

Public Document Pack



To: Councillor Boulton, Convener; Councillor Stewart, Vice Convener, the Depute Provost; and Councillors Allan, Cooke, Copland, Cormie, Greig, Avril MacKenzie and Malik.

Town House,
ABERDEEN 13 August 2020

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

The Members of the **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE** are requested to meet remotely on **THURSDAY, 20 AUGUST 2020 at 10.00 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

In accordance with UK and Scottish Government guidance, meetings of this Committee will be held remotely as required. In these circumstances the meetings will be recorded and thereafter published on the Council's website at the following [link](#)

BUSINESS

MEMBERS PLEASE NOTE THAT ALL LETTERS OF REPRESENTATION ARE NOW AVAILABLE TO VIEW ONLINE. PLEASE CLICK ON THE LINK WITHIN THE RELEVANT COMMITTEE ITEM.

MOTION AGAINST OFFICER RECOMMENDATION

- 1.1 Motion Against Officer Recommendation - Procedural Note (Pages 5 - 6)

DETERMINATION OF URGENT BUSINESS

- 2.1 Determination of Urgent Business

DECLARATION OF INTERESTS

- 3.1 Members are requested to intimate any declarations of interest (Pages 7 - 8)

MINUTES OF PREVIOUS MEETINGS

- 4.1 Minute of Meeting of the Planning Development Management Committee of 2 July 2020 - for approval (Pages 9 - 24)

COMMITTEE PLANNER

- 5.1 Committee Planner (Pages 25 - 26)

GENERAL BUSINESS

WHERE THE RECOMMENDATION IS ONE OF APPROVAL

- 6.1 Detailed Planning Permission - erection of 4 storey Elective Care Centre with associated external works - land to East Of Lady Helen Parking Centre, Aberdeen Royal Infirmary, Foresterhill Road, Aberdeen (Pages 27 - 64)

Planning Reference – 191896

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Gavin Evans

- 6.1 Detailed Planning Permission - formation of road with associated footways, cycle tracks, street lighting, drainage, landscaping, earthworks and associated works - road Corridor between Ashgrove Road and St Machar Drive, Aberdeen (Pages 65 - 102)

Planning Reference – 200366

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Matthew Easton

- 6.1 Detailed Planning Permission - erection of a 2 storey dwellinghouse with integral double garage; terrace; external steps; partial excavation and releveling including construction of retaining walls/fencing and associated landscaping - land opposite 39 Bloomfield Road Aberdeen (Pages 103 - 124)

Planning Reference – 200484

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Dineke Brasier

WHERE THE RECOMMENDATION IS ONE OF REFUSAL

- 7.1 Detailed Planning Permission - erection of 4 detached dwelling houses - 19 South Avenue Aberdeen (Pages 125 - 156)

Planning Reference – 200553

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Dineke Brasier

- 7.1 Detailed Planning Permission - formation of aggregate recycling facility, installation of wash pod and generator with all associated works - Tyrebagger Quarry, Clinterty Aberdeen (Pages 157 - 180)

Planning Reference – 200498

All documents associated with this application can be found at the following link and enter the reference number above:-

[Link.](#)

Planning Officer: Gavin Clark

DATE OF NEXT MEETING

- 8.1 Thursday 24 September 2020 at 10am

To access the Service Updates for this Committee please click [here](#)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Lynsey McBain, Committee Officer, on 01224 522123 or email lymcbain@aberdeencity.gov.uk

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MOTIONS AGAINST RECOMMENDATION

Members will recall from the planning training sessions held, that there is a statutory requirement through Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 for all planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. All Committee reports to Planning Development Management Committee are evaluated on this basis.

It is important that the reasons for approval or refusal of all applications are clear and based on valid planning grounds. This will ensure that applications are defensible at appeal and the Council is not exposed to an award of expenses.

Under Standing Order 28.10 the Convener can determine whether a motion or amendment is competent, and may seek advice from officers in this regard.

With the foregoing in mind the Convener has agreed to the formalisation of a procedure whereby any Member wishing to move against the officer recommendation on an application in a Committee report will be required to state clearly the relevant development plan policy(ies) and/or other material planning consideration(s) that form the basis of the motion against the recommendation and also explain why it is believed the application should be approved or refused on that basis. Officers will be given the opportunity to address the Committee on the competency of the motion. The Convener has the option to call a short recess for discussion between officers and Members putting forward a motion if deemed necessary.

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DECLARATIONS OF INTEREST

You must consider at the earliest stage possible whether you have an interest to declare in relation to any matter which is to be considered. You should consider whether reports for meetings raise any issue of declaration of interest. Your declaration of interest must be made under the standing item on the agenda, however if you do identify the need for a declaration of interest only when a particular matter is being discussed then you must declare the interest as soon as you realise it is necessary. The following wording may be helpful for you in making your declaration.

I declare an interest in item (x) for the following reasons

For example, I know the applicant / I am a member of the Board of X / I am employed by... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

OR

I have considered whether I require to declare an interest in item (x) for the following reasons however, having applied the objective test, I consider that my interest is so remote / insignificant that it does not require me to remove myself from consideration of the item.

OR

I declare an interest in item (x) for the following reasons however I consider that a specific exclusion applies as my interest is as a member of xxxx, which is

- (a) a devolved public body as defined in Schedule 3 to the Act;
- (b) a public body established by enactment or in pursuance of statutory powers or by the authority of statute or a statutory scheme;
- (c) a body with whom there is in force an agreement which has been made in pursuance of Section 19 of the Enterprise and New Towns (Scotland) Act 1990 by Scottish Enterprise or Highlands and Islands Enterprise for the discharge by that body of any of the functions of Scottish Enterprise or, as the case may be, Highlands and Islands Enterprise; or
- (d) a body being a company:-
 - i. established wholly or mainly for the purpose of providing services to the Councillor's local authority; and
 - ii. which has entered into a contractual arrangement with that local authority for the supply of goods and/or services to that local authority.

OR

I declare an interest in item (x) for the following reasons.....and although the body is covered by a specific exclusion, the matter before the Committee is one that is quasi-judicial / regulatory in nature where the body I am a member of:

- is applying for a licence, a consent or an approval
- is making an objection or representation
- has a material interest concerning a licence consent or approval
- is the subject of a statutory order of a regulatory nature made or proposed to be made by the local authority.... and I will therefore withdraw from the meeting room during any discussion and voting on that item.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

ABERDEEN, 2 July 2020. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Boulton, Convener; Councillor Stewart, Vice Convener; and Councillors Allan, Alphonse (as substitute for Councillor Cormie for items 4 to 7), Cooke, Copland, Greig, Henrickson (as substitute for Councillor Cormie for items 1 to 3), MacKenzie and Malik.

The agenda and reports associated with this minute can be found [here](#).

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

MINUTE OF MEETING OF THE PLANNING DEVELOPMENT MANAGEMENT COMMITTEE OF 1 JUNE 2020

1. The Committee had before it the minute of the previous meeting of 1 June 2020, for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE PLANNER

2. The Committee had before it a planner of future Committee business.

The Committee resolved:-

to note the information contained in the Committee business planner.

REVIEW OF TWO-YEAR WAIVER ON AFFORDABLE HOUSING IN THE CITY CENTRE - PLA/20/100

3. The Committee had before it a report by the Chief Officer - Strategic Place Planning, which provided an initial review of the waiver on affordable housing requirements for developments within the city centre, which had been in place since September 2018, and sought to extend the affordable housing waiver for a period of eighteen months.

The report recommended:-

that the Committee approve an eighteen-month extension to the waiver on affordable housing requirements relating to planning applications for new build housing developments and changes of use to residential use within the city centre, such that the waiver will continue to apply for applications determined until 30th June 2022 subject to

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a direction applied to the grant of planning permission time limiting the duration of the relevant consent to 12 months.

The Committee heard from David Berry, Developer Obligation Team Leader, who spoke in furtherance of the report and answered various questions from members.

The Convener, seconded by the Vice Convener, moved:-
that the Committee approve the recommendation as contained within the report.

Councillor Cooke, seconded by Councillor Copland, moved as an amendment:-
that the Committee take no action.

On a division, there voted:- for the motion (6) – the Convener, the Vice Convener and Councillors Allan, Greig, MacKenzie and Malik; for the amendment (3) – Councillors Cooke, Copland and Henrickson.

The Committee resolved:-

to adopt the motion and therefore approve the recommendation contained in the report.

GREYFRIARS HOUSE, GALLOWGATE ABERDEEN - 200246

4. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That there be a willingness to approve the application for planning permission in principle, subject to conditions and a legal agreement to secure developer obligations towards education, healthcare, Car Club and bus stop upgrades, for a residential development including demolition of existing buildings and associated access, parking, landscaping and infrastructure works at Greyfriars House, 54 Gallowgate, Aberdeen.

Conditions

(1) DESIGN AND LAYOUT OF ACCESSES, PATHS AND BUILDINGS

No development within any particular phase or block shall take place unless a matters specified in conditions application, including the detailed layout and design of access points, roads, parking areas, buildings and other structures for that particular phase or block, has been submitted to and approved in writing by the planning authority. The proposed development shall be in accordance with the overarching layout, siting, design, height and massing principles of roads, paths and buildings established by this grant of the planning permission in principle and comprise:

- a) details of existing and proposed site levels (including cross sections);
- b) details of the mix of residential unit numbers, type, size and tenure;
- c) details of layout, design and external appearance of –

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- (i) vehicular and pedestrian access points;
- (ii) all buildings and ancillary structures, to include improvement and refinement of design elements for all buildings, including to give the easternmost building a slender, vertical emphasis (e.g. by way of creating a tower feature to the eastern block via detailing, recessed and stepped sections to roofs and walls etc.)
- (iii) vehicular and motorcycle parking;
- (iv) short and long-term secure cycle parking;
- (v) storage and collection arrangements for waste and recyclables; and
- (vi) boundary enclosures around and within the site.

Thereafter the development shall not be implemented other than in full accordance with the approved details.

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

(2) LANDSCAPING

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

1. Those areas reserved as private space and those areas that will be freely accessible for all residents and the general public;
2. Existing and proposed finished ground levels;
3. Existing landscape features, trees, woodland and vegetation to be retained or removed and a scheme for the protection of all trees to be retained within and immediately adjacent to the site;
4. Existing and proposed services and utilities including cables and pipelines;
5. Proposed tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting.
6. Location, design and materials of walls, fences, gates and street furniture;
7. Arrangements for the management and maintenance of existing and proposed open space, and landscaped areas; and
8. Proposed hard surface finishing materials.

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

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

(3) LOCALISED PUBLIC REALM IMPROVEMENTS

No development shall take place unless a matters specified in conditions application comprising details of the localised improvements to the public realm (as indicatively set out on CDA plan ref: (PL)018) within and adjacent to the site (including the Gallowgate footpath, the footpath between the buildings and the Gallowgate car park and the Seamount steps [within the ownership of Aberdeen City Council]) has been submitted to and approved in writing by the planning authority. Thereafter the works shall take place in accordance with the agreed details.

Reason: In order to ensure that the development enhances the local public realm for the benefit of the development's occupants and the wider existing community, in lieu of Developer Obligations payments toward Open Space, Sports & Recreation and Community Facilities.

(4) NOISE IMPACT ASSESSMENT

No development within any particular phase or block shall take place unless a matters specified in conditions application including a noise impact assessment (NIA) by a suitably qualified noise consultant has been submitted to and approved in writing by the Planning Authority. The NIA is required in order to ascertain the predicted impacts of likely noise sources on residential properties and to suggest necessary mitigation measures. The assessment shall:

- a) Be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note;
- b) Identify the likely sources of noise potentially impacting on the local residences;
- c) Establish the level of noise impact associated with the development through application of relevant guidance;
- d) Detail the noise mitigation measures to reduce noise from the existing noise sources to an acceptable level to reasonably protect the amenity of the occupants of the proposed residences;
- e) The methodology for the noise assessment should be submitted and agreed in writing with the Council's Environmental Health Service in advance of the assessment.

Reason: In order to ensure that a satisfactory residential environment can be created for the occupants of the proposed development.

(5) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

No development (including site stripping, service provision or establishment of site compounds) within any part of the site shall take place unless a matters specified in conditions application comprising a site specific construction environmental

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management plan (CEMP) for that particular part of the site has been submitted to and approved in writing by the planning authority. The CEMP shall detail the site-specific management of surface water run-off and pollution prevention through the construction period and measures for final site surface water drainage should be given appropriate consideration through a site-specific Pollution Prevention Plan (PPP), which should be included within the site-specific CEMP. Thereafter development shall be undertaken in accordance with the approved CEMP.

Reason – to minimise the impacts of necessary demolition / construction works on the environment and on the amenity of neighbouring land uses.

(6) DUST MANAGEMENT PLAN

No development (including site stripping, service provision or establishment of site compounds) within any part of the site shall take place unless a matters specified in conditions application comprising a Dust Management Plan has been submitted to and approved in writing by the planning authority. The Dust Management Plan shall include the following;

1. An 'Air Quality (Dust) Risk Assessment' by a suitably qualified consultant carried out in line with the IAQM 2014 Guidance entitled 'Guidance on the Assessment of Dust from Demolition and Construction' (or equivalent as demonstrated) to predict the likely dust levels and impact on air quality including a determination of its significance; and
2. A plan for dust management produced in line with the aforementioned guidance and based on the outcome of the Dust Risk Assessment, detailing the necessary dust control measures to be implemented.

Reason – to control air pollution from dust associated with the construction of the development and to protect the amenity of neighbouring land uses.

(7) EXTERNAL LIGHTING

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

Reason – to ensure that the site would be adequately lit at night in the interest of safety, and without detriment to the amenity of any neighbouring residential properties or protected species.

(8) SITE WASTE MANAGEMENT

No development shall take place unless a matters specified in conditions application including a Site Waste Management Plan, detailing how construction-phase waste

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would be minimised and disposed of, has been submitted to and approved in writing by the planning authority.

Reason – in order to minimise waste at source on the construction site, in accordance with Scottish Planning Policy (paragraph 218).

(9) SURFACE WATER DRAINAGE

No development within any particular phase or block shall take place unless a matters specified in conditions application including a detailed scheme for surface water drainage for that particular phase or block has been submitted to and approved in writing by the planning authority.

Reason – in order to ensure adequate protection of the water environment from surface water runoff and to ensure that the site can be adequately drained without increasing flood risk.

(10) SAFE ROUTES TO SCHOOL

No development shall take place unless a matters specified in conditions application, including an assessment of, and scheme for securing, safe pedestrian routes to Aberdeen Grammar and Gilcomstoun Primary School (or such as other school as pupils from the site may be zoned to should circumstances change), has been submitted to and approved in writing by the planning authority. Thereafter no residential unit shall be occupied unless any associated work identified by the approved scheme to create the safe routes has been completed.

Reason - in order to promote sustainable and safe travel and ensure compliance with policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.

(11) RESIDENTIAL TRAVEL PACK

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

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

(12) ELECTRIC VEHICLE CHARGING POINTS

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No unit shall be occupied unless a matters specified in conditions application including:

- i. details of the type and location of electric vehicle charging points and bays;
- ii. markings and signage to identify the bays; and
- iii. a phasing plan for their provision, have been submitted to and approved in writing by the planning authority. Thereafter the charging points and bays shall be provided in accordance with the agreed phasing plan prior to the occupation

Reason – to provide for and encourage the use of electric vehicles.

(13) WATER EFFICIENCY STATEMENT

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

Reason – in order to help minimise water abstraction from the River Dee.

(14) LOW AND ZERO CARBON BUILDINGS

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

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

(15) WASTE-WATER CONNECTIONS

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

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

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(16) BAT SURVEY RECOMMENDATIONS

No development shall take place unless a matters specified in conditions application including details as to how the recommended measures in the approved Bat Survey would be implemented has been submitted to and approved in writing by the planning authority. Thereafter the works shall take place in accordance with the agreed details.

Reason: in order to adequately mitigate the impact of the development on bats, as a protected species.

(17) PROGRAMME OF ARCHAEOLOGICAL WORKS

No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority as part of a matters specified in condition application and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

(18) PHOTOGRAPHIC SURVEY

No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the planning authority. All external elevations of the buildings and structures together with the setting of the buildings and structures and any unusual features of the existing buildings and structures shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Monuments Record for Scotland and in the local Historic Environment Record.

(19) DISTRICT HEAT NETWORK CONNECTION

No development shall take place unless a matters specified in conditions application comprising a scheme for the connection of the development into the Aberdeen Heat

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and Power district heating network has been submitted to and approved in writing by the planning authority. Thereafter the works shall take place in accordance with the agreed scheme.

Reason: In order to maximise the potential for more sustainable heating provision, in accordance with Policy R8 (Heat Networks) of the Proposed ALDP.

DURATION OF CONSENT – DIRECTION

In accordance with the power granted to it under section 58 of the Town and Country Planning (Scotland) Act 1997, the planning authority direct that section 58(2) shall apply in respect of this planning permission, with the substitution of the period of three years with that of one year. This planning permission therefore lapses on the expiration of one year, beginning with the date on which the permission is granted, unless the development to which the permission relates is begun before that expiration.

The Committee heard from Alex Ferguson, Planner, who spoke in furtherance of the application and answered various questions from members. Scott Leitch, Team Leader, also provided a verbal update in regards to the proposed time limit period set out in the report.

The Committee resolved:-

- (i) to approve the application conditionally as set out in the report;
- (ii) to agree that the time limit direction set out in the report was to be removed, allowing the Planning Permission in Principle to revert to the standard three year period for the submission of applications for Matters Specified in Conditions. The 12 month period in which the affordable housing waiver applies following the date of the issue of Planning Permission in Principle will be set out in a clause within the associated Section 75 legal agreement; and
- (iii) to agree that an extra condition be added, to read:-

(20) FULL FIBRE BROADBAND

No unit shall be occupied unless a matters specified in conditions application detailing a scheme for the provision of a full fibre broadband connection to each flat for that phase or block has been submitted to and approved in writing by the planning authority. Thereafter the scheme shall be implemented as approved and all flats provided with a full fibre broadband connection.

Reason – in order to provide all flats with access to high-speed communications infrastructure, in accordance with the requirements of Policy CI1 (Digital Infrastructure) of the Aberdeen Local Development Plan.

10 THE CHANONRY ABERDEEN - 200391

5. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

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That the application for detailed planning permission for the alterations to convert to a single dwelling, erection of a single storey extension and installation of rooflights to the rear, alterations to windows and doors, alterations to boundary wall, alterations to the doors and partitions with associated works at 10 The Chanonry Aberdeen, be approved, subject to the following conditions:-

Conditions

1. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

2. No window installation shall take place until such time as the detail of the window on the west elevation at basement level, indicated on Drawing: A1466 02 05 REV E, in all its detail including 1:10 elevations, vertical and horizontal sections, has been submitted to and agreed in writing by the Planning Authority, thereafter the works carried out in accordance with the agreed details.

Reason: To ensure an appropriate design in the interest of preserving the special character and setting of the Listed Building and Conservation Area.

3. Construction of the hereby approved rear extension shall not begin unless a sample of all materials to be used on the external walls and roof of the extension has been submitted to and agreed in writing by the Planning Authority. Thereafter, the extension shall be constructed utilising the agreed materials, or others as agreed in writing by the Planning Authority.

Reason: In the interest of preserving the special character and setting of the Listed Building and Conservation Area.

4. That no development shall take place unless details of the finalised external wall finishes on the west elevation of the dwelling, after the removal of the cement render, have been submitted to and agreed in writing by the Planning Authority.

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Thereafter, development shall be carried out in accordance with the agreed details.

Reason: In the interest of preserving the special character and setting of the Listed Building and Conservation Area.

5. Prior to commencement of the following works, a detailed methodology for the formation of all new slappings should be submitted to and approved in writing by the Planning Authority. Thereafter, works shall be carried out in accordance with the agreed details.

Reason: In the interests of safeguarding the building's special architectural and historical interest.

6. That the removal of sections of granite wall from the rear elevation shall not be undertaken unless finalised details of the re-use of the granite on the site has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the details so agreed.

Reason: In the interests of retaining historic granite on the site and to ensure the special architectural and historic interest of the Listed Building would not be adversely affected.

The Committee heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered questions from members.

The Committee resolved:-

to approve the application conditionally.

LISTED BUILDING CONSENT, 10 THE CHANONRY - 200392

6. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for listed building consent for alterations to convert to a single dwelling, the erection of a single storey extension and installation of rooflights to rear, alterations to windows and doors, alterations to boundary wall; removal of cement render and internal alterations to doors and partitions with associated works at 10 The Chanonry, be approved subject to the following conditions:-

Conditions

- (1) No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of

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archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

- (2) No window installation shall take place until such time as the detail of the window on the west elevation at basement level, indicated on Drawing: A1466 02 05 REV E, in all its detail including 1:10 elevations, vertical and horizontal sections, has been submitted to and agreed in writing by the Planning Authority, thereafter the works carried out in accordance with the agreed details.

Reason: To ensure an appropriate design in the interest of preserving the special character and setting of the Listed Building and Conservation Area.

- (3) Construction of the hereby approved rear extension shall not begin unless a sample of all materials to be used on the external walls and roof of the extension has been submitted to and agreed in writing by the Planning Authority. Thereafter, the extension shall be constructed utilising the agreed materials, or others as agreed in writing by the Planning Authority.

Reason: In the interest of preserving the special character and setting of the Listed Building and Conservation Area.

- (4) That no development shall take place unless details of the finalised external wall finishes on the west elevation of the dwelling, after the removal of the cement render, have been submitted to and agreed in writing by the Planning Authority. Thereafter, development shall be carried out in accordance with the agreed details.

Reason: In the interest of preserving the special character and setting of the Listed Building and Conservation Area.

- (5) Prior to commencement of the following works, a detailed methodology for the formation of all new slappings shall be submitted to and approved in writing by the Planning Authority. Thereafter, works shall be carried out in accordance with the agreed details.

Reason: In the interests of safeguarding the building's special architectural and historical interest.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

2 July 2020

- (6) That the removal of sections of granite wall from the rear elevation shall not be undertaken unless finalised details of the re-use of the granite on the site has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the details so agreed.

Reason: In the interests of retaining historic granite on the site and to ensure the special architectural and historic interest of the Listed Building would not be adversely affected.

The Committee heard from Dineke Brasier, Senior Planner, who spoke in furtherance of the application and answered questions from members.

The Committee resolved:-

to approve the application conditionally.

FERRYHILL TAVERN, 124 SOUTH COLLEGE STREET ABERDEEN - 200094

7. The Committee had before it a report by the Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for detailed planning permission for the change of use from a public house (sui generis) to hot food takeaway (sui generis), alterations to the shop front and installation of ventilation and extraction system, at Ferryhill Tavern, 124 South College Street Aberdeen, be refused.

The Committee heard from Dineke Brasier, who spoke in furtherance of the application and answered various questions from members.

The Convener moved, seconded by the Vice Convener:-

That the application be approved conditionally for the following reasons.

It is acknowledged that there is a tension with policies T2, H1 and T3 of the Aberdeen Local Development Plan due to restricted on street parking for delivery drivers and customers, service vehicles and heavy traffic movement on South College Street. Nevertheless, it is considered that other material planning considerations such as the accessibility on foot of the property for customers from the immediately adjoining residential area and the increasing use of bikes and scooters to carry out deliveries would mitigate the traffic impact of the proposal. Furthermore, prospective traffic movement is considered not to be significantly greater than that generated by the pre-existing and consented use of the property as a public house and a restaurant respectively. These considerations, taken in conjunction with the weight to be given to bringing back into a viable use of a premises which has been empty for a significant length of time, and the contribution this would make to promoting sustainable economic growth in line with Scottish Planning Policy are considered, collectively, to be

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

2 July 2020

material planning considerations that weigh in favour of approval of the application in this instance.

Conditions:-

1. No works pursuant to the application hereby approved shall be undertaken on site, unless an augmented Noise Impact Assessment (NIA) in accordance with a methodology agreed in writing with this Council's Environmental Health Service has been approved in writing by the planning authority. Subsequently, prior to the commencement of the use, any noise mitigation measures proposed by the approved NIA should be implemented in full and demonstrated by verification in writing and demonstration of the installation by a professional noise consultant based on agreed inspection checks during and after work on site.

This NIA must:

- (i) Be in accordance with Planning Advice Note (PAN) 1/2011 Planning and Noise and its accompanying Technical Advice Note and demonstrate compliance with appropriate noise standards, including; BS4142:2014 and WHO Guideline Values for Community Noise.
- (ii) Identify all the likely noise sources associated with the proposed development and their impact on neighbouring properties
- (iii) Include comprehensive details of any necessary noise mitigation measures using best practical means, including physical noise insulation methods required to achieve compliance with relevant standards within the development to reasonably protect the amenity of the occupants of neighbouring properties

Reason: To ensure no adverse impact on the residential amenity of neighbouring properties.

2. That hot food shall not be sold from the premises unless a servicing and delivery management plan for the use hereby approved has been submitted to and approved in writing by the planning authority and unless the plan thereby approved is being implemented in full.

Reason: To ensure no adverse impact on local highway conditions.

3. That hot food shall not be sold from the premises other than during the hours from 11.00 am until 11.00 pm, Sundays to Thursdays inclusive, and during the hours from 11 am until midnight on Fridays and Saturdays, unless the planning authority has given prior written approval for a variation.

Reason: To ensure no adverse impact on the residential amenity of neighbouring properties.

Councillor Greig, moved as an amendment, seconded by Councillor Cooke:-
That the application be refused.

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

2 July 2020

On a division, there voted:- for the motion (8) – the Convener, the Vice Convener and Councillors Allan, Alphonse, Cooke, Copland, MacKenzie and Malik; for the amendment (1) – Councillor Greig.

The Committee resolved:-

to adopt the motion and therefore approve the application conditionally.

- **Councillor Marie Boulton, Convener**

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE BUSINESS PLANNER								
The Business Planner details the reports which have been instructed by the Committee as well as reports which the Functions expect to be submitting for the calendar year.								
Report Title	Minute Reference/Committee Decision or Purpose of Report	Update	Report Author	Chief Officer	Directorate	Terms of Reference	Delayed or Recommended for removal or transfer, enter either D, R, or T	Explanation if delayed, removed or transferred
		20 August 2020						
19 South Avenue	To approve or refuse the application.		Dineke Brasier	Strategic Place Planning	Place	1	D	Required to notify neighbouring properties following submission of amended drawings.
Tyrebagger Quarry	To approve or refuse the application.		Gavin Clark	Strategic Place Planning	Place	1	D	Delayed as waiting for the submission of further supporting information.
ARI Elective Care	To approve or refuse the application.		Gavin Evans	Strategic Place Planning	Place	1		
Berryden Corridor	To approve or refuse the application.		Matthew Easton	Strategic Place Planning	Place	1	D	High officer caseload, other major applications which were ready for committee were prioritised.
39 Bloomfield Road	To approve or refuse the application.		Dineke Brasier	Strategic Place Planning	Place	1	D	Further discussions in relation to potential amendments to drawings. Amended drawings have now been submitted, and a further notification of neighbouring properties is
		24 September 2020						
Committee Annual Effectiv	To present the annual effectiveness report for the Committee		Fraser Bell	Governance	Governance	GD7.5	D	Due to workload challenges with COVID-19.
Fransfield	To approve or refuse the application.		Gavin Clark	Strategic Place Planning	Place	1		
		05 November 2020						
City Centre Conservation Area Appraisal	To present the City Centre Conservation Area Appraisal		Claire McArthur	Strategic Place Planning		4		
		10 December 2020						
AD HOC REPORTS (CYCLE DEPENDENT ON REQUIREMENT TO REPORT)								

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

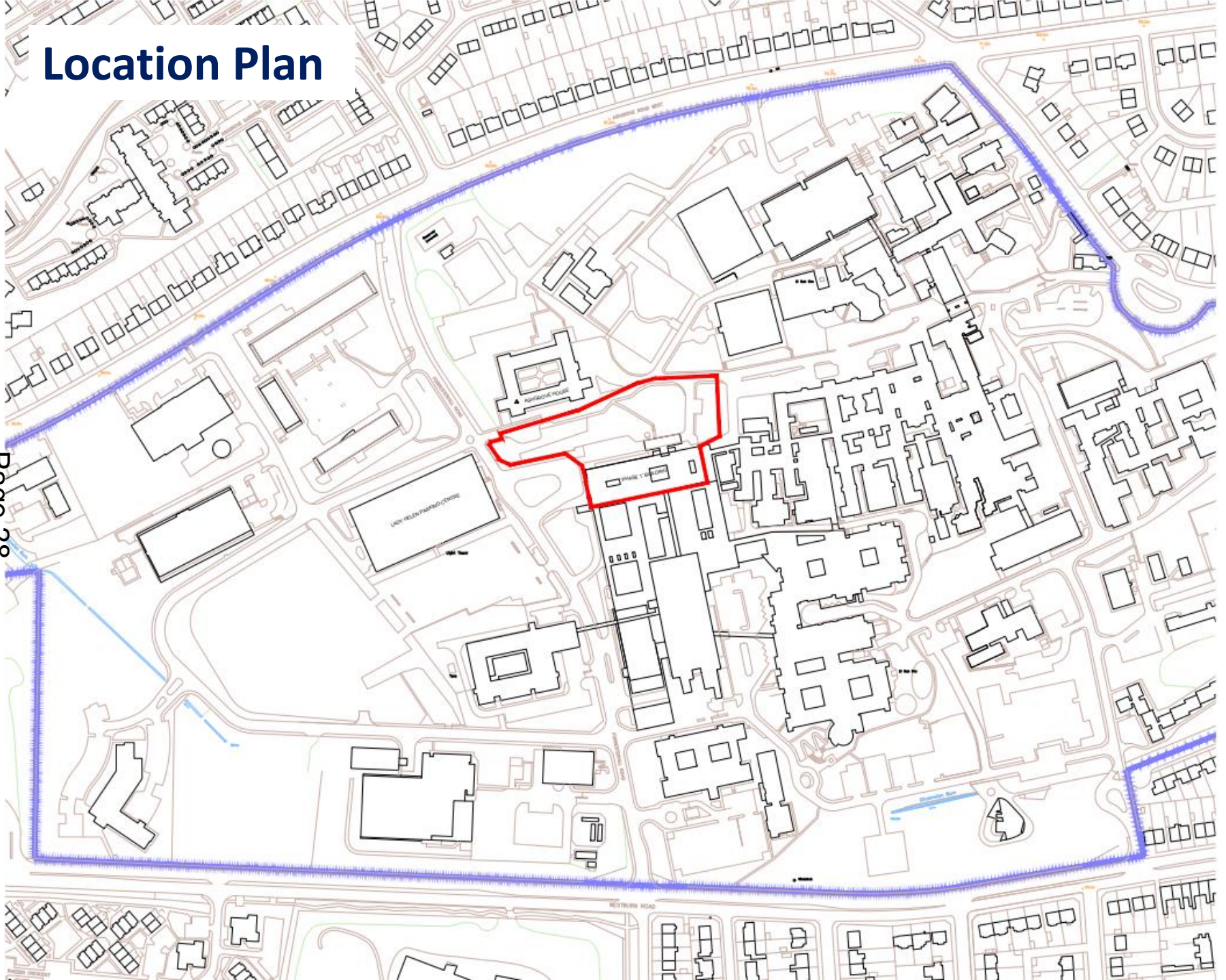


Erection of 4 storey Elective Care Centre with
associated external works

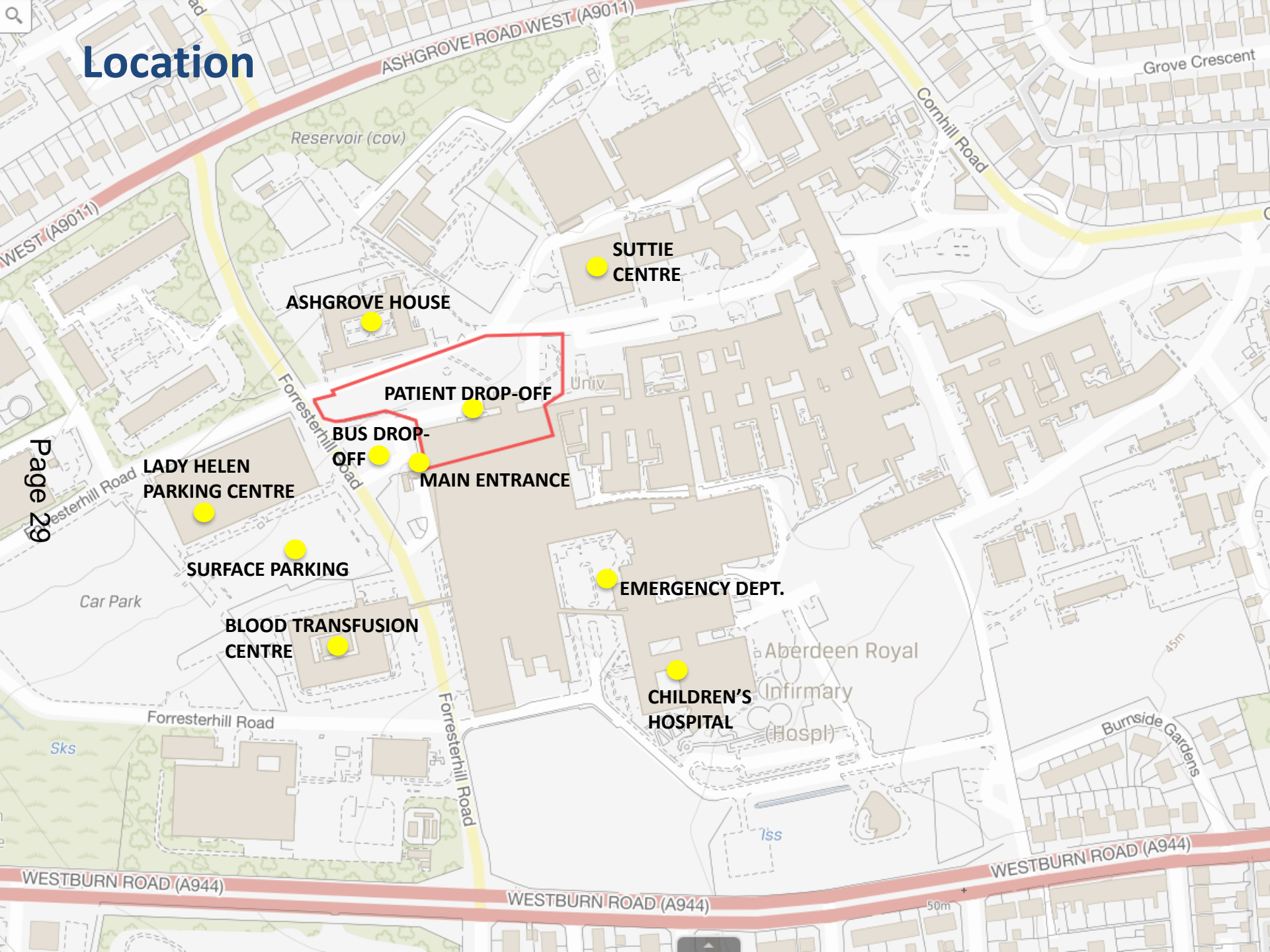
Land To East Of Lady Helen Parking Centre
Aberdeen Royal Infirmary, Foresterhill Road

