cyclists and vehicles. Landscape planting within the carriageway will be positioned to calm traffic speeds without restricting manoeuvrability from car parking areas.

Moving out from the higher density bus route, the density of development is lower, with primarily detached and semi-detached housing. In these areas, parking will be provided off-street either on private driveways or garages (to be determined in detailed planning applications). Streets in these areas can therefore be narrower, as manoeuvring space is provided within the private house plots. On street parking will not be formally marked, but it is expected that a degree of visitor parking will be accommodated on street to supplement the off-street provision for the housing. Landscape planting and hard landscaping will be incorporated into the carriageway to calm traffic speeds to less than 20mph. The detail of landscaping would be provided as part of a detailed planning application and/or Roads Construction Consent application.

Where streets cross, small squares have been developed. These will provide a change in material, or colour, and will (where appropriate) include some form of hard landscape feature or landscape planting in the centre, to ensure that traffic from all directions gives way as they enter the square. This will

further reduce traffic speeds, and remove the need to determine one route as a priority over another. These squares will also provide an opportunity for attractive landscaping to break up streets in a visual sense. The shape of the site lends itself to a grid network of streets, but visually this could become monotonous without features like this to break it up.



It is proposed that the main streets be finished in bitmac, and the features, such as the above mentioned squares at the junctions, can be finished in an alternate colour or material, such as lock-block paving. The use of bitmac on the long stretches of street will be cost efficient and ensure easier long term maintenance, subject to detailed discussions.

Tree planting can be provided within a metal grid installed in the road, such as in the image on the left.

With the exception of the six houses to the east of phase 1a, and the affordable housing to the east of phase 1b, all the properties on the bus route will be served by parking at the rear. This will also be practical for storage of wheelie bins, to ensure that the refuse vehicles can collect them without interfering with the flow of traffic on the principle bus route.

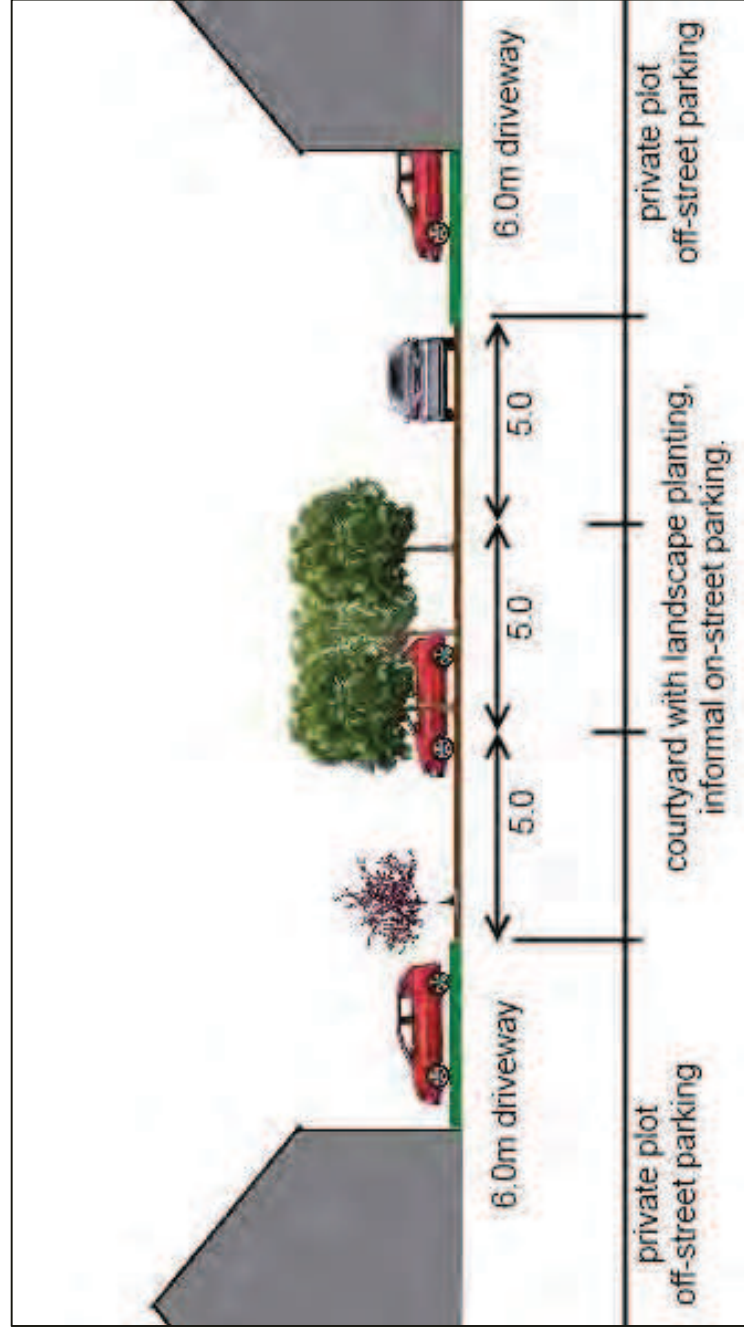


Fig 41 – indicative section through a residential courtyard

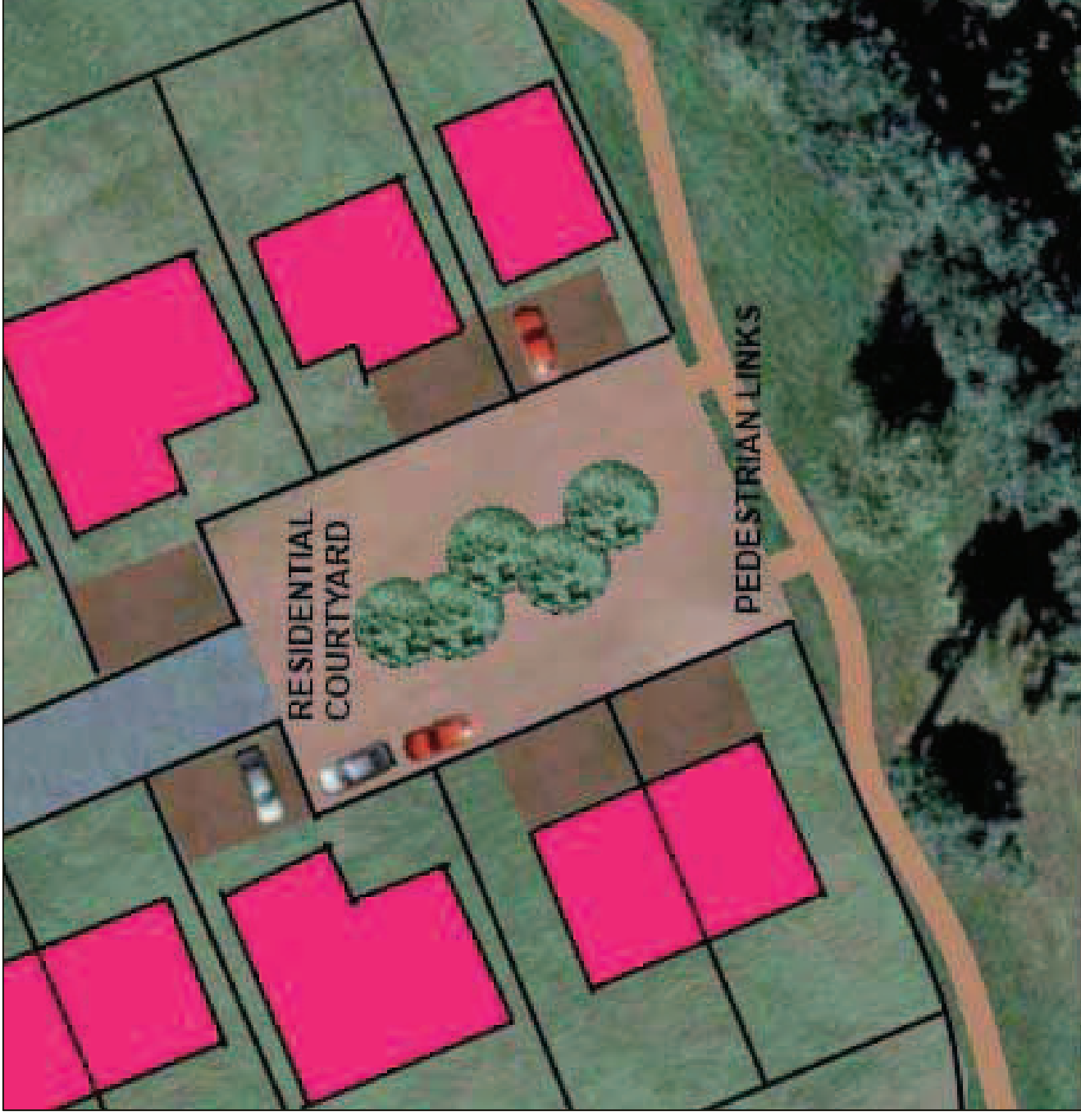


Fig 42 – Residential courtyards – indicative arrangement.

Within the courtyard areas, the priority is firmly with the pedestrian and cyclist, with speeds as low as <10mph through the nature of the area and the landscaping. Whilst the road network terminates in these courtyards, they provide the interface between the adjacent open space and the residential areas for pedestrians and cyclists. More informal parking will occur in these areas. There is an opportunity to look at the detailed landscaping proposals as part of detailed planning applications, with a view to giving each courtyard a slightly different visual character, through species of planting, hard landscaping etc. As part of the detailed planning application submissions, a swept path analysis will be carried out to ensure that a refuse lorry can turn in the courtyard.

The courtyards could feature different materials from each other, but should be clearly different from the principle streets that lead into them – again as a measure to reduce traffic speeds through the impression of entering a new area where pedestrians and cyclists have priority. Where the size of the courtyard permits, there may also be scope to delineate on-street parking spaces, but where they are smaller, this may be left to occur more informally.

As the masterplan stands, these courtyards are located along the boundary of the site and the Den of Maidencraig, where density of development is low and houses are detached and semi-detached. Parking provision for the houses will therefore be provided off-street on private drives or in garages. On street parking would therefore cater for additional visitor parking.

Safe and pleasant

The distinction between the bus route, with segregated foot and cycle paths, and the residential streets and courtyards aims to ensure the safety of cyclists and pedestrians at all times. The road geometry and traffic calming measures will ensure a designed traffic speed of 30mph on the bus route, and less than 20mph on the residential streets and courtyards.

Traffic calming will not include vertical deflection, but will be achieved through reduced forward and on-street visibility, the use of hard and soft landscaping at appropriate points to require additional driver care and reduced speed. The omission of long straight sections of road will also reduce speeds.

The hard and soft landscaping will be designed and located in a manner to benefit pedestrians and cyclists, and not obstruct their movement. Outwith the main bus route, the pedestrian and cyclist must be considered as the priority user in the design process.

The use of signage and lighting must also be carefully considered. Signage should be minimised to reduce clutter, and also ensure that vehicular users are not distracted from driving safely. Street lighting must be suitable for the location, and seek to provide a safe environment for all users.

Easy to Move Around In

The street layouts have been designed to maximise interconnectivity. Only at the periphery of the site, where it addresses the woodland to the north, or the Den of Maidencraig to the south does the grid pattern of residential streets give way to open courtyards. Notably, these courtyards are linked along the north and south boundaries by footpaths, to ensure pedestrian and cycle connectivity is maximised.

The main bus route has been designed to be more suited to larger vehicles, with segregation of pedestrians and cyclists. The buses will only navigate the site in a clockwise direction, and as a result their free movement will not be compromised by necessity to pass other buses. Again, there will be no

vertical deflection designed as traffic calming on this route, although long straights will be designed out by the inclusion of landscaping and on-street parking at appropriate locations.

Junctions have been designed to maximise pedestrian and cyclist safety, and ensure slow traffic speeds.

Welcoming

The layout of the roads will be welcoming primarily through their design to be safe and accessibility to all. The masterplan seeks to provide access for all residents to the bus route and to local services within a 400m or minute walk, encouraging people to walk or cycle.

Adaptable

Ultimately, there is the requirement for all the roads to be accessible by service vehicles, and whilst the traffic speeds can be controlled by design, there is also an adaptability to accommodate future changes. In the case of Maidencraig, the most likely significant future requirement is the potential to provide a vehicular link either north to Greenferns or east to Sheddocksley identified in the Local Development Plan. The residential streets to the north of the bus route in this area are capable of being widened and redesigned to accommodate greater traffic flows, with pedestrian and cycle access segregated from the main carriageway.

With regard to parking, the masterplan shows the amount of off street parking we deem appropriate to accommodate the maximum number of houses/commercial premises in each phase. These will ultimately be reduced through the detailed design process as maximum building heights are established, and affordable housing reductions are accommodated and detailed discussions about uses take place. Through the detailed road design of each phase, appropriate levels of on-street parking will be provided to ensure a flexible approach to parking, and to reduce the large areas of car parks. Additional landscaping and public open space can be incorporated through this process.

Resource Efficient

The grid layout of roads in the masterplan is efficient, ensuring that there are as few roads with development on only one side as possible. One of the benefits of considering a site as a masterplan also ensures the most efficient surface water drainage arrangements can be designed at the outset, rather than in a piecemeal fashion.

The masterplan and landscape plans give an indication of the landscaping proposed within the road network, and this will be embellished with detailed proposals as part of each detailed planning application.

Similarly, agreement with the Council on specific materials in the early phases will dictate the materials for the whole of the site. It is important to ensure that the materials used will be affordable and available in the long term to ensure maintenance is simplified as much as possible and also cost effective.

4.1.10. Sustainability

Priority has been given to developing a set of house types that utilise the very best timber frame technology to minimise energy consumption through insulation and air tightness. In Bancon's experience, this 'fabric first' approach is the most cost effective and successful manner to reduce the carbon footprint of developments. Developing a standard building envelope specification will enable it to be transferred to the non-standard buildings within the masterplan area, as well as the standard house types.

It is not appropriate to consider the details of such a specification in this report, as the relevant building standards will change through the life of the development, and new technology and building techniques will undoubtedly contribute to an ever improving product. However, Bancon are committed to meeting the Local Development Plan policy on Low and Zero Carbon Buildings (Policy R7) through the 'fabric first' approach, and will ensure that the requirements of the Building Standards are exceeded.

Should the fabric first approach be insufficient to address the requirements of the Local Development Plan, a district heating scheme may be suitable for the site. However, as policy and technology changes, no decision has yet been made on the potential power source. Earlier plans included a large biomass combined heat and power plant, which may yet prove to be the best solution. However, the scale of the development, and the phasing proposed, may lead to a more efficient solution of several small biomass plants linked in serial around the network. The necessity for these will be addressed through the detailed applications for individual phases of development. Such a scheme would include energy centres of a size comparable with a double garage, and therefore could be accommodated with minor adjustments to plans. With the unknown nature of heat demands from housing as the Building Standards and planning requirements change over time, it is not possible to accurately predict how many energy centres will be required, or in what locations as part of the masterplan.

A great benefit of the masterplan area is the mix of uses proposed, with a potential primary school, retail and business uses providing the necessary off-peak heating demand to make a district heating network a potentially viable solution to reducing overall carbon emissions.

In terms of appearance, the use of a district heating network to achieve the requirements for Low and Zero Carbon Generating Technology in the masterplan allows a greater flexibility in building design. There is no need for the inclusion of unsightly micro generating technology. Building design can therefore reflect traditional proportions and appearance, with the use of high quality modern materials and finishes, to create an attractive, appropriate and high quality development.

The site as a whole benefits from a gentle south facing slope, and as such the masterplan has been designed to maximise the use of passive solar gain. This, combined with the afore-mentioned use of very high quality wall specifications and insulation levels, will minimise the heat demand of houses greatly. The provision of south facing gardens where possible is also ideal.

However, regardless of how well a building performs thermally, or what its main heat source is, modern living also demands an electricity supply too. In this respect, many of the buildings are oriented in a north-south manner, to ensure there are as many south facing roofs as possible. This provides an opportunity for the use of photovoltaic or solar panels on the roofs to generate electricity. At the current time, these can be a viable investment for householders, due to guaranteed 'feed in tariffs'. It is therefore possible to offer them as an option when building houses. New technology that allows conversion of the power generated to an AC current for domestic use may be available in the future, making the use of PV panels more attractive to householders. It may be possible to offer solar panels or photovoltaic panels on the houses as a standard feature, although heat and hot water may be provided using a district heating network.

It is vital to take account of the fact that the field of low and zero carbon technology is fast moving, and that the best solution for house design and construction in 12 months might not be the same as it is now. It must, therefore, be accepted that such details will be revisited throughout the duration of the development.

4.1.11. Density/Housing Mix

The Local Development Plan specifies a general density requirement for development in the strategic growth areas of 30 dwellings per Ha. However, our approach has been to ameliorate this having regard to the particular surroundings of the site and the adjoining urban grain. We have located the highest density areas around the neighbourhood centre, concentrated medium density housing along the bus route and provided lower density layouts on the edges where the development abuts the Green Space Network.

In terms of the heights of buildings, there will be a range from single storey houses to four storey flats. Fig 43 overleaf shows indicatively the heights of properties on the masterplan, suggesting one location where four storeys may be suitable. The final decision on building heights should, however, be reserved for assessment as part of detailed planning applications.

Considering four typical areas, the net density to the south of the central junction, where development is primarily flatted, is around 41 dwellings per hectare (16.6 per acre). A typical area around the bus route, with a mix of flatted and terraced development is 32 dwellings per hectare (13 per acre). In the lower density areas, where there is largely terraced development, density is in the region of 22 dwellings per hectare (8.9 per acre), and in the very low density areas of detached housing this falls to around 14 dwellings per hectare (5.7 per acre). The Local Development Plan requires a mix of house sizes and types, and our offer will range from 1 bed apartments to 5 bed detached houses. Affordable housing will be provided in accordance with the Local Development Plan requirements.

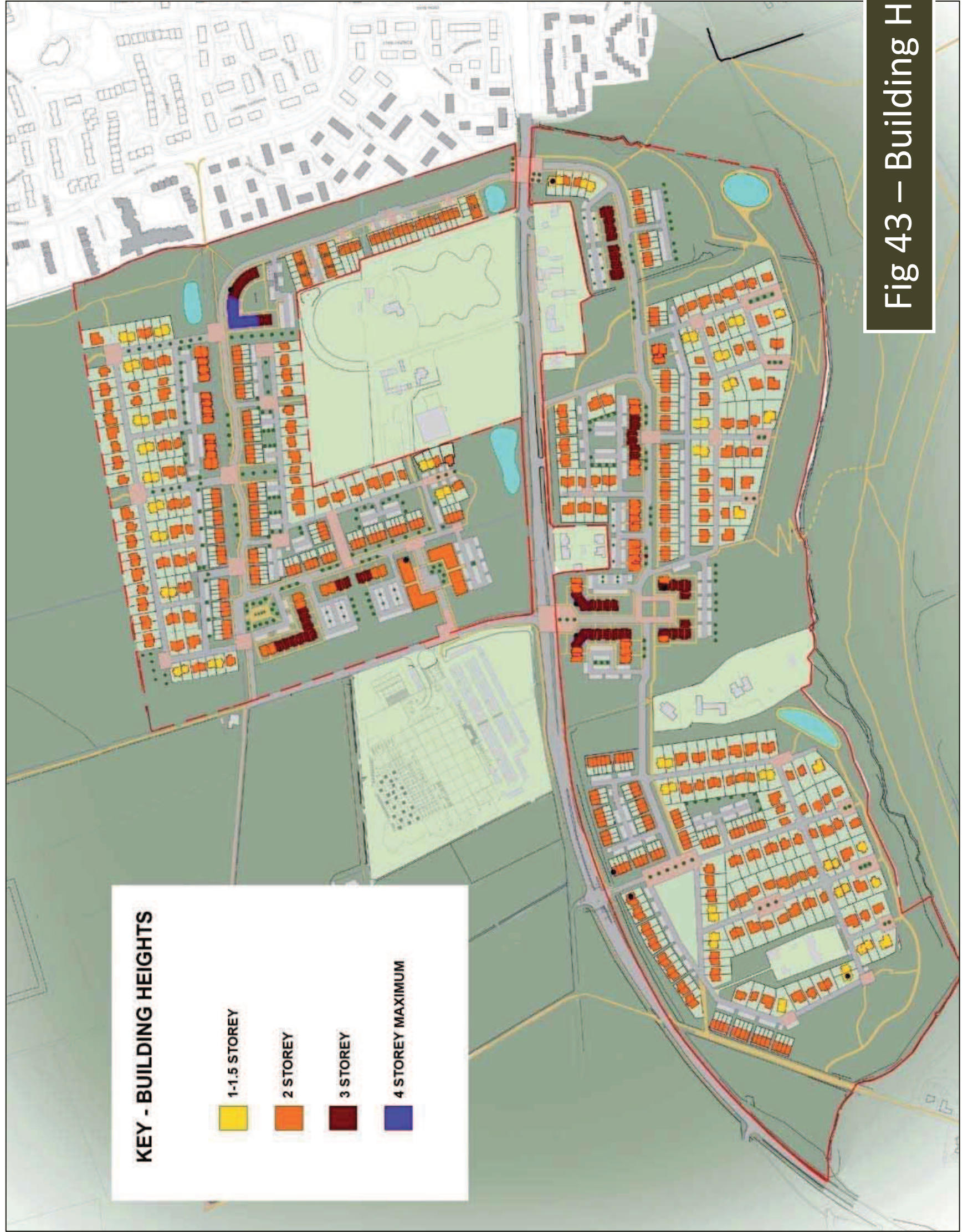


Fig 43 – Building Heights

4.1.12. Building Design and Materials

There is a mix of building types in and around the Masterplan Area.

Within the site the buildings are of a more traditional design, generally cottage style farmhouses or steadings, with granite walls and pitched slated roofs. Newer 'holdings' were constructed between the wars. These buildings generally have rendered walls with piended roofs. The newer additions to these groups are also generally rendered with some modern materials used, but they also have tiled roofs.

To the east of the site, the urban landscape quickly changes, with 2, 3 and 4 storey development on both sides of the A944. The 1980's housing in Summerhill adopts traditional proportions, and is rendered with pitched tiled roofs. A similar approach has been adopted in the Shedlocksley housing development, but the houses are clad in timber linings. The recently developed Dobbies Garden Centre is itself not a tall building, but has been built on a raised platform above the A944, making it prominent in the surrounding landscape. This existing feature offers an opportunity for a higher development area opposite, creating an entrance to the OP43 site around the proposed main signalised junction.

In responding to these surrounding design influences, a series of design options was presented at the consultation event held in May. There was a clear preference among the respondents for a traditional design approach, with pitched roofs and local materials being popular. We have considered this in our design approach.

The wall proportions are traditional in scale, while roofs will be pitched at a minimum of 30 degrees. Windows will have a vertical emphasis. No mock astragals or transoms will be added to the windows. Roofs are to be pitched, and finished with slate grey tiles. Walls will be finished with a limited amount of synthetic stone, but mostly rendered. The renders will be matched to the selected stone colours. Some areas of timber cladding will be employed to add interest and variety to house types. Base-courses will be synthetic stone. Windows and doors will be either white or grey pvc, or stained timber.

Where buildings face onto areas of open space, including the Den of Maidencraig, or where they address more than one road, it is imperative that there are not blank gable walls, and that windows are introduced to provide surveillance and architectural interest to such elevations. Development will not exceed 3 storeys in height without specific justification as part of a detailed planning application. Indeed, only in limited areas of the site, where topography and surrounding landscape and built form create an acceptable setting, development in excess of 3 storeys may be permissible. This is most likely in the centre of the site, around the elevated setting of Dobbies Garden Centre, or the flats to the east of the northern development area, where mature landscaping exists to provide suitable scale for such a building.

Some examples of possible house types are shown on the right. The detailed designs and heights of buildings, and materials to be used will be determined at the detailed planning application stage.



Indicative flats



Indicative flats



Indicative detached and semi-detached house types.

4.2. The Three Character Areas

4.2.1. Area A

Area A sits to the North of the Lang Stracht, and is identified as site OP44 in the Local Development Plan, suitable for 300 houses.



Fig 44 – Area A

Fig 44 shows the woodland to the North, and areas of Green Space Network both to the east and west of the area. The layout exploits this relationship and by drawing the landscape into the scheme, opening up ready access to this resource and providing attractive views, and settings for the residents.

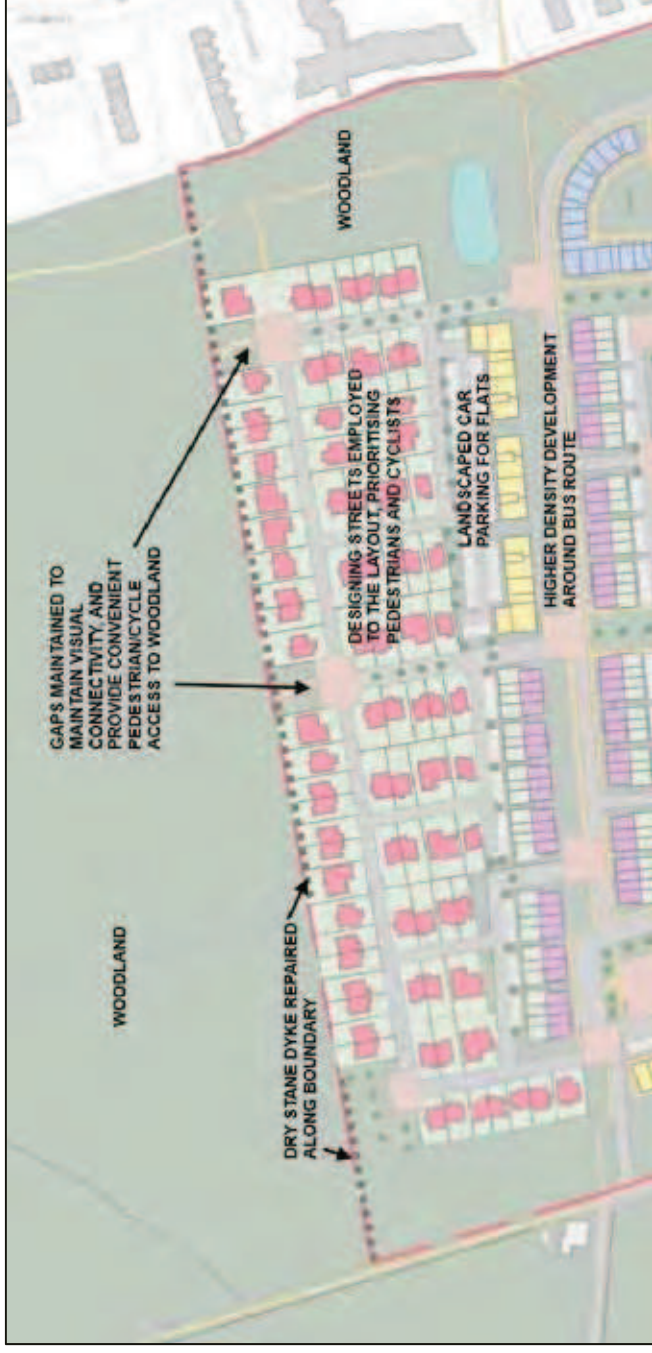


Fig 45 – interface with the woodland to the North of the site.



Fig 46 – location of sections referred to in coming pages.

The interface between the northern part of area A and the existing woodland beyond is shown in fig 48 on the left.

On the southern boundary, the existing urban grain and character of the Lang Stracht suggested that development should be set back as shown on sections at figs 48 and 49 below.

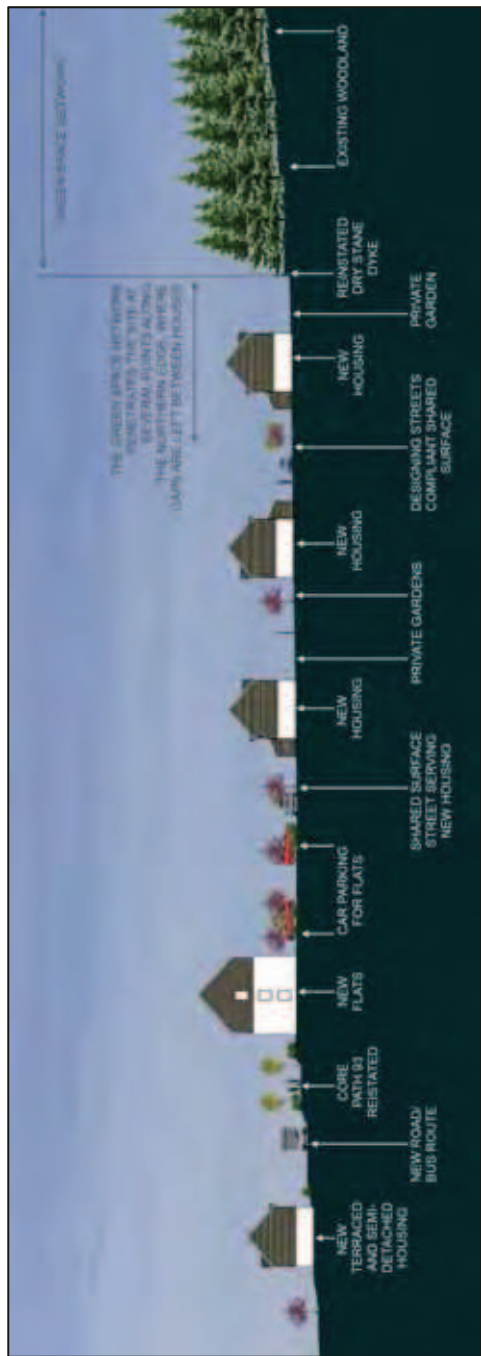


Fig 47 – section 1 - indicative section through the boundary of area A and the woodland to the North.

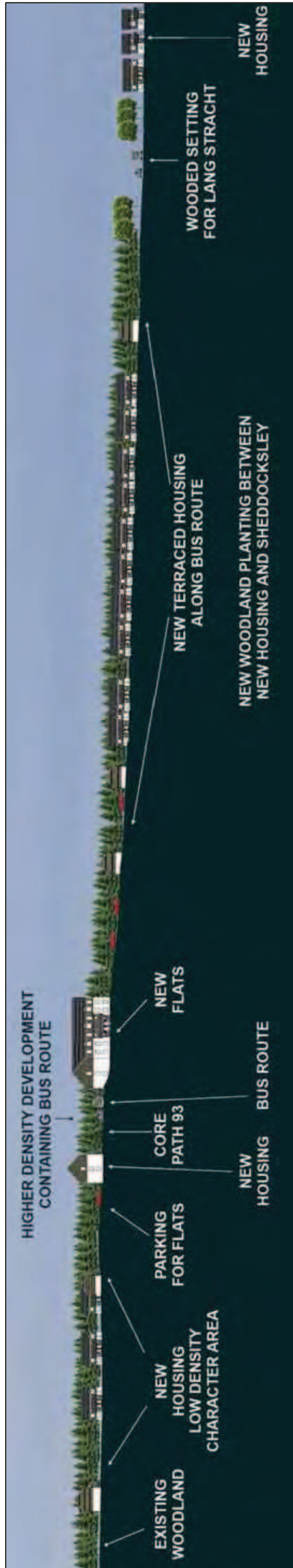


Fig 48 – section 2 - through the eastern area of Area A, between Whitemyers House and Sheddocksley.

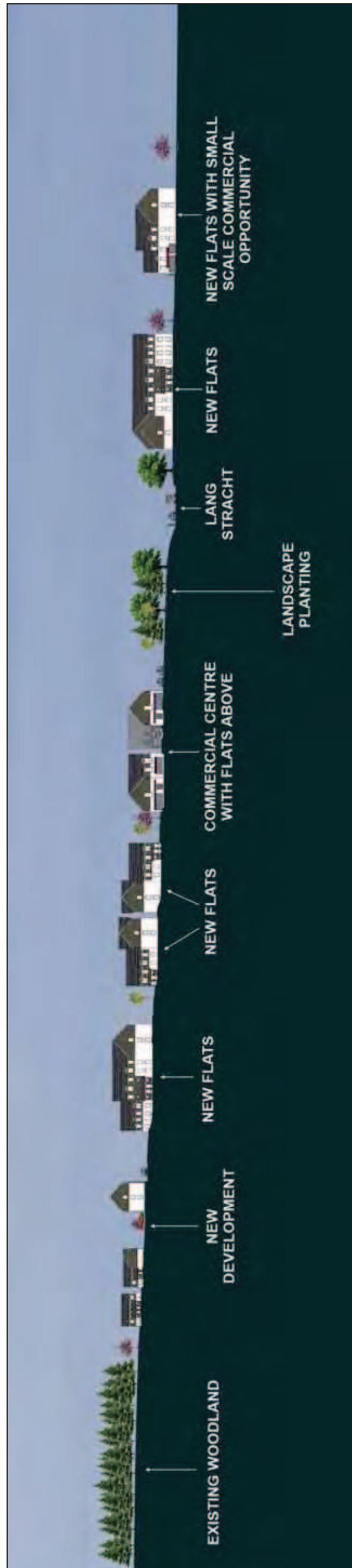


Fig 49 – section 3 - through the western part of Area A, between Whitemyers House and Dobbies Garden Centre

Dobbie's Garden Centre lies to the west, and this presents a commercial development opportunity, by associating a new neighbourhood centre with this existing commercial draw.

The Sheddocksley residential area – which is relatively high density at around 21 dwellings per hectare – lies to the east of the area. It is appropriate therefore that the density of Area A should also reflect this more urban feel. It also contains existing community facilities which it will be important to develop connections with. These surrounding influences have therefore given the layout its basic shape.

Within that framework the layout is planned to give a strong sense of place, dominated by its landscape setting. The main route through the area will be a bus route so it is punctuated by several landmarks along the way. The location of landmark buildings are identified on the masterplan.

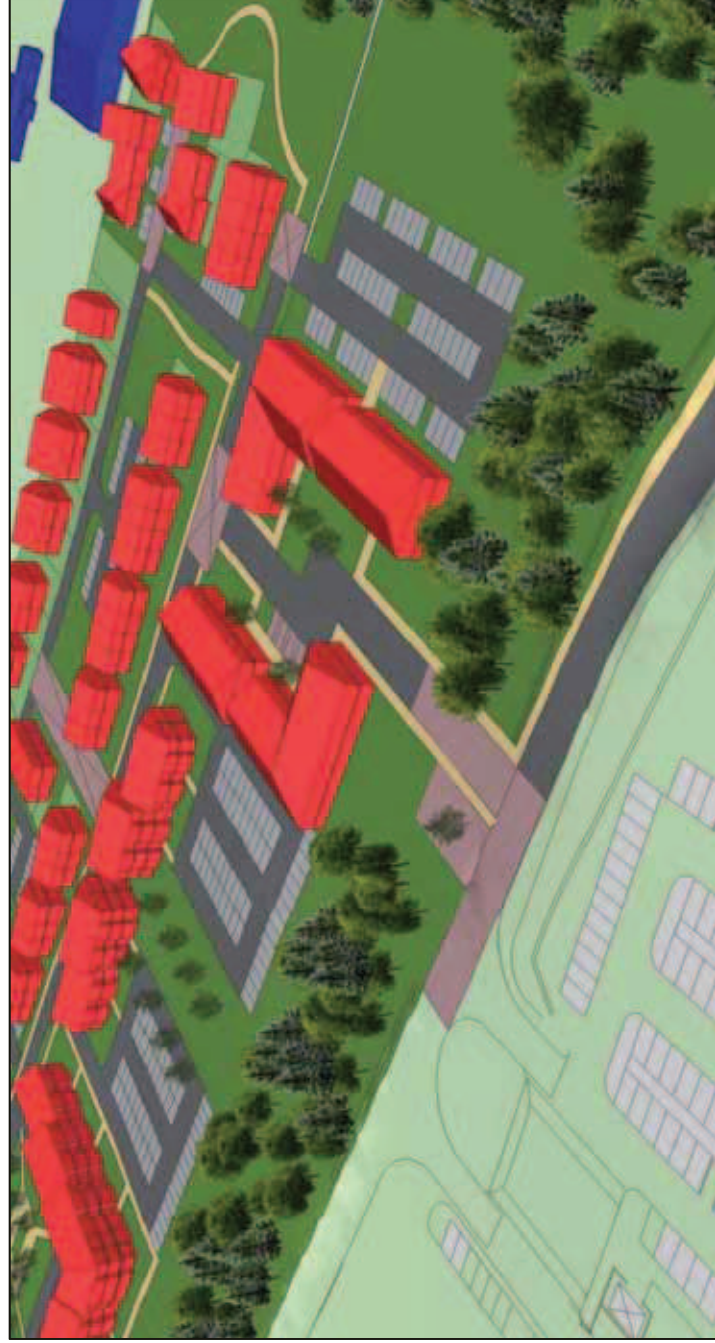


Fig 50 – Feature square opposite Dobbies Garden Centre, including commercial uses.

On turning into the site there is firstly a 'sense of arrival' created by the location of a new landscaped square – linking the masterplan area to Dobbies Garden Centre.

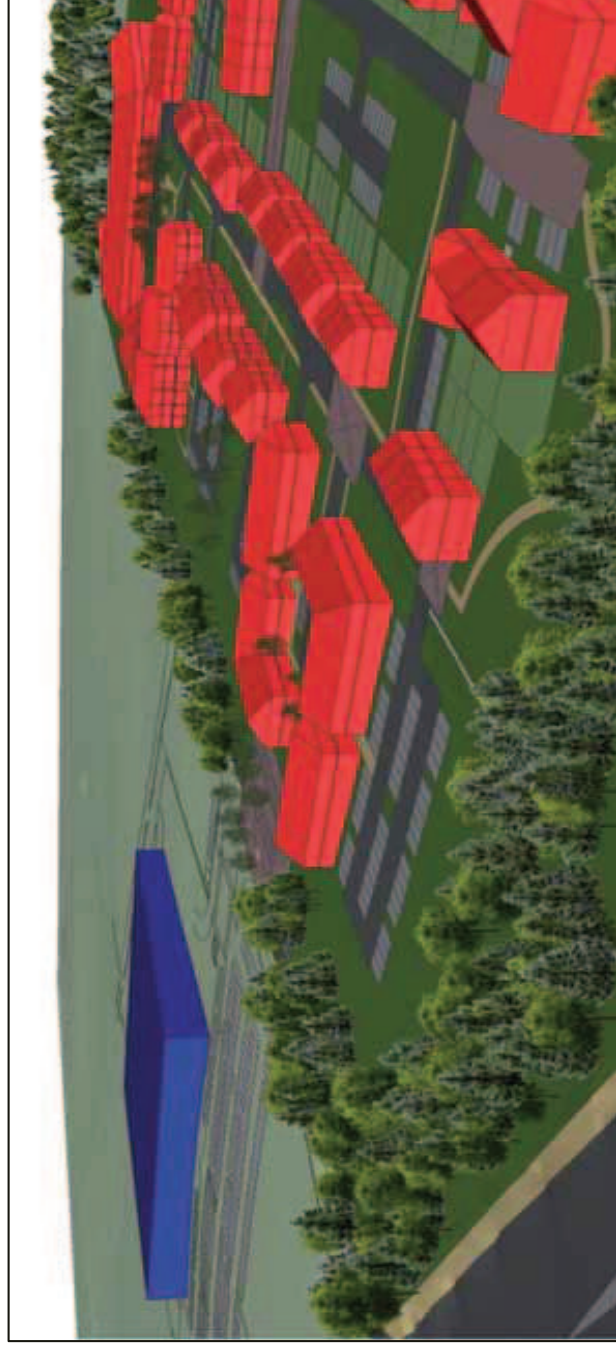


Fig 52 – View of the commercial square looking North from above the Lang Stracht.

Figs 50 and 52 clearly show the relationship of the commercial area, the flats to the north of it, and the terraced, detached and semi-detached houses to the east. The wider view in fig 51 shows the relationship with Dobbies Garden Centre to the west, set on higher ground, and the lower level buildings of Whitemyers Farm and Cocker's Roses to the east.

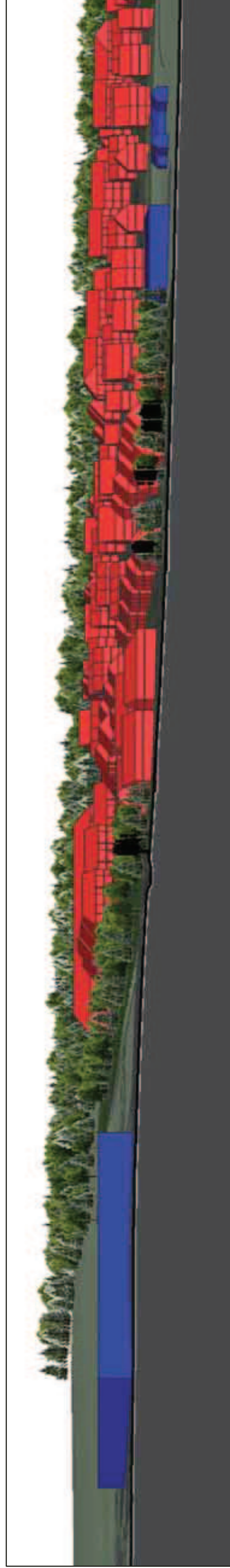


Fig 51 - shows a longer section from Dobbies Garden Centre (blue building to the left) through to Whitemyers Farm and Cocker's Roses (blue building to the right)

One then moves into another square containing the commercial offer. This will include a landmark building on the northeast corner. Turning northwards the bus route then moves through a higher density area along a landscaped street.

The street is punctuated by several lanes with views to the rear lower density areas. At the end of this street one arrives at a landscaped square which is contained by apartments. The alignment of the bus route is such that views to this building will be available from the Lang Stracht.



Fig 53 – Landscaped square to the northwest of area A.

The bus then turns east along a further street of higher density apartments (to the north) and terraced town houses. It is similarly punctuated by lanes giving views into the lower density courtyards. At the two main intersections one will have long views out into the northern woodland. This section of the bus route is designed to be open-ended, with views to the open countryside to the west, and to the Green Space Network between the site and Sheddocksley to the east.

At the east end of the street another landmark building is placed, turning the corner in a curve to return to the Land Stracht.



Fig 54 – Curved feature building on the eastern edge of area A.

This stretch of the bus route will be attractive, with Green Space Network on its east side. Beyond the corner building, on the west side, there will be a series of linear courtyards designed to relate to the Green Space Network opposite. The housing in this area will be semi-detached, low cost / affordable units designed in discussion with a Registered Social Landlord. The road will terminate in a wider area of Green Space Network, which will contain a SUDS pond. It is hoped that the intersection of the road with the Lang Stracht can be designed as part of the urban realm to mark this entrance to the development area.

The affordable apartments in this area will be a mixture of 4,3,and occasionally 2 stories high. The houses will be predominantly 2 storey, with the occasional 3 storey town house introduced to provide definition and legibility.

The potential exists for pedestrian linkages between this part of the site and the existing residential area of Sheddocksley. These connections are essential in ensuring the connectivity and permeability of the site and meeting the principles of designing streets.

The plan shows an indicative connection between the two specific opportunities to make the connection will be assessed as part of the detailed planning process.

Phase 1b

Area A includes the area identified on the phasing plans as phase 1b. This will be affordable housing, with a mix of semi-detached houses and flats.

The layout of phase 1b is very important, as it is located on a narrow stretch of land between existing housing at Sheddocksley and the curtilage of the listed Whitemyers House, which is bounded by mature trees. The Local Development Plan identified the area as Green Space Network, demanding a clear visual and functional link between green space to the north and south of the site, and a visual break between the new development as Sheddocksley. Covered in detail in the landscape report, the layout provides a 30-40m landscape strip along the eastern edge of the site, with a mixture of planting to achieve this aim.

The result will be an attractive setting for the housing, and an area highly accessible by a range of transport methods. The proposed extended 23 bus will travel down the main access road through phase 1b.

The 3D impression overleaf shows how this phase of development will sit in the landscape, against existing mature trees around Whitemyers House and new planting to the East.

The connections to Sheddocksley are essential in ensuring the connectivity and permeability of the site and meeting the principles of designing streets. This will be considered in more detail as part of the detailed planning application, where individual opportunities to link the two areas can be assessed.

The plan for phase 1b is shown on the right.

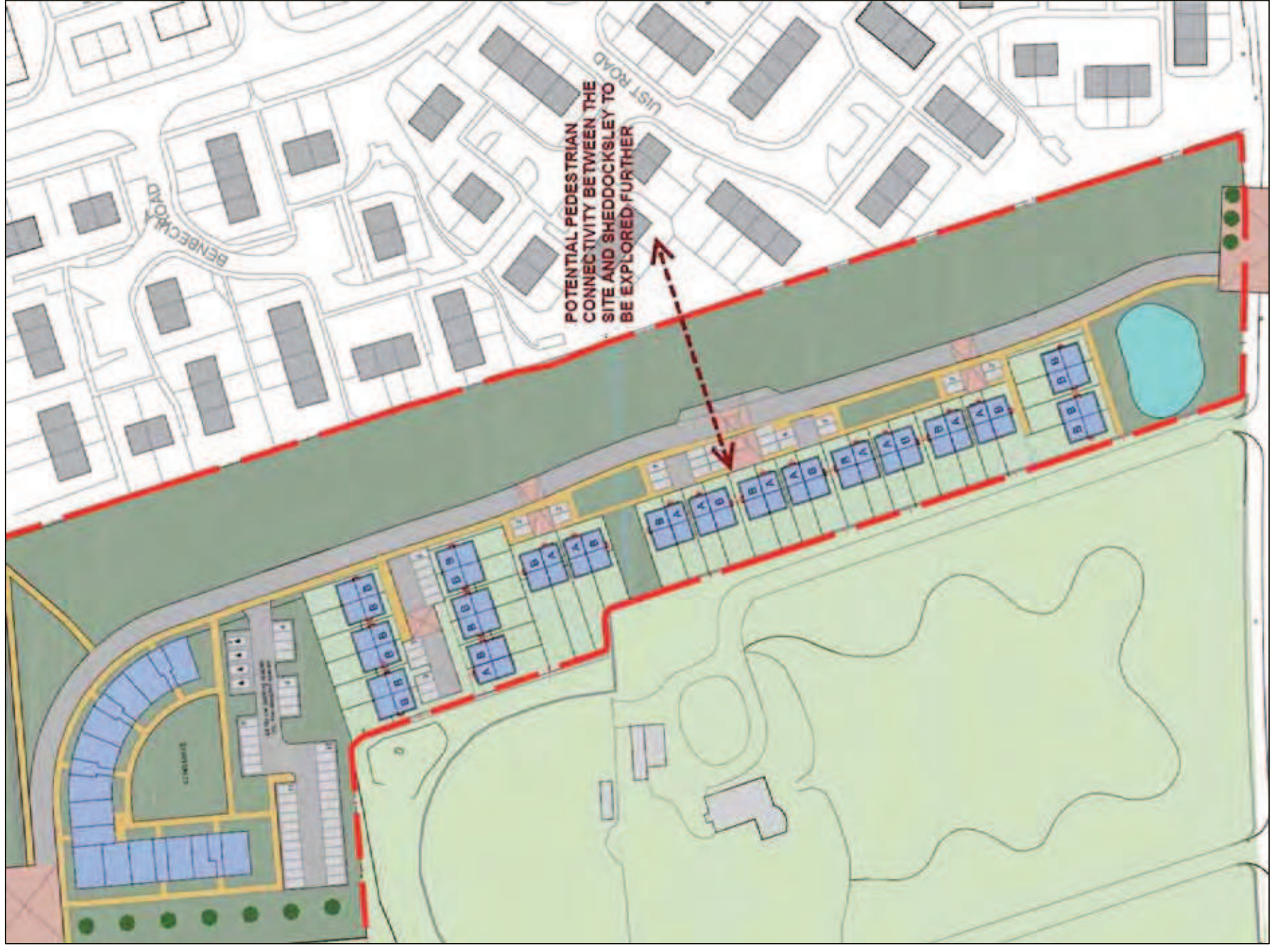


Fig 55 – Phase 1b layout plan.



Fig 56 – 3D image of the eastern edge of area A

4.2.2. Area B

Area B forms the western section of Local Development Plan site OP43, to the south of the A944 Lang Stracht. The Denburn runs along the southern side of the site in a deep gully.



Fig 57 – Area B

Fig 58 shows the Den of Maidencraig running to the south and south west of the area. The layout exploits this relationship in 2 ways. Firstly by drawing the landscape into the residential area through a series of landscaped courtyards on the south side. There are no gardens backing on to this boundary (so no long line of fences facing the Den), and the courtyards will be designed to maximise these attractive views – including gable windows. Secondly by opening the whole of the south-western boundary (where there are no houses on the Den side of the road) up to the Den.

Fig 58 shows a section through this area, demonstrating the interface between the site and the Den of Maidencraig, and how the green space penetrates the site through the courtyards.

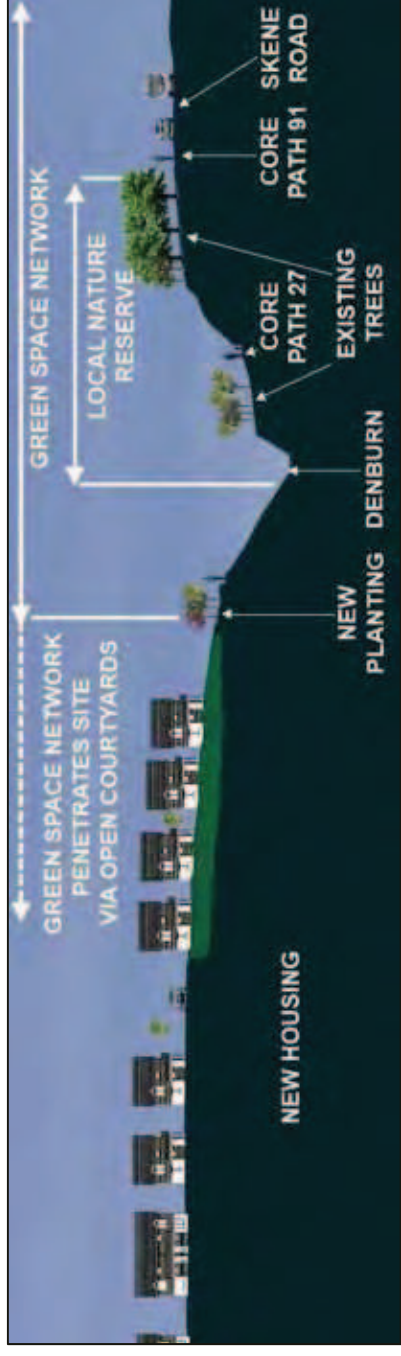


Fig 58 – section 4 - Indicative section through interface between Area B and the Den of Maidencraig

The Switch-back Road (with landscaping beyond) will form the western boundary of the area, and the houses here will be orientated to face the road, and provide a traditional street-scape.



Fig 59 – Area B viewed from the Lang Stracht, looking south west.

The south side of the Lang Stracht contains more existing buildings than the north, giving it a more urban character. Nevertheless it is important to improve its setting as a main entry to the City.

Buildings will therefore be set back (circa 20m) and a tree lined avenue created. The houses will again be orientated to the road with rear access, and a traditional streetscape designed.

On the east boundary of this area there is a group of well-established traditional houses. A stream and gully runs beyond them, so a swathe of Green Space Network has been created adjoining this natural habitat. As well as providing a wildlife corridor, the Green Space Network provides both screening and a continuing rural setting for these existing properties.

This area is the furthest from the existing built up area, and has the most rural character. It is appropriate therefore that this should be an area of lower density development.

These surrounding influences have therefore given the area its basic shape and character.

Within that framework, the layout has been developed on the same highly landscaped theme.

There is no bus route through this area but the main access will come in from the north (opposite the existing bus gates) in a central position. The first buildings on either side here will be landmark buildings to give a sense of arrival.

One then quickly enters a triangular area laid out as a village green, which would provide amenity and a wonderful setting for the surrounding (50) houses. Moving westwards across the green, one turns south onto a loop road which serves a variety of different landscaped courtyards.

The first stretch has terraced houses to the west and detached units to the east. It then opens out on one side to the Den of Maidencraig, and the large detached units here have great views over the valley and westwards towards Kingswells. A landscaped square marks the transition where one turns east where gable elevations dominate. However windows will be designed in to maintain surveillance, and maintain visual interest. As one passes along this street views are obtained northwards into groups of low density housing designed around landscaped courtyards. The views to the south through similar courtyards will be over the Den of Maidencraig. At the termination of this street there will be fine view (over the SUDS pond) back towards the spire of Woodend Hospital, with the Aberdeen skyline beyond.

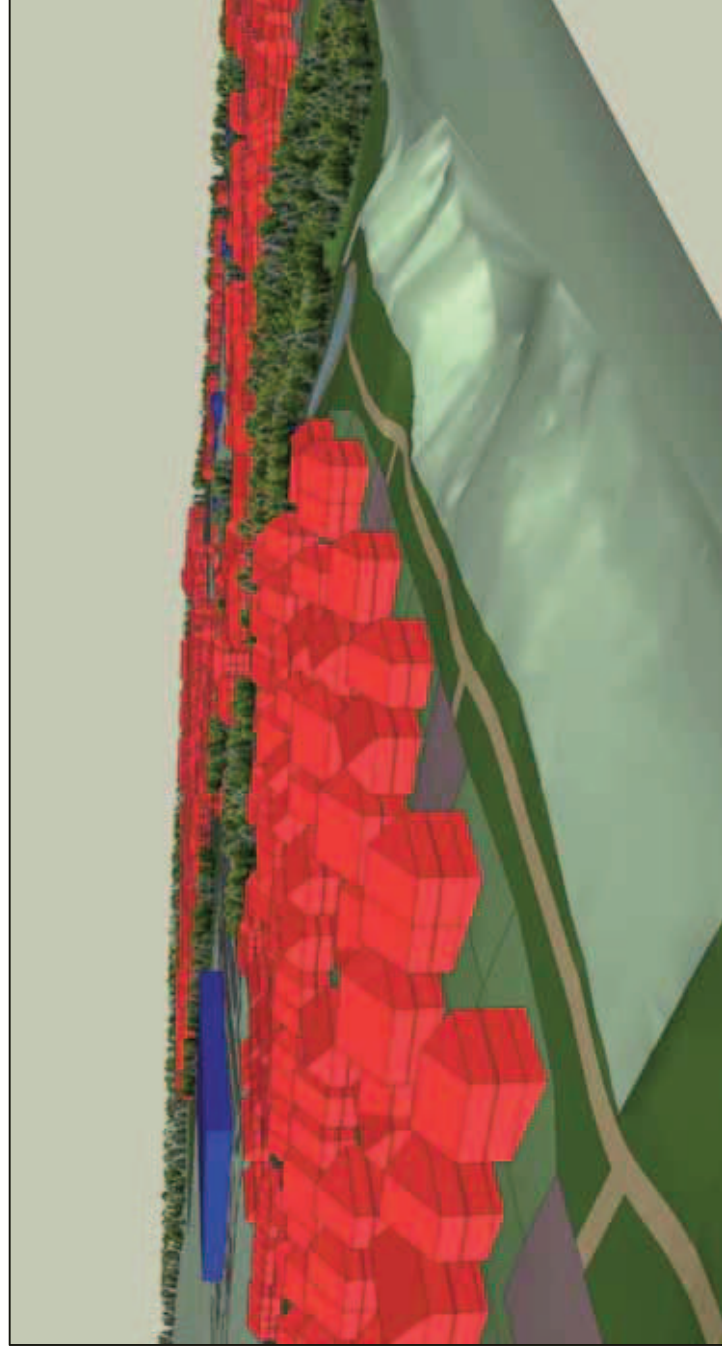


Fig 60 – View looking north east towards area B, over the Den of Maidencraig.

Moving back northwards, there is an area of slightly higher density development in the northeast of the area. This group will have main frontages to the adjoining streets, and parking provided in a rear courtyard.

Throughout this area, where junctions are not marked by landscaped courtyards, landmark buildings will be introduced to assist navigation, and provide visual interest.

The housing in this whole area will be largely two storey, with only the occasional three storey town house introduced to provide definition and legibility. In addition, there will be some single and two storey (attic) type housing.

The location of the detention basin to collect surface water drainage for this area will be detailed as part of a planning application submission, which will include a tree survey of the area covered by a Tree Preservation Order to ensure no protected trees are lost. The position of the detention basin is flexible, due to the topography of the site.

4.2.3. Area C

Area C forms the eastern part of Local Development Plan site OP43. Sloping from north west down to the south east and the Den of Maidencraig Local Nature Reserve.



Fig 61 – Area C

As noted above, a group of existing houses adjoining a stream and a deep gully mark the western boundary of this area. It was logical to strengthen this wildlife corridor by adding a swathe of Green Space Network on its eastern edge to improve screening, and setting, and avoid undermining the character which the houses currently enjoy.

The steep slopes of the Den of Maidencraig define the southern boundary of the area, and the layout responds to this by drawing the greenery into the housing area through landscaped courtyards. None of the houses in this area back on to the Den (to avoid long lines of garden fencing) and the courtyards are designed to maximise views – including the inclusion of gable windows where appropriate.



Fig 62 – 3D impression of the residential courtyards leading the open space into the site, and providing views out to the south.

The extreme southeast corner of the area is the lowest point of the site, and the obvious location for the SUDS pond, as shown in the section in fig 63.

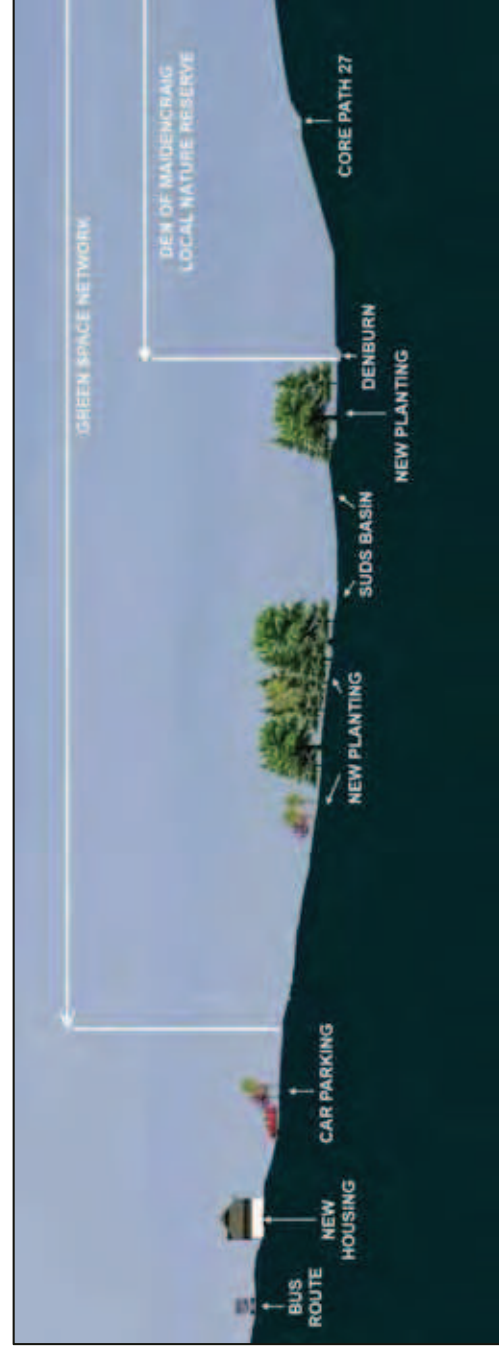


Fig 63 – section 5 - indicative section through the southeast corner of Area C and the Local Nature Reserve.

On the eastern boundary of the area a further strip of Green Space Network is associated with the extant Public Open Space on the western edge of Summerhill. Some of the land is quite steep in this area and unsuitable for development, so the Green Space Network has been expanded towards the stand of existing trees.



Fig 64 – proposed Green Space Network (dark green) and existing trees (light green) referred to.

