

# Public Document Pack



To: Councillor Boulton, Convener; Councillor Jennifer Stewart, Vice Convener; Councillor Alan Donnelly, the Depute Provost; and Councillors Allan, Alphonse, Cooke, Copland, Cormie, Lesley Dunbar, Greig, Hutchison, John, Malik, McLellan, Sellar, Sandy Stuart and Wheeler.

Town House,  
ABERDEEN 12 September 2017

## **PRE-APPLICATION FORUM**

The Members of the **PRE-APPLICATION FORUM** are requested to meet in **Committee Room 2 - Town House** on **THURSDAY, 21 SEPTEMBER 2017 at 2.00 pm.**

FRASER BELL  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

### **BUSINESS**

#### **DECLARATION OF INTEREST**

- 1 Members are requested to intimate any declarations of interest

#### **BUSINESS**

- 2 Introduction and Procedure Note (Pages 3 - 6)

#### **MINUTES**

- 3 Minute of Previous Meeting of 16 March 2017 - for approval (Pages 7 - 10)

#### **PRE APPLICATION REPORTS**

- 4 Proposed Mixed Use Development of 60 Dwellinghouses & 1225sqm of Class 1 (Shops) and Class 4 (Business) at OP114 Land At Milltimber South, North Deeside Road, Milltimber, Aberdeen - 170620 (Pages 11 - 16)

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Should you require any further information about this agenda, please contact Lynsey McBain, email [lymcbain@aberdeency.gov.uk](mailto:lymcbain@aberdeency.gov.uk) or tel 01224 522123

## **PRE-APPLICATION FORUM PROCEDURE NOTE AND GUIDANCE FOR MEMBERS**

1. This procedure note will operate on a trial basis of the Forum and will be subject to review and amendment during this period.
2. Meetings of the Pre-Application Forum will be held in open public session to enable discussion of all national and major development proposals.
3. Forums will be held as soon as possible after the submission of a Proposal of Application Notice (POAN) for all national and major development proposals and, in all cases, prior to the lodging of any associated planning application (this allows a period of 12 weeks following submission of the POAN).
4. The members of the Planning Development Management Committee will constitute the members of the Pre-Application Forum.
5. Ward Members for the Ward in which a specific pre-application proposal under discussion is located will be invited to the Forum but will be allowed to participate in the Forum only in relation to the specific pre-application proposal in their ward.
6. The relevant Community Council for the prospective development proposal(s) to be discussed will be informed of the date and time of the Pre-Application Forum by Committee Services so that they have the opportunity to attend but will not be permitted to participate in the business of the Forum.
7. If a Forum is required it will take place after formal business of the Planning Development Management Committee is concluded - this will normally be 2pm on the same day as the Planning Development Management Committee. The Forum will be separate from the Committee to emphasise the clear differences in status, process and procedure between the two meetings.
8. The case officer for the pre-application proposal will produce a very brief report (maximum 2-3 sides of A4) for the Forum outlining the proposal and identifying the main planning policies, material considerations and issues associated with it and the key information that will be required to accompany any application. The report will not include any evaluation of the planning merits of the proposal.
9. Agents/applicants will be contacted by Committee Services immediately on receipt of a POAN (or before this date if notified by planning officers of the week that a forthcoming POAN is likely to be submitted) and offered the opportunity to give a 10 minute presentation of their development proposal to the members of the Forum. There will be an opportunity for Councillors to discuss these with the agents/applicants, to ask questions and indicate key issues they would like the applicants to consider and address in their eventual application(s). If an applicant/agent does not respond to this offer within 10 days, or declines the opportunity to give such a presentation, then their proposal will be considered by the Forum without a developer/applicant presentation. Committee Services will notify the case officer of the applicant's response.