Detailed Planning Permission
191896/DPP

Location Plan



Location



ASHGROVE HOUSE

SUTTIE CENTRE

PATIENT DROP-OFF

BUS DROP-OFF

LADY HELEN PARKING CENTRE

MAIN ENTRANCE

SURFACE PARKING

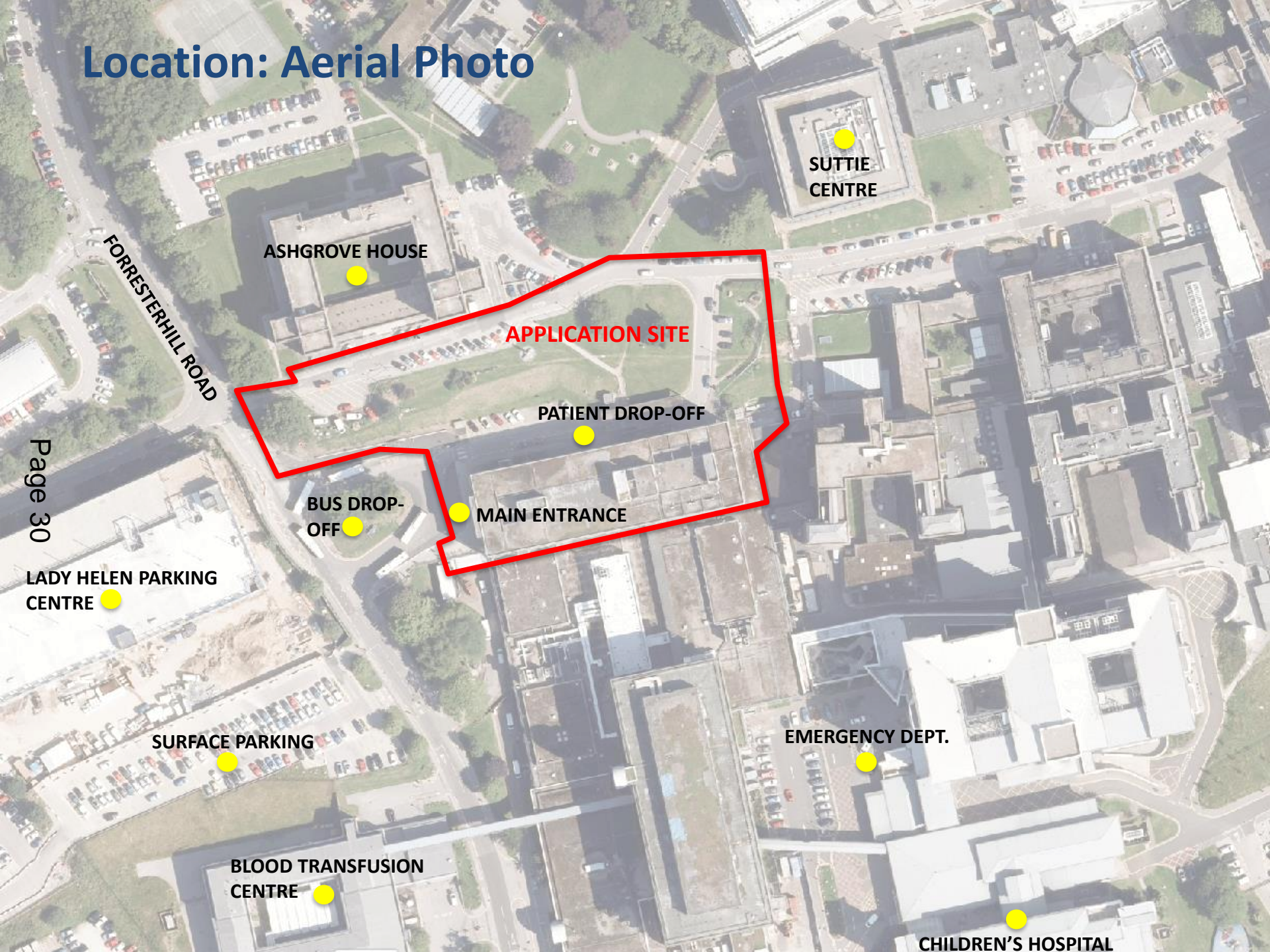
EMERGENCY DEPT.

BLOOD TRANSFUSION CENTRE

CHILDREN'S HOSPITAL

Aberdeen Royal Infirmary (Hospit)

Location: Aerial Photo



ASHGROVE HOUSE

SUTTIE CENTRE

APPLICATION SITE

PATIENT DROP-OFF

BUS DROP-OFF

MAIN ENTRANCE

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LADY HELEN PARKING CENTRE

SURFACE PARKING

EMERGENCY DEPT.

BLOOD TRANSFUSION CENTRE

CHILDREN'S HOSPITAL

FORRESTERHILL ROAD

Photos – Site from top of multi-storey car park

Ashgrove House

Phase 1 building

Patient drop-off

Bus drop-off

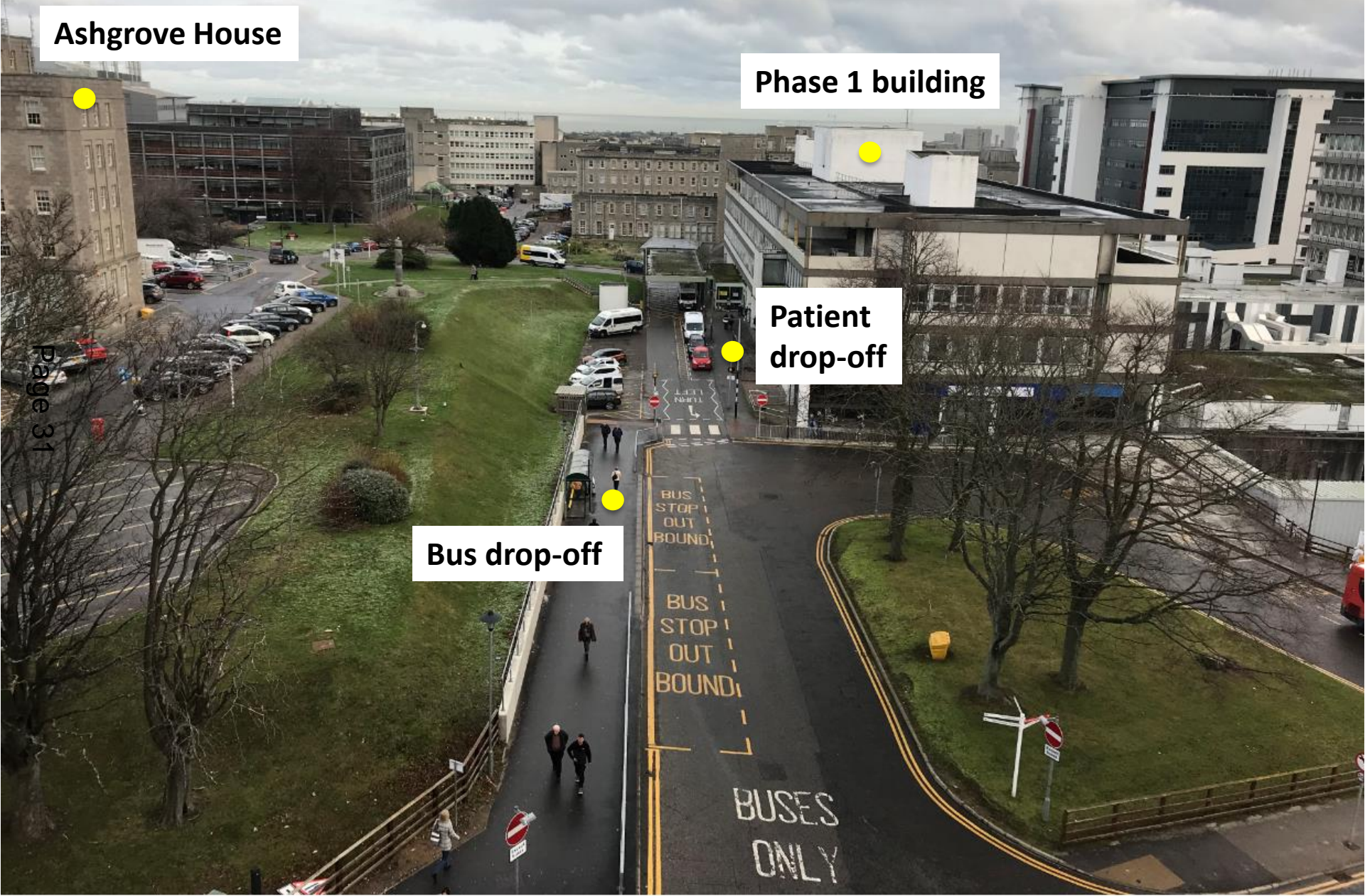
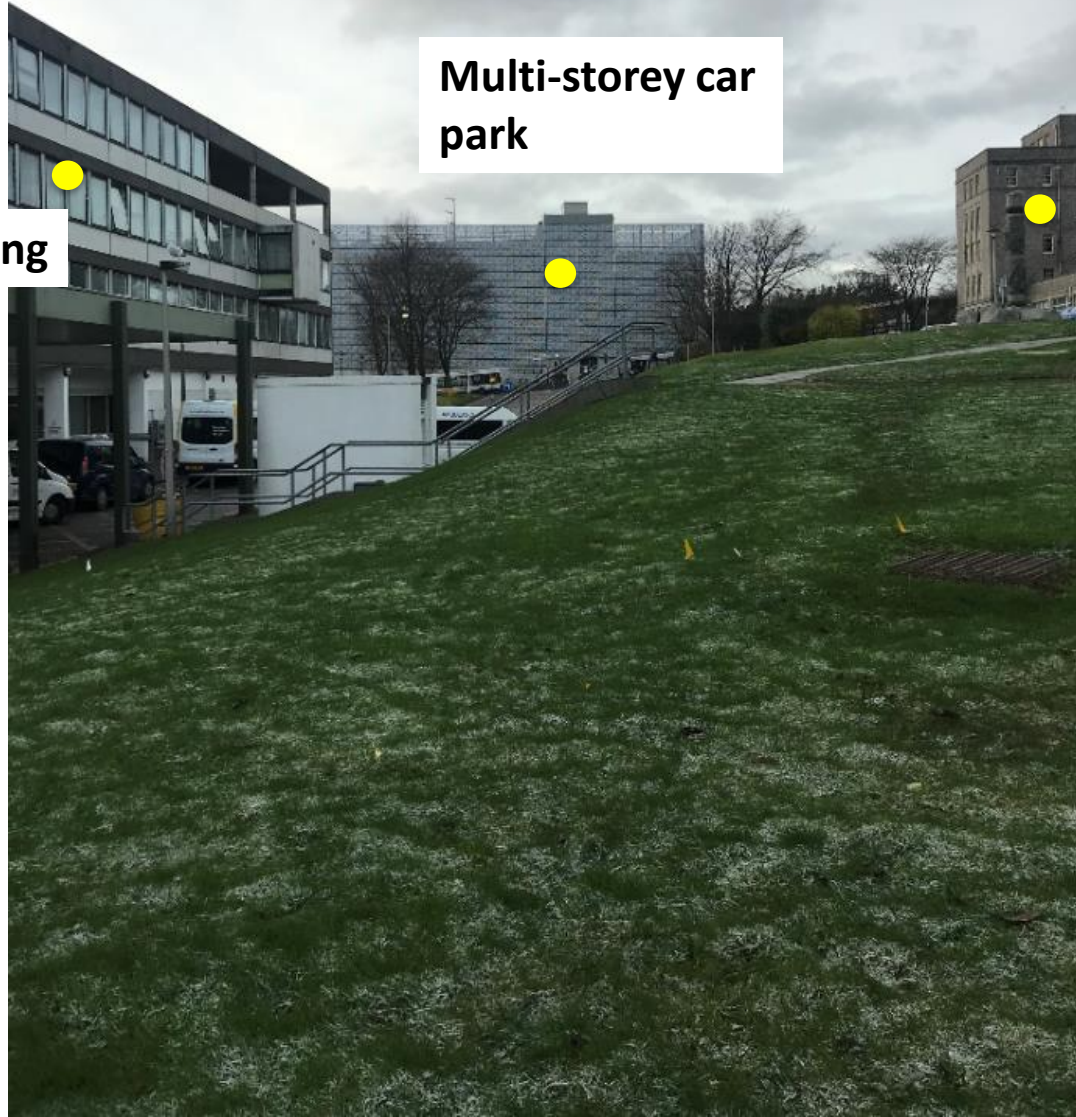


Photo – looking W across site



Phase 1 building

Multi-storey car
park

Ashgrove House

Photo – N elevation of phase 1 building



Photo – Ashgrove House from Foresterhill Rd



Photos – Ashgrove House from Phase 1 entrance



Photos – Lady Helen Parking Centre

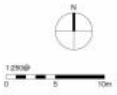


Site Plan: Proposed

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3. All site dimensions and levels to be checked by contractor prior to order of materials.



P01 Cycle storage provision confirmed
Rev Description

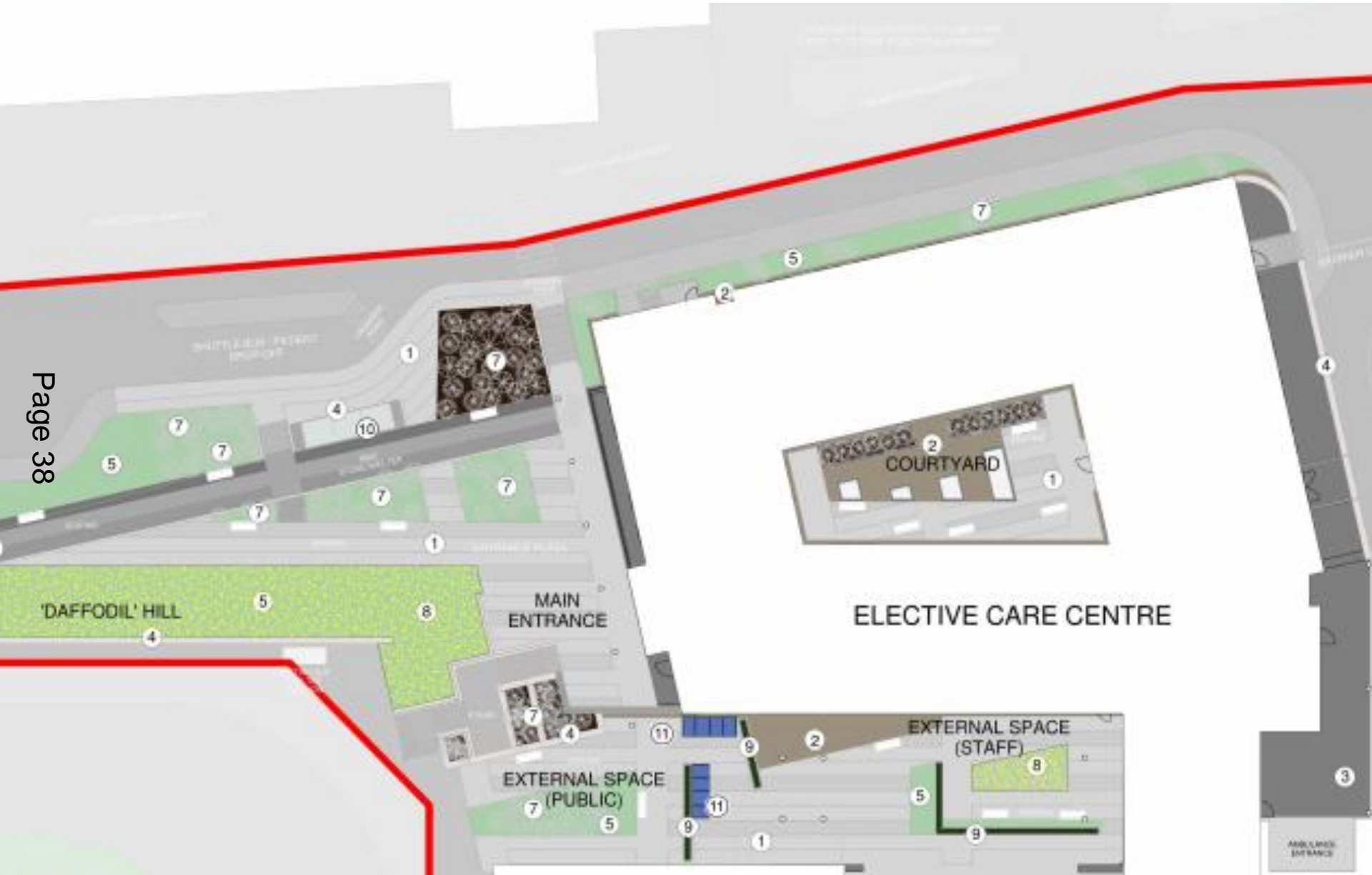


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Landscape Legend

Site Plan – closer view

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Visualisation – looking from multi-storey car park



Visualisation – approach to main entrance





Visualisation – from bus drop-off / Phase 1 block entrance

Visualisation – from patient drop-off



Visualisation – from service area to rear / east



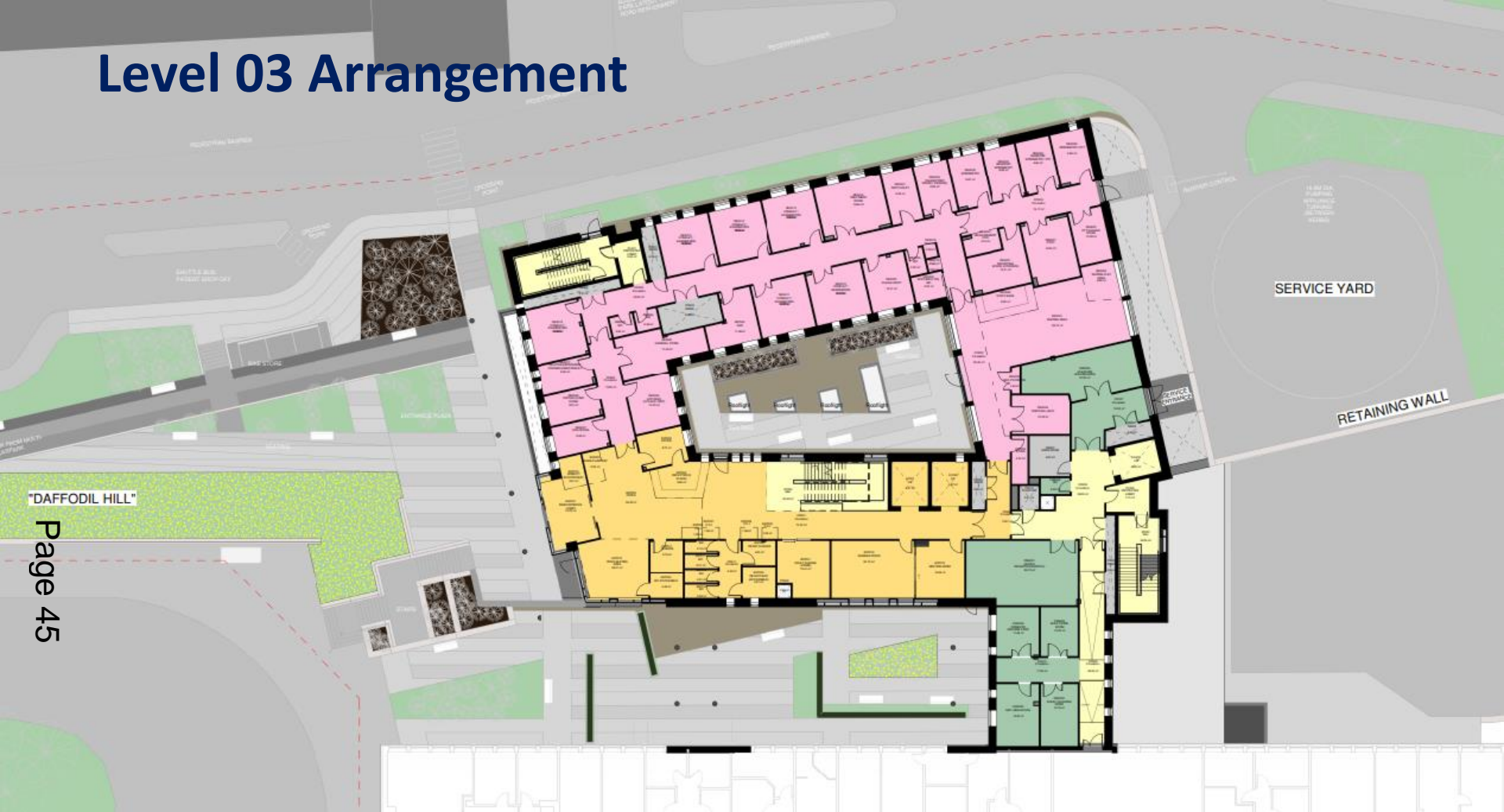
Level 02 Arrangement



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- Scanning and Imaging services
- Staff room, with access to dedicated outdoor space
- Facilities management areas and plant rooms
- Ambulance bays / turning area to rear

Level 03 Arrangement

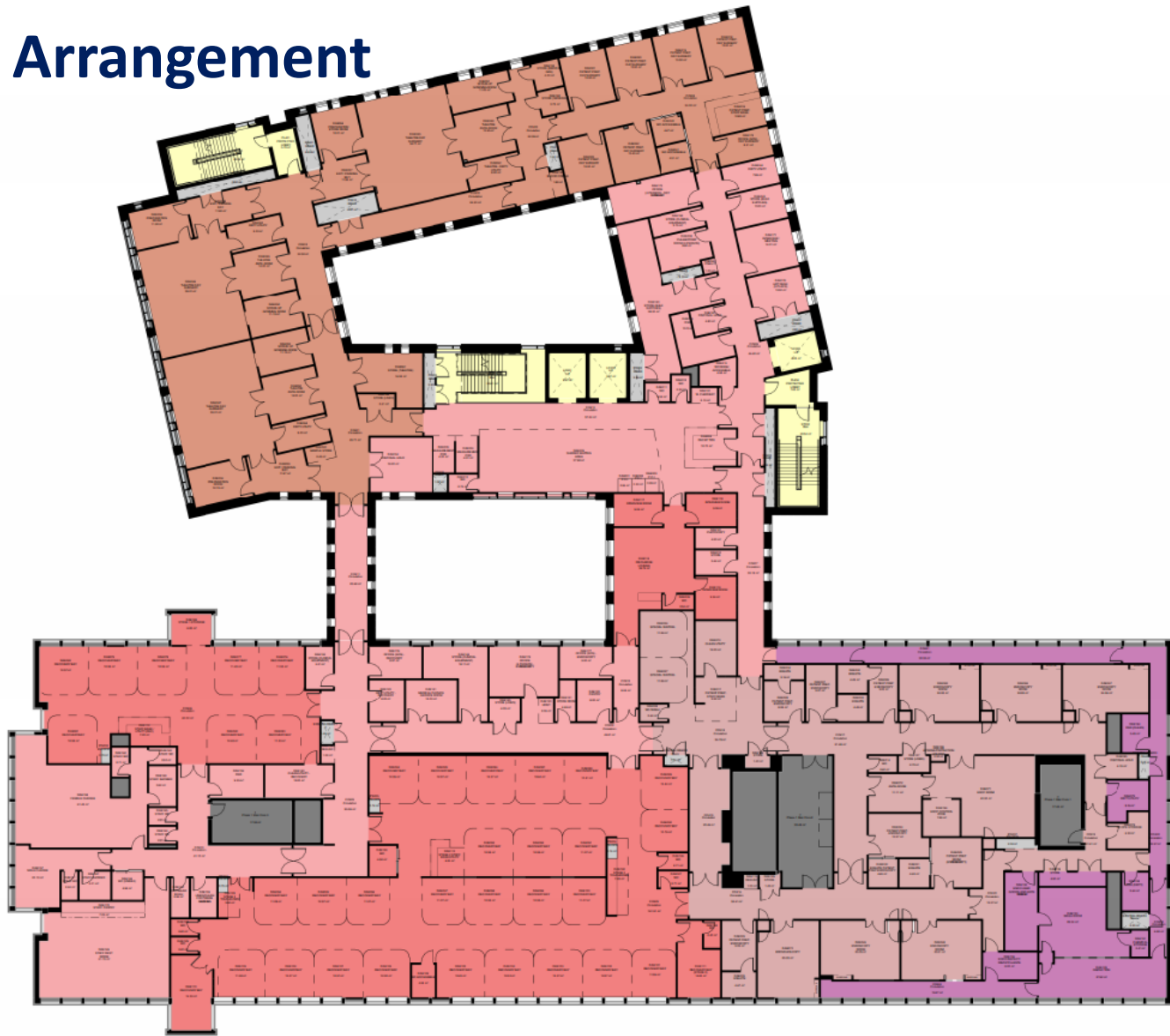


"DAFFODIL HILL"

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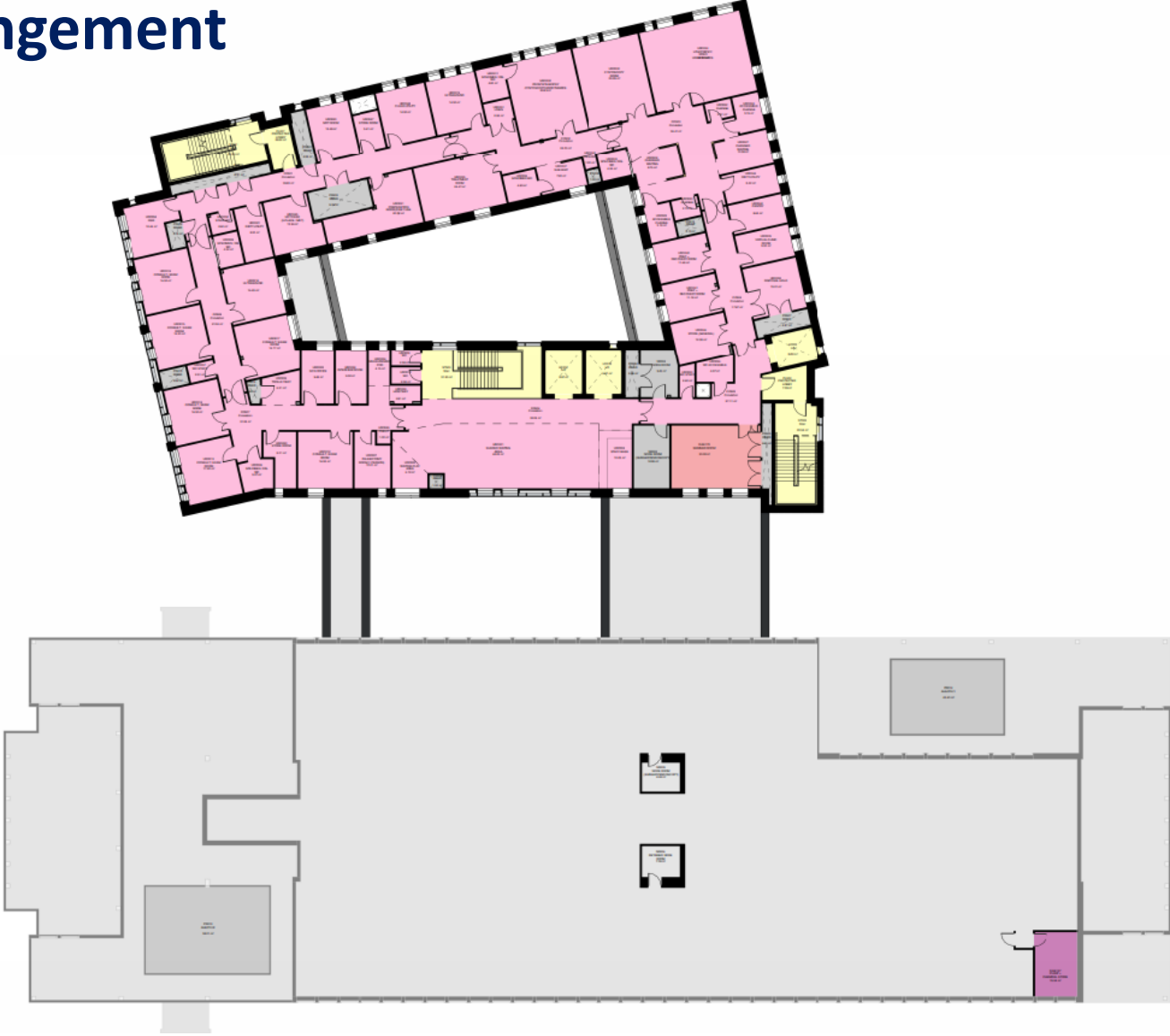
- Ground level access from W elevation, via landscaped pedestrian plaza
- Reception / Foyer areas, along with shared outpatients department space
- Facilities management areas associated with entrance from service yard to rear
- Central courtyard space with seating, rooflights allow light to penetrate down to scanning/imaging waiting rm below

Level 04 Arrangement



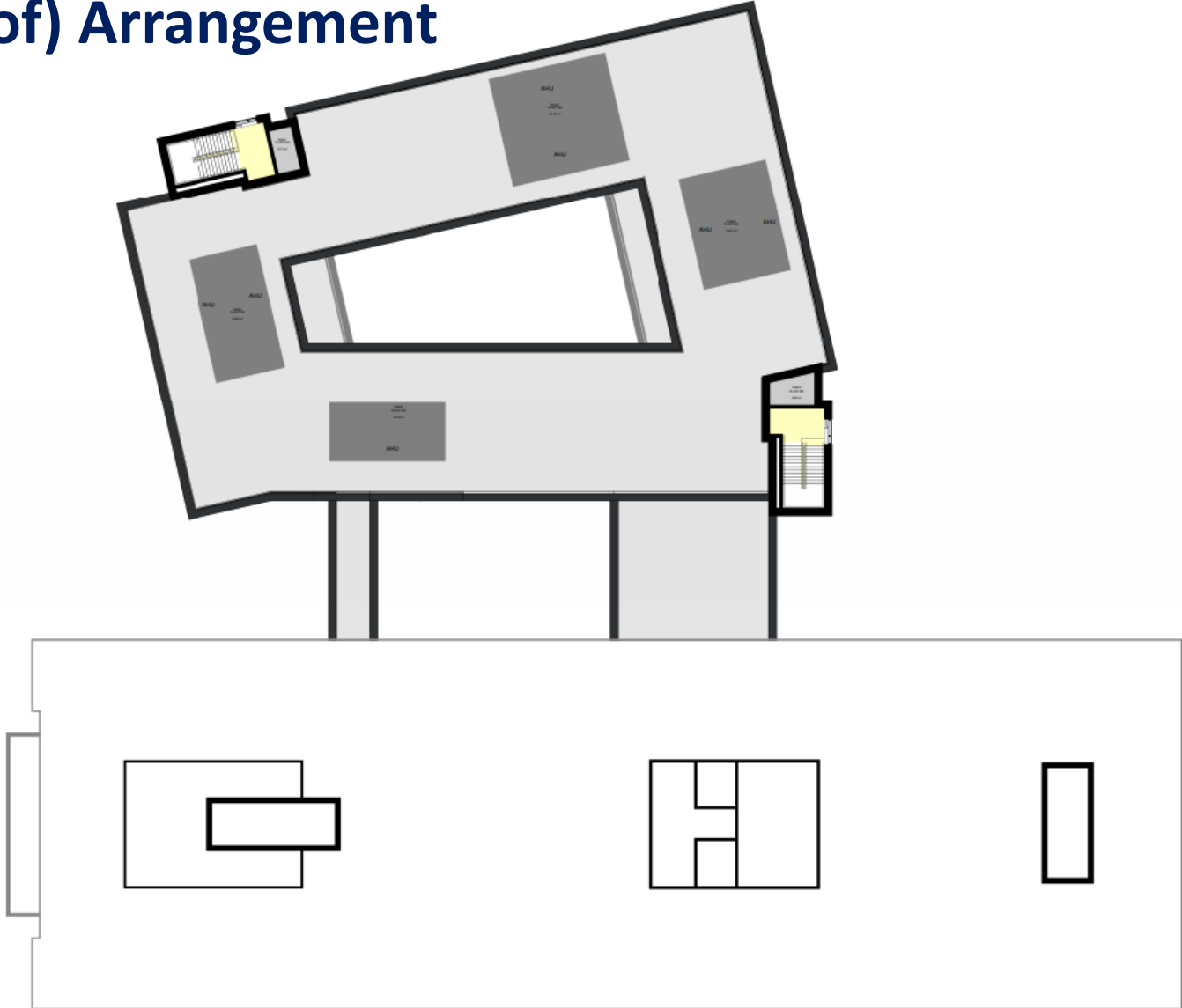
- Day surgery and Endoscopy depts, including recovery spaces and discharge lounge
- Staff change and rest facilities

Level 05 Arrangement



- Urology outpatient dept

Level 06 (Roof) Arrangement



- Rooftop plant rooms
- Stair access

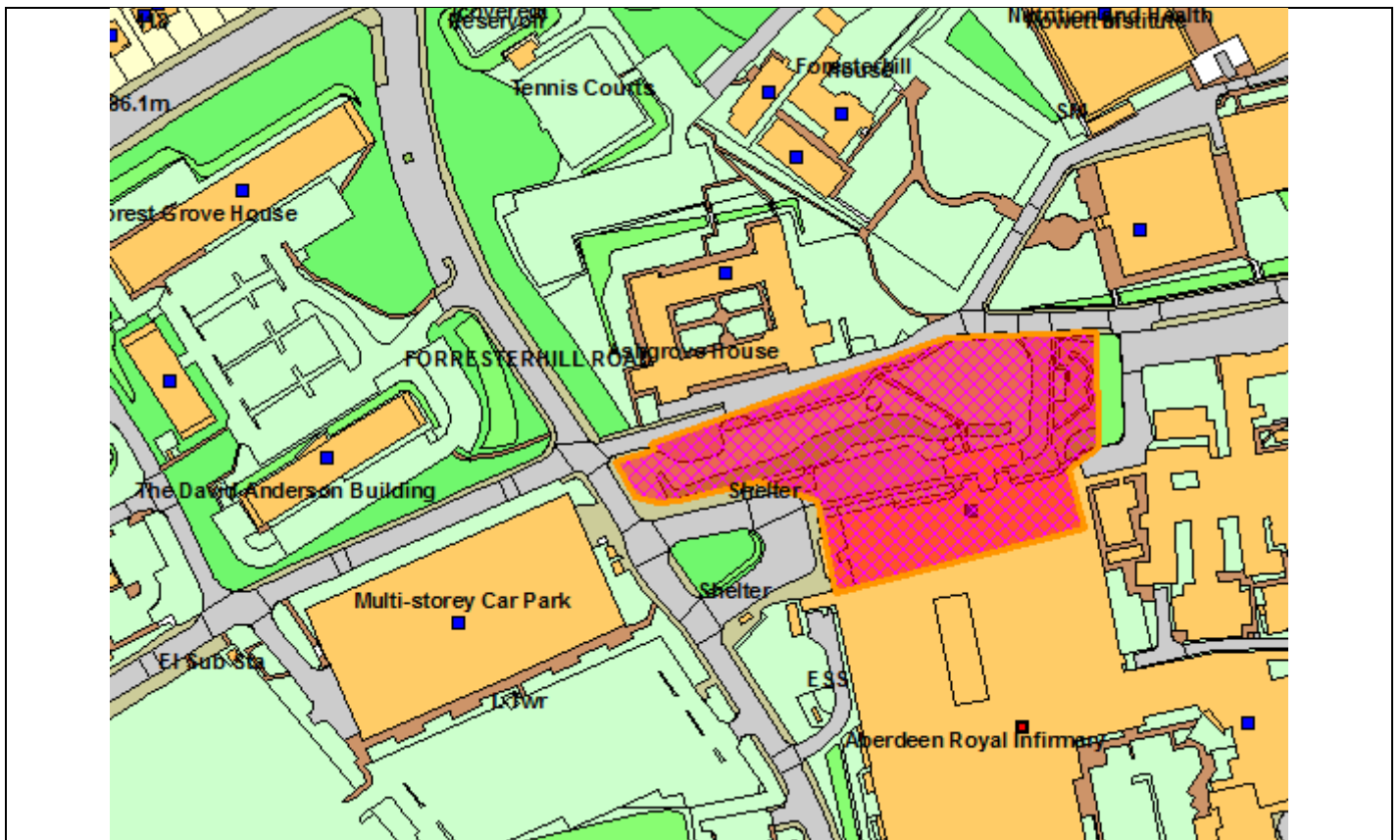


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20th August 2020

Site Address:	Land to East Of Lady Helen Parking Centre, Aberdeen Royal Infirmary, Foresterhill Road, Aberdeen AB25 2ZN
Application Description:	Erection of 4 storey Elective Care Centre with associated external works
Application Ref:	191896/DPP
Application Type	Detailed Planning Permission
Application Date:	23 December 2019
Applicant:	NHS Grampian
Ward:	Mid Stocket/Rosemount
Community Council:	Rosemount And Mile End
Case Officer:	Gavin Evans



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site, which extends to approximately 0.9ha (9,000sqm) forms part of the Foresterhill Health Campus, and is located immediately to the north of Phase 1 (Ward Block) building which incorporates the main entrance to Aberdeen Royal Infirmary. This block is understood to date from the 1960s, and non-emergency ambulance access is provided for along the north side of the building, with covered patient drop-off facilities mid-way along that northern elevation. A one-way system regulates access, with vehicles arriving to and departing from the northern end of the building via a loop connecting to Foresterhill Road, to the east. The application site comprises elements of both the existing Phase 1 Ward Block building and the current open space / parking area immediately to the north.