The habitat corridor created by this strip of trees is then extended northwards (through to the Lang Stracht). This stretch of Green Space Network breaks up Area A into two phasing sections, and creates a complete corridor of green space from the Den of Maidencraig to the woodland to the north of the development, only intersected by the Lang Stracht.

The Lang Stracht runs along the northern boundary of this character area, and as described above, there is a need to improve the setting of the road. The existing buildings in this area are already set back (on a slip road) and this approach is adopted in the layout with a circa 20m landscaped strip introduced, and the buildings designed to face the road. These will however be serviced from the rear, rather than from the slip road.



Fig 65 – Proposed building line along the Lang Stracht, in keeping with the existing properties.

This area adjoins the relatively high density Summerhill housing area. It is therefore appropriate to reflect this urban grain and character in the design of this area of the masterplan.

These surrounding influences have therefore given the layout its basic shape and character. Within that basic framework, the detailed layout has been designed around the same highly landscaped theme.

This approach is apparent at both the entry points to this character area, where the intersection will be designed to mark the entrances and give an immediate sense of arrival. This will be further emphasised with the positioning of landmark buildings at both these gateways. This will be particularly emphasised at the central interchange, opposite the Dobbies Garden Centre. Increasing the height of the buildings in this location (to three storeys) may be suitable, as it will be in context with the raised platform on which the garden centre sits. This is shown in the 3D images below.

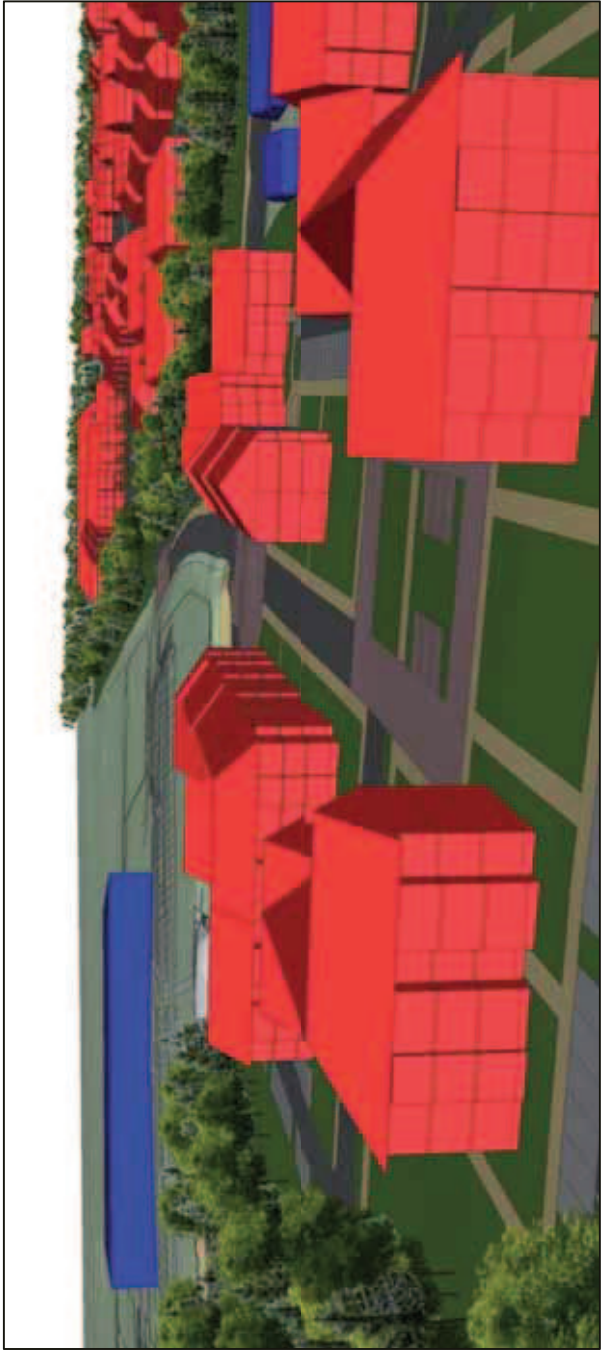


Fig 66 – looking north through the main junction towards the area A and Dobbies Garden Centre (blue) in its elevated location.

Looking at this relationship from a different angle, it is clear that the location of taller buildings around the entrance square will sit comfortably in the landscape, and provide a sense of arrival to the site at its main access point (fig 67 at the foot of the page).

A bus route is required to penetrate this area, and higher density housing will be associated with this loop road. Moving from the eastern gateway, the road will pass a group of terraced houses (the first show village) which are open onto, and overlook the Green Space Network and over to Hazlehead beyond. As the road turns westwards, it moves into the higher density area, with higher flatted properties on the north and lower terraced houses on the south. This layout enables max sunlight penetration, and optimises views.



Fig 68 – 3D impression of the bus route through Area C

The road is relatively straight along this east to west axis, but bends are introduced along with landscaped courtyards at junctions to provide the degree of traffic calming appropriate to a bus route. Nevertheless there is a fine vista along this route from the Village Green in the west to the Green Space Network in the east.

From the junctions along this section one gets glimpses into the landscaped courtyards which form the lower density areas lying to the south of the bus route. From some junctions vistas are opened up to the Den of Maidencraig.

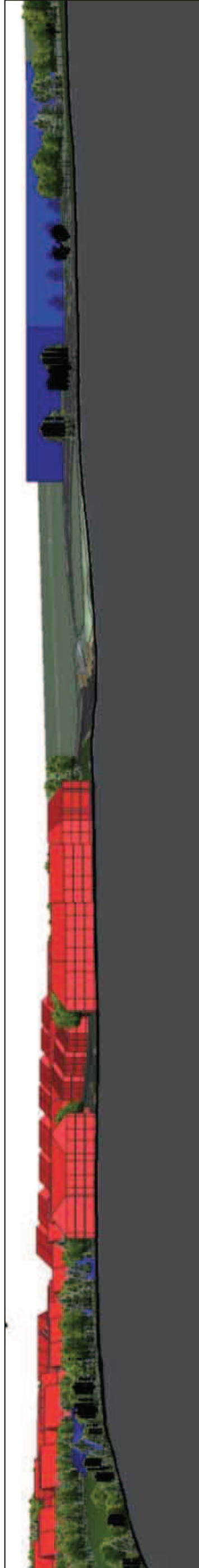


Fig 67 – the relationship of the southern entrance square to the Dobbies Garden Centre (blue) in its elevated location.

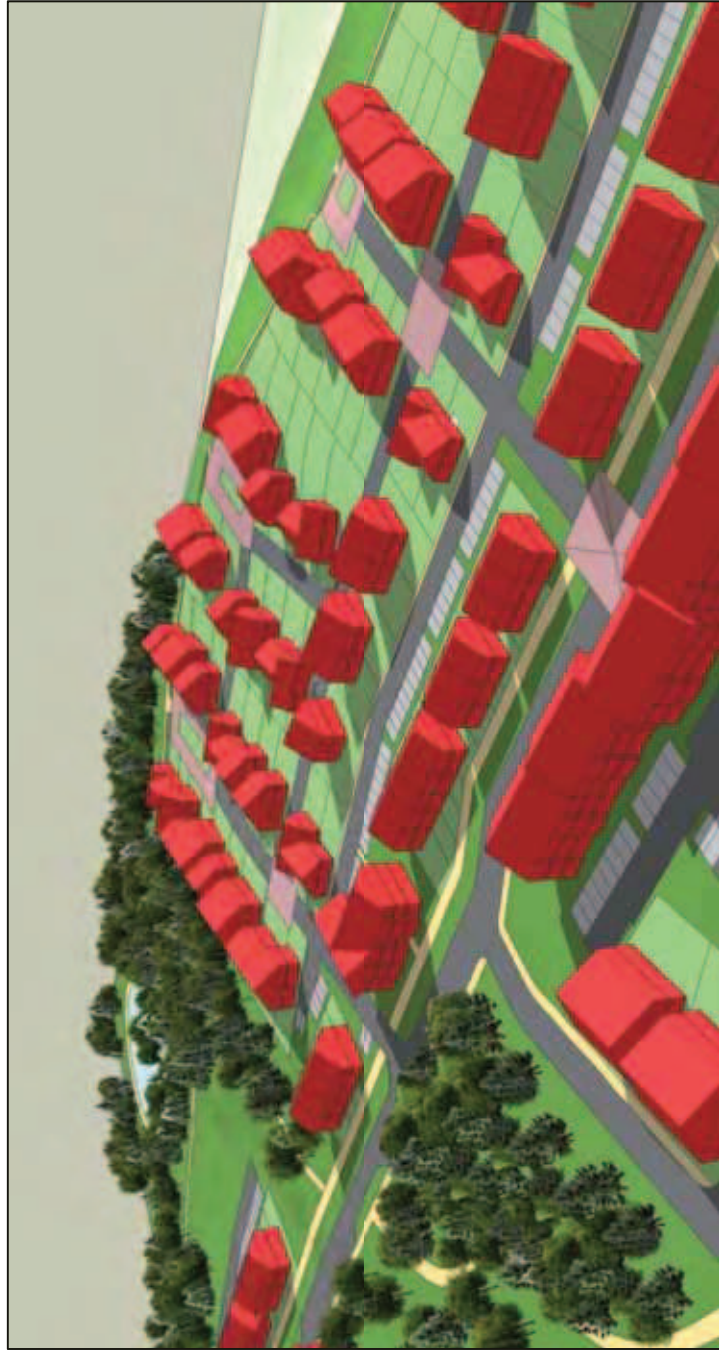


Fig 69 – Landscaped courtyards opening out to the Green Space Network beyond

Similar views into landscaped housing courtyards are available to the north, but the houses here are orientated towards the streets – including the Lang Stracht, with parking provided in rear courts.

The western end of the bus route is terminated in a public square which is enclosed by two blocks of 2 and 3 storey apartments. A gap is retained between the blocks, so that a vista is retained from Dobbies Garden Centre access road, through the square and over the Den. The ground floor of 2 of these units will be reserved for commercial use to provide potential for the establishment of a local retail/commercial offer so that families do not have to cross the Lang Stracht for day to day convenience shopping. With a bus stop in this location, a coffee shop could potentially be established here.



Fig 70 – 3D impression of the southern square area looking southeast.

At the square, the bus route turns north and is flanked on both sides by 2 and 3 storey apartment blocks. These will be designed as landmark buildings to mark the western entrance to this character area.

The apartments in this area will be a mixture of 2 and 3 storeys in height. The houses along the bus route will be a mixture of 3 storey town houses and 2 storey terraced properties. In the lower density areas behind the bus route, the houses will all be 2 storey high.

Phase 1a

This phase proposes between 80 and 90 houses (depending on the number of flats in each of the blocks). These are a mix of small flats, terraced, semi-detached and detached houses, with the provision of 25% affordable houses again mixed between flats and semi-detached or terraced houses.

The levels of this part of the site, the Green Space Network to the east and south, and the proximity of the Den of Maidencraig Local Nature Reserve make the visual impact of this phase perhaps the most important to address. Development has been set back a considerable distance from the site boundary, with landscaping proposed to help soften the impact of new buildings.

Whilst it is intended to utilise a relatively simplistic palette of materials throughout the site, including renders and timber linings used on elevations to give a modern clean look, this particular part of the masterplan offers an opportunity to introduce additional architectural features to add interest to the site, particularly when viewed from outwith its confines. Fig 71 shows an indicative view from the Local Nature Reserve, showing the southern elevations of terraced houses with flats behind.

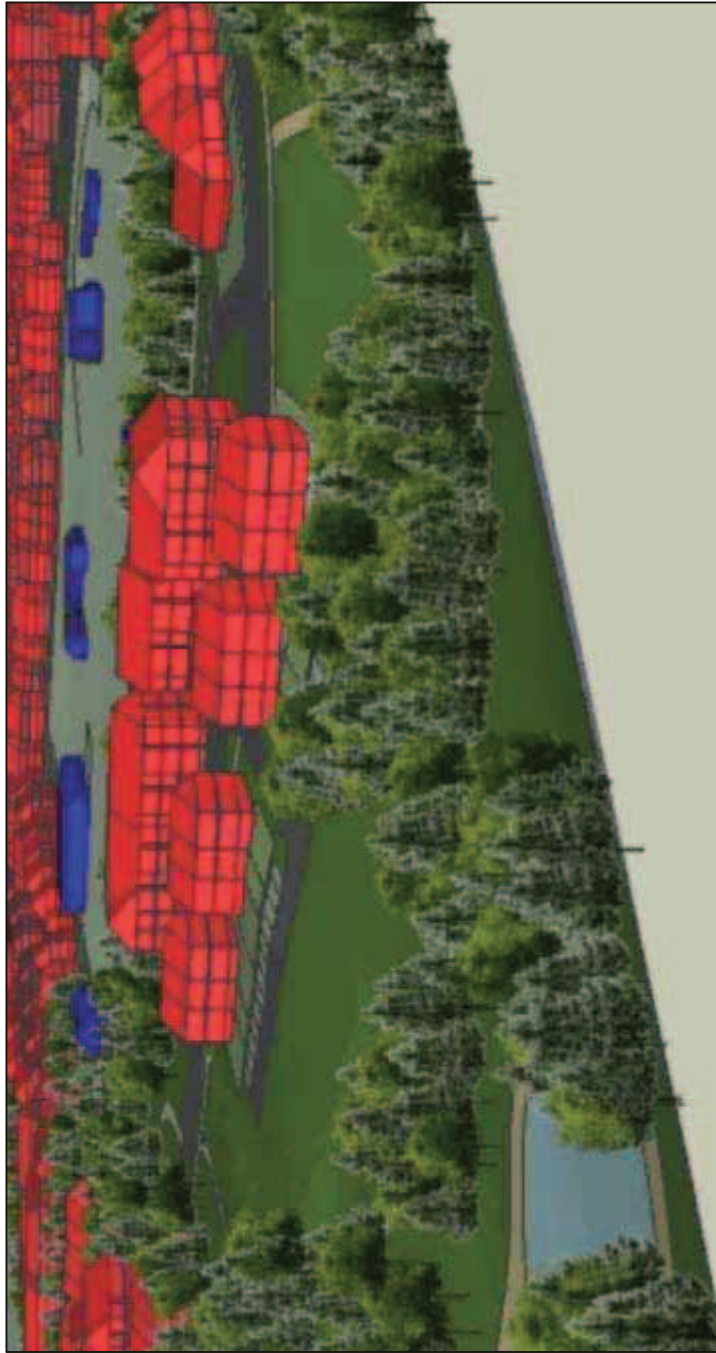


Fig 71 – 3D image of the view of the eastern part of phase 1a from the South



Fig 72 – Phase 1a proposed layout.

4.3. Community Engagement

Bancon have consulted with the local community throughout the development of the masterplan. This included meetings with the local Community Councils, and an exhibition of our initial proposals in March 2012. The feedback, and Bancon's response to the feedback, is included as appendix 1.

In summary, however, the following points were drawn from the consultation exercise, and have been taken account of in the continued development of the masterplan. Bancon's response to these matters is also summarised.

Traffic Impact: - Many people in the local community raised concerns over the impact of 750 houses on the road network, with the anticipated traffic flows adding to the already overly congested A944. This would be compounded by the distance to education facilities.

Bancon are aware of the traffic impact issues, and are continuing to make progress on a detailed Transport Assessment, which will be required as part of the planning application process. This will determine the level of development that can be accommodated on the local road network, what improvements will be required and when to facilitate the development, and what strategic improvements such as the AWPR and Strategic Transport Fund will offer as a benefit to the locality. The provision of the best possible range of alternative means of travelling, via excellent foot and cycle path provision, and a frequent and convenient bus service have been treated as priorities, to minimise reliance on private car use.

Vehicular, Pedestrian and Cycle penetration and connectivity: - Concerns were raised about the potential to link footpaths and cycle paths from the site into Sheddocksley. The local residents do not want pedestrian and cycle traffic through the existing quiet cul-de-sacs. The objection to a potential vehicular or bus route from the site to Lewis Road met with similarly fervent opposition. The pedestrian and cycle connections to Sheddocksley are, however essential in ensuring the connectivity and permeability of the site and meeting the principles of designing streets. An alternative bus route is now proposed.

Wildlife: - The development will have a significant impact on existing wildlife in the area.

Any development on greenfield land will impact upon wildlife in some manner, but the key to successful development in this regard is to maintain and improve habitats. One of the key objectives of the masterplan has been to avoid fragmentation of habitats, and the provision of north-south green corridors of appropriate depth has been carried from the early concept plans to the final masterplan. Significant landscaping is also proposed, which will provide a range of wildlife habitats that the existing agricultural land does not.

A phase 1 habitats survey will be carried out in support of a planning application for the site, and will inform any changes required.

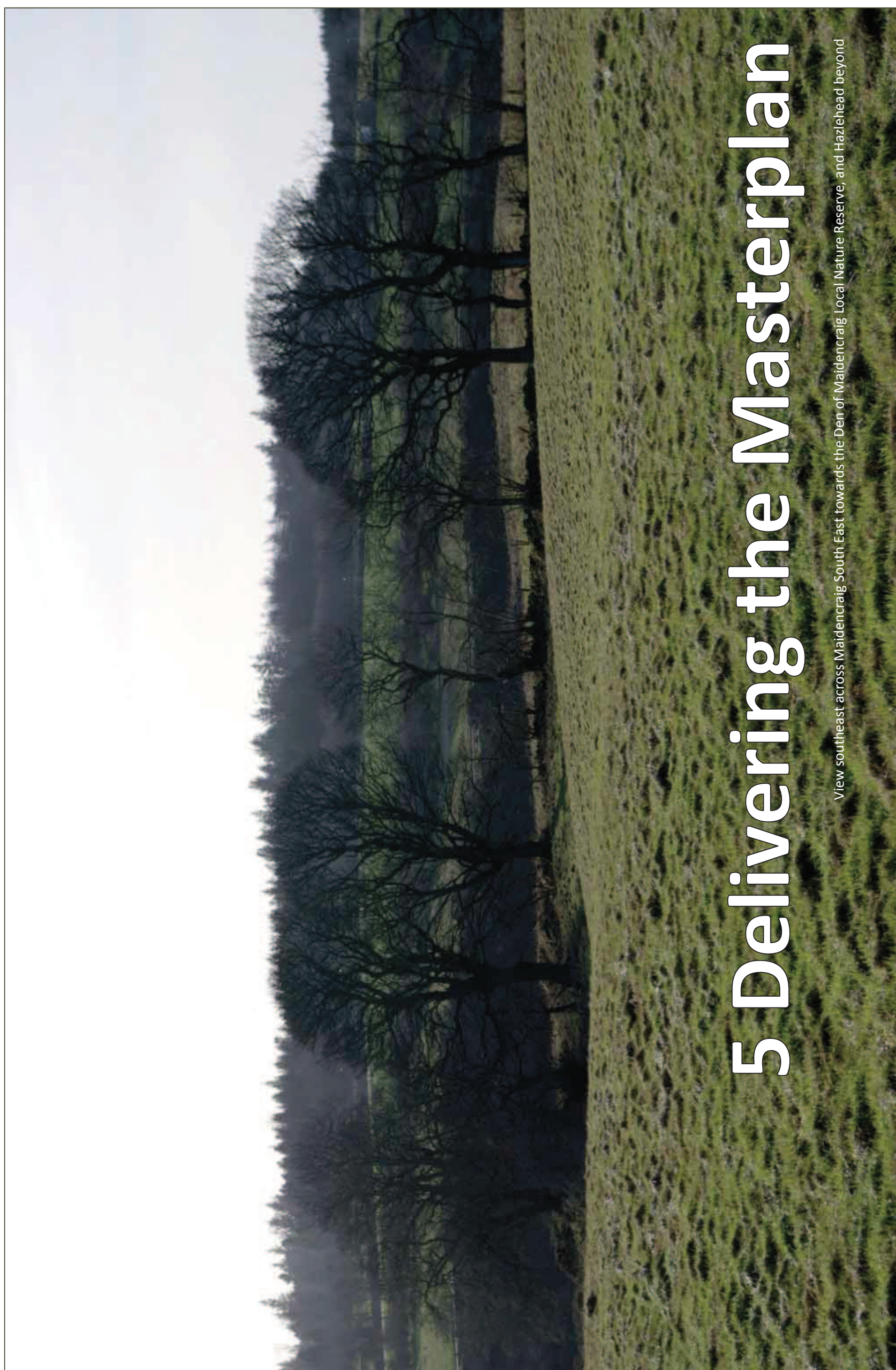
Education: - There is local concern that the proposed education provision requires excessive distance to travel, therefore encouraging more car use, and that the schools cannot cope with additional pupils. (The distances are shown in fig 12)

Bancon have aimed to be flexible with regard to education, with the opportunity to provide a new primary school on site maintained in case the Council's position changes in due course. Bancon will continue to liaise with the Council with regard to education provision.

Health Care: - The Council's requirement to contribute to improvements to the health centre in Kingswells has raised concerns with the local community, due to the limited public transport access to that facility. A preference for a new facility on site has been raised.

Bancon are happy to maintain the potential for the provision of a medical centre on the site as with the primary school. Discussions will be carried out with NHS Grampian and the Council to consider the options for the provision of such a facility. This may require cross funding from other nearby developments, as the Maidencraig site itself could not deliver it, but this does not mean that Maidencraig is not the best location for it. As far as the masterplan is concerned, the best solution is to ensure there is adequate flexibility to include a facility should its delivery come to fruition.

These are the principle issues raised by the greatest number of respondents to the community consultation process. Further detail and additional issues are included in appendix 1.



5 Delivering the Masterplan

View southeast across Maiden Craig South East towards the Den of Maiden Craig Local Nature Reserve, and Hazlehead beyond

5.1. Phasing

The Local Development Plan sees both Maiden Craig SE (450 houses) and NE (300 houses) being delivered by 2016. If this timetable is to be achieved, it is desirable that the following table is adhered to:

	Winter 2011	Spring 2012	Summer 2012	Autumn 2012	Winter 2012	Spring 2013	Summer 2013	Autumn 2013	Winter 2013	Spring 2014	Summer 2014	Autumn 2014	Winter 2014	Spring 2015	Summer 2015	Autumn 2015	Winter 2015	Spring 2016	Summer 2016	Autumn 2016	Winter 2016	
Public Consultation Process																						
Masterplan reported to Committee																						
Apply for Planning Permission in Principle																						
Apply for Detailed Planning Permission for Phase 1																						
Site servicing																						
Development (c. 200 houses per annum)																						

Fig 73 - Phasing proposals

The Local Development Plan was adopted on 29th February 2012, and a Proposal of Application Notice was submitted on 23rd February 2012. On completion of the community engagement process, we will be in a position to submit an application for planning permission in principle for the whole site, and ideally a detailed application for phases 1a and 1b relatively quickly thereafter to permit an early start on site.

It is logical that development begins in the east of the site, given that access will be taken from the A944, and the existing services are located there. Similarly, foul water drainage is located to the south of site OP43. In order to maintain momentum of the development, it is proposed that the two sites, OP43 and OP44 be developed concurrently, beginning in the east and moving west. This will enable junction works on the A944 to be constructed in a phased manner, as demonstrated in the phasing drawing in fig 74.

It is hoped that areas of affordable housing will be delivered in partnership with a registered social landlord, and the remainder of the land delivered as mainstream housing. However, it is also possible that the mainstream housing areas will contain a percentage of affordable housing delivered by methods such as low cost home ownership, shared equity, mid-market rent and other options in accordance with Planning Advice Note 2/2010. Discussions will take place with the Council's Housing Service as part of the planning application process.



Fig 74 – phasing

Phase 1

As mentioned, phase 1 will be split between the two sites, with an area of predominantly affordable housing in the north (phase 1b), and mainstream housing in the south (phase 1a). This development will incorporate the first of the three new junctions, which will eventually be a left in-left out arrangement to prevent excessive queuing at peak times. However, to avoid short term congestion issues. An arrangement allowing traffic to turn right in and out of the junction will be developed as a temporary solution until such time as the main central (fully signalised) junction with the A944 is complete. The eastern junction developed in phase 1 will incorporate a pedestrian crossing across the A944.

A temporary emergency access will be required to the north west of phase 1a to meet roads standards, but this can revert to a pedestrian access at a later date. The approximate housing numbers are for phase 1a - 88 units, and phase 1b - 78 units.

Phase 2

Phase 2a will deliver around 131 houses, including around 35 affordable homes. There is a range of house types, from detached to small flats. Phase 2b will include a mix of detached, semi-detached and townhouse homes in the east, with the main north to south street in the west with flats and townhouses. In the north west of phase 2b there is the northern square, which incorporates commercial and retail uses on the ground floors and flats above. In total, phase 2b includes around 138 houses.

Phase 2 will provide the second principle access point into the OP44 site, with the existing access serving the Dobbies Garden Centre improved and becoming a light controlled 4-way junction, as identified in the Transport Assessment. This junction will also provide access for site 2a, with the requirement to complete the north and south accesses at the existing Dobbies Garden Centre junction due to the total number of houses.

Phase 3

Phase 3a will deliver the southern square, with a mix of commercial, retail and flatted development, totalling around 88 units, including 23 affordable homes. Phase 3b is proposed to include around 114 houses, including around 19 affordable units. Phase 3b is on land owned by Aberdeen City Council.

Phases 4 and 5

Phases 4 and 5 will deliver further housing, including around 27 affordable housing units in phase 4, and up to 182 mainstream houses across the two phases. Phase 5 in particular will contain the greatest proportion of larger detached and semi-detached housing, although some townhouses are proposed to make the most of the levels and the impressive south-westerly views over the Den of Maidencraig. Phase 4 will provide the final access onto the A944, in accordance with the requirements of the Transport Assessment.

Overall

The table below shows the breakdown of numbers for each phase and the provision of affordable housing in each. Whilst the proposals for phases 1a and 1b are relatively well developed, the remainder of the masterplan is indicative, ensuring there is flexibility to accommodate a housing mix to accord with the current market conditions, as well as to provide space for a school and/or health care facilities if required, and to accommodate the findings of detailed ecological assessments for each phase of development. It is necessary to consider the housing numbers as a maximum at this stage, to feed into the Transport Assessment in particular, to ensure an appropriate consideration of traffic impact is made. The numbers in the table below are within 10% of the allocation of 750 houses in the Local Development Plan. Final numbers will be determined through the process of planning applications, and will vary depending on the requirement for land for education and/or healthcare facilities.

Phase	Number of Units	Number of Affordable Units
Phase 1a	88	22
Phase 1b	78	78
Phase 2a	c. 131	c. 35
Phase 2b	c. 138	
Phase 3a	c. 88	c. 23
Phase 3b	c. 114	c. 19
Phase 4	c. 104	c. 11
Phase 5	c. 78	c. 16
Totals	c. 816 (330 North and 486 South)	c. 204

Fig 75 – Indicative Housing and Affordable Housing numbers.

5.2 Affordable Housing

Affordable housing providers generally want to acquire land in easily developable and manageable blocks. It is important that, in order to retain fair land values for all parties, that the provision of affordable housing is fairly allocated between landowners. It will therefore be spread across the site to ensure sustainable mixed communities.

It is also essential to seek an appropriate mix of house size, type and tenure to address the demand specific to this part of the City, rather than assuming a generic mix. We are therefore working closely with the Council and affordable housing providers to deliver the right product. It is also an aim to create, through the masterplan, a template for designs of buildings that will be common to all housing, thereby not singling out affordable housing areas as different or substandard in any way.

Bancon are committed to ensuring that 25% of the final housing number is provided as affordable. This may include provision by Registered Social Landlord (RSL). The type of affordable housing provision will be assessed at the planning application stage.

5.3. Mixed Use Opportunities

Whilst there will be no specific business or commercial zonings on the site, as the masterplan is developed, it is intended that the commercial areas in the centre of the sites will contain a mix of uses, including flats above class 1, 2, 3 and 4 uses, perhaps with flats above. This is difficult to reflect in a 2-dimensional masterplan, and is therefore noted here as a concept to be developed further.

With regard to the non-residential uses within the site, it is envisaged that these buildings will be higher, perhaps three storeys, in order to create a sense of enclosure to the main commercial square – opposite Dobbies Garden Centre. These would incorporate commercial premises on the ground floor, and residential uses above. This will offer opportunities for live-work units, where commercial premises can be marketed along with a residential use above, to maximise sustainability. Similarly, the commercial uses may be separate from the residential uses above. In many developments over recent decades, commercial ‘arcade’ type developments have been separate from residential uses, and as a result have often suffered from a lack of care and provide an unsupervised gathering place for youths. Whilst it is very difficult to address a culture through planning, the mix of commercial and residential uses, in a more traditional pattern, will increase the levels of surveillance, security and pride that comes with ownership or tenancy of a home.

At this point in the process, it is impossible to accurately gauge the level of commercial interest there will be in the development area. It has already been suggested from the local Community Council that one (or more) pre-school nurseries would be advantageous, as well as potential community and healthcare facilities. The promotion of live-work units may be more likely to be office and professional services than retail. What is absolutely key to the success of the commercial element of this development is flexibility. Should there be limited demand, then the commercial areas could become residential, and vice versa. This was, it can be assured that there will be no speculative building leading to empty commercial units, or empty sites within the development.

Ultimately, the allocation for the development in the Local Development Plan is for residential development, and the commercial elements of this masterplan must remain flexible in this way, as they are to cater primarily for the population generated by the development.

5.4. Infrastructure

The Aberdeen Local Development Draft Action Programme sets out the relevant Infrastructure Requirements for Masterplan Zone 6 – Maidencraig. These are shown in the table below.

Infrastructure Requirement Category	Nature of Contribution	Delivery
Cumulative Transport Infrastructure		Contributions will be made in accordance with the agreed policy, to aid delivery of strategic transport infrastructure improvements in the City Region.
Roads	New major junctions to access sites OP43 Maidencraig South and OP44 Maidencraig North from A944.	Phasing of development to start in the east, so the three new junctions delivered from east to west as required through the development of the site. Transport Assessment to consider impacts on surrounding road network, including North Anderson Drive.
Public Transport and Walking and Cycling Infrastructure	Frequent public transport services to serve the whole masterplan area which may include extensions to existing services. May be possibility for public transport only link connecting OP45 Greenferns and OP44 Maidencraig North.	The main roads through the site are designed to be suitable for bus penetration, and all houses will be within a 400 metre walking distance of a bus stop. Discussions with the bus operators indicate support for an extension to the 23 service to loop through the site. Potential to provide connectivity to the 11 service (Queen’s Road) and an additional stop on the A944 for the 41 service (Kingswells Park and Ride bus) will be explored as further benefits.
	North South link through site connecting to Langstracht cycle	The option to link a public transport only link between OP44 and OP45 Greenferns area will not be precluded by the masterplan. The provision of such a link would be on land owned by Aberdeen City Council, and ultimately such a project is

	<p>route and OP45 Greenferns.</p> <p>Links to and extensions of Westhill/Aberdeen cycle route.</p> <p>East West link connecting OP44 Maidencraig North to Northfield.</p>	<p>likely to be led by them. However, it would fit with the OP44 development quite comfortably.</p> <p>The proposed masterplan will incorporate a network of cycle and pedestrian routes that will link into the existing network wherever possible, thereby creating the links noted, with the co-operation of Aberdeen City Council to deliver links across land between Greenferns, Northfield and the OP44 site. Developer contributions will therefore be made towards the identified improvement of core path 46 and the extension of core path 45.</p> <p>There remains the opportunity to provide pedestrian links to Sheddocksley from the eastern edge of Maidencraig North, and these will be explored in detail as part of a planning application for phase 1b.</p> <p>There is a degree of uncertainty in terms of school roll forecasts and subsequent education provision requirements, and Bancon are comfortable with progressing with the masterplan on the basis of appropriate developer contributions being required on a phase by phase basis. The use of temporary accommodation to house pupils is supported in principle as the emerging population statistics suggest a changing demographic with limited growth in the school age population over the long term.</p> <p>The masterplan will be taken forward with the flexibility to accommodate a new primary school, should that be a requirement of the Council in due course. The location of a school will be determined as and when the issue arises.</p> <p>The distances to schools, and the most appropriate and safe routes to access them shall be considered in detail in this report.</p>
Education (contributions set against residential development sites only)	<p>OP43 Maidencraig South</p> <p>Zoned to Fernielea PS which is forecast to have some spare capacity to accommodate pupils generated, but an extension or temporary accommodation may be required.</p> <p>Zoned to Hazlehead Academy which is forecast to have some spare capacity to accommodate pupils generated, but an extension or temporary accommodation may be required.</p> <p>Alternatively, any rebuild of Hazlehead Academy could accommodate the pupils generated. Community facilities including Learning & Development facilities may also be required.</p> <p>OP44 Maidencraig North</p> <p>Zoned to Kingsford PS which has spare capacity of 65 pupils by 2010 and 89 in 2018, can accommodate development at this scale.</p> <p>Additional capacity is likely to be required at Northfield Academy to accommodate pupils generated by this development. Possible re-build of Northfield Academy could create capacity to accommodate these pupils and those from OP45 Greenferns development.</p>	
Water	<p>All of the developments in this area will have a major impact on the sewers downstream and Nigg PFI. A Drainage Impact Assessment will be required to identify the necessary upgrades required.</p>	<p>A Drainage Impact Assessment and Water Impact Assessment will be prepared for discussion with Scottish Water, and contributions paid where appropriate.</p>
Health	<p>Extension at Kingswells Health Centre to support the General Medical Services for the additional patients from the various Developments in the Kingswells and Maidencraig areas. Space for 2 additional GP's will be required.</p> <p>2 Dental Chair facility either in the recommended extension to the Kingswells Health Centre if there is enough land, or on a new site. This would also serve the OP43 & OP44 Maidencraig</p>	<p>Both of these requirements are identified specifically as being outwith the OP43 and OP44 sites, and as such it is assumed that a financial contribution will be expected from development of these sites. Bancon would expect to make a fair and reasonable contribution based upon the proportion of the development that the Maidencraig area contributes to creating the need.</p> <p>A case for the improvements NOT being in Kingswells, due to the difficulties accessing Kingswells by public transport from the area has been raised by the Community Council. Ultimately, the location of such facilities will be determined by NHS Grampian and Aberdeen City Council, but the masterplan will take accord of the community opinion and provide the flexibility to locate facilities on site if possible.</p>

	<p>developments.</p>	<p>Discussions have been initiated with NHS Grampian.</p>
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Surface Water Drainage

The site forms part of the natural catchment area for the Denburn, which is located at the floor of the Den of Maidencraig. In developing a sustainable urban drainage system the existing run off must continue to find its way into the Denburn to maintain the balance of this water course. However, the runoff will require to be controlled in such a way as to avoid increasing the natural rate of water infiltration to the burn, to avoid creating flood situations. The natural fall is shown in fig 76.

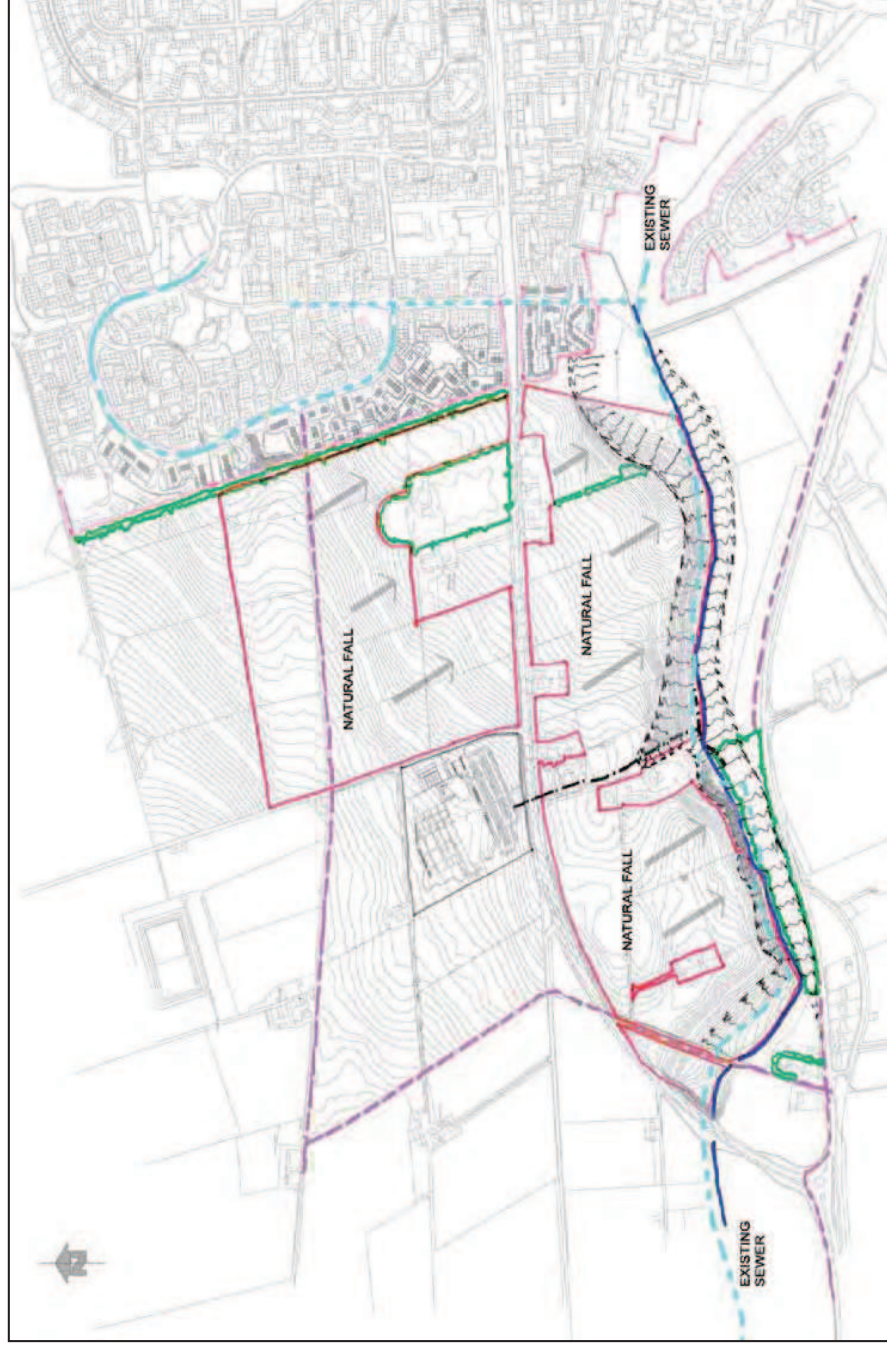


Fig 76 - Drainage potential

The introduction of detention basins is therefore desirable. This is likely to take the form of a number of basins integrated into the layout at strategic locations determined by topography and site constraints. Detailed calculations for these basins are set out in the Drainage Impact Assessment. Rainwater will be directed towards these basins by a system of swales; open water courses and pipes. Where swales and open water courses are utilised, the design of these must be kept as natural as possible, and appropriate native planting and landscaping utilised.

Potential Additional Infrastructure

In addition to what is shown in the table above, the public consultation exercise raised some local concerns and desires that we will seek to include in the development. Whilst we cannot physically deliver these things, we can make efforts to facilitate their delivery, and provide the opportunities for them.

- Opportunity for a privately operated pre-school nursery (or two) in the commercial cores.
- Opportunity for general community facilities within the commercial cores.
- Opportunity for the provision of the health care facilities on site.

As discussed in the site description, there is mains gas, electric and phone provision to the site, and the phasing proposals – starting in the east of the site – logically favour the phased extension to the existing infrastructure from the existing urban edge. There are no known constraints to capacity.

Drainage Strategy

A number of factors impact on the strategy adopted to provide both foul and surface water drainage.

- The natural falls of the site which generally slopes towards the south and east.
- The location of existing public sewers
- The location of the Denburn relative to the site.
- The irregular shape of the site and the incursion of property outwith the development site.

Foul Drainage

Existing foul sewage is located to the East and South of the site; with the topography of the site suggesting that connection to the sewer along the south side is the most practical. A network of pipework will ensure that all properties have foul drainage. This network is likely to take the form of a series of smaller systems connecting to the existing network in more than one location. This will be necessary to take account of site irregularity and the position of boundaries and properties outwith the development. Capacity for the development will be determined by Scottish Water following the adoption of the Local Development Plan. A Drainage Impact Assessment has been carried out for the site, and is included in section 6 of this report. Fig 44 shows the indicative drainage concept in detail.

The detailed location of the SUDS basin serving phases 4 and 5 will be determined following a tree survey of the area covered by a Tree Preservation Order. For the avoidance of doubt, no trees covered by this designation will be felled to make way for the SUDS basin. In terms of levels and engineering, the position of this basin is flexible.

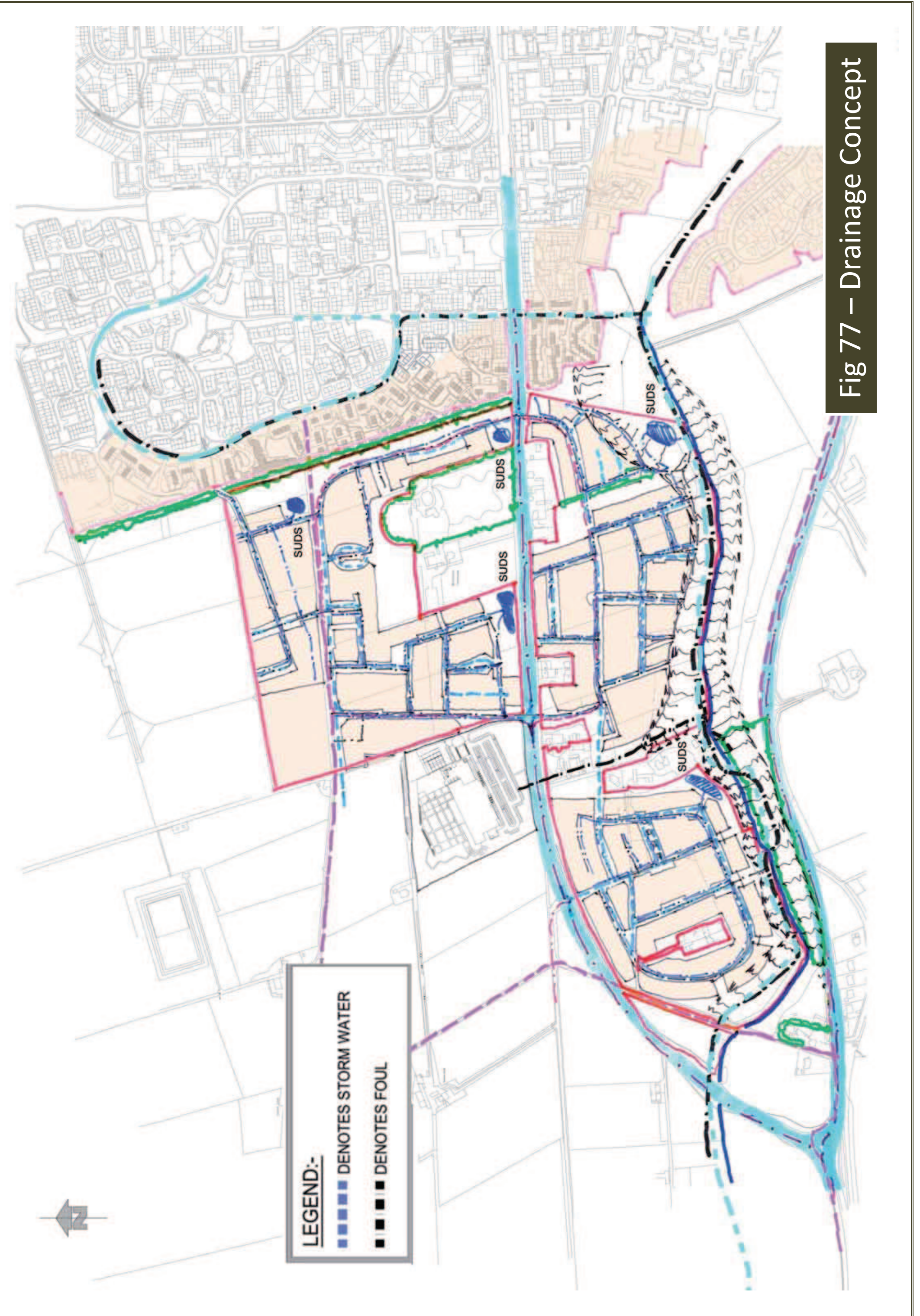
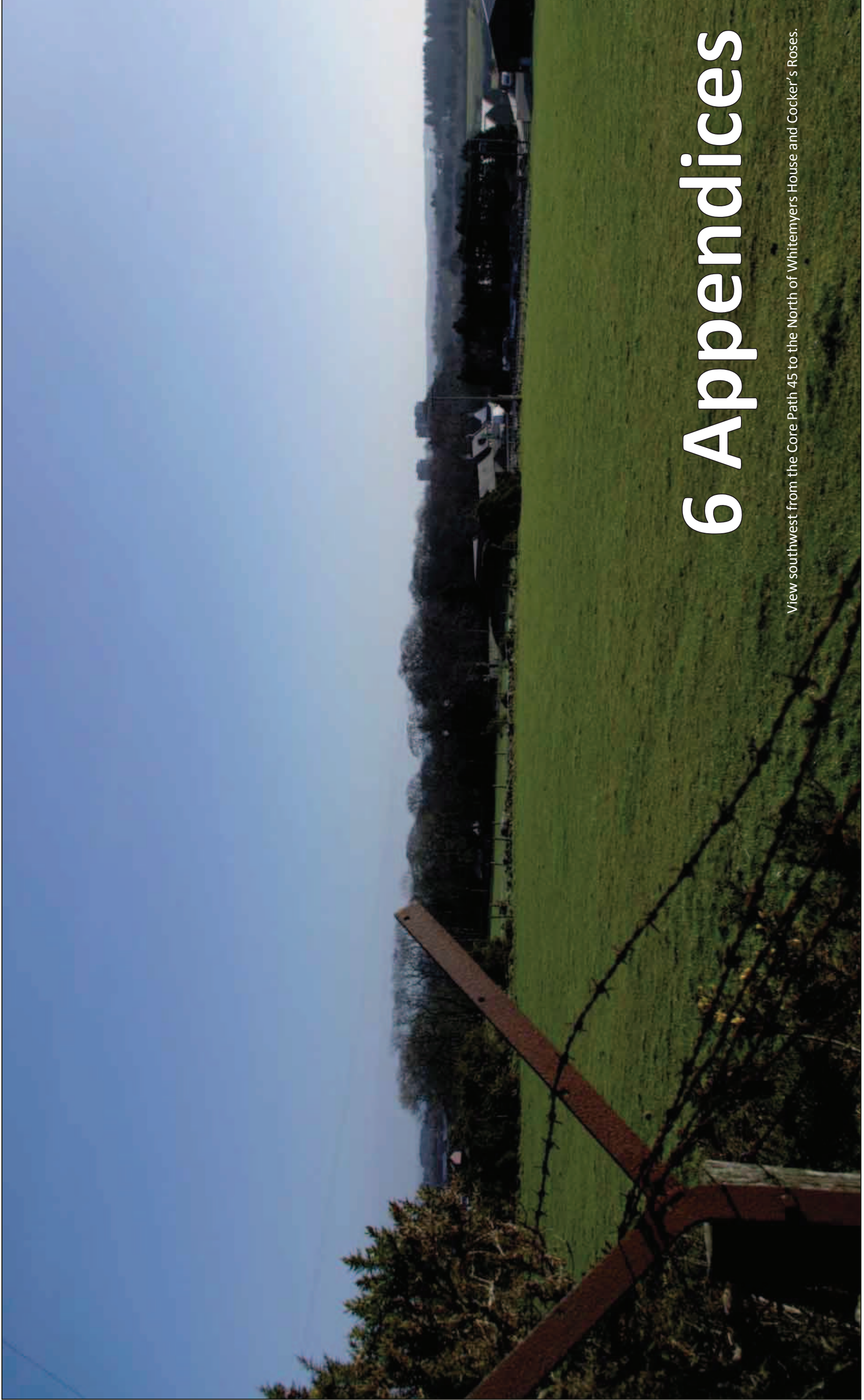


Fig 77 - Drainage Concept

LEGEND:-
 ■■■■ DENOTES STORM WATER
 - - - - DENOTES FOUL



6 Appendices

View southwest from the Core Path 45 to the North of Whitemyers House and Cocker's Roses.

6 Appendices

- 6.1. Community Engagement**
- 6.2. Ecological Assessment**
- 6.3. Landscape Strategy**
- 6.4. Landscape and Visual Impact Assessment**
- 6.5. Ownership Plan**
- 6.6. Drainage Impact Assessment**
- 6.7. Exhibition Slides (A4 size)**

Policy D1- Quality Placemaking by Design

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials.

Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

- **distinctive**
- **welcoming**
- **safe and pleasant**
- **easy to move around**
- **adaptable**
- **resource efficient**

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

To further ensure there is a consistent approach to placemaking throughout the city, the Aberdeen Masterplan Process will be applied to larger sites within the city.

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Policy LR1 - Land Release Policy – Proposed Local Development Plan

Part A - Existing Housing Allocations up to 2016 and Employment Allocations up to 2026 and Phase 1 Release Development: Housing 2017-2026

Housing and employment development on existing allocated sites and housing sites allocated in Phase 1 (2017-2026) will be approved in principle within areas designated for housing or employment. Development on an allocated site or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused.

Part B – Phase 2 Release Development: Housing and Employment 2027 – 2035

Housing and employment development on sites allocated in Phase 2 are safeguarded for future development and will be released by a review of the Local Development Plan. Development on a site allocated in Phase 2 or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused.

The detailed phasing of greenfield housing and employment sites is set out in Tables 3 to 8.

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NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

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Mark this box to confirm all contact should be through this representative: Yes No

* Do you agree to correspondence regarding your review being sent by e-mail? Yes No

Planning authority ABERDEEN CITY COUNCIL

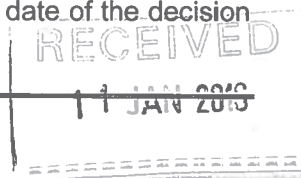
Planning authority's application reference number P151719

Site address SMALL HOLDINGS, 10 LANG STRAIGHT, ABERDEEN

Description of proposed development FULL PLANNING PERMISSION FOR DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF TWO DWELLINGHOUSES AND INTEGRAL GARAGES

Date of application 4 NOVEMBER 2015 Date of decision (if any) 22 DECEMBER 2015

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.



Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

PLEASE SEE ATTACHED PLANNING STATEMENT FOR NOTICE OF REVIEW

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

1) OFFICER'S DELEGATED REPORT
 2) REVISED DECISION NOTICE
 3) APPROVED MASTERPLAN
 4) PROPOSALS
 5) TREE PLOTTING AND REMOVAL PLANS
 6) LOCATION PLANS
 7) APPLICATION PLANS
 8) PHASING PLAN

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed  

Date 8 JANUARY 2016



**Planning Statement for Notice of Review
for:**

**P151719 for Full Planning Permission for
Demolition of Existing Dwellinghouse and
Erection of 2 Dwellinghouses and Integral
Garages at Small Holdings, 10 Lang
Stracht, Aberdeen**

On behalf of Mr R Rattray

INTRODUCTION

This appeal relates to planning application reference number P151719 for Full Planning Permission for Demolition of Existing Dwellinghouse and Erection of 2 Dwellinghouses and Integral Garages at Small Holdings, 10 Lang Stracht, Aberdeen dated 29th October 2015 and which was registered valid on 4th November 2015. The application was refused on 22nd December 2015 by the case officer under delegated powers – see document 1. The reasons for refusal are set out below and as specified in the decision notice – see document 2.

“The principle of development cannot be supported under the Opportunity Site OP43 housing allocation; Policy LR1 'Land Release Policy'; or the approved supplementary guidance; 'The Maidencraig Masterplan' of the Aberdeen Local Development Plan 2012; in that it would introduce additional housing in isolation of the approved Masterplan for the area, in a manner which conflicts with the phased delivery mechanism for the wider development and may subsequently jeopardise provision of the allocation. Furthermore the proposal is considered to fail under Policies D1 and NE5 of the Aberdeen Local Development Plan 2012; in that it proposes additional housing on a rural, isolated site within which additional dwellings would not normally be supported; and would result in the loss of a number of trees; thus it has not been designed with due consideration for its context. Additionally the standard of the access road is insufficient to serve the additional dwelling proposed. The proposals are also found to conflict with the housing allocation under Opportunity Site OP31; Policy LR1: 'Land Release Policy'; Policy D1: 'Quality Placemaking by Design' and 'The Maidencraig Masterplan' supplementary guidance of the proposed Aberdeen Local Development Plan 2016, for the same reasons. In this instance there are no material considerations to outweigh the above policy position, and as such the application is recommended for refusal.”

The main reason for refusal appears to relate to the assertion that development of the site would be ahead of the phasing stipulated in the approved Masterplan – see document 3 - for the wider site. However this site is not owned or under the control of the developers of the wider site, and its development will have no impact on the separate development of the Masterplan area.

In these circumstances, and as explained in more detail below, it is thought that the reasons for refusal are unsustainable and indeed unreasonable, hence this appeal to the Local Review Body.

THE SITE

The site extends to approximately 1000 square metres and comprises the house at 10 Whitemyres Holdings and its curtilage. The house extends to 263 square metres and comprises the main 1.5 storey house, a conservatory to the north, and a flat roofed extension to the south. There are several rooms on the ground floor including 3 bedrooms, a bathroom and open plan living/dining/kitchen/family room and conservatory, and 3 bedrooms and a bathroom on the upper floor.

The house sits diagonally within the site on a NE – SW axis. To the front of the property there is a large area of hardstanding, which is used for the parking of 4 cars. On the east side there is an extensive decking area, which adjoins the conservatory, while to the rear there is a private garden area.

The site is bounded by hedges to the west, north and east, while a timber fence defines the site to the south. This is all illustrated on the photos which accompanied the application – see document 4.

There are several small trees within the curtilage, these are generally integrated with the boundary hedging. Notably, there are 5 trees along the west boundary, 6 along the north boundary and 4 trees on the southern boundary. Only two trees (which are considered to not be good specimens) require to be removed as a result of the development on the northern boundary. Document 5 illustrates the tree locations and the location of the two trees which require to be removed on the northern boundary.

As shown on the location plans – see document 6 - to the north and west of the site there is an open field which is part of the wider Masterplan area. To the east there lies the curtilage of the former Whitemyres Riding Stables, which have been demolished in preparation for redevelopment as part of the wider Masterplan area. To the south there are a range of former steadings which have been converted to three houses.

The appeal site takes access from a 5m wide track which runs south from the Lang Stracht, and which also serves the other 3 steadings which lie to the south. The track runs on the eastern boundary of the site, and there is a spur leading off it along the north boundary of the site.

The site is currently served by mains water and electricity, and drainage is by way of a septic tank.

The application site is located within an area allocated as an Opportunity Site under Land Release Policy LR1 of the Aberdeen Local Development Plan 2012. The wider Maidencraig Opportunity Site straddles the Lang Stracht A944 with OP44 Maidencraig North East located to the north of the A944 for 300 houses and OP43 Maidencraig South East located to the south of the A944 for 450 houses. Both sites are required to have a combined masterplan. The appeal site lies in a reasonably central position within OP43.

THE PROPOSAL

The proposal is to demolish the existing 1.5 storey house on the site, and replace it with 2 single storey 2 bedroom bungalows including a single garage for each house. Rather than sitting diagonally within the site, the 2 bungalows would be aligned parallel to the northern boundary of the site. The houses would be semi-detached, with the 2 garages linked together – all as shown on the application plans – see document 7. As noted more fully below, this change to the alignment of the houses would be in line with the Master-planned layout and road which would serve the wider site. Access would be taken from the north, and the private gardens would be located to the south of the houses.

The houses would utilise the existing water and electricity supplies. However drainage would be to the mains drainage which runs immediately to the east of the site.

THE DEVELOPMENT PLAN

The Development Plan for the area of the appeal site comprises the Aberdeen City and Shire Strategic Development Plan (SDP) read with the Aberdeen City Local Development Plan 2012.

The SDP is an aspirational plan directed at expanding the region's economy, population base, and particularly its housing stock. The plan requires that 16500 houses are developed in the Aberdeen City area up to 2016. Of these, 12000 houses are allocated on greenfield sites and 4500 on brownfield land. The development of the area of the appeal site (LDP Opportunity Sites OP43 and 44) is an essential component of the City Council's plan to deliver that expansion.

Delaying or frustrating the development of Sites OP43 and OP44 are accordingly seen as contrary to the SDP.

The Aberdeen City LDP (Proposals Map) includes the appeal site within an area allocated as **Opportunity Site OP43**. OP43 Maidencraig South East is noted (on Table 7 of the LDP) as a site for 450 homes, for development in the period 2007-2016.

Development of the site is subject to **Policy LR1** – Land Release Policy. Part A of the Policy (dealing with allocations for 2007-16) states that housing on allocated sites will be approved in principle. It continues to say that 'development ... that jeopardises the full provision of the allocation will be refused'.

There should therefore be a presumption in favour of the development – unless there was a clear indication that allowing the proposals would frustrate the full development of the OP43 Site. As more fully set out below, this is clearly not the case here, and interestingly, no justification for such an assertion is set out in the reasons for refusal. It is accordingly suggested that there is no conflict with Policy LR1.

Development within Master-planned areas requires to have regard to Policy D1 – Architecture and Placemaking. The Policy requires that new development must be designed with due consideration for its context. Factors such as scale, massing, orientation, landscaping and boundary treatments should be considered. Contrary to what is said in the Report of Handling, these factors have all been considered in evolving the proposed design for the whole area. And as set out more fully below, it is suggested that a much improved design and relationship between the housing and its surroundings would result from approving the application. It is accordingly submitted that there is no conflict between the appeal proposals and this Policy.

The presence of trees within the application site requires that **Policy NE5 – Trees and Woodland** - should also be considered. The Policy states that ‘there is a presumption against ... development that will result in loss or damage to established trees ... that contribute significantly to ... local amenity’. There is also a reference to ‘ancient woodland’ which does not apply here. However, as more fully set out below, the only impact of allowing this proposal would be the loss of 2 trees to allow for the formation of the access drive. As these trees would be replaced elsewhere on the site, it certainly cannot be suggested that the impact would be ‘significant’, or accordingly that the Policy would be infringed to such an extent that the application should be refused.

In accord with LDP policy, a Combined Masterplan has been produced for OP43 and OP44. **The Maidencraig Masterplan** was approved by the City Council in April 2013. Although the Masterplan covers the whole of OP43, it states that ‘a number of other private properties exist in the Maidencraig South East area and these have been carefully considered in the formulation of the Masterplan’. The Masterplan accordingly clearly demonstrates that the full capacity of the site (indeed over 450 units) can be achieved without impacting significantly on these private properties. Interestingly several of the figures included in the Masterplan exclude these private properties. Of particular significance in relation to this appeal – see document 8 (which deals with Phasing) - shows the appeal site excluded from any particular phase of development. It is accordingly not understood how it can be suggested that the proposals are contrary to the Masterplan.

In consideration of the foregoing, it is suggested that perhaps the most relevant Policy consideration in this appeal is **Brownfield Policy**. P167 of the LDP notes that ‘Brownfield Sites ... are sites (as here) which have previously been developed’. Their redevelopment is welcomed, and the plan notes that although ‘their redevelopment can be problematic, ... these are likely to be outweighed by their inherent sustainability’. The redevelopment of this site would accordingly be in accord with the Policy on Brownfield Sites.

OTHER MATERIAL CONSIDERATIONS

Access: The Report of Handling suggests that there are 5 existing houses taking access off the track which serves this site. However this is not correct. There are 4 existing properties which would rise to 5 should the development be approved. Sustaining the appeal would not therefore require the road to be upgraded to potentially adoptable standards.