10. Case officers (or Team Leader/Manager/Head of Planning) and, if considered necessary, other appropriate officers e.g. Roads Projects Officers, will be present at the Forum. The case officer will give a very brief presentation outlining the main planning considerations, policies and, if relevant and useful, procedures and supporting information that will have to be submitted. Officers will be available to answer questions on factual matters related to the proposal but will not give any opinion on, or evaluation of, the merits of the application as a whole.
11. Members, either individually or collectively, can express concerns about aspects of any proposal that comes before the Forum but (to comply with the terms of the Code of Conduct) should not express a final settled view of any sort on whether any such proposal is acceptable or unacceptable.
12. A minute of the meeting will be produced by Committee Services and made publicly available on the Council website.
13. Members should be aware that the proposal being discussed may be determined under delegated powers and may not come back before them for determination. Any report of handling on an application pursuant to a proposal considered by the Pre-Application Forum will contain a very brief synopsis of the comments made by the Forum but the report itself will be based on an independent professional evaluation of the application by planning officers.
14. Training sessions will be offered to Councillors to assist them in adjusting to their new role in relation to pre-application consultation and its relationship with the Code of Conduct.
15. The applicant/agent will be expected to report on how they have, or have not, been able to address any issues raised by the Pre-Application Forum in the Pre-Application Consultation Report that is required to be submitted with any subsequent planning application.

### **GUIDANCE FOR MEMBERS**

In relation to point 11 on the Procedure Note above, it might be helpful to outline a few points regarding the Councillors Code of Conduct and the Scottish Government's Guidance on the role of Councillors in Pre-Application procedures which will hopefully be helpful to the Members. These were discussed at the Training run by Burness Paull on the 28<sup>th</sup> of November, 2014.

So very briefly, The Code's provisions relate to the need to ensure a proper and fair hearing and to avoid any impression of bias in relation to statutory decision making processes. Having said that, in terms of the Scottish Government's Guidance on the role of Councillors in Pre-Application procedures:

- Councillors are entitled to express a provisional opinion in advance of a planning application being submitted but only as part of the Council's procedures (as detailed at item 1 to this agenda)

- No views may be expressed once the application has been submitted
- In terms of the role of the Forum, it meets to emphasise an outcome limited to the generation of a provisional view (on behalf of the Forum, rather than individual Members of the Forum) on the pre-application, this will allow:
  - Members to be better informed
  - An Early exchange of views
  - A greater certainty/more efficient processing of applications

Members of the Forum are entitled to express a provisional view, but should do so in a fair and impartial way, have an open mind and must not compromise determination of any subsequent planning application.

In terms of dealing with Pre-Applications, Members of the Forum should:

- Identify key issues
- Highlight concerns with the proposal/areas for change
- Identify areas for officers to discuss with applicants
- Identify documentation which will be required to support application

In terms of the Code of Conduct and any interest that Members of the Forum may have in a pre-application, it is worth reminding Members of the Forum that they must, however, always comply with the *objective test* which states “ *whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a councillor.*”

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## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE-APPLICATION FORUM

ABERDEEN, 16 March 2017 Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE PRE-APPLICATION FORUM.  
Present:- Councillor Milne, Convener; Councillor Finlayson, Vice-Convener; and Councillors Boulton, Cooney, Corall, Donnelly, Greig, Hutchison, Jean Morrison MBE and Sandy Stuart.

### INTRODUCTION AND PROCEDURE NOTE

1. The Forum had before it the procedure note and guidance for members on the operation of Forum meetings.

**The Forum resolved:-**

to note the procedure note and guidance for members.

### MINUTE OF PREVIOUS MEETING OF 8 DECEMBER 2016

2. The Forum had before it the minute of its previous meeting of 8 December 2016 for approval.

**The Forum resolved:-**

to approve the minute as a correct record.

### LAND WEST OF RGU CAMPUS, GARTHDEE ROAD - 170054

3. The Forum had before it a report by the Interim Head of Planning and Sustainable Development on a submission of a Proposal of Application Notice (PoAN) by Manson Architects on behalf of their client, Garthdee Properties Ltd, for a proposed major development for approximately 500 accommodation units with associated uses at Land West of Robert Gordon University Campus, Garthdee Road, Aberdeen – 170054.

The report advised that the site extends to 1.48 hectares and is located within the Pitfodels Conservation Area. It is bound by Garthdee Road to the north, Norwood Hall Hotel and the associated grounds/woodland to the west and south, and the Robert Gordon University Garthdee Campus and Gray's School of Art to the east. It was noted that the proposed development could comprise 500 units of accommodation with associated uses and the red line boundary indicates that potential connections could be made to Garthdee Road to the north of the site, and to the east through the existing RGU campus. The report also highlighted that the site is zoned as Green Belt within the recently adopted Local Development Plan and the suitability of this edge of settlement site for a development of student accommodation, and its relationship with adjoining uses, would be examined.