A bus drop-off and turning area, accessed via Foresterhill Road, serves the Foresterhill Health Campus, and is located to the south-west of the site, providing drop-off and pick-up close to the main entrance.

The recently constructed Lady Helen Parking Centre offers multi-storey car parking facilities to the west of the site.

Relevant Planning History

Application Number	Proposal	Decision Date
190993/PAN	Redevelopment of site for a major development consisting of the proposed erection of an Elective Care Centre with associated external works	28.06.2019 Status: Further Consultation Required
180778/MSC	Approval of various matters specified in conditions pertaining to Planning Permission in Principle reference P151491, for the erection of the Baird Family Hospital and Anchor Centre	30.11.18 Status: Approved Conditionally
170573/MSC	Approval of various matters specified in conditions pertaining to Planning Permission in Principle reference P151491 for the erection of the Baird Family Hospital and the Anchor Centre at Foresterhill Health Campus	30.11.2018 Status: Approved Conditionally
151988	Detailed Planning Permission for: The erection of a 6/7 storeys new Multi-Storey Car Park and adjustments to facilitate entry and exit the MSCP and public realm works leading from the MSCP to the Hospital Entrance	12.08.2016 Status: Approved Conditionally
151491	Planning Permission in Principle for: Erection of The Baird Family Hospital and The Anchor Centre at Foresterhill Health Campus	17.11.2016 Status: Approved Conditionally

APPLICATION DESCRIPTION

Description of Proposal

This proposal involves the construction of an extension to the existing 'Phase 1' ward block at Aberdeen Royal Infirmary, along with associated service yard, ambulance parking bays and turning spaces, and hard and soft landscaping. The proposed extension is described as an 'Elective Care Centre', and the applicants' submissions set out how it is intended to provide day patient services for a number of surgical and medical specialities by providing day-case procedures/surgery along with a dedicated endoscopy unit in a single facility. The Elective Care Centre would be capable of providing 'one stop' clinics for Urology, Respiratory and Dermatology, along with outpatient imaging services and teaching and meeting accommodation. The applicants highlight that most of the services contained within the proposed extension would be relocating from other locations within the Foresterhill Health Campus.

The proposed building provides accommodation across four floors, arranged around a central courtyard space and with a hard and soft landscaped pedestrian plaza leading up to the main entrance in the building's eastern elevation. Due to the change in ground levels, the lowest level sits below that of the main entrance, and the building's southern face opens out onto a lower level area of hard and soft landscaped open space for staff use. The Elective Care Centre would be linked to the existing and immediately adjacent Phase 1 building to the south, by a single level bridge link and a further link across three floors, providing a link between the existing building and the extension across ground, first and second floors. To the east of the building are located 'back of house' facilities including a service yard and spaces for ambulance drop-off and turning, as well as space set aside for the relocation of generator(s). Existing patient drop-off facilities would be relocated to an area just south of Ashgrove House, offering convenient access to the main entrance of the proposed Elective Care Centre.

Materials proposed include white render alongside a contrasting coloured render, with grey facing brick used at base course and ground floor levels. Coloured wall cladding panels would be used, most extensively in the main western elevation, with ground floor accommodation in this part of the building also set-back to create a colonnade. The design features an irregular window arrangement, which is influenced by the wide range of services contained within the building and their differing clinical needs. Externally, areas of hard landscaped open space and the main approach to the entrance would be finished in a textured paving, with areas of new planting and hedging indicated.

This proposal represents a 'Major' application in terms of the relevant development hierarchy, meaning that statutory requirements for pre-application consultation and submission of a Proposal of Application Notice (PoAN) prior to submission of this application applied.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2TPOPBZM6000>

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because

the proposal is within the major category of development, as defined by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

Pre-Application Consultation

The applicant undertook statutory pre-application consultation which included a Public event, in the form of an exhibition and 'drop in' session, that took place between 2pm and 8pm on Wednesday 21st August 2019 at the Westburn Outdoor Centre. This event was advertised in advance through publication of a notice in the Press and Journal newspaper, with copies of that notice also sent to local ward members and the local Rosemount and Mile-End Community Council.

Copies of the notice were also displayed at various locations in the local community, including schools, libraries, medical centres, churches, community centres and shops. In addition, a letter drop was undertaken to nearby addresses, based on a list provided by the Planning Service in response to the Proposal of Application Notice. Details of the feedback received are included in the Pre-Application Consultation (PAC) Report which forms part of this application.

The applicant presented the proposals to the Pre-Application Forum on 15th August 2019.

CONSULTATIONS

ACC - Roads Development Management Team (RDM) – No objection. Highlight the existing pedestrian, cycle and public transport connections available in the surrounding area, noting that the site is accessible by various means. As regards on-site parking, RDM note that 21no. spaces would be removed to allow for the proposed development, but note that information provided by NHS Grampian indicates that the existing multi-storey car park operates at approximately 60% capacity and can therefore compensate for the removal of those spaces. RDM note also that there is no specific increase in staff numbers and there may be a degree of trip reduction due to the anticipated efficiencies in clinical appointments.

Note that additional cycle parking has now been provided, suitable for short and long-stay use, and that staff change/shower facilities are available within the building and within the wider hospital estate.

In terms of impact on the local roads network, RDM note that there is no increase in staff numbers and that this proposal involves the relocation of other services from within the wider hospital estate. It is recognised that NHS Grampian undertake an annual review of their existing Foresterhill Campus Travel Plan, which would include consideration of the proposed new development in due course.

ACC - Environmental Health – No observations to make.

ACC - Waste Strategy Team – Provides general advice on commercial waste arrangements, noting that business premises require stores for refuse and recycling bins, with a specified area of hardstanding for collection, with dropped kerb and yellow lines. Ideally such areas should also provide a gulley and wash-down facility.

Scottish Water – No objection. Advise that there is currently sufficient capacity at the Invercarnie Water Treatment Works and Nigg Waste Water Treatment Works to accommodate the proposed development, however capacity cannot be reserved and applicants will be required to make a formal connection application to Scottish Water.

Police Scotland – Notes that the site is in a low to medium crime area, and that the open access of hospital environments can render them vulnerable to crime. Recommends that ‘Secured by Design’ award is sought as this would demonstrate that safety and security have been proactively considered and that the development would meet high standards in these respects.

ACC - Developer Obligations – No necessary contributions identified. Note that any transportation contributions would be advised separately by the Roads Development Management Team.

Aberdeen International Airport – No objection. In order to address safeguarding potential safeguarding conflicts, recommend that a condition be attached securing the submission of a Bird Hazard Management Plan, for agreement with the planning authority in consultation with Aberdeen Airport.

AIA also draw attention to best practice relating to the use of cranes in construction near aerodromes.

Scottish Environment Protection Agency – Request that a condition securing submission and agreement of a site-specific pollution prevention plan be applied to any grant of planning permission. Should such a condition not be applied, SEPA’s response should be treated as an objection. Further commentary is offered on potential environmental enhancements as part of the detailed design, including the scope for use of solar panels or a green roof, provision of cycle parking and shower facilities etc.

ACC - Structures, Flooding and Coastal Engineering – No objections.

Rosemount and Mile End Community Council – No response.

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

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

National Planning Policy and Guidance

Scottish Planning Policy (SPP)

Aberdeen City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region’s built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP may also be a material consideration. The Proposed SDP constitutes the settled view of the Strategic Development Planning Authority (and both partner Councils) as to what should be the final content of the next approved Strategic Development Plan. The Proposed SDP was submitted for Examination by Scottish Ministers in Spring 2019, and the Reporter has now reported back. The Scottish Ministers will consider the Reporter's Report and decide whether or not to approve or modify the Proposed SDP. The exact weight to be given to matters contained in the Proposed SDP in relation to specific applications will depend on whether:

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

Aberdeen Local Development Plan (2017)

- Policy D1: Quality Placemaking by Design
- Policy D2: Landscape
- Policy I1: Infrastructure Delivery and Planning Obligations
- Policy T2: Managing the Transport Impact of Development
- Policy T3: Sustainable and Active Travel
- Policy CF1: Existing Community Sites and Facilities
- Policy NE5: Trees and Woodlands
- Policy R6: Waste Management Requirements for New Development
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. 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. The relevant policies related to this proposal area as follows:

Policy NE4 - Our Water Environment

Policy NE5 - Trees and Woodland

Policy D1 - Quality Placemaking

Policy R5 - Waste Management Requirements from New Developments

Policy R6 - Low and Zero Carbon Buildings and Water Efficiency
Policy CF1 - Existing Community Sites and Facilities
Policy I1 - Infrastructure Delivery and Planning Obligations
Policy T2 - Sustainable Transport
Policy T3 - Parking
Policy B3 - Aberdeen International Airport and Perwinnes Radar

Supplementary Guidance and Technical Advice Notes

- Transport and Accessibility;
- Planning Obligations;
- Landscape;
- Green Space Network and Open Space;
- Trees and Woodland;
- Flooding, Drainage and Water Quality.

EVALUATION

Principle of Development

The application site is located within the wider Foresterhill Health Campus, which is identified in the Aberdeen Local Development Plan (ALDP) as a CF1 area, representing 'Existing Community Sites and Facilities'. The areas to the north and south of the Foresterhill Campus are established residential communities, as reflected in their H1 (Residential Areas) zoning, however it is noted that the location of the proposed works is right at the centre of the hospital site, and is circa 200m from the nearest residential properties, on Ashgrove Road West to the north.

Policy CF1 sets out that existing healthcare sites shall be used primarily for healthcare and/or related medical and educational purposes, and that proposals for new or extended uses of this type will be supported in principle. On that basis, the Development Plan offers support for the expansion of the hospital facilities on this site, and the principle of development is accepted. It follows that the acceptability of any proposal will be determined by the detailed consideration of its layout, design and other material considerations.

Accessibility and Transport Impact

The proposal involves the construction of a significant extension within the already densely developed Foresterhill Health Campus. Policy T2 (Managing the Transport Impacts of Development) requires that new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel. To this end, a Transport Statement was provided in support of the application, setting out existing transport infrastructure available for motorised and non-motorised travel, including public transport options, parking provision on-site and impact on the local road network.

This assessment highlights that the services to be provided within the proposed Elective Care Centre are already located elsewhere within the Foresterhill Campus, in a variety of locations, however patients are often required to make separate trips to access those services individually. By consolidating these services into a single facility, it is intended that patients may visit more than one clinic as part of a single visit, thus reducing the number of trips required overall. It is noted also that there is no specific increase in staff numbers proposed at the Foresterhill Campus as a result of this proposal.

The assessment also describes the existing traffic signals at the Ashgrove Road West / Foresterhill Road junction, which are not fixed time signals and can operate 'on demand', thereby

reducing queueing and associated delay and keeping traffic flowing. The traffic signals at the Westburn Road / Foresterhill Road junction operate as part of a co-ordinated system whereby other signals in the area are connected together and can respond continuously to traffic flow fluctuations in a co-ordinated way. Taking these matters into account, the Council's Roads Development Management Team has expressed satisfaction that there is no concern in relation to additional trip generation as a result of the proposed development.

There is an established network of pedestrian footpaths throughout the Foresterhill Campus, which in turn connects with the public footpaths on Ashgrove Road West to the north and Westburn Road to the south. New linkages would be made to this network of routes in order to integrate the development into the hospital campus and facilitate straightforward access for patients, staff and visitors. There are existing signalised crossing points at either end of Foresterhill Road, with various zebra crossings, dropped kerbs crossing points etc within the private extents of the hospital grounds. Recommended on-street cycle routes exist along Foresterhill Road and Ashgrove Road West, with designated on-street cycle lanes present to the south. The Council's Roads Development Management Team response highlights that the Foresterhill site is served by a number of existing bus services which are routed through the site, in addition to bus stops located at the main entrance to the campus on Westburn Road. Recent revisions to the plans have also identified provision for additional cycle parking, suitable for both short and long-stay use, as part of the proposal. Staff shower facilities are also available for those opting to cycle-commute. The submitted Transport Statement draws attention to NHS Grampian's existing Travel Plan for the Foresterhill Campus, most recently updated in 2019. It is understood that this document is updated annually and will be updated in due course as part of that annual review to take account of the proposed new Elective Care Centre. Taking these matters into account, it is considered that the proposed development would be accessible by a range of transport modes, with opportunities for sustainable and active travel, consistent with the aims of Policy T3 (Sustainable and Active Travel).

The proposed development would result in the removal of a 21 existing surface car parking spaces, with no new provision made as part of the proposal. The applicants have drawn attention to the adjacent multi-storey car park and have provided further information which indicates that this facility is presently operating at approximately 60% capacity at its busiest times, which equates to circa 500 spaces being available within the 1200-space car park at any given time. This is considered to amply compensate for the 21 spaces removed to facilitate the development, particularly in the context of no additional staff or wholly new services being provided on-site. Having regard for these matters, it is considered that the proposal demonstrates compliance with policy T2 (Managing the Transport Impact of Development) of the ALDP.

Design matters

The proposed development is located at the heart of the Foresterhill Campus and its immediate context is consequently dominated by other hospital buildings of varying ages, which are generally utilitarian in form. The submitted Design Statement sets out how the design evolved through early collaboration with the clinical teams that would be brought together within the new facility, which will extend from a reconfigured level 4 in the existing Phase 1 building across into the proposed new building. The Phase 1 building dates from the 1960s and its western elevation currently serves as the 'front door' to Aberdeen Royal Infirmary. Non-emergency ambulance access is to the northern side of the Phase 1 building. The recently constructed Lady Helen Parking Centre is to the west of the site, whilst to the north is the 1930s Ashgrove House, a granite building of a more traditional style in line with the original hospital buildings at Foresterhill. In terms of scale and building heights, these range from 4 storeys with rooftop plant at the Phase 1 building to 5 storeys plus plant level at Ashgrove House, with the neighbouring Lady Helen Parking Centre reaching 6 storeys (with parking and stair enclosure at roof level).

In this context, the scale of the proposed 4-storey elective care centre would be consistent with its

surroundings and would not appear unduly large or prominent. The Design Statement refers to the importance of making the building easy to find and access for both patients and staff, facilitating intuitive wayfinding and recognising that patients may be moving around the building to attend several services in a single visit. The importance of staff rest areas, facilities suitable for long-stay cycle parking and accessibility from public transport services area also highlighted.

This is manifested in the building's design through its orientation to present its public elevation to face west onto Foresterhill Road, with the frontage slightly angled to face towards the existing bus drop-off facility that sits to the west of the Phase 1 block. The change in levels presents a challenge, however level access is provided from a landscaped pedestrian plaza at the frontage of the building, allowing easy access from the nearby Lady Helen Parking Centre. There is a connection from the proposed Elective Care Centre to the existing Phase 1 building across 3 levels at the eastern end of its southern elevation, with a further single-level bridge link towards the western end. Stairs would lead down from the main entrance to the bus drop-off loop, reflecting the change in levels, however this could also be accessed at ground level by taking a less direct route. This plaza, which also includes various opportunities for seating and the reinstatement of the existing daffodil slope within the landscaped areas, would provide a sense of arrival and is considered to be 'welcoming' in terms of assessing the proposal against policy D1 (Quality Placemaking by Design).

In plan form, the building is arranged around a central courtyard space, to which public access is intended. A second external courtyard space would sit between the new Elective Care Centre and the Phase 1 building, including both external spaces for both public and staff use, with associated seating and hard and soft landscaping. These latter courtyard spaces sit at a lower level than the pedestrian plaza at the frontage of the Elective Care Centre, with the area for public use immediately next to the bus drop-off loop, offering a convenient and welcoming place to linger. The presence of these courtyard spaces in the building design allows a high level of natural light to be drawn into the building, and enables all consulting rooms to have a window.

The materials proposed in the elevational treatment of the building are consistent with those used in other recent additions within the Foresterhill campus, as well as the consented Baird Family Hospital and ANCHOR Centre, with smooth white render used alongside a contrasting coloured render, grey brick base course and coloured wall cladding. The main public elevation to Foresterhill Road utilises a curtain walling system, set within a rendered frame and utilising vertical streaks of coloured cladding material to add interest and distinctiveness. The ground floor level is set back from the upper floors to create a colonnade which further emphasises the principal elevation and point of arrival. The use of a more robust grey brick at basecourse level is appropriate, with the main entrance identifiable through a splash of colour and an area of extensively glazed frontage. Secondary elevations are generally plainer, with more restrained use of colour and glazing. The submitted design statement highlights that the irregular arrangement of windows within elevations is largely a result of the wide variety of services housed within the building and their differing clinical needs. Given the relative wide variety in the built form within the wider hospital campus, this would not be incongruous, and would add to the interest and distinctiveness of the building, such that wayfinding is made easier for patients and visitors navigating the campus. In terms of flexibility and adaptability, the applicants' submissions note that the construction of the building using an internal framing system means that internal walls are largely lightweight and non-load-bearing, meaning that the internal accommodation can be rearranged without major structural intervention should operational needs change in future.

Taking account of these points, it is considered that the proposal demonstrates due regard for its context within the wider hospital estate, and accords with the six essential qualities outlined by policy D1 (Quality Placemaking by Design) of the ALDP.

Landscape and Trees

There are no notable trees within the immediate vicinity of the building itself, however a small number of existing trees are located within the wider application site. The submitted plans refer to these being retained where possible, however it will be necessary to secure a scheme of tree protection measures to safeguard these specimens during construction and, where it is not practicable to retain any of those specimens, secure appropriate replacement planting in mitigation. As hard and soft landscaped areas form part of the proposal, it will be necessary to secure a detailed scheme of landscaping, including details of the location, size and species of any new trees or shrub planting. Suitably worded planning conditions can secure this further information and ensure that planting is carried out at an appropriate time following completion of the construction works. Subject to these matters being addressed by planning conditions, the proposed development would comply with policy NE5 (Trees and Woodlands) of the ALDP. The wider landscape impact of the proposal is not considered to be significant, with the site located immediately between two existing buildings of four or more storeys in height. On that basis, it is considered that there would be no undue prominence or adverse impact on landscape setting, as required by policy D2 (Landscape).

Drainage and Flood Risk

A drainage assessment was undertaken and submitted in support of this application. This identifies a number of existing sewer lines that pass through the site, and confirms that these will require to be diverted and the redundant lines removed. Submissions include a scheme for surface water drainage, with appropriate treatment prior to discharge to the wider surface water network for the Foresterhill campus. This ensures that post-development runoff rates are no greater than the calculated pre-development greenfield runoff rates, due to the design of the drainage system having adequate capacity to slow the release of surface water discharge. A new foul drainage system is also to be installed, which will involve connection to the existing foul water system to the east of the development site. The Council's Flooding Team raised no objection to the proposals, whilst SEPA request that details of a Sustainable Urban Drainage System (SuDS) for the construction phase is secured by condition, for agreement by the planning authority in consultation with SEPA, specifying the details that should be included within that scheme. It should be noted that, in the event that the planning authority is not minded to include such a condition, SEPA has advised that its response should be treated as an objection. It is recommended that such a condition be attached to any permission, per SEPA's request. Subject to these controls, it is considered that the proposal satisfies the requirements of policy NE6 (Flooding, Drainage and Water Quality) of the ALDP.

Other Matters

The submitted site plan indicates a dedicated service yard to the rear (east) of the building, which is configured to minimise the need for reversing manoeuvres and has access controlled via barrier. There is also a dedicated service entrance in the rear elevation at level 3, with internal floorplans showing areas for refuse storage. No concerns have been raised by the Council's Roads Development Management Team, and the response provided by the Council's Waste Strategy Team is general advice, reflecting that there are various commercial operators who may provide a waste/recycling service. This element of the proposal is considered to be acceptable and it is considered that the development would be adequately serviced as per the requirements of Waste - Policy R6 - Waste Management Requirements for New Development.

As per Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency, all new buildings, must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology and should reduce the pressure on water abstraction from the River Dee, and the pressure on water infrastructure. While some information has been submitted it is considered necessary to condition further details with regards to the Energy Statement and Water Efficiency, in order to ensure compliance with Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency

Proposed Aberdeen Local Development Plan

In this instance, the site remains zoned under a policy relating to Existing Community Sites and Facilities (policy CF1) in the Proposed Local Development Plan. The overriding aims to protect such sites from other types of development and support in principle the expansion of the existing healthcare use are maintained in that policy. Policies relating to design quality, protection of existing trees, promotion of sustainable transport and provision of appropriate on-site car parking remain relevant, but do not introduce significant change when compared to the policies of the extant LDP. Policy WB1 (Health Developments) introduces a new requirement for developments to provide healthy environments, facilitate physical activity and promote physical and mental wellbeing. There is no equivalent requirement in the current LDP, however the delivery of an Elective Care Centre which centralises a number of co-related healthcare services in a single building, thereby reducing the need for multiple appointments and lessening demand for travel, is considered to promote mental and physical wellbeing, consistent with the aims of policy WB1. It is therefore considered that the Proposed Plan is a material consideration which weighs in favour of granting planning permission for the proposed development.

Aberdeen City and Shire Strategic Development Plan(SDP) (2014)

This development is not considered to be a strategic proposal that requires cross-boundary consideration, it does therefore not require a detailed assessment against the SDP.

Heads of Terms of any Legal Agreement

Not applicable. There are no matters that require to be secured by a planning agreement in this instance.

Time Limit Direction

Not applicable. Standard 3 year duration of consent is appropriate.

Conclusion

The proposed expansion of the existing healthcare use is supported in principle by the current Aberdeen Local Development Plan 2017, and on detailed assessment the proposal is considered to be acceptable in terms of its accessibility, design, scale, and relationship to its context. The proposed development would be appropriately drained, and any loss of existing landscaped open space within the site can be adequately mitigated through the provision of more useable open spaces for both public and staff use as part of the proposal. Appropriate landscaping of the site can be ensured through provision of further detailed proposals, required by planning condition. There is no identified conflict with the emerging policy context offered by the Proposed Aberdeen Local Development Plan 2020, and the development is not of a scale or type that would necessitate detailed assessment against the Strategic Development Plan for the region. In conclusion, it is considered that the proposal accords with the provisions of the Development Plan, and no material considerations have been identified that would warrant determination other than in accordance with the Plan.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposed development is provided for by policy CF1 (Existing Community Sites and Facilities) of the Aberdeen Local Development Plan (ALDP), which permits the expansion of healthcare uses on existing sites. The proposal is not expected to generate a material increase in car journeys due to its consolidation of existing healthcare services from the wider Foresterhill campus into a single

facility. Existing pedestrian and cycle infrastructure serving the hospital campus affords a good standard of accessibility by sustainable means, consistent with the aims of policy T3 (Sustainable and Active Travel) of the ALDP. Whilst the proposal would result in the loss of a small number of existing car parking spaces, there is significant existing capacity within the nearby multi-storey car park to offset that loss. The proposal is therefore considered to comply with policy T2 (Managing the Transport Impact of Development). The scale and form of the development is appropriate to its context, and demonstrates due regard for the six qualities set out in policy D1 (Quality Placemaking by Design), with no adverse impact on the wider landscape setting. Impact on existing trees is not significant, and any minor impacts can be mitigated through replacement planting, secured as part of a detailed scheme of landscaping for the site. The development would be adequately drained and provides for servicing via a contained service yard. Further submissions secured by condition can address reduction in carbon emissions and water efficiency matters, to ensure compliance with policy R7 (Low and Zero Carbon Buildings, and Water Efficiency). In conclusion, the proposal is found to accord with the provisions of the Development Plan, and no material considerations have been identified that would outweigh the provisions of the Plan.

CONDITIONS

1. Cycle Parking (Short and Long Stay)

That the development hereby granted planning permission shall not be brought into use unless the cycle storage facilities as shown on drawing no. ECP1-MRT-XX-XX-PL-A-90001_P01 have been fully installed and made available for use.

Reason: in the interests of encouraging sustainable travel, as required by policy T3 (Sustainable and Active Travel).

2. Site-Specific Pollution Prevention Plan

That no development pursuant to the development hereby granted planning permission shall be undertaken unless a site-specific pollution prevention plan has first been submitted to and agreed in writing by the planning authority, in consultation with SEPA. Thereafter, all works shall be carried out in accordance with the plan so agreed.

The required site-specific pollution prevention plan shall address the following matters:

- Confirm if new connections to the existing sewer are proposed and provide details of protection of the Gilcomston Burn;
- Pollution prevention
- Sediment management
- Environmental incidents
- Waste management

Reason: In order to minimise the impacts of necessary construction works on the environment.

3. Materials

No works in connection with the development hereby approved shall commence unless details of the specification and colour of all the materials to be used in the external finish of the development have been submitted to and approved in writing by the planning authority. The development shall not be brought into use unless the external finish has been applied in accordance with the approved details, specification and colour.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

4. Foul and Surface Water Drainage Arrangements

The building hereby approved shall not be brought into use unless the proposed foul and surface water drainage arrangements have been provided in accordance with the approved plans and the Drainage Assessment (*Ramsay and Chalmers C3898 Rev A, dated 19.12.19*), or such other alternative submissions as have been submitted to and agreed in writing by the planning authority.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

5. Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport.

The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 3 – Wildlife Hazards (available at <https://www.aoa.org.uk/policy-campaigns/operations-safety/>)
- Maintenance of planted and landscaped areas

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

6. Landscaping Scheme

No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority.

Details of the scheme shall include:

- An indication of existing trees, shrubs and hedges to be removed;
- The location of re-planted trees or compensatory planting;
- The location of new trees, shrubs, hedges and grassed areas;
- A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- Measures for the protection of those trees to be retained during construction, including plans demonstrating the extent of any necessary tree protection fencing and a sample detail for that fencing;
- Existing and proposed finished levels;
- The location, design and materials of all hard landscaping works including walls, fences,

- gates, and play equipment;
- A programme for the implementation, completion and subsequent management of the proposed landscaping;

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

7. Low and Zero Carbon Buildings and Water Efficiency

The building hereby granted planning permission shall not be occupied unless an Energy Statement and Water Efficiency measures applicable to that building has been submitted to and approved in writing by the planning authority, and thereafter any measures agreed within that submission have been implemented in full.

The Energy Statement shall include the following items:

- Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
- Calculations using the SAP or SBEM methods which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy R7 of the Aberdeen Local Development Plan 2017.

The Water Efficiency Statement shall include details of all proposed water saving technologies and techniques.

Reason: to ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy R7 of the Aberdeen Local Development Plan 2017.

8. Environmental enhancements as part of detailed design

No works in connection with the development hereby approved shall commence unless a scheme of environmental enhancements has been submitted to and approved in writing by the planning authority in consultation with the Scottish Environmental Protection Agency.

Once approved the scheme shall be implemented in full.

Reason: To ensure the offset of environmental impacts and contribute to and enhance the natural environment and support Policy D1 – Quality Placemaking by Design.