Impact on Trees: As noted above there are a number of trees on the site. However, the site is commodious enough to accommodate these at the same time as the 2 new houses. The only impact would be the loss of two trees, which would be required to re-locate the access to the site from its current position on the western boundary, to a more central location on the northern boundary of the site. The majority of the trees are being retained as shown on the plan submitted as document 5 and there was never any intention to remove other trees and indeed their retention can be secured by way of planning conditions.

Precedent: While precedent is not raised as a reason for refusal, it should be noted that the Council have previously approved the redevelopment of some of the private house sites included within OP43, and adjoining the Masterplan Site. In particular reference is drawn to Application 14 0464/14 0491 which allowed (in pursuance of PPIp ref: 11 1554) the replacement of a single house with 2 detached dwellings. This is a very similar proposal to the appeal, and it is submitted establishes a firm precedent for sustaining the appeal.

GROUNDINGS OF APPEAL

The grounds of appeal are:

- That the Council has already approved the masterplan including all land, buildings and properties within the OP43 (and OP44) area, including the application site. If the Council were concerned in any way about development outwith the approved shown phases 1a, 1b, 2a, 2b, 3a, 3b, 4 or 5 then it should not have approved the masterplan without the confirmation that all the owners of the land, buildings and properties were in agreement to the wider masterplan. The masterplan clearly states that “a number of other private properties exist in the Maidencraig south east area and these have been carefully considered in the formulation of the masterplan”. The Council accepted this and approved the masterplan in April 2013. It is therefore now unreasonable to refuse the application under the Opportunity Site OP43 housing allocation.
- In addition to this, it can be on no way described as ‘prejudicial’ to the phased delivery mechanism for the wider development when it is not expected that it will form a part of that as agreed by the approved masterplan.
- It is argued that the refusal cannot also be justified as the appeal site lies outwith the boundary of the subsequent Planning Permission in Principle P130265. While the masterplan did indeed inform the preparation of the Planning Permission in Principle and is within the masterplan boundary, it is not actually included within the planning application red line site boundary. In terms of the principle of development it cannot be argued that the site prejudices the full provision of the housing allocation when it is not even within the red line boundary. The phasing plan approved as part of the masterplan also shows how the development phases are to be delivered and where they are located and the appeal site will not affect this. It must also not be forgotten that the application site is already developed, albeit with just one house, but because the additional house created is within the boundary of the existing house, its development surely cannot be seen to prejudice anything as development is already present on the site.
- It is contended that the commentary about how the site lies in an ‘isolated location’ is misplaced. Firstly, the area has already been included within an approved masterplan for residential development. Secondly, even without the proposed development of OP43, the site can hardly be described as isolated in the context of the built up City

area, being directly opposite the existing Dobbies Garden Centre and adjacent to other residential properties in the immediate and surrounding area along the Lang Stracht.

- It is acknowledged by the Planning Service that the overall approach to masterplanning, which is indeed good planning, is to prevent piecemeal development and problems with delivery of key infrastructure for development framework or masterplan sites and that it is expected that an application for planning permission in principle or detailed planning permission for the entire site based on the development framework or masterplan will be submitted in advance of any other applications for development of the site. However, for the Council to say the application is premature because the planning permission in principle has not yet been approved, notwithstanding having been validated on 28 February 2013, and with an approved masterplan in place since April 2013, is completely unreasonable. No requests have been made to include the application site within the application site boundary of planning permission in principle P130265.
- With regard to the principle of development of the existing site, it may well be the case that the site and the surrounding land was once not allocated for housing development and was Green Belt land with a more rural context. However, the application site has had a dwellinghouse on it for a substantial number of years and the additional house is contained within the boundaries of the existing house. It is perverse to say that the site characteristics have not changed and the site has a typically rural identity as not only does the application site already have development on it in the form of one house and does not encroach outwith that boundary, it is also part of a well-established housing land and opportunity site and which has been carried forward into the Proposed Aberdeen Local Development Plan. In addition, any such impact that the Council perceives has interestingly not been included as a reason for refusing the application.
- With regard to site specific considerations, while the application was not submitted with a tree survey and plan, however as can be seen in the plan submitted with the appeal only two trees require to be removed. It is also intended to replace the trees which may be lost as a result of redeveloping the site. In addition to this, in line with the landscaping proposals outlined in the masterplan, detailed landscaping and tree planting will be submitted along with the detailed applications for the later phases of development. Indeed, the intention is to strengthen the existing wildlife corridor in this area to improve the screening and setting of the existing houses on their eastern side and to avoid undermining the character which the houses currently enjoy. The development would also not prejudice the Green Space Network.
- It is stated within the delegated report on the application that the Council's Roads Engineer has noted "potential" concerns relating to the existing access road. It is stated that "if it were the case" that the additional house meant there were 6 houses accessed from the existing unadopted road and not just 5, then the road should be made up to adoptable standards. It can be confirmed that there are only 4 existing houses and the application would not therefore require the access road to be

adopted. In any case, this is very much a temporary matter as the future variation of the access for the two houses proposed under this application is dealt with in the masterplan and the houses and those adjacent to them will eventually use the newly created western overall site access onto the A944.

- In terms of overall layout, siting and design considerations, in relation to the layout of the masterplan, the proposed two houses will relate much better to the masterplan than the current 'angled' configuration of the existing house. As recognised by the planning officer, the development will be an improvement on the current house bringing the site into the 21st century along with all the energy benefits new development is required to provide.

SUMMARY

In summary, the site is within an area (OP43) that is zoned for development, and where there should be a reasonable expectation that planning permission will be granted. There is no conflict with either the SDP or LDP Policies (LR1, D1, or NE5), and the proposals respect the Maidencraig Masterplan.

Further, it has been shown that none of the material considerations relating to access, impact on trees, and precedent suggest that permission should be refused.

Most importantly it has been clearly demonstrated that the reasons for refusal do not stand up to the test of critical analysis.

CONCLUSIONS

In consideration of all the foregoing it is submitted that planning permission could reasonably be granted for this development, albeit subject to conditions. Reasonable planning conditions covering the following matters would be acceptable – access, materials, surface water drainage, tree retention, landscaping and developer contributions.

To conclude, we do not consider that there is any incompatibility with the adopted or the proposed Local Development Plan and that the impact of this minor development on the wider development plan is entirely over-stated. The development can proceed without any impact on the Masterplan area whatsoever. There are no objections from statutory consultees and there have been no objections from third parties. It is therefore respectfully requested that planning permission is granted.

Demolition of Existing House and Erection of 2No. Dwellinghouses at No 10 Small Holdings, Whitemyres, Aberdeen

Design Statement

October 2015



1.0 INTRODUCTION

This document provides the supporting statement for the redevelopment to the existing residential site at No. 10 Small Holdings, Whitemyres, Aberdeen. The proposal is for a full planning application to demolish and replace the existing dwelling with two smaller dwelling houses within the curtilage of the existing residential feu.

The site is owned by the applicant, Mr R Rattray, and is accessed off a private shared road adjacent to the A944 Lang Stracht.

The applicant has engaged the services of William Lippe Architects Ltd to act as his agent on this project.



Ordnance Survey Extract – Site in Red

2.0 SITE DETAILS

The site is situated to the south of A944 Lang Stracht road where the current dwelling is surrounded by agricultural land to the north, east and west. However, there are existing residential properties to the south which are also served by the access track. There is an existing hedge to north, east and west boundaries and vertical timber fence to the south boundary.

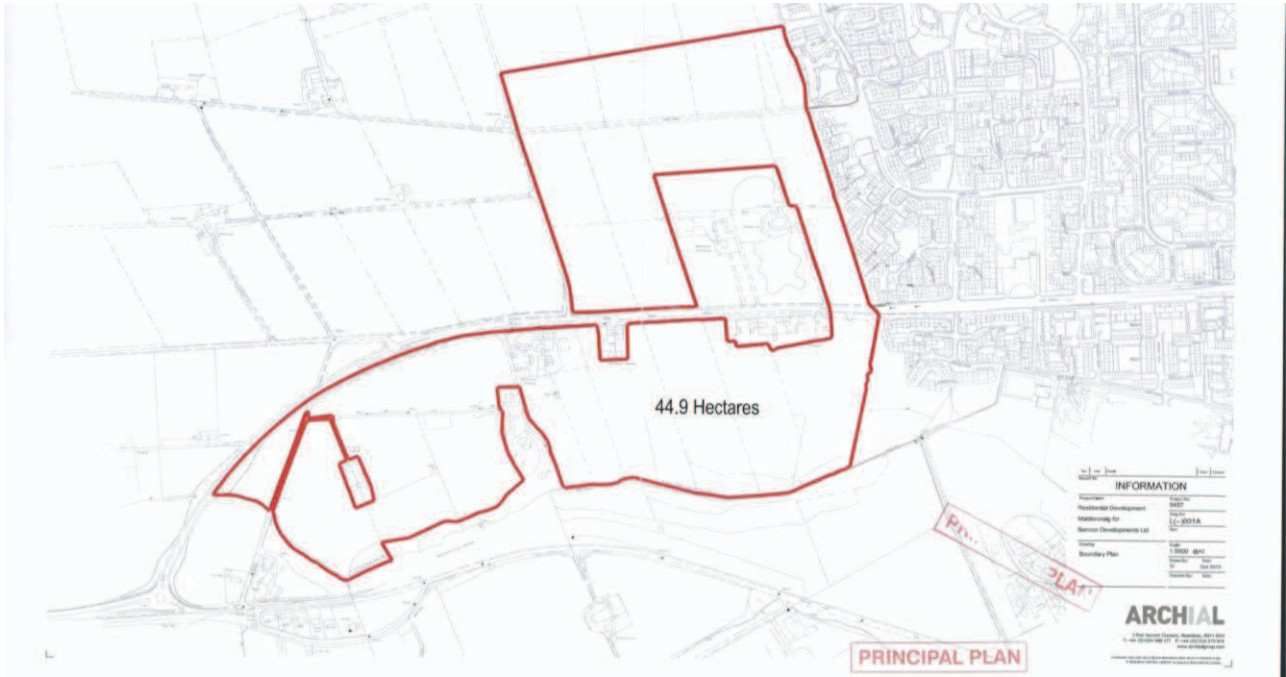


Existing Access Track (Looking North onto A944)

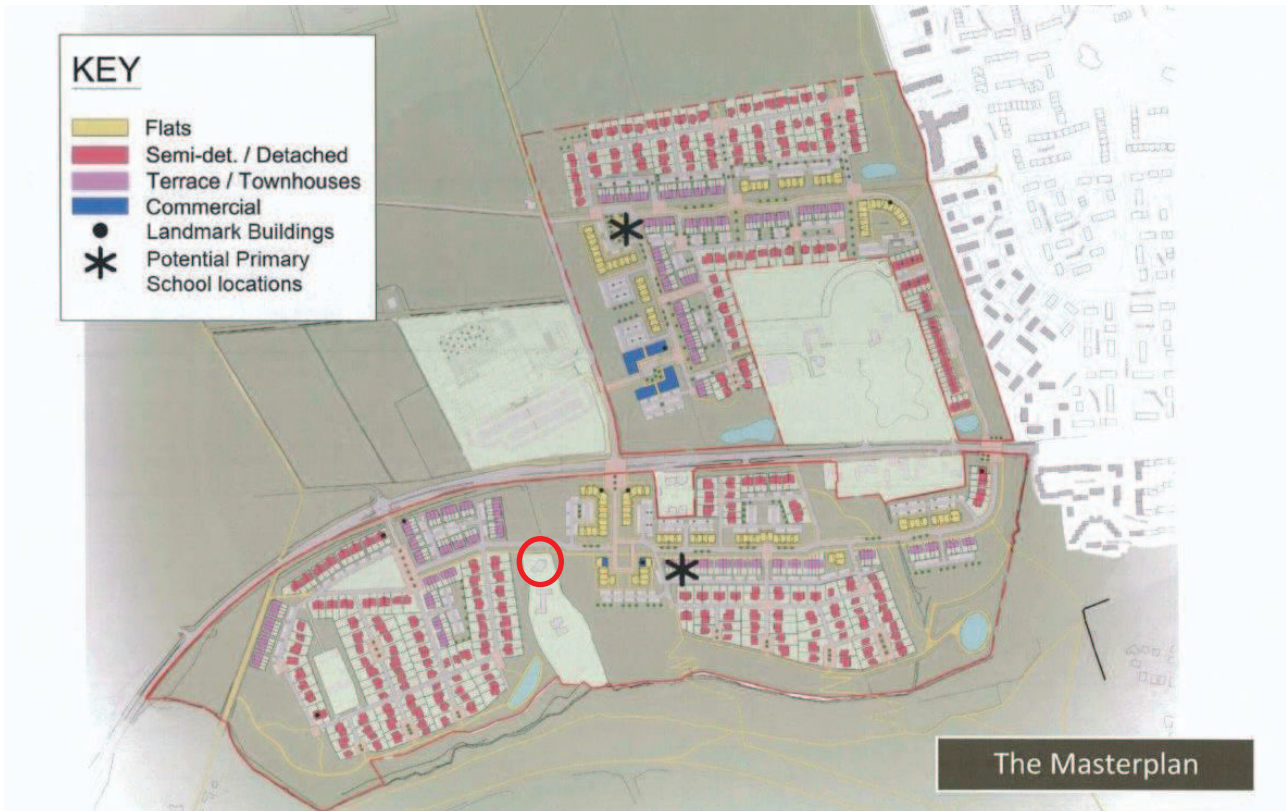


Access track is connected onto adjacent A944

The site, along with surrounding land, is allocated in the adopted Local Development Plan 2012: as site OP43, which, combined with OP44, has been allocated for 750 new homes. The applicant is aware that Bancon Homes have submitted an overall masterplan for developing both OP43 and OP44 (application ref: 130265. Development has now commenced on site, in terms of consent ref: 130491 – Phase 1A).



Archial Norr Location Plan showing masterplan site for application 130265



Extract from Archial Norr supporting statement for Maiden Craig Masterplan (application ref: 130265)

The housing allocation for the wider area mean that this is an area where redevelopment and new housing development is acceptable, in principle.

3.0 SITE APPRAISAL

The existing single storey house is around 50 years old, and the external fabric is starting to deteriorate. It is poorly insulated as most houses of that period are, resulting in substantial heat loss. The applicant wishes to replace it and build two new energy efficient dwellings which will meet his future needs.



North West Elevation of Existing House



South East Elevation of Existing House

The site is currently serviced by public water, drainage, electricity and BT supplies, it will therefore be easy to service the proposed two dwellings.

While the subdivision of the plot will result in two smaller house sites, these will still be within acceptable limits. The resultant plot ratios of 22% and 23%, are certainly in line with the plots within the wider Maidencraig masterplan development.

4.0 DESIGN PRINCIPALS AND SOLUTION

Aberdeen Local Development Plan 2012; Policies

Policy D1 – Architecture and Placemaking

In accordance with this policy, the scale, mass and proportions of the proposed single storey dwellings reflect the existing property and the converted steading to the south of the site. As far as can be ascertained at this time, it appears they will also respect the proposed semi-detached dwellings shown within the masterplan to the west of the site.

It is intended to keep the existing hedges to the east and west boundaries where possible. A 1.8m high timber vertical fence is proposed to the south, to provide privacy between the dwelling's rear gardens and that of the steading.

Policy D2 – Design and Amenity

In accordance with this policy we have ensured both properties have sufficient private rear garden space to the south of the site which also makes the most of the southerly sunlight. A drive is proposed to the front of the property, to ensure adequate car parking spaces. The house will have external lighting designed to a level appropriate to the residential area to minimise light pollution onto the neighbouring plots. This will also assist in designing out the opportunity for crime.

Policy R7 – Low and Zero Carbon Buildings

In compliance with the current Scottish Building Regulations, the dwellings will be constructed of sustainable, energy efficient, timber frame construction using modern techniques and materials to minimise heat loss, maximise energy efficiency and provide low energy bills. Two solar panels will also be provided to heat the hot water system. This will be a Low Zero Carbon element in compliance with the sustainability policy.

Supplementary Guidance

Topic: The sub-division and redevelopment of residential curtilages, March 2012

3.0 Privacy

To maximise the privacy between the new dwellings and the existing steading, we have located the proposed dwellings further north on the site than the existing dwelling. There are minimal windows to the east and west elevations with the east overlooking the existing access road.

Amenity Space

We have proposed a 1.8m high timber fence to the rear of the properties to ensure security and privacy between the properties. The rear gardens are approximately half the size of the overall plot area. They are useable for sitting out, and benefit from the southerly sunlight.

4.0 Design and Materials

To complement the existing area, while also keeping in mind the overall masterplan for the area, we propose crisp cream smooth render for the walls, interlocking slates for the roof to complement the traditional steading building to the south.

5.0 Density, pattern and scale of development

As noted above plot ratios are 22% and 23% which are within the maximum of 33% the policy requires.

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5.1. Phasing

The Local Development Plan sees both Maidencraig SE (450 houses) and NE (300 houses) being delivered by 2016. If this timetable is to be achieved, it is desirable that the following table is adhered to:

	Winter 2011	Spring 2012	Summer 2012	Autumn 2012	Winter 2012	Spring 2013	Summer 2013	Autumn 2013	Winter 2013	Spring 2014	Summer 2014	Autumn 2014	Winter 2014	Spring 2015	Summer 2015	Autumn 2015	Winter 2015	Spring 2016	Summer 2016	Autumn 2016	Winter 2016	
Public Consultation Process																						
Masterplan reported to Committee																						
Apply for Planning Permission in Principle																						
Apply for Detailed Planning Permission for Phase 1																						
Site servicing																						
Development (c. 200 houses per annum)																						

Fig 73 - Phasing proposals

The Local Development Plan was adopted on 29th February 2012, and a Proposal of Application Notice was submitted on 23rd February 2012. On completion of the community engagement process, we will be in a position to submit an application for planning permission in principle for the whole site, and ideally a detailed application for phases 1a and 1b relatively quickly thereafter to permit an early start on site.

It is logical that development begins in the east of the site, given that access will be taken from the A944, and the existing services are located there. Similarly, foul water drainage is located to the south of site OP43. In order to maintain momentum of the development, it is proposed that the two sites, OP43 and OP44 be developed concurrently, beginning in the east and moving west. This will enable junction works on the A944 to be constructed in a phased manner, as demonstrated in the phasing drawing in fig 74.

It is hoped that areas of affordable housing will be delivered in partnership with a registered social landlord, and the remainder of the land delivered as mainstream housing. However, it is also possible that the mainstream housing areas will contain a percentage of affordable housing delivered by methods such as low cost home ownership, shared equity, mid-market rent and other options in accordance with Planning Advice Note 2/2010. Discussions will take place with the Council's Housing Service as part of the planning application process.



Fig 74 – phasing

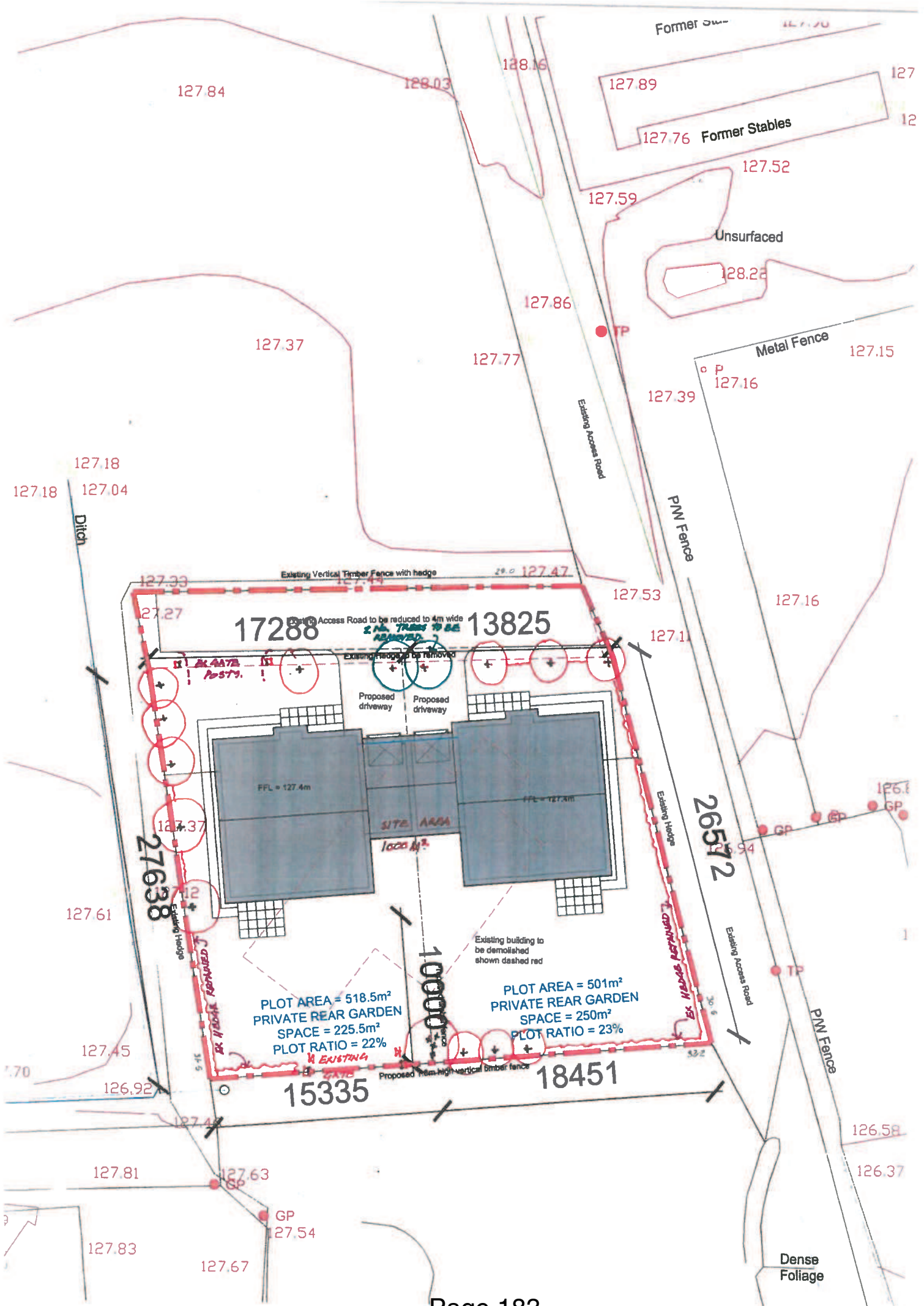
Phase 1

As mentioned, phase 1 will be split between the two sites, with an area of predominantly affordable housing in the north (phase 1b), and mainstream housing in the south (phase 1a). This development will incorporate the first of the three new junctions, which will eventually be a left in-left out arrangement to prevent excessive queuing at peak times. However, to avoid short term congestion issues. An arrangement allowing traffic to turn right in and out of the junction will be developed as a temporary solution until such time as the main central (fully signalised) junction with the A944 is complete. The eastern junction developed in phase 1 will incorporate a pedestrian crossing across the A944.

A temporary emergency access will be required to the north west of phase 1a to meet roads standards, but this can revert to a pedestrian access at a later date. The approximate housing numbers are for phase 1a - 88 units, and phase 1b - 78 units.

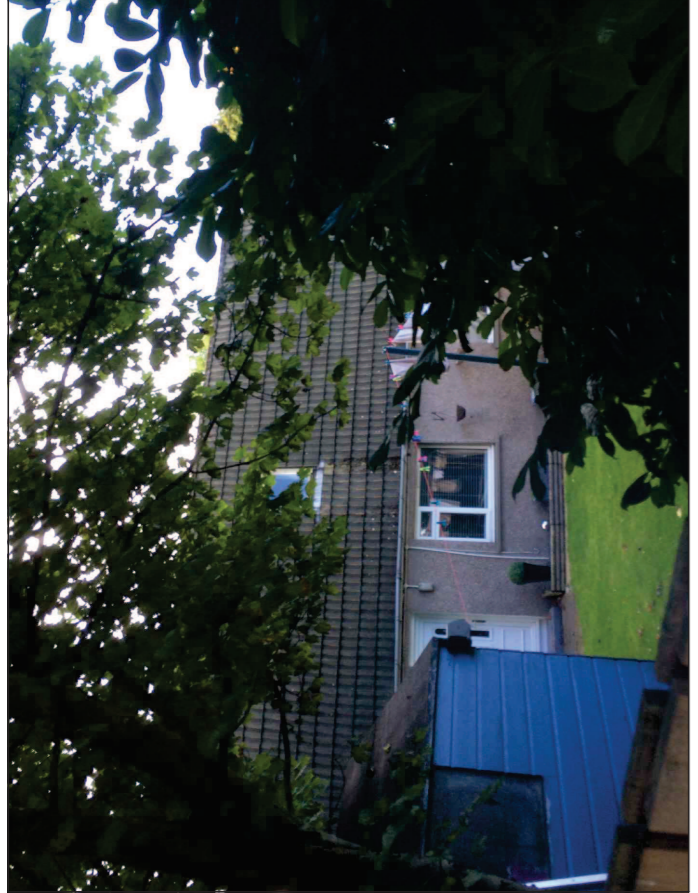
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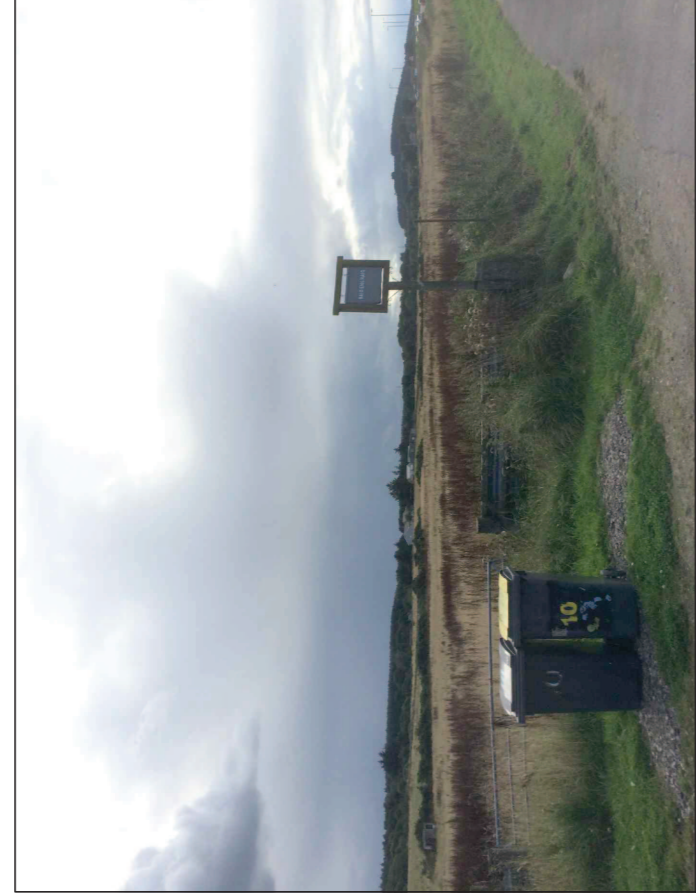


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REVISIONS



12.



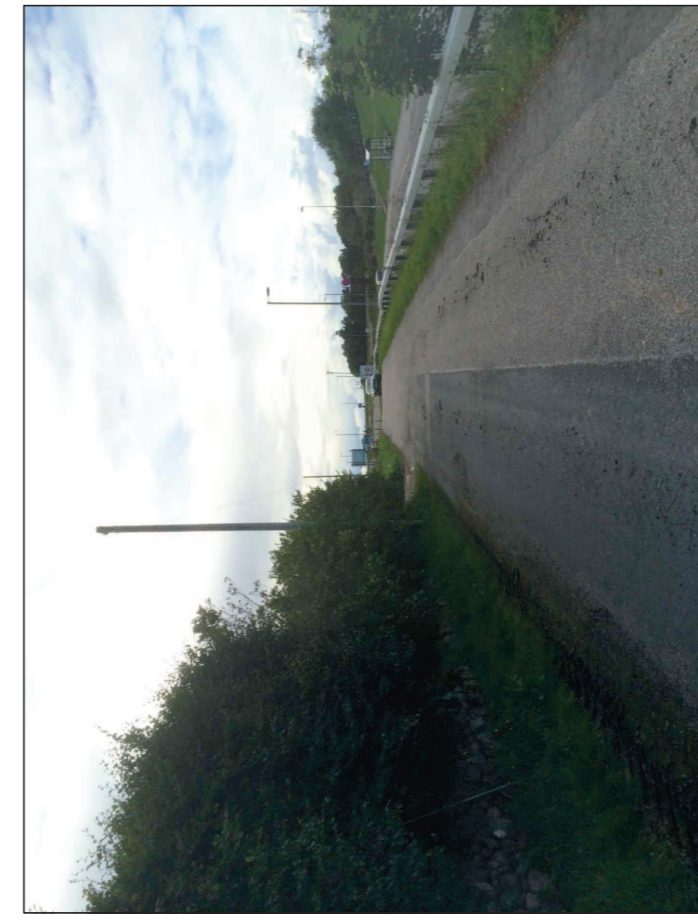
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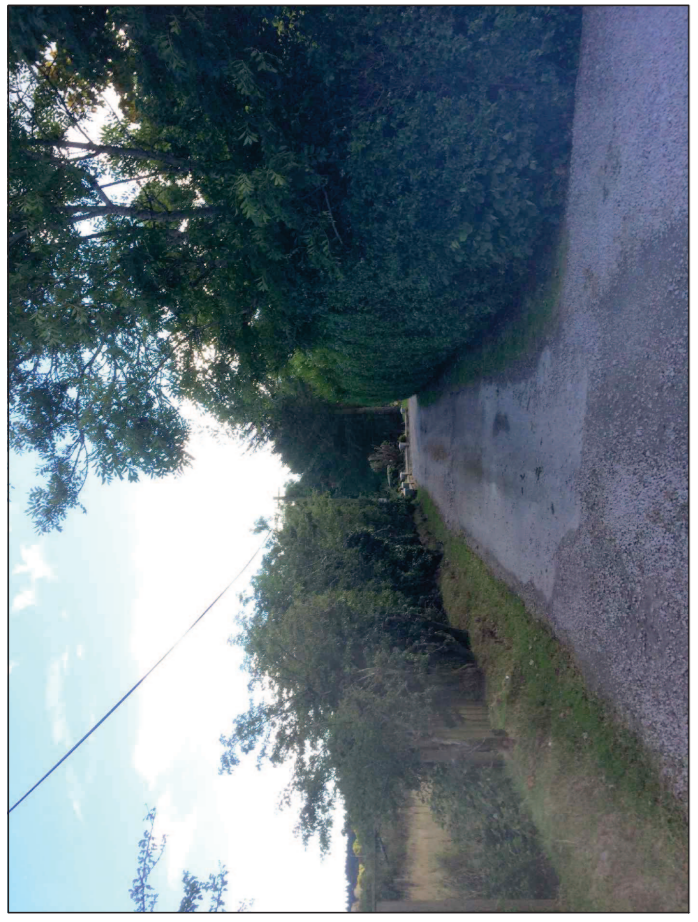
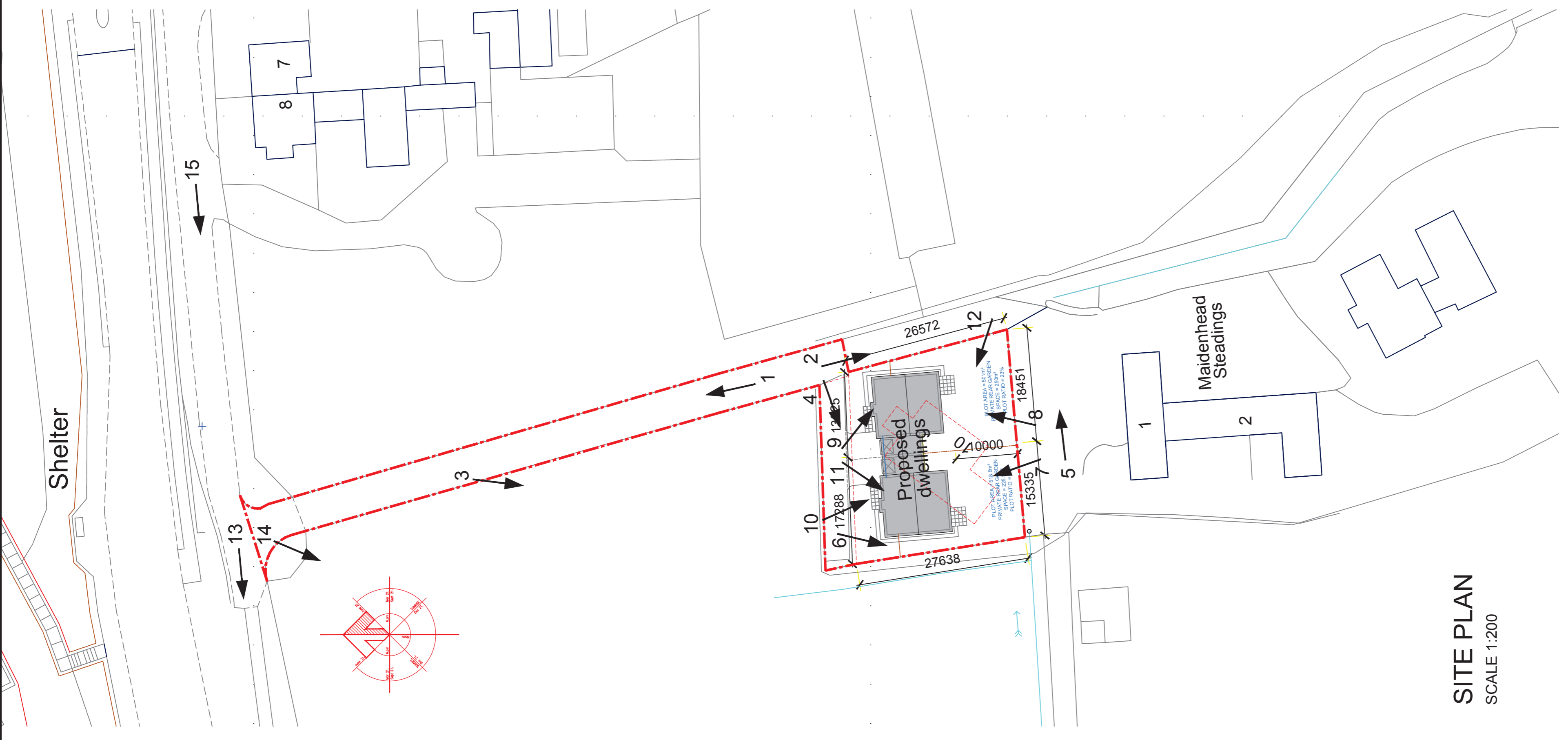
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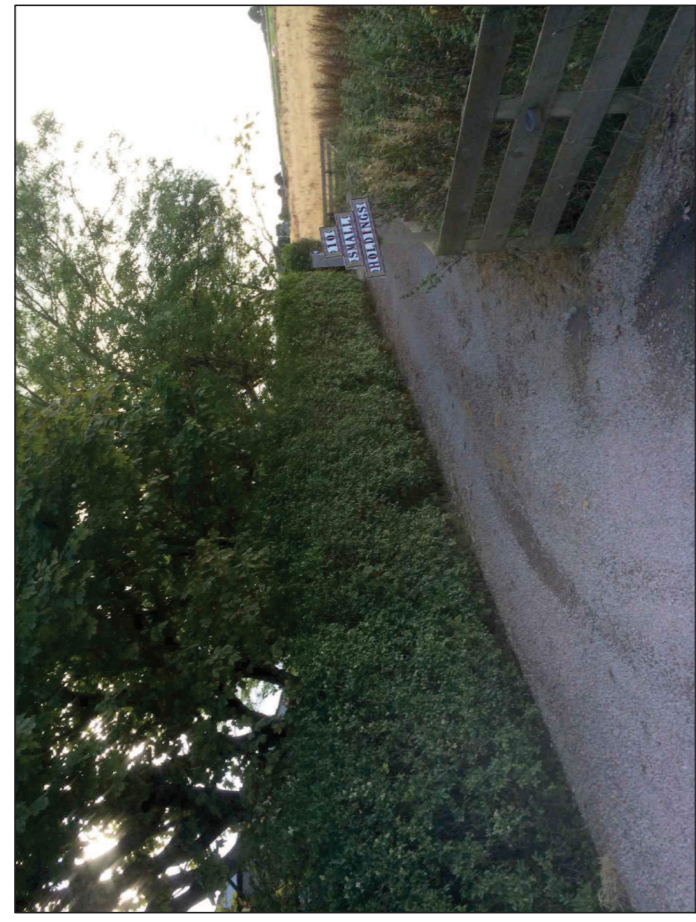
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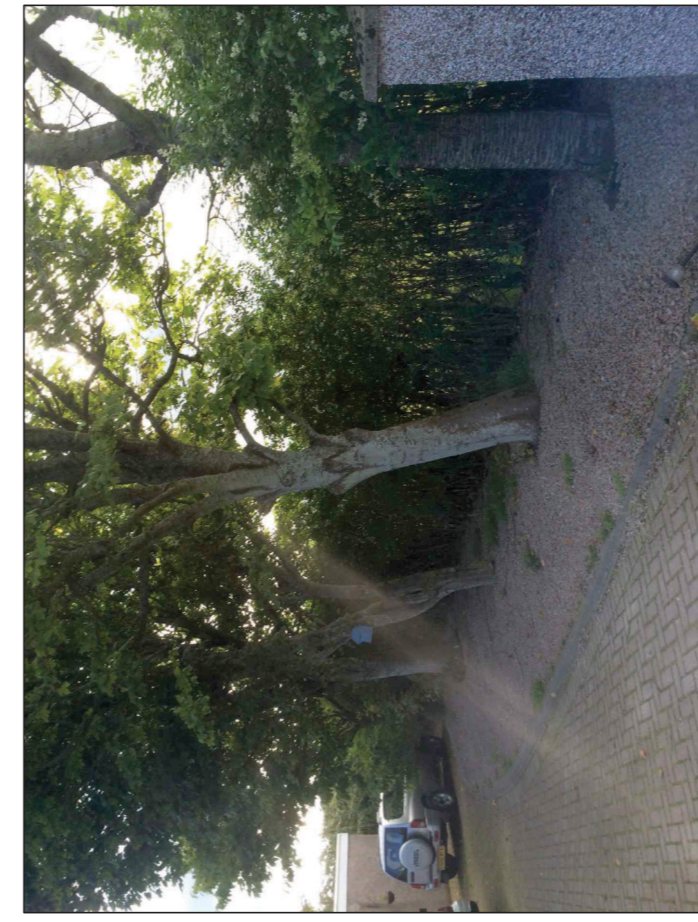
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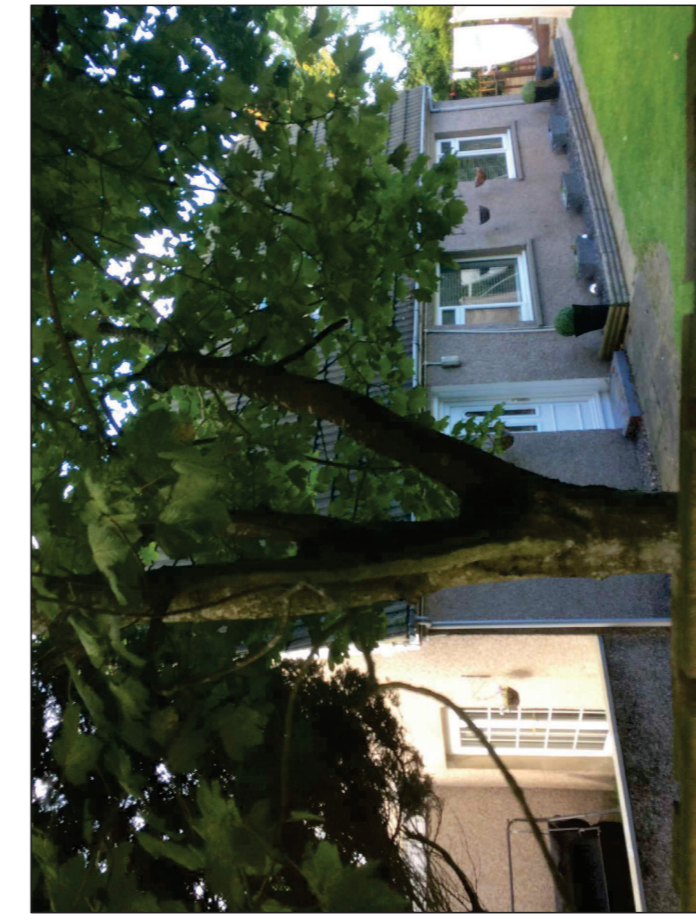
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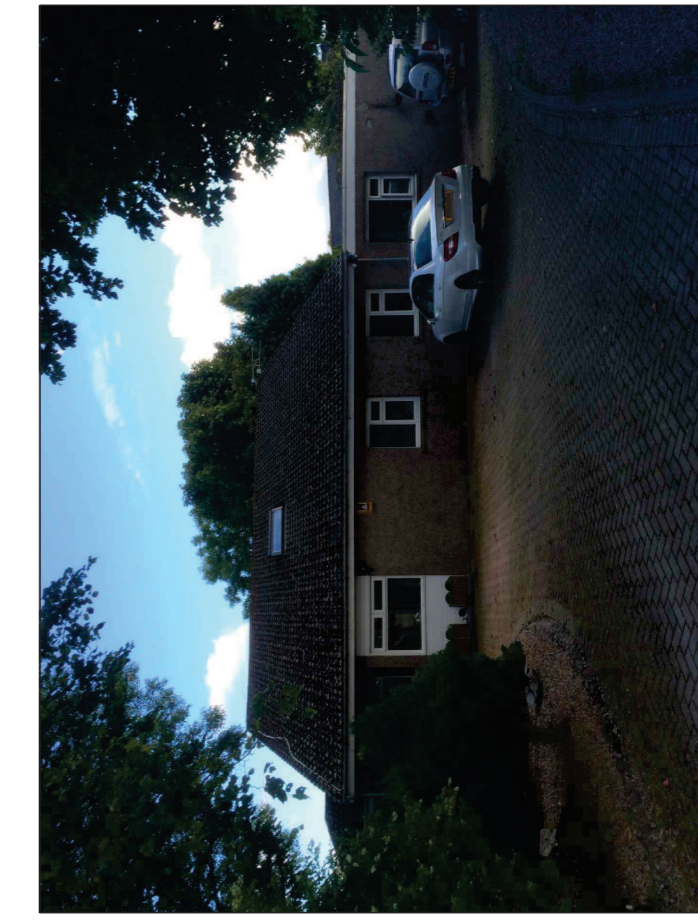
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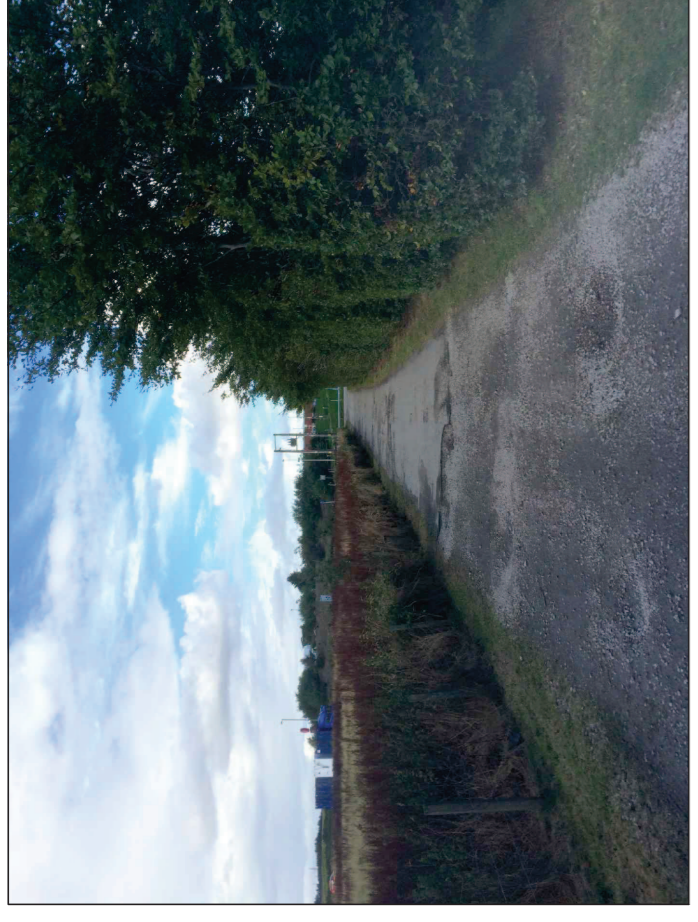
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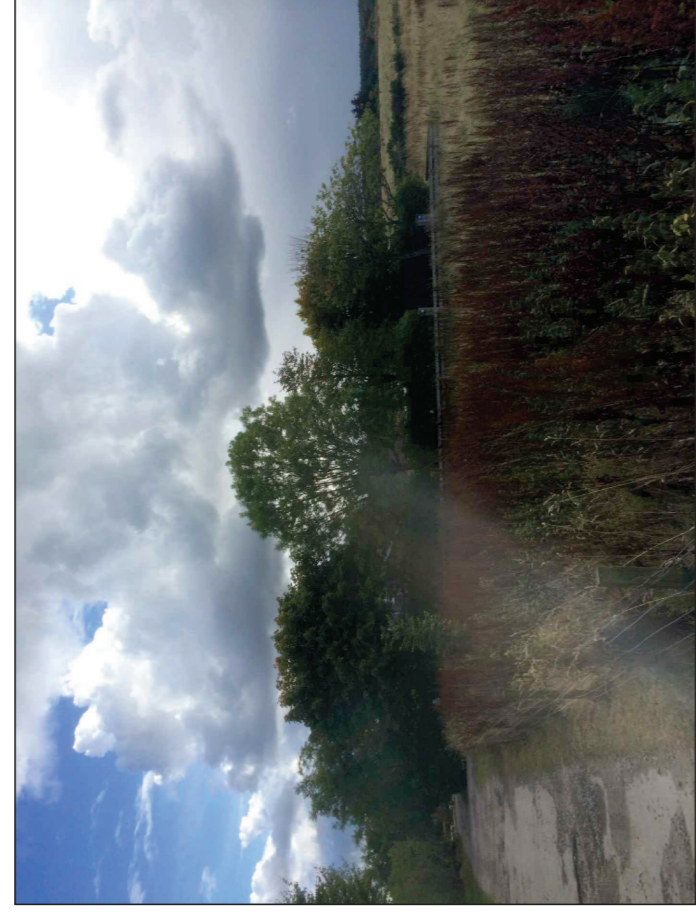
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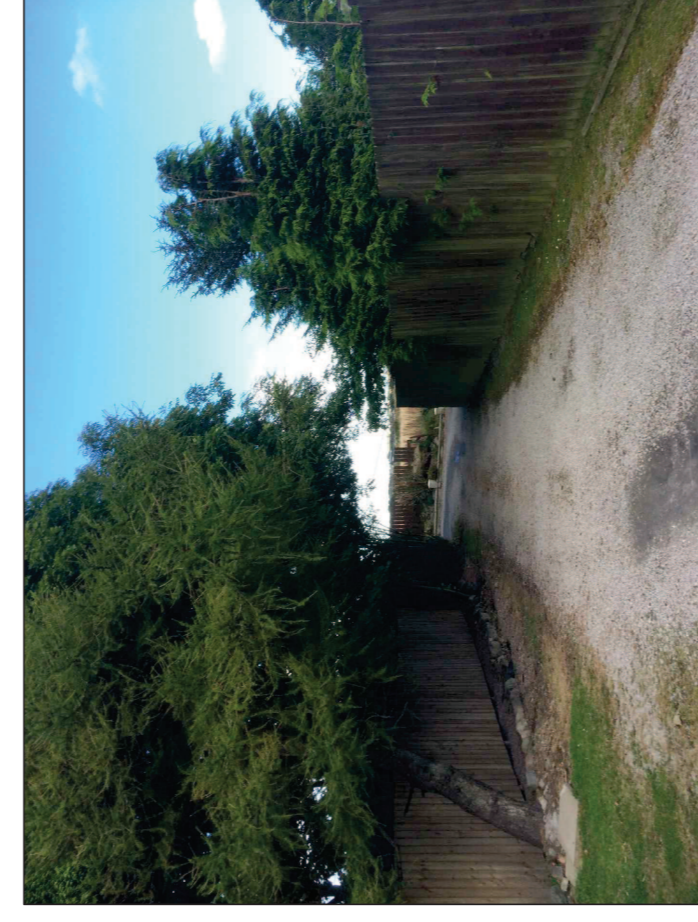
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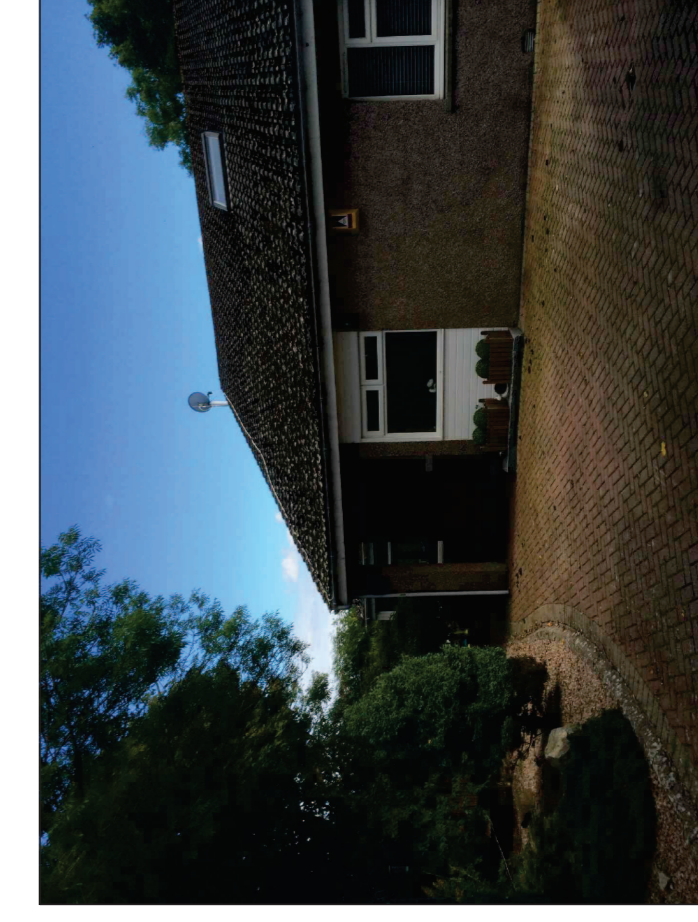
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PROJECT DETAILS

2No. Dwellingshouses
 Site at
 No.10 Whitemyres Holdings
 Lang Stracht, Aberdeen
 for Mr R Rattray

Photographic Survey

Scale: 1:500 @ A1
 Date: September 2015
 Drawn:tc

CHECK INITIALS DATE
 drawing:
 warrant:
 tender:

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PROJECT DETAILS

2 No. Dwellinghouses

Site at

No. 10 Whitemyres Holdings
Lang Stracht, Aberdeen
for Mr R Rattray

Location Plan

Scale: 1:5000 @ A4

Date: Sept 2015

Drawn: tc

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planning:		
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william lippe architects

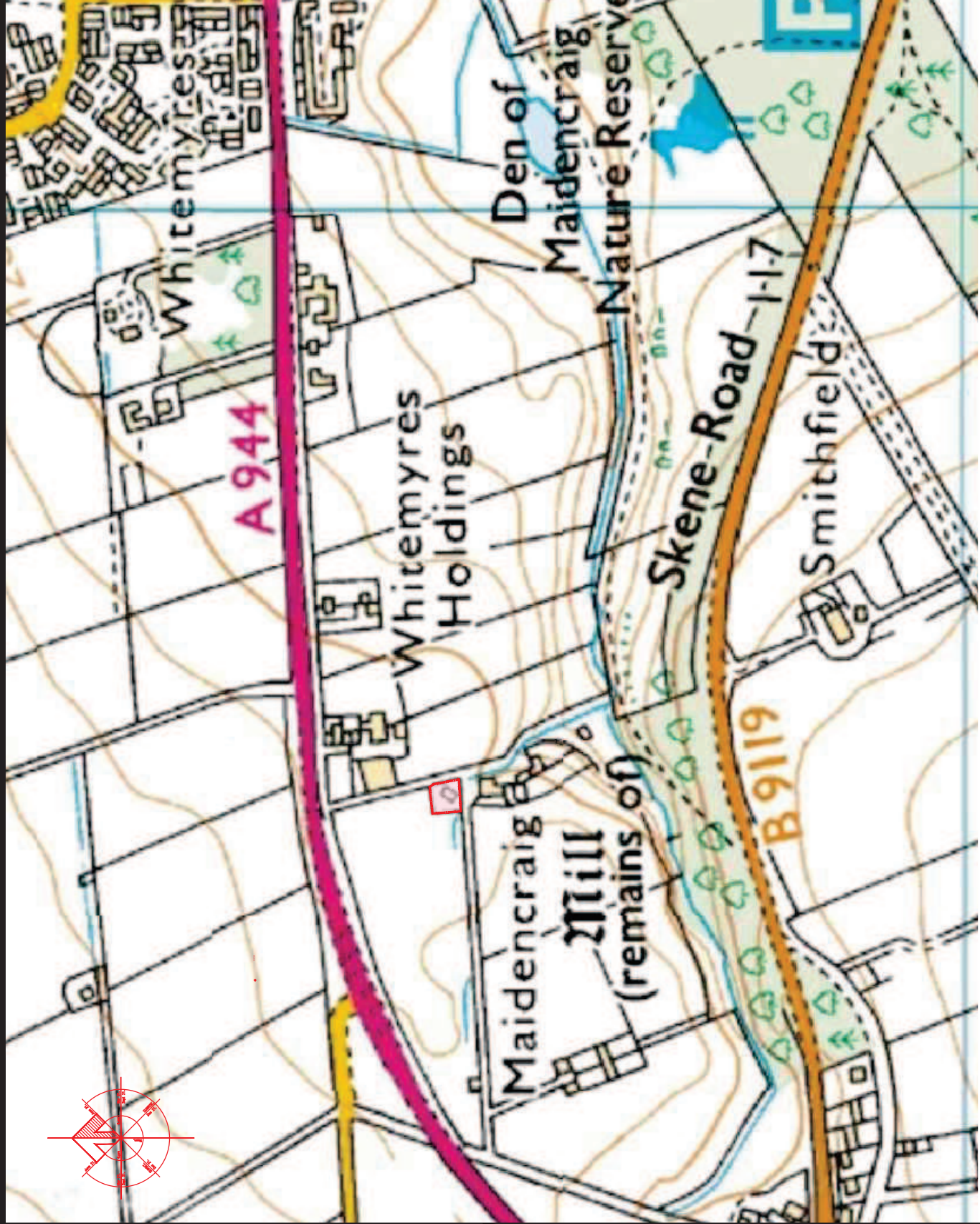
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LOCATION PLAN

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PROJECT DETAILS

2 No. Dwellinghouses

Site at

No. 10 Whitemyres Holdings
Lang Stracht, Aberdeen
for Mr R Rattray

Location Plan

Scale: 1:5000 @ A4

Date: Sept 2015

Drawn: tc

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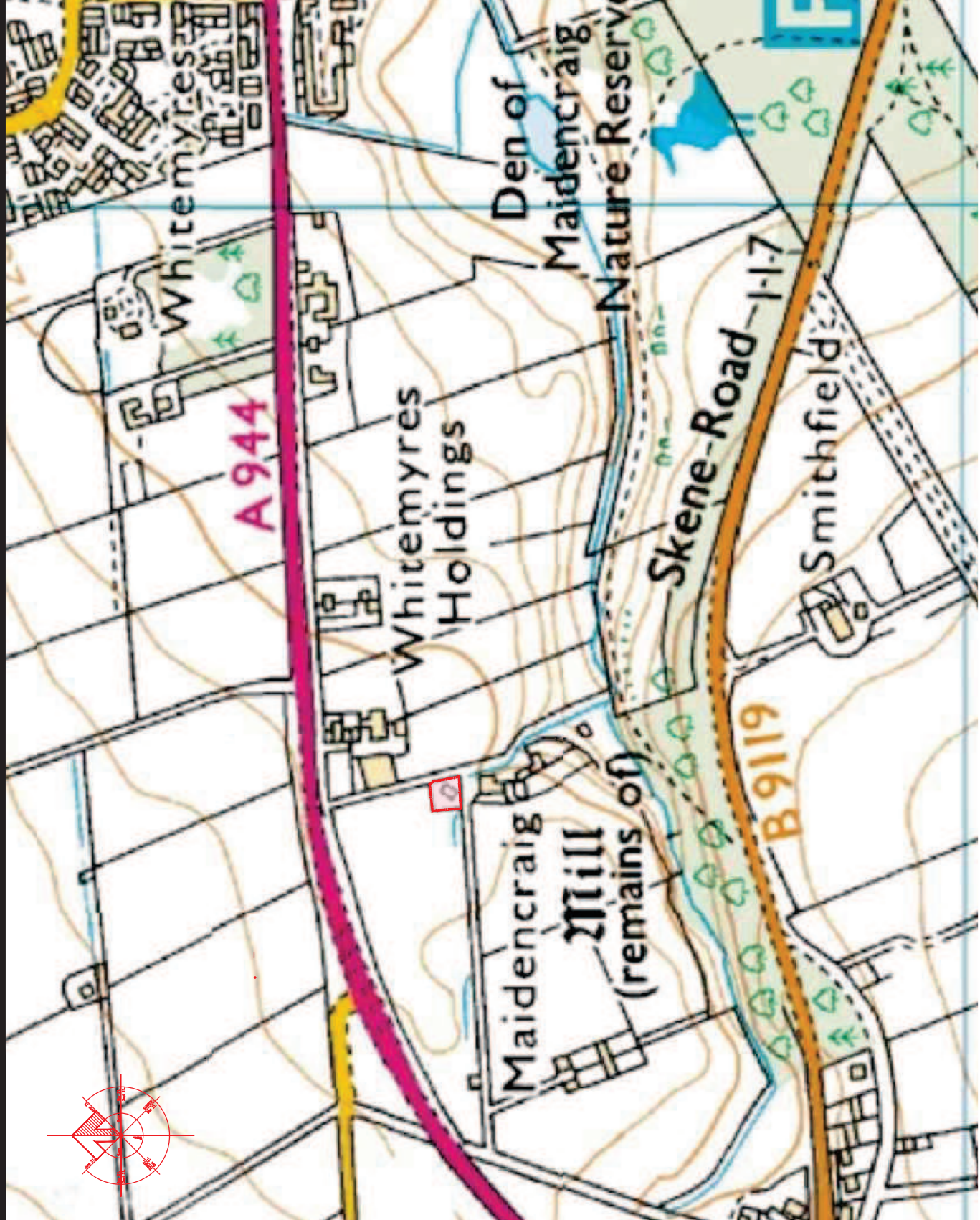
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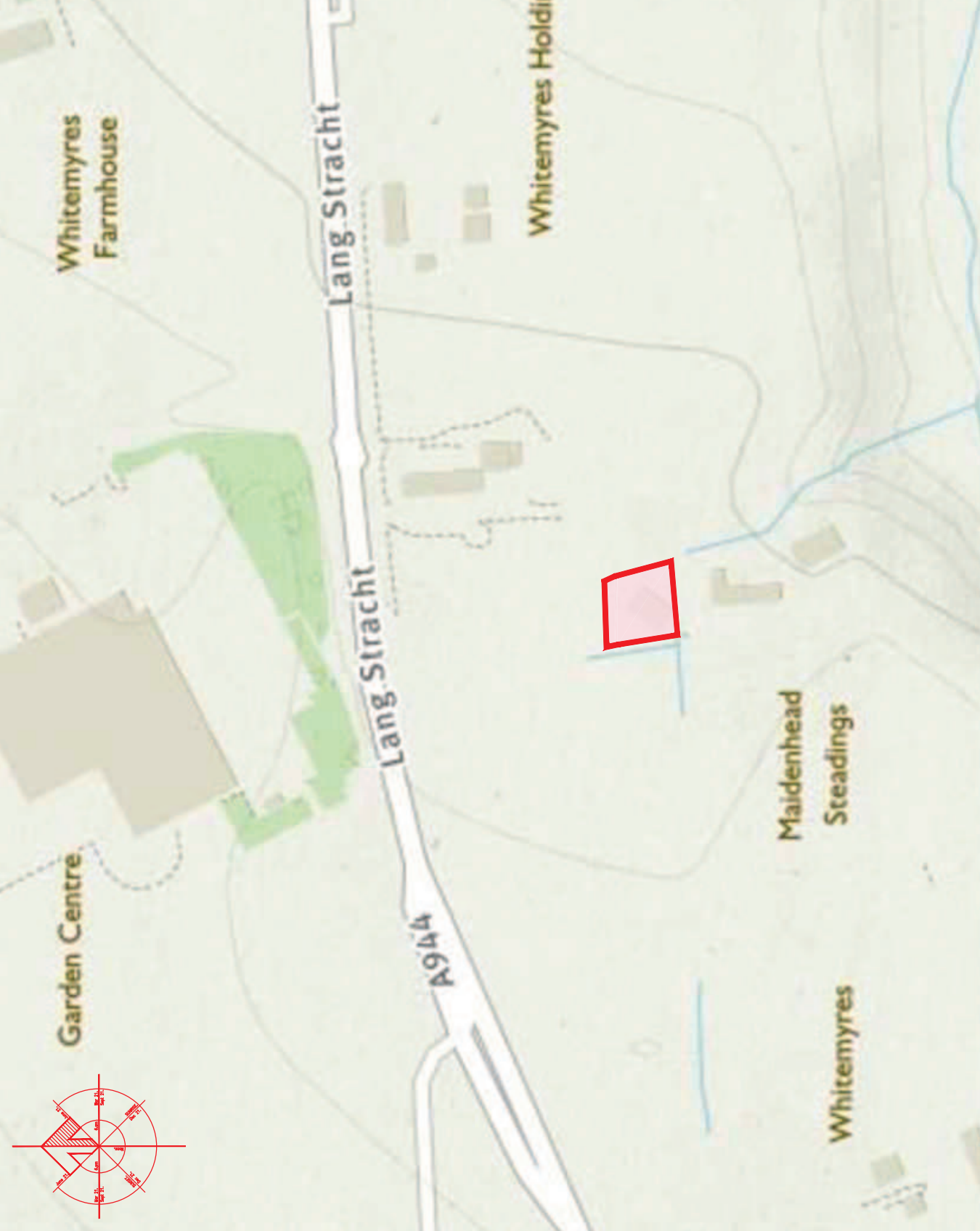
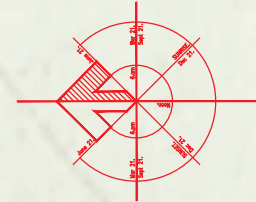
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LOCATION PLAN