The Forum heard from Mr Ross Manson (Manson Architects) and Steve Keenan (Garthdee Properties Ltd) in regards to the proposed application. Mr Keenan advised that he had previously attempted to buy the five acre site however for various reasons it had not been available. He explained that the site was adjacent to the RGU campus and although it sat on a Green Belt site, there were many positive aspects to the

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proposed application. Mr Keenan advised that (a) it would be an advantage to students to have accommodation on the campus of RGU, (b) they were aiming the accommodation at international students, (c) they wanted to make the accommodation demographically and economically attractive and (d) they were in early talks with RGU in regards to the application.

Mr Manson advised that in regards to the application, the site was selected in order to create a place beside the university that would be hugely beneficial, and enhance both the university and campus. Mr Manson highlighted that by having student accommodation in Garthdee, it would reduce the need for students living in HMO's and in family homes. He also advised that they contacted neighbouring properties who intimated that they would like to see a world renowned student accommodation provided. Mr Manson also showed various slides which highlighted other universities in various other countries, who offered a campus with student accommodation attached.

The Forum then heard from Paul Williamson, Case Officer, who addressed the Forum and provided details regarding the planning aspects of the application and responded to questions from members. Mr Williamson explained that the identified site is largely bound by trees and woodland, some of which is covered by a Tree Preservation Order, with the remaining area grassed. He also indicated that the pre application consultation event was scheduled for Wednesday 27 April between 12-8pm in Inchgarth Community Centre. In regards to the application, Mr Williamson highlighted the main issues associated with the proposed application, namely:-

- The principle of the development given its location within the Green Belt;
- The linkages with the former RGU Garthdee Development Framework;
- The design and layout of the proposal together with any necessary infrastructure such as drainage;
- The ultimate access solution, and any potential transportation impact; and
- Any potential impact on the Historic or Natural Environment;

Members then asked a number of questions in regards to the proposals and the following information was noted:-

- ❖ The accommodation could only be occupied by students and not for individuals after completing their studies;
- ❖ The design would be done as a modern design to compliment the futuristic buildings at RGU, to make it look like an extension of the campus;
- ❖ The applicant was investigating the possibility of having a student from the university to work alongside the team, for a secondment opportunity;
- ❖ 90% of the trees would remain;
- ❖ Amenities would include cinema rooms, a gym, a multi faith room and the use of high speed Wi-Fi;
- ❖ The development would be a zero car scheme, except for disabled parking spaces, a car club space and staff parking;



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- ❖ A lot of student accommodation within the city centre is no longer fit for purpose and this development would help with that;
- ❖ The development would consist of two connected blocks;
- ❖ A swept path analysis would be required to show the vehicles coming off of Garthdee Road and into the site;
- ❖ Cycle storage would be included, which would amount to one space for every three students.

**The report recommended:-**

That the Forum –

- (a) note the key issues identified;
- (b) if necessary, seek clarification on any particular matters; and
- (c) identify relevant issues which they would like the applicant to consider and address in any future application.

**The Forum resolved:-**

- (i) to request that the applicant look at the possibility of providing car spaces for students who may have to travel to a secondment/placement;
- (ii) to request that the applicant consider looking at a safe link to the old railway line for students to use; and
- (iii) to thank Mr Manson and Mr Keenan for their informative presentation.