ADVISORY NOTES FOR APPLICANT

1. Use of Cranes in Construction

Given the nature of the proposed development it is possible that a crane may be required during its construction. Aberdeen International Airport would, therefore, draw the applicant's

attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4 – Cranes (available at <https://www.aoa.org.uk/policy-campaigns/operations-safety/>)

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

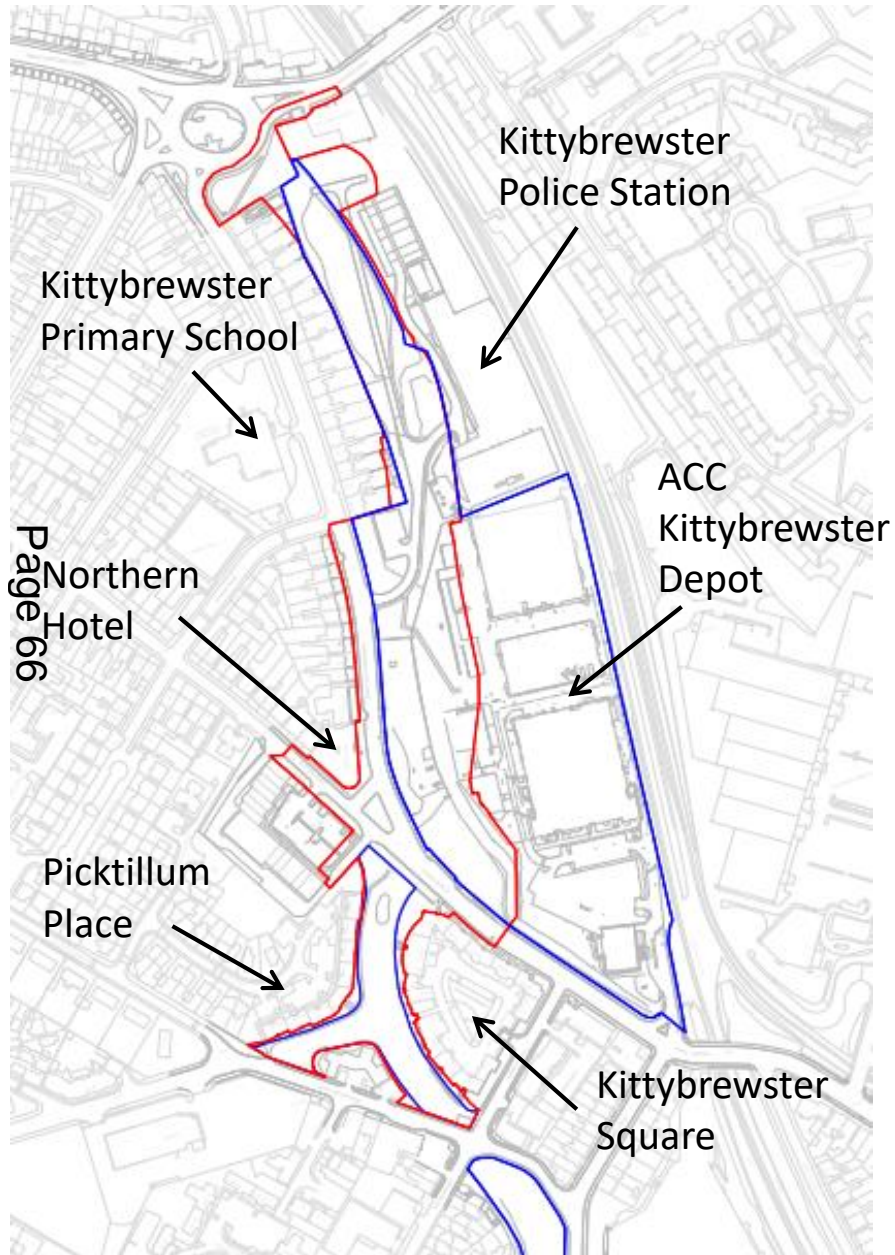


Formation of road with associated footways, cycle tracks, street lighting, drainage, landscaping, earthworks and associated works (Berryden Corridor Improvement Project)

Berryden Corridor

Detailed Planning Permission
200366/DPP

Location Plan



Route Views



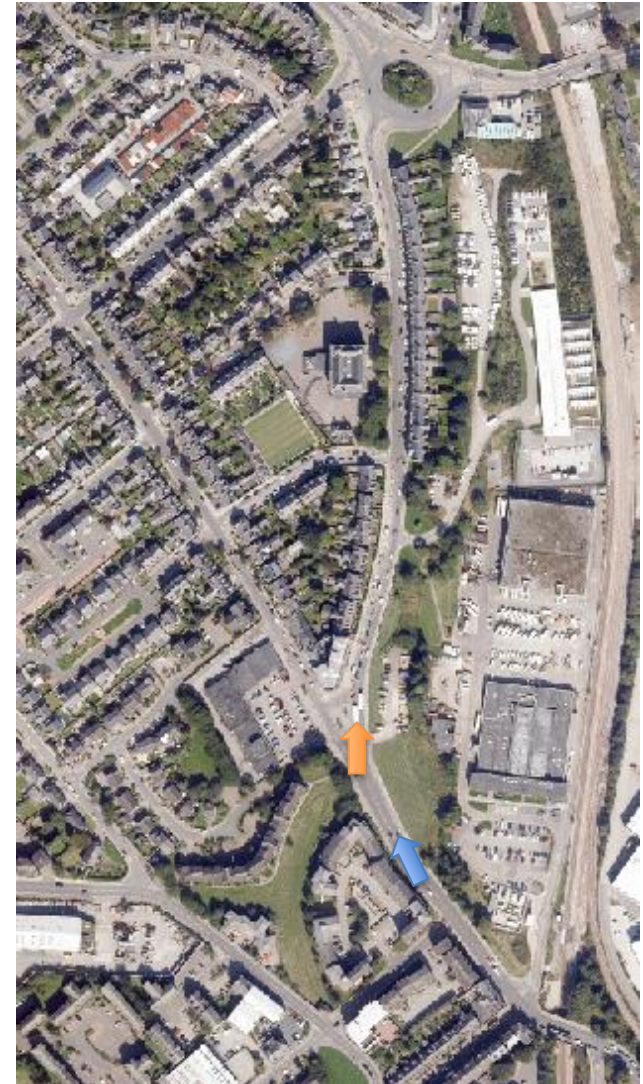
Route Views



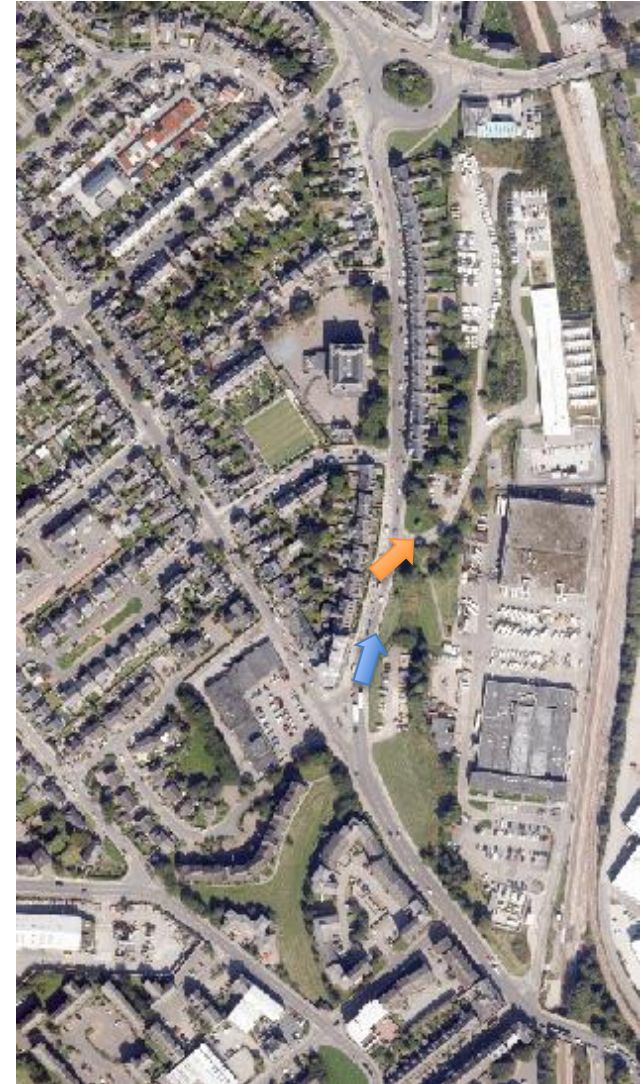
Route Views



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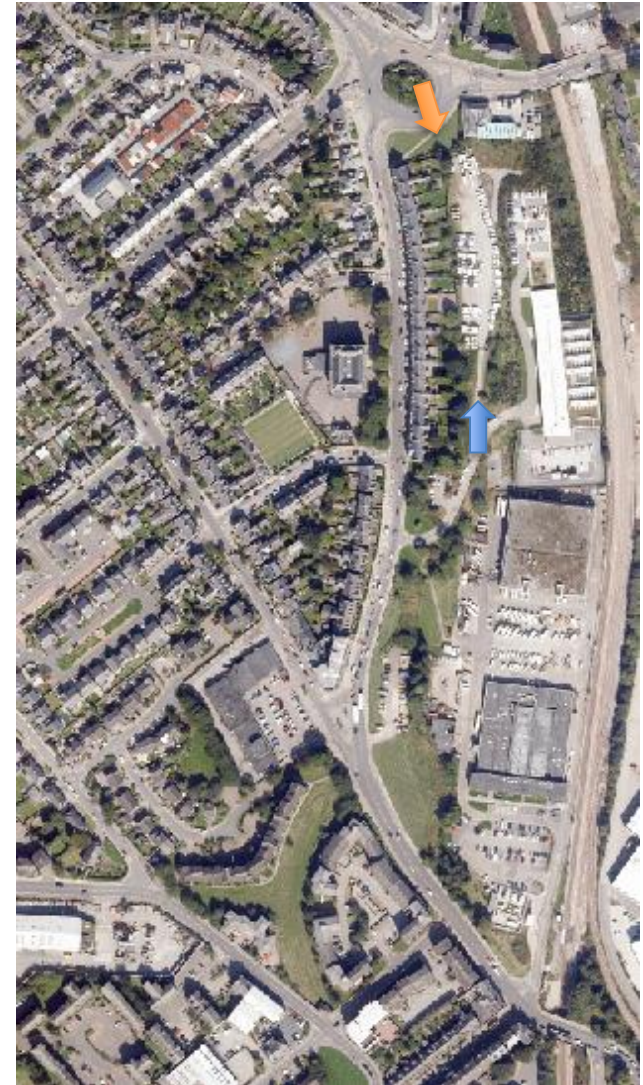
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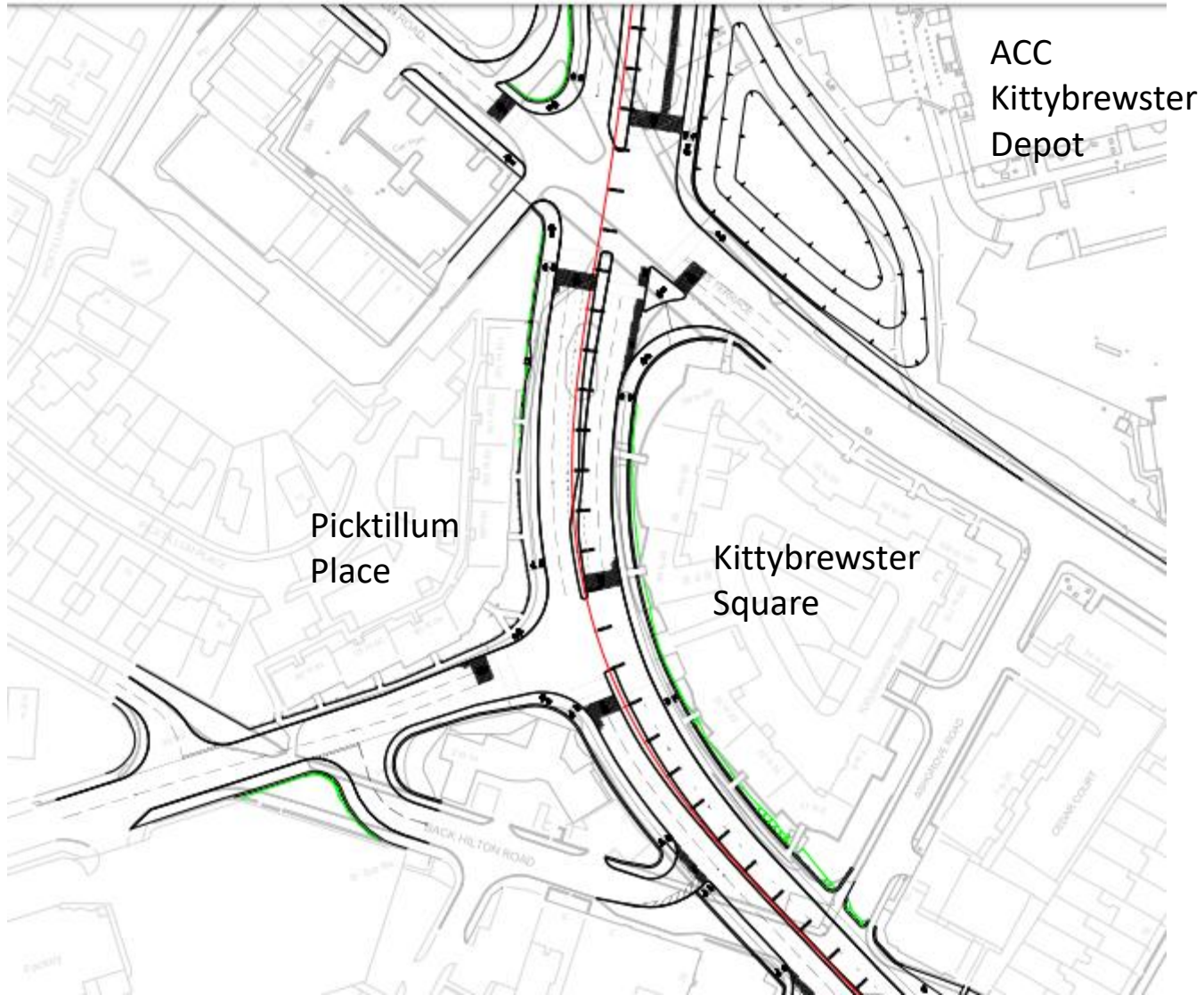
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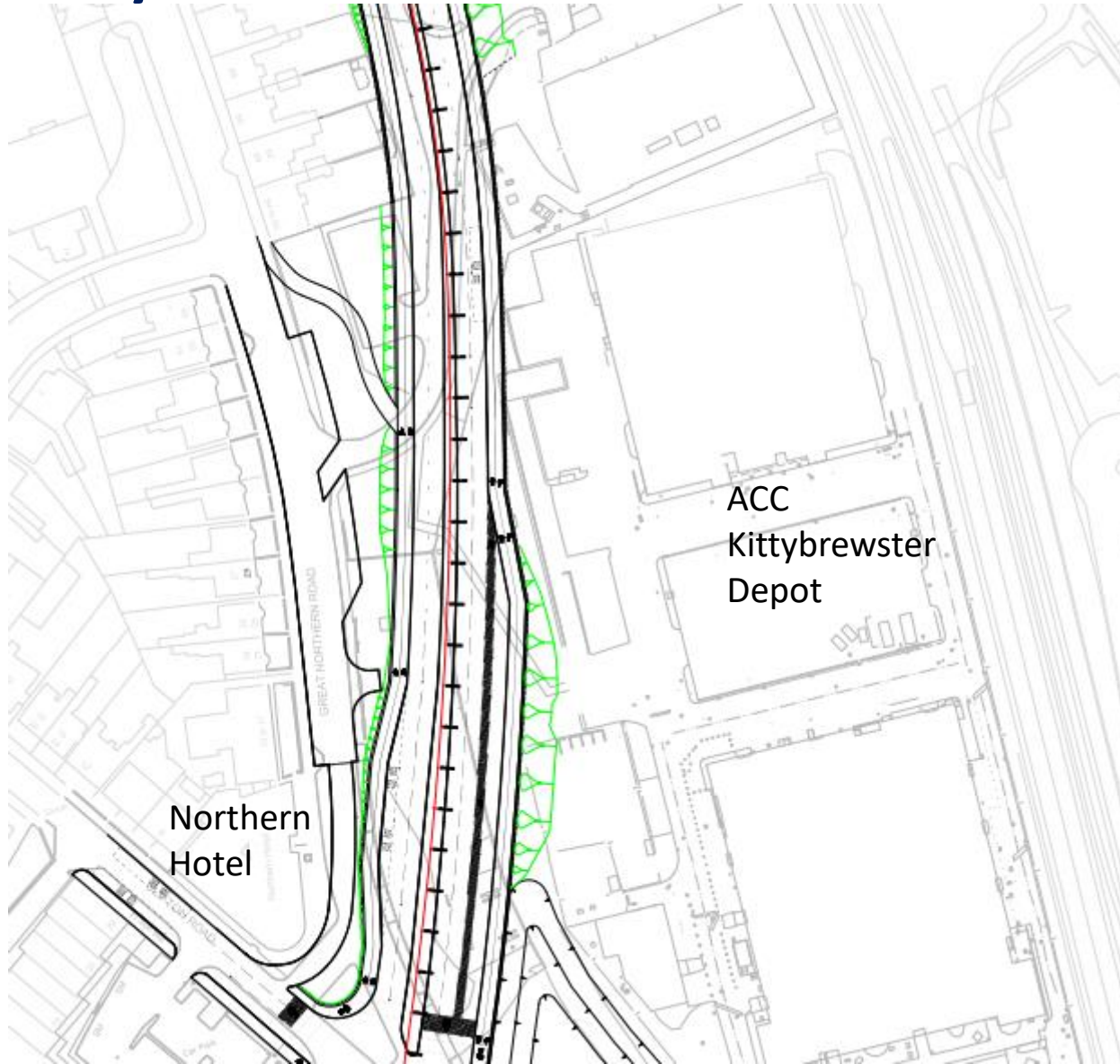
Route Views



Detailed Layout 1



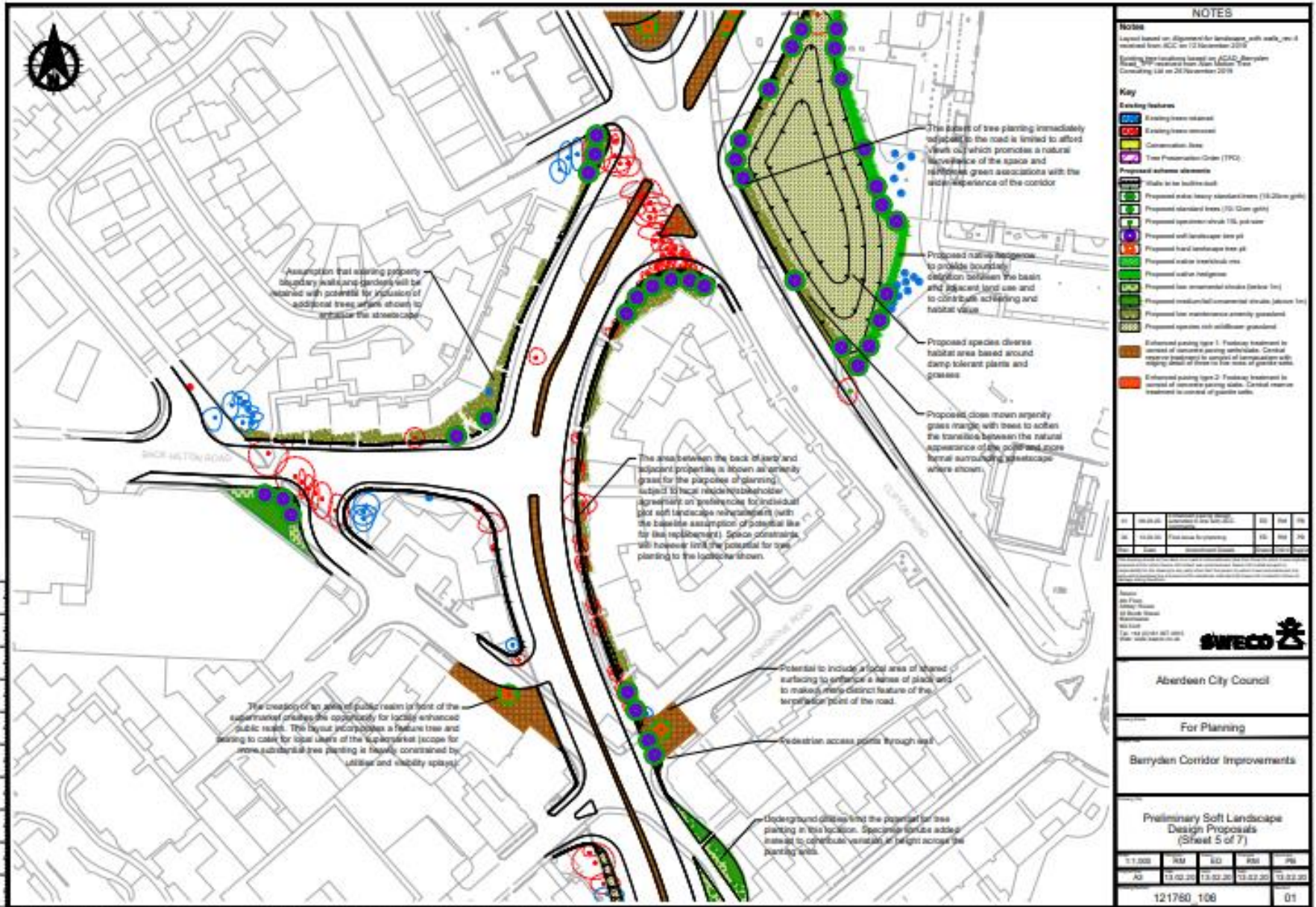
Detailed Layout 2



Detailed Layout 3



Landscaping Layout 1



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Landscaping Layout 2



NOTES

Layout based on agreement for landscape with walls, no 2 treatment from SCC on 12 November 2019

Planting tree locations based on ACAD Beryden files. 30% removed from Alan Myles' View Consulting Ltd on 26 November.

Key

Existing features

- Existing trees retained
- Existing trees removed
- Conservation Area
- Tree Preservation Order (TPO)

Proposed scheme elements

- Walls to be built
- Proposed native heavy timber trees (10-20m girth)
- Proposed retained trees (10-20m girth)
- Proposed specimen shrubs (10m per tree)
- Proposed local landscape tree pit
- Proposed native tree/shrub mix
- Proposed native hedging
- Proposed low ornamental shrubs (under 1m)
- Proposed medium/half ornamental shrubs (above 1m)
- Proposed low maintenance amenity grassland
- Proposed species rich wildflower grassland

Proposed paving type 1: Footway treatment to consist of concrete paving with tactile. Central reserve treatment to consist of permeable with sloping sides of 1:10 to 1:20 ratio of grade falls.

Proposed paving type 2: Footway treatment to consist of concrete paving with tactile. Central reserve treatment to consist of granite setts.

10	10.00.00	Construction of new footway	100	100	100
11	10.00.00	Foot way construction	100	100	100
12	10.00.00	Foot way construction	100	100	100

Name: []
 Job File: []
 Job Number: []
 Job Name: []
 Job Date: []
 Job Time: []
 Job Location: []
 Job Status: []

SWECO

Aberdeen City Council

For Planning

Beryden Corridor Improvements

Preliminary Soft Landscape Design Proposals (Sheet 6 of 7)

1:1,000	100	50	100	75
A0	13.02.20	13.02.20	13.02.20	13.02.20

121760 107 01

Landscaping Layout 3



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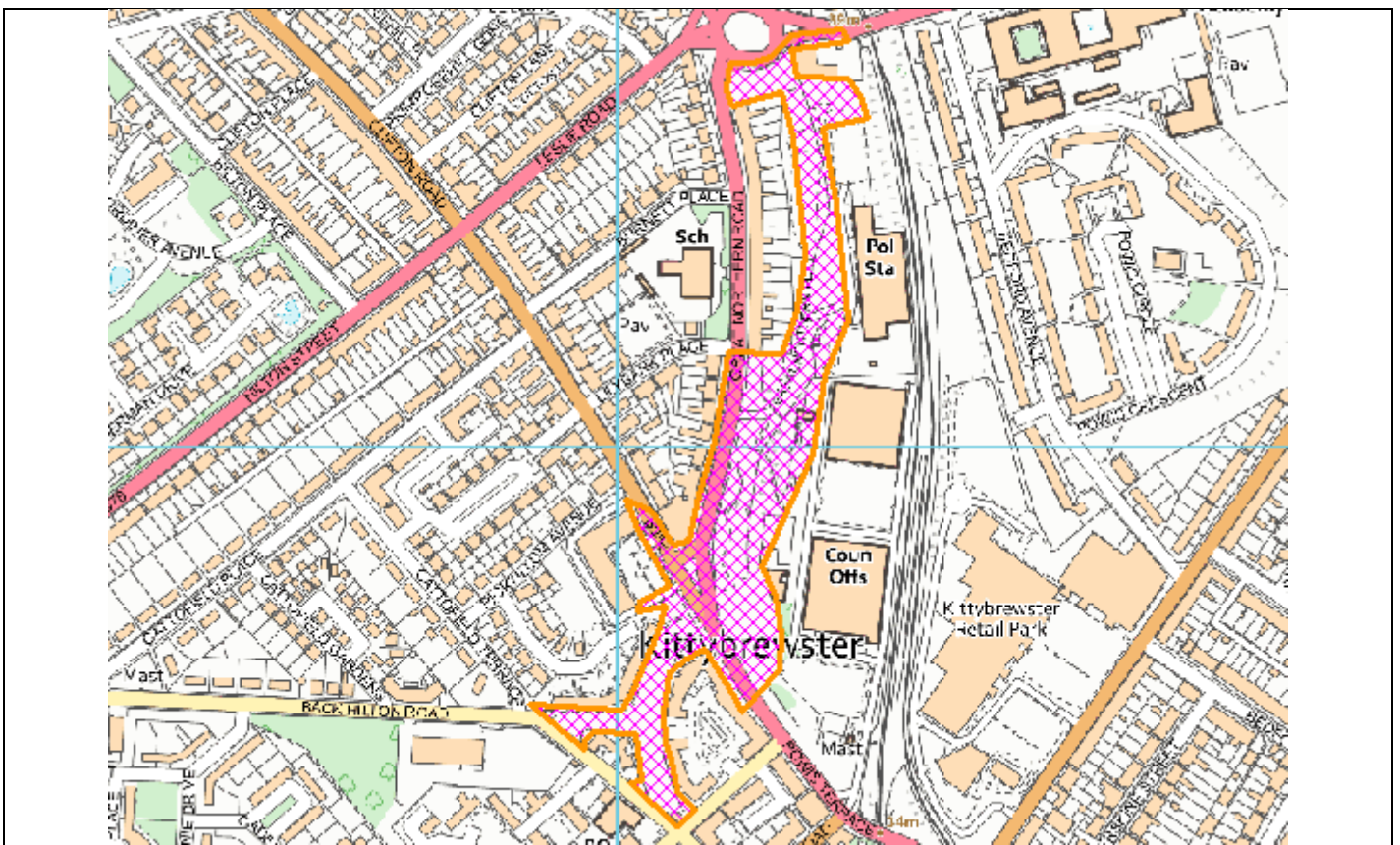


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 August 2020

Site Address:	Road Corridor Between Ashgrove Road and St Machar Drive, Aberdeen
Application Description:	Formation of road with associated footways, cycle tracks, street lighting, drainage, landscaping, earthworks and associated works (Berryden Corridor Improvement Project)
Application Ref:	200366/DPP
Application Type	Detailed Planning Permission
Application Date:	18 March 2020
Applicant:	Aberdeen City Council
Ward:	Hilton/Woodside/Stockethill
Community Council:	Rosehill and Stockethill / Woodside and Hilton
Case Officer:	Matthew Easton



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The application site comprises a corridor of around 700m in length, between Ashgrove Road & Back Hilton Road and the Kittybrewster Roundabout (which forms the junction of St Machar Drive, Sandilands Drive, Great Northern Road and Hilton Street).

The corridor can be divided into three distinct sections. Starting at its southern end and working northwards –

- A landscaped area of maintained grass between the flats at 18–132 Picktillum Place, 9–69 Kittybrewster Square and 2–14 Back Hilton Road. A stone wall and line of trees separate the area from Back Hilton Road. Category B listed March Stone 55 is located beside the wall. Further south there is a wall and stone-built electricity substation separating the area from the junction of Back Hilton Road and Ashgrove Road. At its northern end, a stone wall and line of trees separates the area from the junction of Clifton Road and Great Northern Road.
- The section of Great Northern Road and Powis Terrace between 76–89 Kittybrewster Square, passing the Northern Hotel (category A listed) and ending at the junction with Lillybank Place. Also included are the areas of grass and vacant ground which separate the road from the Council's Kittybrewster Depot to the east.
- Vacant ground situated between the rear of the tenements at 54–104 Great Northern Road and Kittybrewster Police Station, including the access road to the police station. Parts of the rear garden of six of the tenements are included within the site. A wall and landscaping separate the northern end of this area from the Kittybrewster Roundabout.

Relevant Planning History

A request for an environmental impact assessment (EIA) screening opinion (161435/ESC) for the proposed road was submitted in October 2016. It was determined that the application would not require to be accompanied by an environmental report under the terms of the EIA regulations.

Several other applications for demolition prior notification, listed building consent and conservation area consent are pending which relate to buildings and structures affected by the southern leg of the project.

APPLICATION DESCRIPTION

Description of Proposal

The Berryden corridor has been identified as a key north – south route within the centre of the city that is operating beyond its capacity, leading to significant congestion and journey time delays. The capacity issues are caused by junction pinch points and the restricted width of the route in some locations. The Council's Berryden Corridor Improvement Project seeks to address these issues as well as improve pedestrian and cycling facilities. In addition, the project is also intended to provide additional capacity to support the delivery of the City Centre Masterplan and other city centre transport initiatives, including reducing traffic movements through the City Centre, benefits which include lower emissions and transport modal shifts. Some aspects of the wider scheme date back to the 1990s and include the widening of South College Street, and the construction of the Denburn Dual Carriageway.

The application seeks detailed planning permission for the construction of the northern leg of the project. The northern leg requires planning permission as it involves the construction of a new section of road. In contrast, the southern leg between Ashgrove Road and Skene Square (routing along Berryden Road) involves the widening of the existing road which qualifies as permitted development and therefore does not require planning permission and does not form part of this application.

For its whole length the proposed northern leg (the subject of this planning application) would be dual carriageway featuring a central reservation with two lanes in each direction. There would be a shared foot/cycle path on each side of the road along its length, with priority at road junctions also provided for cyclists. The new road would feature toucan crossings (for use by pedestrians and cyclists) at its junction with Back Hilton Road, junction with Powis Terrace & Clifton Road and at the approach to the St Machar roundabout adjacent to the proposed entrance to Kittybrewster Police Station.

Taking the three sections of the leg described above in turn –

- The new road would be formed in the space between the flats at Picktillum Place, Kittybrewster Square and Back Hilton Road. This space was left between the flats due to the future proposals envisaged for a new road. The stone wall and line of trees forming the boundary with Back Hilton Road would be removed to create a new junction. The wall and electricity substation adjacent to Ashgrove Road would be removed so that the southern leg of the new road could connect into the northern leg. Local access would be provided to the flats at Back Hilton Road. The trees and wall to the north would be removed so that the road could continue north.
- A new junction would be created to the south of the Northern Hotel, connecting the new carriageway with Powis Terrace and Clifton Road. A drainage detention basin would be constructed to the immediate east, between the junction and the Council's Kittybrewster Depot. The existing line of Great Northern Road would be stopped-up in line with the northern elevation of the hotel, with vehicular access to this part of Great Northern Road continuing to be available from Kittybrewster Roundabout to the north, Burnett Place or Lillybank Place. A bus lay-by would be provided on the northbound carriageway outside the Northern Hotel, on the south bound carriageway a stop would be provide on the carriageway.
- The road would continue between the rear of the tenements at 54–104 Great Northern Road and Kittybrewster Police Station, (the land is currently vacant / used for parking) before connecting to the Kittybrewster Roundabout. Vehicular and pedestrian access would be provided to the police station.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q7BVKQBZGQR00>

- Air Quality Assessment
- Ecological Assessment
- Flood Risk and Drainage Impact Assessment
- Ground Investigation Report
- Noise and Vibration Assessment

- Planning Statement
- Traffic Statement
- Tree Survey

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because (i) one of the community council's whose area covers the application site has objected; and (ii) six or more objections have been received.

CONSULTATIONS

ACC - Environmental Health – No objection.

Noise

A total of 16,933 dwellings are located within the study area of the Noise Impact Assessment (covering the whole Berryden corridor between Skene Square and the Kittybrewster roundabout).

Short Term Impact

In relation to the short term (baseline year 2020) change in noise levels due to the project a total of 999 dwellings (6%) have been identified which experience a 1.0 to 20.2 dB increase in noise level in the vicinity of the road. A further breakdown of this shows –

- minor impacts (1.0 to 2.9 dB increase) at 643 (~4%) dwellings,
- moderate impacts (3.0 to 4.9 dB increase) at 75 (<1%) dwellings and
- major impacts (5.0 dB and greater) at 281 (~2%) dwellings.

In relation to the dwellings experiencing a major impact they are reported as those receiving 5 dB or greater increase in noise levels. On further enquiry this was broken down as follows.

- Increase of 5.0 – 9.9 dB at 89 dwellings
- Increase of 10.0 – 14.9 dB at 134 dwellings
- Increase of 15.0 – 19.9 dB at 47 dwellings
- Increase of 20.0 – 20.2 dB at 11 dwellings

Facades of other sensitive receptors (such as health facilities, schools, community facilities) are predicted to experience a minor to moderate increase in road traffic noise levels.

Long Term Impact

In relation to the long term (to 2035) change in noise levels due to the project a total of 2,690 dwellings in the study area have been identified which experience a 3.0 to 20.8 dB increase in noise level in the vicinity of the road. This means –

- a minor impact of a (3.0 – 4.9 dB increase) at 2,340 dwellings (~14% of those in the study area) moderate impact (5.0 to 9.9 dB increase) at 158 dwellings (~1%) and
- major impact (10 dB or greater increase) at 192 (~1%) dwellings.

In relation to the dwellings experiencing a major impact they are reported as those receiving 10 dB or greater increase in noise levels. On further enquiry this was broken down as follows.

- increase of 10.0 – 14.9 dB at 80 dwellings
- increase of 15.0 – 19.9 dB at 101 dwellings
- increase of 20.0 – 20.8 dB at 11 dwellings

For non-residential sensitive receptors, 12 of the receptors are predicted to experience a minor increase, 1 is predicted to experience a moderate increase in long-term traffic noise levels.

In relation to traffic noise nuisance levels presented by the changes, of the total 16,933 dwellings within the study area,

- 8,342 (49%) of dwellings experience less than 10% increase,
- 7,388 (44%) of dwellings experience 10 to 20% increase,
- 722 (4%) of dwellings experience 20 to 30% increase,
- 141 (~1%) of dwellings experience 30 to 40% increase,
- 215 (~1%) of dwellings experience more than 40% increase.

In relation to the traffic vibration study a total of 8,111 relevant dwellings were identified within the prescribed study area as directed by the assessment standard used. For the vibration nuisance levels presented by the changes, 3,512 (43%) dwellings within 40m of the Development would experience less than 10% increase, 185 (~2%) dwellings would experience 10 to 20% increase, 80 (~1%) dwellings would experience 20 to 30% increase, 34 (<1%) dwellings would experience 30 to 40% increase,

Five proposed noise barriers are proposed to be located where the greatest impacts have been identified to occur and due to height constraints at most locations, they will only reduce noise levels at ground floor. All the significantly affected properties have at least two storeys (as they are typically blocks of flats). The proposed mitigation measures are said to reduce the traffic noise and airborne vibration levels as far as reasonably practicable at these properties. The report also advises there are currently no available options to mitigate these impacts any further.

With the proposed mitigation in place there would still be a predicted increase in noise levels as described above which is likely to be perceptible within some properties.

Some of those properties experiencing a significant change in noise impact due to the project may be eligible for improved insulation under the provisions contained within *The Noise Insulation (Scotland) Regulations 1975* administered by the Roads Service. The estimated number of these properties is approximately 150 however this number is only for indicative purposes and may be subject to change when the actual impact of the new road is assessed once in use.

Noise from Construction Works – A Construction Noise Management Plan should be submitted and approved to control construction work noise emissions. It is also recommended that operations creating noise which is audible at the site boundary should not occur outside the hours of 07:00 to 19:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

Dust Management During Site/Ground Preparation Works – An Air Quality (Dust) Risk Assessment should be carried out and a Dust Management Plan developed and submitted for approval.

ACC - Structures, Flooding and Coastal Engineering – No objection. The Flood Risk Assessment is acceptable in principle. Details of the mitigation proposals will be considered during detailed design and should be subject of condition.

ACC - Roads Development Management Team – No objection. As the proposal is being promoted by the Council in its capacity as roads authority it has been subject to various internal discussions in order that that road meets the required design standards.