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PROJECT DETAILS

2No. Dwellinghouses

Site at
No.10 Whitemyres Holdings
Lang Stracht, Aberdeen
for Mr R Rattray

Location Plan

Scale: 1:2500 @ A4
Date: Sept 2015
Drawn:tc

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warrant:		
tender:		



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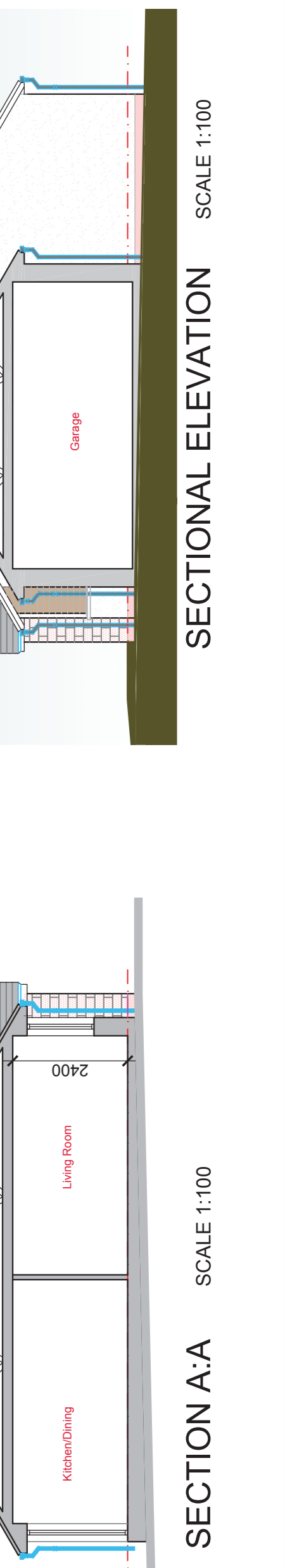
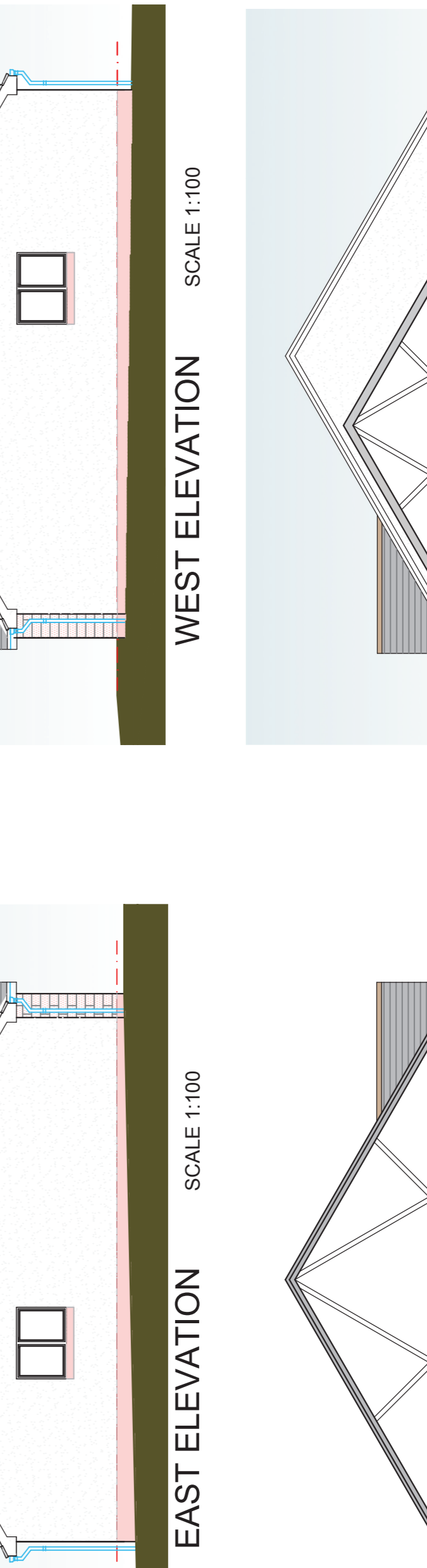
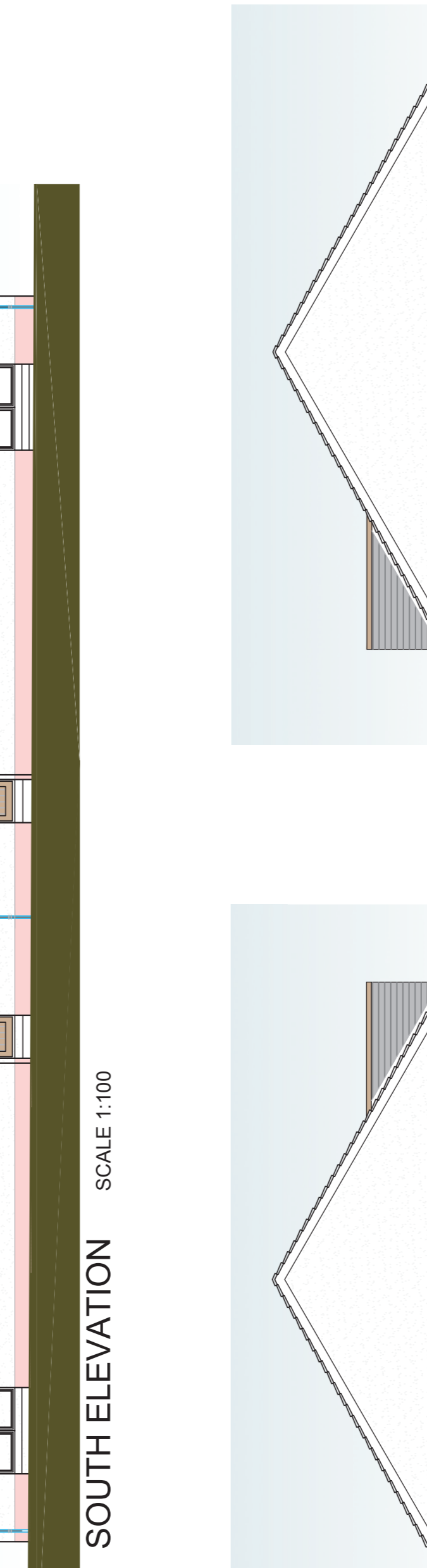
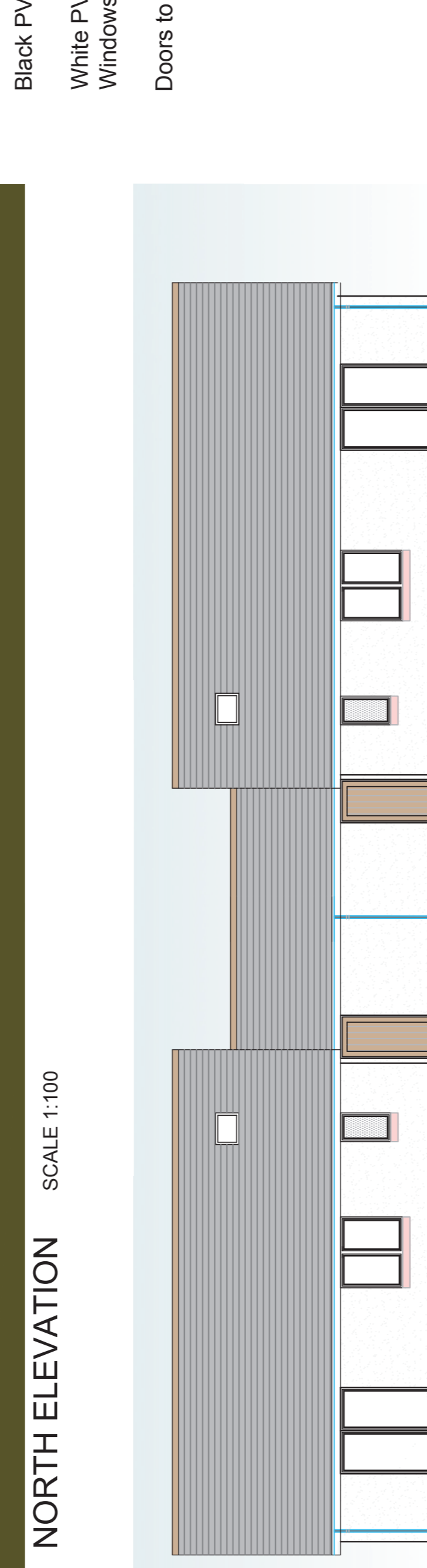
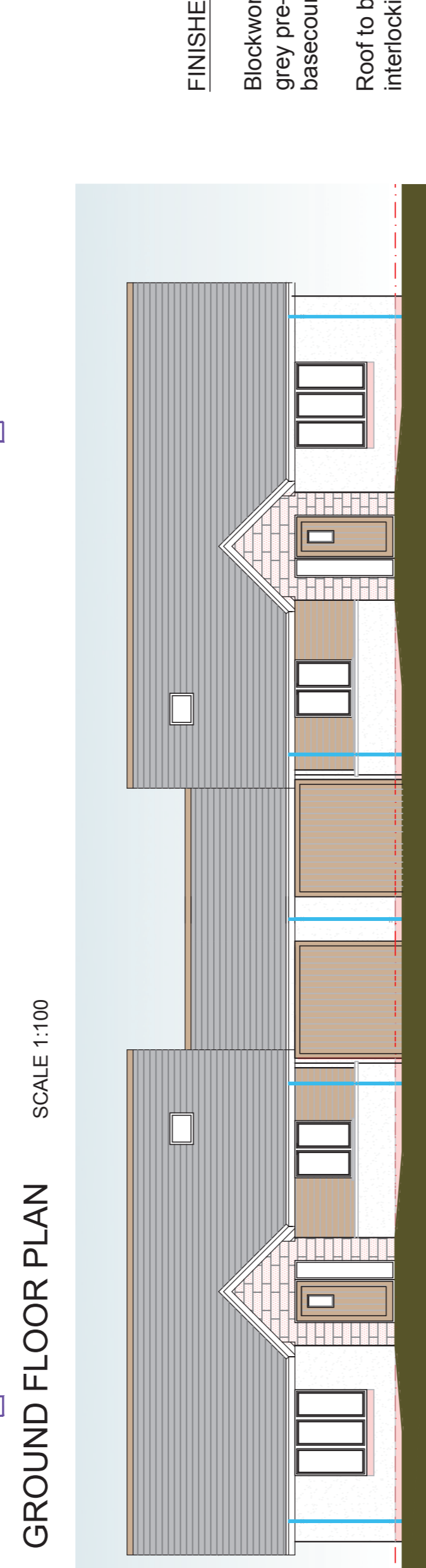
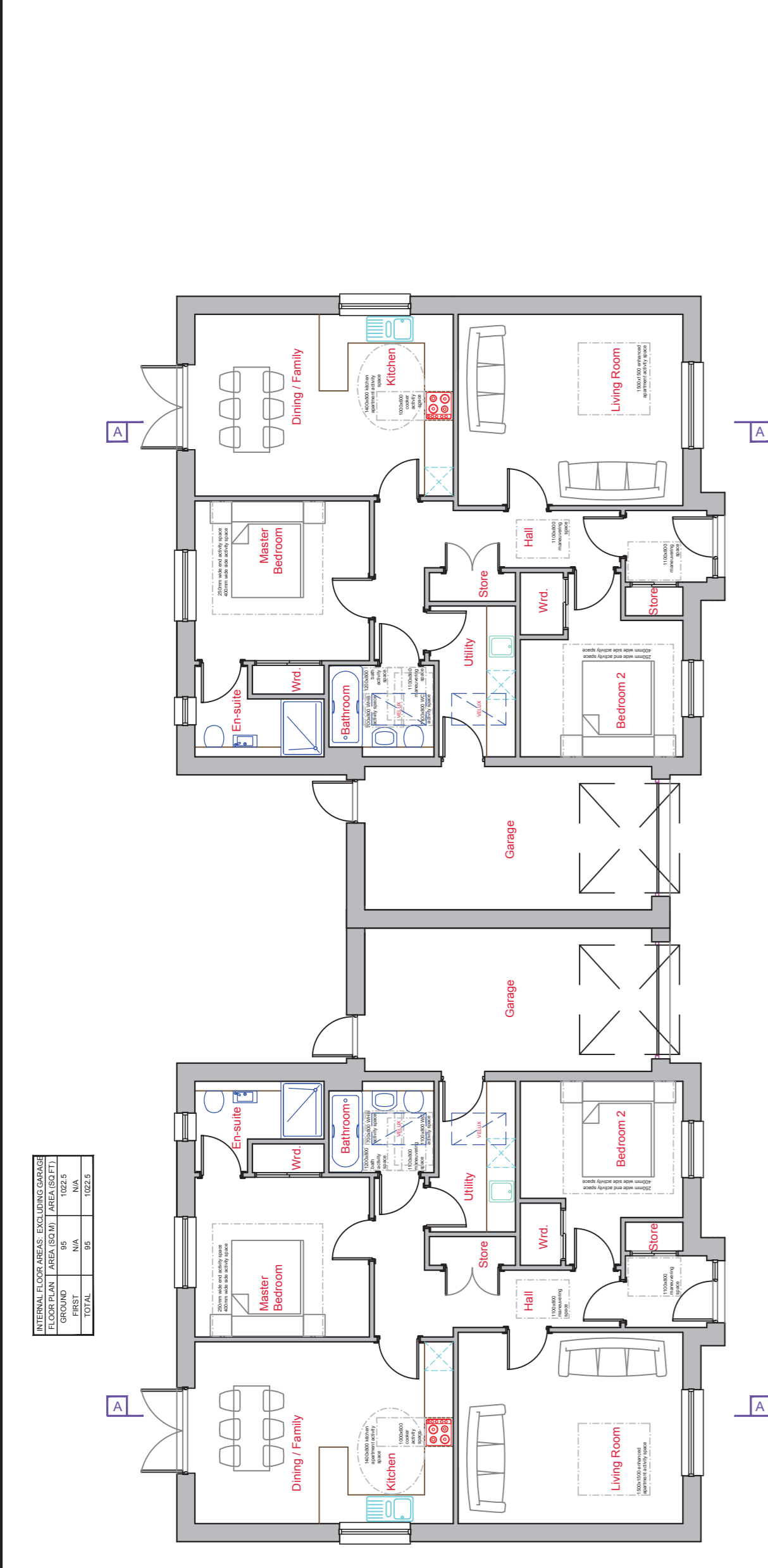
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LOCATION PLAN

SCALE 1:2500

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FINISHES:
 Blockwork walls with cream K-Rend finish and light grey pre-cast slip cills and buff coloured Freestone basecourse. Timber linings to be stained.
 Roof to be finished with Marley Duo Edgemere interlocking slates.
 Black PVC rainwater deepflow gutters and downpipes
 White PVC fascias & soffits
 Windows to be oak timber effect UPVC
 Doors to be GRP oak timber effect

PROJECT DETAILS

2No. Dwellingshouses
 Site at
 No.10 Whitemyres Holdings
 Lang Stracht, Aberdeen
 for Mr R Rattray

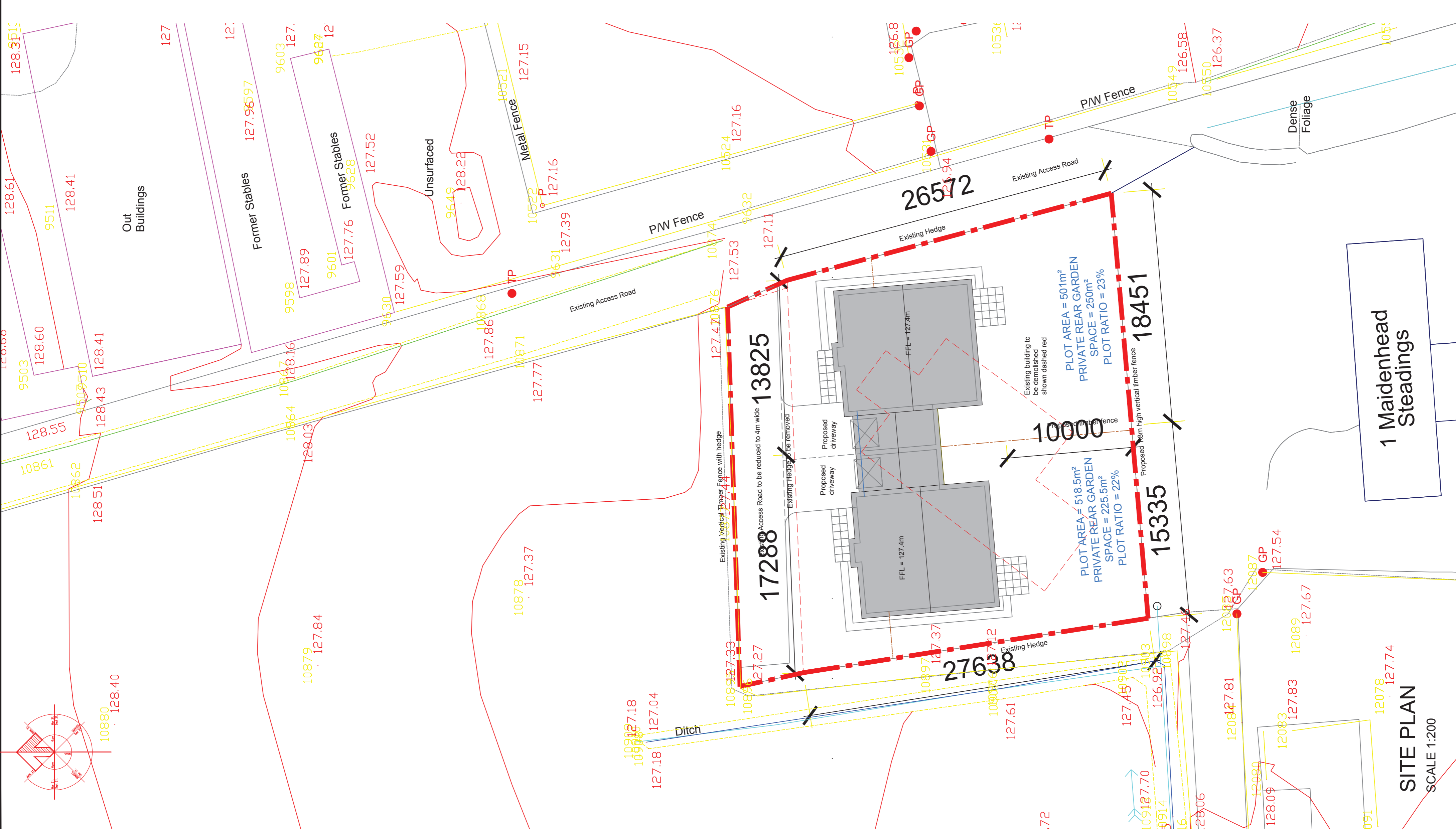
Proposals

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 Drawn:tc

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Agenda Item 4.2

Signed (authorised Officer(s)):

6 GOLDEN SQUARE, ABERDEEN

CHANGE OF USE OF OFFICE TO 13
RESIDENTIAL FLATS, REPLACE
WINDOWS AND OVER CLAD OF REAR OF
BUILDING.

For: West Coast Estates Ltd

Application Type : Detailed Planning
Permission

Application Ref. : P151103

Application Date : 08/07/2015

Advert : Section 60/65 - Dev aff
LB/CA

Advertised on : 29/07/2015

Officer : Dineke Brasier

Creation Date : 21 September 2015

Ward: Midsocket/Rosemount (B Cormie/J
Laing/F Forsyth)

Community Council: Comments

RECOMMENDATION:

Refuse

DESCRIPTION

6 Golden Square is a four storey end-terraced office building that is located on the corner of Golden Square, Lindsay Street and Diamond Lane. The rear elevation backs onto Diamond Street. The front part of the building is grade B listed, and is constructed of ashlar granite. The front elevation has three storeys and a basement that is lit through small lightwells in the front garden. The small front garden is fenced off by traditional wrought iron fencing and has three steps up to the front door, which is slightly above pavement level. The building has a distinctive top floor, which is completely squared off with a flat roof in comparison to the more traditional slated pitched roof with pitched dormers on the surrounding building. To the rear is a more modern extension that, even though the building is internally connected, is not part of the listing. This section is a full four storeys in height. The lower ground floor is finished in granite, whilst the upper floors are clad in concrete.

The site is located within the Union Street Conservation Area and is within a Mixed Use Area as shown in the Aberdeen Local Development Plan.

RELEVANT HISTORY

151104 is the accompanying listed building consent application.

PROPOSAL

Detailed planning permission is sought for the change of use of the office building and conversion to 13 flats, the installation of replacement of windows, and the recladding of the rear (unlisted) part of the building.

The floorplans show three flats on the lower ground with space for bin and cycle storage on the lower ground, three flats on the ground, first and second floor with an additional one flat spread over the first and second floor. All flats would have two bedrooms. The building would have two accesses, one off Golden Square, with a second entrance off Lindsey Street to the side. No car parking or external amenity space would be provided.

As part of the proposal, all windows in the building would be replaced, and the rear of the building would be re-clad in 'Trespa' cladding.

Supporting Documents

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

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref.=151103>

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

Window Condition Survey
Supporting Planning Report

CONSULTATIONS

Roads Development Management-

The location has a good level of accessibility for sustainable transport modes. The application will be car free. As such, contributions would need to be applied, especially for public transport and the car club. 8 cycle racks are shown, but 13 should be provided. A contribution to the Strategic Transport Fund is required.

Environmental Health –

No objection, but the following conditions are recommended:

1. Glazing should be capable of ensuring that internal noise levels do not exceed 35dBA (night) and 45dBA (day);
2. Suitable waste storage, including recycling, is provided.

Developer Contributions Team –

Developer contributions would be required for affordable housing, community facilities and open space.

Communities, Housing and Infrastructure (Flooding) –

No observations

Education, Culture and Sport (Educational Provision) – where 5 or more new residential units-

There is sufficient capacity Gilcomstoun Primary and at Aberdeen Grammar School to accommodate additional pupils generated by this development.

Community Council –

Welcomes the proposed residential development. Welcomes the minor changes to the outside of the building and sees no problems with the internal changes.

REPRESENTATIONS

None received

PLANNING POLICY

Scottish Planning Policy:

Paragraphs 135 to 144 set out the Scottish Government's approach to development within the Historic Environment. In that the planning system should enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of asset and securing its long-term future.

SHEP (Scottish Historic Environment Policy)

Sets out Scottish Ministers' direction in relation to the Historic Environment: Scotland's historic environment should be managed in a sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value. Where change is proposed, it should be appropriate, carefully considered, authoritatively based, properly planned and executed. It is important that new developments are sensitive to historic character and attain high standards in design and construction, while recognising the portfolio of original building materials.

Aberdeen Local Development Plan

H2 -: Mixed Use Areas: Where new housing is proposed, a satisfactory residential environment should be created, which should not impinge upon the viability or operation of existing businesses in the vicinity.

H5 – Affordable Housing:

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

D1 – Architecture and Placemaking: New development must be designed with due consideration for its context and make a positive contribution to its setting.

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

- Privacy shall be designed into higher density housing;
- Residential development shall have a public face to a street and a private face to an enclosed garden or court;
- All residents shall have access to sitting-out areas;
- Individual flats shall be designed to make the most of opportunities offered by the site for views and sunlight.

D3 – Sustainable and Active Travel:

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

D5 – Built Heritage:

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

I1 – Infrastructure Delivery and Developer Contributions:

Where development either individually or cumulatively will place additional demands on community facilities or infrastructure, the Council will require the developer to meet or contribute to the cost of providing, or improving such infrastructure or facilities.

R6 – Waste Management Requirements for New Development:

Housing developments should have sufficient space for the storage of residual, recyclable and compostable wastes. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials.

T2 – Managing the Transport Impact of Development:

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

Proposed Aberdeen Local Development Plan

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

H2 – Mixed Use Areas (*H2 – Mixed Use Areas*)

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

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

D4 – Historic Environment (*D5 – Built Heritage*)

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

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

T3 – Sustainable and Active Travel (*T3 – Sustainable and Active Travel*)

R6 – Waste Management Requirements for New Developments (*R6 – Waste Management Requirements for New Developments*)

Supplementary Guidance

Harmony of Uses Supplementary Guidance:

Sets out there is a presumption in favour of conversion of underused business accommodation within the city centre provided a good level of residential amenity can be achieved.

Transport and Accessibility Supplementary Guidance:

Provides guidance on car and cycle parking standards, and car-free developments.

Repair and Reinstatement of Windows Technical Advice Note:

Sets out criteria as to the repair and replacement of windows in listed buildings.

EVALUATION

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

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

Principle of the development:

The site is located within a mixed use area in the city centre. In general, residential development would be supported in these areas, provided a good level of residential amenity can be achieved, and they would not impinge on the viability or operation of existing businesses. Furthermore, the Harmony of Uses

Supplementary Guidance sets out a presumption in favour of conversion of underused business accommodation to residential use, again provided a good level of residential amenity can be achieved.

This means that the principle of the conversion of this redundant office building to residential would be acceptable. The level of residential amenity achieved for all proposed residential units is discussed below.

Impact on the character and appearance of the surrounding area and original listed building, especially in relation to its position within the Union Street Conservation Area:

Golden Square can be considered one of Aberdeen's finest formal squares and makes a positive contribution to the character of the Union Street Conservation Area. The building subject of this application is located on a prominent position on the corner of Golden Square and Lindsey Street, and is distinctive due to the additional storey.

The proposal contains a number of significant alterations to the exterior of the building. All windows are proposed to be replaced on a like for like basis, with sash and case windows in the listed part of the building and windows with a single pane in the rear extension. As the front part of the building is listed, and the site is located within a conservation area, the Repair and Replacement of Windows and Doors Technical Advice Note is relevant. This document sets out a hierarchy of preferred approaches, with a clear preference of repair of windows rather than their replacement. Consent for the replacement of windows with a historical value will only be provided when it is demonstrated in a window condition survey that they are beyond economic repair.

As part of the application, a window condition survey and drawing showing a cross section and details of a 'typical window' have been submitted. The listed building has windows of varying widths and heights, and as such the detailed drawing of the 'typical window' only applies to those windows that have that shape and size. In addition, this drawing does not include any trickle vents, which is a detail that should have been incorporated in the window design. Further detailed drawings were requested from the applicant, but have not been submitted.

In the absence of contrary evidence, it is assumed that the 1/1 fenestration pattern of the windows in the side elevation of the listed building is of historic value. The window survey does not provide sufficient evidence that these windows are beyond economic repair, and their replacement would therefore be contrary to the criteria set out in the Repair and Replacement of Windows and Doors Technical Advice Note.

The proposal includes recladding and replacement of windows in the side and rear elevation of the modern extension. It should be noted that under current

Building Warrant legislation, the opening part of a window in a residential property should have a minimum cill height of 800mm.

Golden Square is one of the finest squares within this Conservation Area, and makes a positive contribution to the Conservation Area. All buildings surrounding the square are listed, and therefore any alterations that could have an adverse impact on the character and appearance of Golden Square need to be carefully considered. In this case, the proposed grey Trespa cladding would not provide any additional interest to this elevation, and, on such a large scale, would be considered substandard for a building in such a prominent location. As such, due to this part of the building being attached to the category B-listed building, it is considered to have an adverse impact on both the character and appearance of the listed building and the wider Union Street Conservation Area, especially in relation to its location on Golden Square.

As such, the proposal fails to comply with the criteria set out in Scottish Planning Policy, The Scottish Historic Environment Policy, policy D5 (Built Heritage) and the Repair and Replacement of Windows and Doors Technical Advice Note as insufficient detail has been provided to thoroughly assess the impact of the replacement of the windows on the historic fabric of the listed building, and, due to their historic interest, the replacement of the windows in the side elevation are considered undesirable as it is not demonstrated that these are beyond economic repair, and the proposed materials for recladding the extension would be substandard and detract from the character and appearance of both the listed building and the Union Street Conservation Area.

Residential Amenity:

Outlook and light

The building would be split into 13 two bedroom flats. Three units would be located on the lower ground floor, three on the ground floor, three on the first floor, three on the second floor and one unit would be split level over the first and second floor. A lightwell is located in the centre of the listed part of the building, providing some degree of natural light to the stairwell. The floorplans show that this lightwell would also be the only source of natural light and would provide the only outlook for four bedrooms – one on each floor. This would result in a very poor outlook and, especially on the lower floors, a very dark level of living accommodation, which would be unacceptable under the terms of policy D2 (Design and Amenity).

Furthermore, the flats on the lower ground floor, especially flat 6 in the centre of the building and flat 1 to the front, are located significantly below pavement level. In the case of flat 6, this would result in a very poor outlook, as the narrow pavement runs immediately outside the window. This is further emphasised by the fact that this flat is single aspect, which means that the only outlook would be looking out over the pavement along Lindsey Street.

Flat 1 would also have a poor outlook as its main outlook would be the lightwell right in front. In addition, as these rooms face north and due to the combination of the very low level of the windows and the two and a half storey building opposite, the rooms would not receive a large amount of natural light and would appear very dark.

It is considered that the building would be capable of conversion into residential units. However, the current proposed internal layout does not achieve or maximise opportunities for a good living environment for prospective residents. This relates particularly to the proposed flats at lower ground floor level. It is likely that in order to achieve a satisfactory level of amenity for the occupants, the flats would need to be reconfigured in a way that would result in a reduced number of units. Discussions to this effect have taken place with the applicant, but have not resulted in an acceptable solution coming forward.

For the above reasons, the proposal is considered not to comply with policy D2 (Design and Amenity) of the Aberdeen Local Development Plan as it would not provide an acceptable level of residential amenity to all units within the building.

External amenity space

No private external amenity space would be provided with the conversion. In general, the Council would seek to provide some level of external space for all residential units. However, in this case, it is acknowledged that opportunities within this part listed building are limited to non-existent. Both the Aberdeen Local Development Plan and the City Centre Masterplan encourage an increase in residential uses in the city centre. Taking account of the constraints of the building and its central location within the city centre, where external amenity space can be considered a premium, on balance in this case, this would be acceptable. However, it should be noted that as the proposal does not include any private external amenity space, the internal layout of all units should obtain a high standard of residential amenity, which in this case is not achieved.

Noise

Due to the site's location within the city centre, it can be expected that in general noise levels would be higher both during the day and at night than in more traditional residential areas. The site is not located right next to a licensed premises, restaurant or similar. The impact of these higher noise levels could therefore be mitigated through incorporating glazing that would ensure that noise levels would not exceed 45dBA during the day or 35dBA at night.

Parking and accessibility:

Parking

The development would not provide any on-site parking and a car-free development is proposed. The site is located centrally within the City Centre and is very close to bus routes and the train station. Furthermore, the applicant has indicated that they are willing to contribute to the Car Club, which has an electric

car parking station on Golden Square with others nearby. As such, there are sufficient alternative, more sustainable, options for the private car nearby and a car-free development in this location would be considered acceptable.

Secure and covered cycle parking would need to be provided at a minimum ratio of one cycle parking space per flat. On the current plans, only eight cycle parking spaces are shown. As the proposal is promoted as a car-free development, it would be especially important to ensure sufficient secure and covered cycle storage would be available for all proposed units. In this case, there would be a shortfall of five cycle parking spaces, which would be a significant lack for the number of units proposed and would be contrary to the requirements of policy T2 (Managing the Transport Impact of Development) and the Transport and Accessibility Supplementary Guidance.

Waste management:

The plans show an area allocated as a bin store. The Council's Waste Management Team has submitted comments in relation to the size and location of this bin store. These comments set out that communal waste containers would be recommended, but do not specify whether the bin store shown would be of an adequate size and location. As such, it is considered that this does not warrant a reason for refusal as further details could be submitted at a later stage.

Proposed Aberdeen Local Development Plan

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

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

The foregoing can only be assessed on a case by case basis. In relation to this particular application no new issues were raised.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

The proposed development would not be acceptable as no detailed drawings of all proposed windows have been submitted, and the replacement of all windows has not been justified as it has not been satisfactorily demonstrated that the windows in the side elevation are beyond economic repair. As such, due to this lack of information and justification, it is considered that the impact of the proposal on the historic fabric of the category B listed building cannot be thoroughly assessed. Furthermore, the use of grey Trespa for recladding the rear extension is considered of an insufficient quality and would detract from the character and appearance of the grade B listed building and the Union Street Conservation Area. This is contrary to Scottish Planning Policy, Scottish Historic Environment Policy, policy D5 (Built Heritage) of the Aberdeen Local Development Plan, policy D4 (Historic Environment) of the Proposed Local Development Plan, and the Repair and Replacement of Windows and Doors Technical Advice Note.

The proposed residential development would not be acceptable as it would provide an unacceptable level of residential amenity for all units. The outlook and amount of natural light would be severely restricted for units 1 and 6 due to them being below pavement level, whilst bedroom 2 of units 6, 8, 10 and 12 would look out over an internal lightwell, which would unacceptably limit their outlook and natural light. The proposal therefore fails to comply with policy D2 (Design and Amenity) of the Aberdeen Local Development Plan and policy D1 (Quality Placemaking by Design) of the Proposed Local Development Plan.

In addition, the proposal is not acceptable, as it would fail to provide sufficient secure and covered cycle spaces, which is especially important as the development is promoted as a car-free development. The proposal therefore fails to comply with policies T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development, policy T2 (Managing the Transport Impact of Development) of the Proposed Local Development Plan and the Transport and Accessibility Supplementary Guidance.



PLANNING & SUSTAINABLE DEVELOPMENT
Communities, Housing and Infrastructure
Business Hub 4, Marischal College, Broad Street,
ABERDEEN. AB10 1AB

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Refusal of Planning Permission

Neil Rothine Architects
116 Rosemount Place
Aberdeen
AB25 2YW

on behalf of **West Coast Estates Ltd**

With reference to your application validly received on 8 July 2015 for Planning Permission under the above mentioned Act for the following development, viz:-

**CHANGE OF USE OF OFFICE TO 13 RESIDENTIAL FLATS, REPLACE WINDOWS AND OVER CLAD OF REAR OF BUILDING.
at 6 Golden Square, Aberdeen**

the Council in exercise of their powers under the above mentioned Act hereby REFUSE Planning Permission for the said development as specified in the application form and the plan(s) and documents docketed as relative thereto and numbered as follows:-

3200/02/C 3200/04 3200/05 3200/06

The reasons on which the Council has based this decision are as follows:-

The proposed development would not be acceptable as no detailed drawings of all proposed windows have been submitted, and the replacement of all windows has not been justified as it has not been satisfactorily demonstrated that the windows in the side elevation are beyond economic repair. As such, due to this lack of information and justification, it is considered that the impact of the proposal on the historic fabric of the category B listed building cannot be thoroughly assessed. Furthermore, the use of Trespa for re-cladding the rear extension is considered of insufficient quality and would detract from the character and appearance of the category B listed building and the Union Street Conservation Area. This is contrary to Scottish Planning Policy, Scottish Historic Environment Policy, policy D5 (Built

PETE LEONARD
DIRECTOR

Continuation

Heritage) of the Aberdeen Local Development Plan, policy D4 (Historic Environment) of the Proposed Local Development Plan, and the Repair and Replacement of Windows and Doors Technical Advice Note.

The proposed residential development would not be acceptable as it would provide an unacceptable level of residential amenity for all units. The outlook and amount of natural light would be severely restricted for units 1 and 6 due to them being below pavement level, whilst bedroom 2 of units 6, 8, 10 and 12 would look out over an internal lightwell, which would unacceptably limit their outlook and natural light. The proposal therefore fails to comply with policy D2 (Design and Amenity) of the Aberdeen Local Development Plan and policy D1 (Quality Placemaking by Design) of the Proposed Local Development Plan.

In addition, the proposal is not acceptable, as it would fail to provide sufficient secure and covered cycle spaces, which is especially important as the development is promoted as a car-free development. The proposal therefore fails to comply with policies T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development, policy T2 (Managing the Transport Impact of Development) of the Proposed Local Development Plan and the Transport and Accessibility Supplementary Guidance.

The plans, drawings and documents that are the subject of this decision notice are numbered as follows:- 3200/02/C 3200/04 3200/05 3200/06

Date of Signing 5 October 2015

Daniel Lewis
Development Management Manager

Enc.

PETE LEONARD
DIRECTOR

**NB. EXTREMELY IMPORTANT INFORMATION RELATED TO THIS REFUSAL OF
PLANNING APPROVAL**

The applicant has the right to have the decision to refuse the application reviewed by the planning authority and further details are given in Form attached below.

Regulation 28(4)(a)
Form 1

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions

1. If the applicant is aggrieved by the decision of the planning authority to –
 - a. refuse planning permission for the proposed development;
 - b. to refuse approval, consent or agreement required by condition imposed on a grant of planning permission;
 - c. to grant planning permission or approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at <http://eplanning.scotland.gov.uk/>.

Notices of review submitted by post should be sent to –

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

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

PETE LEONARD
DIRECTOR

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 10 August 2015 09:11
To: PI
Subject: Planning Comment for 151103

Comment for Planning Application 151103

Name : Dustin Macdonald

Address : 18 Thistle Court

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Aberdeen City Centre Community Council would like to back this application for a change of use.

With the increasing number of office developments in the city centre and the recently approved City Centre Master plan which looks to add more residential locations in the city centre we think although small this would be a welcomed addition to Golden Square which is a mixed use area of the city.

With regards to the plans and alternations we welcome the minor changes to the outside of the building and see no problems with the internal changes.

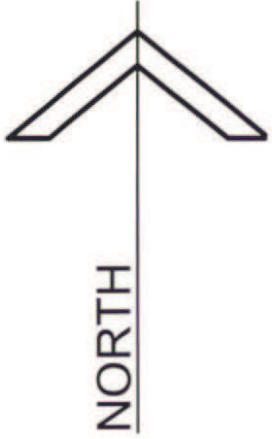
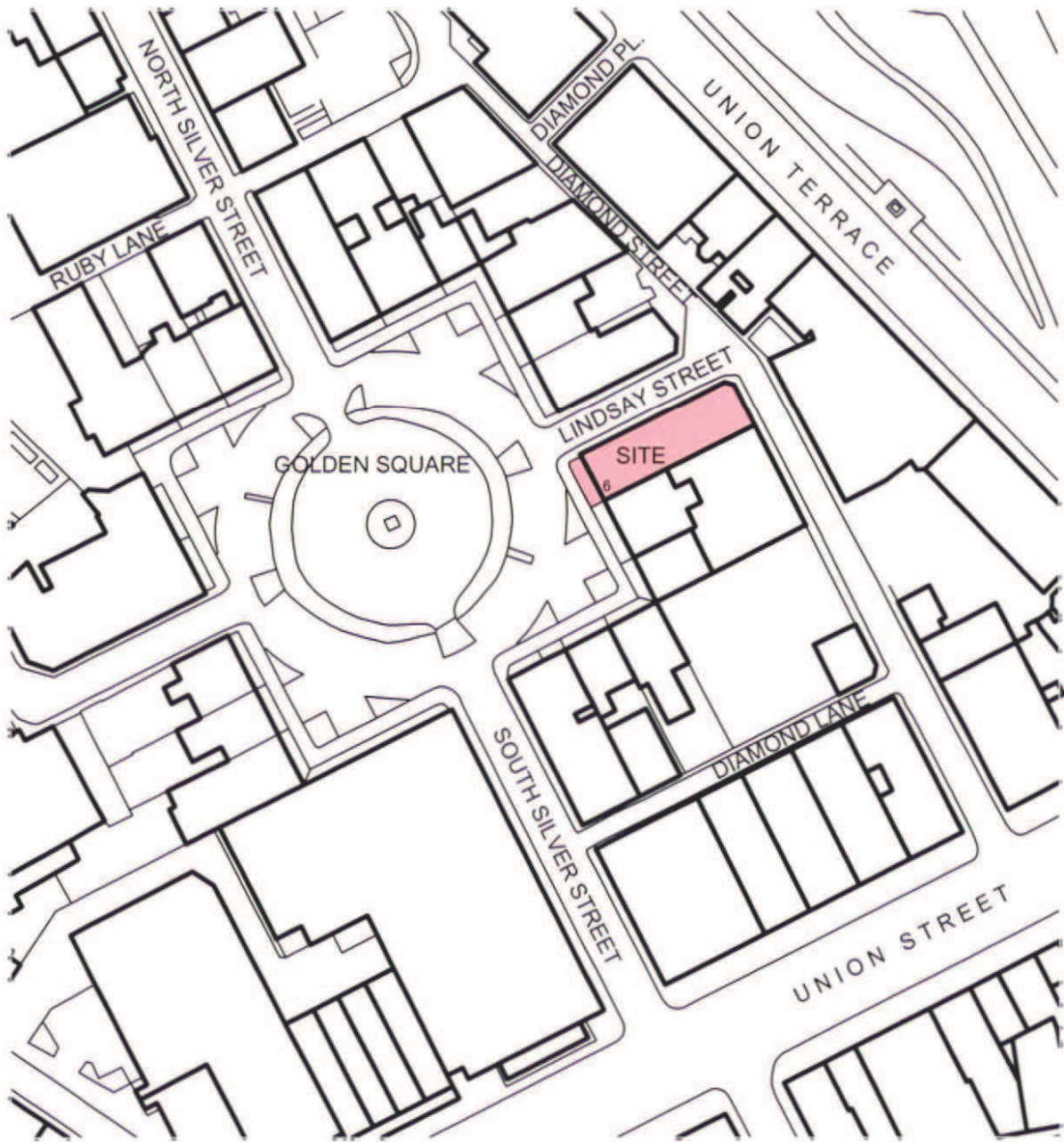
Regards

Dustin Macdonald

Aberdeen City Centre Community Council

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LOCATION PLAN 1:1250

PRINCIPAL PLAN

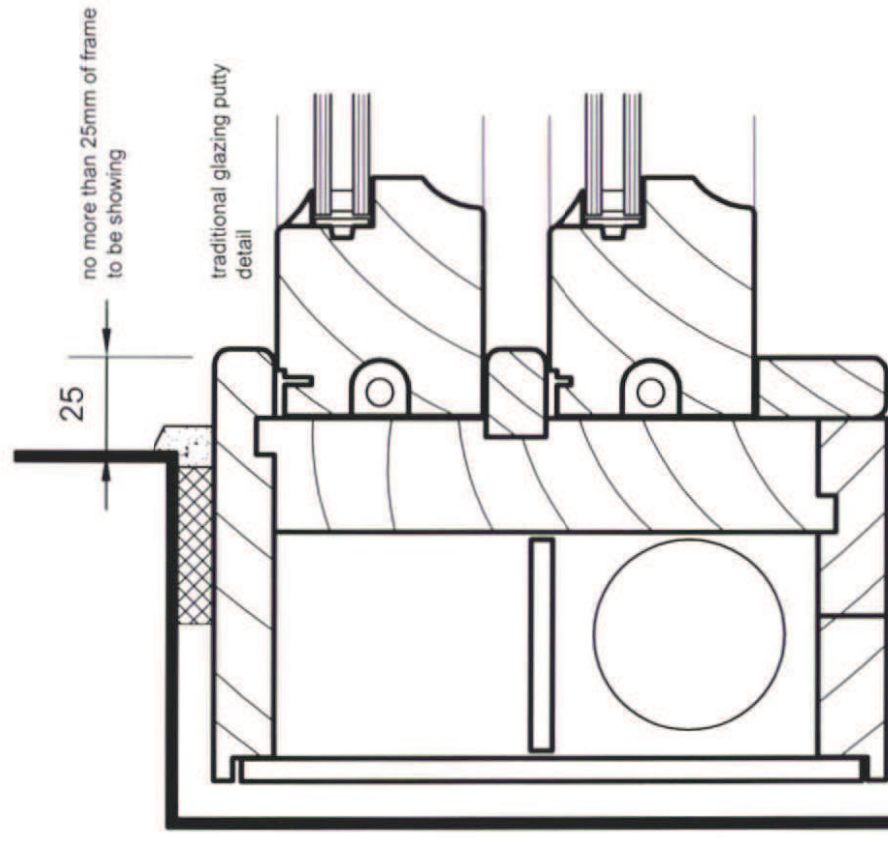
neil rothnie architects



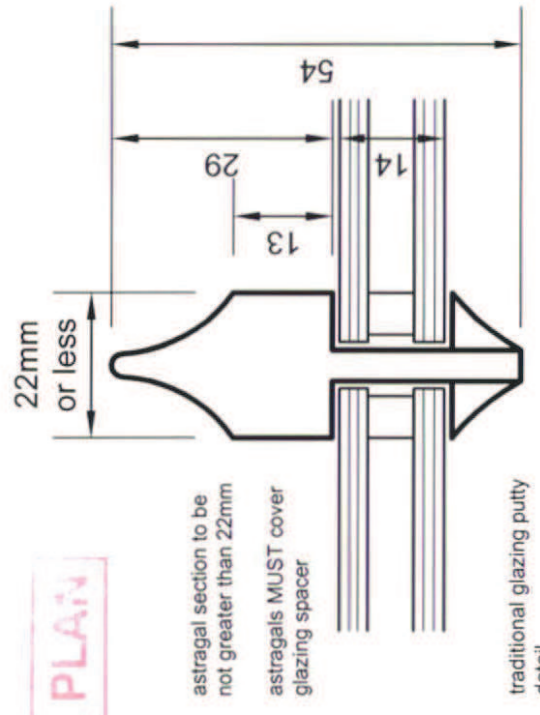
NEIL ROTHNIE ARCHITECTS LTD
 ARCHITECTS AND DESIGN CONSULTANTS
 116 ROSEMOUNT PLACE, ABERDEEN, AB25 2YW
 TEL 01224 624724 FAX 01224 649394
 info@neilrothnie.co.uk www.neilrothnie.co.uk

REV NO.	DESCRIPTION	DATE
CLIENT	WESTCOAST ESTATES LTD.	
PROJECT	6 GOLDEN SQUARE, ABERDEEN	
CONTENT	LOCATION PLAN	
SCALE	1:1250	DATE JULY 2015
JOB REFERENCE	DRAWING	REV
3200	04	<input type="text"/>

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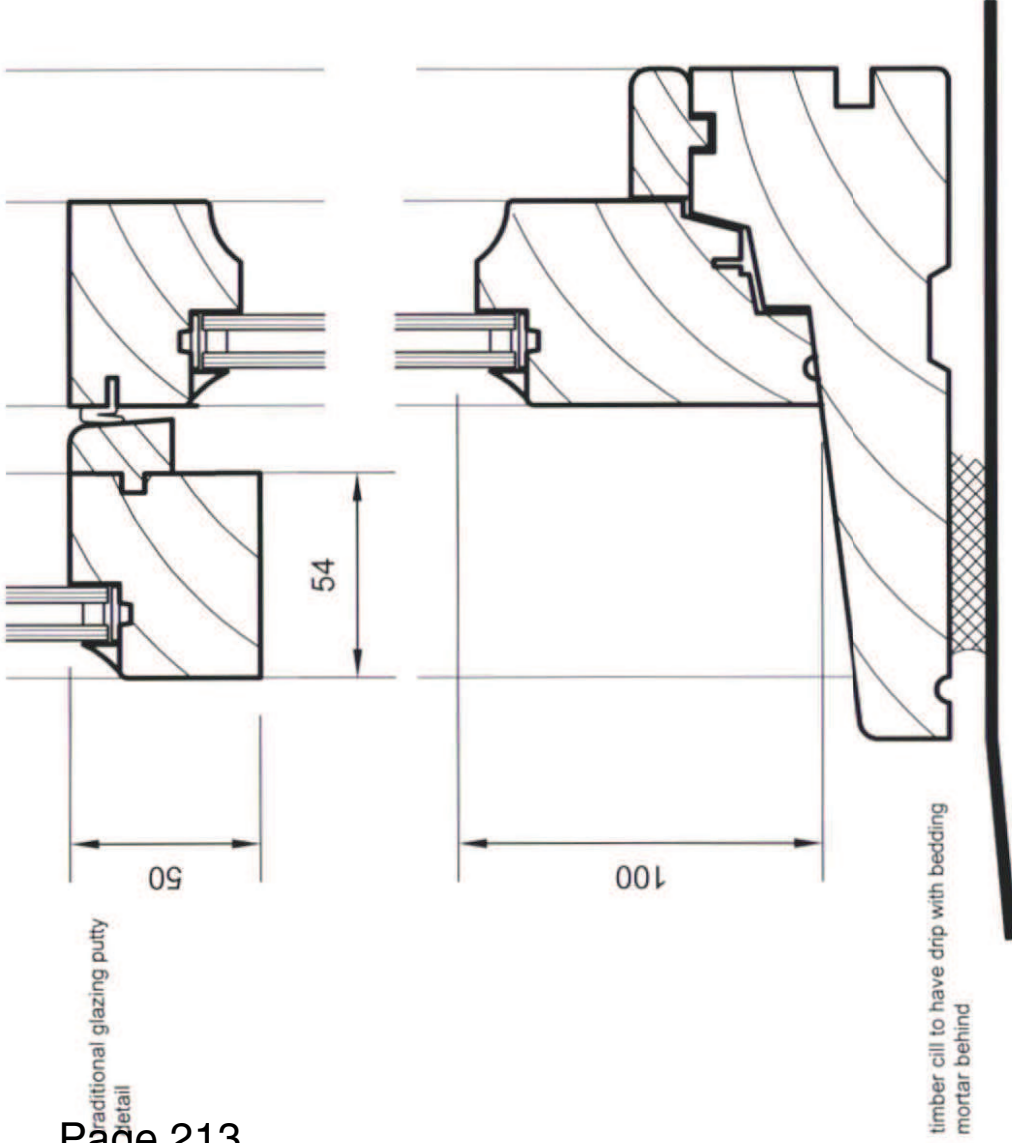
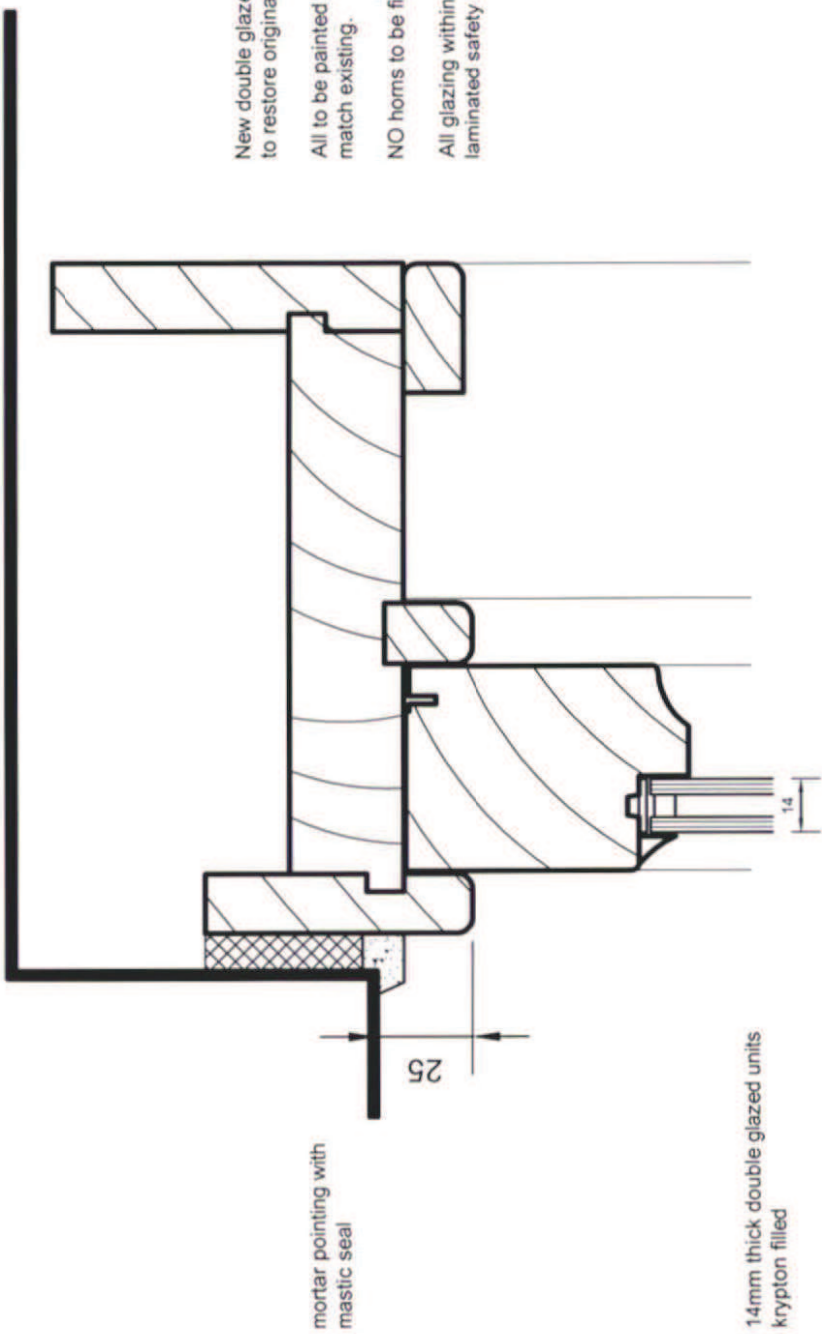
TYPICAL WINDOW JAMB 1:2



ASTRAGAL 1:1

PRINCIPAL PLAN

New double glazed sash & case windows to be fitted to restore original window design.
 All to be painted using white microporous paint to match existing.
 NO horns to be fitted to top sash.
 All glazing within 800mm of finished floor level to be laminated safety glass.



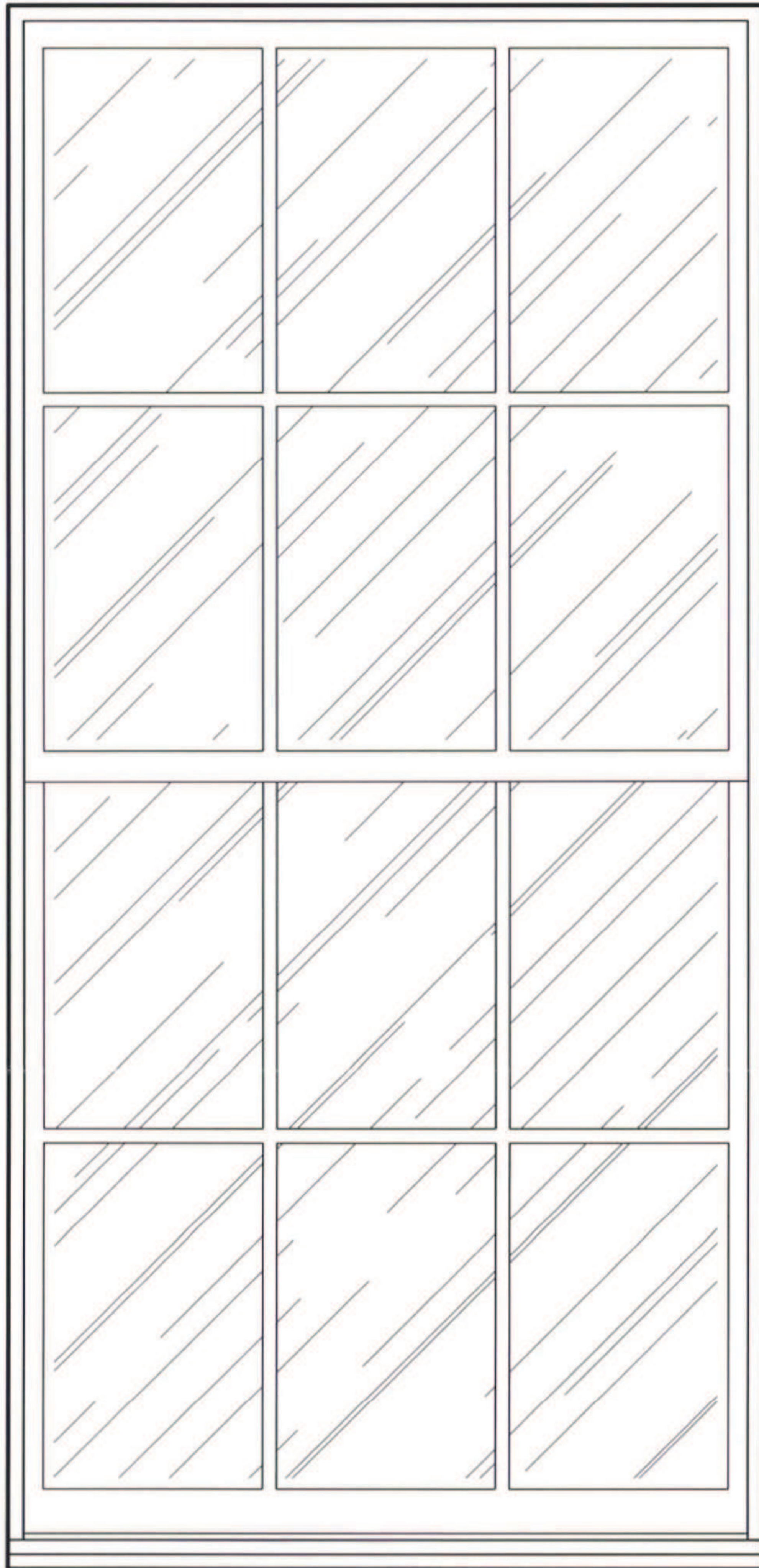
TYPICAL WINDOW SECTION 1:2



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 info@neilrothnie.co.uk www.neilrothnie.co.uk

REV NO.	DESCRIPTION	DATE	DATE	DATE
	WESTCOAST ESTATES LTD.			
	6 GOLDEN SQUARE, ABERDEEN			
	WINDOW DETAILS			
SCALE	1:2 / 1:1	DATE	JULY 2015	REV
JOB REFERENCE	3200	DRAWING	05	

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New double glazed sash & case windows to be fitted to restore original detail as '6 over 6' style

All to be painted using white microporous paint to match existing.