**- COUNCILLOR RAMSAY MILNE, Convener.**

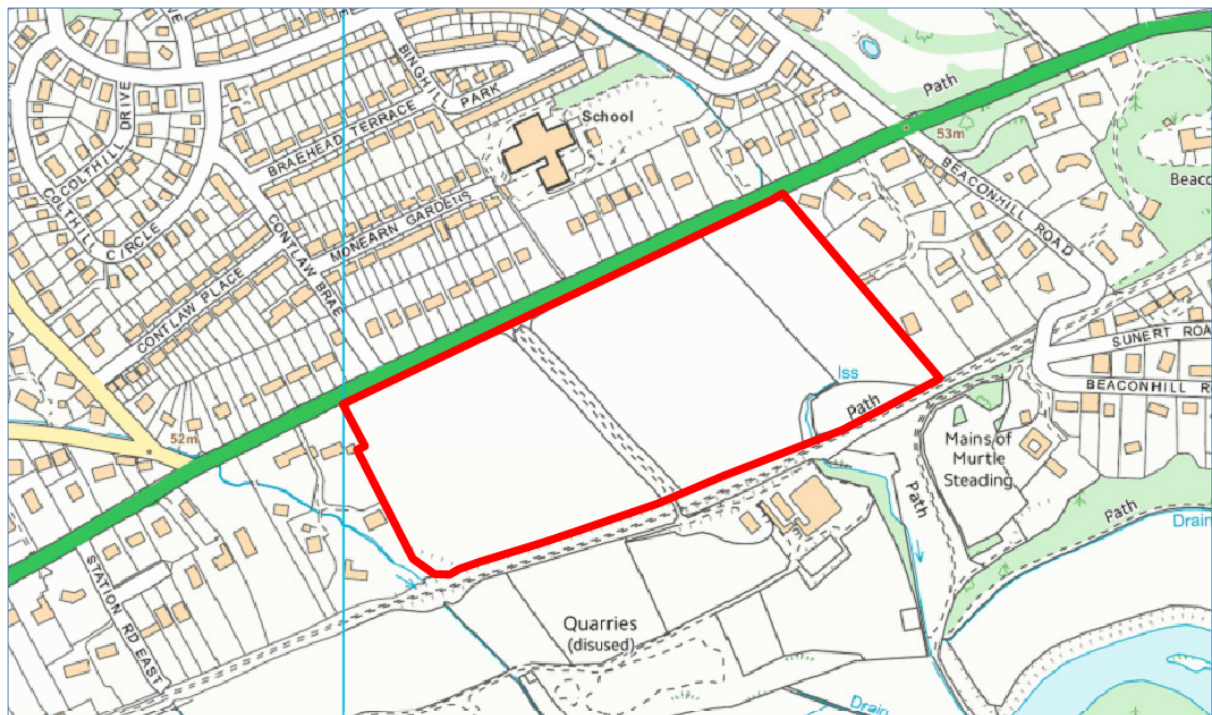
**PRE-APPLICATION FORUM**

## Pre-Application Forum

**170620/PAN:** Proposed Mixed Use Development (60 Dwellinghouses & 1225sqm of Class 1 (Shops) and Class 4 (Business) at OP114 Land At Milltimber South, North Deeside Road, Milltimber, Aberdeen, AB13 0HD

For: Bancon Homes Ltd

Application Date:	30 May 2017
Officer:	Gavin Clark
Ward:	Lower Deeside
Community Council:	Cults, Bieldside And Milltimber
Advertisement:	N/A
Advertised Date:	N/A



### SUMMARY

This is a report to the pre-application forum on a potential application by Bancon Homes Ltd for a major development comprising a mixed use development of approximately 60 houses and 1225 sqm of Class 1 (Shops) and Class 4 (Business) use on land at Milltimber South, North Deeside Road.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997 as amended, the applicant submitted a Proposal of Application Notice on 30<sup>th</sup> May 2017. The earliest date at which an application could have been submitted was

22<sup>nd</sup> August 2017. A masterplan also needs to be agreed before determination of any future planning application.

## **RECOMMENDATIONS**

**It is recommended that the Forum:**

- i. Note the key issues identified;**
- ii. If necessary seek clarification on any particular matters; and**
- iii. Identify relevant issues which they would like the applicants to consider and address in any future application.**

## **SITE DESCRIPTION**

The identified site extends to approximately 11.5 hectares, and is located on the southern side of North Deeside Road, within the settlement of Milltimber. The site is bound by North Deeside Road and residential properties to the north, the Deeside Way and open space to the south, and further residential properties set in generous plots to the east and west. An access road leading to Milltimber Farm Livery Stables (located to the south of the Deeside Way) runs through the site.

The site itself is largely grassed but does include some elements of planting (particularly along the boundaries). The site slopes from the north-south as it heads towards the Dee Valley. There are a number of boundary treatments, including post-and-wire fencing to its northern boundary.

## **PLANNING HISTORY**

There is no planning history associated with this site.

## **DESCRIPTION OF PROPOSAL**

The proposal constitutes a “major” application for a mixed use development which would include 60 dwellinghouses and approximately 1225 sqm of shop units and office space. Access to the site would be taken from North Deeside Road, located to the north of the application site boundary.