Walking and Cycling – The proposal provides either existing road re-alignment or new sections of road and includes new footpath and/or shared pedestrian/cycle paths along its entirety with

numerous signalised pedestrian crossing points. Both footpaths and shared paths shall tie in with existing adopted network adjacent to this new route providing continuous connectivity between this route and other areas of the city. The proposal would be well served in terms of pedestrian and cyclist connectivity.

Public Transport – Various bus stops would be provided along the length of the road to serve the existing bus services that utilise sections of this corridor, therefore the route shall be well served. The stops are expected to be provided Kassel kerbing, bus shelters etc. It appears there would be the space to accommodate such features and the exact provision can be subject of detailed design.

Local Road Network – The proposed development is designed to accommodate existing traffic on the local road network; therefore, the proposed design is aimed at improving queue lengths at existing crucial junctions and allow for shorter journey times for both private car and public transport. Additionally, the scheme shall significantly improve the overall network which helps towards ACC's City Centre Masterplan to reduce traffic movements through and across the City Centre, benefits which include lower emissions and transport modal shifts.

Drainage Impact Assessment – The Flood Risk and Drainage Impact Assessment proposes appropriate measures to mitigate any drainage impact. Road surface drainage shall form part of the detailed design in terms of gully location/spacing and gully calculations.

Archaeology Service (Aberdeenshire Council) – No objection. It is unlikely that buried archaeological features would be encountered on the route of the proposed road.

To ensure that a historic record of the area is made a condition should be attached to any granted of planning permission to secure a photographic survey of the existing buildings, structures, roads, routeways and their overall setting on the application site.

Historic Environment Scotland – No objection, the proposals do not raise historic environment issues of national importance (in relation the A listed Northern Hotel). The setting and primacy of the building would not be adversely impacted, and the landscape proposal includes an area for improved soft landscaping and public realm outside the building, which suggests a welcome opportunity to improve the immediate setting of the hotel.

Rosehill and Stockethill Community Council – Inactive.

Scottish Water – No objection.

Woodside and Hilton Community Council – In general the proposal is inconsistent with the goal to reduce private motor vehicle usage and encourage an increase in active travel and public transport use. More specifically –

1. There does not appear to be any means or provision made to discourage traffic from entering into the surrounding neighbouring residential areas.
2. The development is between two schools and it would also appear that no effort has been made to address the safety of school children. The increased levels of traffic represent a hazard to children walking to school from residential neighbourhoods.
3. The proposal is inconsistent with the North East Scotland Roads Hierarchy Study as it would direct north/south traffic flows through the area rather than via the Aberdeen Western Peripheral Route ('AWPR'). – the proposal would undo the benefits of the AWPR.

4. The proposal is inconsistent with Scottish Planning Policy as the development would allow the car to dominate at the expense of walking, cycling and public transport provision.
5. The proposal would be contrary to Aberdeen Active Travel Action Plan as it would increase the usage and volume of vehicles in the area, with an associated increase in pollution, reducing the quality of space for pedestrians and cyclists.
6. The proposal is at odds with National Transport Strategy 2 which requires planners to “take climate action”.

REPRESENTATIONS

Eighteen representations have been received. Several are from local residents and others from residents within the wider city and area. One is from sustainable transport campaign group Transform Scotland. All object to the proposal with the following matters raised.

1. Extra cycle lanes are welcomed but are a token gesture.
2. Additional road capacity is promoting further road usage, hindering plans to encourage modal shift away from the private car and to active travel.
3. Constructing new roads is an outdated concept. The priority should be active travel and the provision of walking and cycling routes should take precedence over road building.
4. The proposal is contrary to the aims of reducing air pollution and greenhouse gases, which should be priorities given the climate emergency.
5. The AWPR was meant to result in a reallocation of road space to active travel, which this does not achieve.

MATERIAL CONSIDERATIONS

Legislative Requirements

- Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.
- Section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities when considering whether to grant planning permission for development which affects a listed building or its setting, 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.

National Planning Policy and Guidance

- National Transport Strategy
- Managing Change in the Historic Environment – Setting
- Planning Advice Note 1/2011: Planning and Noise
- Scottish Planning Policy

Aberdeen City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP may also be a material consideration. The Proposed SDP constitutes the settled view of the Strategic Development Planning Authority (and both partner Councils) as to what should be the final content of the next approved Strategic Development Plan. The Proposed SDP was submitted for Examination by Scottish Ministers in Spring 2019, and the Reporter has now reported back. The Scottish Ministers will consider the Reporter's Report and decide whether or not to approve or modify the Proposed SDP. The exact weight to be given to matters contained in the Proposed SDP in relation to specific applications will depend on whether:

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

Aberdeen Local Development Plan (2017)

- Policy D1 (Quality Placemaking by Design)
- Policy D2 (Landscape)
- Policy D4 (Historic Environment)
- Policy D5 (Our Granite Heritage)
- Policy NE5 (Trees and Woodland)
- Policy NE6 (Flooding, Drainage and Water Quality)
- Policy T1 (Land for Transport)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)
- Policy T4 (Air Quality)
- Policy T5 (Noise)
- Opportunity Site 73 (OP73 – Balgownie Machine Centre)

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. 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.

- Policy WB2 (Air Quality)
- Policy WB3 (Noise)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy D1 (Quality Placemaking)
- Policy D5 (Landscape Design)
- Policy D6 (Historic Environment)
- Policy D7 (Our Granite Heritage)
- Policy T1 (Land for Transport)
- Policy T2 (Sustainable Transport)
- Policy VC1 (Vibrant City)
- Opportunity Site 73 (OP73 – Balgownie Machine Centre)

Supplementary Guidance and Technical Advice Notes

- Air Quality
- Flooding, Drainage and Water Quality
- Landscape
- Noise
- Trees and Woodland

Other Material Considerations

- City Centre Masterplan
- Local Transport Strategy
- Regional Transport Strategy
- Strategic Infrastructure Plan

EVALUATION

Principle of Development

Proposals to improve the overall Berryden Corridor have been in existence since the early 1990s, with the Aberdeen District Wide Local Plan 1991 indicating support for improvements to the road network between Powis Terrace and Skene Square along Berryden Road and between Berryden Road and the northern end of the proposed Denburn Dual Carriageway, which was constructed in the 1990s.

Planning permission (ref: 952311) was subsequently granted in January 1996 to the former Grampian Regional Council, for a section of new dual carriageway between Berryden Road and Great Northern Road, forming part of a phased approach to the scheme.

More recently, the principle of the Berryden Corridor Improvement Project has been agreed through its inclusion within Local Transport Strategy approved in 2016 and the Local Development Plan in 2017, both documents having been agreed by the Council after periods of public

consultation.

National Policy

Scotland's National Transport Strategy published by the Scottish Government in February 2020 has a vision of a transport system that reduces inequalities, takes climate action, helps deliver inclusive economic growth and improves our health and wellbeing. The strategy does not see these priorities as being independent of one another. For example, improving our health and wellbeing through promoting active travel, will also help us take climate action. Similarly, reducing inequalities will help deliver inclusive economic growth. While the priorities can be complementary, it is recognised that there can also be tensions between transport policies and these may need to be carefully managed. We must aim for economic growth that is inclusive, where there are opportunities for all to participate and benefit. Growth, also, must not have net adverse impacts on our climate or affect people's health through poorer air quality. When planning transport, decision makers will need to consider how their decisions will impact across all of the vision, priorities and outcomes.

Strategic Development Plan

At a regional level, the Aberdeen City and Shire Strategic Development Plan ('SDP') has an objective *"to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term"*.

In relation to sustainable development and climate change, the SDP envisages the city region is one *"which takes the lead in reducing the amount of carbon dioxide released into the air, adapts to the effects of climate change and limits the amount of non-renewable resources it uses"*.

Whilst the Berryden Corridor is not mentioned specifically, the SDP identifies a range of proposals that will help achieve its vision, including *'other associated measures to deal with congestion and allow growth in and to the north of the city.'*

The aims of the project, to enhance the appeal of the city centre through the provision of new infrastructure that permits a modal shift to sustainable transportation, which in turn and grow the city centre economy and reduce congestion are therefore supported by the SDP.

In relation to sustainable transport, the SDP recognises that improving bus services will make sure that people will be encouraged to use more environmentally friendly forms of transport. It also identifies that walking and cycling are the most environmentally friendly forms of transport and should also be encouraged as this will help to achieve important health, social and environmental benefits. There is also a specific target to reduce the percentage of journeys made by car. A specific objective is *"to make sure that all new developments contribute towards reducing the need to travel and encourage people to walk, cycle or use public transport by making these attractive choices"*. The enhanced pedestrian and cycle facilities along the corridor would contribute towards these high-level objectives. The reduction in congestion would also make public transport more reliable and in turn a more attractive choice.

Proposed Strategic Development Plan

The Proposed SDP indicates that Aberdeen City Centre is an important asset for the City Region and must continue to be enhanced and promoted. Determined action is required to create a City Centre to be proud of, and which reflects the global status and ambitions of the city and the wider region. The Proposed SDP states that the City Centre will be promoted through excellent public

transport links and by minimising the impact of traffic.

It goes on to say that tackling road congestion will be another key consideration within the city and reducing the effect of transport on the environment (including improving air quality) is particularly important. Providing safe active travel opportunities and promoting the connectivity of green networks will also be a key part of tackling road congestion. The Proposed SDP maintains the existing target of reducing the percentage of journeys made by car.

The list of transport interventions identified by the Cumulative Transport Appraisal associated with the Proposed SDP features "Aberdeen City Centre Masterplan public transport access & priority infrastructure" and "road junction improvements and corridor capacity enhancements" within the City Centre. The Berryden project is part of a series of measures which would allow traffic to be circulated around the city centre rather than through it, so would gain support from the SDP.

The SDP Authority have received the Scottish Government Reporter's report into the Examination of the Proposed SDP and no modifications to the Proposed Strategic Development Plan are considered necessary in response to representations relating to the matters above, in terms of the city centre or the Plan's transportation strategy. It is therefore considered that the Proposed SDP is consistent with the position taken on the matter by the adopted SDP. Otherwise there are no other strategic or regionally significant matters which require further detailed consideration against the SDP.

It is considered that the Proposed SDP continues to provide support for road improvements which will allow enhancements to be made to the city centre, as are set out in the current application.

Regional Transport Strategy

The Regional Transport Strategy 2013 Refresh ('RTS') published by Nestrans provides a vision for the transport network across the north east and supports the aims of the Strategic Development Plan. It identifies a series of strategic interventions required to realise the vision of the SDP. The RTS's Proposal for Action IC2 (Road Improvements) lends support to local authorities in bringing forward Local Transport Strategy projects that contribute to strategic objectives.

The Cumulative Transport Appraisal ('CTA') carried out as part of the RTS includes 'Union Street pedestrianisation and traffic management schemes' as a committed scheme. To allow this pedestrianisation and other traffic management measures within the city centre, traffic requires to be routed around its core, rather than through it. For this strategy to work interventions are required at various locations such as Berryden (as set out in the current application) and South College Street.

The CTA identified further projects required to address congestion points on the road network (over and above local road infrastructure requirements), with schemes in 'North Aberdeen' being identified and the Berryden Corridor project being included as part of the CTA analysis.

The RTS also supports proposals to enhance the city centre environment, including pedestrianisation schemes, which are contained within the City Centre Development Framework. Nestrans will continue to support pedestrianisation in the city centre and will support Local Transport Strategies in both Aberdeen City and Aberdeenshire and the development of Aberdeen City's Sustainable Urban Mobility Plan ('SUMP') in bringing forward proposals for improvements to walking and cycling facilities.

In summary, the project would gain support from the RTS which supports measures to deliver improvements where they would contribute to strategic objectives such as reducing congestion, enhancing walking and cycling provision and allowing for a reorganising of space within the city

centre in favour of pedestrians.

Local Transport Strategy

The Local Transport Strategy ('LTS') was approved by the Council in 2016 and describes the Berryden Corridor as a strategic route used both by traffic accessing or travelling through the city centre and as a direct access route to a number of large retail developments along the corridor itself. The LTS indicates that the route has been identified as operating beyond capacity, leading to significant congestion and journey time delays.

In terms of future improvements to the road network, the LTS explains that the Council supports the principle that priority investment should be determined in order to reflect all-day demand relative to capacity, impacting on strategic movements and businesses, rather than where peak-hour demands cause short-term problems for commuters. Given that the overriding principle of the LTS is to change the way people move around, it emphasises that complementary facilities to roads, such as facilities for pedestrians, cyclists and where necessary public transport, should be enhanced.

The full dualling of the route the Berryden Corridor (between the St. Machar Drive roundabout and Maberly Street) is considered by the LTS to support the objective of implementing a programme of road improvement schemes to complement the AWPR in order to facilitate a restructuring of the roads hierarchy, minimising through traffic in the city centre whilst reducing congestion, improving connectivity and addressing air quality concerns (Action RI1 in the LTS Costed Action and Delivery Plan).

Strategic Infrastructure Plan

The Council's Strategic Infrastructure Plan ('SIP') was approved by Full Council in October 2013. It focuses on the delivery of the Strategic and Local Development Plans and identifies five key infrastructure goals around housing supply, digital connectivity, skills and labour, transport and providing a better image for Aberdeen.

Under the key goal of providing better transport, the SIP identifies the Central Aberdeen Transport Infrastructure Project, comprising improvements at South College Street and Berryden Corridor. The project involves a range of traffic management and road improvement measures that includes South College Street, the Berryden Corridor project and the feasibility study on the potential pedestrianisation in the city centre. The SIP explains that these road improvements are required to provide sufficient capacity within the network to allow interchange between north/south and east/west traffic. The project is expected to meet the following objectives –

- enable city centre regeneration;
- congestion reduction;
- improvement of bus journey times;
- increased cycle usage;
- improved safety by reducing vehicular conflict with pedestrians in the area which has the greatest footfall in the City Centre;
- contribute to the delivery of the Air Quality Action Plan, this project is a key component to enable the Council to meet its statutory obligations to improve air quality in this Air Quality Management Area.

City Centre Masterplan

The City Centre Masterplan ('CCMP') and accompanying City Centre Sustainable Urban Mobility Plan, approved in 2015, highlight the importance of the Berryden Corridor Improvement Scheme

to achieving its goals. It explains that the realisation of the committed Berryden Corridor Improvement scheme along with an upgrade of city centre road junctions around the perimeter of the city centre core, will provide the mechanism for directing traffic on to an Urban Relief Road that bypasses the city centre core. The route will provide access to city centre off-street car parks and will permit strategic freight movement but will restrict traffic movements through the core. The relief road will have good connectivity to city wide arterial routes and would improve the accessibility and reduce journey times for all modes approaching the city centre from the north and the north west of the city as well as reduce traffic levels on surrounding routes

Traffic modelling shows that if traffic levels in the city centre core are reduced then the east-west corridor of Hutcheon St / Westburn Road becomes a critical route across the outer city centre as traffic is diverted onto the route. Hence, the Berryden Road / Hutcheon Street junction (one of identified 'pinch points' in the Berryden Corridor) becomes a critical junction in the City Centre network to allow the City Centre Masterplan to be realised.

The relocation of car movement described in the CCMP is in keeping with the Local Transport Strategy (LTS) which states that there is a requirement to "minimise through traffic in the city centre" to allow the "reorganisation and reprioritisation of the network to ensure that the safety of non-motorised users and the connectivity of communities is prioritised ahead of traffic flow.

North East Scotland Roads Hierarchy Study 2019

The Berryden Corridor project was considered as a committed project for the purposes of developing the North East Scotland Roads Hierarchy Study 2019, was taken full account of as part of the study and is identified as important part of the of the new roads hierarchy (*community council issue 3*).

Land use Zoning

Policy T1 (Land for Transport) safeguards the Berryden Corridor from development which does not relate to it. The corresponding Policy T1 in the Proposed Aberdeen Local Development Plan continues to safeguard the corridor for the project.

Opportunity Site 73 (OP73 – Balgownie Machine Centre) is identified by the current and proposed plans as bring partially reserved for the project. The building is now demolished, and the area is proposed to accommodate a drainage pond associated with the new road.

Small areas along the route are zoned for mixed-use purposes, where Policy H2 (Mixed Use Areas) require applications for development or change of use to consider the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. The areas in question would largely be landscaped areas alongside the new road, raising no tension with the policy. These areas have been safeguarded from other development in recent years, and in the most part appear as wide landscaped areas adjacent to the existing road.

The underlying land use zoning for the route in both the adopted and proposed LDPs lend support to the proposal.

Summary

To summarise, the Berryden Corridor Improvement project is a key element in the Council's long-term strategy to reduce traffic within the city centre and encourage a modal shift to more sustainable options. Alongside other roads projects such as at South College Street, it would allow traffic to be routed around the city centre core, rather than through it, which in turn would allow space within the city centre to be reallocated to use by pedestrians and sustainable transport

modes. The project would also alleviate congestion along the route and also at the Westburn Road / Hutcheon Street / Berryden Road junction, which is key to the success of the re-routing of traffic from the city centre (*issue 2, 3, 4 and 5 in representations and community council issue 3*) and the creation of an urban relief road.

The project would support the aims of the Regional Transport Strategy and themes contained within the National Transport Strategy and Scottish Planning Policy. By virtue of being included within the Council's Local Transport Strategy the principle of the project is established. Alongside the inclusion in the LTS, the land is allocated within the adopted and proposed Local Development Plans for the purpose, further establishing support for the proposal. (*community council issues 4,5 and 6*).

Support is also offered by the City Centre Masterplan and Strategic Infrastructure Plan, which although not statutory planning or transport documents, explain the delivery mechanisms and measures proposed by the Council for achieving the aims of the Strategic and Local Development Plans.

Traffic Management

Aside from the consideration of the strategic justifications for the proposal considered above, concern has been raised in representations with specific parts of the traffic management aspects of the project.

- Concern is raised that the proposed cycle infrastructure would be insufficient. The project would feature a shared foot/cycle path on each side of the road along its length, with the option of using toucan crossings or cyclist priority areas at junction stop lines. At present there are no off-street or on-street cycle lanes along the northern leg of the corridor. Therefore, it is considered that the proposed provision would be significantly better than what is available at present and acceptable given the space constraints which exist (*issue 1 in representations*).
- Concern is raised with lack of measures to discourage traffic from entering surrounding residential areas. At present the Berryden corridor experiences congestion, and rather than encourage traffic to enter residential areas unnecessarily, it is considered the project would in fact reduce such activity as capacity along the route is increased, congestion is reduced and drivers do not find it necessary to use alternative routes to avoid congestion. Traffic will of course enter residential areas along the route as they leave the strategic network and enter the local road network to access homes and businesses (*Community council issue 1*).
- Concern is raised that there are schools located nearby with implications for the safety of children. However, traffic would in fact be reduced on Great Northern Road outside Kittybrewster School as strategic traffic is diverted onto the new route. Pedestrian crossings would be provided to allow children to cross the new road safely (*Community council issue 2*).

Air Quality

Policy T4 (Air Quality) states that development proposals which may have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed. An air quality assessment has been undertaken by the applicant and reviewed by the Council's Environmental Health officers.

Nitrogen dioxide (NO₂) monitoring data indicates that existing levels in the northern leg of the corridor range from 12–23 ug_m⁻³ and are well below the annual mean air quality objective of 40 ug_m⁻³. In terms of the overall project, the assessment predicts the air quality impact at the majority

of receptors along the route would be negligible and that overall the project would lead to more properties experiencing beneficial effects rather than adverse effects. Beneficial changes were predicted where the carriageway would be realigned and relocated further away from properties. Slight and moderate adverse impacts are predicted at some properties along the northern leg, due to the increased traffic flows from the introduction of the new road close to properties.

In terms of particulate matter (PM_{10} and $PM_{2.5}$), modelling of background concentrations in the area indicate current levels are well below the annual air quality objective of $18\mu\text{g}\text{m}^{-3}$. As with NO_2 , both beneficial and detrimental impacts were predicted along the new route. The maximum predicted increase in concentration was $1.2\mu\text{g}\text{m}^{-3}$ and levels at all receptors were predicted to be well below the air quality objective.

Due to the limited space within the corridor, it is not possible to introduce design changes to locate the road further from affected properties. The route is a result of option appraisal work undertaken in line with established strategies described above. Notwithstanding, absolute concentrations in these areas in any case are predicted to be well below the objective level. Furthermore, the impact is anticipated to occur in the early years of operation of the road. As time progresses it is expected that pollution levels across the city will decrease as there is increased use of alternative fuel and less polluting vehicles, such as those powered by hydrogen or electricity. Measures such as the proposed Low Emissions Zone within the city centre will also influence air quality around the city centre.

As discussed earlier in this report, the Berryden project is one of several elements required to allow a reallocation of road space and reduction in traffic in the city centre. One of the matters which the city centre measures aim to address is the poor air quality within the city centre, much of which has been declared as an Air Quality Management Area. The project would therefore have a wider positive impact on air quality across the city. Going forward air quality monitoring will continue along the proposed new route, to inform any future traffic management decisions and to ensure that the risk of exceedances of the annual mean NO_2 objective are minimised.

In summary, whilst there would be slight increases in air pollution levels at certain locations along the route, these would still be below levels which would be of concern and therefore the impact is considered acceptable when considered against the benefits of the project in allowing existing air quality problems within the city centre to be addressed. The proposal is therefore considered to be in general accordance with the purpose of Policy T4, which is to tackle Aberdeen's air quality problem (*issue 4 in representations*).

Noise

Policy T5 (Noise) indicates that there will be a presumption against noise generating developments, as identified by a Noise Impact Assessment ('NIA'), being located close to noise sensitive developments, such as existing or proposed housing.

A NIA has been carried out which considers the impact of the entire scheme on a study area of 600m either side of the route, comprising 16,933 properties. Although this application is only for the northern leg of the project, it is intrinsically linked to and is part of the wider scheme. When complete, the overall scheme will alter traffic flows in the wider area, reducing noise in some areas and increasing it in others. Therefore, in terms of considering the noise impact, it is not practicable to consider the northern leg of the project in isolation. Therefore, discussion around noise utilises figures for the whole project, but also highlights the specific impacts along the northern leg.

The study shows that even if the project was not undertaken, due to predicted general increases in traffic, noise in the study area would increase negligibly between the baseline year of 2020 and assessment year of 2035.

As part of the project design, existing walls which would be beneficial in reducing noise exposure experienced by properties would be retained. New noise barriers are also proposed, however due to the urban nature of the route, the locations in which they can practicably be installed without blocking property windows or causing visual harm are limited.

With the project in place and incorporating existing and proposed noise barriers, the majority of properties in the study area experience a negligible increase in daytime traffic noise in the short-term (2020 without project compared to 2020 with project). Predicted increases in short term noise levels result in minor impacts at 643 dwellings, moderate impacts at 75 dwellings and major impacts at 281 dwellings.

In the long-term (2020 without project compared to 2035 with project), again the majority of properties would experience a negligible increase in noise. Noise impacts would be minor at 2,340 dwellings, moderate at 158 dwellings and major at 192 dwellings. The properties which would experience the largest impacts are those located beside Picktilum Place and those on Great Northern Road, both locations adjacent to where new carriageway is proposed. As a result of these findings, there is clear tension with Policy T5, as the proposal would increase noise at residential properties and other sensitive receptors.

The limited space along the corridor restricts the ability to adjust the alignment of the road to locate it further away from properties. Similarly, the close proximity of the road to buildings provides little opportunity to utilise landscaping or noise barriers to reduce the impact.

Some of those properties experiencing a significant change in noise impact due to the project may be eligible for improved insulation under the provisions contained within *The Noise Insulation (Scotland) Regulations 1975*. The estimated number of these properties is approximately 150, however this number is only for indicative and may be subject to change when the actual impact of the new road is assessed once in use. The regulations place a requirement on the Council in its capacity as roads authority to offer to carry out or make a grant in respect of the cost of carrying out work to an eligible property, which would mitigate the impact of the project on the worst affected properties. As this is a requirement on the roads authority, there is no requirement to attach a planning condition in relation to this aspect.

To summarise, there will be an adverse impact in terms of noise on a significant number of properties, predominately along the northern leg of the project. Mitigation measures would be implemented as far as reasonably practicable and those properties worst affected may be eligible for noise insulation under separate provisions under roads legislation. Whilst the increase in noise exposure would be contrary to Policy T5, the wider benefits of the project discussed earlier in the report are considered to outweigh this harm.

Vibration

Vibration from traffic can be transmitted through the air or through the ground. Airborne vibration is produced by the engines and exhausts of road vehicles. Ground borne vibration is produced by the interaction of vehicle tyres and the road surface in combination with the passage of vehicles over irregularities in the road surface. Airborne vibration is noticed by building occupiers more often than ground borne vibration as it may result in detectable vibrations in building elements such as windows and doors. Perceptible vibration only occurs in rare cases and the normal use of a building, such as closing doors and operating domestic appliances can generate similar levels of vibration to that from traffic. The potential for vibration impacts is limited to the immediate vicinity of a road, and the relationship between nuisance due to vibration is based on properties located within 40m of a road, of which there are 8,111 properties, the majority of which comprise flatted properties.

In respect to the occurrence of ground-borne vibration, it is necessary to have defects in the road surface for it to occur. Since it can be assumed that the new road will initially have a surface that is of a high standard without defects, it can be assumed that, on opening, ground-borne vibration will not be an issue. Future problems can be avoided by routine maintenance of the road.

In terms of air-borne vibration, if the road were not built, in terms of vibration nuisance –

- 1133 (14%) of dwellings would experience less than 10% increase
- 252 (3%) of dwellings would experience 10 to 20% increase
- 11 (less than 1%) of dwellings would experience 20 to 30% increase
- 6 (less than 1%) of dwellings would experience 30 to 40% increase
- 6,522 (80%) of dwellings would experience no change
- 181 (2%) of dwellings would experience less than 10% decrease
- 3 (less than 1%) of dwellings would experience 10 to 20% decrease
- 2 (less than 1%) of dwellings would experience 20 to 30%.

With the project in place,

- 3,512 (43%) of dwellings within 40m of the route would experience less than 10% increase,
- 185 (2%) of dwellings would experience 10 to 20% increase,
- 80 (1%) of dwellings would experience 20 to 30% increase,
- 34 (less than 1%) of dwellings would experience 30 to 40% increase,
- 3,887 (48%) of dwellings would experience no change,
- 419 (5%) of dwellings would experience less than 10% decrease and
- 1 (less than 1%) dwelling would experience 30 to 40% decrease in vibration nuisance.

The properties anticipated to experience the worst-case increases as those located at Picktillum Place and Kittybrewster Square, as the change from open space to road will be a significant change in the local environment.

Drainage

Policy NE6 (Flooding, Drainage and Water Quality) requires development to consider matters relating to flooding and surface water drainage.

A Flood Risk and Drainage Impact Assessment has been submitted which explains that the primary source of potential flooding related to the project is from a combination of surface water and sewer flooding. Flood modelling has been undertaken to inform the drainage design which would see surface water being collected and discharged into a detention basin proposed between the new road and the Kittybrewster Council Depot. The flood modelling shows that along the northern leg of the route, there would largely be a beneficial impact on nearby buildings and infrastructure as a result of the project, that is to say the flood risk would be reduced by the introduction of the road and its associated drainage infrastructure. A storage building and car park at the Kittybrewster Depot is however identified as experiencing an increased risk of flooding due to a change in ground levels. To address this, the capacity of proposed drainage pipes in the locality would be increased, which would reduce the impact to being negligible.

The proposals have been reviewed by the Councils flooding officers and are considered acceptable, subject to the detailed design being submitted for approval via a condition. The proposals are considered to be in accordance with Policy NE6.

Built Heritage

Two designated heritage assets would be affected by the development, March Stone 55 and the

Northern Hotel.

- March Stone 55 sits against a low rubble wall on Back Hilton Road. It is a grey granite block carved with 55 ABD. It was one of the outer boundary stones of Aberdeen City and a stone is recorded in this general position in 1698 and was replaced, believed by the current stone, at some point between 1790 and 1810.

Policy D4 (Historic Environment) states that there will be a presumption in favour of the retention and reuse of listed structures. As the stone is located on the line of part of the new road, it is proposed to relocate it to a new position approximately 11m to the northwest, adjacent to the same wall as it sits against at the moment. The applicant's heritage consultant considers that the stone's location as a marker of the city boundaries is much reduced given its likely earlier relocation. Therefore, the reinstatement of the stone in a close-by location is considered acceptable. The new position nearby would retain the stone's significance as part of the wider group of boundary markers around the city. A separate listed building consent application (200374/LBC) has also been submitted to relocate the stone.

- The Northern Hotel (category A listed) dates from 1938 and was designed in the Art Deco style by A. Marshall McKenzie & Son. Although the building would not be directly affected by the development, its setting would be altered as the road layout outside it is changed. Policy D4 requires high quality design that respects the character, appearance and setting of the historic environment. The building is currently surrounded by the hard surfacing of the pavement and road. This would not change significantly as a result of the development; however, the new alignment of the road would provide the opportunity to create a shared surface with higher quality materials outside the hotel. There is also scope of tree planting although the area is heavily constrained by the position of underground utilities. Historic Environment Scotland have confirmed that they considered that the setting and primacy of the building would not be adversely impacted. Overall it is considered that the project offers an opportunity to enhance the setting of the listed building, in accordance with the legislative and policy requirements. The final design detail of the area outside the hotel would be secured through the condition requiring a landscaping scheme to be submitted.

Policy D5 (Our Granite Heritage) seeks the retention and appropriate re-use, conversion and adaption of all granite features, structures and buildings, including setted streets, granite kerbs and granite boundary walls. Several sections of wall as well as the electricity substation are constructed from rubble granite. There are opportunities to reuse stone for various walls proposed along the route and for granite kerbing to be re-used if appropriate, including outside the Northern Hotel to enhance its setting. Alternatively, granite kerbs could be reused in sections of the project within the Rosemount and Westburn Conservation Area. At present it is unknown how much of the walls or kerbs could be reused in the new road, therefore a condition has been attached requiring a survey to be carried out and proposals for their reuse submitted.

The Council's Archaeology advisor has reviewed the application and considers that there would be a low likelihood of archaeological remains existing along the route, therefore no further action is required regarding archaeology. However, to ensure a proper historic record of the area prior to the construction of the new road, a condition is proposed to require a photographic survey of the existing buildings, structures, roads, routeways and their overall setting to be undertaken.

Several other applications for listed building consent and conservation area consent are pending which relate to buildings and structures affected by the southern leg of the project, however they are being considered separately from this application.

Natural Heritage

The applicant has carried out a Preliminary Ecological Appraisal along the length of the route. Its conclusions are that the biodiversity value of the study area is low, due to its urban nature, the absence of semi-natural habitats (many of the tree species present are noted to be of introduced varieties) and the overall scarcity of green networks and other connectivity to sites of nature conservation value in the wider area. In terms of its potential for impacting on protected species –

- None of the habitats present on site appear to provide habitats of a quality, extent, and connectivity to provide opportunities for badger sett creation, foraging, or commuting. Additionally, no evidence of badger was noted during the survey.
- In relation to bats, a substation building at the junction of Ashgrove Road and Hilton Road was considered as having moderate potential to accommodate bat roosts, whereas several sycamore trees at Great Northern Road have low potential. As it is unlikely that works will start on site within 12 months of the survey being undertaken, a condition is proposed which requires an updated survey to be undertaken before site clearance or construction commences.

Landscape and Trees

In terms of impact on the urban/landscape character of the area, the introduction of the road would remove an area of green space located between Picktilum Place, Back Hilton road and Kittybrewster Square, albeit the purpose of the area being left as green space when the adjacent flats were built was to allow the road to be constructed. Notwithstanding, the visual appearance of this part of the route would be altered significantly, having an adverse impact on the outlook from the flats bordering it. Beyond this area, the parts of the northern leg which would be affected by the proposal have little townscape or landscape merit. Other than the pockets of trees along the route which do contribute positively to visual amenity, the area comprises vacant and derelict ground.

A tree survey has been carried out which identifies 159 trees along the northern leg of the route. To accommodate the road and ensure that technical design standards are met, 133 of those trees would require to be removed. This would be contrary to Policy NE5 (Trees and Woodland) which states that there is a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation.

Unfortunately, due to the constrained route there is little opportunity to alter the road alignment to reduce tree loss any further. The majority of trees are young or in early maturity and therefore the impact is less than if the tree cover was at a mature stage where it would have a higher value in terms of their visual contribution to area.

The policy requires that where trees may be impacted by a proposed development, a Tree Protection and Mitigation Plan will need to be submitted and agreed before any development activity commences. The indicative landscaping scheme shows 131 trees planted along the route, set within landscaped areas featuring native hedgerows, shrub planting, grasses and wildflower planting. Specific species have been selected to help provide screening of the road from the rear of the tenements on Great Northern Road and the police station. Therefore, whilst initially the loss of trees along the route would be stark, over time as trees mature, they would contribute to the softening of the streetscape. The outline landscaping scheme is considered acceptable, with a condition proposed to secure submission and implementation of a detailed landscaping scheme.

Therefore, whilst the proposal is contrary to Policy NE5, the tree loss is inevitable if the benefits of the project are to be realised. The benefits of the project outlined earlier in the report are considered to outweigh the tension with the policy. A suitable replacement tree planting scheme can be provided as part of the wider landscaping proposals which would see native species provided along the route. Furthermore, a condition is to be attached requiring the tree protection measures around trees to be implemented.

Proposed Aberdeen Local Development Plan

As discussed above the Proposed Aberdeen Local Development Plan 2020 (ALDP) continues to safeguard the land within the corridor for the Berryden project, the northern part of which is the subject of this planning application. Otherwise technical policies substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both Plans for the reasons previously given.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The Berryden Corridor Improvement project is a key element in the Council's long-term strategy to reduce traffic within the city centre. Alongside other roads projects such as at South College Street, it would allow traffic to be routed around the city centre core, rather than through it, which in turn would allow space within the city centre to be reallocated to use by pedestrians and sustainable transport modes. The project would also alleviate congestion along the route and also at the Westburn Road / Hutcheon Street / Berryden Road junction, which is key to the success of the re-outing of traffic from the city centre. The project would support the aims of the Regional Transport Strategy and themes contained within the National Transport Strategy and Scottish Planning Policy. By virtue of being included within the Council's Local Transport Strategy the principle of the project is established. Alongside the inclusion in the LTS, the land is allocated within both the Adopted and Proposed Local Development Plans for the purpose, further establishing support for the proposal. Support is also offered from the City Centre Masterplan and Strategic Infrastructure Plan.