NO horns to be fitted to top sash.

traditional glazing putty detail

astragal section to be not greater than 22mm

All glazing within 800mm of finished floor level to be laminated safety glass.

Bottom rail of lower sash to be deeper than others by at least 25mm

Cill to be bedded directly on to granite (no sub-cill or spacer piece)

Typical Window Elevation 1:10
(‘6 over 6’ style)

NOTE: TO BE READ IN CONJUNCTION WITH DRAWING 05

PRINCIPAL PLAN

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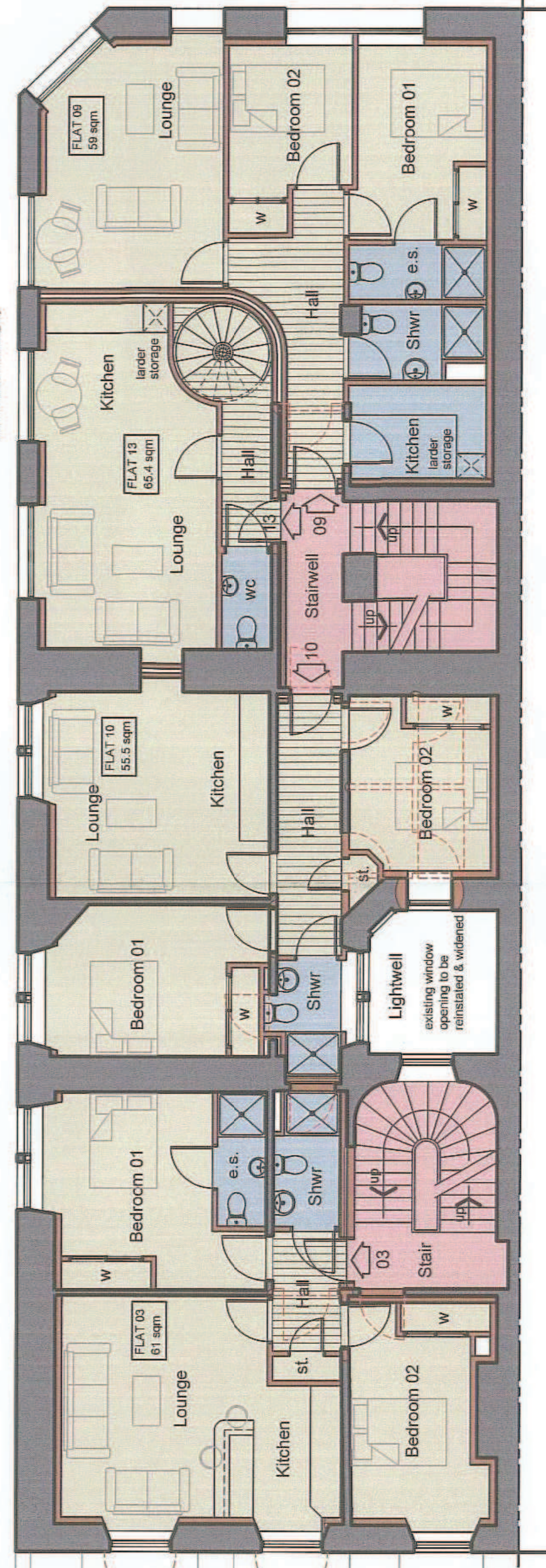
NEIL ROTHNIE ARCHITECTS LTD
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REV NO.	DESCRIPTION	DATE
CLIENT	WESTCOAST ESTATES LTD.	
PROJECT	6 GOLDEN SQUARE, ABERDEEN	
CONTENT	WINDOW DETAILS	
SCALE	1:10	DATE JULY 2015
JOB REFERENCE	DRAWING	REV
3200	06	

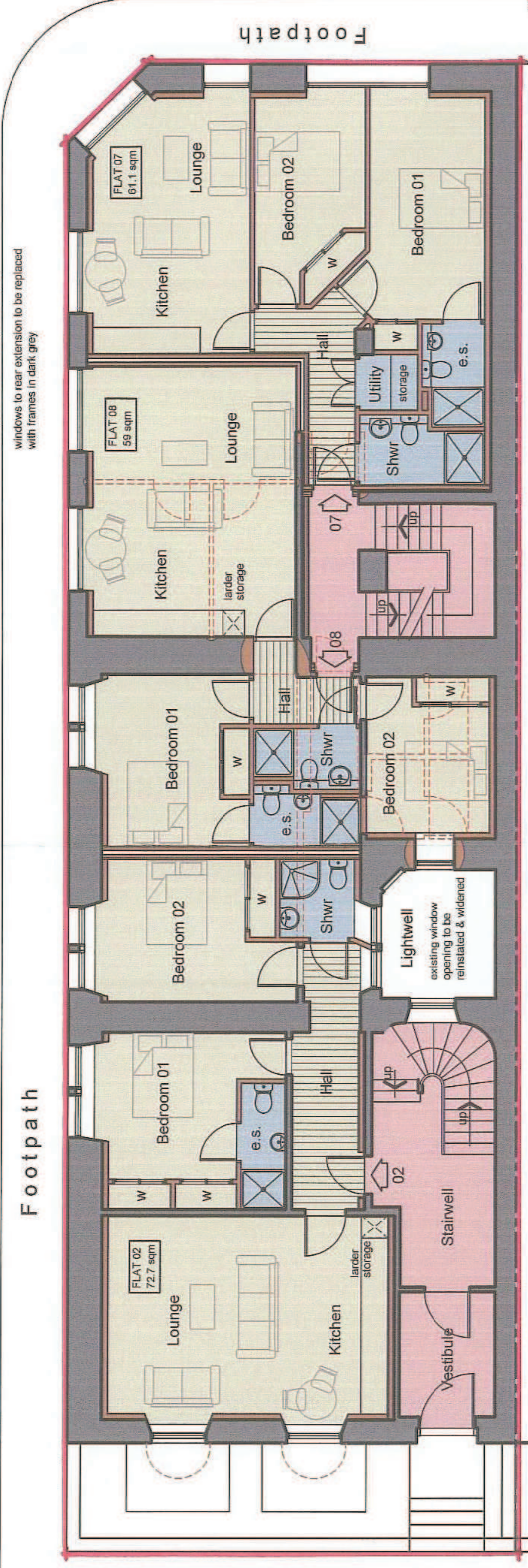
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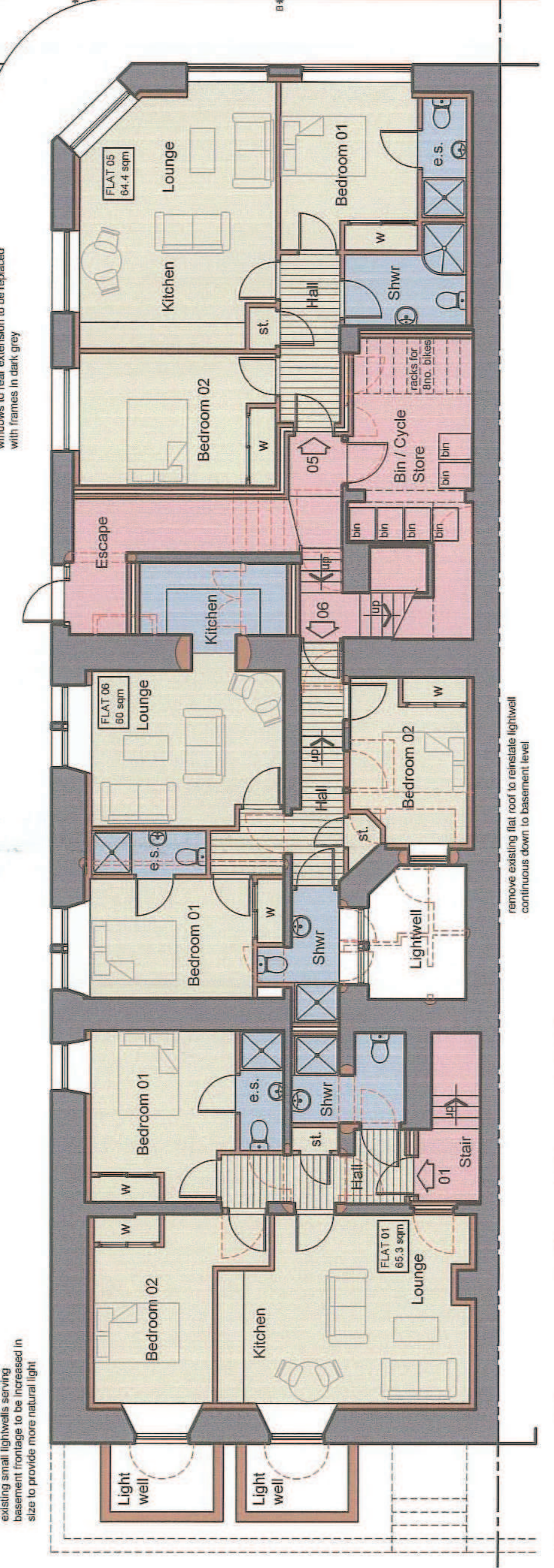
Proposed Second Floor Plan 1:100



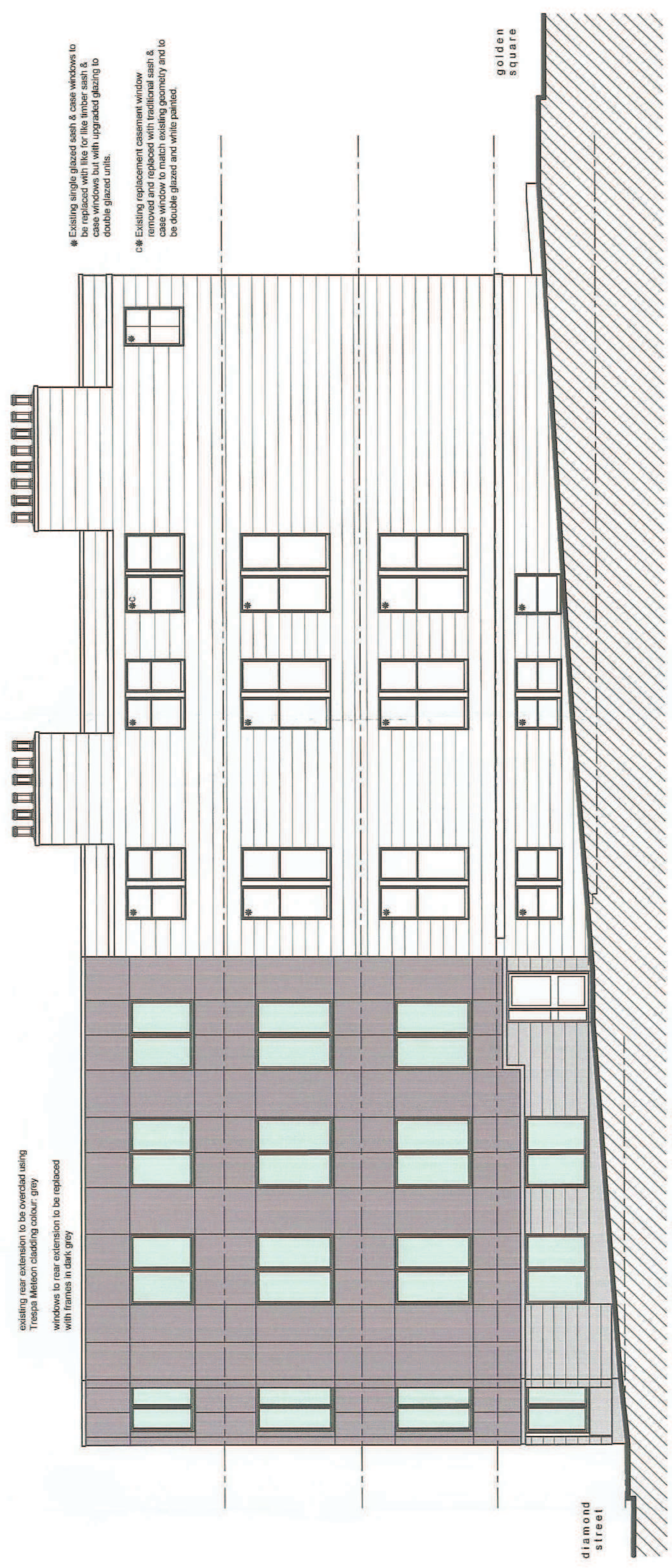
Proposed First Floor Plan 1:100



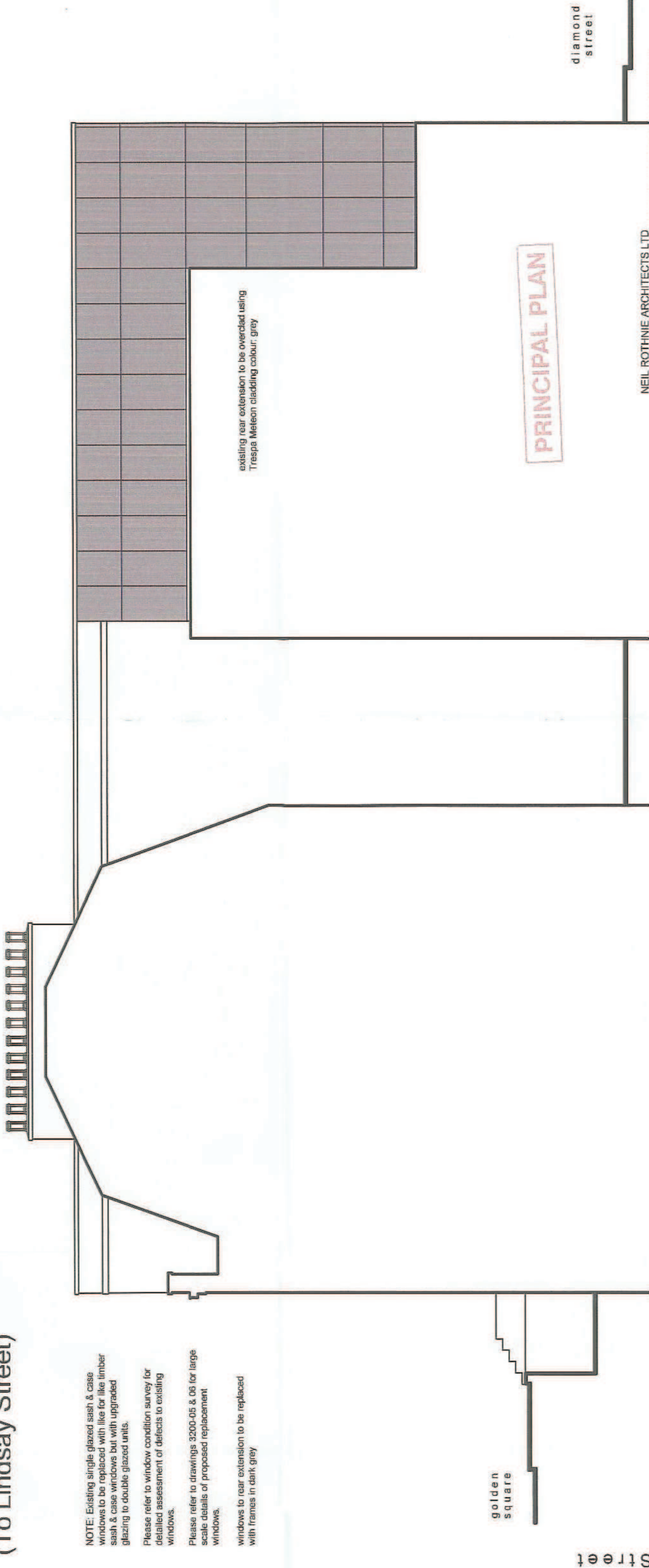
Proposed Ground Floor Plan 1:100



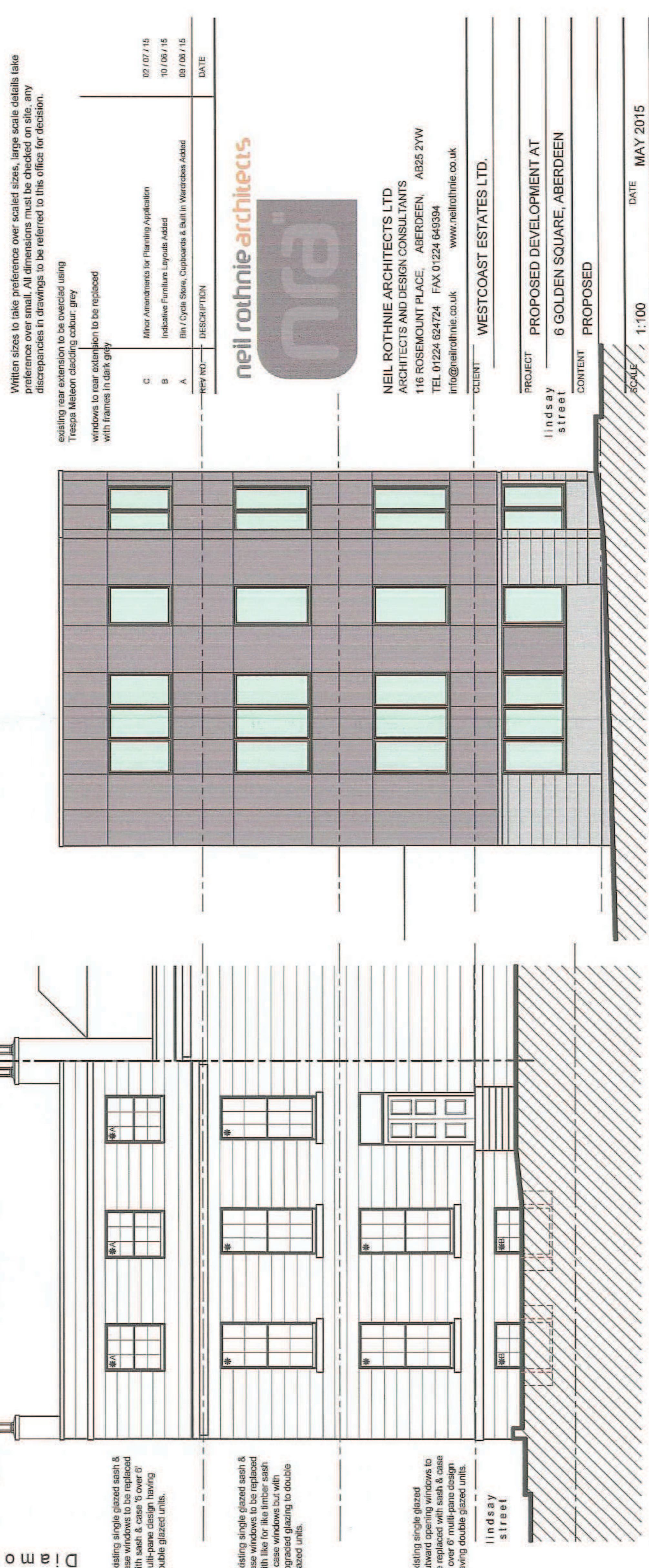
Proposed Basement Floor Plan 1:100



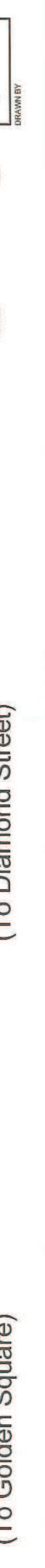
Proposed North West Elevation 1:100
(To Lindsay Street)



Proposed South East Elevation 1:100
(To Diamond Street)



Proposed South West Elevation 1:100
(To Golden Square)



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Written sizes to take preference over scaled sizes, large scale details take preference over small. All dimensions must be checked on site, any discrepancies in drawings to be referred to this office for decision.
existing rear extension to be overlaid using Trepsa Melton cladding colour grey
windows to rear extension to be replaced with frames in dark grey



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info@neilrothnie.co.uk www.neilrothnie.co.uk
CLIENT WESTCOAST ESTATES LTD.

REV	NO	DESCRIPTION	DATE
C	01	After Amendments for Planning Application	07/07/15
B	01	Indicate Furniture Layouts Added	10/06/15
A	01	Rev (C) to Site, Customers & Built in Windows Added	09/06/15

PROJECT PROPOSED DEVELOPMENT AT
6 GOLDEN SQUARE, ABERDEEN

DATE MAY 2015

JOB REFERENCE 3200

DRAWING 02

DRAWN BY C

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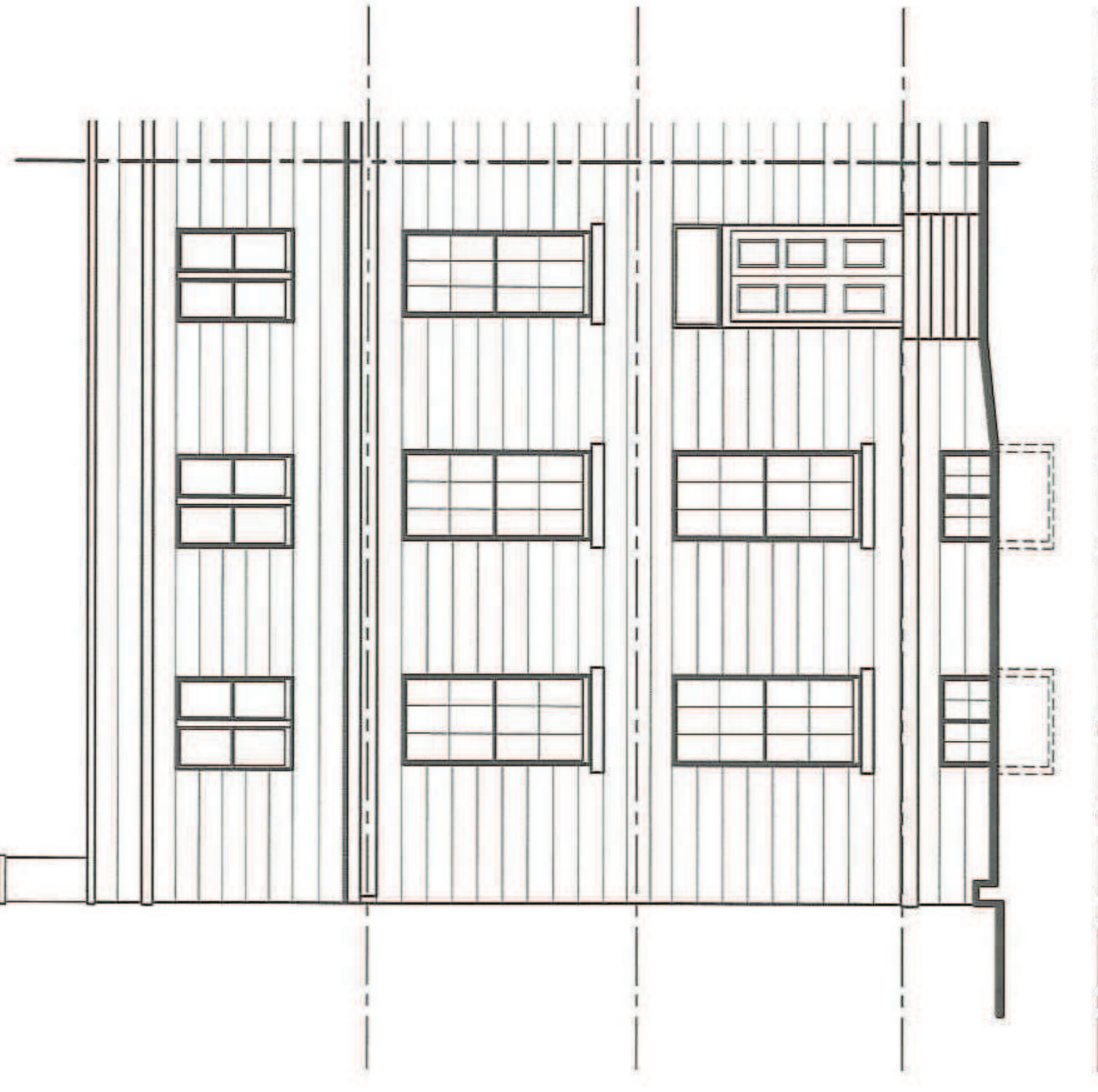
Existing North West Elevation 1:100
(To Lindsay Street)



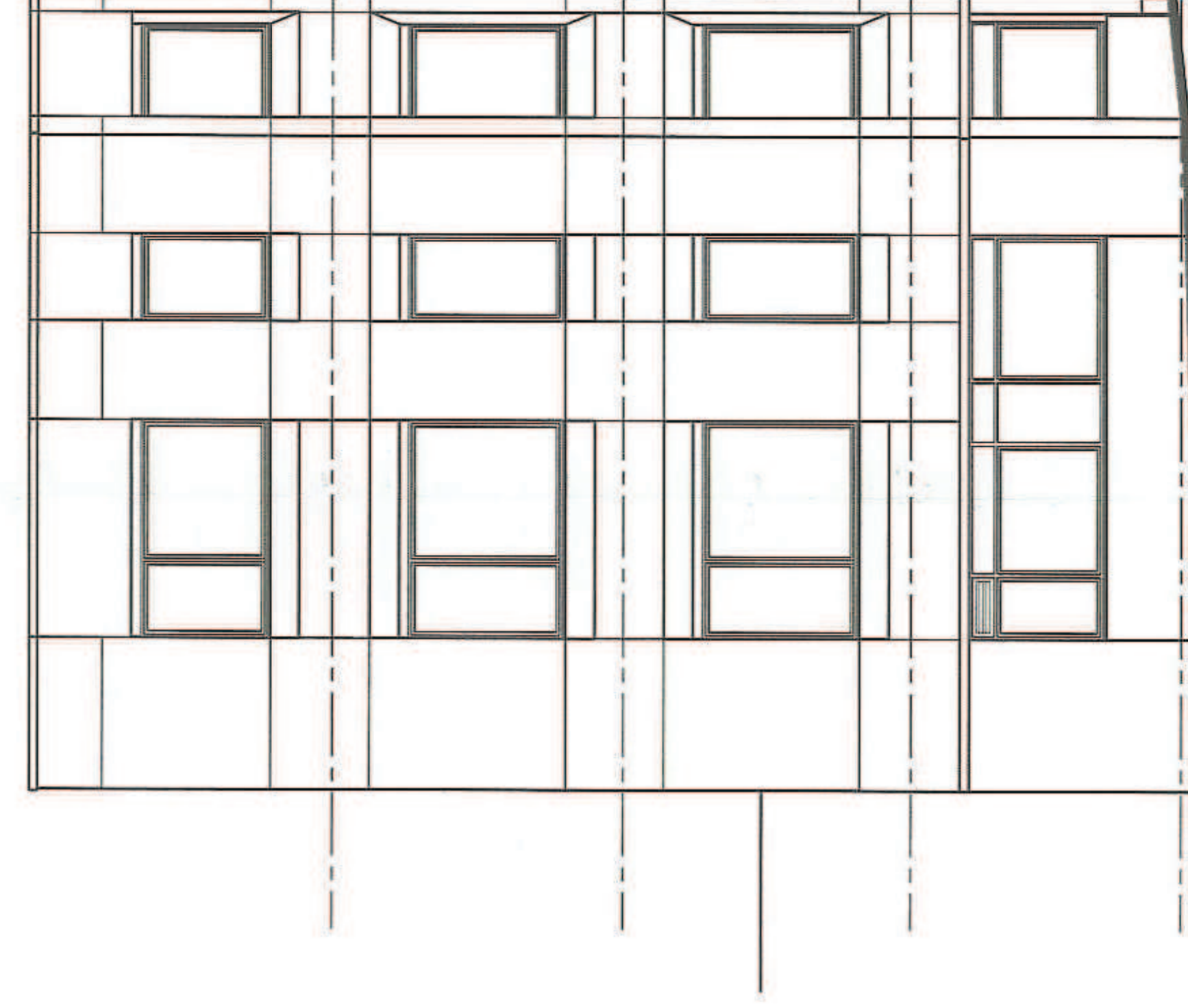
Principal Plan 1:100

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PRINCIPAL PLAN



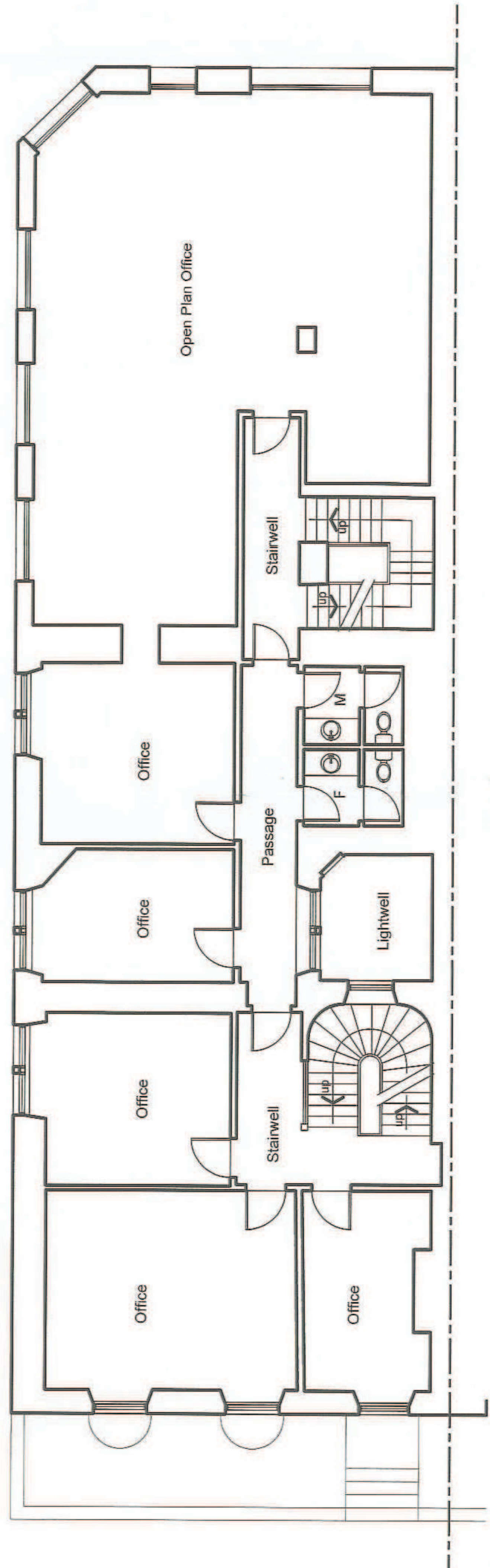
Existing South West Elevation 1:100



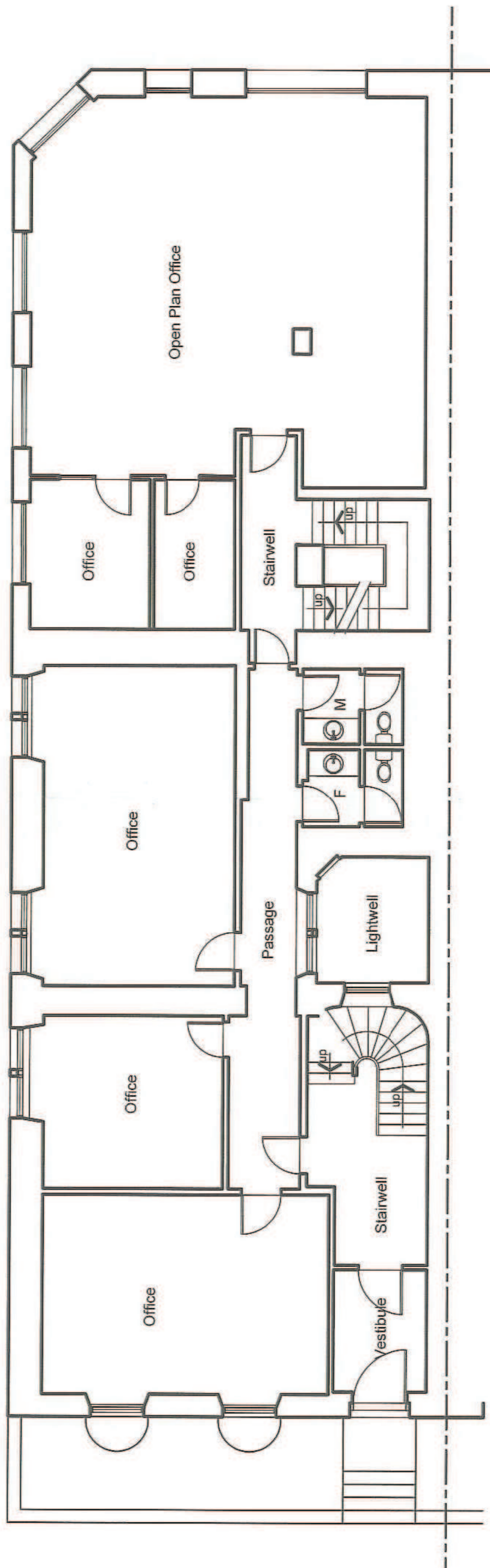
Existing North East Elevation 1:100



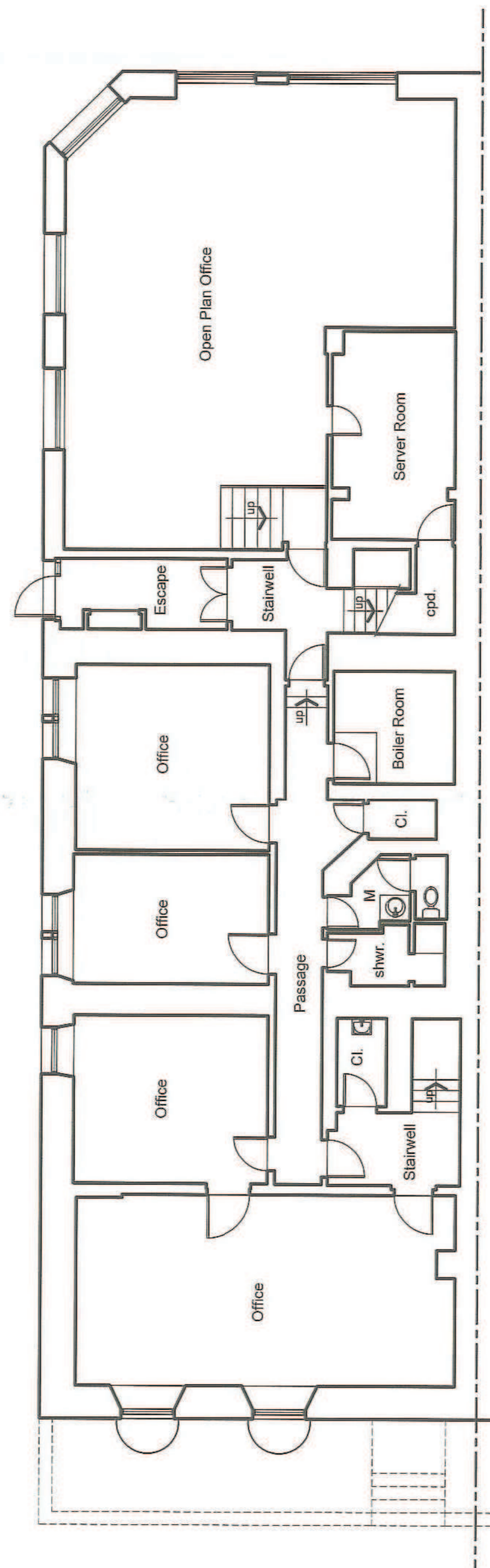
Existing Second Floor Plan 1:100



Existing First Floor Plan 1:100



Existing Ground Floor Plan 1:100



Existing Basement Floor Plan 1:100

REV NO	DESCRIPTION	DATE

neil rothnie architects
nra

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CLIENT WESTCOAST ESTATES LTD.

PROJECT PROPOSED DEVELOPMENT AT
6 GOLDEN SQUARE, ABERDEEN

CONTENT EXISTING

SCALE 1:100 DATE MAY 2015
JOB REFERENCE 3200 DRAWING NO 01 DRAWN BY

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Policy D1 – Architecture and Placemaking

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

To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

The level of detail required will be appropriate to the scale and sensitivity of the site. The full scope will be agreed with us prior to commencement.

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.

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Policy D2 - Design and Amenity

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

1. Privacy shall be designed into higher density housing.
2. Residential development shall have a public face to a street and a private face to an enclosed garden or court.
3. All residents shall have access to sitting-out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the Council.
4. When it is necessary to accommodate car parking within a private court, the parking must not dominate the space: as a guideline no more than 50% of any court should be taken up by parking spaces and access roads. Underground or decked parking will be expected in high density schemes.
5. Individual flats or houses within a development shall be designed to make the most of opportunities offered by the site for views and sunlight. Repeated standard units laid out with no regard for location or orientation are not acceptable.
6. Development proposals shall include measures to design out crime and design in safety.
7. External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

Development deemed to have an influence on public realm in the City Centre, Town, District or Neighbourhood Centres will make an agreed contribution to art or other enhancement of the public realm.

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Policy D3 - Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order - walking, cycling, public transport, car and other motorised vehicles.

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

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Policy D5 – Built Heritage

Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy. In relation to development affecting archaeological resources further details are set out in Supplementary Guidance on Archaeology and Planning.

Planning permission for development that would have an adverse effect on the character or setting of a site listed in the inventory of gardens and design landscapes in Scotland or in any additional to the inventory will be refused unless:

1. The objectives of designation and the overall integrity and character of the designated areas will not be compromised; or
2. Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, economic and strategic benefit of national importance.

In both cases mitigation and appropriate measures shall be taken to conserve and enhance the essential characteristics, aesthetics, archaeological and historical value and setting of the site.

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Policy H2 – Mixed Use Areas

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. Where new housing is proposed, a satisfactory residential environment should be created which should not impinge upon the viability or operation of existing businesses in the vicinity. Conversely, where new industrial, business or commercial uses are permitted, development should not adversely affect the amenity of people living and working in the area.

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Policy H5 - Affordable Housing

Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing. Further guidance on the provision of affordable housing from new developments is available in Supplementary Guidance on Affordable Housing.

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Policy I1 – Infrastructure Delivery and Developer Contributions

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

Infrastructure requirements relating to Masterplan Zone sites and other allocated sites outwith the Masterplan Zones are set out in Appendices 4 and 5. Actions for delivering such infrastructure are described in the Local Development Plan Action Programme. Infrastructure requirements and the level of developer contributions for other development will be assessed using the criteria set out in the Infrastructure and Developer Contributions Manual. The precise level of infrastructure requirements and developer contributions will need to be agreed with the Council, and other statutory agencies. The level of provision or contribution required will relate to the development proposed either directly or to the cumulative impact of development in the area and be commensurate to its scale and impact.

Masterplans will be expected to reflect the infrastructure requirements and developer contributions identified and should include a Delivery Statement setting out details of how the proposed development, and supporting infrastructure, will be delivered.

New infrastructure will either be provided by the developer or through financial contributions.

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Policy R6 – Waste Management Requirements for New Development

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

Further details are set out in the Supplementary Guidance on Waste Management.

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Policy T2 – Managing the Transport Impact of Development

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

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

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

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Supplementary Guidance

Topic: Harmony of Uses –
Residential, Licensed
Premises and Commercial
Uses

March 2012

This Supplementary Guidance (SG) covers many licensing and mixed-use issues within and outwith the City Centre. It provides guidance on the circumstances where development proposals for specific uses may be permitted in the City, as well as the issues that might need to be addressed when a proposal has the potential to conflict with neighbouring land uses.

Several issues are covered in this report:

- Hot Food Takeaways;
- Liquor Licensed Premises (with exceptions to hotels, restaurants, cafes and off-licenses);
- Street cafes;
- Amusement Centres and Arcades;
- Living/ Working Above or Below a Business; and
- Residential Developments in the City Centre

Objectives and Revised Policy Guidelines

This SG has taken into account relevant Local Development Plan objectives for the City, with special reference to the City Centre vision. Therefore, this SG is required to work within these objectives and vision to achieve a degree of balance where there may be potential conflict between these aims and development.

Hot Food Takeaways

Introduction

Proposals for hot food take-aways require to be given careful consideration as they raise sensitive amenity issues for neighbouring properties and land uses, for example the adverse effect of noise, smell and litter on residential properties. This is particularly the case with the City Centre, where hot food take-aways have continued to increase in number along with a similar rise in the provision of additional housing in the City Centre. Therefore, there are potential conflicts between the different uses which may give cause for concern.

It is proposed in this SG to use the term 'hot food shop' as the definition of a premises for which the main use is selling hot food for take-away, although such businesses may also operate as a restaurant/cafe. It should be noted, however, that the review is not intended to apply to restaurant/cafes where there is no substantial take-away element.

Background

Hot food shops have continued to multiply in number in the City and, since 1983, planning permissions has been granted for many new premises in the City Centre. In the same period a similar number of hot food shops have been refused planning permission. Some of these refusals were challenged by way of appeal and a proportion of these were sustained and received planning permission.

Relevant Local Plan Policies

Local Development Plan policies are an important factor in determining the merits of hot food shop proposals.

Outwith the City Centre

In Residential Areas, H1, in the Local Development Plan, uses other than residential will not be permitted unless these are regarded as complementary to residential use, such as community facilities, schools, open space, churches, local shops (Class 1) etc. Other activities which would include hot food shops will not be permitted unless the Council can be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

In Mixed Use Residential Areas, H2, there is a presumption against the introduction of other activities including hot food shops, unless the development would cause no conflict with or any nuisance to residential amenity.

In assessing hot food shop proposals within town centres, district centres and

neighbourhood centres, consideration will be given to whether or not a proposal will:

- _ make a positive contribution to the overall viability of a centre
- _ bring into use a vacant unit with consideration given to the length of time a unit has been vacant
- _ provide a locally required service
- _ retain an acceptable level of 'live' frontage
- _ be strategically situated within a shopping centre e.g. it is important that corner shop units provide live shop window displays to enhance the attraction of a shopping centre

Within the City Centre

Within the City Centre, applications for the introduction of Class 3 uses at street level are assessed for their likely effect on the vitality of shopping.

Along Union Street, proposals are assessed against the recommended minimum retail percentages as set down in the Council's 'Union Street Frontages Policy Guidelines'.

Within the City Centre Business District (CCBZ) there is a presumption in favour of retaining and developing commercial uses which includes the provision of restaurants.

Planning applications for hot food shops located outside these specified areas will be considered on their individual planning merits and will be assessed against any other relevant planning policies.

Role of Other Council Departments

The Council's Licensing Committee has responsibility for granting licences in terms of the Civic Government (Scotland) Act 1982. With regard to the sale of hot food, the Committee's responsibility is confined to the granting of late hours catering licences and street trader licences. Street trader licences are required where hot food is sold for take-away from mobile vans and trailers located in a public place.

Food premises, including hot food shops, are required to be registered with Environmental Health in accordance with the Food and Safety Act 1990. Officers of this Section can enter catering premises to ensure that the provisions of the Act are being fully complied with. Offences include the selling of food which has been contaminated by extraneous matter, is unfit for human consumption and fails to meet food hygiene standards.

Environmental Health also has statutory obligations under a range of pollution control legislation. With regard to hot food shops the main areas of concern to that Section are noise, air and litter pollution. The Government has published a Code of Practice in accordance with the Environmental Protection Act 1990 which lays down standards of cleanliness with regards to litter and refuse. Residential amenity can be adversely affected by fumes and odours generated by hot food shops or noise generated by customers, particularly where premises are open after 11pm. In this respect Planning & Infrastructure is assisted by Environmental Health on the likely effect of noise and smell arising from hot food proposals.

Issues

Amenity

The impact on amenity, and in particular residential amenity, is one of the major issues raised by hot food shop proposals. Factors which can adversely affect amenity include noise, smell and litter.

Noise nuisance can arise from both within and without hot food shop premises and may be generated by traffic, playing of music from radios and juke boxes, the operation of cooking and ventilation equipment, groups of people etc. Noise can be particularly intrusive late in the evening.

Nuisance from smells derives mainly from cooking, especially where frying operations are employed. Unpleasant odours however may arise from rubbish awaiting collection.

The impact of litter is recognised as being significant to planning control and therefore relevant in terms of amenity. This is of particular relevance, given that it would be unrealistic to suppose that litter could be prevented even by a cleansing service or hot food shop litter patrol.

The impact of ventilation ducting, attached to the exterior of buildings can be visually intrusive. This is of particular concern where the appearance of Listed Buildings and Conservation Areas may be adversely affected and where ducting passes close to windows in upper floors of premises containing a lower floor hot food shop.

Residential amenity can be adversely affected by the clustering of hot food shops, particularly in the City Centre, which is a reflection of the commercial and business nature of the area. It is also the case that hot food shops in the City Centre are generally open later, as permitted by their late hours catering license. Whilst levels of residential amenity in the City Centre, without residential areas, are not expected to match those of more peripheral residential areas, a reasonable standard of amenity at all times is highly desirable. This is essential given that the Council's housing policies have consistently sought to encourage housing as a prominent land use in the City Centre. The proximity of hot food

shops to housing, however, can lead to conflict, particularly where late hours of opening are involved. The conflict can also be directly related to licensed premises in the City Centre, whose patrons provide much of the business for hot food shops, especially in the late evening and early morning.

Outwith the City Centre hot food shops generally seek to locate in district or local shopping centres. In many cases such centres are located beside or within residential areas. The importance of residential amenity in such areas is generally higher than for a City Centre location, especially if there are no other potential amenity conflicts such as licensed premises or a busy road.

Traffic and Parking

Hot food shops attract a proportion of car borne customers, for which there is rarely adequate on or off-street parking available nearby. The consequence of this is often badly or illegally parked vehicles which can block visibility for both drivers and pedestrians, interfere with traffic signal controlled junctions and reduce the capacity of main roads. A major issue here is the threat to road safety. The attraction of car borne customers can also be to the detriment of residential amenity through noise, particularly in cases of late opening and through overspill parking in nearby residential streets. Whilst the problems of parking and traffic apply generally to hot food shops, the situation is less serious in the City Centre, where a greater proportion of customers arrive on foot and on street traffic restrictions act as a deterrent to illegal and indiscriminate parking, especially if it is believed that the restrictions will be enforced by the police.

Late Hours Catering Licences and Street Traders

The Council's Licensing Committee, as stated earlier in the report, is responsible for the granting of late hours catering licences for hot food shops. It has guidelines restricting the terminal hours for trading. However, the planning authority may also, when granting planning permission, impose conditions limiting the opening hours of hot food shops on amenity grounds. In certain instances more onerous opening hours may be imposed in this way. However, it should be emphasised that such conditions would not be imposed without strong justification, e.g. to enable a development to proceed where it might otherwise be necessary to refuse planning permission.

The Licensing Committee also has responsibility for the granting of licences for street traders which are issued on an annual basis. In terms of the Licensing Committee's guidelines, all licence holders are required to specify precisely the location or locations, days and times at which they propose to trade. Though in many cases outwith planning control, street trader operations may adversely affect residential and visual amenity. It will be necessary, therefore, for representations to continue to be made by Planning and Infrastructure to the Licensing Committee where street traders operations may adversely affect amenity. Where a street trader's operation is considered to constitute

development in terms of the Planning Acts, planning permission will be required otherwise enforcement proceedings will be initiated.

No planning permission is usually required for hot food vans as they are not permanent fixtures. However, several traders operate from retail and commercial operator's car parks, often occupying designated car parking spaces or traffic circulation space. This reduces the amount of spaces available and may also increase the volume of traffic attracted to the area. Depending upon the degree of permanency and whether or not the use by the trader can be considered to be ancillary to the overall use of the site, such situations may constitute a material change of use of the land or contravene a condition of planning permission in which case it may be necessary to take enforcement action under the Planning Acts.

Revised Hot Food Shop Policy Guidelines

The Council's aims and objectives for the City Centre differ from those for the rest of the City, in recognition of the different functions of these areas. This document takes account of the issues referred to earlier in this report and link closely with the Local Plan policies.

The following guidelines provide criteria to help assess the suitability of applications for hot food shops in the City Centre:

City Centre

(i) In order to safeguard residential amenity proposals for hot food shops in areas allocated as, and adjacent to, Residential Areas will not be permitted, unless the Council is satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity;

(ii) On Union Street, hot food shops at ground floor level will require to comply with the Union Street Frontage Guidelines. Policy C2 City Centre Business Zone and Union Street may also apply. Where the Frontages Guidelines allow, permission may be granted for a hot food shop provided none of the upper floors of the application property or adjacent properties are in residential use, in order to safeguard residential amenity. Special consideration may be given to granting permission where there are residential flats above if the operation involves only reheating of pre-cooked foods by means of microwave ovens. In such situations conditions may also be required regarding soundproofing and restrictions on hours of operation. Prior to granting approval, the Council requires to be satisfied that suitable arrangements have been made for litter disposal, in order to preserve the amenity of Union Street

(iii) Hot food shop proposals in streets in the City Centre Business Zone other than Union Street require in the first instance to comply with the City Centre Business Zone Policy C2. Where the policy allows, permission may be granted for a hot food shop provided none of the upper floors of the application property or adjacent properties are in residential use and/or the amenity of other existing

housing, sites zoned for housing, or land identified as suitable for housing in the Local Development Plan, would not be adversely affected by such proposals.

(iv) In all other areas of the City Centre zoned as mixed use (H2) in the Local Development Plan, proposals for hot food shops will be considered on their individual planning merits. Approval will not normally be granted however, if the upper floors of the application property or adjacent properties are in residential use and/or the amenity of other existing housing, sites zoned for housing, or land identified as suitable for housing in the Local Development Plan, would be adversely affected by proposals.

Remainder of the City

(i) There will be a presumption against the location of hot food shops in areas allocated as, and immediately adjacent to, Residential Areas and Mixed Use Residential Areas in order to safeguard residential amenity. Where fringe, linear, local or district shopping centres are located in Residential and Mixed Use Residential areas, proposals for hot food shops in such centres require in the first instance to be assessed against the criteria set down in the Local Development Plan Policy RT3 - Town, District and Neighbourhood Centres. Where that policy allows, permission may be granted for a hot food shop provided no upper floors of the application property or adjacent properties are in residential use and or the amenity of the Residential and Mixed Use Residential areas would not be adversely affected by such proposals.

(ii) In all other areas of the City outwith the City Centre, proposals for hot food shops will be considered on their individual planning merits. Approval will not normally be granted, however, if the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, H1 and H2, or identified as suitable for housing in the Local Development Plan, would be adversely affected by proposals.

(iii) Where the scale of operations of hot food sales from fuel filling stations is considered to be a material change of use and therefore requiring planning permission, applications will be considered on the basis of the Local Development Plan Policy area within which they are located and reference will then be made to the sub-sections above.

In addition to satisfying the guidelines as set down above, applications for hot food shops should allow satisfactory arrangements for parking and access or, depending on the circumstances, an improvement on the current authorized situation. Proposals to locate hot food shops on principal and main distributor roads will be assessed against their potential to adversely affect road safety, particularly where they are proposed to be located in close proximity to pelican crossings. Car parking will be assessed on parking standards and their own merits in consultation with the Roads Section.

The Planning Authority will also require to be satisfied that hot food shop proposals can provide adequate means of extracting, treating and dispersing odours without an unduly adverse effect on residential and visual amenity.

Details of the proposed ventilation system must be submitted as part of any planning application.

Hot food shop proposals require by law to be advertised as projects of “public concern”. The level of representation is a material consideration to take into account in assessing the merits of a particular proposal, providing that comments relate to planning matters and are received within the statutory consultation period.

Conclusions and Recommendations

Conclusions

The location of hot food shops is a sensitive issue with the public and the Planning Authority because of their potential impact on amenity. The Council is rightly proud of its high amenity standards. This care for environmental standards has to be carefully balanced against the need to make provision for hot food shops which offer a service to the public and whose products are much in demand. The revised guidelines link closely with the Local Development Plan policies forming an important benchmark for determining planning applications within and outwith the City Centre.

Liquor Licensed Premises

Introduction

Similar to hot food take-aways, liquor licensed premises proposals require to be given careful consideration as they generally raise sensitive amenity issues such as noise. This is particularly the case with the City Centre, where liquor licensed premises have continued to increase in number. Along with this there has been the increased activity in the provision of additional housing in the City Centre. Therefore, there are potential conflicts between the different uses which may give cause for concern.

It is proposed in this SG to use the term 'liquor licensed premises' as the definition of a unit that sells alcohol for consumption on and/or off the premises. However, there is an exception for liquor licensed premises that take the form of a small hotel, restaurant, café and off-licensed premises.

Relevant Local Development Plan Policies

Local Development Plan policies are an important factor in determining the merits of liquor licensed premises proposals.

Outwith the City Centre

In Residential Areas, H1, in the Local Development Plan, uses other than residential will not be permitted unless these are regarded as complementary to residential use, such as community facilities, schools, open space, churches, local shops (Class 1) etc. Other activities which would include liquor licensed premises will not be permitted unless the Council can be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

In Mixed Use Residential Areas, H2, there is a presumption against the introduction of other activities including liquor licensed premises, unless the development would cause no conflict with or any nuisance to residential amenity.

In assessing liquor licensed premises proposals within town centres, district centres and neighbourhood centres, consideration will be given to whether or not a proposal will:

- _ make a positive contribution to the overall viability of a centre
- _ bring into use a vacant unit with consideration given to the length of time a unit has been vacant
- _ provide a locally required service
- _ retain an acceptable level of 'live' frontage
- _ be strategically situated within a shopping centre eg it is important that corner shop units provide live shop window displays to enhance the attraction of a shopping centre

Within the City Centre

Within the City Centre Business Zone (C2) applications for the introduction of a non-Class 1 (Retail) uses at street level are assessed for their likely effect on the vitality of shopping.

Along Union Street, proposals are assessed against the recommended minimum retail percentages as set down in the Council's 'Union Street Frontages Policy Guidelines'.

Within the City Centre Business Zone areas there is a presumption in favour of retaining and developing commercial uses which includes the provision of restaurants.

In other Local Development Plan policy areas applications for liquor licensed premises are considered on their individual planning merits. Proposals require, however, to be in accordance with other approved planning policies of the Council.

Role of Other Council Services

The Council's Licensing Board has responsibility for granting liquor licences in terms of the Licensing (Scotland) Act 2005. With regard to these liquor licensed premises, the Board's responsibility is to determine a variety of applications in respect of premises and personal licences which are required for the sale of liquor.

Amenity Issues

The impact on amenity, and in particular residential amenity, is one of the major issues raised by liquor licensed premises proposals. Factors which can adversely affect amenity include noise and anti-social behaviour.

Noise nuisance can arise from both within and outwith liquor licensed premises and may be generated by playing of music from music sound systems and juke boxes, deliveries and groups of people etc. Noise can be particularly intrusive late in the evening.

Revised Licensed Premises Guidelines

The Council's aims and objectives for the City Centre differ in part from those for the rest of the City, in recognition of the different functions of these areas. This SG seeks to take into account of the issues referred to earlier in this report and link closely with the Local Development Plan policies.

The following guidelines are suggested to help assess the suitability of applications for licensed premises within the City Centre:

City Centre

(i) There will be a presumption against the location of liquor licensed premises in areas allocated as, and adjacent to, Residential Areas in order to safeguard residential amenity. Such proposals could only be permitted if the Council were to be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity

(ii) On Union Street, liquor licensed premises at ground floor level will require to comply with the Union Street Frontage Guidelines. Policy C2 City Centre Business Zone and Union Street may also apply. Where the Frontages Guidelines allow, permission may be granted for a liquor licensed premises provided none of the upper floors of the application property or adjacent properties are in residential use, in order to safeguard residential amenity.

(iii) Liquor licensed premises in streets in the City Centre Business Zone other than Union Street require in the first instance to comply with the City Centre Business Zone policy. Where the policy allows, permission may be granted for a liquor licensed premises provided none of the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, or identified as suitable for housing in the Local Development Plan, would not be adversely affected by such proposals.

(iv) In all other areas of the City Centre zoned as mixed use in the Local Development Plan, proposals for liquor licensed premises will be considered on their individual planning merits. Approval will not normally be granted however, if the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, or identified as suitable for housing in the Local Plan, would be adversely affected by proposals.

The following guidelines are suggested to help assess the suitability of applications for liquor licensed premises outwith the City Centre.

Remainder of the City

(i) There will be a presumption against the location of liquor licensed premises in areas allocated as, and immediately adjacent to, Residential Areas and Mixed Use Residential Areas in order to safeguard residential amenity. Where fringe, linear, local or district shopping centres are located in H1 and H2 areas, proposals for liquor licensed premises in such centres require in the first instance to be assessed against the criteria set down in the Local Development Plan Policy RT3 - Town, District and Neighbourhood Centres. Where that policy allows, permission may be granted for liquor licensed premises provided no upper floors of the application property or adjacent properties are in residential use and or the amenity of the H1 and H2 areas would not be adversely affected by such proposals.

(ii) In all other areas of the City outwith the City Centre, proposals for liquor licensed premises will be considered on their individual planning merits. Proposals should, however, be in accordance with other Local Development Plan policies. Approval will not normally be granted, however, if the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, H1 and H2, or identified as suitable for housing in the Local Development Plan, would be adversely affected by proposals.

Conclusions

The location of liquor licensed premises is a sensitive issue with the public and the Planning Authority because of their potential impact on amenity. The Council is rightly proud of its high amenity standards. This care for amenity has to be carefully balanced against the need to make provision for licensed premises which offer a service to the public which are much in demand. The revised guidelines link closely with the Local Development Plan policies forming an important benchmark for determining planning applications within and outwith the City Centre.

Street Cafes

Introduction

Aberdeen City Council supports and encourages the provision of street cafes in the City Centre, as they make a positive contribution by adding vitality, colour, life and interest to the street scene. They can help maximise the use of public spaces, aid the local economy and add to the facilities offered to people who visit, live, and work in Aberdeen.

It is important that street cafes are properly designed, administered and managed to ensure that they meet the high standards expected in Aberdeen City Centre. They should not obstruct public space or create a hazard for pedestrians, especially for blind, partially sighted and other disabled people.

Relevant Local Development Plan Policies

For the purpose of this SG, street cafes are considered to be tables and chairs placed on public space as an extension of an existing ground floor use where food and drink is served to customers.

Before agreeing to planning permission for a street café, the Council must ensure:

1. They do not constitute a hazard; there should be enough pavement width or equivalent space to accommodate the seating, tables and café operation without causing hazard to, or invade the privacy of, other adjacent legitimate uses or impede access into or egress from nearby buildings or spaces or block a desire line.
2. If the development provides shelter from the elements, it should do so without permanently altering the physical fabric of the building to which they are attached or spaces in which they are located; and
3. They do not result in or contribute to an inadequate amenity for existing residential uses. Appropriate facilities to dispose of litter should be provided, without adversely affecting the quality, amenity or cleanliness of the City Centre.

Role of Other Council Services

As well as the Council's Planning Department, the Council's Licensing Committee has responsibility for granting licenses. Proposals for street cafes must also adhere to other regulations from the Council's Roads Department.

Amenity Issues

The impact on amenity, and in particular residential amenity, is one of the major issues raised by street cafes. Factors which can adversely affect amenity include noise, smell and litter.

Conclusions

The location of street cafes is a sensitive issue with the public and the Planning Authority because of their potential impact on amenity. The Council is rightly proud of its high amenity standards. This care for amenity has to be carefully balanced against the need to make provision for street cafes which offer a service to the public. These guidelines link closely with the Local Development Plan policies forming an important benchmark for determining planning applications within the City Centre.