## **PLANNING POLICY**

### Aberdeen Local Development Plan 2017 (ALDP)

- OP 114 Milltimber South
- Policy LR1: Land Release Policy
- Policy D1: Quality Placemaking by Design
- Policy D2: Landscape
- Policy I1: Infrastructure Delivery and Developer Obligations
- Policy NC7: Local Shops
- Policy T2: Managing the Transport Impact of Development
- Policy T3: Sustainable and Active Travel
- Policy T5: Noise

- Policy H2: Mixed Use Areas
- Policy H4: Housing Mix
- Policy H5: Affordable Housing
- Policy NE4: Open Space Provision in New Development
- Policy NE5: Trees and Woodland
- Policy NE6: Flooding, Drainage and Water Quality
- Policy NE8: Natural Heritage
- Policy NE9: Access and Informal Recreation
- Policy R6: Waste Management Requirements for New Development
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency
- Policy CI1: Digital Infrastructure

## **OTHER RELEVANT MATERIAL CONSIDERATIONS**

### Supplementary Guidance

- Landscape
- Planning Obligations
- Affordable Housing
- Transport and Accessibility
- Noise
- Natural Heritage
- Trees and Woodland
- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Milltimber South Development Framework (currently being prepared)

## **CONSIDERATIONS**

The main considerations against which a planning application would be assessed are outlined as follows:

### *Principle of Development*

The site has been identified as OP114 (Milltimber South), which was included by a Scottish Government reporter, provides an opportunity for 60 houses and 1225 sqm of ancillary retail/ office space. The proposal requires to be accompanied by a masterplan. The site is zoned as Land Release (LR1) and as a mixed use area (H2) in the adopted Local Development Plan.

### *Design, Layout and Other Infrastructure*

The layout/ scale of development, and the layout of development would be identified by the masterplan and would be incorporated into the final design submitted with any future planning application.

The impact that the development would have on the surrounding landscape would be identified through the required masterplan and also at the detailed application stage.

Further information including a Drainage Impact Assessment (DIA), Flood Risk Assessment (FRA) would be required to assess potential flood risk from the site and ensure that the site could be adequately drained.

Furthermore, the development would be expected to provide developer obligations to offset the associated impacts of the development.

### *Transportation and Access*

The traffic impact of the development would be assessed as part of any application submission. The proposals would be expected to accord with the transportation policies within the ALDP in respect of safe and convenient provision to the site. It would also be expected that adequate consideration be given to the inclusion of sustainable transportation measures for the site, and wider linkages within the surrounding area.

### *Other Issues to Consider*

Consideration would also be given at the application stage to the potential implication on any trees within the application site, together with any habitat interests which could be affected by the development.

## **PRE APPLICATION CONSULTATION**

The proposal of application notice provided little detail in relation to the means of consultation that is intended to be undertaken. The agent has subsequently submitted further information, which indicated the following:

- Two public consultation events, the first of which was held on the 8<sup>th</sup> September with a follow up event to be held on a date yet to be agreed. These events would take place at Cults Kirk Centre, 404 North Deeside Road, Cults between the hours of 1pm and 7pm.
- The applicant's intent to meet with Cults, Bielside and Milltimber Community Council on the 28<sup>th</sup> September.

Details of these events are to be advertised in the local press, with both the community council and local ward members being notified of the specific proposal prior to the events. The Planning Authority has also indicated that all properties within 200m of the application site be notified of the event and public notices be put up around the application site and at various locations throughout Milltimber.

## **NECESSARY INFORMATION TO SUPPORT ANY FUTURE APPLICATION**

As part of any application, the applicant has been advised that the following information would need to accompany the formal submission:

- Pre-Application Consultation Report
- Planning and Design Statement (including a Landscape Visual Impact Assessment)

- The Masterplan
- Transport Assessment/ Transport Statement
- Tree Survey
- Drainage Impact Assessment
- Flood Risk Assessment; and
- Phase 1 Habitat Survey

**RECOMMENDATION: It is recommended that the Forum**

- (i) note the key issues identified;**
- (ii) if necessary seek clarification on any particular matters; and**
- (iii) identify relevant issues which they would like the applicants to consider and address in any future application.**

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