With the project complete, air pollution levels along the route would continue to be below objective levels and the measures which the project would allow to be implemented within the city centre would help improve air quality there.

There will be an adverse impact in terms of noise on a significant number of properties, predominately along the northern leg of the project. Whilst the increase in noise exposure would be contrary to Policy T5, the wider benefits of the project discussed earlier in the report are considered to outweigh this harm.

Adverse impacts have also been identified in terms loss of trees; however, a suitable replanting and landscaping scheme would mitigate this impact and overtime would help the road integrate into the area satisfactorily.

Other matters relating to traffic management, drainage, protected species and built heritage have been satisfactorily addressed.

CONDITIONS

(1) PHOTOGRAPHIC SURVEY

No development (including demolition or site clearance) shall take place unless a photographic survey of the existing buildings, structures, roads, routeways and their overall setting on the application site has been submitted to and approved in writing by the planning authority. All external elevations of the buildings and structures together with the setting of the buildings, structures and routeway and any unusual features of the existing buildings, structures and routeway shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.

Reason – to ensure that a historic record of the building is made for inclusion in the National Monuments Record for Scotland and in the local Historic Environment Record.

(2) TREE PROTECTION

No development shall take place (including demolition or site clearance) unless the construction exclusion zones and associated protective fences have been established on site in accordance with Alan Motion Tree Consultant drawings SW-ACC-TP-04 and SW-ACC-TP-05. Thereafter, unless otherwise agreed in writing by the planning authority, the exclusion zones shall remain in place for the duration on the construction of the road.

Reason – to protect trees during the construction of the development.

(3) BAT SURVEY

No development shall take place (including demolition or site clearance) unless a further bat survey has been submitted to and approved in writing by the planning authority. The scope of the survey will be dictated by the recommendations in section 5.3.1 of Preliminary Ecological Appraisal Report ref: 65200891 by Sweco. Thereafter, development shall be undertaken in accordance with the approved bat survey.

Reason – to ensure the protection of bats.

(4) DUST MANAGEMENT

No development shall take place unless a Dust Management Plan detailing the necessary dust control measures to be implemented during development has been submitted to and approved in writing by the planning authority. The Dust Management Plan shall include and be based on an 'Air Quality (Dust) Risk Assessment' by a suitably qualified consultant to predict the likely dust levels and impact on air quality including a determination of its significance.

Thereafter, unless otherwise agreed in writing by the planning authority, the measures contained within the Dust Management Plan shall remain in place for the duration on the construction of the road.

Reason – to protect the surrounding receptors from dust.

(5) DRAINAGE

No development shall take place unless a detailed scheme of all drainage works, in accordance

with the principles contained within the Flood Risk and Drainage Impact Assessment (ref: 70062072 (Rev.2) by WSP), has been submitted to and approved in writing by the planning authority. Thereafter, unless otherwise agreed in writing by the planning authority, the northern leg of the road (approved by this application) shall not be brought into use unless development has been undertaken in accordance with the approved scheme.

Reason – to ensure surface water associated with the development can be adequately dealt with.

(6) STREET FURNITURE

No development shall take place unless a scheme of street furniture (e.g. street lights, barriers, traffic signals) has been submitted to and approved in writing by the planning authority. Thereafter development shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the planning authority.

Reason – to satisfactorily integrate the development into the surrounding environment and maintain the visual amenity of the area.

(7) LANDSCAPING

No development shall take place unless a detailed landscaping scheme has been submitted to and approved in writing by the planning authority. The scheme shall include the proposed areas of tree, shrub and turf planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting

Thereafter, unless otherwise agreed in writing by the planning authority, all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

Reason – to satisfactorily integrate the development into the surrounding environment and maintain the visual amenity of the area.

(8) BOUNDARY TREATMENTS

No development shall take place unless a scheme of boundary treatments showing typical elevations and construction detail of each boundary type has been submitted to and approved in writing by the planning authority. Thereafter, unless otherwise agreed in writing by the planning authority, the northern leg of the road shall not be brought into use unless development has been undertaken in accordance with the approved scheme.

Reason – to satisfactorily integrate the development into the surrounding environment and maintain the visual amenity of the area.

(9) RE-USE OF GRANITE

The northern leg of the road shall not be brought into use unless a scheme quantifying the amount of salvageable granite (from buildings, structures and kerbs) along the route has been submitted to and approved in writing by the planning authority. The scheme shall indicate where within the development (either within the application boundary or as part of the wider project) such granite will be re-used. Thereafter, unless otherwise agreed in writing by the planning authority, the

northern leg of the road shall not be brought into use unless development has been undertaken in accordance with the approved scheme.

Reason – to satisfactorily integrate the development into the surrounding environment and maintain the visual amenity of the area.

(10) NOISE BARRIERS

The northern leg of the road shall not be brought into use unless (i) the noise barriers shown on figures C.5 and C.6 within the Noise and Vibration Assessment (ref: 60528418 (Rev.03) by AECOM) have been installed; and (ii) the walls acting as noise barriers which are identified have remained in place or have been replaced by barriers of the same height as identified in the assessment, unless otherwise agreed in writing by the planning authority.

Reason – to mitigate the impact of noise from the operation of the road on surrounding properties.

ADVISORY NOTES FOR APPLICANT

(1) HOURS OF DEMOLITION AND CONSTRUCTION WORK

Unless otherwise agreed in writing with Aberdeen City Council Environmental Health Service (poll@aberdeencity.gov.uk / 03000 200 292), demolition or construction work associated with the proposed development should not take place out with the hours of 07:00 to 19:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays. No noisy work should be audible at the site boundary on Sundays.

Where complaints are received and contractors fail to adhere to the above restrictions, enforcement action may be initiated under the Control of Pollution Act 1974.

(2) PROTECTION OF BATS

Bats are European Protected Species as defined in the Conservation (Natural Habitats &c.) Regulations 1994. It is illegal to:

- deliberately kill, injure, disturb or capture/take bats; or
- or damage or destroy the breeding sites or resting places of bats.

During construction work the applicant and/or the developer should remain vigilant for any signs of bats. Should bats or any sign of bats be discovered, all work in that area should cease immediately and Scottish Natural Heritage contacted for further advice (licensing@snh.gov.uk / 01463 725364).

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE



Erection of a 2 storey dwelling house with integral double garage; terrace; external steps; partial excavation and releveling including construction of retaining walls/fencing and associated landscaping

Land opposite 39 Bloomfield Road, Aberdeen

Detailed Planning Permission
200484/DPP

Location Plan

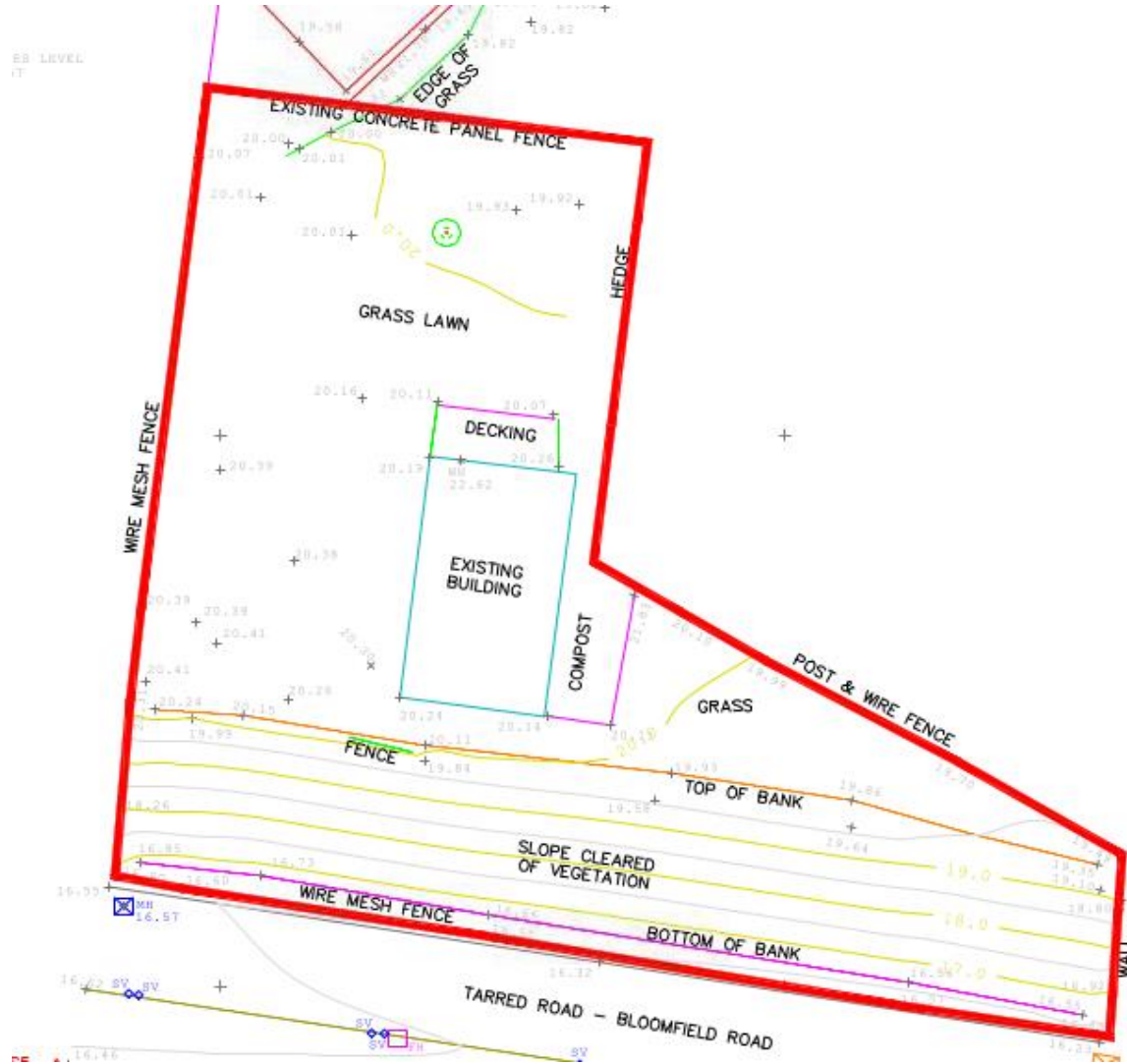


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Aerial Image



Existing Site Plan



Proposed Site Plan



Proposed Elevations



5 West
1:100



7 North
1:100

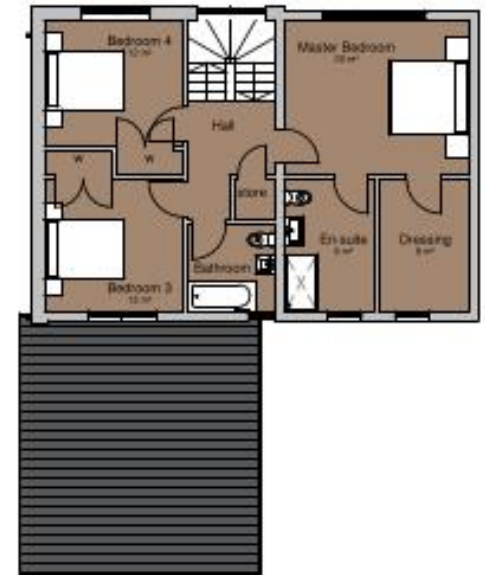
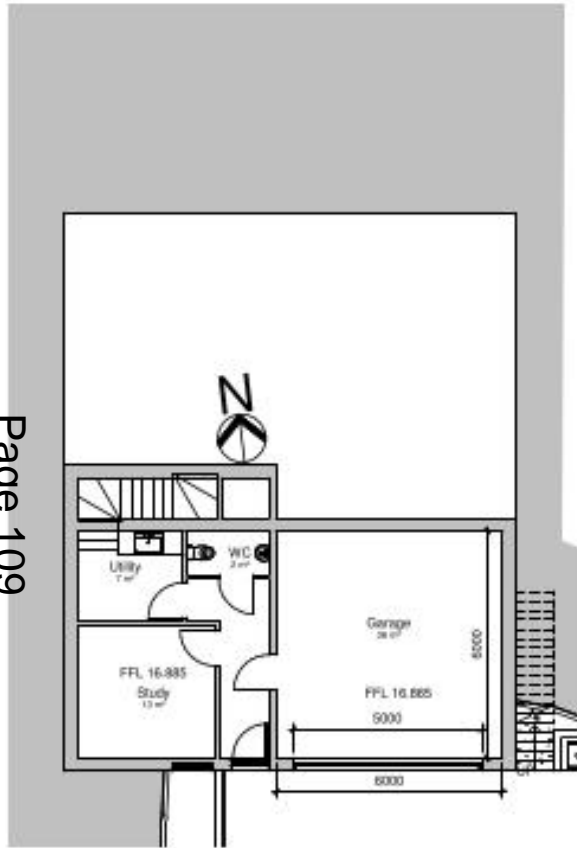


4 East
1:100

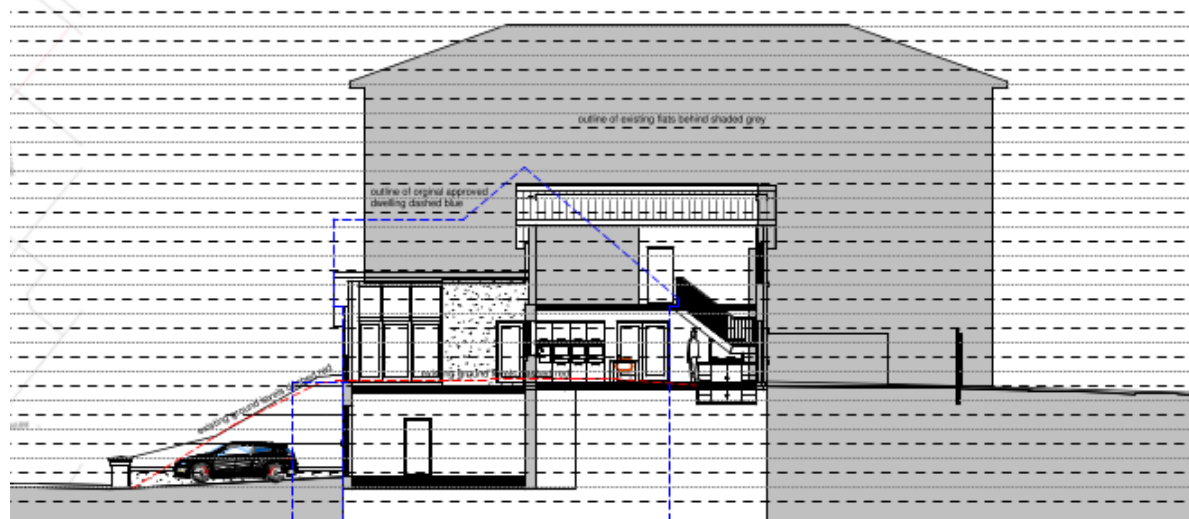
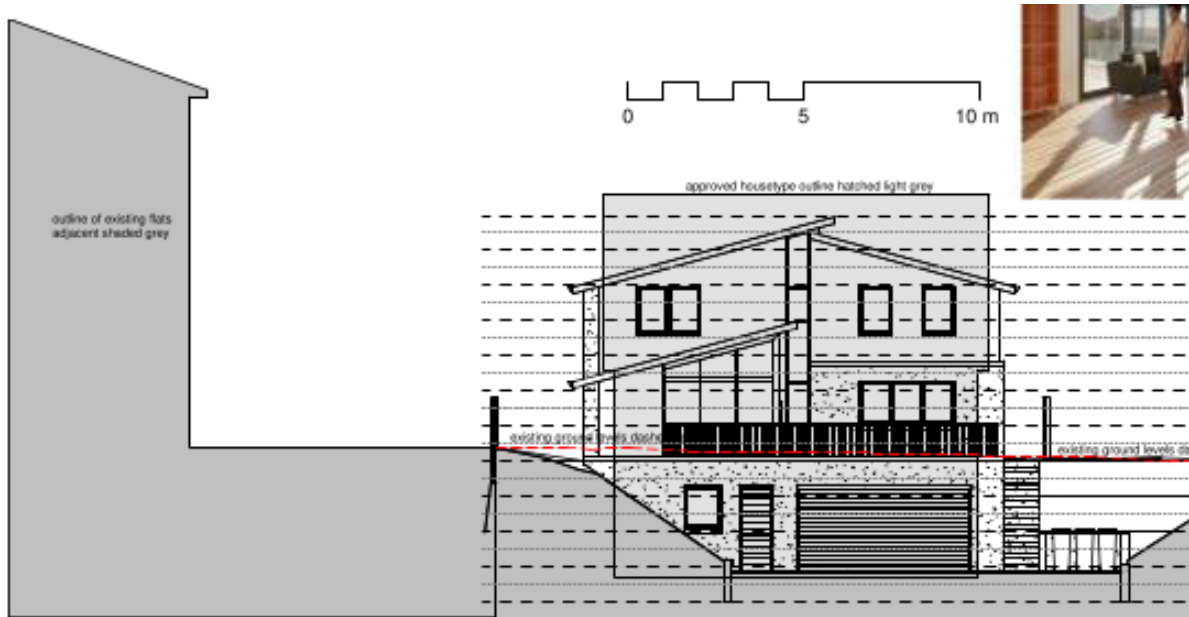


6 South
1:100

Proposed Floorplans



Proposed Sections



Proposed visual



PROPOSED



APPROVED

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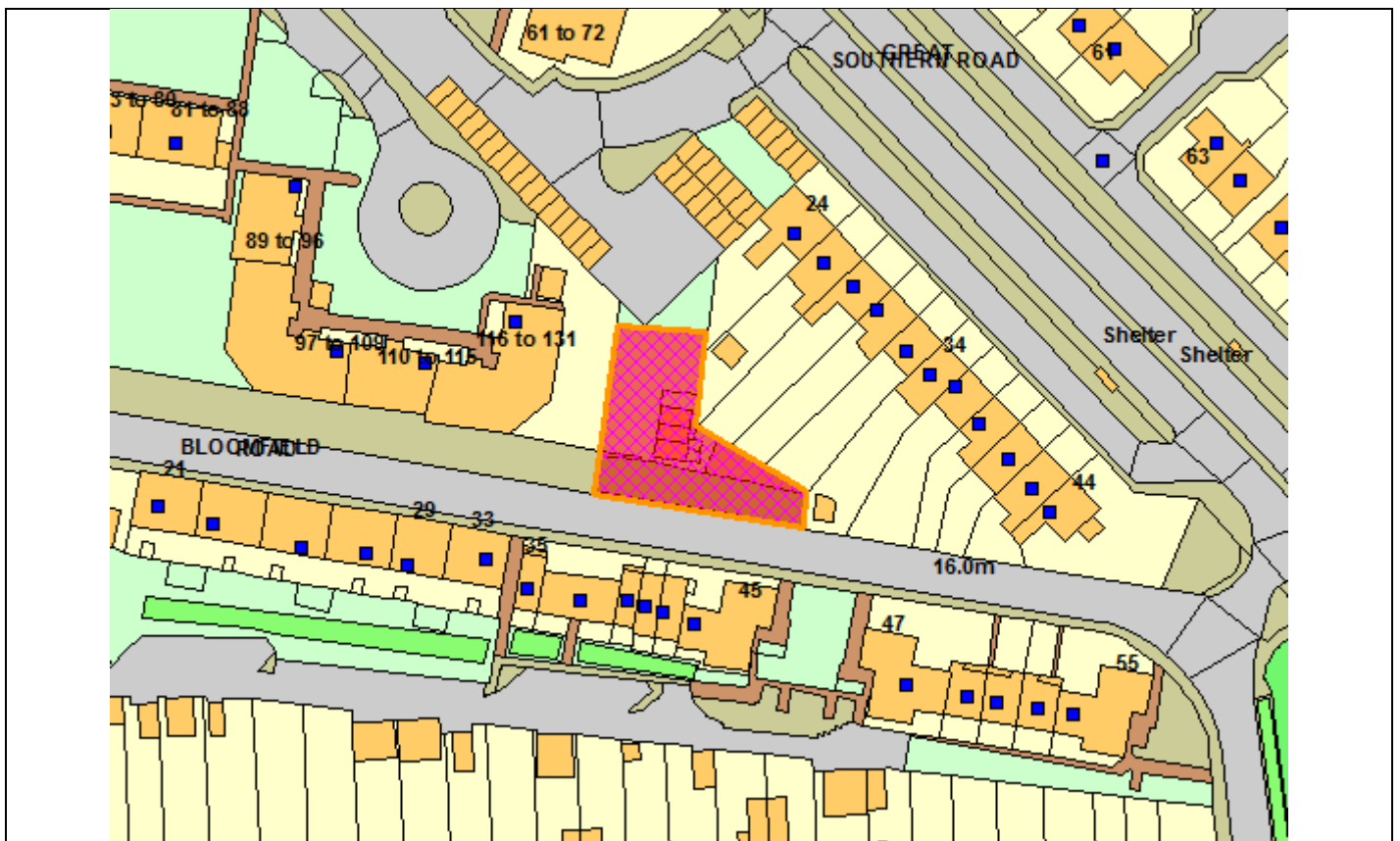


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 August 2020

Site Address:	Land Opposite To 39 Bloomfield Road, Aberdeen, AB10 6AG,
Application Description:	Erection of a 2 storey dwelling house with integral double garage; terrace; external steps; partial excavation and releveling including construction of retaining walls/fencing and associated landscaping
Application Ref:	200484/DPP
Application Type	Detailed Planning Permission
Application Date:	23 April 2020
Applicant:	Mr Jon Whyte
Ward:	Torry/Ferryhill
Community Council:	Ferryhill and Ruthrieston
Case Officer:	Dineke Brasier



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RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

An irregular shaped site extending to c.680m² located on the north side of Bloomfield Road, towards the end with Great Southern Road, within an existing residential area. The site initially slopes steeply up from south to north, with a change in levels of c.3.5m, before flattening out further back into the site. It is currently unused and is predominantly grassed/vegetated.

To the south is a three to four storey modern flatted block facing out onto Bloomfield Road; to the west is a three to four storey modern flatted complex part of Bloomfield Court; to the north is a turning area and freestanding garage blocks serving the flats to the west and further to the north; and to the east is a row of more traditional granite two storey terraced properties fronting Great Southern Road, some of which have gardens extending back to the application site boundary.

Relevant Planning History

180060/DPP - Erection of a 1½ storey dwelling with double garage, partial excavation and releveling, including construction of retaining walls and associated landscaping – Approved on 26th April 2018.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the erection of a two storey detached dwelling with integral garage on the lower ground floor. Accommodation would comprise a lounge; kitchen/family area; bedroom and bathroom on the ground floor with a further three bedrooms and two bathrooms on the first floor. The lower ground floor would include an integral double garage, study and utility room. The dwelling would have a contemporary design, with a south facing principal elevation. It would have a rectangular plan measuring c.12m by c.8.5m with a ground floor front projection measuring c.6m by c.5.5m (i.e. the ground floor is L-shaped) resulting in an overall footprint of c.130m². The dwelling would have asymmetric mono-pitched roofs where the overall height of the western half of the dwelling would be c.0.2m higher than the overall height of the eastern half. Fenestration would include fully glazed doors and full height windows on the ground floor of the north, south and east elevations, with additional smaller windows proposed on the ground floor of the west, and both the ground and first floor of the north and south elevations. Proposed materials would include vertical larch cladding and off-white smooth render for the walls, profiled metal sheeting for the roof and dark grey windows and doors.

The site itself would be predominantly levelled, with a new driveway created off Bloomfield Road with parts of the bank retained to the east and west. To the front of the ground floor of the dwelling would be a patio/terrace at ground floor level, with a private garden to the rear of the building. Boundary treatment would consist of a timber fence along the west, north and east boundary, with a more open frontage along the south facing boundary onto Bloomfield Road.

The proposal has been amended during the planning application process, with the orientation of the building altered, private rear garden area increased, and the removal of first floor windows on the east elevation. These amendments were considered to comprise a material change to the proposal and a second consultation period was undertaken.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online->

applications/applicationDetails.do?activeTab=documents&keyVal=Q94P2EBZHVV00

Planning and Design Statement by Eleanor Alexander Architect, dated April 2020 setting out the rationale behind the proposed design and compliance with all relevant policies.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because a total of 6 letters of objection were received during the first consultation, with additional comments received from the same 6 objectors during the renotification period.

CONSULTATIONS

ACC - Roads Development Management Team – No objections. Sufficient parking would be provided on the driveway and the garage, with the garage meeting the minimum internal dimensions required. It should be ensured that nothing higher than 1m will be located within the visibility splay.

ACC - Waste and Recycling – No objections

ACC - Contaminated Land Team – No objections subject to the use of a suitably worded condition in relation to the submission of a contaminated land assessment. The site was previously occupied by a sand pit (west) and a stone yard (east) and there is therefore the potential for some contamination.

Ferryhill and Ruthrieston Community Council – None received

REPRESENTATIONS

Six timeous letters of objection were received to the initial round of neighbour notification, raising the following matters:

1. The modern design of the proposed dwelling is not homogenous with the surrounding area and is out of character;
2. Proposal would result in a loss of privacy to gardens and properties at Great Southern Road;
3. Proposal would result in overdevelopment of the site, and would constitute a 50% increase in the floorspace previously approved;
4. The proposal would result in an increase in traffic on Bloomfield Road, which is a narrow, quiet road;
5. Comparison of the proposed design with the Whinhill Medical Centre is irrelevant.

Following amendments to the proposal, and in particular the removal of first floor windows in the east elevation and the re-orientation of the building, a further round of neighbour notification was triggered. A total of 6 timeous letters of objection were received, all from the same objectors as previously raising the following additional matters:

6. Insufficient garden space for proposed residents, which is less than the minimum requirements;
7. Removal of upper floor windows on the east elevation is an improvement. If Councillors are minded to approve the application, can a condition be added to remove permitted development rights to ensure no windows can be installed in that upper floor elevation without express consent from the Planning Authority, and that the boundary treatment is installed prior to occupation.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

Aberdeen City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP may also be a material consideration. The Proposed SDP constitutes the settled view of the Strategic Development Planning Authority (and both partner Councils) as to what should be the final content of the next approved Strategic Development Plan. The Proposed SDP was submitted for Examination by Scottish Ministers in Spring 2019, and the Reporter has now reported back. The Scottish Ministers will consider the Reporter's Report and decide whether or not to approve or modify the Proposed SDP. The exact weight to be given to matters contained in the Proposed SDP in relation to specific applications will depend on whether:

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

Aberdeen Local Development Plan (2017)

H1: Residential Areas

D1: Quality Placemaking by Design

T2: Managing the Transport Impact of Development

R2: Degraded and Contaminated Land

R6: Waste Management Requirements for New Development

R7: Low and Zero Carbon Building and Water Efficiency

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. 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.

H1: Residential Areas

D1: Quality Placemaking

D2: Amenity

T2: Sustainable Transport

T3: Parking

R2: Degraded and Contaminated Land

R5: Waste Management Requirements in New Development

R6: Low and Zero Carbon and Water Efficiency

Supplementary Guidance

Subdivision and Redevelopment of Residential Curtilages

Transport and Accessibility

Technical Advice Note

Materials

EVALUATION

Principle of Development

The principle of residential development on the site has been accepted as part of the previous permission 180060/DPP, which is still valid and can still be implemented.

The site is located in an existing residential area and policy H1 applies. This policy sets out that residential development is acceptable in principle provided it:

- Would not result in overdevelopment;
- Would not have an adverse impact on the character and amenity of the surrounding area;
- Would not result in the loss of valuable and valued open space; and
- Complies with all relevant Supplementary Guidance, in this case Supplementary Guidance on the Subdivision and Redevelopment of Residential Curtilages.

The site was previously used as part of the garden of the Bloomfield Court flats immediately to the west of the application site. However, it hasn't been used as such for a long period of time, and is currently fenced off and overgrown. As such, it is not considered to comprise valuable or valued open space, and this part of the policy is complied with.

A further detailed assessment of all other criteria will be set out below.

Scale and Design

The previously approved 1½ storey dwelling had an overall footprint of c.110m² with a traditional pitched roof design, predominantly rendered walls and a gabled front projection with full height glazing and a garage on the lower ground floor. The site itself measured just under 600m², resulting in a plot coverage of c.18.9%

This current application sees an increase in both the development site to c.680m², and the footprint of the building to c.130m², resulting in a plot coverage of c.19.1%. As such, the proposal would be for a similar level of development on the site taking account of the increase in the size of

both the development site and the footprint of the building. Similarly, the site layout of both proposals is comparable, with a garage set at lower ground level, a large garden area to the side and relatively shallow rear garden.

Where the current proposal is different from that previously approved is its design, scale and massing. The previous approval was for a 1½ storey detached dwelling of a fairly traditional pitched roof design with a gabled front projection. This current proposal is for a two storey dwelling of a contemporary design. It would have an off-set mono pitched roof finished in metal profile sheeting, with walls finished in a combination of off-white smooth render and timber linings. The dwelling would have a south-facing principal elevation, and would have a rectangular plan orientated in an east-west direction. The single storey front projection would include full height glazing on both the south and east elevations and would act as a design feature upon approach from the east breaking up the massing of the overall building. The garage would sit within the existing bank on the site, which would be partly excavated to create the driveway area to the front. This split-level approach would work well to ensure the property would not appear too overtly dominating in the surrounding area, as it would be seen against the soft landscaped bank which rises up towards the dwelling.

The overall height of the dwelling would be c.6.8m, not including the lower ground floor, with an eaves height of c.4.8m. Even though this would be lower than the ridge height of the previously approved dwelling, which was set at 7.5m, due to the change in design with the gable facing Bloomfield Road, and the use of a full two storey design, the overall massing of the proposed dwelling would appear larger than that of the one previously approved. However, the dwelling would be set in an area with a mixed character, which consists of a mix of three and four storey flats to the west and south, and two storey terraced dwellings to the east. Given this context, the introduction of a full two storey dwelling on this site would not appear out of character or of an unacceptable scale and massing.

Furthermore, given there is a mix of traditional and more modern building designs in the surrounding area, the introduction of a contemporary design would be accepted. Proposed finishing materials include vertical larch cladding and off-white smooth render for the walls. These are all set out as acceptable materials appropriate in this mixed context in the Material Technical Advice Note.

Residential amenity

Properties at Great Southern Road

The proposal would have an east elevation facing the two storey terraced properties on Great Southern Road, whose generally long rear gardens would border the application site. Proposed boundary treatment would include a 1.8m timber fence along this boundary, which would be accepted, and would ensure that no ground floor windows in this elevation would result in unacceptable levels of overlooking/loss of privacy to the private rear gardens of these properties. The proposed design would not include any east facing windows on first floor level, ensuring that there would be no adverse impact on the residential amenity of these dwellings due to increased overlooking/ loss of privacy.

Other properties

The distance between the boundary of the application site and the Bloomfield Court flats to the west is set at c.9.5m. Again, the design would only include ground floor windows on this elevation, which, with suitable boundary treatment of a 1.8m high timber fence, would not result in any overlooking/loss of privacy to the residents of these flats.

The proposal would result in the introduction of a structure with an eaves height of c.4.8m across a length of c.8m at a distance of just over 10m from the main windows serving a number of flats. This could be considered to have an impact on the outlook of these flats, which is currently partly

screened by trees and mature vegetation on the east boundary of the application site. However, taking account of the relatively low eaves height of the building, and that the pitch of the roof slopes up away from the west boundary, it is considered that this would not have such a detrimental impact on the outlook of these properties to warrant refusal of the proposal.

Given the relatively low height of the building and the shallow pitched roof, it would not result in any significant loss of light to the flats in Bloomfield Court to the west. The building would be too far from the existing properties on Great Southern Road to the east and Bloomfield Road to the north to result in a loss of light to these properties.

Future occupants

The proposed dwelling would provide a good level of living accommodation for future occupants. The rear garden is relatively shallow at c.6.7m. However, this is an increase when compared to the scheme previously approved, which had a rear garden with a depth of c.5m. Furthermore, due to the width of the plot at c.15m, the large side garden, and the south facing terrace to the front, it is considered that the dwelling would be served by sufficient usable outdoor amenity space.

Parking and access

Bloomfield Road is a narrow two way street with on-street parking and communal bins serving the flats along the south side, and double yellow lines on the north side. There is a single pavement, again running along the south. Supplementary Guidance on Transport and Accessibility sets out that a bedroom dwelling in this location should have a maximum of three parking spaces. These spaces are provided in the double garage and on the driveway to the front.

Colleagues in Roads Development Management were consulted on the scheme, and did not raise any concerns in relation to an increase in traffic on Bloomfield Road and the proposed access and parking arrangements.

Waste

The proposed site layout shows a bin store to the side of the proposed dwelling, with proposed kerbside collection. This would be acceptable.

Contaminated land

The site was previously used as a sand pit and stone yard and there might be some contamination resulting from these previous uses. The Council's Contaminated Land Unit has been consulted on this application, and raised no objections subject to the inclusion of a suitably worded condition requesting the submission of a contaminated land assessment prior to development.

Low and Zero Carbon

No information has been submitted setting out how the proposal will comply with the requirements as set out in relation to policies on low and zero carbon building and water efficiency. Policy R7 (Low and Zero Carbon Building, and Water Efficiency) sets out that all new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology. These details, plus additional information on water saving technologies and techniques to be installed in the building can be submitted through condition.