Amusement Centres and Arcades

Introduction

Amusement centres and arcade proposals require to be given careful consideration as they generally raise sensitive amenity issues such as noise and other disturbances. This is particularly the case within the City Centre, where amusement centre and arcade proposals have continued to increase in number. Along with this there has been the increased activity in the provision of additional housing in the City Centre. Therefore, there are potential conflicts between the different uses which may give cause for concern.

It is proposed in this SG to use the term 'amusement centre' as the definition of a unit that's main use is to predominantly conduct games for chance of profit. The definition of 'amusement arcades' in this SG is a unit that's main use is to predominantly conduct games for amusement only.

Amusement centres and arcade proposals will only be considered within the City Centre boundary set down in the Local Development Plan.

Amenity Issues

The impact on amenity, and in particular residential amenity, is one of the major issues raised by amusement centres and arcades. Factors which can adversely affect amenity include noise and anti-social behaviour.

Noise nuisance can arise from both within and outwith licensed premises and may be generated by playing of music from music sound systems and juke boxes, arcade machines and groups of people etc.

Amusement Centres and Arcades Guidelines

This SG seeks to take into account of the issues referred to earlier in this report and link closely with the Local Development Plan policies.

The following guidelines are suggested to help assess the suitability of applications for amusement centres and arcades within the City Centre:

City Centre

(i) There will be a presumption against the location of amusement centres and arcades in areas allocated as, and adjacent to, Residential Areas in order to safeguard residential amenity. Such proposals could only be permitted if the Council were to be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity

(ii) On Union Street, amusement arcades at ground floor level will require to comply with the Union Street Frontage Guidelines. However, no amusement centres or arcades will be permitted within sectors B and G identified in the Union Street Frontages Guidelines SG. Where the Frontages Guidelines allow, permission may be granted for a licensed premises provided none of the upper floors of the application property or adjacent properties are in residential use, in order to safeguard residential amenity.

(iii) Amusement centres and arcades in streets in the City Centre Business Zone other than Union Street require in the first instance to comply with the City Centre Business Zone policy. Where the policy allows, permission may be granted for an amusement centre or arcade provided none of the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, or identified as suitable for housing in the Local Development Plan, would not be adversely affected by such proposals.

(iv) In all other areas of the City Centre zoned as mixed use in the Local Development Plan, proposals for amusement centres or arcades will be considered on their individual planning merits. Approval will not normally be granted however, if the upper floors of the application property or adjacent properties are in residential use and or the amenity of other existing housing, sites zoned for housing, or identified as suitable for housing in the Local Plan, would be adversely affected by proposals.

Conclusions

The location of amusement centres and arcades is a sensitive issue with the public and the Planning Authority because of their potential impact on amenity. The Council is rightly proud of its high amenity standards. This care for amenity has to be carefully balanced against the need to make provision for amusement centres and arcades which offer a service to the public. These guidelines link closely with the Local Development Plan policies forming an important benchmark for determining planning applications within and outwith the City Centre.

Living/ Working Above or Below a Business

Introduction

Living and/ or working above or below a business can prove to be a challenge as both possess potential conflicts between the appropriate and necessary functions of a thriving commercial area and residential uses. The challenge is to reduce any conflict to a minimum through careful siting and design of new residential properties and new licensed or noisy activities and premises and through the Local Development Plan to attract commercial and employment uses to contribute to the vitality of the City.

This conflict is more apparent in the City Centre; however outwith the City Centre this conflict can also occur. Whilst it is reasonable to expect an adequate level of residential amenity; urban centres are lively and vibrant places and those who live there should not expect that the amenity would be comparable to that of a purely residential area.

Living/ Working Above or Below a Business Guidelines

The Council's aims and objectives for the City Centre differ in part from those for the rest of the City, recognition of the different functions of these areas. This SG seeks to take into account of the issues referred to earlier in this report and link closely with the Local Development Plan policies and City Centre Development Framework.

The following guidelines are suggested to help assess the suitability of applications for residential and office uses above or below a business throughout the City:

There will be a presumption in favour of proposals that bring into use and upgrade vacant, under-used and sub-standard upper and lower (basement) floor properties. Changes of use from residential to a non-residential use shall not be approved where:

1. There would be an unsatisfactory impact on the amenity of occupiers and users of surrounding premises, in terms of noise, fumes or other disturbance or inconvenience; or,
2. Where the proposal would involve a stairwell giving access to existing residential property being shared with non-residential users.

Residential Developments in the City Centre

Introduction

As discussed in the section above, there are challenges accommodating residential development in a thriving City Centre, where there is a mix of uses.

Developers proposing residential developments in the City Centre must be mindful of the location of licensed premises and noisy uses, and will be required to provide a noise impact assessment for developments close to the busiest/ noisiest areas of the City Centre.

Appropriate conditions such as soundproofing and the installation of filtration systems will, where appropriate, be required to be undertaken as part of any such development in order to maintain an acceptable level of residential amenity.

Residential Developments in the City Centre

Proposals for new residential developments or conversion of existing premises to residential use will only be allowed in parts of the City Centre where a suitable residential amenity will be secured. To this end applications for such residential developments or conversions will be refused where one or more of the following criteria apply:

1. A suitable residential amenity cannot be achieved or maintained. This is likely to be in areas of the City Centre where there is significant evening or late night activity associated with licensed premises and in areas adversely affected by traffic and industrial noise. The onus will be on the applicant to demonstrate that satisfactory levels of residential amenity can be achieved including the submission prior to determination of any planning application of a noise assessment carried out by a suitably qualified consultant that demonstrates that adequate noise attenuation can be achieved;
2. The proposed development is within the same built structure:
 - (a) as a public house;
 - (b) as a place of entertainment.

Unless a noise assessment has been submitted by a suitably qualified consultant prior to determination of any planning application that demonstrates that adequate noise attenuation can be achieved

3. There is a common or shared access with licensed premises or other use detrimental to residential amenity;

4. The proposal is located beside a taxi rank.
5. The proposal is located within or adjacent to the Harbour boundary unless it can be demonstrated through a detailed noise assessment submitted prior to determination of any planning application by a suitably qualified consultant that a satisfactory level of residential amenity can be achieved taking account of background noise levels.

For further information contact;

Planning and Sustainable Development
Enterprise, Planning & Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
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For help with **language / interpreting** and other formats of communication support, please contact:

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যোগাযোগ সাহায্যের জন্য দয়া করে
:01224 523 470
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如果需要語言/傳譯及其他形式的傳訊支援服務，
請聯絡:01224 523 470

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و وسائل الاتصال الأخرى، الرجاء الاتصال
بالرقم التالي: 01224 523 470

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jakiejkolwiek innej pomocy do
porozumienia, proszę skontaktować:
01224 523 470

E-Mail: pi@aberdeencity.gov.uk

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Supplementary Guidance

Topic: Transport and Accessibility

March 2012

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1. INTRODUCTION

Good transport connections are essential to the economic prosperity of Aberdeen and the quality of life of people living and working in the City. With an emphasis on ensuring that transport provision is considered from the very outset of a planning application, the Council is committed to developments that encourage sustainable travel.

This Supplementary Guidance on Transport and Accessibility aims to assist developers in the preparation of planning applications. This document examines a number of transport and accessibility issues that may have to be considered as part of a planning application and should be read in conjunction with the Aberdeen Local Development Plan and the Local Transport Strategy.

2. STANDARDS FOR ACCESSIBILITY AND PUBLIC TRANSPORT SERVICES

The ability to access key services and facilities directly affects quality of life and is a major contributor to social inclusion. New and existing communities should be able to access services, facilities and jobs by walking, cycling and public transport.

Developments should be linked by the most direct, attractive, safe and secure pedestrian links possible to potential trip sources within 800 metres of the development.

Public transport should be available within 400 metres of the origins and destinations of trips within the development. Public transport provision should be at a frequency, times and to places that;

- Are at intervals of no more than 15 minutes, and ideally 10-12 minutes;
- Meet the needs of those without access to a car who would wish to access the development; and
- Provide an effective alternative for those that do have access to a car.

Developers will be required to provide for the appropriate level of service identified through a transport assessment, if this level will not be provided commercially by a bus operator.

In all cases developers should engage with the Council and relevant partners (such as Nestrans and public transport operators) at an early stage in the masterplan and/or planning application process to discuss the arrangements and requirements for providing new public transport services.

Accessibility Planning software, such as Accession, may be used as a tool to assess potential development locations and then guide decisions on development proposals. Accessibility planning involves measuring journey times to services and facilities and identifying the most suitable locations for new development or particular services and facilities. By measuring accessibility to services/facilities by public transport this process can also be used to improve the quality and availability of public transport to existing and future users or customers. In doing so, Accessibility Planning provides opportunities to improve social inclusion.

3. ACCESS AND PERMEABILITY

The ability to access, move around and through the built and natural environment by walking and cycling is a major contributor to quality of life and, in particular, an individual's ability to freely access the services and facilities they need without using a vehicle. New development will be required to protect and enhance existing access rights including core paths, rights of way and paths within the wider network.

The Land Reform (Scotland) Act 2003 introduced the right of responsible non-motorised access to most land and inland water in Scotland. The Land Reform Act also introduced statutory duties on Aberdeen City Council requiring it to protect access rights, including core paths and other paths within the wider paths network. In addition, the Council has a duty under the Countryside (Scotland) Act 1967 to uphold access along any public right of way.

In planning the layout of new development, the Core Paths Plan (2009) and Open Space Strategy (2011) should be taken into account, including routes referred to as 'aspirational' in the Core Paths Plan. New development must be permeable to walkers and cyclists and should ensure that new routes are planned in accordance with the 5 C's – connected, convenient, comfortable, convivial and conspicuous – as referred to in the Aberdeen Local Transport Strategy 2008 - 2012.

The Aberdeen Outdoor Access Forum brings together key stakeholders involved with access to the outdoors. The Forum has an input to access provision relating to new development, and will assist the Council in the resolution of any outdoor access disputes where there are conflicts between the provision of new or improved access routes and neighbouring land uses.

Further guidance on the following access issues can be found in the documents listed below.

Standards for path construction	Lowland Path Construction: A Guide to Good Practice Paths for All (2001)
Standards for signage design	Signage Guidance for Outdoor Access: A Guide to Good Practice Paths for All (2009) Directional Signage Guidance for Paths Aberdeen City Council (2011)

4. GUIDELINES & SPECIFICATIONS GUIDANCE

The Council is undertaking a review of its 1998 publication “Guidelines and Specification for Roads within Residential and Industrial Developments” which sets out the technical requirements for designing new roads, parking facilities, and walking and cycling infrastructure. The review takes account of the Scottish Government’s Policy Statement Designing Streets (2010). The Council intends to publish a fully revised version of the technical guidelines in due course and officers are progressing this detailed work. In the meantime, the Local Development Plan has taken account of Designing Streets by including a Roads Descriptor’ Map which categorises the road network according to the principles of Designing Streets (see Figure 1 and 2 below). This will form part of the full review document but is being published as part of this Supplementary Guidance in order to guide the planning and delivery of different types of roads that the Council will expect to be provided to support new developments.

For the avoidance of any doubt, we would recommend that developers speak to the Roads Design Team at the earliest possible stage in the planning application process to determine an appropriate design and layout for development.

Figure 1 – Roads Descriptor Map

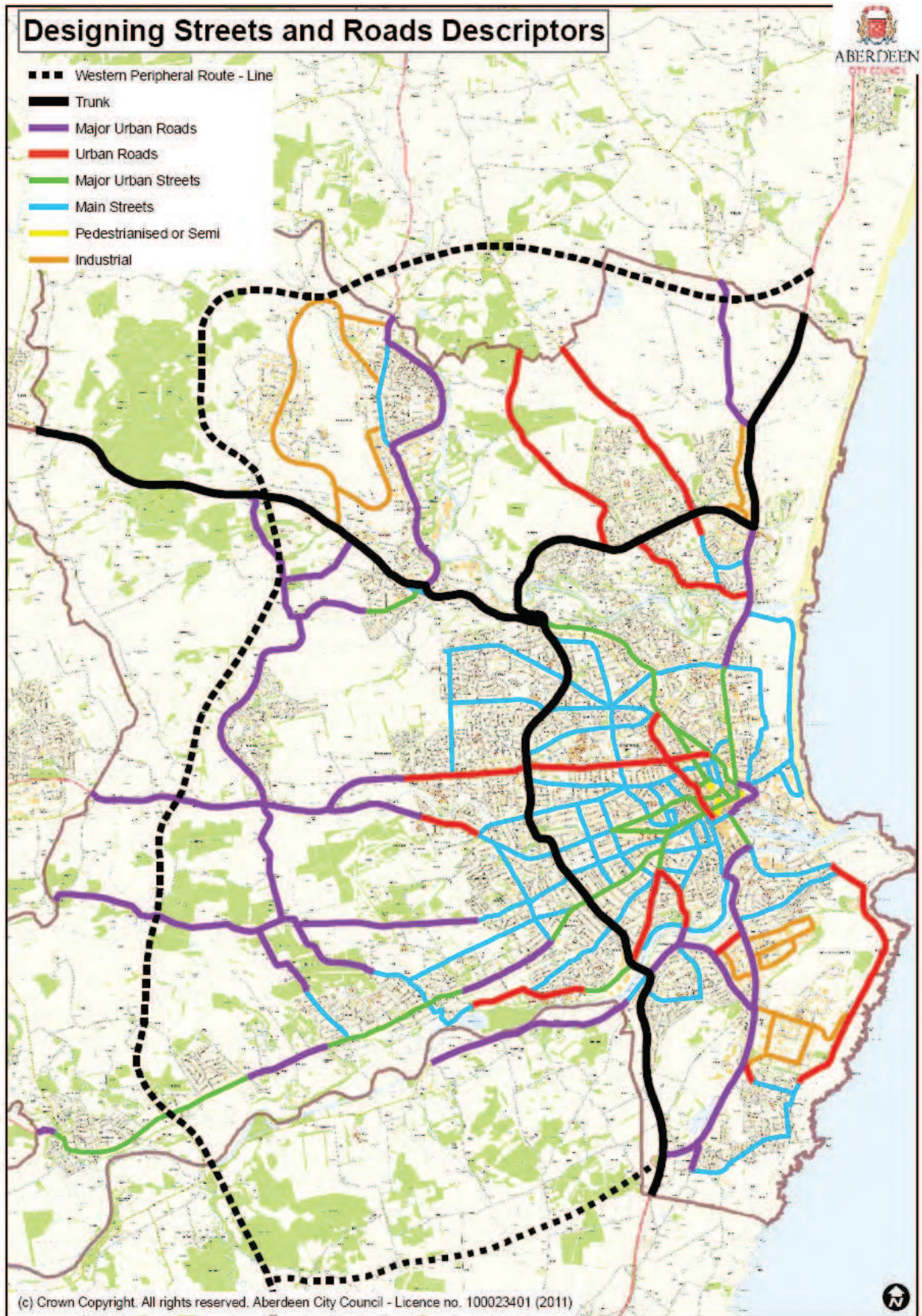
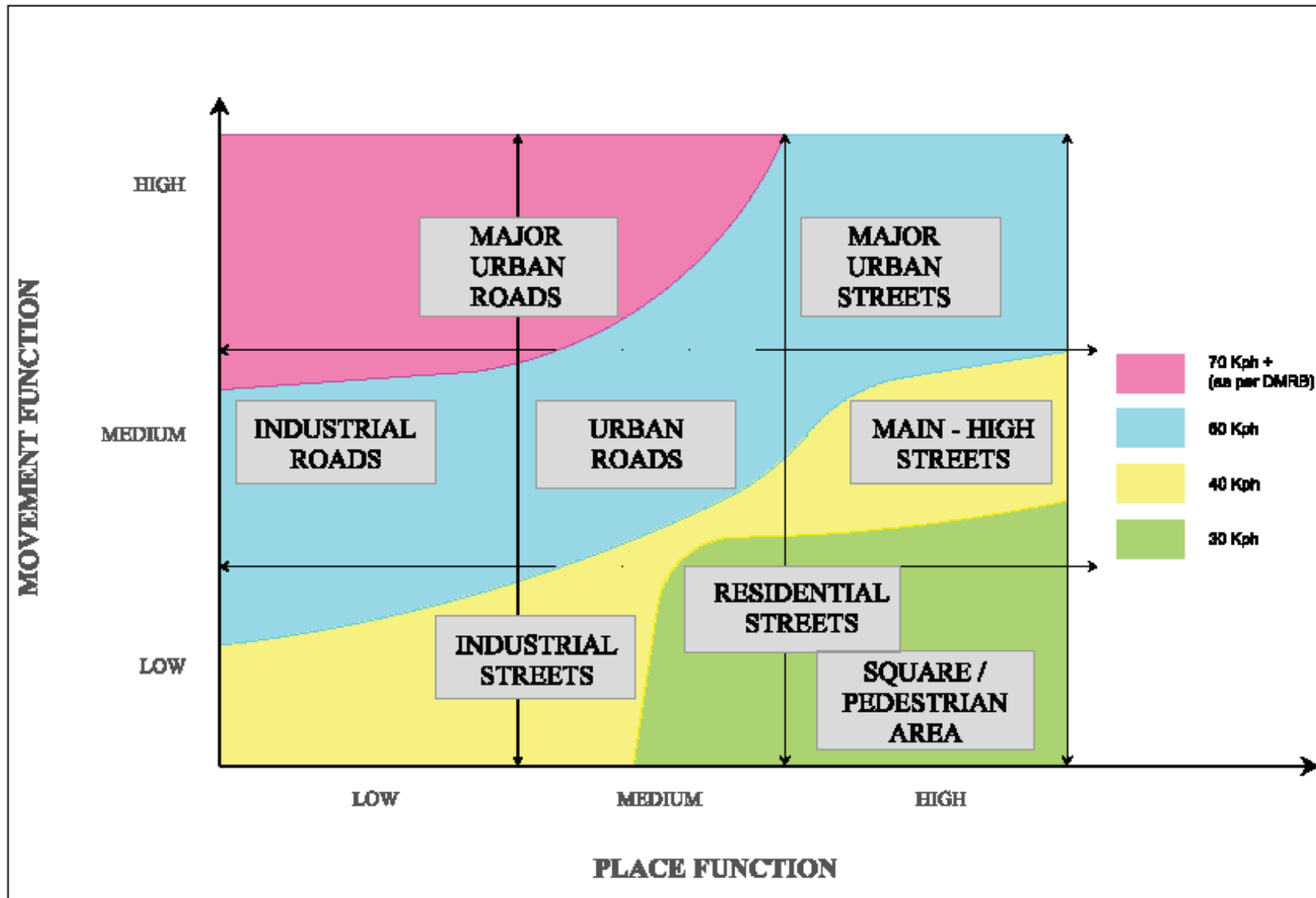


Figure 2 – Roads Descriptor Matrix



5. TRANSPORT ASSESSMENTS

The majority of new development will have an impact on the transport network and these impacts must be identified and dealt with as early as possible in the planning process. Transport Assessments (TA) can help to identify and tackle these issues at the planning application stage.

The Infrastructure and Developer Contributions Manual Supplementary Guidance document identifies transport infrastructure required to support sites identified in the Local Development Plan. In addition, developers will be required to undertake a Transport Assessment to determine whether any further infrastructure or service improvements are required in order to support the development proposed.

The Scottish Government has published guidance on Transport Assessments (Transport Assessment and Implementation: A Guide, 2005) and developers should refer to this for more detailed information.

Transport Assessments will vary in size and complexity depending on the nature, size and possible effects of the development.

A Transport Assessment will be required for developments which exceed the following thresholds,:

- Food retail >1,000m² Gross Floor Area
- Non-food retail >1,000m² Gross Floor Area
- Cinemas and conference facilities >1,000m² Gross Floor Area
- Leisure facilities >1,000m² Gross Floor Area
- Business >2,500m² Gross Floor Area
- Industry >5,000m² Gross Floor Area
- Distribution and warehousing >10,000m² Gross Floor Area
- Hospitals >2,500m² Gross Floor Area
- Higher and further education >2,500m² Gross Floor Area
- Stadia >1,500 seats
- Housing >100 dwellings.

A Transport Assessment should provide a comprehensive and consistent review of all the potential transport impacts relating to a proposed development or redevelopment and its immediate vicinity. The TA should consider travel-related issues such as safety, trip generation, access junction design and new infrastructure required (such as new bus services or cycle lanes) before, during and following construction. Adverse traffic and accessibility issues should be addressed and, if appropriate, suitable mitigation measures identified.

The assessment should look at the accessibility of the site by different modes of travel. The objective should be to maximise sustainable travel by walking, cycling and public transport and only then to consider the impact of the residual car traffic. Developers will be expected to take a realistic approach to their assessment of how much travel will be capable of being attracted to sustainable modes and they should bear in mind the Council's traffic targets as set out in the Local Transport Strategy (2008) and detailed in the Local Transport Strategy Monitoring Paper (2009).

There are two ways to ensure that sustainable travel will be maximised. First, through careful attention to the design and layout of the development itself and giving priority to those on foot, cycling or using public transport ahead of car user requirements; secondly through measures to improve infrastructure and services to encourage sustainable travel within the catchment area of the development.

As a minimum, the Transport Assessment should include:

1. Details of the development:
 - The proposed land use;
 - Scale of the development, such as number of residential units or Gross Floor Area (GFA) and phasing of development;
 - Plans and drawings showing the proposed site layout, particularly the proposed pedestrian, cycle and vehicular access points into the site;
 - Servicing arrangements and emergency vehicle access; and
 - Parking provision (including disabled, cycle and motorcycle parking).
2. Existing transport conditions:
 - Walking and cycling routes and facilities;
 - Existing public transport services and infrastructure;
 - Operation of the local road network;
 - Recent traffic surveys; and
 - Accident history on the local road network.
3. Trip generation and distribution:
 - Calculation of the likely number of trips to and from the development by each transport mode throughout the day; and
 - Determination of which routes will be used to access the site.
4. Public transport, walking and cycling assessments:
 - Assessment of whether the current public transport services and walking and cycling infrastructure have sufficient capacity to accommodate the additional trips created by the development;
 - An assessment of the level of accessibility to services and facilities by public transport, walking and cycling, where possible using the Accession software tool; and
 - If levels of accessibility are not sufficient, details of new facilities/services to be provided as part of the development proposals, such as public transport improvements and improved footpath and cycle path linkages.
5. Proposals (in the form of a Travel Plan) to reduce the number of trips to the development:
 - Measures to reduce the need to travel (e.g. home working);
 - Measures to encourage the use of more sustainable travel options rather than single occupier car journeys (e.g. walking, cycling, public transport, car sharing); and
 - A proposed parking strategy.
6. Traffic Impact Assessments:
 - Assessment of whether the road network has sufficient capacity to accommodate the residual vehicular trips created by the development

- The transport impacts of site construction, including the requirements of abnormal loads in the construction, use and decommissioning of the present development;
- The transport impacts of freight or service operations;
- If the site of the proposed development has a current use or an extant planning permission with trip patterns/volumes, the net level of change that might arise out of the new proposals should be set out; and
- An identification of the mitigation measures that will be required to address those traffic impacts that are likely to cause concern.

6. TRAVEL PLANS

A Travel Plan is a generic title for a package of measures aimed at promoting more sustainable travel choices to and from a development, with an emphasis on reducing reliance on the private car, thereby lessening the impact on the surrounding road network. A Travel Plan may also be required to address a particular traffic or parking problem likely to come about as a result of development and to reduce harmful emissions from vehicles.

Travel Plans can also reduce the cost of business travel, promote healthy living among employees and residents and widen the potential labour pool to include those that do not have access to a car. Travel Plans can be financially beneficial for employers to implement, by reducing the number of car parking spaces required.

A Travel Plan will be required for developments which exceeds the following thresholds:

- Food retail >1,000m² Gross Floor Area
- Non-food retail >1,000m² Gross Floor Area
- Cinemas and conference facilities >1,000m² Gross Floor Area
- Leisure facilities >1,000m² Gross Floor Area
- Business >2,500m² Gross Floor Area
- Industry >5,000m² Gross Floor Area
- Distribution and warehousing >10,000m² Gross Floor Area
- Hospitals >2,500m² Gross Floor Area
- Higher and further education >2,500m² Gross Floor Area
- Stadia >1,500 seats
- Housing >100 dwellings.
- All schools.

Developments which fall below these thresholds are also encouraged to prepare Travel Plans in support of applications for development.

Travel Plans should be site-specific and measures and objectives should reflect the individual characteristics of a site as well as the trips likely to be generated by that development. They should contain a range of measures to ensure that the site is accessible by a variety of modes of transport, and that private car use to and from the site is discouraged via a combination of incentives and disincentives. Workplace Travel Plans can address commuter journeys to work, customer access, business travel and fleet management and they can encompass the movement of freight as well as people.

There may be opportunities to create informal or formal networks of organisations and businesses within defined areas known as Transport Management Organisations (TMOs). TMOs provide a forum for identifying and implementing measures that will improve travel conditions for companies, their employees, and the local community. Aberdeen City Council will work with Nestrans and the private sector to support and encourage the development of further TMOs across Aberdeen.

What should the Travel Plan contain?

A number of conditions have been identified that must be in place in order for a Travel Plan to be successful:

- The appointment of a dedicated Travel Plan Co-ordinator to oversee implementation of the Plan;
 - Engagement with staff and residents to identify what would encourage them to change their travel behaviour;
 - The Plan should be based on the findings of a recent staff or residents travel survey and regular follow-up surveys should be undertaken to assess the Plan's progress and ensure it remains current;
 - The plan should include a comprehensive package of measures, including incentives and disincentives to bring about change;
 - The plan should be site-specific, tailored to suit the individual development;
 - The plan should set clear objectives and targets, with monitoring procedures identified;
 - A funding stream for new infrastructure, initiatives, promotion and marketing;
- and
- Senior management support and approval for the Plan.

Typical workplace travel plan measures include:

- Ensuring there are safe walking and cycling routes to the development;
- Providing safe cycle parking facilities near the entrance to the workplace;
- Providing showers and changing facilities for cyclists and pedestrians;
- Providing a dedicated bus for employees or entering into negotiations with bus companies to extend an existing bus service to serve the development ;
- Providing tele- and video-conferencing facilities to reduce the need for business travel;
- Providing a pool car or car club vehicle for employees who need the use of a car during the working day;
- Negotiating discounted public transport fares for employees;
- Car Park management such as deliberately limiting staff parking or charging staff for car parking;
- Establishing a car share scheme for employees and implementing priority parking spaces for car sharers;
- Introducing flexible working arrangements, such as home working and flexitime working;
- Introducing the HMRC's Salary Sacrifice Schemes for buses, bicycles and home computers;
- Raising awareness of the health, environmental and cost benefits of walking, cycling and using public transport;
- Raising awareness of public transport serving the site and making public transport maps, timetables and leaflets available to staff and visitors.

Residential Travel Plans should outline measures aimed at influencing the travel behaviour of new home owners to, from and within the development. These could include:

- Ensuring the development is well served by safe and pleasant walking and cycling routes;

- Entering into negotiations with bus operators to ensure that the development can be served by public transport if it is not at present;
- Distributing a welcome pack to new residents with maps showing local walking and cycling routes and local public transport maps, leaflets and timetables ;
- Providing a car club vehicle(s) for residents to use;
- Establishing a residents' car share scheme;
- Providing residents with 1 months' free public transport tickets or a voucher for discounted walking or cycling goods.

Leisure Travel Plans may also be required for developments likely to generate a large volume of visitor journeys. Measures could include innovative marketing campaigns and initiatives for encouraging sustainable travel, such as limiting, or charging for, car parking, and ensuring the development is well served by walking, cycling and public transport links.

A free online Travel Plan Builder is available (www.aberdeencitytravelplans.co.uk) and officers in the Transportation Team are available to assist businesses and developers in the preparation of a Travel Plan.

Monitoring and Evaluation

Travel Plans should identify effective monitoring techniques and these will be agreed with the Council. The Council will request updates from developers every two years on the implementation of the Travel Plan. Legal Agreements may be required or planning conditions may be placed on planning applications to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review. More detailed guidance on what is expected as part of a Travel Plan will be available in Travel Plans: A Guide for Developers which is being prepared and will be published in 2012.

7. PARKING

Parking policy is an essential component of the City Council's Local Transport Strategy. Parking price and availability can have a significant influence on the way that people choose to travel.

Adequate parking can enhance the attractiveness of an area for development and sufficient spaces are needed to prevent over-spill parking into surrounding areas especially if this will have a detrimental impact. On the other hand, the over-provision of parking spaces can involve large tracts of land and lead to increased land prices, reduce building densities and increase distances people must walk between adjacent land uses. Over-provision of parking can also reduce travel by alternative forms of transport.

Parking standards must therefore reflect a balance of conflicting objectives. The standards in this document have been informed by the evidence of existing parking demands and take account of the potential requirement for parking spaces in the future given other policy measures to encourage the use of alternatives to cars. They also take account of the Scottish Government's Scottish Planning Policy guidelines on parking standards.

The level of parking standards also relates to the location of the development. To encourage the use of alternatives to the car where accessibility is high by non-car modes, the maximum parking standards are lower. Three separate zones have been identified by the Council for the application of varying parking standards and these are described below and are shown in the map on Figure 3, page 18:

- **Zone 1** is highly accessible by public transport and the density of population relative to the mixture of land uses (retailing, employment etc) allows for a large proportion of pedestrian and cycle journeys. On-street parking, public off-street parking and park and ride opportunities are also available. These factors allow for the lowest maximum levels of parking associated with new developments.
- **Zone 2** is relatively accessible by public transport and pay and display parking is available in most parts of the area for short stay use.
- **Zone 3** provides the third and least restrictive maximum standards as the area is less accessible by public transport and the distance from main residential areas may preclude walking and cycling on a significant scale.

Whilst the Local Transport Strategy seeks to reduce the amount of unnecessary car use and dependency, it maintains the right of individuals to own and keep cars at a residence. In view of this, the parking standards for housing developments should be considered as guidelines. Where development proposals include the provision of off-street parking, the entitlement to on-street parking permits will be restricted. Within all zones where development proposals include parking provision that is less than the guidelines for that Zone, developers will be expected to provide suitable alternatives such as bus permits and membership to car clubs.

Different land use components in a mixed development should aim to share car parking provision when the demand for the different land uses is at different times of the day or week. For example, parking provision at a school in the daytime could be

used for community and leisure facilities at evenings and weekends. Equally, office car parking spaces could be used by neighbouring residents and visitors during evenings and weekends when the business premises are unoccupied.

LOW AND NO CAR HOUSING

Aberdeen City Council will support and encourage low or no car housing, recognising the contribution this can have towards sustainable development, where there is evidence that car ownership and use will be low enough to justify proposals, and where public transport and other travel options are sufficient to allow residents to rely wholly on them.

It is vital that such development is located in an area of good existing public transport, cycle and pedestrian links, thus allowing a design that facilitates as many trips as possible to and from the development being made by modes other than the private car.

Such development is likely to be more successful in city centre locations, where there is already a high demand for car parking and good public transport links.

The Council will consider the following issues in determining proposals for low or no car housing:

- The development is mixed use and there are employment opportunities within walking and cycling distance of residential units;
- The development is linked to the main road network by well lit, safe and pleasant footways or paths for pedestrians;
- The development is within 400m of the local cycle network and there is adequate bicycle parking available; and
- There are at least 2 buses in each peak time quarter hour period serving, or stopping close by to, the development.

Where development proposals are specifically put forward as low or no car housing, the entitlement to on-street parking permits will be restricted.

The developer may also wish to establish a car club for the development, thus reducing the need for residents to own a private car in the first place. There will always be a requirement for a minimum amount of disabled parking within the site.

CAR CLUBS

An alternative way for a developer to demonstrate a commitment to minimising car use is to enter into an agreement relating to a car club. Aberdeen City Council support, and will promote, the implementation and expansion of car clubs in Aberdeen City, especially in developments where there is significant potential to reduce the number of car trips.

A car club is a scheme whereby a vehicle or vehicles are shared by a particular community, with members typically paying an annual membership fee which then provides them with access to a car on a 'pay as you go' basis (with the individual usually paying for use per mile or per hour). Such a system allows members of the

club to enjoy all the advantages and conveniences of car travel without them having to own a car themselves.

Car club vehicles can act as pool vehicles for workplaces and can remove the need for householders in a residential development to own a car. Research shows that each car club vehicle typically replaces 6 private cars as club members refrain from buying or maintaining a second car or even choose not to own a car at all.

Car clubs provide a means to reduce the number of parking spaces required for new developments and can be used to retrofit existing developments, allowing them to adopt more of a 'Home Zone' style approach. By reducing or eliminating the need for onsite parking many new developments are made possible and their traffic impact minimised.

Developers may choose to set up a car club solely for their development or to pay for membership of an existing car club for all residents and/or employees of the development. For a residential development to have a self-contained car club, guidance suggests that there should be at least 200 units. Developments which are smaller, or which have a mix of uses, can still include car clubs, although these may need to be open to other subscribers in the immediate local area. Shared residential and business membership could be one approach, as use of the vehicles for business journeys is likely to be more in demand during working hours on weekdays and domestic usage is likely to be more pronounced in evenings and weekends.

In entering into a legal agreement to set up and/or promote a car club, the developer should ensure that the club is up and running from the very beginning of the occupation of the development. It should be offered to prospective members on favourable terms. A common requirement is free initial membership for three years. The developer should expect to contribute to the costs of setting up and promoting the club, as well as any traffic orders and works that might be necessary. The developer should guarantee the car club for a period of 10 years.

PARKING STANDARDS

This section addresses the following:

- Non-residential parking (**maximum standards**)
- Residential parking (**guidelines**)
- Disabled Badge Holders' Parking (**requirements**)
- Delivery space (**guidelines**)

Car Parking Standards - Introduction

Figure 3 below shows the areas covered by each of the 3 parking standard zones. Please note the boundaries shown are indicative and subject to change through any updates to the Local Transport Strategy.

Figure 3 – Zones for Parking Standards



For a change of use, developers should, in the first instance, take account of the standards shown in the following tables. This may mean increasing the number of spaces or possibly taking some away. Times of use of the existing and proposed land use(s) may be relevant to the need to provide extra parking. For instance a proposal for residential development in what is currently an office use may, on first consideration, require extra spaces. However, as residential parking demand tends to be mainly in an evening, it may be that the extra spaces could be accommodated elsewhere without road safety, amenity or other issues being raised.

If a site is redeveloped in its entirety with existing buildings demolished and the site cleared then developers should be guided by the standards in the following tables.

Many development proposals contain a variety of types of land uses. When assessing these applications the developer will be required to take account of the shared use of the site particularly if the different land uses are in use at different times of the day.

Where parking standards in the following tables relate to Gross Floor Area (GFA) this should be measured to the outside of the external walls of the development and will include all public and privately accessible areas.

Where it is proposed to extend an existing building (or other land use) parking provision should be based on the Gross Floor Area of the existing plus proposed building area.

Parking bays should generally be 2.5 x 5.0 metres with a 6.0 metre aisle width between bays. For nurseries or similar type of development where small children are to be dropped off, an extra 0.9 metres should be provided between spaces.

Where it is necessary to accommodate car parking within a private court, the parking must not dominate the space: no more than 50% of any court should be taken up by parking spaces and access roads. This figure is a guideline and the planning authority reserves the right to consider each case on its particular merits. In high density schemes it will be expected that underground or decked parking will be provided in order to achieve this.

In order to contribute to the Scottish Government's carbon reduction targets the Council will also encourage the provision of electric vehicle infrastructure as part of developments with associated off-street car parking.

Non-residential car parking spaces – all maximum amounts

1: RETAIL			
Land Use	City Centre	Inner City	Outer City
Food retail outlets (>1000m2 GFA)	1 per 40m2	1 per 22m2	1 per 14m2
Non-food retail outlets (>1000m2 GFA)	1 per 50m2	1 per 30m2	1 per 20m2
Food/non-food retail outlets (<1000m2 GFA)	1 per 70m2	1 per 40m2	1 per 30m2
Motor trade (including vehicle display area, spares dept, servicing, tyre and exhaust centre)	0.5/1 staff; 1 per 50m2 vehicle display area; 1 per 50m2 spares department; 3/servicing bay, 2/tyre and exhaust bay	0.5/1 staff; 1 per 33m2 vehicle display area; 1 per 25m2 spares departments; 3/servicing bay, 2/tyre and exhaust bay	0.5/1 staff; 1 per 33m2 vehicle display area; 1 per 25m2 spares departments ; 3/servicing bay, 2/tyre and exhaust bay
Petrol Filling Stations (note retail element assessed separately)	1 per 2 staff	1 per 2 staff	1 per 2 staff

2. FINANCE, PROFESSIONAL AND OTHER SERVICES			
Land use	City Centre	Inner City	Outer City
Banks, Building Societies, etc.	1 per 90m2	1 per 62m2	1 per 40m2

3. FOOD AND DRINK			
Land use	City Centre	Inner City	Outer City
Restaurants and cafes	1 per 40m2	1 per 17m2	1 per 12.5m2
Pubs/clubs/discos/bars	1 per 40m2	1 per 25m2	1 per 12.5m2
Take-away	1 per 33m2	1 per 33m2	1 per 33m2
Drive Through Restaurants – requires adequate queuing space	1 per 10m2	1 per 10m2	1 per 10m2

4. BUSINESS			
Land use	City Centre	Inner City	Outer City
Offices	1 per 80m2	1 per 50m2	1 per 30m2

5. GENERAL INDUSTRIAL			
Land use	City Centre	Inner City	Outer City
Industrial premises (excluding motor vehicle workshops)	1 per 100m2	1 per 55m2	1 per 40m2

6. STORAGE AND DISTRIBUTION			
Land use	City Centre	Inner City	Outer City
Warehousing – storage and distribution	1 per 300m2	1 per 167m2	1 per 100m2
Warehousing – wholesale trading	1 per 100m2	1 per 72m2	1 per 50m2

7. HOTELS, HOSTELS			
Land use	City Centre	Inner City	Outer City
Hotels, boarding houses, guest houses, and motels (restaurant and conference facilities counted separately)	0.6 per bedroom	0.75 per bedroom	1 per bedroom

8. NON-RESIDENTIAL INSTITUTIONS			
Land use	City Centre	Inner City	Outer City
Nursery and Primary Schools	0.8 per staff	0.8 per staff	0.8 per staff
Higher and Further Education	0.5 per staff plus 1 per 15 students	0.5 per staff plus 1 per 15 students	0.5 per staff plus 1 per 15 students
Public Library	1 per 90m ²	1 per 57m ²	1 per 36m ²
Public hall/Function room	1 per 50m ²	1 per 27m ²	1 per 18m ²
Religious Institution	0.5 spaces per 10 seats	1 space per 10 seats	1 space per 10 seats
Medical Centres/Vets/Dentists	3 per consulting room plus 0.5 per staff	3 per consulting room plus 0.5 per staff	3 per consulting room plus 0.5 per staff
Hospitals	Merit (but will require Travel Plan)	Merit (but will require Travel Plan)	Merit (but will require Travel Plan)

9. ASSEMBLY AND LEISURE			
Land use	City Centre	Inner City	Outer City
Conference Centre	1 per 10 seats	1 per 7.5 seats	1 per 5 seats
Cinema/Concert hall/Theatre/Bingo hall	1 per 12 seats	1 per 8 seats	1 per 5 seats
Stadium	1 per 20 seats	1 per 20 seats	1 per 15 seats
Sports centre/facility	1 per 30m ²	1 per 22m ²	1 per 22m ²

Residential Car Parking Standards

These should be treated as **guidelines**, rather than maximums. The level of parking proposed in a new development will need to be agreed with the Planning Authority.

Residential Car Parking Standards – all guidelines

DWELLINGS			
Land use	City Centre	Inner City	Outer City
Residential Dwellings	1.5 allocated space per dwelling	1.75 allocated space per dwelling	2 allocated spaces per dwelling (up to 3

	(up to 3 bedrooms), 2 per dwelling (4 or more bedrooms)	(up to 3 bedrooms), 2 per dwelling (4 bedrooms)	bedrooms), 3 per dwelling (4 bedrooms).
1 bedroom flat (no designated spaces)	1 per unit	1 per unit	1.5 per unit
2 bedroom flat (no designated spaces)	1.5 per unit	1.75 per unit	2 per unit
3 bedroom flat (no designated spaces)	1.5 per unit	1.75 per unit	2 per unit
Housing Association/Social Housing (rented only)	0.8 per unit	0.8 per unit	0.8 per unit
Special Needs Housing	1 per resident staff member plus 1 per 8 residents	1 per resident staff member plus 1 per 8 residents	1 per resident staff member plus 1 per 8 residents
Sheltered Housing/Care Home/Nursing Home	1 per resident staff member plus 1 per 8 residents	1 per resident staff member plus 1 per 3 residents	1 per resident staff member plus 1 per 3 residents
Purpose Built Student Accommodation	1 per resident staff member plus 1 per 10 students	1 per resident staff member plus 1 per 10 students	1 per resident staff member plus 1 per 10 students

Disabled Badge Holders' Parking – all requirements

Reserved disabled parking should be provided as per the following table. Please note that these are minimum standards.

Disabled Badge Holders Parking

	Car park size up to 200 spaces	Car park maximum standard size over 200 spaces
Employment Uses	1 space per disabled employee plus 2 spaces or 5% of the total number of spaces in the car park or whichever is greater	6 spaces plus 2% of the total number of spaces in the car park
Retail, Leisure and Recreation Uses	3 spaces or 6% of the total number of spaces in the car park or whichever is greater	4 spaces plus 4% of the total number of spaces in the car park

Spaces for drivers with a disability should generally be 2.5 x 5.0 metres with a 0.9 metre strip between adjacent spaces to allow access for wheelchairs. These spaces should, where possible, be located within 50 metres of the entrance to buildings to assist accessibility.

Delivery/loading/unloading Parking Standards – all guidelines

These standards apply to spaces required for vehicles regularly and necessarily involved in the servicing of businesses or other buildings. It includes space for

commercial vehicles delivering goods or collecting goods from premises and space for loading and unloading.

Details of operational parking requirements should be considered as guidelines. Where no operational requirement is specified requirements will be considered on a case by case basis. However, it is important where possible that loading and other servicing facilities are provided on site to prevent delivery vehicles queuing or using on-street locations to load and unload.

Delivery/loading and unloading parking standards

1. RETAIL	
Land Use	
Food retail outlets (>1000m2 GFA)	Assessed on merit
Non-food retail outlets (>1000m2 GFA)	Assessed on merit
Food/non-food retail outlets (<1000m2 GFA)	Assessed on merit
Motor trade (including vehicle display area, spares dept, servicing, tyre and exhaust centre)	Assessed on merit
2. FINANCE, PROFESSIONAL AND OTHER SERVICES	
Land Use	
Banks, Building Societies etc.	Assessed on merit
3. FOOD AND DRINK	
Land Use	
Restaurants and cafes	Assessed on merit
Pubs/clubs/discos/bars	Assessed on merit
Take-away	Assessed on merit
Drive Through Restaurants	Assessed on merit
4. BUSINESS	
Land Use	
Offices	Assessed on merit
5. GENERAL INDUSTRIAL	
Land Use	
Industrial premises (excluding motor vehicle workshops)	1 loading bay up to 500m2 GFA, 2 loading bays between 500m2 and 2500m2 GFA and 3 loading bays over 2500m2
6. STORAGE AND DISTRIBUTION	
Land Use	
Warehousing (storage and distribution and wholesale trading)	1 loading bay up to 500m2 GFA, 2 loading bays between 500m2 and 2500m2 GFA and 3 loading bays over 2500m2
7. HOTELS, HOSTELS	
Land Use	
Hotels, boarding houses, guest houses, and motels (restaurant and conference facilities counted separately)	1 loading bay, and coach spaces will be required for hotels with more than 50 bedrooms
8. NON RESIDENTIAL INSTITUTIONS	
Land use	
Nursery and Primary Schools	Pick-up/set down facilities for school buses and cars
Higher and Further Education	Pick-up/set down facilities for school buses and cars
Public Library	Space for mobile library van as appropriate

Public hall/Function room	Provision for a coach
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9. ASSEMBLY AND LEISURE	
Land Use	
Conference Centre	1 coach space per 50 seats
Cinema/Concert hall/Theatre/Bingo hall	A space for coaches/cars to pick up and set down as appropriate
Stadium	Provision for coaches-to be assessed with Travel Plan and accessibility
Sports centre/facility	Provision for coaches-to be assessed with Travel Plan and accessibility

Motorcycle Parking Standards

Motorcycle parking should be considered early in the design process. Facilities should be conveniently located, adequately lit, well signed, secure and vandal proof. It is also important that facilities are not placed in dark recesses or at the rear of car parks where they are less likely to be used. They should be located as close as possible to building entrances, ideally overlooked from a building or in the clear view of pedestrians.

Wall loops or fixing devices anchored in or adjacent to the road can provide secure anchor points for motorcycles. These need to be robust in order to prevent them from being lifted out of the ground or cut with cutting tools. The anchor point should be compatible with a wide range of bike types and locking devices. A height of 600mm will accommodate a range of wheel sizes and helps prevent thieves from using the ground as leverage for bolt cutters and jacks. The anchor points should be located and designed in positions that do not pose a hazard to partially sighted or disabled people. Motorcycle bays may also be acceptable.

Motorcycle Parking Standards – all minimums

Land use	Motorcycle parking provisions
1. RETAIL	
Food Retail Outlets (>500m ² GFA)	1 per 1500m ² with a minimum of 1 space for staff and 1 space for customers
Non-Food Retail Outlets (>500m ² GFA)	1 per 1500m ² with a minimum of 1 space for staff and 1 space for customers
Food/Non-Food Retail Outlets (<500m ² GFA)	1 space for staff and 1 space for customers
2. FINANCIAL, PROFESSIONAL AND OTHER SERVICES	
Banks, Building Societies, etc.	1 per 1200m ² with a minimum of 1 space for staff and 1 space for customers
3. FOOD AND DRINK	
Restaurants and cafes	1 per 300m ² public area with a minimum of 1 space for staff and 1 space for customers
Pubs and Winebars	
Fast food Takeaway	
4. BUSINESSES	
Offices	1 per 1000m ² for employees and 1 per 4000m ² for visitors
5. GENERAL INDUSTRIAL	
Industrial premises	1 per 2000m ² for employees and 1 per 8000m ² for visitors
6. STORAGE AND DISTRIBUTION	
Warehousing	1 per 6000m ² for employees and 1 per 16000m ² for visitors

7. HOTELS, HOSTELS	
Hotels, boarding houses, guest houses, and motels	1 per 15 bedrooms with a minimum of 1 space for customers and 1 space for staff
8. NON RESIDENTIAL INSTITUTIONS	
Primary School	1 per 8 staff with a minimum of 1
Secondary School	1 per 8 staff with a minimum of 1
College/University	1 per 8 staff with a minimum of 2
Medial Centre	1 per 25 parking spaces with a minimum of 1 space for staff and 1 space for customers.
9. ASSEMBLY AND LEISURE	
Public Library	1 per 25 parking spaces with a minimum of 1 space for staff and 1 space for customers.
Cinema/Concert Hall/Theatre/Bingo Hall	
Conference Centre	
Public Hall	
Stadium	
Sports Centre/facility	
10. RESIDENTIAL INSTITUTIONS	
Special Needs Housing	1 visitor space per 25 units with a minimum of 1 space and 1 space per 25 staff with a minimum of 1
Sheltered Housing/Care Home/Nursing Home	1 visitor space per 25 units with a minimum of 1 space and 1 space per 25 staff with a minimum of 1
Hospitals	Assessed individually - a Travel Plan will be required.
Purpose Built Student Accommodation	1 per 25 beds and 1 per 25 staff with a minimum of 1 space for staff and 1 space for students
Flats (<6)	1 space per 8 flats with a minimum of 1
Flats (7-10)	
Flats (11-15)	
Flats (15-25)	
Flats (26-30)	
Flats (31+)	

Cycle Parking Standards

It is important that developers provide secure cycle parking at each new development, whether that be at a place of work or residence, so that individuals can make a choice of whether they wish to cycle to work with the knowledge that their bike will be secure at both ends of the journey.

This Guidance will be applied to:

- New developments and extensions to existing developments;
- Conversion of existing buildings involving a change of use; and
- Material changes of use

The location and provision of cycle parking facilities differs between short and long stay. Drawings submitted for a planning application should clearly indicate the number of spaces available for bicycles, and

For short stay:

- Precise location
- Design (usually Sheffield stand) as defined in 'Key Elements of Cycle Parking Provision'

For long stay:

- Internal building location or

- External location and design

Short Stay Parking

Short stay cycle parking is for visitors and/ or customers. This type of facility should be located in a safe, convenient, accessible and prominent position, preferably on-site and adjacent to the entrance of a building, and an absolute maximum of 50m from the entrance. Buildings with more than one entrance should either have cycle parking readily accessible from every entrance, or a smaller number of facilities should be located at each entrance.

The facility should be well signed and either lit, or placed close to a source of light. If possible, it should be monitored by closed circuit television and be visible to on-site security staff. As weather protection for cycle parking is highly desirable developers will need to consider this at an early stage in the design of new developments. The facility should be located so as not to cause an obstruction to pedestrians or partially sighted people. For short stay parking, Sheffield stands are recommended for most types of development. Wall loops may be acceptable in certain circumstances, for instance in areas where pavement widths are restricted. It should be noted however that stands that support the bicycle by one wheel only are NOT satisfactory.

Long Stay Parking

Long stay parking should be provided where cycle parking is required in excess of six hours, this includes residential, office and hotel developments. More secure facilities in the form of cycle cages or lockable compounds should be provided. These must be covered. Alternatively, secure compounds within buildings may be acceptable, provided they are located at ground level and are accessible. The compound must be under continuous supervision or have a shared key arrangement where each cyclist has a key to the outer door. Sheffield stands should also be provided within the bike store for increased security. On larger sites, small clusters of cycle parking facilities are preferable to large, central parking compounds.

Individual lockable facilities are a preference at residential developments, however there is a realisation that these will take up a greater footprint compared to a cycle compound. Aberdeen City Council will therefore look for flatted developments of six flats and under to contain individual lockable facilities at a ratio of one space per flat, which will take up approximately the same footprint as one car parking space. Where higher density developments take place with limited, or no car parking, the expectation is that the ratio of flats to cycle parking is also one to one.

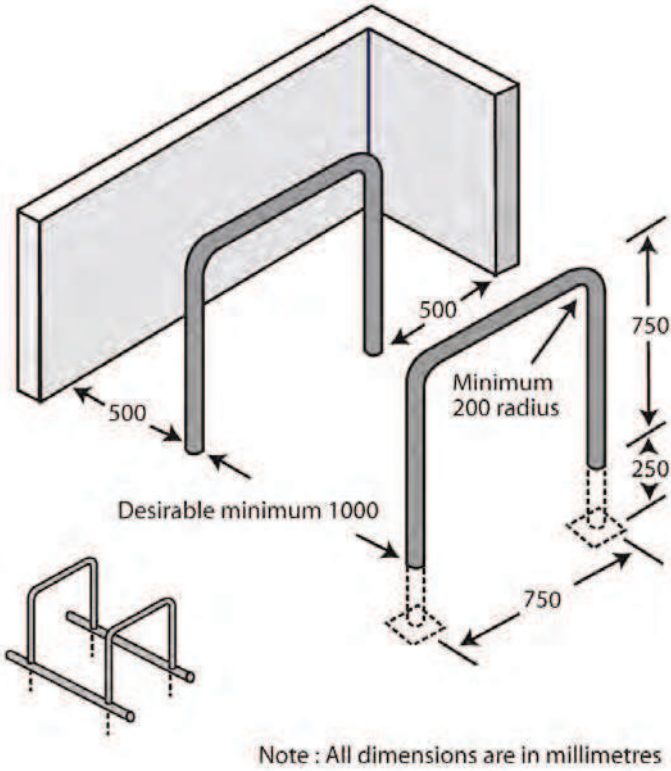
Sheffield Stand Specifications

The material and finish of stands can vary greatly, and only the higher specification of stainless steel and galvanised, powder or nylon coated should be used.

Stands should be 750mm high and a minimum of 750mm long. The frame of the stand should have a minimum outer diameter of 42mm. A desirable minimum

distance of 1000mm should be provided between stands to accommodate two cycles per stand. Stand ends should either be embedded in concrete, bolted into the ground or welded to parallel bars at ground level to form a 'toast' rack system. Adequate space should be provided at either end of the stand to enable cycles to be easily removed. The diagram below indicates the necessary dimensions for Sheffield stands and the amount of space required around each stand.

Figure 4 – Sheffield Stand Dimensions



Cycle Parking Standards

Please note that without exception, a minimum of two short stay stands, or four cycle parking spaces, should be provided with all types of use. Within the centre of town, if the entrance of a development is located within 50m of city centre cycle parking stands these can be included as part of the short stay cycle spaces required in the development quota.

Land use	Cycle parking provision
1. RETAIL	
Food Retail Outlets (>500m2 GFA)	1 per 250m2
Non-Food Retail Outlets (>500m2 GFA)	1 per 300m2
Food/Non-Food Retail Outlets (<500m2 gfa)	1 per 300m2
2. FINANCIAL, PROFESSIONAL AND OTHER SERVICES	
Banks, Building Societies, etc.	1 per 250m2
3. FOOD AND DRINK	
Restaurants and cafes	1 per 10 staff; 1 per 20 seats
Pubs and Winebars	1 per 100m2
Fast food Takeaway	1 per 50m2

4. BUSINESSES	
Offices	1 per 300m2
5. GENERAL INDUSTRIAL	
Industrial premises	1 per 500m2
6. STORAGE AND DISTRIBUTION	
Warehousing	1 per 1000m2
7. HOTELS, HOSTELS	
Hotels, boarding houses, guest houses, and motels	1 per 10 staff
8. NON RESIDENTIAL INSTITUTIONS	
Primary School	1 per 10 staff or students
Secondary School	1 per 10 staff or students
College/University	1 per 8 staff or students
Medical Centre	1 per 20 staff plus 1 per 20 staff for visitors
9. ASSEMBLY AND LEISURE	
Public Library	1 per 20 staff plus 1 per 10 staff for visitors
Cinema/Concert Hall/Theatre/Bingo Hall	1 per 10 staff plus 1 per 20 peak period visitors
Conference Centre	1 per 50 seats for staff plus 1 per 50 seats for visitors
Public Hall	1 per 10 staff plus 1 per 20 peak period visitors
Stadium	1 per 10 staff plus 1 per 20 peak period visitors
Sports Centre/facility	1 per 10 staff plus 1 per 20 peak period visitors
10. RESIDENTIAL INSTITUTIONS	
Special Needs Housing	1 per 10 staff
Sheltered Housing/Care Home/Nursing Home	1 per 10 staff
Hospitals	1 per 20 staff plus 1 per 20 staff for visitors
Purpose Built Student Accommodation	1 per 3 students
Flats (<6)	1 per flat
Flats (7-10)	1 per 1 flats
Flats (11-15)	1 per 1 flats
Flats (15-25)	1 per 1 flats
Flats (26-30)	1 per 1 flats
Flats (31+)	1 per 1 flats

Where a planning application for the intensification of an existing use or a change of use is made, there could be a need to provide additional cycle parking on the site in line with the standards. If there is no room for facilities to be provided on-site, the planning authority may ask for appropriate facilities to be provided off-site. Such provision should be within 50 metres of the development.

8. PARKING IN CONSERVATION AREAS

Introduction

Large parts of Aberdeen, mainly to the south and west of the city centre, have been designated as conservation areas in order to protect and, where possible, enhance their architectural character and environmental amenity.

The typical layout of most of these areas consists of broad streets, often tree lined, occasionally having service roads and gardens between the street and the buildings. The buildings may vary in size and style, but generally they have small front gardens and long walled gardens to the rear, frequently accessed from a rear lane running parallel to the street.

The increasing demand for off street parking brought about by ever expanding car ownership, and the introduction of traffic management schemes, generates pressure for car parking in garden areas, both to the front and rear of commercial and residential properties in conservation areas.

Statutory and Other Requirements

In conservation areas, planning permission is required to form a car park within a front or rear garden, and in some situations, conservation area consent may also be required where the proposals entail demolition work. Planning permission is also required to form a car park within the curtilage of a listed building, whilst listed building consent is required if any structure within the curtilage of a listed building is to be altered or removed. In all cases, including those where no planning or listed building consents are required, there is a requirement to apply to the City Council to form a footway crossing. Applicants should contact the Planning Authority at the earliest opportunity.

Trees in conservation areas are statutorily protected, and their removal without prior consent from the Council constitutes an offence, as does the removal of any tree that is protected by a tree preservation order. Consent is also required before any work, such as lopping or thinning, is carried out to a protected tree.

Removal of existing parking spaces

Whilst generally the pressure from property owners is to create additional car parking space, there may be an occasion when an owner will wish to convert existing parking space back to landscaping. Residents will be encouraged to restore private car parking in conservation areas to its original use as garden space, to help restore the character of an area. The condition to this is that the planning authority must be satisfied that any loss of off-street parking will not have a detrimental effect on road safety.

PARKING IN FRONT GARDENS

The conversion of front gardens for car parking will only be permitted where:

- the site is outwith the West End Office Area;
- rear garden parking is not an option;
- where there are no implications for road safety;

- where there is no impact on significant street or garden trees; and
- where on-street parking is readily available in the vicinity.

Other situations will be considered on their own merit, but with the provision that the garden will have to be large enough to take a single car whilst leaving a reasonable space between the parked car and the house, and at least 50% of the garden ground for soft landscaping. A detailed list of the criteria for assessing proposals for new driveways are set out below.

Road Safety

All applications to form a driveway must be assessed against road safety standards to ensure they do not present hazards to other road users or pedestrians.

Definitions of Road Types

A **Classified Road** is a highway which has been identified as being of importance for the movement of traffic. Classifications given are Class A, B or C, and any new access onto a classified road requires planning permission. **Primary Distributor Roads** form the primary network for the urban area and comprise trunk roads and important classified roads. All **Trunk Roads** are Class A. **District Distributor Roads** may be class A, B or C whilst **Local Distributor Roads** may be Class B or C, but are generally unclassified. Trunk Roads and Primary Routes are shown in the Finalised Aberdeen Local Plan in the Additional City Wide Proposals maps.

Access onto Classified Roads

There is a presumption against granting planning permission for a driveway onto a trunk road or primary distributor road. On district distributor roads there is also a presumption against granting consent for driveways, but this may be relaxed provided the proposal meets road safety criteria, and vehicles are able to enter and exit the parking area in forward gear. Local distributor roads are treated similarly to district distributors but without the requirement to enter and exit in forward gear.

Visibility

Driveways must be positioned to allow adequate visibility, particularly on busy pedestrian routes, in accordance with national standards.

Proximity to Road Junctions

Driveways will not normally be closer to a junction than 15 metres, although this may be relaxed if the road is lightly trafficked.

Footpath Crossings

No more than one footpath crossing per property will be permitted, except in situations where a large house may have a long frontage when an 'in' and 'out' may be acceptable.

Driveways

Driveways must be at least 5.0 metres in length, and new houses must have a driveway of at least 6.0 metres. Where, however, a driveway is more than 7.0 metres long, it must be at least 10.0 metres in length to prevent the possibility

of two cars being parked, with the second car overhanging the footpath. The gradient of the driveway must not normally exceed 1:20, although 1:15 may be acceptable in some circumstances, depending on the surface texture employed. The first two metres of the driveway adjacent to the footpath must not be surfaced with loose material such as gravel, to prevent material being carried onto the footpath or roadway. The driveway must be drained internally, with no surface water discharging onto the roadway. A driveway might not be permitted if it is accessed from a 'Pay and Display Area', or via a parking lay-by, where the lay-by is regularly occupied.