Matters raised in letters of objection

1. The modern design of the proposed dwelling is not homogenous with the surrounding area and is out of character – *This is addressed in the evaluation*
2. Proposal would result in a loss of privacy to gardens and properties at Great Southern Road – *This is addressed in the evaluation;*
3. Proposal would result in overdevelopment of the site, and would constitute a 50% increase in the floorspace previously approved – *This is addressed in the evaluation above. The proposed footprint*

of the dwelling is c.20m² larger than that previously approved. However, the development site has also increased by c.80m² resulting in an overall similar level of development across the site;

4. The proposal would result in an increase in traffic on Bloomfield Road, which is a narrow, quiet road – *Colleagues in Roads Development Management have assessed the proposal, and did not raise concerns in relation to the increase in traffic on Bloomfield Road associated to the single dwelling subject of this application;*
5. Comparison of the proposed design with the Whinhill Medical Centre is irrelevant – *The proposal is assessed in the context of the immediate surrounding area, and its design is considered acceptable in this context.*
6. Insufficient garden space for proposed residents, which is less than the minimum requirements – *This is addressed in the evaluation above;*
7. Removal of upper floor windows on the east elevation is an improvement. If Councillors are minded to approve the application, can a condition be added to remove permitted development rights to ensure no windows can be installed in that upper floor elevation without express consent from the Planning Authority, and that the boundary treatment is installed prior to occupation – *Given the distance between the east elevation of the dwelling and the rear elevation of the properties on Great Southern Road it is not considered necessary to recommend the inclusion of a condition restricting permitted development rights for the property. It is recommended however that a condition be attached requiring installation of boundary treatment as set out in the submitted drawings (1.8m timber fencing along the west, north and east boundaries) be installed prior to occupation.*

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (ALDP) substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both Plans for the reasons previously given.

Policy D2 (Amenity) is a new policy, setting out that development should not have an adverse impact on existing residential amenity and should provide a good living environment for future residents. These issues are addressed above, and it is considered that this proposal would meet this emerging policy.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The proposal is considered not to have an adverse impact on the character and appearance of the surrounding area, nor would it be an overdevelopment of the site, nor would it have an adverse impact on the residential amenity of surrounding properties or local highway conditions, especially in relation to parking and access. Subject to conditions, it would comply with policies H1 (Residential Areas), D1 (Quality Placemaking by Development), T2 (Managing the Transport Impact of Development), R2 (Degraded and Contaminated Land), R6 (Waste Management Requirements for New Development) and R7 (Low and Zero Carbon Building, and Water Efficiency) of the 2017 Aberdeen Local Development Plan, policies H1 (Residential Areas), D1 (Quality Placemaking), D2 (Amenity), T2 (Sustainable Transport), T3 (Parking), R2 (Degraded and Contaminated Land), R5 (Waste Management Requirements for New Development) and R6 (Low and Zero Carbon Building, and Water Efficiency) of the 2020 Proposed Local Development Plan, Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages and Transport and Accessibility, and Technical Advice Note on Materials.

CONDITIONS

1. No development shall take place unless it is carried out in full accordance with a scheme to address any significant risks from contamination on the site that has been approved in writing by the planning authority.

The scheme shall follow the procedures outlined in "Planning Advice Note 33 Development of Contaminated Land" and shall be conducted by a suitably qualified person in accordance with best practice as detailed in "BS10175 Investigation of Potentially Contaminated Sites - Code of Practice" and other best practice guidance and shall include:

- a. an investigation to determine the nature and extent of contamination and any ground gases
- b. a site-specific risk assessment
- c. a remediation plan to address any significant risks and ensure the site is fit for the use proposed
- d. verification protocols to demonstrate compliance with the remediation plan

Reason: To ensure that the site is suitable for use and fit for human occupation

2. No building(s) on the development site shall be occupied unless

- a. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken

and

- b. a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination and ground gas issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

Reason: To ensure that the site is suitable for use and fit for human occupation

3. The building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Resources for New Development' Supplementary Guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full

Reason: To ensure that this development complies with requirements for reductions in carbon emissions specified in Policy R7 of the 2017 Aberdeen Local Development Plan.

4. The building hereby approved shall not be occupied unless the boundary treatment as specified in drawing 02E have been installed, and shall be retained as such or replaced with a fence/screening of a similar height unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of residential amenity.

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PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

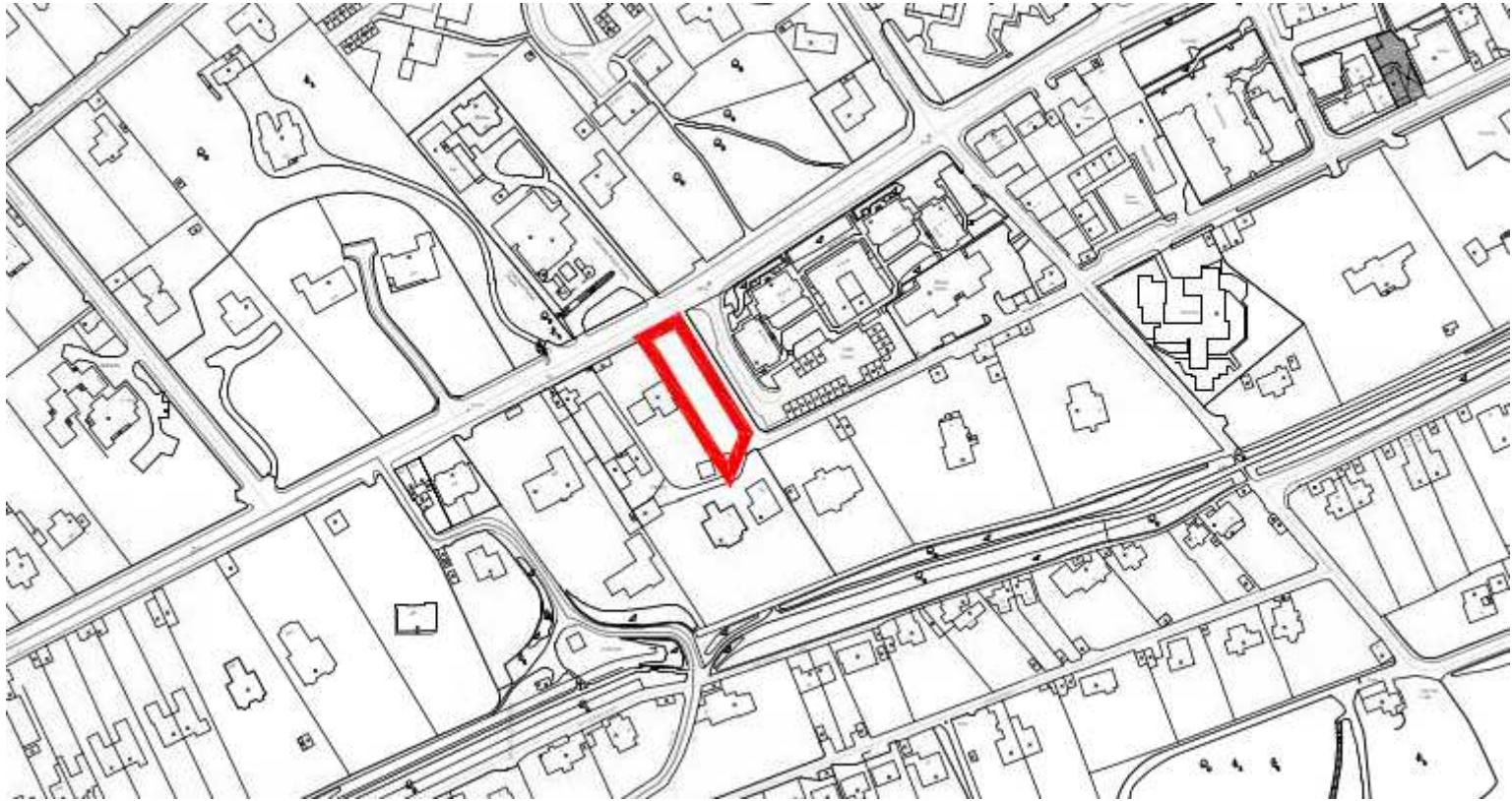


Erection of 4no. detached dwelling houses

19 South Avenue, Cults

Detailed Planning Permission
200533/DPP

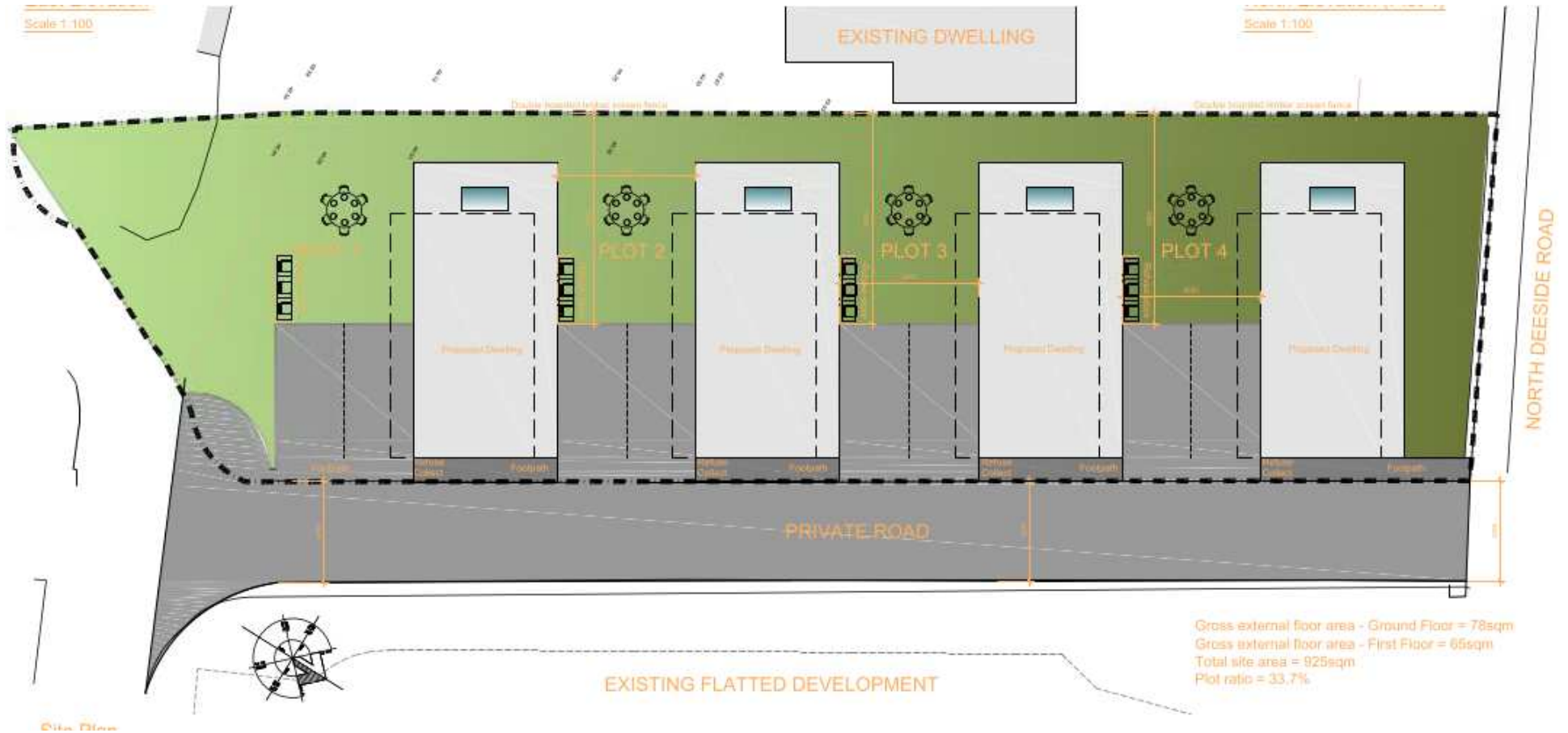
Location Plan



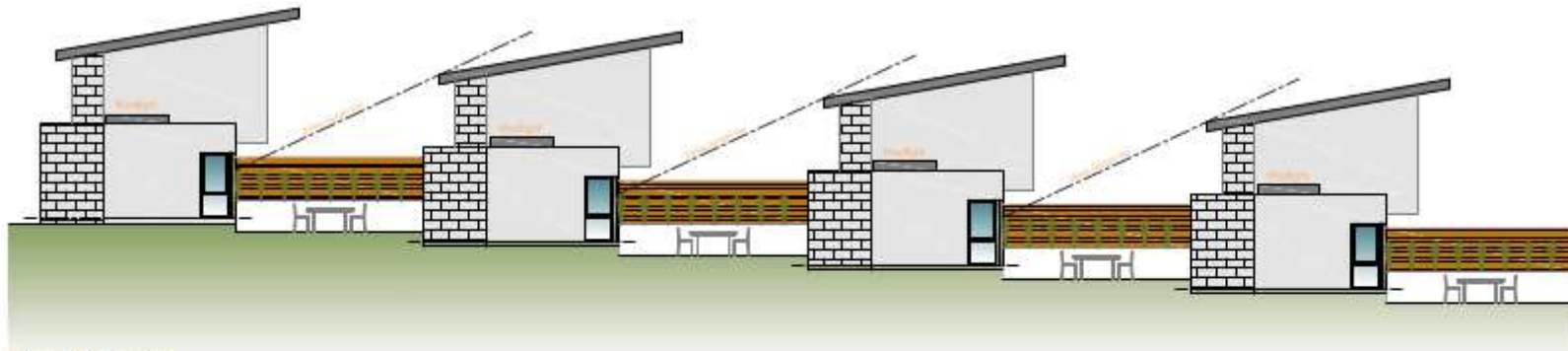
Aerial Photo



Proposed Site Plan



Proposed Elevations



West Elevation

Scale 1/100



East Elevation

Scale 1/100

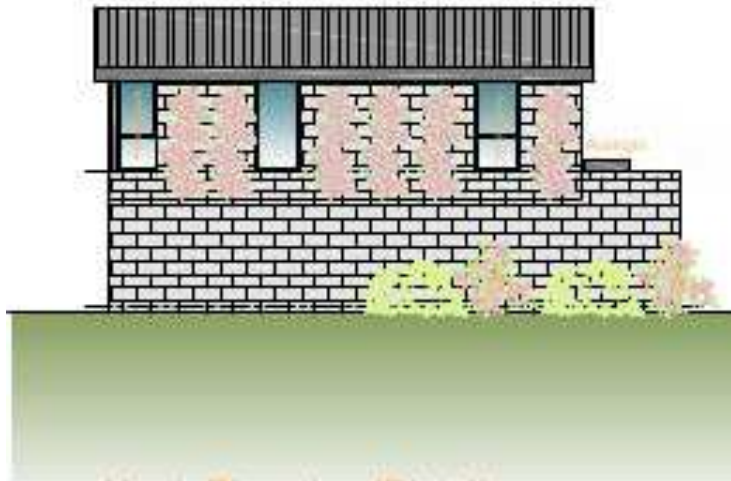
EXISTING DWELLING

Proposed Elevations



South Elevation

Scale 1:100



North Elevation (Plot 4)

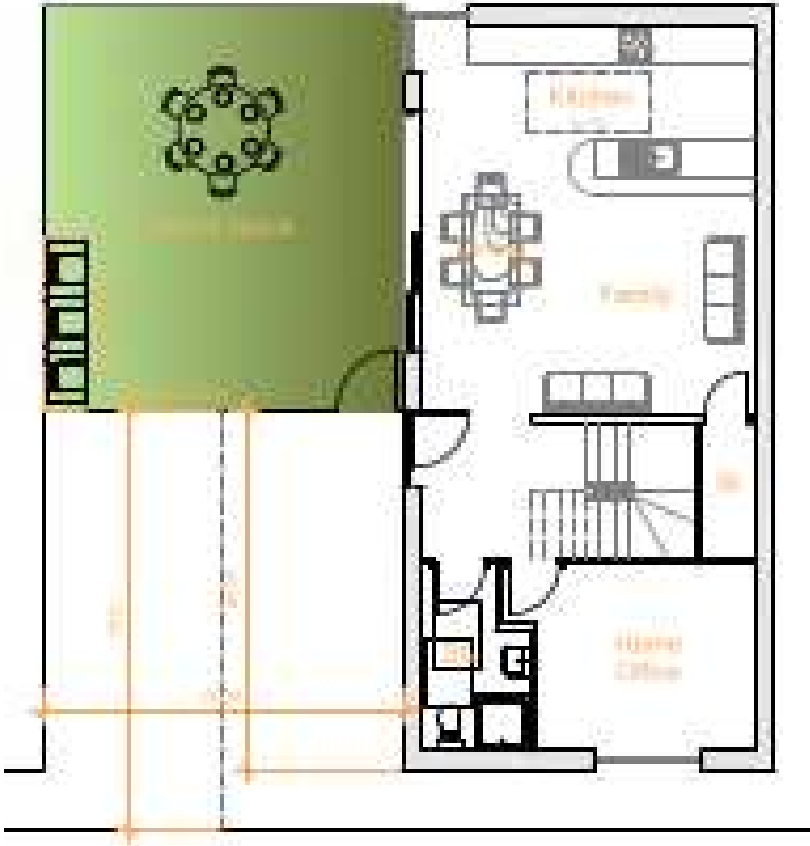
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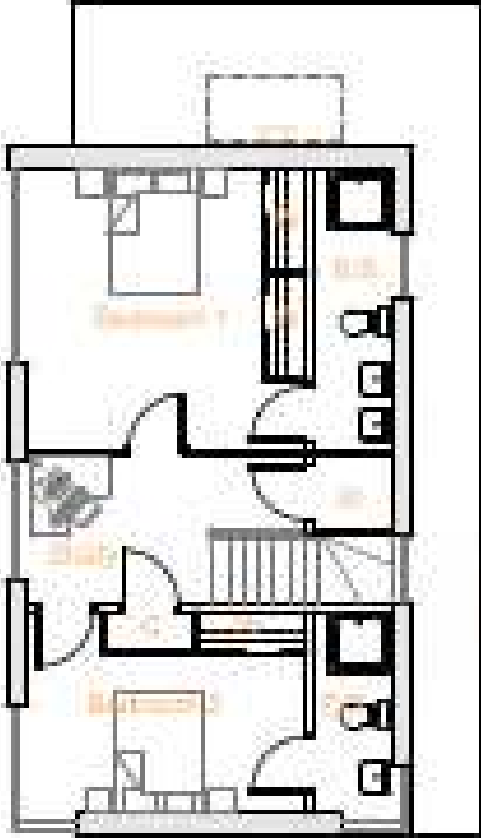
North Elevation (Plot 1,2&3)

Scale 1:100

Proposed Floorplans



Ground Floor Plan
Scale 1:100



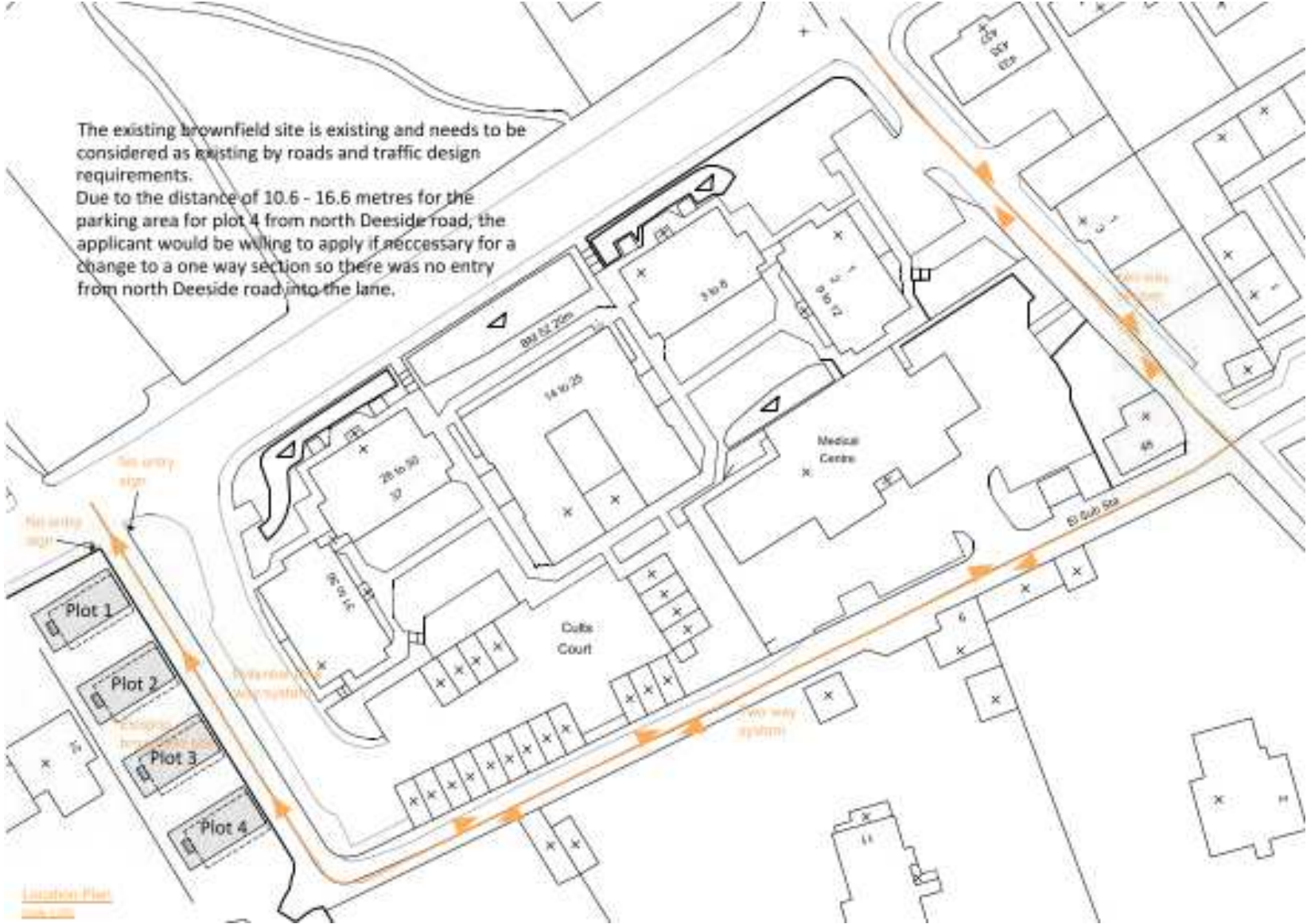
First Floor Plan
Scale 1:100

Street Elevation



Proposed One-way System

The existing brownfield site is existing and needs to be considered as existing by roads and traffic design requirements.
Due to the distance of 10.6 - 16.6 metres for the parking area for plot 4 from north Deeside road, the applicant would be willing to apply if necessary for a change to a one way section so there was no entry from north Deeside road into the lane.



Proposed Visual



View from North (North Deeside Road)

Proposed Visual



View from North (North Deeside Road)

Proposed Visual



View from East (Flatted development)

Proposed Visual



View from South East (Private Land)

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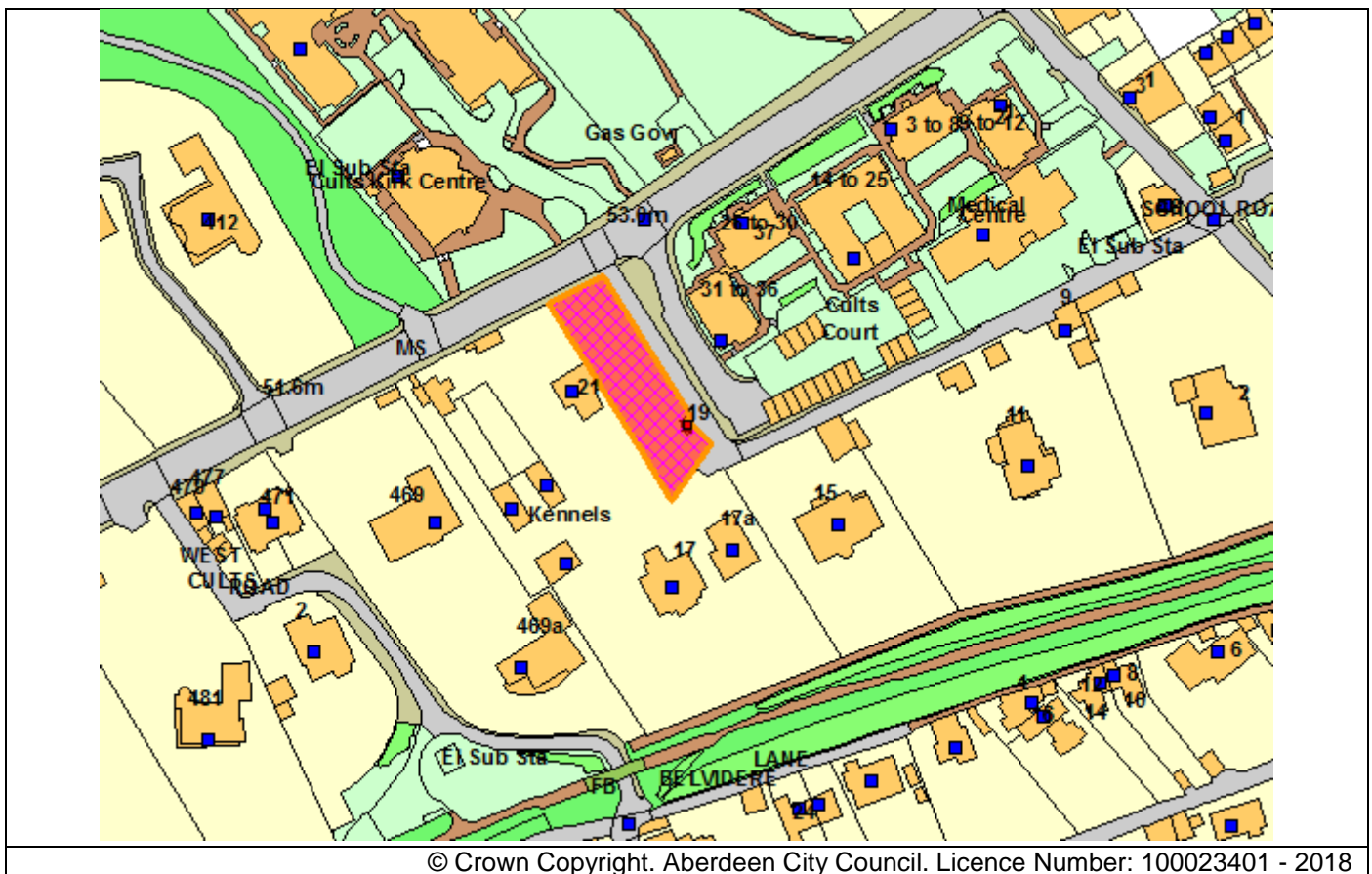


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 August 2020

Site Address:	19 South Avenue, Aberdeen, AB15 9LQ,
Application Description:	Erection of 4no. detached dwelling houses
Application Ref:	200533/DPP
Application Type	Detailed Planning Permission
Application Date:	6 May 2020
Applicant:	3J Property Investment Ltd
Ward:	Lower Deeside
Community Council:	Cults, Bieldside and Milltimber
Case Officer:	Dineke Brasier



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RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

A fairly rectangular site measuring c. 60m by 16m and extending to c.925m² located on the corner of South Avenue and North Deeside Road within Cults. The site was previously occupied by a detached 1½ storey dwelling, but this was demolished in 2014 in anticipation of the granting of a previous planning application 141087 for a detached single dwelling. As such, the site is now vacant and has been cleared for development. To the west is a neighbouring dwelling – 21 South Avenue; to the south is an area of hardstanding providing access to various dwellings and the Kennels (17 South Avenue). Boundaries to the east and north were made up of a traditional, high granite wall. However, these have been demolished, in anticipation of the submission of this current planning application, in the winter of 2019/2020 under permitted development rights and as such the site is now clear and secured with Heras fencing. A triangular section extending to c.75m² in the south west corner of the site carries a vehicular right of access serving 21 South Avenue immediately to the west of the application site, which will need to be retained.

This section of South Avenue, though not private, is currently unadopted. It is a narrow stretch of road in a relatively poor state of repair, measuring c.4.3m in width, and has no separated footpath. To the east is the high boundary wall serving Cults Court. Apart from the application site, it further serves 15, 17, 17a and 21 South Avenue, including a Kennels business. Even though this part of South Avenue is connected to the remainder of the road further to the east, the section roughly between 11 and 15 South Avenue is in such a poor state of repair that it could be considered impassable for normal cars, with only the weekly bin lorry using this stretch of the road.

Relevant Planning History

141049 – Erection of detached dwelling with integral garage and associated works – Approved on 13th November 2014. No satisfactory evidence has been provided to demonstrate that this permission has been implemented within three years of the issue of the decision notice, and as such the Planning Authority takes it as being lapsed.

161721/DPP – Erection of four flats and associated parking – Refused on 9th February 2017

180143/DPP – Erection of four flats, associated parking, landscaping and part removal of boundary wall – Refused on 22nd March 2018, and subsequently dismissed on appeal by the Reporter of the Planning and Environmental Appeals Division of the Scottish Government. The main reasons for refusal for this last application were based on the following:

- Overdevelopment of the site;
- Adverse impact on character and appearance of the surrounding area;
- Poor quality design; and
- Adverse impact on residential amenity of 21 South Avenue and residents at Cults Court.

APPLICATION DESCRIPTION

Description of Proposal

Detailed planning permission is sought for the construction of four 2-storey detached dwellings with a south facing principal elevation and an east elevation fronting onto South Avenue. Each individual dwelling would measure c.12.7m by c.6.2m with a footprint of c.78m². Accommodation would comprise of an open plan kitchen/family/dining area; home office and shower room on the ground floor with two bedrooms, both with en-suite on the first floor. All dwellings would have two parking spaces accessed directly off South Avenue, and a garden area predominantly to the front. The design would incorporate a mono-pitched roof, with the first floor cantilevered out from the south elevation by c.1m and inset from the north elevation by a similar amount. Proposed materials would include grey granite (mostly at ground floor level and upper level of the north elevations), grey smooth render, and western red cedar timber linings for the walls; a dark profiled metal sheeting for

the roof; and black alu-clad timber windows. Each unit would be separated by a driveway measuring 6m in width, 5m when taking account of the roof overhang. The four plots would be set in a south to north direction along this part of South Avenue, with plot 4 leaving a gap of between 2.5m and 3.5m to the pavement with North Deeside Road, and plot 1 leaving a gap of c10m, including the 6m driveway, from the south elevation to the corner of the vehicular access into 21 South Avenue.

Drawings have been amended through the removal of an overhang of c.1m to the east elevation. The proposal was also amended to introduce a one-way system with vehicles only being able to drive in a south-north direction along this part of South Avenue roughly from 15 South Avenue down towards the junction with North Deeside Road, with a no entry from North Deeside Road into South Avenue. Neighbouring properties and the community council were re-notified following submission of these additional drawings as they constituted a material change to the proposal.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q9WE38BZHQI00>

- Design Notes, by RJM Architecture - setting out the design principles behind the proposed design of the dwellings; and
- Planning Statement by Aurora Planning – providing the applicant's justification for the proposal.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the Cults, Bielside and Milltimber Community Council have objected to the proposals, and a total of 31 timeous letters of objection were received following the first round of consultation, with a further 10 timeous letters of objection received following the second round of consultation, 7 of which were additional comments from respondents to the first round of consultation, resulting in a total of 34 objectors to the application.

CONSULTATIONS

ACC - Roads Development Management Team – No objection.

A total of eight parking spaces are required, which are provided on in-curtilage driveways. A 6m aisle width is required in front of the parking spaces to facilitate the use of the spaces. This is not available here. However, swept paths have demonstrated that the combination of a 6m driveway, 1m footpath and 4.3m carriageway would provide adequate space for the required manoeuvres. These swept paths suggest that this is appropriate given the location. The driveway for plot 4 is set at a distance of 10m from the junction of South Avenue with North Deeside Road. An updated drawing has been submitted proposing a one-way system along the frontage of the proposed site only, meaning existing residents can still both enter and exit from School Road. On this basis, the distance to the junction would be acceptable. It would increase the safety at the egress junction as well as for pedestrians of the proposed new houses as there will only be one-way traffic to consider. This is also safer from a general traffic point of view as the lane isn't wide enough to permit vehicles easily passing in tandem, which will be prevented through the one-way system. Traffic Management were consulted who have stated this would be acceptable. The applicant would be required to apply for a Traffic Regulation Order (TRO) for these changes – this should be conditioned.

Due to its proximity to North Deeside Road, the site is highly accessible on foot or by bicycle, and

there are bus stops within 150m of the site, serviced by regular buses. It is assumed that refuse will be placed on the 1m path to the front for collection, which is within the applicant's land.

Given the total number of properties to be served by this unadopted lane will increase to 10 following this application, the lane would be eligible for adoption. The lane would need to be brought up to adoptable standard before the Council would consider adoption. However, it appears that, due to the width of the lane, there would likely be land required from the applicant to do so. The lane at present is in a poor condition. New residents should not be expected to use an initially very poor condition road. As such, the applicant would be required to fill in the potholes, ensuring the road is level upon approach to the proposed dwellings.

ACC - Waste Strategy Team – No objections

ACC - Environmental Health – No objections, provided a condition would be attached providing a Noise Impact Assessment as the site is adjacent to the A93, which is a source of potential noise disturbance caused by road traffic.

Cults, Bielside And Milltimber Community Council – *Initial comments*

Would like to see suitable development on the site, but raises the following objections to this current proposal:

1. Challenges figures given in the site plan for the site area, developed area and plot ratio, which may constitute overdevelopment;
2. Impact on privacy/increased overlooking of 21 South Avenue by plot 4;
3. Fails to understand the point made by the building line drawing 727-07. North wall of plot 4 is closer to North Deeside Road than the line established by the north frontage of Cults Court. Visually plot 4 is too close to North Deeside Road;

Further comments include:

4. No detailed all-seasons sunpath analysis is provided demonstrating that the living areas of plots 2, 3 and 4 receive sufficient natural light;
5. The 'home office' on the ground floor could be used as a third bedroom. However, this would face directly onto South Avenue and would offer no privacy;
6. Application appears to suggest that the north-south section of South Avenue is subsumed into the development. It is of course entitled to be used by a number of other properties and customers of the nearby kennels;
7. Car parking appears to be very tight between walls and would require accurate reverse parking; no provision for off-road visitor parking and refuse bins placed on South Avenue would further reduce the usable width of the road;
8. It is understood that the applicant intends to provide some temporary improvements to the appalling state of South Avenue to allow residents to go via School Road during construction. This would require the agreement of neighbours who would be required to surrender some access rights during this period;
9. Expects a developer obligation to resurface South Avenue from North Deeside Road at least to include the vehicular access to 21 South Avenue with an associated plan to resurface the east-west section of the road;
10. Due to the proposed materials and their design, the proposed roofs could appear as one continuous planar area of dark grey metal profiled roof sheeting, which might be considered oppressive; and
11. Regrets the demolition of the historic boundary walls and notes that the site has already been graded into four terraces – perhaps prematurely.