Planning Criteria in relation to Parking in Front Gardens

Planning criteria considered when assessing whether consent may be granted for parking in front gardens of listed buildings or buildings in conservation areas. Similar criteria apply to front gardens of flats.

General Criteria

1. No more than 35% of the front garden area may be given over for the combined parking area, driveway and any turning area, or 50% if footpaths and other hard surfaced areas are included. At least 50% of the garden area should be left in topsoil to permit soft landscaping.
2. Where the property originally had cast iron railings, their reinstatement will be encouraged to lessen the impact of parked cars, failing which some other form of enclosure will be required, or appropriate soft landscaping.
3. The formation of the access driveway or parking area must not result in the loss of any street trees or significant garden trees.
4. Consent will not be granted where the property has a rear garden area, suitable for parking, which is accessible from a rear lane or side street.
5. Where the garden is owned by more than one resident, owners will not be permitted a separate driveway and parking area each unless they can be achieved without fragmenting the garden or unduly reducing on-street parking. A communal driveway and parking area may be permissible provided they occupy no more than 35% of the front garden, or 50% if footpaths and other hard surfaced areas are included.
6. Where the building is in multiple ownership, the formation of an access driveway for one or more owners should not result in any of the remaining owners having no opportunity to park in the street adjacent to their property.
7. Consent will not normally be granted for parking in garden areas in front of tenement flats.

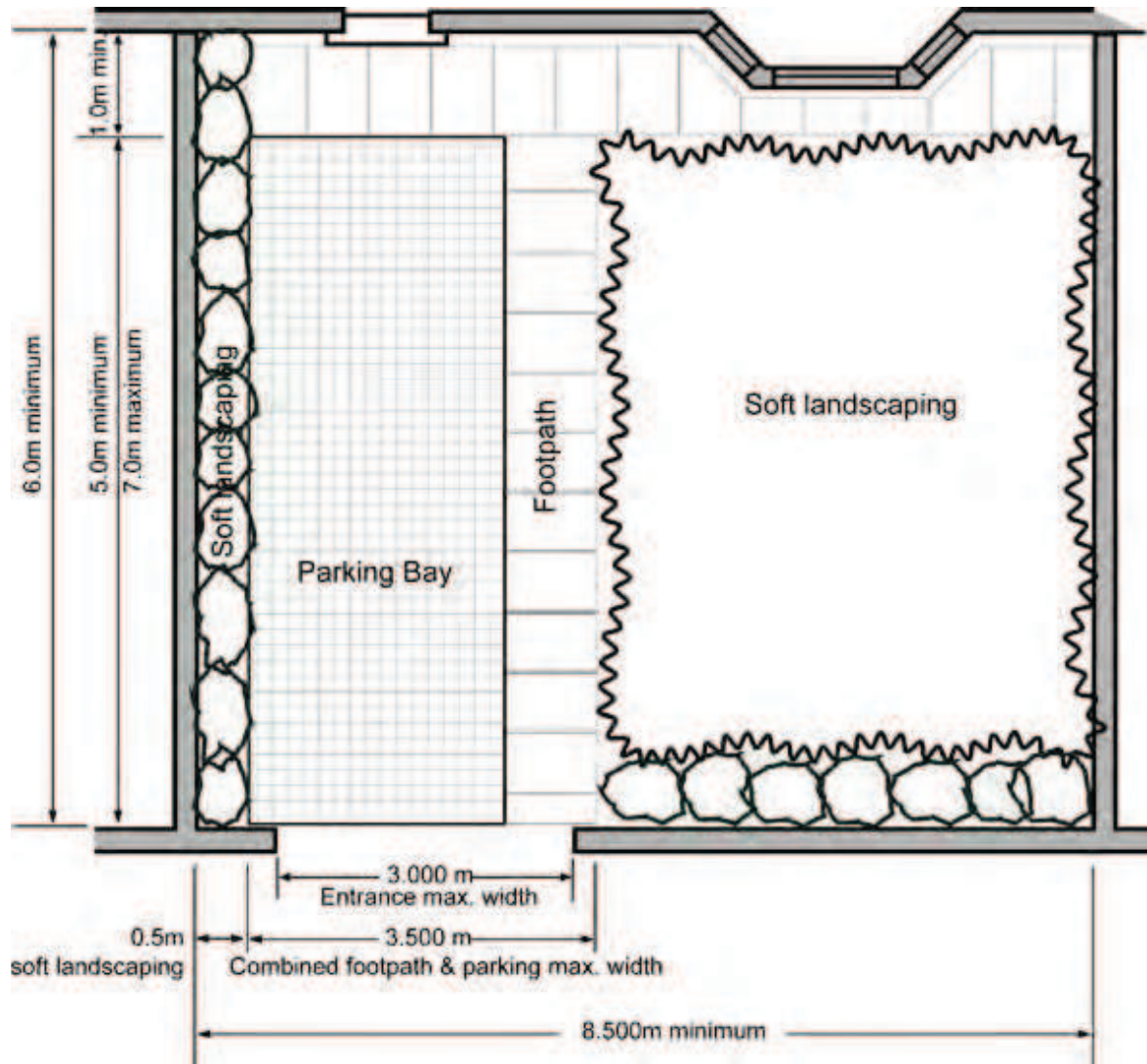
Situations where classification of road and location of driveway permits reversing out from the parking area

1. The parking area should be no closer to the front wall of the property than 1.0 metre.
2. The driveway must be no wider than 3.0 metres, or 3.5 metres if combined with the footpath.

Situations where classification of road permits garden parking provided it can be entered and exited in forward gear

1. The parking and turning areas should be no closer to the front wall of the property than 1.0 metre.
2. The design of any turning area should be such that it can be used only for turning and not as additional parking area.

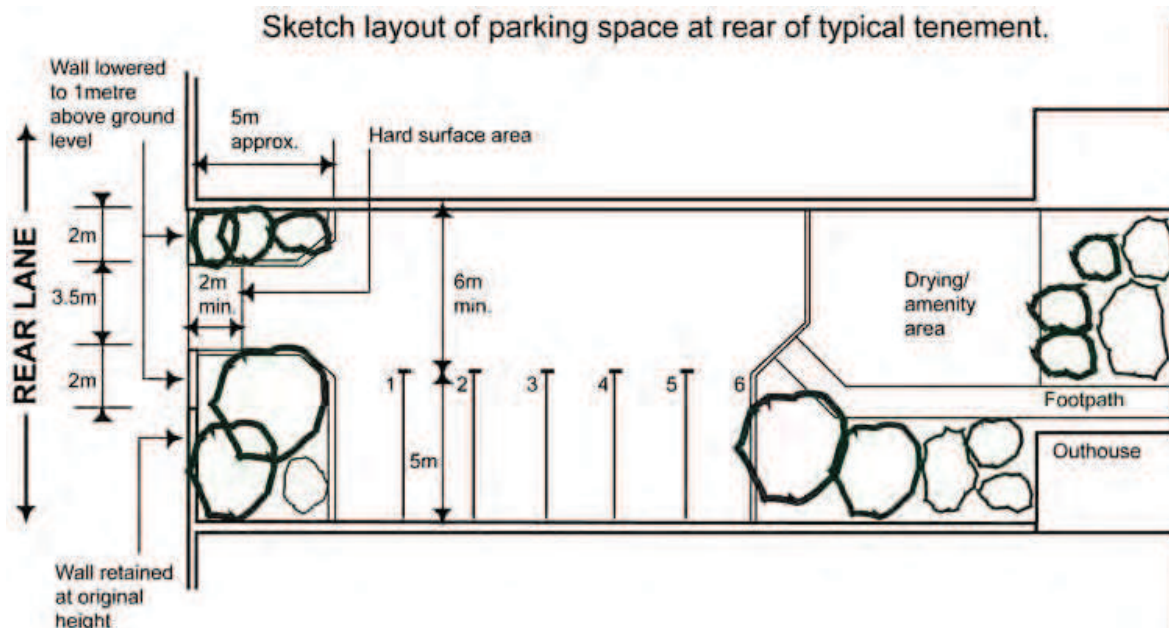
3. Suitable landscaping should be provided to screen both parking and turning areas, and generally to soften the intrusive effect of cars parked in front of the property.



Sketch layout of smallest front garden capable of accepting a single car parking space whilst retaining 50% garden ground for soft landscaping.
 Total area + 51m²approx
 Total area of landscaping = 25m²approx

PARKING IN REAR GARDENS

In certain areas of the City, where rear lanes provide access to back gardens, it may be acceptable to convert part of these back gardens to car parks. In order to preserve as much as possible of the amenity provided by these gardens, the area given over to parking will be the minimum required to provide no more than one car space for each flat, and the treatment of other areas, including boundary walls, landscaped areas and screen planting, will require careful consideration. In the case of houses, or houses which have been subdivided into a small number of flats, it may be easier to provide parking space, as most rear gardens will be able to accommodate a small number of cars, whilst still leaving a good proportion of garden ground unaffected.



General requirements for Parking areas in Gardens

1. The car park should be internally drained and should incorporate Sustainable Urban Drainage Systems to deal with surface water run off.
2. Parking spaces should be delineated on the site.

Parking Layout in Rear Gardens

Where car parks in rear areas are permissible, their layout will vary depending on the site characteristics and parking requirements. A high priority is placed on retaining significant trees, original outbuildings such as stables or coach houses, boundary features such as granite walling and even changes in level which add interest to the site.

Parking bays should be 5.0 metres by 2.5 metres, and access aisles around 6.0 metres wide. Adequate space should be allowed to permit turning entirely within the site. A generous space of around 5.0 metres should be allowed between the parking area and the rear lane to permit adequate landscaping, and for trees to develop without threatening boundary walls.



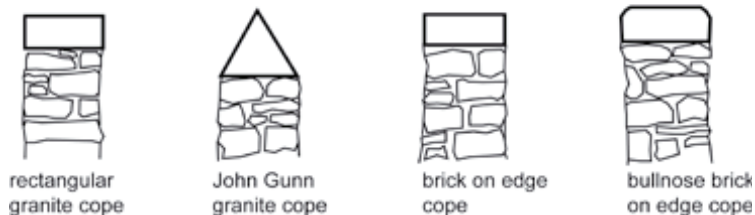
Surfacing of Parking Areas

An area of granite setts or other similar finish is required at the entrance to the car park, to provide an identifiable boundary between the lane and the car park and to retain any loose materials which may be used to surface the car park. The parking surface may be constructed in a variety of durable materials such as block pavers, tarmac or gravel. Water bound materials such as clay and sand based hoggin or granite dust are temporary measures which are not acceptable. Where the surface of the parking area is to be gravel, the length of granite setts or similar material at the entrance to the car park must be at least 2metres, to prevent gravel being dragged onto the public road or lane.

Rear Boundary Walls

Boundary walls are generally around two metres high, built of granite pinnings or granite rubble, usually left exposed but occasionally harled. They will normally have a granite or red brick-on- edge coping. Openings formed in rear boundary walls should be of a width of around 3.5 metres to allow vehicular access. A length of boundary wall on each side of the opening will likely have to be reduced in height to permit visibility in each direction for parking areas serving commercial premises or more than a single residential unit. Beyond this the wall must step back up to its original height, to provide a degree of screening of the car park. Materials matching the original should be used in any alterations to boundary walls.

COMMON TYPES OF COPE



Gates

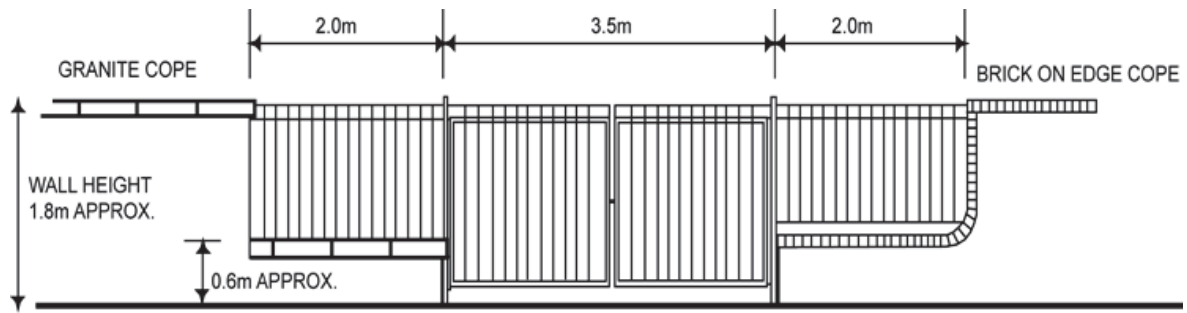
Close-boarded timber pedestrian pass gates, or vehicular gates to a single residential unit, either stained or painted and constructed to the same height as the boundary wall, are a common feature of these lanes, and provide reasonable security and privacy. Cast and wrought iron or mild steel gates can be used at entrances to commercial premises or flatted developments, and can be effectively employed in conjunction with railings on top of an adjacent lowered wall. Ornate scrollwork is however, alien to Aberdeen's special architectural character, particularly in the context of rear or service lanes, and ought to be avoided. Gates must always open into the garden rather than into the lane.

Trees and Landscaping in Rear Gardens

Where rear garden ground is to be given over for car parking there will be an inevitable loss of amenity space, or potential amenity space where the ground in question has been neglected. This type of space is of great importance for visual stimulation, wildlife, air quality, sustainable drainage, and practical and leisure uses such as clothes drying or simply gardening and sitting outdoors. The area given over for parking should therefore, be kept to an absolute minimum. In order that garden ground remains the dominant feature of the garden it is suggested that no more than 45%-50% be given over for parking and other areas of hard surfacing, although these percentages may increase slightly in flatted situations to allow one parking space per flat. Where consent is given for the formation of parking area in garden ground, it will be a condition of that consent, that the remainder of the garden will be landscaped in accordance with an approved scheme. It is a normal requirement of such conditions that the landscaping be maintained for a period of five years following the implementation of the landscaping.

The Council has a statutory duty to have regard to the preservation of existing trees and to require the planting of new trees in appropriate circumstances. In that respect it should be noted that trees within conservation areas are statutorily protected, and that it is an offence to remove a protected tree before express consent has been granted by the City Council. A tree survey is required if there are any trees over 75mm in diameter at chest height. Existing trees contribute greatly to the attractiveness and character of a locality, and must be retained and protected from any damaging construction activities. An area no less than half the tree height or canopy spread, whichever is the greater, (British Standard 5837; Trees in Relation to Construction), must be kept free of any disturbance such as changes in ground levels, excavation and compaction. Where there is insufficient space to comply with the British Standard, encroachment into the protected area will be permissible only if it can be demonstrated to the satisfaction of the planning authority, that the proposal can be carried out in a manner which will not cause damage to the trees, or detrimentally affect their setting.

The council will normally require the planting of new trees as part of proposals for the landscaping of parking areas. Such trees can be particularly effective when planted just inside the feu, near the rear lane. The species of tree chosen should be the largest type suitable for the particular site, as these will tend to produce the greatest impact and environmental benefits. Native species of trees should be used where suitable.



Alternative methods of finishing lowered walls at rear parking areas

Lock-up Garages in Rear Gardens

The formation of lock-up garages off rear lanes, serving houses or a small number of flats, can usually be achieved satisfactorily. The design and positioning of the garage should be given careful consideration, particularly with regard to the effect the garage will have on the appearance of the lane. Where, as in most situations, the garage opens onto the lane, the outer wall of the garage should be on the same line as the garden wall, and not recessed back from it, as this helps to maintain the delineation of the lane. This may affect the choice of garage door as it is not acceptable for the door to encroach onto the lane as it is opened.

The formation of ranks of garages in the rear gardens of tenements has an extremely detrimental effect on the appearance of rear garden areas, and will not normally be permitted. They occupy more garden ground than simple parking spaces. They also protrude above garden walls and cannot easily be screened by trees or other landscaping measures. It is virtually impossible to recreate any sense of enclosure in these situations, and the turning space in front of the garages tend to become desolate areas which attract vandalism. Additionally the formation of banks of garages can greatly increase the built footprint of the feu to the extent that it could push it over the 33% maximum area which is generally considered permissible to be developed.

9. DRIVEWAYS GUIDE

These guidelines have been prepared to advise householders on the consents that are required from the Council if they are proposing to build a driveway.

In seeking consent for a new driveway applicants (householders) should note that it is possible that up to three separate consents may be required including:

- Planning Permission (Town and Country Planning Scotland Act 1997 [as amended by the Planning etc Scotland Act 2006])
- Road Consent (Roads Scotland Act 1984)
- Landlord's Consent

Planning Permission

Reasons for requiring planning permission include:

- The property is a flat;
- construction work involves over 0.5 metres of earthworks [excavation or raising of ground level];
- the verge to the footway has grass over 2.5 metres wide;
- the driveway accesses on to a classified road*;
- the property is a listed building or is situated in a conservation area.

Permission will not be granted for a driveway across an amenity area or road side verge unless it would produce a demonstrable improvement in road safety and have no adverse effect on the amenity of the area.

*Local authorities are obliged to consult Transport Scotland, the trunk road authority, when they receive planning applications for any development that lies within 67 metres of the trunk road or where there may be any impact on traffic using the trunk road network.

Roads Consent

Permission will always be required from the Council for the installation of a driveway. If the driveway is the subject of a planning application then roads issues will be dealt with as part of the planning process, otherwise an application is made direct to the Roads Authority for permission to construct the access. Applications which affect the trunk road network may be referred to Transport Scotland for a recommendation.

The following conditions should be met to comply with the Roads Authority requirements and standards. These conditions apply to all driveway applications, including those that do not require an application for planning permission.

Length of the Driveway

The length of the driveway must be a minimum of 5 metres. This is considered to be the minimum length which will accommodate the average car, without overhanging the footway. Vehicles that overhang the footway cause a road safety hazard to pedestrians, especially young children and those with a disability.

Driveways in new houses must have a minimum length of 6 metres. If a driveway application is longer than 7 metres, it must then be at least 10 metres long. This requirement is to prevent two cars parking with the second car overhanging the footway.

These standards are set for the average length of car and it is noted that some smaller cars are less than this standard. However once permission is granted the Council has no control over what type of car might use the driveway and it must therefore consider not only the existing use, but also the future use of the site. Driveways, which do not meet the minimum specified length of 5 metres, will be refused.

Visibility

Driveways must be positioned to enable the required visibility, including pedestrian visibility, to be achieved in accordance with National Standards. Visibility is particularly important on popular pedestrian routes and near schools. A driveway should also meet the public road at right angles and a vehicle should be able to enter and exit the driveway at right angles to the road, so that a driver can see clearly in both directions without having to turn round excessively. Driveways which do not meet the minimum requirements for visibility will be refused.

Distance from a Junction

Driveways should be a minimum of 15 metres from a junction, although there may be circumstances where this may be relaxed on lightly trafficked roads.

Number of Footway Crossings per Property

In general only one footway crossing per property is allowed. This is to avoid a proliferation of crossings, causing a road safety hazard to pedestrians. In some situations this may be relaxed, for example at large houses with a long frontage where an “in” and an “out” may be permitted. Where properties have suitable existing facilities at the rear of the property it is unlikely that permission will be granted for further crossings at the front of the building.

Access from Parking Lay-bys

A driveway will not generally be permitted if access is taken from a parking lay-by, which is regularly in use. Similarly access from a “Pay and Display” area may also be refused.

Gradient

The gradient of a driveway should generally not exceed 1 in 20 although this may be relaxed in certain circumstances to a maximum of 1 in 15, provided suitable measures such as nonslip surfacing are employed. It is acknowledged that a parked vehicle could slide on a gradient greater than 1 in 15, and gradients greater 1 in 15 will not therefore be permitted.

Drainage

A driveway should be internally drained with no surface water discharging on to the public road. This is to prevent any flooding on the public road, with ice perhaps forming in the winter.

Construction of the Footway Crossing

A driveway must be served by a footway crossing constructed by the City Council to ensure that it is constructed to a suitable standard and that any services under the footway have suitable protection.

Loose material e.g. stone chippings must not be used to surface the first 2 metres of the driveway adjacent to the footway. Only one footway crossing will be allowed per property to avoid any impact on road safety. The normal width of a footway crossing is 3 metres but this may be increased to 6 metres for a double driveway.

The applicant is responsible for the payment of all works involved.

Landlords/Other Consents

In addition Superior's or Landlord's consent may be required for the Works. Solicitor's advice should be sought on this matter. Where the Council owns the property, the Council's consent as landlord will be required. Where the property was previously in the ownership of the Council, there may also be a requirement to seek "Superior's Consent" from the Council for the Works. This should be obtained before work commences.

Where a change of use of private or public open space is required please contact the council.

Driveway application to Enterprise, Planning and Infrastructure

An application for a driveway should be made to Enterprise, Planning and Infrastructure. Staff will give advice on what is required for a driveway and whether the driveway will require a planning application. If no planning application is required they will advise if the driveway is acceptable with regard to council standards. For further information please contact:

Planning and Sustainable Development
Enterprise, Planning & Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen, AB10 1AB
Tel: 01224 523470, Fax: 01224 636181
Email pi@aberdeencity.gov.uk

Some of the questions that will require to be answered are:

Is the property a council house?

Is the property a flat?

Is the driveway to be at right angles to the road?

Is the driveway to be a minimum of 5 metres long?

All applications must include a suitable plan clearly showing the location of the proposed driveway and the dimensions along with the construction details. All applications must satisfy the standards described above or the application may be rejected.

10. AUTOMATIC TELLER MACHINES (“CASH MACHINES”)

The location of ATMs has implications for road safety and parking. Ideally auto-tellers should be located along active building frontages in public areas where there is a high level of pedestrian movements and passive surveillance. These may be at main shopping streets, supermarkets, neighbourhood shopping areas or bank premises, but other locations may be acceptable. This guidance clarifies where new ATMs may be provided.

The suitability of new ATMs will be considered on the following criteria:

- The level of pedestrian movements;
- Positioning of the ATM in relation to active building frontages and passive surveillance;
- Width of pavements around the proposed ATM;
- The availability of parking adjacent to the proposed sites where there is no obstruction to surrounding uses or driveways;
- Appearance of the ATM and impact on the surrounding built and natural environment.

The auto-teller should not be positioned adjacent to or near junctions or bends in the road or in areas where there is poor visibility. The provision of a proposed ATM should not cause obstruction to existing pedestrian movements.

In addition, there shall be a presumption against granting planning permission for automatic telling machines where it can be clearly demonstrated:

- a) that the width of the footpavement in the vicinity of the machine is restricted in relation to the observed level of pedestrian movements along that section, and may furthermore be restricted by the presence of bus stops or light controlled pedestrian crossings, such that the congestion created by persons standing at the machine may cause an obstruction to the free flow of pedestrian movement along the footpavement.
- b) that the machine is to be located within 3 metres of the corner of the building at a street junction where persons standing at the machine may cause an obstruction to the free flow of pedestrian movement along the converging footpavements.
- c) that the machine is to be located where it is not readily visible from a public thoroughfare or is in an area poorly lit.
- d) that the installation of the machine would be too detrimental to the external appearance of the property or would result in the loss of, or unsatisfactory alteration to, an internal feature of architectural or historical importance.

Relevant Links:

Aberdeen City Council Directional Signage Guidance for Paths 2011

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=39148&SID=3159>

Aberdeen City Council Travel Plan Builder

<http://www.aberdeencitytravelplans.co.uk>

Aberdeen Local Transport Strategy (2008-2012)

http://www.aberdeencity.gov.uk/web/files/sl_Planning/local_transport_strategy08.pdf

Aberdeen Local Transport Strategy (2008 -2012) Monitoring Update Paper 2009

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=25606&SID=2866>

Aberdeen Outdoor Access Forum

http://www.aberdeencity.gov.uk/planning_environment/environment/core_paths/plan_outdooraccessforum.asp

Aberdeen Core Paths Plan 2009

http://www.aberdeencity.gov.uk/planning_environment/environment/core_paths/plan_corepaths.asp

Designing Streets: A Policy Statement for Scotland 2010

<http://www.scotland.gov.uk/Resource/Doc/307126/0096540.pdf>

First Group Plc Aberdeen

<http://www.firstgroup.com/ukbus/aberdeen/>

Lowland Path Construction: A guide to Good Practice 2001

http://www.pathsforall.org.uk/component/option,com_docman/Itemid,69/gid,101/task,doc_details/

Nestrans – The Transport Strategy for Aberdeen City and Shire

<http://www.nestrans.org.uk/home.html>

Signage Guidance for Outdoor Access: A Guide to Good Practice 2009

http://www.pathsforall.org.uk/component/option,com_docman/Itemid,69/gid,106/task,doc_details/

Stagecoach Bus

<http://www.stagecoachbus.com/>

Transport Assessments and Implementation: A Guide 2005

<http://www.scotland.gov.uk/Publications/2005/08/1792325/23264>

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Technical Advice Note (TAN)

Title: The Repair and Replacement of
Windows and Doors

Date: 19 March 2013

Technical Advice Note

The Repair and Replacement of Windows and Doors



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1. Introduction

This is one in a series of **Technical Advice Notes** (TANs) produced by Aberdeen City Council to help explain the Council's policies on various aspect of development in the City and who to contact for further information and advice.

This TAN addresses the **Repair and Replacement of Windows and Doors** and applies to all properties in the City. It:

- provides advice and guidance to residents and developers who are considering the repair or replacement of windows or doors;
- provides advice on whether any approvals are required before undertaking works (e.g. Planning Permission, Listed Building Consent, Building Warrant), and how to apply for these approvals;
- is a 'material consideration' and will assist Officers within Aberdeen City Council in determining applications;
- explains why windows, doors and doorways are important features of traditional buildings;
- outlines the Council's expectations for properties which are Listed Buildings and / or within a Conservation Area;
- provides 'best practice' guidance on suitable replacement windows and doors where repair is not an option; and,
- advises on measures to enhance the efficiency and security of older windows and doors without having to replace them.

A Further Reading list is provided at the rear of the guide (Section 11), along with a Glossary (Section 10) to explain terms which may not be familiar. The TAN does not include guidance on new dormer windows or rooflights, as these are covered separately within the Householder Development Guide Supplementary Guidance, available at: www.aberdeencity.gov.uk/localdevelopmentplan.



Windows, doors and doorways can be important features of a building which are important to protect

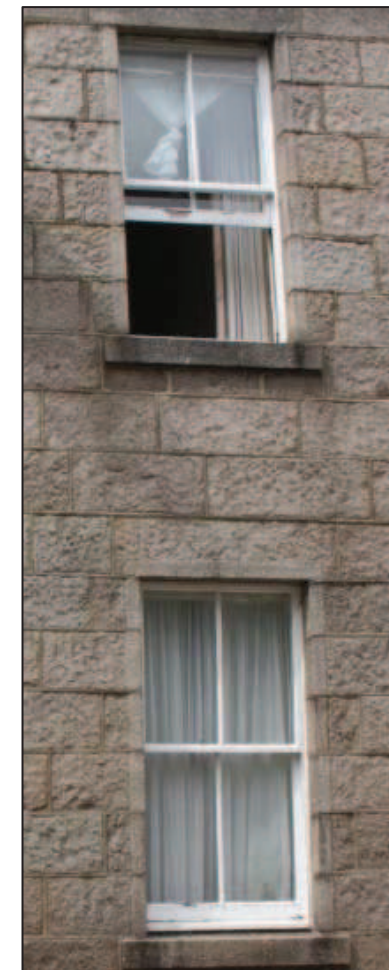
2. Thinking About Change

There are a number of reasons why owners might consider replacing their windows or doors, however the most common reasons are generally to do with concerns over heat loss, sound proofing, security and maintenance.

The general assumption is that these types of issues can only be resolved by completely replacing original windows and doors with something new – such as new ‘double glazing’. This is however often unnecessary, and can be extremely costly and unsustainable.

Below are a number of questions to consider before deciding whether replacing your windows or doors is right for you:

- Do my windows or doors actually need replacing or would it be more cost effective and sustainable to repair them?
- How old are my existing windows or doors? Are they of local or historic value or interest? Do they add value to my house?
- Are there upgrades which can be made to my existing windows to address heat loss, sound proofing and security?
- Can any parts of my existing windows or doors be recycled or reused if they cannot be repaired?
- Will new windows or doors really result in less maintenance?
- How long will it take for any savings in my heating costs to pay for the cost of new units, and how long will the new units last?



Repair of sash & case windows can often be much cheaper than replacement

3. Why Do We Need to Manage Change?

Windows, doors and doorways are distinctive features of a building which can often tell us a lot about local history and social change. In areas of Aberdeen where buildings have little decoration, traditional windows can make an important contribution to a building's architectural interest.

Changes to windows and doors which are well managed can make a positive contribution to the design and appearance of a building and to the quality and character of the surrounding area. Inappropriate changes can however have a significant negative impact on the character or appearance of a building which, when repeated over time, can dilute the appeal of wider areas.

For Listed Buildings and Conservation Areas inappropriate change can be particularly damaging, and may result in drops in property values. Unauthorised change may also lead to legal enforcement action.

Unauthorised windows and other works can also be identified by conveyancing solicitors and can affect property sales.



Inappropriate change can negatively affect streets and wider areas as well as individual buildings

To check if your property is a Listed Building, visit: www.historic-scotland.gov.uk/historicandlistedbuildings.

To check if you live within a Conservation Area, visit: www.aberdeencity.gov.uk/masterplanning.

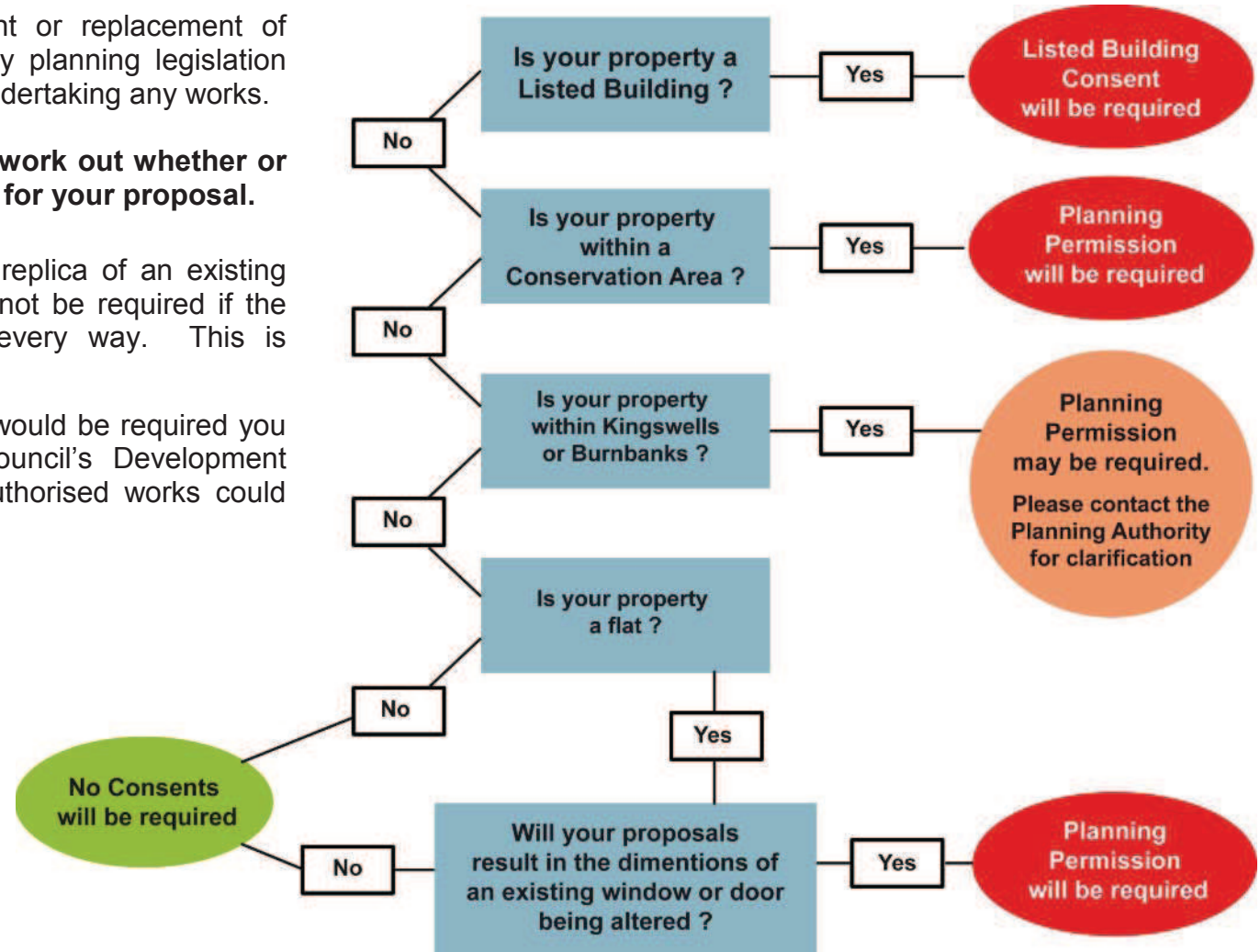
4. Do I Need Consent?

In some instances the amendment or replacement of windows and doors is controlled by planning legislation and permission is required before undertaking any works.

This diagram should help you to work out whether or not permission would be required for your proposal.

If your proposals are for an exact replica of an existing window or door then consent may not be required if the proposals match the existing in every way. This is discussed further in Section 5.

If you are unsure whether consent would be required you should always check with the Council's Development Management Section first, as unauthorised works could lead to costly enforcement action.



4.1 Building Regulations

Building Regulations exist to protect the public and for replacement windows and doors cover aspects such as ventilation, safety from collision, safe cleaning, prevention of falls, thermal performance and means of escape.

There is no need to obtain Building Warrant approval for replacing your windows or doors, but the work you undertake should meet the requirements of the Building Regulations, and the responsibility for compliance rests with the owner.

This guidance applies whether or not the new window or door is to be the same style and material as the existing.

Repairs to an existing window are slightly different and can be completed to return the window to the original standard without the need for the repaired window meeting current standards e.g. replacing the cill.

It is recognised that compliance with all Building Regulations may be difficult in buildings that have existing historical features or are Listed. Further advice on relaxations can be sought from the Building Standards Team at 01224 523470 or pi@aberdeencity.gov.uk. Further guidance on Building Regulations can be found in Appendix 2.

4.2 Bats

If you are considering repairing or replacing any windows or doors you should also consider the possibility of bats being present. Bats and bat roosts can be found in many kinds of building, old or new, and can sometimes be found roosting in window frames, window sills, doorways, lintels and porches.

Bats are European Protected Species (EPS) and are protected by European, UK and Scottish Law. The main piece of the legislation in the UK for the protection of bats is the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). If you do not require planning permission for the amendment or replacement of your windows or doors, however suspect that you may have roosting bats, a bat survey will confirm this and whether a licence from Scottish Natural Heritage is likely to be required.

Further information about bats, surveys and surveyors can be found in our Bats and Development Supplementary Guidance.

5. Listed Buildings, Conservation Areas and Other Areas of Special Control

5.1 Listed Buildings

In Aberdeen, Listed Buildings range from grand villas on Queens Road, to tenement blocks on Rosemount Viaduct and fishermen's cottages at Footdee. Each Listed Building has its own character and style, be it individually, or as part of a wider group of buildings.

All Listed Buildings are protected, not just those in Conservation Areas, and all elevations of a Listed Building are protected, regardless of the Category of Listing.

Listed Building Consent will almost always be required for the alteration or replacement of windows or doors in Listed Buildings. In some instances repairs to traditional windows and doors using the original materials ("like for like") may not require Listed Building Consent. For proposals not to require consent they must include exact replication of the opening method and materials. For windows they must also include exact details of astragal dimensions and profiles, fixing of glass and the reuse of historic glass where this contributes to a building's character.

In considering applications for Listed Building Consent, the Council is required by law to: "...have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" (Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997). If the Listed Building is situated in a Conservation Area, or is part of a flatted property, Planning Permission may also be required.

It is recommended that you check with the Council's Development Management section prior to undertaking any works to receive confirmation as to whether any consents would be required.



Building may exhibit a variety of window sizes and glazing patterns. This can provide important evidence of the history of the building and contribute to its character and interest

Original or historic windows, doors and doorways in Listed Buildings must be repaired and restored rather than replaced. Only in exceptional circumstances will replacement windows and doors be permitted, and these replacements must match the originals in terms of appearance and material as far as is reasonably possible. Consent to replace original windows or doors on Listed Buildings will only be given when it can be demonstrated to the satisfaction of the Council that they are beyond economic repair, and evidence of this will be required as part of any application. This evidence should take the form of a Professional Survey, further details on which are provided in Appendix 1.

5.2 Conservation Areas

Conservation Areas are areas of the City which have been designated by the Council for their special architectural or historic interest. Aberdeen has 11 Conservation Areas within the City Boundary, which include areas such as Old Aberdeen, Ferryhill and Rosemount / Westburn. Appraisals of Conservation Areas in Aberdeen are available at www.aberdeencity.gov.uk/masterplanning.

If your property is not a Listed Building but is located within a Conservation Area then you will require Planning Permission to alter or replace windows or doors other than on a “like for like” basis (as described in Section 5.1). If your property is both a Listed Building and located in a Conservation Area then you will need to apply for both Listed Building Consent and Planning Permission. These requirements apply to both modern and older, traditional, properties.

In considering applications for Planning Permission in Conservation Areas, the Council is required by law to pay special attention “*to the desirability of preserving or enhancing the character or appearance of that area*”. (Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997). For Listed Buildings within



Details of the Conservation Areas in Aberdeen can be found on the Council's website, www.aberdeencity.gov.uk.

Conservation Areas, Planning Permission will be required in addition to Listed Building Consent. For buildings which are located within Conservation Areas (but are not Listed Buildings), the Council's preference is for original windows and doors to be repaired and restored wherever possible.

5.3 Other Areas of Special Control

For properties which are not Listed Buildings or within Conservation Areas, permitted development rights can exist so that small alterations to properties, such as replacing windows or doors, can be undertaken without the need for some permissions. These are not however applicable in the following circumstances:

Burnbanks and Kingswells

In both Burnbanks Village and Kingswells the City Council has taken the decision to remove some or all Permitted Development Rights via an Article 4 Direction, and so planning permission for replacing or amending windows / doors in these areas will be required.

The general preference will be for original or historic windows and doors in areas covered by an Article 4 Direction to be repaired and restored wherever possible. Where there is no original or historic fabric to be retained then any assessment of replacement proposals will principally be based on styling/type, materials and colouring.

Flats

If you live in a flatted property, planning permission will be required if you intend to alter the dimensions of an existing window or door opening.

6. Repair, Upgrade and Replacement

6.1 Retain and Repair

If you are considering new windows or doors, it is first worth checking whether replacing your existing windows/doors would be appropriate, or indeed necessary. Windows and doors can almost always be improved by being repaired, even if they are in very poor condition. Repair is also preferred in terms of sustainability as it reduces the requirement for new raw materials and energy.

Traditional Windows and Doors

The repair of original windows and doors is the best means of safeguarding the historic character of a traditional building, and in maintaining the visual character of wider areas. Repair will always be promoted over replacement, as new, modern, units will very rarely be capable of matching the character and visual interest of the units to be replaced.

Traditional windows are nearly always timber sash and case and are found in a variety of forms that reflect changing glass technology and architectural fashion. Timber sash and case windows are a recognised feature of Aberdeen's traditional buildings, and are generally of a straightforward design and construction, meaning that they can usually be easily repaired.

Curved corner windows and rectangular "lying" panes of glass are features which are particularly special to Aberdeen must always be retained.



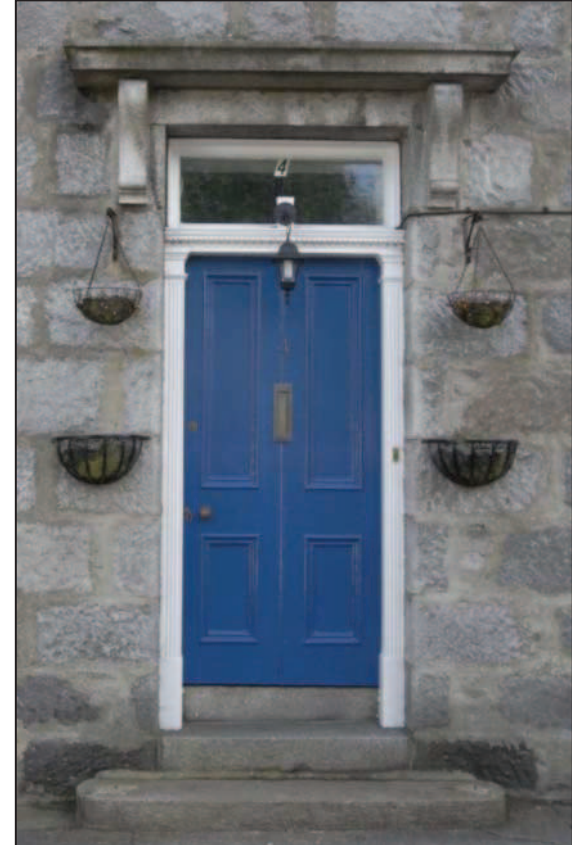
Examples of rectangular panes and curved glass

Traditional external doors and doorways are usually of solid timber frame construction with inset panelling retained by mouldings. Throughout the 18th and 19th centuries panelled doors became standard for the main entrance of most types of building. In Aberdeen this was typically reflected in 4, 5 and 6 panel varieties in a number of different configurations. A good joiner should be able to treat most faults with traditional doors, and again repair should be less expensive than replacement.

Traditional windows and doors are extremely durable and when properly maintained can last for centuries - many in Aberdeen are already well over 100 years old. In contrast, some modern windows can need replacing after just 20 years. Traditional windows and doors are generally made from good quality, durable, timber from mature trees which is of a much better quality than timber which is generally economically available today from sustainable sources. It therefore makes sense to retain and repair original windows, doors and doorways rather than to replace them with new timber which may not last as long and may be more susceptible to decay.

Original or historic windows, doors and doorways in Listed Buildings must be repaired and restored rather than replaced. Only in exceptional circumstances will replacement windows and doors be permitted, and these replacements must match the originals in terms of appearance and material as far as is reasonably possible. For buildings which are located within Conservation Areas, the Council's preference is also for original windows and doors to be repaired and restored wherever possible.

Original door ironmongery such as letterboxes, door knockers and handles should be retained and reused wherever possible, as should original window fittings such as cord clamps, sash lifts, sash fasteners and hooks.



4 panelled door with associated door ironmongery / furniture

6.2 Upgrading Traditional Windows and Doors

Replacing existing 'single glazed' timber windows and original timber doors with new 'double glazed' windows and uPVC / composite doors is often promoted as a means of fighting heat loss, draughts, dust ingress and providing improvements to sound insulation and security. Traditional windows and doors can however be upgraded at a lower cost to bring these same benefits, whilst still retaining the original features and style which gives character to your building.

Energy Efficiency

By the nature of their construction many older buildings are prone to heat loss through cracks and gaps which develop as building elements move and settle over time. Although this natural settlement helps to properly ventilate the building, often these draughts result in heat loss which can be uncomfortable for occupiers.

Draughts around older windows and doors (including key holes and letter boxes) can be a source of air leakage, and **draught-proofing** is one of the best ways to improve comfort and reduce energy use, with little or no change to a building's appearance.

Draught-proofing simply means blocking up any unwanted gaps which let cold air in and warm air out. Keeping warm air in the building means less energy spent heating it, therefore saving you money. A number of draught-proofing measures are widely available from DIY stores and can be fitted relatively cheaply.

Draught-proofing can also improve noise insulation, reduce dust ingress and make sash and case windows easier to slide up and down. Curtains lined with a layer of heavy material can also help reduce heat loss from a room and cut draughts.

Traditional timber doors are generally very effective in retaining warm air within a building, however additional insulation material can be added to the panels on the indoor side of the door to enhance the effect and fight additional heat loss whilst still maintaining the character of the door from the outside.



Draught-proofing strips can be easily applied to interior side of external door

Where installing draught-proofing to traditional windows is difficult, **secondary glazing** systems can be a good alternative. Secondary glazing consists of an additional pane of glass fitted on the inside of the existing window frame which can be removed during summer months and for cleaning. Providing similar insulation values to double glazing, it can also reduce dust ingress, provide good noise insulation, and be an extra security measure.

Secondary glazing design should seek to be as discreet as possible, particularly in Listed Buildings, with small frames concealed from view. Meeting rails and frames should be as small in section as possible to allow them to be disguised behind existing rails. If secondary glazing is installed, the original windows should not be draught-proofed to help avoid condensation.

For more information about improving energy efficiency in traditional properties a number of Historic Scotland's publications are included in the Further Reading List at the end of this document (Section 11).

Security

To improve the security of traditional sash and case windows additional sash locks can easily be fitted to the meeting rails to improve the security of the window when closed. Timber blocks and / or sash stops can also be fitted to restrict the size of openings.

Additional security measures on doors can also be easily incorporated without affecting the character of a door, for example extra mortice locks, rimlocks or bolts.



Secondary glazing should seek to be as discreet as possible

6.3 Replacing Windows and Doors

The principles in this Section are especially relevant where Planning Permission or Listed Building Consent is required, but should also be considered as 'best practice' for all properties throughout the City, even when consent is not required.

The most appropriate windows and doors for a property are likely to be those which were originally designed for it. Instances will however exist where original features will have deteriorated to such a state that replacement is the only viable option. Complete replacement of traditional windows and doors should however only be contemplated where the features to be replaced have deteriorated beyond economic repair, i.e. it would be unviable to repair and replacement is the only option remaining.

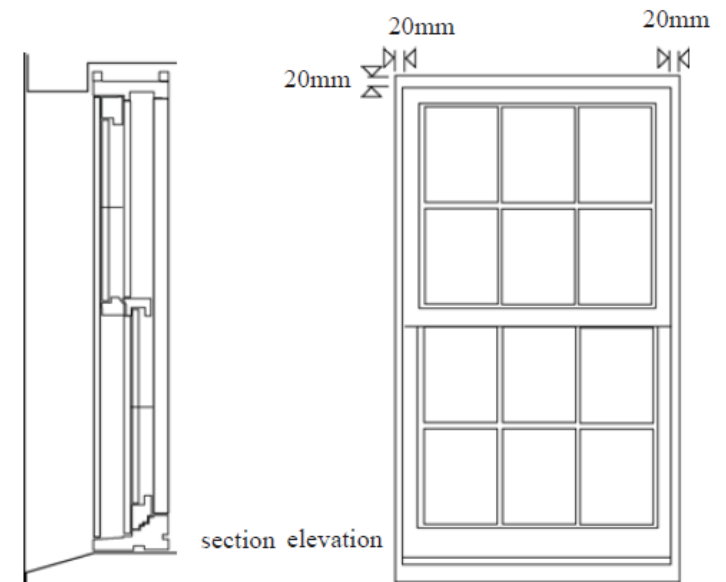
The reinstatement of the original types and arrangements of windows and doors will be encouraged. Modern windows and doors which are badly proportioned, the wrong type or incorrectly glazed should be restored to the original proportions wherever possible. If there is no indication what the original windows or doors were like, then authentic historic precedents can often be found on neighbouring properties.

Windows

Where there is no alternative to replacement, new windows should be sensitively replaced in an environmentally sensitive way which is in keeping with the character of the original building and the quality of its design.

The original proportions of window openings should be retained to ensure the architectural integrity of the building is not compromised. Where any original glazing survives, every effort should be made to retain or to salvage as much as possible for re-use.

The relative proportions of the upper and lower sashes of new windows in Listed Buildings must be the same as in the original windows, as should the size of timber sections. Replacement windows should be fitted in the same plane, be made up from timber sections of the same profile and dimensions, and have the



Sash & case window illustration

meeting rails in the same position. Generally, when the window is fully closed, the visible part of the sash stiles, top rail and meeting rails should be of a similar width/ depth. Where there is no existing original model on which to base a replica, bottom rails should be at least 75mm deep and 25mm deeper than the meeting rails, on elevation. No more than 20-25mm of the sash box should be visible in the window opening, the remainder being concealed behind the masonry window check.

Factory made standard windows, whether in timber, aluminium, galvanised steel, plastic (uPVC) or a composite are almost always damaging to the character and appearance of historic buildings and will not be appropriate for Listed Buildings. In Listed Buildings joiner-made timber replacements will generally be the only type of replacement window which will be accepted.

Ventilators cut through the glass or visible on the window frames will not be considered acceptable on Listed Buildings or on public elevations in Conservation Areas. Ventilators, where required, should be located unobtrusively in the meeting rail. Where trickle ventilation is required other more discreet means of achieving this should always be considered. Historic Scotland's publication "Sash & Case Windows: A Guide for Homeowners" provides further guidance on ventilation.

Consent for replacement windows on Listed Buildings or public elevations in a Conservation Area which reproduce the astragal pattern but open in a different manner will always be refused, as will consent for those where the astragals are merely applied to the surface of, or are sandwiched between, the panes of double glazing. Where astragals are required, they must be kept slender to match the thickness of the original astragals, particularly in multiple pane sashes.



Discreet means of achieving ventilation will be required for Listed Buildings and on public elevations in Conservation Areas

Where glazing beads are required they should be wedge shaped to match a putty fillet, and taper from 10mm at the glass to less than 2mm at the outside. The edge of the bead must be flush with, or kept slightly back from, the face of the sash. It must never project out from the face of the sash, or an unacceptable shadow line will be created around each pane of glass.

The dimensions of replacement window astragals should use original sash windows as the model. Typically astragals may only be 17-19mm wide. In Listed Buildings, where the interior of the building can often be as important as the exterior, the internal profile of the astragals must not be over-simplified, but should reproduce traditional moulding appropriate to the period and detail of the building. Astragals must carry through the sash to completely separate each pane of glass.

Glazing in sash windows on Listed Buildings should preferably be retained in position with traditional putty or modern butyl based putty, which is always preferred to timber beads.

In both Listed Buildings and Conservation Areas there will be a strong presumption in favour of retaining stained or decorative leaded glass and etched glass in replacement proposals. Proposals to use wired glass, obscured glass, louvered glass or extract fans in windows on Listed Buildings or on public elevations in Conservation Areas will not generally be considered acceptable.

On traditional buildings in Conservation Areas, modern window designs will generally be inappropriate on elevations of the building which are visible from public areas.

Sash and case “lookalike” windows, which closely match the detailing and appearance of a traditional sash and case window, but may employ a different opening mechanism, may be acceptable in Conservation Areas.

“Lookalike” windows will normally be formed in timber and will have upper and lower sashes of the same size as those in the window they are to replace. It is of vital importance that the upper sash is stepped out in front of the lower sash in profile, with the meeting rails fully overlapping as seen in elevation, such that the window when closed, is virtually indistinguishable from a traditional sash and



*Acceptable type of 'lookalike'
in a Conservation Area*



*Not acceptable as a 'lookalike'
in a Conservation Area*

case window. White uPVC vertical sliding windows may be acceptable as 'lookalike' replacements for windows in Conservation Areas provided that proposals with through / embedded astragals comply with original dimensions. No planted astragals will be accepted on elevations in Conservation Areas which are visible from public areas.

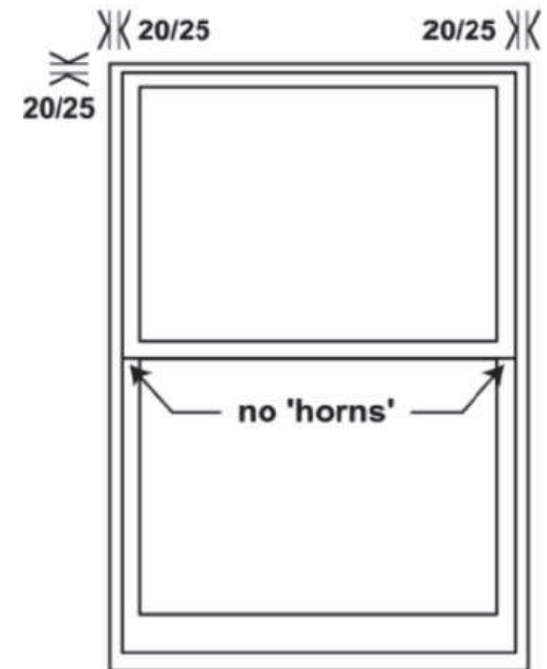
Where uPVC "lookalike" windows are to be used they should fully replicate the significant features of timber sash and case windows. Such features would include:

- no more than 25mm of the outer window frame should be visible at the top and sides, once the window has been fitted into the masonry opening.
- the meeting rails must fully overlap.
- the bottom rail of the lower sash must be at least 75mm high.
- the glass must be recessed from the front face of the sash by at least 10mm..

The Council may choose to be more flexible when considering applications for replacement windows and doors in Conservation Areas which are not visible from the street or are only visible from a private court.

On non-traditional, more modern, buildings in Conservation Areas a broader range of materials and designs may be permitted, depending on the individual building and surrounding area.

Elsewhere in the country most mid/late Victorian windows have 'horns' however this is not the case in Aberdeen. Along with original Georgian and early Victorian windows, most nineteenth century windows in Aberdeen do not have horns, and neither should the windows which replace them. The use of horns should only be contemplated only where there is clear evidence that they existed on the original windows, and in such instances the design of the horns should match the original.



*Elevation of sash & case
'lookalike' windows with no 'horns'*

Doors

Where there is no alternative to the replacement of an original door, new elements must match the original as far as possible when the property is a Listed Building or is visible from a public area within a Conservation Area. The new door should match the original in terms of proportion, profile and material, and reuse historic glass where this contributes to a building's character. If the property forms part of a group of uniform design, then any replacement should make reference to those of the neighbouring properties in style, design and size. Joiner-made replicas will be strongly encouraged in Conservation Areas and will be a requirement for Listed Buildings.

Composite door solutions may be appropriate on public elevations in Conservation Areas depending on the specified design proposed. Composite, aluminium and uPVC solutions will never be acceptable on Listed Buildings. Only on non-public elevations in Conservation Areas will uPVC, aluminium or doors from DIY chain stores be acceptable. Doors from DIY chain stores and flush plywood doors with mouldings applied to resemble panelling will not be acceptable substitutes on Listed Buildings or on public elevations in Conservation Areas. Replacement doors with a stained or varnished finish, and those which introduce asymmetrical elements, integral fanlights, inappropriate glazing or panelled patterns, will also be rejected.

The original proportions of doorways and door openings on street frontages must always be retained, and proposals to recess a door either less or more deeply within the door opening will not be supported. Original door ironmongery such as letterboxes, door knockers and handles should be retained and reused if the timber door is being replaced. Where this does not survive, the replacement of modern fittings with items appropriate to the period of the building will be encouraged.

Where the opportunity exists, modern doors which are badly proportioned, or of the wrong type or material, should be replaced with a more appropriate solution.



Historic glass should be reused where this contributes to the character of a building

Colour Palette

As white is the colour of most existing sash and case windows in Aberdeen, this is the colour which new windows will generally require to be in order to encourage uniformity.

This will be particularly important in tenements where the use of a uniform window colour helps give the building an architectural cohesion it may otherwise lack.

Other colours will only be agreed to in exceptional circumstances.

Doors should be painted in an appropriate dark and muted colour, and bright glosses and white paint avoided.

Stained or varnished wood finishes will generally be unacceptable, except on non-public elevations in Conservation Areas.



Replacement windows will generally require to be white

7 Inserting New and Blocking Up Old

Applications to insert additional windows in Listed Buildings or in Conservation Areas may be permitted where this does not detract from the character of the building or area.

Location and design are the key considerations for new window openings which should be assessed in the context of the rest of the building and surrounding properties. The blocking up, in whole or in part, of original openings should only occur where the window makes little contribution to the building or area.

In principle the blocking up should be done in materials that relate to the surrounding building and evidence of the opening, such as window surrounds, be retained.

Proposals to increase the glazing area by removing stone or timber mullions which form the divisions in bipartite or tripartite windows will not be supported on Listed Buildings or in Conservation Areas.

The re-opening of blocked windows will be encouraged only where this will reinstate the intended elevational treatment of the building. It will not be permitted in cases where blocking up has taken place during later alterations to the structure and where the earlier window openings consequently no longer relate to present elevational form.

Doors in street frontages, even though no longer used, should always be retained



Example of blocked up windows in Ferryhill

8. Summary Charts - What Could Be Acceptable Where?

The following charts have been produced for general guidance purposes only. Proposals will still require to demonstrate satisfactory detailed designs and implementation methods. The charts should only be read in the context of the advice provided within the rest of this TAN. Any queries should be directed to the Council's Development Management Section.

Windows

	Listed Buildings	Conservation Areas: Public Elevations	Conservation Areas: Non-Public Elevations
Joiner made timber sash and case	✓	✓	✓
Retaining historic or original stained / decorative leaded glass and etched glass	✓	✓	✓
Through astragals	✓	✓	✓
uPVC sash and case 'lookalikes'	X	✓	✓
Planted astragals	X	X	✓

Doors and Doorways

	Listed Buildings	Conservation Areas: Public Elevations	Conservation Areas: Non-Public Elevations
Joiner made timber panelled door	✓	✓	✓
Composite Door	X	✓	✓
uPVC / aluminium / DIY chain store door	X	X	✓
Flush (e.g. plywood) doors with mouldings applied	X	X	✓

Examples of windows and doors to avoid on Listed Buildings and on public elevations in Conservation Areas



9. What To Do Next

Applications for Planning Permission and / or Listed Building Consent can be made online via the Scottish Government's e-planning website: www.eplanning.scotland.gov.uk

Or direct to Aberdeen City Council using the application forms available at: www.aberdeencity.gov.uk/planning_environment

For applications for Planning Permission an application fee will be required. There is no charge for applications for Listed Building Consent, however a fee may be requested to advertise the application in the local press.

Failure to obtain appropriate consents and permissions could result in enforcement action being taken to have unauthorised windows or doors replaced, which may entail considerable costs for the building owner. Unauthorised windows and other works are often identified by conveyancing solicitors and can affect property sales.

In the case of a Listed Building unauthorised work falls under criminal law, and so the person who executes the works, or causes them to be executed, is liable to prosecution or imprisonment in addition to standard enforcement proceedings.

Submission Requirements

Two (2.no) copies of the following scaled drawings will be required for applications for Planning Permission and three (3.no) for Listed Building Consent in addition to the relevant application forms:



For further information please contact:

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

Telephone: 01224 523470

Fax: 01224 523180

Email: pi@aberdeencity.gov.uk

1. An OS Plan which clearly identifies the location of the site
2. Plans and detailed elevations of both existing and proposed works.
3. Horizontal and sectional drawings with details at a larger appropriate scale.
4. Details of proposed materials and style of opening.
5. Any other relevant technical information and photographs

In addition, for applications for the replacement of windows/doors on a Listed Building or within a Conservation Area, the following will also be required:

6. A clear statement which sets out a justification for the proposals, including why the works are desirable or necessary.
7. Detailed justification (e.g. a professional survey – for more information refer Appendix 1) to demonstrate to the satisfaction of the Council that the windows/doors to be replaced are beyond economic repair. Within Conservation Areas this will only be required for proposals affecting front elevations or elevations which are visible from public areas.
8. Drawings will normally be required at a scale of 1:1 or 1:2 and should include sections through window head, meeting rails, bottom rail and cill, window jambs and astragals. In addition, an elevation of the window should be provided showing the position of the meeting rails and the arrangement of any astragals.

Sources of Assistance

If your property is a Listed Building or situated within a Conservation Area then you may wish to investigate whether any sources of funding assistance exist:

- The Aberdeen City Heritage Trust is a limited company and charity that operates within Aberdeen City. The Trust has its own criteria for determining in what circumstances it may be prepared to offer assistance. Further details can be found on its website www.aberdeenheritage.org.uk or by calling 01224 522755
- Historic Scotland also administers a programme of building repair grants throughout Scotland for Listed Buildings of outstanding architectural or historic importance, or key buildings within Conservation Areas. More information is available at www.historic-scotland.gov.uk/grants

10. Glossary

Article 4 Direction: Some types of development do not need planning permission by virtue of permitted development rights. An Article 4 Direction is an order made by Scottish Ministers which suspends (for specified types of development) the general permission granted under the Town and Country (General Permitted Development) (Scotland) Order 1992 (as amended), thereby removing permitted development rights. Article 4 Directions are currently in place in Burnbanks and parts of Kingswells.

Astragal: A glazing bar separating panes of glass within a window.

Conservation Area: Conservation Areas are areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance. Such areas are designated by the local planning authority. Details of the Conservation Areas in Aberdeen can be found via www.aberdeencity.gov.uk/masterplanning.

Dwellinghouse: For the purposes of this guidance, the term “dwellinghouse” does not include a building containing one or more flats, or a flat contained within such a building

Fenestration: The arrangement / pattern of the windows in a building.

Flat: A separate and self contained residence, which is one of several within a larger building.

Lintel: A structural beam above an opening, such as a window or door,

Listed Building: Working on behalf of Scottish Ministers, Historic Scotland inspectors identify buildings which are worthy of statutory protection. These are ‘Listed Buildings’. The criteria by which the Scottish Ministers define the necessary quality and character under the relevant legislation are broadly; Age and Rarity; Architectural Interest; and Close Historical Association A list of listed building is available from Historic Scotland www.historic-scotland.gov.uk/historicandlistedbuildings.

Listed Building Consent: Although the listing of a building should not be seen as a bar to all future change, strict controls do exist to ensure that works undertaken to Listed Buildings are appropriate. Listed Building Consent is obtained through an application process which is separate from, but runs parallel to, applications for planning permission. This separate regulatory mechanism allows planning authorities to ensure that changes to listed buildings are appropriate and sympathetic to the character of the building.

Material Consideration: Any issue which relates to the use and development of land and is relevant to the planning process.

Mullion: A vertical piece of stone or timber dividing a window into sections.

Permitted Development: A term used for certain types of development which, by satisfying specified conditions, is automatically granted planning permission without the submission of an application to the planning authority. These Permitted Development Rights are removed for Listed Buildings, Conservation Areas, Article 4 areas, and flats.

Planning Authority: The term given to the Council in its role exercising statutory functions under Planning legislation. Authorities have three main planning duties: Development Management (assessing and determining planning applications); Development Planning (preparing, updating and monitoring the authority's Local Plan/Local Development Plan); and Enforcement (seeking to investigate and resolve breaches of planning control)

Sash and Case Window: A window that slides vertically on a system of cords and balanced weights.

Terrace House: A dwellinghouse situated in a row of three or more buildings

Transom: A horizontal glazing bar in a window.

11. Further Reading

- **Aberdeen Local Development Plan**
www.aberdeencity.gov.uk/localdevelopmentplan
- **Bats and Development Supplementary Guidance**
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=47678&sID=14394>
- **Householder Development Supplementary Guidance**
<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=45460&sID=14394>
- **Conservation Area Appraisals**
www.aberdeencity.gov.uk/masterplanning
- **Historic Scotland - Energy Efficiency Advice**
<http://www.historic-scotland.gov.uk/index/heritage/technicalconservation/energyefficiencyadvice.htm>
- **Historic Scotland - Managing Change in the Historic Environment: Doorways**
<http://www.historic-scotland.gov.uk/index/heritage/policy/managingchange.htm>
- **Historic Scotland - Managing Change in the Historic Environment: Windows**
<http://www.historic-scotland.gov.uk/index/heritage/policy/managingchange.htm>
- **Historic Scotland – Sash & Case Windows: A Short Guide for Homeowners**
<http://www.historic-scotland.gov.uk/maintaining-your-home.pdf>
- **Scottish Historic Environment Policy**
www.historic-scotland.gov.uk/index/heritage/policy/shep.htm

Appendix 1: Professional Survey

National planning policy only allows windows in Listed Buildings to be replaced where there is evidence that they cannot be repaired. It also requires that applications for Listed Building Consent are supported by sufficient information to enable the local planning authority to determine them. This is why we ask for a survey to demonstrate that existing window(s) are beyond repair and need to be replaced. This is in addition to the elevational drawings and sections required. Please note that comprehensive window replacement is unlikely to be justified in all but exceptional circumstances.

What should be in a survey?

The survey should be carried out by a joiner or similar and include each individual window. It should include an image of the whole elevation with the windows numbered and an accompanying proportionate amount of information about the type, age and condition of each window. For a straightforward residential property this could be an annotated photo with the windows numbered and a short description of the window condition. Additional information may be required for a more complex building or where significant historic windows are involved

Appendix 2: Building Standards Information

Ventilation

Every apartment must have a window(s) or door(s) with an opening area of at least 1/30th of the floor area of that room. Where the opening area of the existing window is already less than 1/30th of the floor, the opening area of the replacement window must not be less than the original size. If the existing window had an integral trickle ventilator the replacement window must also have an integral trickle ventilator of at least the same size as the original.

Safety from Collision

Windows must not open over footpaths or any place to which the public has access, where they could form a hazard or obstruction.

Safety Glass

Glazing which is less than 800 mm above the floor must be toughened or laminated. Alternatively, a protective barrier could be installed to prevent collision.

Thermal Insulation

Windows must have a U-value (thermal insulation rating) of not more than 1.8 W/m²K. There are many types of window construction which meet the required degree of thermal insulation and this should be confirmed with the window installer.

Protective Barriers

Openable windows to a storey with a floor level of at least 600 mm above the outside ground level, and with a cill height less than 800 mm above floor level, must be provided with a protective barrier to minimise the risk of falling from the window. On the ground and first storeys, the barrier must be not less than 800 mm above the floor level. There must not be any gaps in the barrier which would allow a 100 mm ball to pass through. Alternatively, permanently fixed safety glass may be used instead of a barrier.

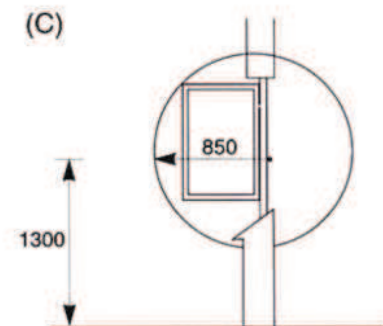
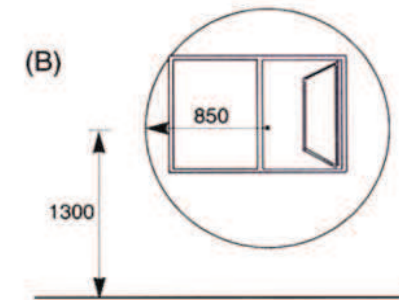
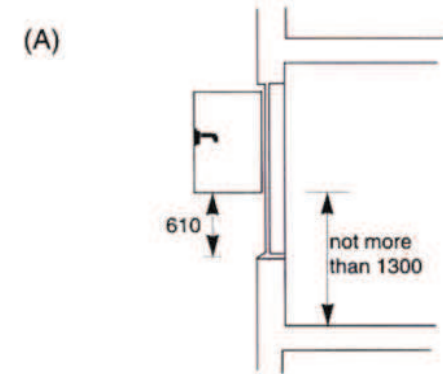
Emergency Escape Windows

An escape window must be provided in every apartment on the first floor of a dwelling. Escape windows must also be provided in rooms on the ground storey where the escape is through another room. Escape windows must have an unobstructed openable area that is at least 0.33 m² and at least 450 mm high and 450 mm wide. The bottom of the openable area must not be more than 1100 mm above the floor except in cases where the existing cill height is greater than 1100 mm.

Safe Cleaning

All windows must be safely cleanable. Windows, all or part of which are more than 4 m above the adjacent ground level must be designed so that any external and internal glazed surfaces can be cleaned safely from inside the building. These windows must be cleanable whilst standing on the floor and without over-reaching. The maximum reach must not exceed that shown in the diagrams over, and the maximum upwards reach is 2150 mm. If parts of the existing window are out with the maximum reach, the replacement window should be of a type which allows those parts to be brought within the safe reach in order to allow safe cleaning.

All dimensions are in mm.



- (A) downwards reach through an opening light
- (B) side reach through an opening light
- (C) reach for cleaning an open window with easy-clean hinges

For Further Information Please Contact:

Planning and Sustainable Development
Enterprise, Planning & Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB
Telephone: 01224 523470
Fax: 01224 523180
Email: pi@aberdeencity.gov.uk

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Policy D1- Quality Placemaking by Design

All development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials.

Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

- **distinctive**
- **welcoming**
- **safe and pleasant**
- **easy to move around**
- **adaptable**
- **resource efficient**

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

To further ensure there is a consistent approach to placemaking throughout the city, the Aberdeen Masterplan Process will be applied to larger sites within the city.

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Policy D4 – Historic Environment

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

The physical in situ preservation of all scheduled monuments and archaeological sites will be supported. Developments that would adversely impact upon archaeological remains, including battlefields, of either national or local importance, or on their setting will only be permitted in exceptional circumstances, where there is no practical alternative site and where there are imperative reasons of over-riding public need.

In any such case, the applicant must at their own expense:

- take satisfactory steps to mitigate adverse development impacts; and
- where the preservation of the site in its original location is not possible, arrange for the full excavation and recording of the site in advance of development.

In those cases where this is not justifiable or feasible, provision should be made for excavation and record with an appropriate assessment and evaluation. The appropriate publication/curation of findings will be expected.

Further guidance can be found within the supplementary guidance and technical advice notes listed in Appendix 6.

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Policy H2 Mixed Use Areas

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. Where new housing is proposed, a satisfactory residential environment should be created which should not impinge upon the viability or operation of existing businesses in the vicinity. Conversely, where new industrial, business or commercial uses are permitted, development should not adversely affect the amenity of people living and working in the area.

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Policy H5 – Affordable Housing

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

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Policy I1 Infrastructure Delivery and Planning Obligations

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

Infrastructure requirements relating to Masterplan Zone sites and other allocated sites outwith the Masterplan Zones are set out in Appendices 3 and 4. Actions for delivering infrastructure are described in the Local Development Plan Action Programme. Infrastructure requirements and the level of contributions for other development will be assessed using the criteria set out in Supplementary Guidance Planning Obligations detailed on the following page.

The precise level of infrastructure requirements and contributions will need to be agreed with the Council and other statutory agencies. The level of provision or contribution required will relate to the development proposed either directly or to the cumulative impact of development in the area and be commensurate to its scale and impact.

Masterplans will be expected to reflect the infrastructure requirements and contributions identified and should include a Delivery Statement setting out details of how the proposed development and supporting infrastructure will be delivered.

New infrastructure will either be provided by the developer or through financial contributions. It will need to be compatible with other Local Development Plan policies.

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Policy R6 Waste Management Requirements for New Development

All new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and in other developments where appropriate. Details of storage facilities and means of collection must be included as part of a planning application for any development which would generate waste.

Further details are set out in Supplementary Guidance Resources for New Developments. For proposals where we believe the potential savings on construction or demolition materials for recycling or reuse is likely to be significant, we will ask developers to prepare a Site Waste Management Plan as a condition of planning consent.

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Policy T2 Managing the Transport Impact of Development

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

Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in Supplementary Guidance Transport and Accessibility.

The development of new communities should be accompanied by an increase in local services and employment opportunities that reduce the need to travel and include integrated walking, cycling and public transport infrastructure to ensure that, where travel is necessary, sustainable modes are prioritised. Where sufficient sustainable transport links to and from new developments are not in place, developers will be required to provide such facilities or a suitable contribution towards implementation. Further information is contained in the relevant Supplementary Guidance detailed which should be read in conjunction with this policy.

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Policy T3 Sustainable and Active Travel

New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, cycling and public transport penetration. Links between residential, employment, recreation and other facilities must be protected or improved for non-motorised transport users, making it quick, convenient and safe for people to travel by walking and cycling.

Street layouts will reflect the principles of Designing Streets and meet the minimum distances to services as set out in the supplementary guidance.

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

Recognising that there will still be instances in which people will require to travel by car, initiatives such as like car sharing, alternative fuel vehicles and Car Clubs will also be supported where appropriate.

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NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect
of Decisions on Local Developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)
Regulations 2013
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	<input type="text"/>	Ref No.	<input type="text"/>
Forename	<input type="text"/>	Forename	<input type="text"/>
Surname	<input type="text"/>	Surname	<input type="text"/>
Company Name	WEST COAST ESTATES.	Company Name	NEW BOTHNIA ARCHITECTS
Building No./Name	256	Building No./Name	116
Address Line 1	UNION ST	Address Line 1	ROSEMOUNT PLACE
Address Line 2	<input type="text"/>	Address Line 2	<input type="text"/>
Town/City	ABERDEEN	Town/City	ABERDEEN
Postcode	AB10 1TP.	Postcode	AB25 2YW
Telephone	<input type="text"/>	Telephone	01224 624724
Mobile	<input type="text"/>	Mobile	—
Fax	<input type="text"/>	Fax	—
Email	<input type="text"/>	Email	neil@neilrothnie.co.uk
3. Application Details			
Planning authority	ABERDEEN CITY COUNCIL		
Planning authority's application reference number	151103 & 151104 (UBC)		
Site address	<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> 6' GOLDEN SQUARE ABERDEEN AB10 1RD </div>		
Description of proposed development	<div style="border: 1px solid black; padding: 5px; min-height: 50px;"> CHANGE OF USE, INTERNAL ALTERATIONS TO FORM 13 NO FLATS TO EX OFFICE BUILDING </div>		

Date of application

8th JULY 2015

Date of decision (if any)

5th OCT 2015.

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

5. Reasons for seeking review

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

ACCESS TO THE INTERIOR OF THE PROPERTY, IF NECESSARY, WOULD REQUIRE TO BE ARRANGED.

8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

REFER TO SUPPORTING STATEMENT ATTACHED

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

DETAILED DRAWINGS OF ALL PROPOSED WINDOWS NOW INCLUDED

TREATMENT TO REAR EXTENSION ALTERED FROM TRESPA TO PAINTING OF EXISTING PRE-CAST CONCRETE PANELS

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

- ORIGINAL PLANNING APPLICATION TO INCLUDE FORM, DRAWINGS, WINDOW SURVEY & PLANNING SUPPORTING STATEMENT
- REFUSAL OF PLANNING: ALL DRAWINGS, WINDOW SURVEY & PLANNING SUPPORTING STATEMENT ARE THE SAME AS SUBMITTED
- ADDITIONAL WINDOW INFORMATION: DWGS OSA.06.07, 10A & 11A
- AMENDED PROPOSALS (PLANS + ELEVATIONS) DWG. 02 D

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requesting a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.



3200

SUPPORTING STATEMENT

NOTICE OF REVIEW IN CONNECTION WITH REFUSAL OF PLANNING PERMISSION AND LISTED BUILDING CONSENT FOR CHANGE OF USE & ALTERATIONS TO OFFICES TO FORM 13NO. FLATS AT 6 GOLDEN SQUARE, ABDN FOR WEST COAST ESTATES LIMITED.

This application is for the change of use and internal alterations of an existing building to form 13no. flats.

If we are an aspiring city and committed to the current City Centre Masterplan then we are being foiled or failed by our Planning system. In essence the policies in the current Local Development Plan are no longer consistent with what we seek to achieve in the City Centre.

The levels of amenity we proposed for the flats is entirely consistent with levels of amenity in other city centre flats i.e. original flats and flats created by conversion over the past 20 years. Please also note there has, over the past 20 years or so, a significant number of city centre properties converted to flats where they mostly have no external garden or amenity space. On the basis of this precedent, the level of amenity we propose, cannot be deemed to be sub standard

This property has now lain vacant for 18 months and in that time no other use has been promoted or found, and please note that the redevelopment of these properties are driven by the market and not by Planning Policy. Residential use is therefore the only realistic use this property could be used for. The alternative is that this property will find no use and will fall into disrepair and create a very negative impression of the City Centre.

This Notice of Review is to challenge how policies are interpreted and to highlight the discrepancy between the public aspirations of the Council in terms of the City Centre Masterplan and how planning applications such as these are dealt with. This application, and many other smaller interventions, would cumulatively bring more people in to live in the city centre.

We refer to and would respond to the reasons for refusal as follows;

- *No detailed drawings of all proposed windows have been submitted.* These are now included in this Notice of Review and we would add that at the time of applications we submitted a full window survey in the format commonly sought or expected when dealing with Listed Buildings. The request for detailed drawings for all windows is considerably more information than we have been asked to provide in previous and similar proposals and it is our considered opinion that this could have more than reasonably been dealt with by a suitably worded condition. Within the information we submitted at the time of the application we included typical detailed drawings of replacement windows (which has been accepted in all other applications in the past). What we have now provided is a detailed drawing of each window and as they will all be the same or very similar the information we now provide is duplicated by the number of windows proposed to be replaced.
- *The use of Trespa for re-cladding the rear extension is considered of insufficient quality....* We now propose to simply paint the existing precast concrete panel cladding of what was a 1970's extension to the original building in the same manner as, for example, Johnstone House on Rose Street and also Citypoint House on the corner of Chapel Street and Thistle Street. This is done on the basis that this style of treatment has been found to be acceptable in other city centre locations and as such will not detract from the character of the listed building within the conservation area.
- *Unacceptable levels of amenity.* We would first of all refer you to our opening statements; if we are to have or to encourage the conversion of existing buildings in the city centre then we must accept that the ideal

ARCHITECTS AND DESIGN CONSULTANTS

NEIL ROTHNIE ARCHITECTS LTD . 116 ROSEMOUNT PLACE . ABERDEEN . AB25 2YW
 T 01224 624724 . F 01224 649394 . E-mail : info@neilrothnie.co.uk

Registered in Scotland No. SC436939
 Registered Office : 116 Rosemount Place Aberdeen AB25 2YW

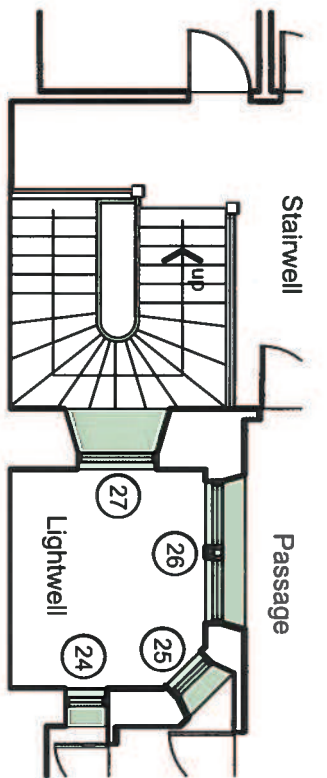
level of amenity will not be possible in all cases. We must also recognise that there already exists a considerable number of flatted properties within the city centre and these are a mixture of historical tenements and other where flats have been created by conversion of existing properties (generally previously used as offices as the requirement of modern office users cannot be met by further refurbishment of historic building stock unless done so on a very large scale).. As a result we are not going to deal with the specific comments raised in the reasons for refusal as it is our contention that the levels of amenity are generally high and where they are considered to be compromised they are not to a degree that would be unacceptable. It is worth noting that during our discussions with the Planning officer we provided a number of different options to deal with specific flats and their outlook and/or orientation and whilst we could demonstrate improvement for all of the flats mentioned the level set by the Planning officer was too high. We have highlighted examples of other city centre locations where limited amenity was achieved to newly formed flats. This is our appraisal of how this has been assessed. It is also worth noting that in all cases the size of windows will meet the requirements of Building Standards in terms of glazed and ventilation areas.

- *Sufficient secure and covered cycle spaces.* Again we now submit amended drawings to show how we can achieve 13 no. cycle spaces within the property. Whilst this alters the layout of flat 5 by the introduction of a secondary access which also serves the bin store the layout is not compromised. The planning officer raised no concerns with the amenity to this flat; the outlook to Lindsay Street and Diamond Street is maintained.

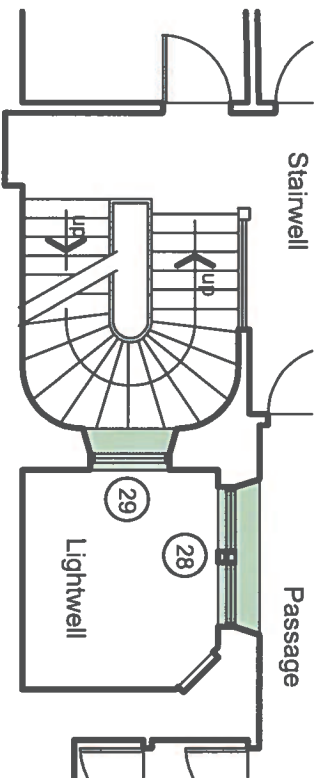
City Centre Masterplan. As the site falls within the city centre and reference is made to the City Centre Masterplan we would highlight the following. The Strategic Development Plan for Aberdeen City and Shire states that "there needs to be a strong focus on improving the quality of the city centre's residential environment, and that it is particularly important that we continue to support the regeneration of Aberdeen city centre. The City Centre Masterplan states "this urban tendency follows a pattern emerging in many European and American cities, where urban living and lifestyles are increasingly popular amongst young professional workers and families" and "widening the choice of housing so that a more diverse population in terms of age, income and lifestyle can enjoy an urban lifestyle will ensure the development of sustainable mixed communities". The Masterplan also states "that there is a need to create a more liveable environment so that city centre living is an attractive choice, and this requires the provision of a more exciting range of housing options". Furthermore Scottish Planning Policy has a stated objective to "consider opportunities for promoting residential use within town centres where this fits with local need and demand"

Comparisons. We would cite the alteration and conversion of upper and rear floors to flats to the Portal Bar in Castlegate as an example where some of the flats had limited outlook or reduced amenity as windows to apartments faced flats to the other side of a narrow public lane. At 154 Union Street, above Lakeland, there are flats formed by conversion to the front (Union St) and to the rear (Diamond Lane) separated by a narrow lightwell with windows to apartments facing one another over this lightwell, again, an example of flats with limited outlook or reduced amenity. A Planning application for 5no. flats at 13-14 Adelphi was also refused earlier this year on the grounds of *sub-standard* amenity. A Notice of Review was upheld on 4th November 2015.

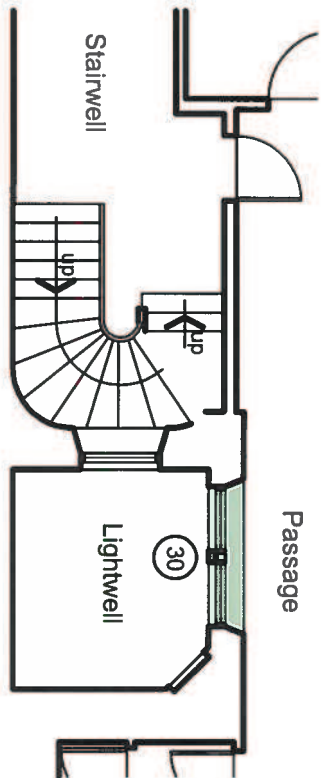
Conclusion. This proposal should be welcomed within the city centre, if the Council is to be judged to be serious about the City Centre Masterplan. As an architect of more than 30 years of experience in Aberdeen and having been responsible for some 200 flats within the city centre over many locations we are very disappointed that this application was refused especially given the investment by the City Council in the City Centre Masterplan process and also the particular dynamics of the current economy of Aberdeen allied with the general trends of office users looking towards modern buildings. We attach a letter from Young & Co which explains the background to the attempts to lease this building as an office. This letter was appended to the Planning supporting statement to the original Planning Application but we consider it appropriate to highlight this in this appeal. This will result in a challenge for the Council and their Planning officers in how we look not only at this application but many more in the near future.



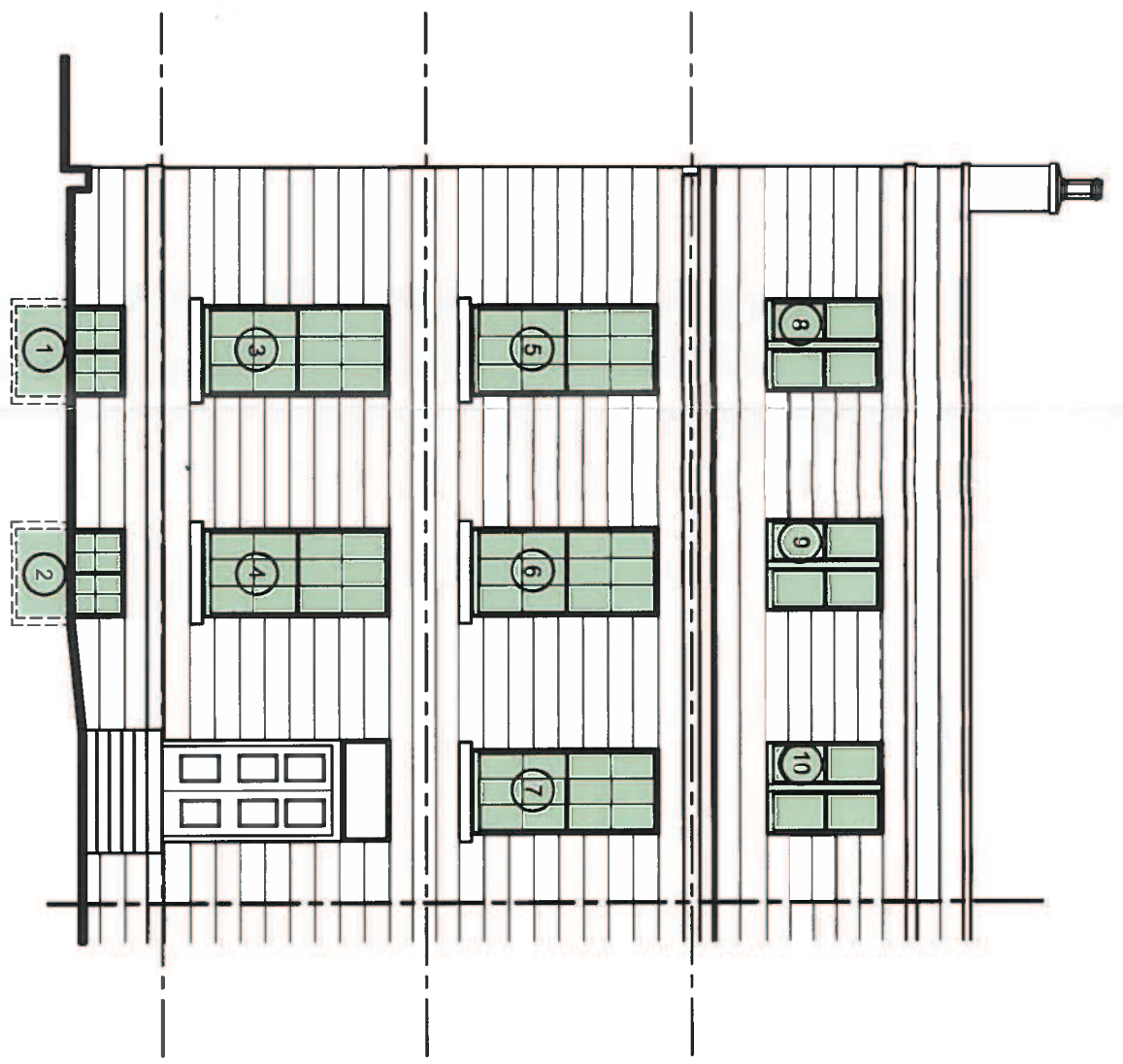
Part Second Floor Plan



Part First Floor Plan



Part Ground Floor Plan



Existing South West Elevation 1:100
(To Golden Square)

- Denotes windows which are sash & case with single glazing and will be replaced as part of this application with like for like but with double glazing upgrade
- Denotes windows which are casement with double glazing and will be replaced as part of this application
- Denotes windows which are sash & case with single glazing and are to be retained, repaired and glazing upgraded to slim double glazed unit

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REV. NO.	DESCRIPTION	DATE
A	Window Reference Updated	26/11/15



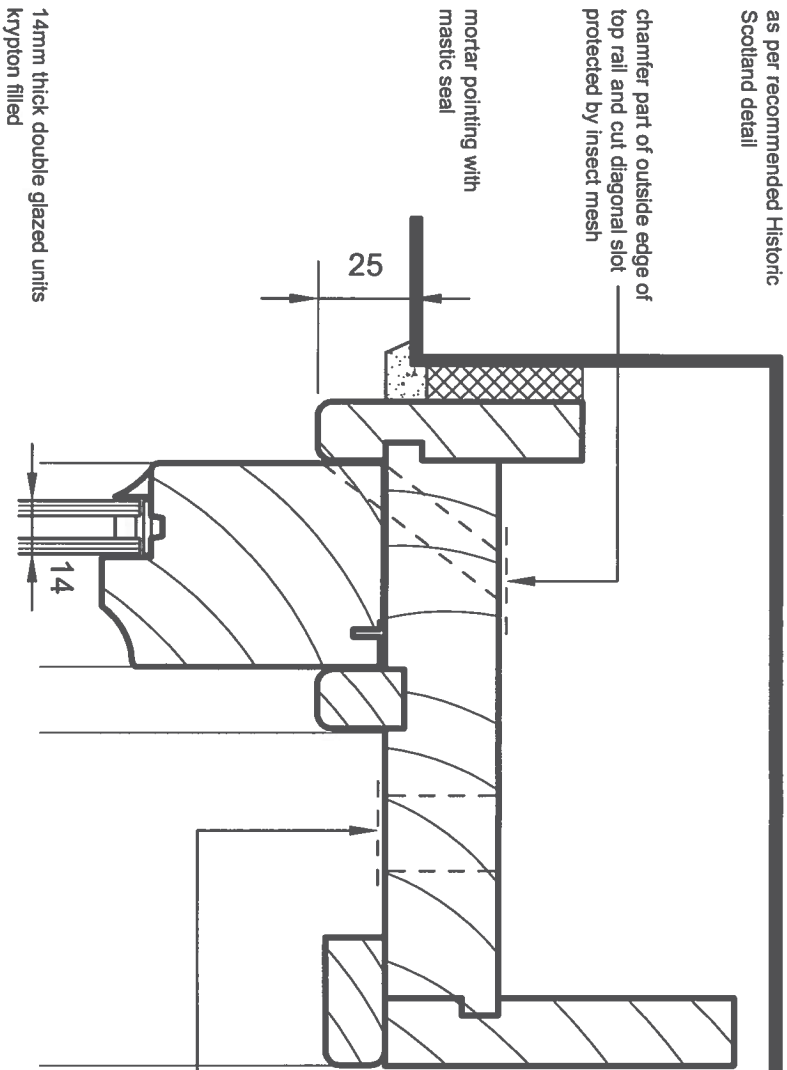
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 TEL 01224 624724 FAX 01224 648394
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PROJECT PROPOSED DEVELOPMENT AT
 6 GOLDEN SQUARE, ABERDEEN
 CONTENT WINDOW REFERENCE DRAWINGS
 PLANNING

SCALE	1:100	DATE	JUL Y 2015
JOB REFERENCE	3200	DRAWING	REV A

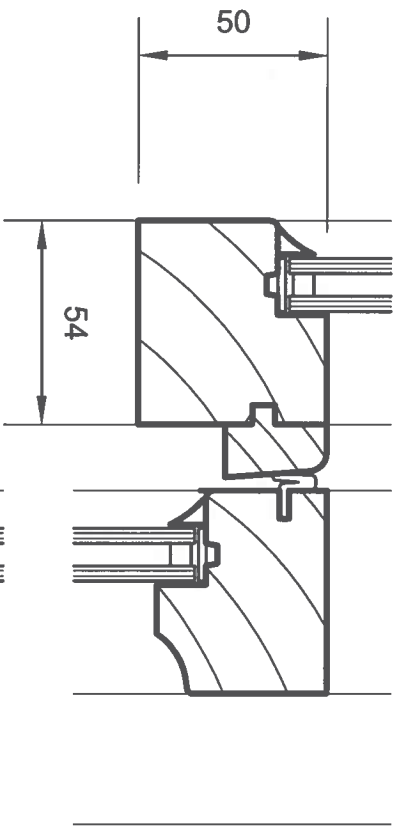
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trickle ventilation to be formed as per recommended Historic Scotland detail

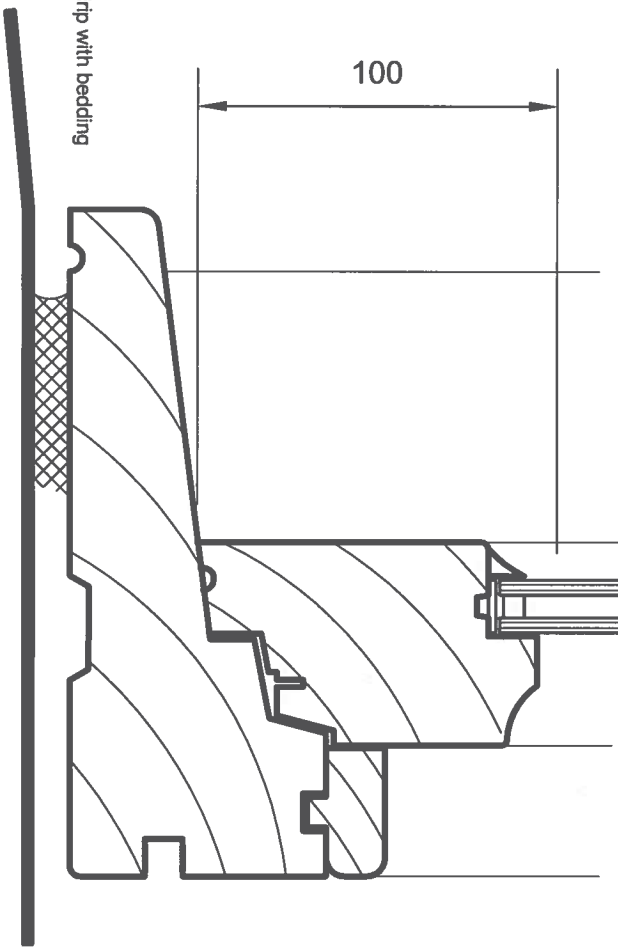


New double glazed sash & case windows to be fitted to restore original window design.
All to be painted using white microporous paint to match existing.
NO horns to be fitted to top sash.
All glazing within 800mm of finished floor level to be laminated safety glass.

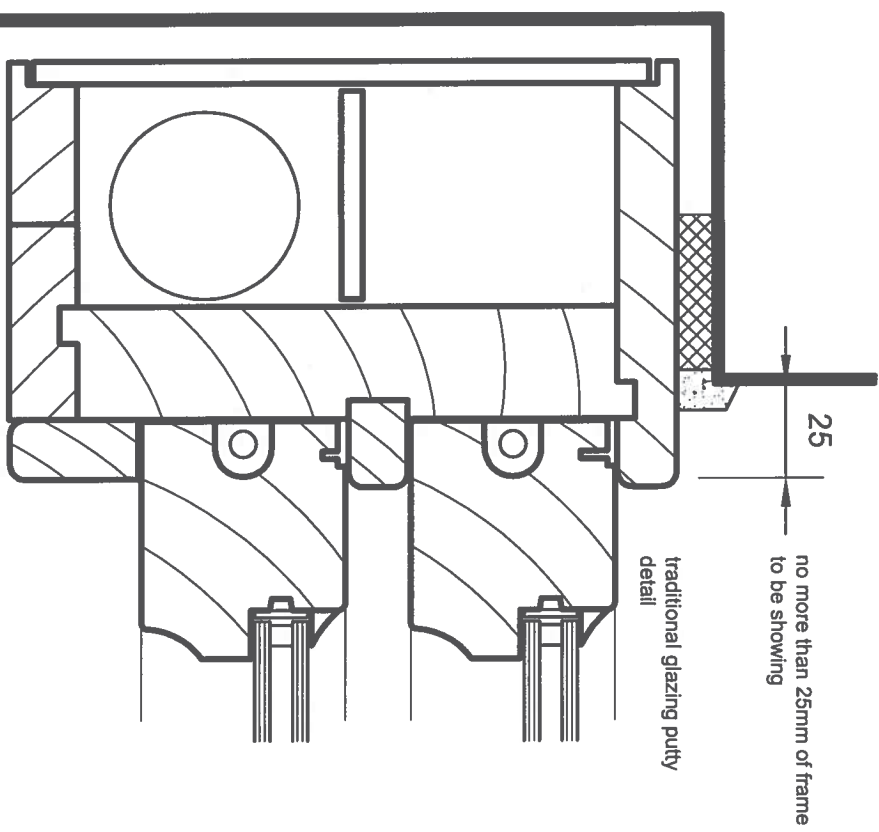
traditional glazing putty detail



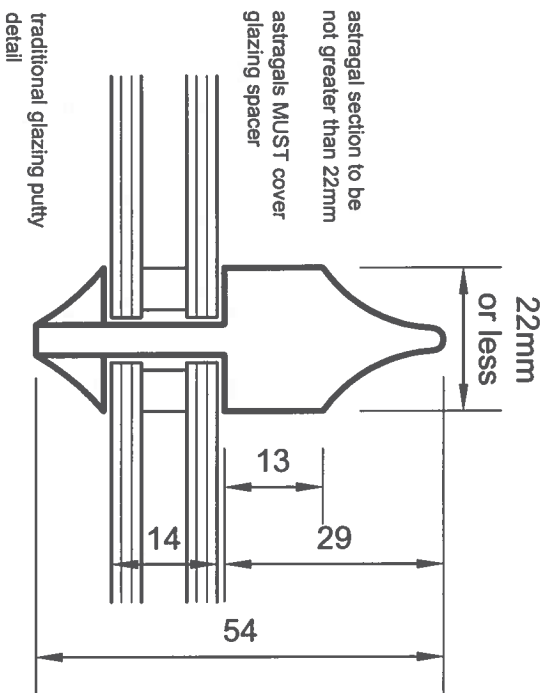
timber sill to have drip with bedding mortar behind



TYPICAL WINDOW SECTION 1:2



TYPICAL WINDOW JAMB 1:2



ASTRAGAL 1:1

WHERE RELEVANT



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REV. NO.	DESCRIPTION	DATE
A	Updated to Show Trickle Ventilation Detail	25/11/15

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PROJECT 6 GOLDEN SQUARE, ABERDEEN
CONTENT WINDOW DETAILS

SCALE	1:2 / 1:1	DATE	JULY 2015
JOB REFERENCE	3200	DRAWING	05
REV	A		

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Existing North West Elevation 1:100 (To Lindsay Street)



- Denotes windows which are sash & case with single glazing and will be replaced as part of this application with like for like but with double glazing upgrade
- Denotes windows which are casement with double glazing and will be replaced as part of this application
- Denotes windows which are sash & case with single glazing and are to be retained, repaired and glazing upgraded to slim double glazed unit

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REV NO.	DESCRIPTION	DATE
A	Window Referenced Updated	29/11/15

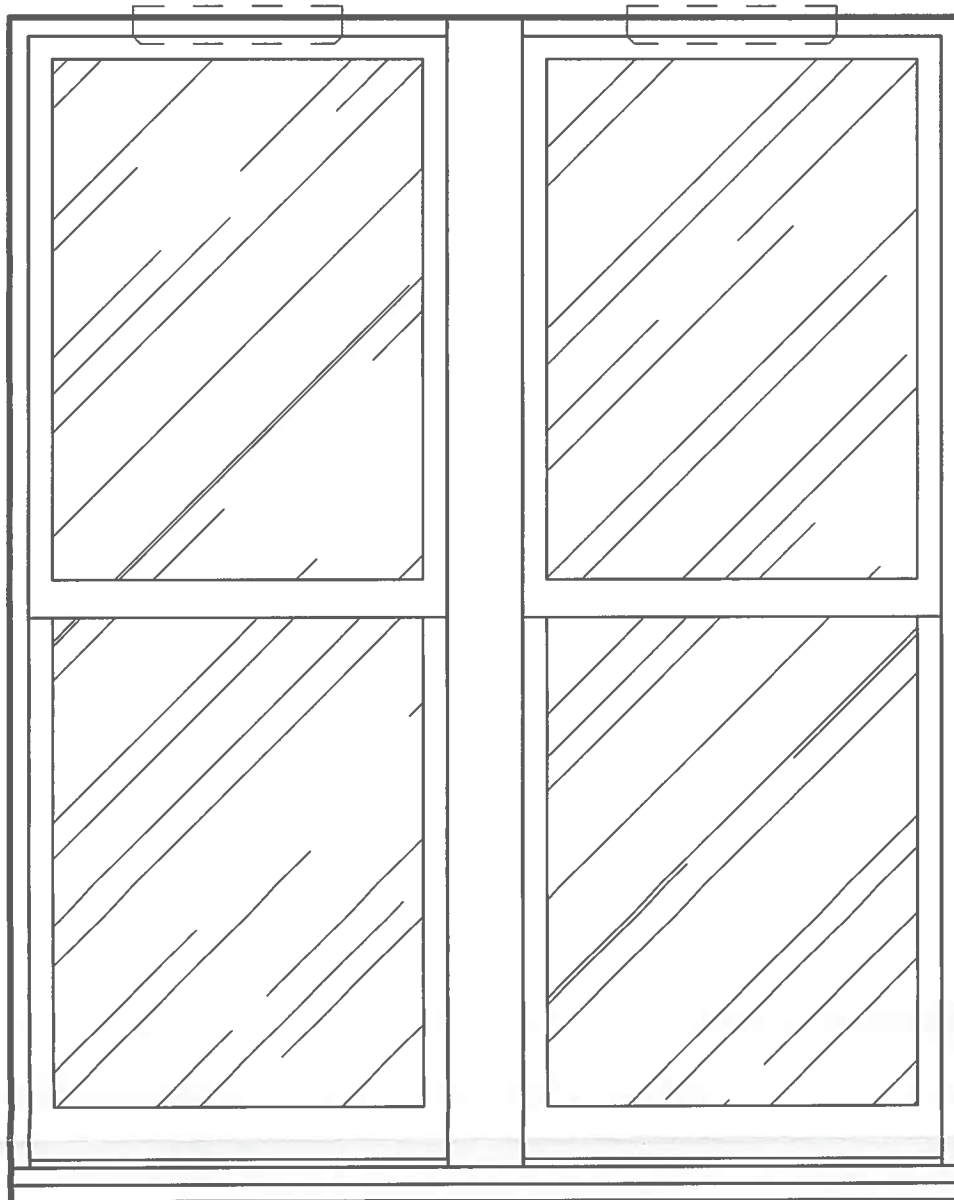


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PROJECT	PROPOSED DEVELOPMENT AT 6 GOLDEN SQUARE, ABERDEEN
CONTENT	WINDOW REFERENCE DRAWINGS
PLANNING	
SCALE	1:100
DATE	JUL Y 2015
JOB REFERENCE	3200
DRAWING	11
REV	A
DRAWN BY	

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Trickle ventilation to be formed as per recommended
Historic Scotland detail (see detail on DWG 05)

traditional glazing putty detail

Existing sash & case windows to be replaced like for
like as '1 over 1' style but with new slim double
glazed units

All to be painted using white microporous paint to
match existing.

NO horns to be fitted to top sash.

All glazing within 800mm of finished floor level to be
laminated safety glass.

Bottom rail of lower sash to be deeper
than others by at least 25mm

Cill to be bedded directly on to granite
(no sub-cill or spacer piece)

Typical Window Elevation 1:10 ('1 over 1' style) (win ref: 8-10)

NOTE: TO BE READ IN CONJUNCTION
WITH DRAWING 05

neil rothnie architects



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REV NO.	DESCRIPTION	DATE
CLIENT	WESTCOAST ESTATES LTD.	
PROJECT	6 GOLDEN SQUARE, ABERDEEN	
CONTENT	WINDOW DETAILS (REF: 8-10)	
SCALE	1:10	DATE JULY 2015
JOB REFERENCE	DRAWING	REV
3200	07	

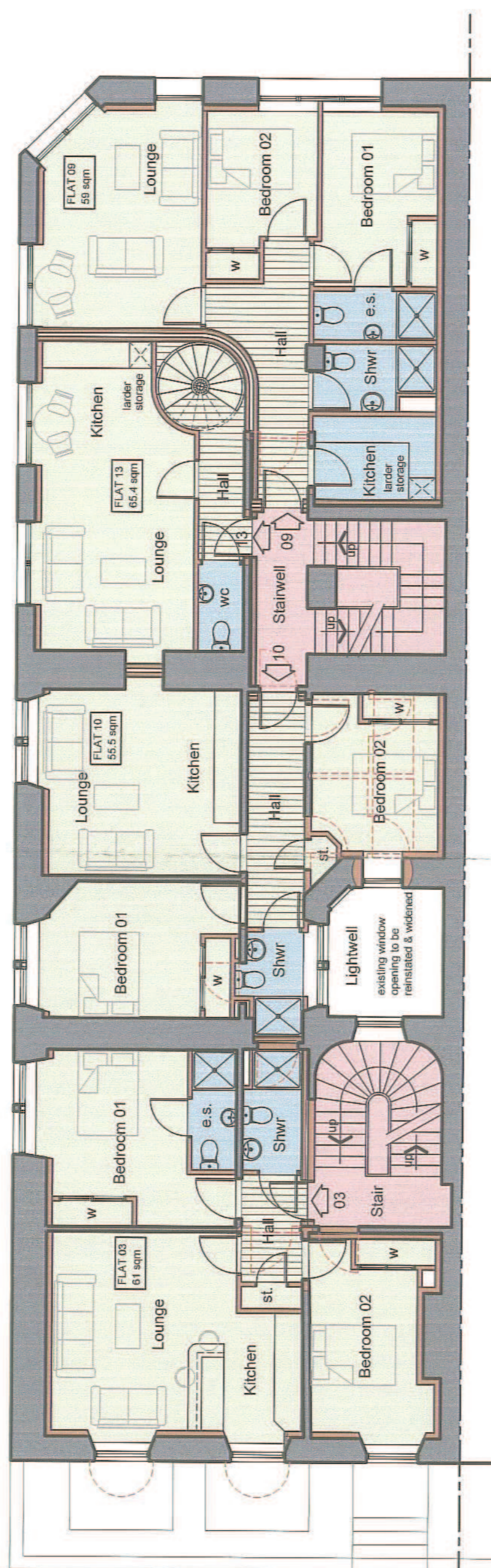
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existing rear extension to have painted finish applied to the existing concrete panels windows to rear extension to be replaced with frames in dark grey



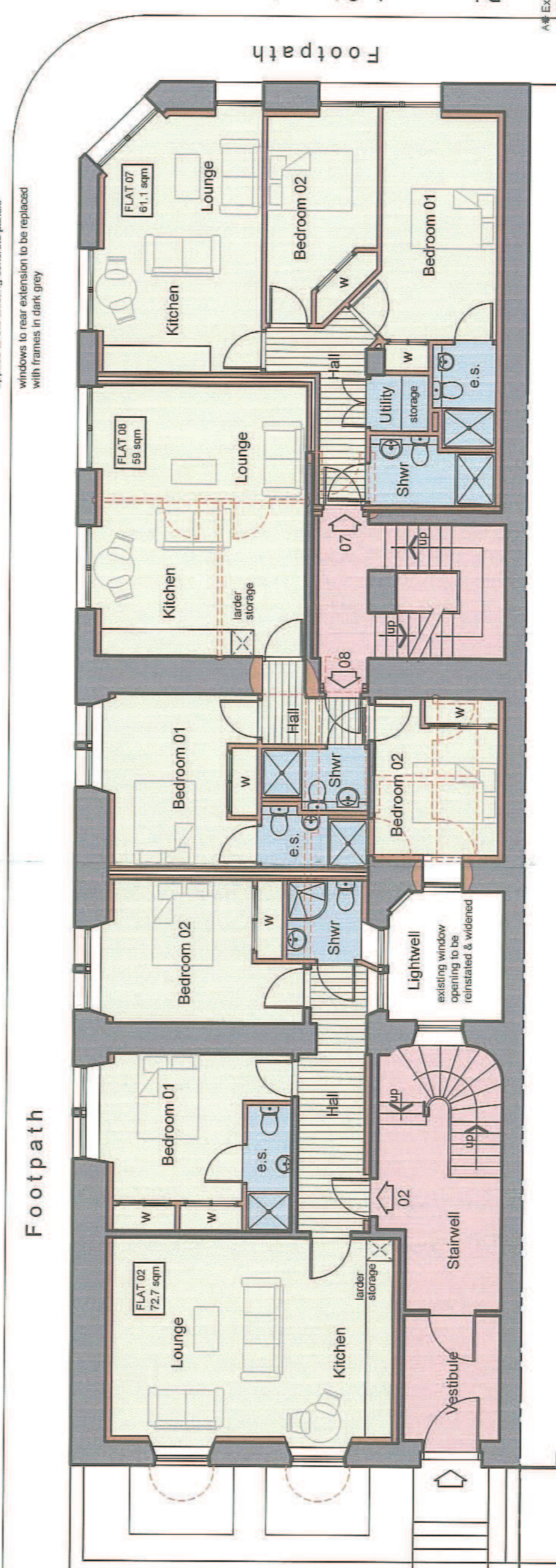
Proposed Second Floor Plan 1:100

existing rear extension to have painted finish applied to the existing concrete panels windows to rear extension to be replaced with frames in dark grey



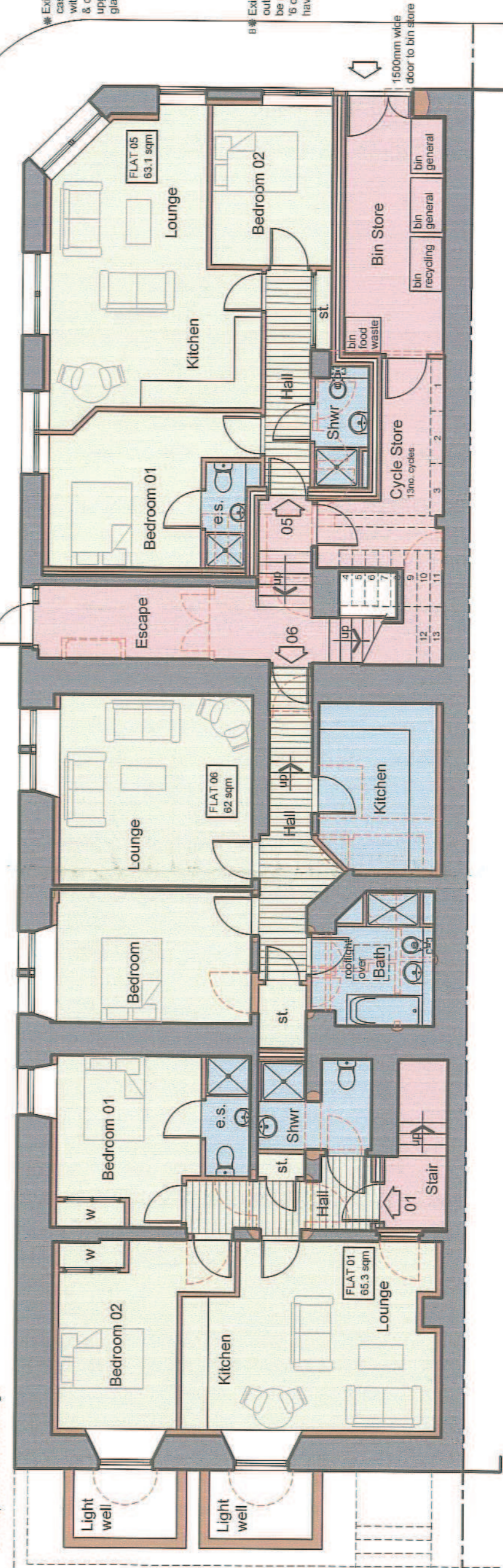
Proposed First Floor Plan 1:100

existing rear extension to have painted finish applied to the existing concrete panels windows to rear extension to be replaced with frames in dark grey



Proposed Ground Floor Plan 1:100

existing rear extension to have painted finish applied to the existing concrete panels windows to rear extension to be replaced with frames in dark grey



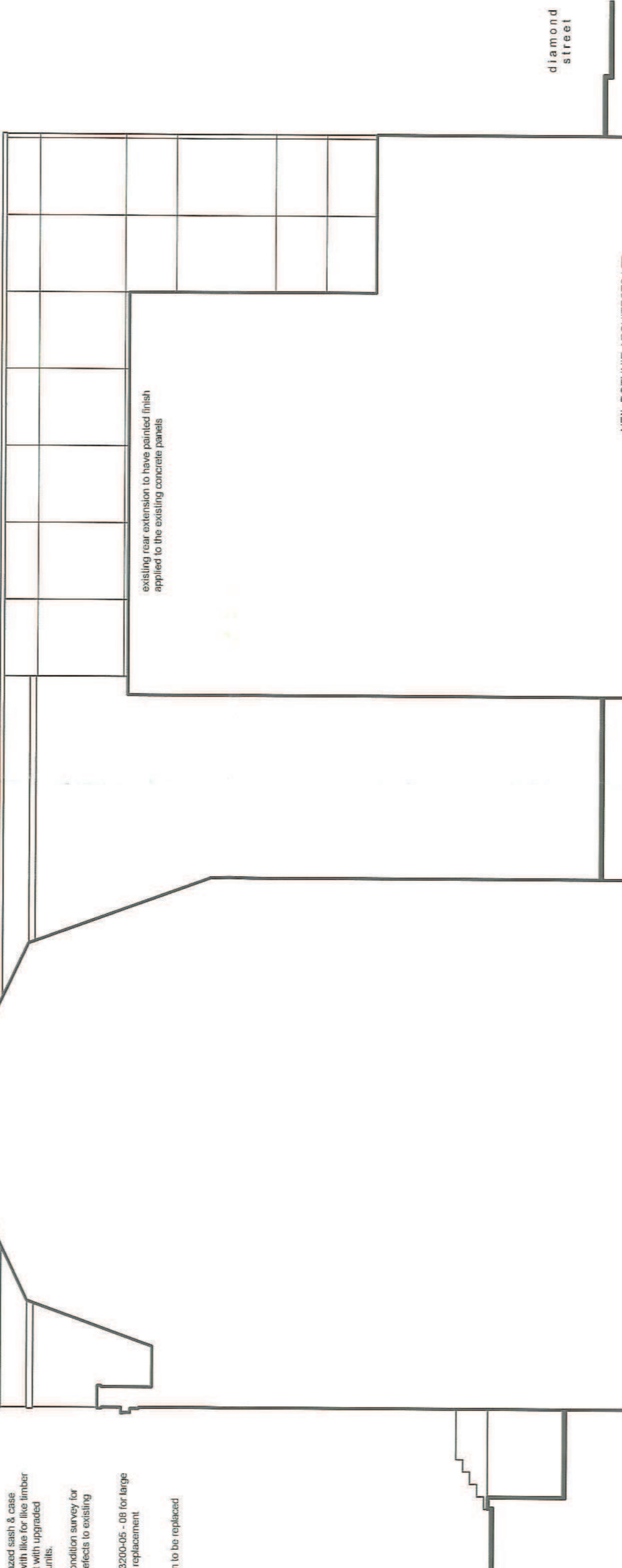
Proposed Basement Floor Plan 1:100

existing rear extension to have painted finish applied to the existing concrete panels windows to rear extension to be replaced with frames in dark grey



Proposed North West Elevation 1:100 (To Lindsay Street)

NOTE: Existing single glazed sash & case windows to be replaced with two for one timber glazing to double glazed units. Please refer to technical specification for detailed assessment of defects to existing windows. Please refer to drawings 3000-05 - 08 for large scale details of proposed replacement windows. windows to rear extension to be replaced with frames in dark grey



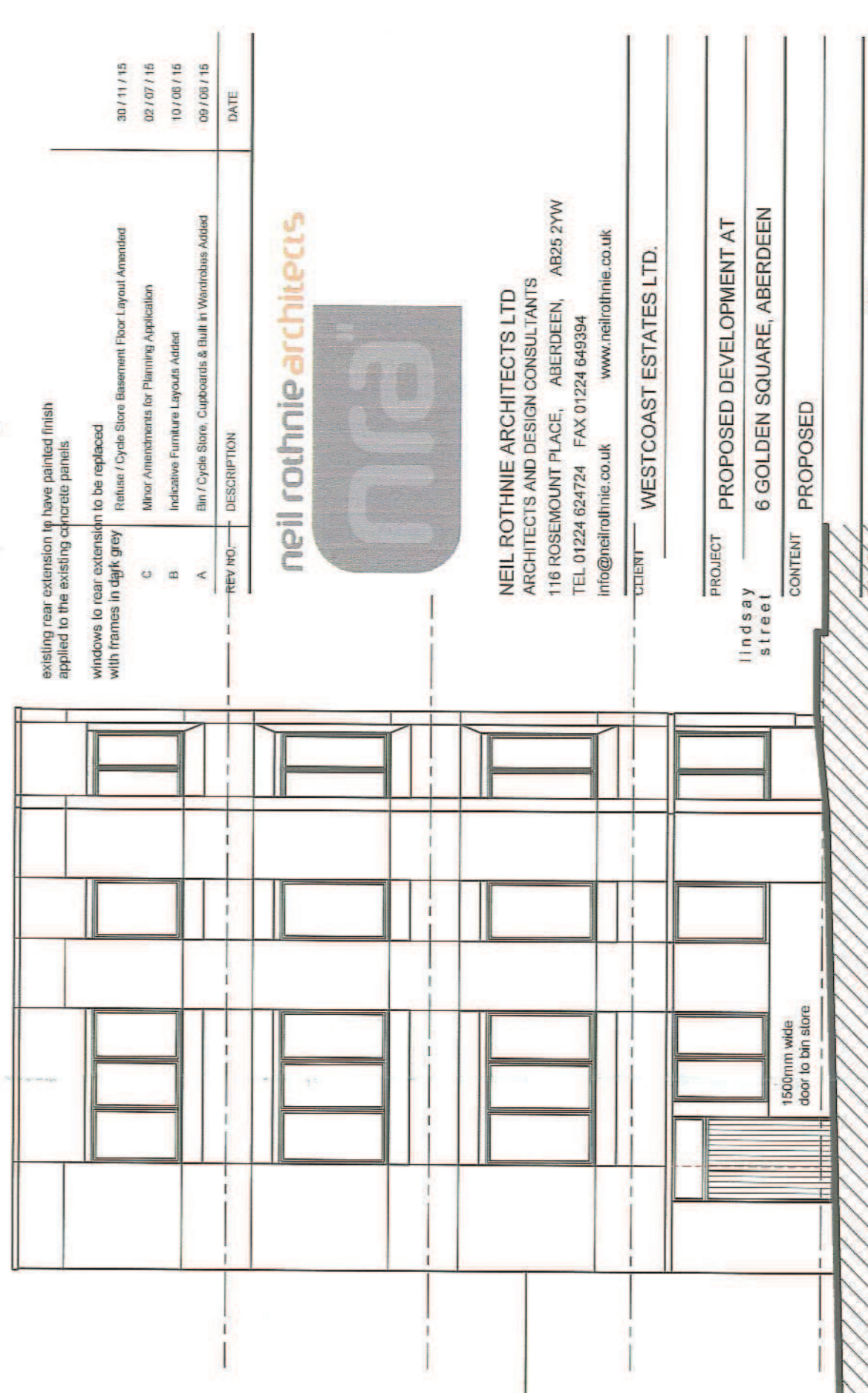
Proposed South East Elevation 1:100 (To Diamond Street)

existing rear extension to have painted finish applied to the existing concrete panels windows to rear extension to be replaced with frames in dark grey



Proposed South West Elevation 1:100 (To Golden Square)

existing rear extension to have painted finish applied to the existing concrete panels windows to rear extension to be replaced with frames in dark grey



Proposed North East Elevation 1:100 (To Diamond Street)

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DATE	06/03/15
REV NO.	03/20/15/01
A	Rev Cycle Store, Garbages & Hall in West Coast
B	Indoor Furniture Layouts Added
C	Minor Amendments for Planning Application
D	Revised Cycle Store Placement Floor Layout Amended
30/11/15	
02/07/15	
10/02/15	



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CONTENT PROPOSED

DATE	MAY 2015
DRAWING	02
REV	D
3200	

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