Additional comments – Maintains initial objections, and raises the following:

The additional information has not addressed the main points of objection, which were concerned with:

1. Over-development with a plot ratio substantially more than 33%;
2. Overlooking of 21 South Avenue from Plot 4; and
3. The building lines facing to North Deeside Road and the south.

Furthermore, the proposal to make the north-south section of South Avenue one-way forces a change of custom and practice on existing residents of South Avenue. Doubt is expressed whether the east-west section of South Avenue will remain in driveable condition in the long term and whether the one-way system is enforceable.

Drawing 727-04L shows the proposed location of waste bins for collection which would block the footpath forcing pedestrians in the already narrow road.

REPRESENTATIONS

31 timeous letters of objection were received to the initial round of neighbour notification, raising the following matters:

Impact on surrounding area and design:

1. Four residential units on a site that previously contained a single dwelling would be considered an overdevelopment of the site. A single house would be more appropriate;
2. The proposal is considered to have an adverse impact on the character of the area, which is characterised by low density housing along this part of North Deeside Road and South Avenue, and would be inconsistent with the existing feu pattern in the surrounding area. Visual prominence on North Deeside Road. Building line along this part of North Deeside Road is set further back – more in line with 21 South Avenue. Properties would be orientated east-west whereas all other properties in the surrounding area are orientated north-south;
3. Design of the proposed dwellings would not be in keeping with the existing dwellings in the surrounding area. An excessive portion of the site would be used for parking. Their design resembles holiday chalets. Ridge height higher than that of 21 South Avenue;

Impact on residential amenity:

4. The proposal is considered to have an adverse impact on the residential amenity of neighbouring properties due to excessive overshadowing/loss of light, and loss of privacy/overlooking, including 17, 17A and 21 South Avenue, and 32-34 Cults Court;
5. No consideration of how the fall in levels along South Avenue would further aggravate any adverse impact on 21 South Avenue in relation to overshadowing and overlooking;
6. Poor level of amenity provided for proposed dwellings as the dwellings are too close together with the external amenity area significantly overshadowed by other buildings. Especially plots 2 and 3 would have no open aspect at all and a very restricted outlook;

Impact on local highway conditions:

7. Increase in traffic accessing North Deeside Road. Safety concerns in relation to number of cars entering and leaving the site onto South Avenue and North Deeside Road for both pedestrian and vehicular traffic;
8. Poor visibility for cars leaving the proposed parking spaces. Uncertainty whether the driveways would be wide enough to easily accommodate two cars, and would provide sufficient space for people getting in and out of cars and bins moving past. Drop in levels from north to south not clearly shown on drawings, especially in relation to parking spaces;
9. The potential additional eight cars would be inconsistent with the aims of policy T2;
10. Is there a vehicular right of access across this part of South Avenue, which is a private road. Potential for South Avenue to be closed during construction works. This would be unacceptable as residents rely on this section of South Avenue to access their property;

Other:

- 11.No need for new houses. Schools and infrastructure already can't cope. Will there be any developer obligations to upgrade South Avenue?;
- 12.Demolition of boundary walls. These are required to be rebuilt to their original height;
- 13.Development at the library by the same developer is substandard. Continuous use of site as a construction site, including as a storage facility for materials and soil coming from other construction site on North Deeside Road;
- 14.Photomontage drawings are not to scale;
- 15.Continuous increase in size of application site. Existing vehicular right of access for 21 South Avenue across part of the site is not clearly shown on the site plan. This part of the site cannot be included in any development, and should therefore be discounted from the total site area available for development;

Following amendments to the proposal, and in particular the introduction of a proposed one-way system along the north-south section of South Avenue, a further round of neighbour notification was triggered. A total of 10 letters of objection were received, 7 raised additional comments following on from earlier letters of objection during the first round of neighbour notification. As such, the total number of objectors to the proposed scheme would be 34. The following additional matters were raised:

- 16.Front door of 9 South Avenue opens out immediately onto the unadopted lane. Any increase in traffic would have an adverse impact on safety for residents of this property. Currently, this part of South Avenue is only used by the residents of 9 and 11 South Avenue and the weekly bin lorry;
- 17.The proposed one-way system would increase traffic passing the medical centre, which has a restrictive car park and is visited by a high number of elderly patients. This increased flow of traffic will cause concern and increase the risk of traffic accidents;
- 18.Proposed one-way system does not appreciate or take consideration of existing users of this part of South Avenue, which include the properties of West Cults Lodge, the kennel business and 15 through to 21 South Avenue;
- 19.Turning areas would be required for each individual property. Their footprint would therefore need to move further to the west. Unclear what the impact of the steep slope of South Avenue is on the turning movements required to enter/exit the proposed driveways. Proposed one-way system would not alleviate concerns in relation to parking; and
- 20.Drawings show that roof lights would be required to allow sufficient natural light into accommodation. This is an indication that the units are too close together and that light will be a problem;

MATERIAL CONSIDERATIONS**Legislative Requirements**

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

Aberdeen City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable

communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP may also be a material consideration. The Proposed SDP constitutes the settled view of the Strategic Development Planning Authority (and both partner Councils) as to what should be the final content of the next approved Strategic Development Plan. The Proposed SDP was submitted for Examination by Scottish Ministers in Spring 2019, and the Reporter has now reported back. The Scottish Ministers will consider the Reporter's Report and decide whether or not to approve or modify the Proposed SDP. The exact weight to be given to matters contained in the Proposed SDP in relation to specific applications will depend on whether:

- these matters have been subject to comment by the Reporter; and
- the relevance of these matters to the application under consideration.

Aberdeen Local Development Plan (2017)

H1: Residential Areas

D1: Quality Placemaking by Design

T2: Managing the Transport Impact of Development

R6: Waste Management Requirements for New Development

R7: Low and Zero Carbon Building and Water Efficiency

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. 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.

H1: Residential Areas

D1: Quality Placemaking

D2: Amenity

T2: Sustainable Transport

T3: Parking

R5: Waste Management Requirement in New Development

R6: Low and Zero Carbon and Water Efficiency

Supplementary Guidance

Subdivision and Redevelopment of Residential Curtilages

Transport and Accessibility

EVALUATION

Principle of Development

The site is located in a residential area in Cults, and policy H1 applies. This policy sets out that residential development would be acceptable provided it:

1. Would not constitute overdevelopment;
2. Would not have an adverse impact on the character and amenity of the surrounding area;
3. Would not result in the loss of valued and valuable open space; and
4. Would comply with relevant Supplementary Guidance (SG), in this case SG on Subdivision and Redevelopment of Residential Curtilages.

The site was previously occupied by a single dwelling and its associated residential curtilage, and therefore does not constitute open space. As such, the proposal would comply with this part of policy H1. All other criteria will be discussed in detail below.

Impact on character and appearance of the surrounding area

Policy D1 sets out that quality placemaking is at the core of planning in Aberdeen. All development must follow a thorough process of site context appraisal to arrive at an appropriate proposal, with the site context differing from site to site. Even though not all development will be of a scale to make a significant placemaking impact, all good design and detail adds to the attractiveness of the built and natural environment, and careful consideration is key.

As such, the historic development of an area provides a crucial element in the determination of this site context, and can set the parameters for development in relation to issues such as density, building line and appropriate scale of development. In this case, historic maps dating back to the 1860s show that the position of roads including North Deeside Road, West Cults Road and South Avenue are generally fixed, with a number of dwellings constructed to the south of South Avenue, including numbers 15 and 17 immediately to the south of the application site, forming a relatively straight building line. This map also shows a single building roughly in the position of 477-479 North Deeside Road, immediately fronting this road.

A further historic map dating back to the 1920s shows that the general character of the area is continually defined by additional development further west with dwellings roughly set halfway between North Deeside Road and the, now, Deeside Way. This clearly demonstrates the main characteristic of this area, which consists of dwellings in substantial plots set back from North Deeside Road with a generous garden both to the north and south of the dwelling. This map also shows that the school building which became part of the flats at Cults Court has now been constructed fronting directly onto the North Deeside Road.

Finally, by the 1950s, the previous dwelling at 19 South Avenue that has since been demolished and the kennel buildings were constructed. Again, these buildings roughly followed the pattern of development and general building lines as set by previous development phases, especially in relation to the houses fronting directly onto North Deeside Road. Again, even though the plots themselves were smaller, the buildings were set centrally within the plot, keeping a clear separation between the dwelling and North Deeside Road.

Taken the above together, it is clear that the general pattern of development in this area comprises detached or semi-detached dwellings orientated north-south, and set roughly centrally within long rectangular plots, with the historic exceptions of the former Cults School, now part of the larger Cults Court and the building at 477-479 North Deeside Road. Both of these buildings however contained an element of service to the community as the first was originally constructed as a primary school serving the village and the latter historically has a commercial element on the ground floor.

It further should be noted that, in relation to density, this junction of North Deeside Road and South

Avenue presents a transition between the higher density area including the village centre of Cults and its shops and facilities to the east and the lower density area as described above to the west. Again, upon assessment of historic maps, it is clear that the village centre originally centred on the junction of Kirk Brae/North Deeside Road/Devenick Place, and expanded east- and westwards from there. This area has always had a higher density than the character area as described extensively above. Furthermore, it should be noted that, on the historic map dating back to the 1950s mentioned previously, a property was constructed on the application site, but there were still some undeveloped areas separating this area to the west of South Avenue with the higher density area of the village centre of Cults. As such, it is clear that the site falls within this lower density character area, which starts at this point and then stretches westwards towards Bielside and Milltimber. This change in character of the surrounding area when walking in a westwards direction past South Avenue is acknowledged in the appeal decision for the previous application 180149/DPP by the Reporter *'When walking westwards along North Deeside Road past Cults Court the character of development does change when passing South Avenue.'*

This current application is for the construction of four dwellings, set south to north along this section of South Avenue. Plot 4 (nearest North Deeside Road) would leave a gap varying between 2.5m and 3.5m from the north elevation to the edge of the pavement of North Deeside Road. Thus, this property would appear unnaturally close to North Deeside Road, being substantially closer to the road than its neighbour, to the significant detriment of the streetscape and the character of the area. Plot 4 would be set significantly forward of the north-facing principal elevation of the neighbouring property at 21 South Avenue, which itself sits centrally within its plot and keeps a separation distance of c.18m to the edge of North Deeside Road; the north elevation of plot 3 would sit c.2m in front of the north elevation of 21 South Avenue, whereas the south elevation of plot 2 would extend c.3.8m beyond the south elevation of this existing dwelling, and plot 1 in its entirety would sit significantly to its south. All properties would have an east elevation facing South Avenue, only leaving a marginal distance of c.1m to the edge of this road, with this area used for refuse collection and shown as a footpath. As such, there would be no separation between this side of the dwelling and public spaces.

The overall site area and plot ratio quoted by the applicant on their drawings (c.925m²) are misleading in that it includes a triangular section to the south west of the site that is reserved as a vehicular right of access for the adjoining dwelling at No. 21, and as such cannot be counted towards the developable area. Even though not clearly marked on drawings, it is likely that this area could extend to c.75m², resulting in an overall developable area of 850m². Taking account of the removal of this piece of land as it would not be available for development or for use by the occupants of Plot 1, the overall density (plot ratio), based on a footprint of 78m² per dwelling, or an overall footprint of c.312m² for all four dwellings together, would be approximately 37%.

Furthermore, when assessed on an individual plot basis the following applies. No clear plot boundaries are shown between properties, but it is likely that the smallest plots for the two central houses would extend to c.195m². Again, taking account of the proposed footprint of 78m², this would equate to a plot ratio of c.40% for these two plots, with slightly lower ratios for plots 1 and 4 given these both would have an additional area of garden ground to the side.

Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages sets out the following in relation to development proposals:

1. New dwellings must respect the established pattern of development formed by the relationship between buildings and their surrounding spaces (gardens etc.);
2. The scale and massing of any new dwellings should complement the scale of surrounding properties;
3. The density of the surrounding area should be reflected in the development proposals. As a general guide, no more than a third of the total site area for each individual curtilage should be built upon;
4. New dwellings should generally not project forward of any established building line; and

5. The distance between proposed dwellings, and between proposed and existing dwellings should be similar to that predominating on the street.

In this case, it is considered that the proposed development would not meet the above criteria for the following reasons. As described in detail above, the character of the surrounding area consists of detached and semi-detached dwellings set in large gardens with a generally low plot ratio. The neighbouring property at 21 South Avenue has a plot ratio of 14%, whereas the nearby dwelling at 15 South Avenue has a plot ratio of 13.75%. These are typical of houses in the locality and are significantly less than the 33% set out in the above list of criteria, which therefore would not be considered acceptable in this context and a lower plot ratio should be sought. As set out above, the proposed development would sit at a significantly higher density than prevalent in the surrounding area, and would therefore not take account of this general context of the surrounding area. This is further reflected by an overall density of 37% across the site, raising to c.40% for individual plots. This would clearly represent an overdevelopment of the site when taking account of both the context of the surrounding area, and specific guidance as set out in the SG which sets out that, in any case, density should never be in excess of 33%.

This overdevelopment of the site is further reflected in the need to push the building line both to the north and south so much more forward than currently established. Again, as set out in detail above, the current building line is characterised by dwellings sitting centrally in long plots leaving significant distance between both the front and rear plot boundaries. In this case, the distance between the north elevation of plot 4 and North Deeside Road would only be c.2.5m-c.3.5m, which would be unacceptable in the context provided by existing developments in the surrounding area. Similarly, plot 1 would not leave sufficient spacing between the south most boundary of the site and its south elevation to provide the spaciousness that is characteristic of development in the surrounding area.

The established pattern of development is further not respected as in general, all properties in the surrounding area have a north or south facing principal elevation and a north-south orientation with south facing gardens resulting in a consistent pattern of development. Even though the proposed dwellings would have a south facing principal orientation, due to their linear site layout, the proposed south facing front gardens would be enclosed, at close quarters, by the next plot, and would not represent the spaciousness of the surrounding area..

Finally, one of the characteristics of the surrounding area is the wide spacing between detached and pairs of semi-detached dwellings. In this case, the dwellings would be separated by a double driveway with a maximum width of c.6m, which due to the overhang at first floor level is reduced to c.5m. However, due to the need to use this space as a double driveway, there is no clear separation between the properties. In addition, the properties are set immediately adjacent to the footpath running along South Avenue. As such, there would be no clear defensible private space separating the dwellings from South Avenue and its associated footpath, unlike the vast majority of other properties in the wider area. In addition, the private front garden area to the south of the dwelling would be partly enclosed by the rear elevation of the adjacent plot, which again would limit its sense of being a defensible, private space. This further emphasises that the proposal would represent an overdevelopment of the site to the detriment of the character and appearance of the surrounding area and would appear hemmed into the site.

For the above reasons, the proposal would have a significant adverse impact on the character and appearance of the surrounding area, and has not taken suitable cognisance of the context of the surrounding area. It is therefore considered not to comply with policy D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan and associated Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.

Design

The proposed dwellings would have a narrow rectangular plan measuring c.12.8m by c.6.1m,

resulting in a footprint of c.78m², and would be of a modern design. They would be 2 storey in height with a mono-pitched roof, which at its lowest level has a height of c.5.4m and at its highest level a height of c.7m. The first floor would be off-set by c.1m, resulting in an overhang to the south elevation of, including the overhang of the roof, c2m. Fenestration would include full-height single and double width windows, centred on the south elevation, with additional windows located on both ground and first floor level on the east elevation, with a single ground floor window on the west elevation and only first floor windows with frosted glass on the north elevation. This results in relatively blank elevations both to the north and the west. The exception is plot 4, which would include three full height windows in its north elevation. Finishing materials would include a mix of grey granite, grey render and western red cedar timber linings to the walls; dark grey metal profile sheeting for the roofs; and black alu-clad timber windows and doors.

The inclusion of the overhang is to allow sufficient natural day light into the main south facing ground floor windows, frosted windows on the north elevation and limited number of windows on the west elevations, are all examples of a design for houses that do not comfortably fit the site and have a good relationship with the surrounding area, resulting in a compromised design. Even though a modern approach to design, and the proposed materials, could be considered acceptable in this location, it is considered in this case that the resultant design on the site would not take sufficient consideration of the site context and existing relationships between the site and the neighbouring dwellings. Due to the proximity of the dwellings to each other, the repetitiveness of the design, and their arrangement on site with the main windows serving the living accommodation looking directly out towards the rear elevation of the next dwelling (which is only 6m from the windows), this would result in a design that is inappropriate for both the site and the surrounding area on this visually very prominent corner of North Deeside Road and South Avenue upon approach from both the east and the west. ,

Taking account of the above, it is considered that the overall design of the development is of insufficient quality and does not respond well to the surrounding site context, as required under policy D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan.

Residential Amenity

Future Residents

As set out above, the fenestration on the north and west elevations of all dwellings is limited to ensure the units do not result in excessive overlooking and can achieve an acceptable level of privacy to each other. However, due to the relatively small distance between the dwellings at 6m, it would result in a very limited and unacceptably low level of outlook from the south facing windows in to the solid wall of the neighbouring property for plots 2, 3 and 4. Similarly, the distance from the west elevation to the boundary with the neighbouring property 21 South Avenue would be limited to c.2m, which again severely restricts the outlook from this ground floor window. In addition, the ground floor window on the east elevation would be immediately adjacent to South Avenue and its footpath as there is no defensible space or front garden between this elevation and the footpath running in front of the buildings. As such, this window and the room behind would be severely overlooked by passing traffic, and would not achieve the level of privacy considered acceptable in this suburban setting.

Residents should reasonably be able to expect good levels of daylighting within existing and proposed residential property. In this case due to the proximity of the buildings to the main south facing windows, the 25° method should be applied. In this case, when a line is drawn from the mid-point of the lowest window in question, it would go through the roof profile of the dwelling opposite. As such, the proposal would not comply with this method. It should be noted here that the submitted drawings include a line drawn at a 25° angle. However, this line is set above the mid-point of the affected window at a height of 1.5m. This potential deficiency in natural light to the main living accommodation is proposed to be mitigated by the introduction of a rooflight to all properties. Again,

this is a feature that, although technically addresses a failure of the design due to the proposed overdeveloped nature of the proposal, does not address any issues in relation to its outlook.

The main private garden area serving all properties is to the south facing to the front of the dwelling. For plots 2, 3 and 4, this is a relatively small space with a depth of no more than 6m, enclosed by the rear elevation of the neighbouring property to the south and the front elevation of the dwelling it serves. As such, these main gardens, and , even though not supported by a shadow study, it is likely that they would be severely overshadowed by neighbouring properties as they would be surrounded to the east, south and north by other dwellings. In addition, in the case of the garden serving plots 2 and 4, this could be overlooked to some extent by nearby first floor windows serving the existing dwelling at 21 South Avenue.

The combination of the restricted outlook through the windows of the main living accommodation for especially plots 2, 3 and 4, the lack of direct sunlight for the main private garden area, and the lack of privacy provided for the ground floor room facing directly out onto South Avenue would result in an inadequate level of living environment, and would not provide the level of residential amenity that should be expected in new residential developments. As such, it is considered that the proposal does not comply with policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) and associated SG on Subdivision and Redevelopment of Residential Curtilages.

Existing residents

21 South Avenue

No development should result in a significant adverse impact upon the privacy afforded to neighbouring residents, both within dwellings and in their private garden ground/ amenity space or have a similar unacceptable adverse impact on natural day and sunlight levels enjoyed by dwellings.

The main dwelling to be affected by the proposed development is 21 South Avenue, immediately to the west of the application. This 1½ storey dwelling faces north towards North Deeside Road, and sits centrally within its plot with a distance of c.18.5m to North Deeside Road and c.25m to its rear boundary. Due to a change in levels, 21 South Avenue sits c.1m below the finished floor level of plot 4, with this change in levels reducing as the site falls to the south.

The proposed site layout would result in a situation where plot 4 in its entirety would sit in front of the front elevation of this property, and plot 1, and most of plot 2 would sit to the rear of this building, with a gap of c.2m retained between their west elevation and the site boundary. 21 South Avenue itself has a gap of c.0.5m to its eastern boundary. As such, it is considered that, due to their proximity to the boundary, position in relation to the front and rear elevation of this existing building, and overall height, plots 1 and 4 in particular would have an overbearing impact on the outlook of the existing dwelling at 21 South Avenue. This is further exacerbated by the need to have a 2m high boundary fence along the west elevation of the development site, which, in real terms and taking account of the change in levels between the two sites, would have a height of c.3m along the section between the front elevation of the dwelling and North Deeside Road, further increasing the enclosed outlook for this property resulting from the proposed development.

In addition, all dwellings include substantial windows in the south elevation at first floor level. Again, for plot 4, these windows would be located above the boundary fence, and would directly look back towards the front elevation and windows serving habitable rooms of 21 South Avenue, thereby having a significant detrimental impact on their residential amenity. It is accepted that these would be at an angle to this dwelling, however due to the very limited distance between the proposed and existing dwelling of less than 10m, and its height above the boundary fence, it is considered that there would be unacceptable views from this window back towards windows serving living accommodation of this existing property.

For these reasons, it is considered that the proposal would have an unacceptable detrimental impact

on the residential amenity of 21 South Avenue, contrary to the requirements of policies H1 (Residential Areas), D1 (Quality Placemaking by Design) and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.

Other surrounding dwellings

The distance between the flats at Cults Court and the east elevation of the proposed dwellings would be c.17m, and would be made up of South Avenue, and the boundary wall, car park and access road into Cults Court. The proposed dwellings would include a large window on ground floor level and two narrow, full height windows on first floor level looking out towards these flats. One of the first floor windows would serve a bathroom, and would therefore not have any impact on privacy of residents at Cults Court. The second window would be a corner window on the south and east elevation serving a single bedroom. Due to the design of the window, it is likely that most views will be angled towards the south east. Furthermore, given the distance between the proposed dwellings and the existing flatted development sits at c.17m, which is just below the recommended minimum distance of 18m between facing windows as specified in the SG on Subdivision and Redevelopment of Residential Curtilages, it is considered that, any impact on the residential amenity of residents of Cults Court due to overlooking is not of such a significant adverse degree to warrant a further reason for refusal.

The distance between the south elevation of plot 1, and surrounding dwellings at 15, 17 and 17a South Avenue would exceed 18m as set out above, and as such the proposal would not result in an unacceptable level of overlooking of these dwellings.

Local road network conditions

Road layout

Each property would be served by two in-curtilage parking spaces accessed directly from South Avenue. The driveway serving plot 4 would be set at a distance of c.10m to the junction with North Deeside Road. In general, a distance of c.15m should be retained between a driveway and junction. This can be lessened to 10m if the junction is with a lightly trafficked road. In this case, North Deeside Road is a major arterial route out from Aberdeen City Centre towards the west. As such, this reduction in distance to the junction would not be accepted.

However, to circumnavigate this issue, the applicant is proposing to introduce a partial one-way system along the final north-south section of South Avenue, with traffic only travelling towards North Deeside Road. To access the site and the surrounding existing dwellings, traffic would need to leave North Deeside Road at its more eastern junction with School Road and then travel west along South Avenue. Colleagues from Roads Development Management have commented on these proposals, and consider these acceptable as it would reduce any pressure on the junction between South Avenue and North Deeside Road, and would result in a generally safer situation both at this existing junction, with no cars stopping in North Deeside Road to enter South Avenue at this point, and within this part of South Avenue which, at present, is too narrow to allow cars passing.

However, introduction of this one-way system would result in added inconvenience for existing residents at 15, 17, 17a and 21 South Avenue and the kennels business, as they would no longer be able to use this junction from North Deeside Road to use this part of South Avenue to get to their properties. In addition, more traffic would be passing the Cults Medical Centre, which could have an impact on turning movements in and out of their car park. Finally, there would be an impact on the residential amenity and potential safety of the residents at 9 South Avenue, whose front door opens out directly onto the carriageway of South Avenue without any defensible space or front garden, with currently only vehicles accessing 9 and 11 South Avenue and the weekly bin lorry using this section of the road.

To enable the introduction of the one-way system, the applicant would need to apply for a Traffic Regulation Order (TRO) for these changes, which would be a separate legislative process. Given

the necessity of the one-way system to address a road safety hazard caused by the close proximity of the driveway for Plot 4 to the North Deeside Road junction and thus to be certain that it can be delivered through the TRO process, it would be essential to have a TRO granted in advance of development commencing. Therefore, if the Committee is minded to approve the application, then this would need to be conditioned. In addition, due to the poor condition of the section of South Avenue roughly between the medical centre further east and the application site, which in its current state is nearly impassable for normal cars, the applicant would need to ensure that, as a minimum, all potholes would be filled to allow safe use of this stretch of South Avenue for general traffic as at present this is not used by residents. The introduction of the one-way system to facilitate the potential construction of these four dwellings would mean that both new and existing residents would have no option but to use this section of road. As such, it can be considered that this section of road would need to be improved to facilitate the proposed development. Again, if the Committee is minded to approve this application, this would need to be conditioned. This condition would need to ensure that the applicant can demonstrate that they have all relevant permissions in place to undertake the work and a schedule of works prior to any development on the site, with all works undertaken prior to occupation of the dwellings.

Parking

As set out above, all dwellings would be served by two in-curtilage parking spaces. SG on Transport and Accessibility sets out that two and three bedroom dwellings in this location would need two parking spaces. As such, this number is acceptable and would comply with these standards.

The same SG sets out that all new developments will be required to install appropriate electric vehicles (EV) charging infrastructure. It further specifies that for residential developments, one charge point (passive) provision is the minimum required for each unit where spaces are private and off-street. Charge points should be connected to the domestic electricity supply. No information in relation to the provision of EV charging points has been provided as part of this application. Again, if the Committee is minded to approve the application, this could be conditioned.

SG further sets out that a 6m aisle width would be required in front of parking spaces to facilitate the use of parking spaces. In this case, the carriage way would be 4.3m with a 1m footpath behind which are the 6m driveways. The application is supported by swept path analyses which sufficiently demonstrate that cars could enter and exit the driveways. Given this part of South Avenue would be lightly trafficked, these swept path analyses would be accepted.

Noise

The site is adjacent to the A93 North Deeside Road, which is a main road west from the city centre out towards Deeside. Due to the high volume of traffic, colleagues in Environmental Health have specified that a noise impact assessment should be undertaken to ensure that the dwellings would be suitably constructed to ensure residents would not suffer from any noise disturbance due to these high volumes of traffic. Again, if the Committee is minded to approve the application, this could be conditioned.

Waste

All properties would have a bin storage area immediately behind the parking area. This refuse store would be of a sufficient size to accommodate all required bins. Bin collection would be kerbside, with the refuse vehicle using South Avenue as existing. This is accepted.

Low and zero carbon buildings

The Supporting Statement by Aurora Planning sets out that the proposed development would utilise a fabric first approach, and would incorporate large glazed openings to the south and limited openings to the north to maximise solar gain. The dwellings would be highly insulated, with triple glazed windows and it would be the intention to install air source heat pumps. These measures would be considered acceptable.

Proposed Aberdeen Local Development Plan

In relation to this particular application, policies H1 (Residential Areas), D1 (Quality Placemaking), T2 (Sustainable Transport), R5 (Waste Management Requirements in New Development) and R6 (Low and Zero Carbon Buildings and Water Efficiency) in the Proposed Aberdeen Local Development Plan 2020 (ALDP) substantively reiterate those in the adopted Local Development Plan and the proposal is acceptable in terms of both Plans for the reasons previously given.

Policies D2 (Amenity) and T3 (Parking) are both new policies. Policy D2 provides additional emphasis on the need to ensure that development would not have a significant detrimental impact on the residential amenity of proposed and existing dwellings. In this case, for the reasons provided in the evaluation above, it is considered that the proposal would not provide a satisfactory living environment for prospective residents and would have an unacceptable adverse impact on the residential amenity of the occupiers of the neighbouring property at 21 South Avenue. As such, the proposal would not comply with this policy.

Policy T3 sets out that sufficient parking should be provided within new residential development in compliance with standards as set out in relevant SG. In addition, it further emphasises the need for provision of electric vehicle charging infrastructure. Subject to a condition setting out how EV charging points will be provided for each individual unit, it is considered that the proposal broadly complies with this policy with further details to be submitted as part of a suitably worded condition.

Matters arising from Community Council objection

1. Challenges figures given in the site plan for the site area, developed area and plot ratio, which may constitute overdevelopment – *This has been addressed in the evaluation above;*
2. Impact on privacy/increased overlooking of 21 South Avenue by plot 4 – *This has been addressed in the evaluation above;*
3. Fails to understand the point made by the building line drawing 727-07. North wall of plot 4 is closer to North Deeside Road than the line established by the north frontage of Cults Court. Visually plot 4 is too close to North Deeside Road – *This has been addressed in the evaluation above;*

Further comments include:

4. No detailed all-seasons sunpath analysis is provided demonstrating that the living areas of plots 2, 3 and 4 receive sufficient natural light – *No sun path analysis has been submitted. However, it is accepted that the combination of ground floor windows and rooflight would ensure sufficient natural light would reach the main living areas of the proposed dwellings;*
5. The 'home office' on the ground floor could be used as a third bedroom. However, this would face directly onto South Avenue and would offer no privacy – *This has been addressed in the evaluation above;*
6. Application appears to suggest that the north-south section of South Avenue is subsumed into the development. It is of course entitled to be used by a number of other properties and customers of the nearby kennels – *South Avenue itself is not part of the application site and would therefore remain publicly accessible;*
7. Car parking appears to be very tight between walls and would require accurate reverse parking; no provision for off-road visitor parking and refuse bins placed on South Avenue would further reduce the usable width of the road – *This has been addressed in the evaluation;*
8. It is understood that the applicant intends to provide some temporary improvements to the appalling state of South Avenue to allow residents to go via School Road during construction. This would require the agreement of neighbours who would be required to surrender some access rights during this period – *Rights of access would be a civil matter. It is understood that South Avenue at this point is not private, but unadopted;*
9. Expects a developer obligation to resurface South Avenue from North Deeside Road at least to

include the vehicular access to 21 South Avenue with an associated plan to resurface the east-west section of the road – *This is addressed in the evaluation above;*

10. Due to the proposed materials and their design, the proposed roofs could appear as one continuous planar area of dark grey metal profiled roof sheeting, which might be considered oppressive – *It is considered that due to the change in levels across the site the buildings would read as separate dwellings, which would suitably break up the proposed roofs;* and
11. Regrets the demolition of the historic boundary walls and notes that the site has already been graded into four terraces – perhaps prematurely – *The demolition of the boundary was considered permitted development, and did not require planning permission. The regrading of the site into four terraces would constitute a change of ground levels exceeding 0.5m, and would therefore be considered engineering works, and would require planning permission in their own right.*

Matters raised in letters of objection

The majority of matters raised in the letters of objection have been addressed in the above evaluation, apart from the following:

Impact on local highway conditions:

10. Is there a vehicular right of access across this part of South Avenue, which is a private road. Potential for South Avenue to be closed during construction works. This would be unacceptable as residents rely on this section of South Avenue to access their property – *Access along South Avenue throughout the construction phase would be a civil matter, and is not a material consideration;*

Other:

11. No need for new houses. Schools and infrastructure already can't cope. Will there be any developer obligations to upgrade South Avenue? – *No developer obligations are sought as the development is less than five units. However, the above evaluation concludes that, if the Committee is minded to approve the application, a condition should be attached to ensure an improvement to the quality of the road surface of South Avenue;*
12. Demolition of boundary walls. These are required to be rebuilt to their original height – *The demolition of the boundary walls was considered permitted development, and did not require planning permission. As such the Planning Authority cannot require these to be rebuilt;*
13. Development at the library by the same developer is substandard. Continuous use of site as a construction site, including as a storage facility for materials and soil coming from other construction site on North Deeside Road – *The use of the site for temporary storage of materials and activities of the applicant on a different development site are not material planning considerations;*
14. Photomontage drawings are not to scale – *Photomontage drawings are indicative only and there is no requirement for these to be to scale;*

Additional comments

16. Front door of 9 South Avenue opens out immediately onto the unadopted lane. Any increase in traffic would have an adverse impact on safety for residents of this property. Currently, this part of South Avenue is only used by the residents of 9 and 11 South Avenue and the weekly bin lorry – *If the Committee is minded to approve, then this issue would be addressed through the separate TRO process, and as such is not a material consideration in the assessment of this application;*
17. The proposed one-way system would increase traffic passing the medical centre, which has a restrictive car park and is visited by a high number of elderly patients. This increased flow of traffic will cause concern and increase the risk of traffic accidents – *The proposal has been assessed by colleagues in Roads Development Management, who did not raise any issues in relation to an increase in traffic along this part of South Avenue;*
18. Proposed one-way system does not appreciate or take consideration of existing users of this

part of South Avenue, which include the properties of West Cults Lodge, the kennel business and 15 through to 21 South Avenue - *The proposal has been assessed by colleagues in Roads Development Management, who did not raise any issues in relation to the introduction of a one-way system along this part of South Avenue for existing properties;*

Recommended conditions

The application is recommended for refusal. However, if the Committee is minded to approve the application, then it is requested that the following conditions are considered:

1. Details on materials;
2. Details on landscaping, including surfacing materials and boundary treatments;
3. Submission and implementation of a Traffic Regulation Order (TRO) application, with no development undertaken prior to granting of the TRO;
4. Upgrading surface of South Avenue with submission of details, including capability of undertaking proposed works prior to development and implementation of the works prior to completion;
5. Details on EV charging points;
6. Submission of a Noise Impact Assessment;
7. Details on low and zero carbon measures;

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

1. The proposed development is considered not to take sufficient cognisance of the site context, would have a significant detrimental impact on the streetscape and on the character and appearance of the surrounding area, and would constitute an overdevelopment of the site, which is reflected in the need to push the buildings lines significantly forward, both to the north and the south and in very close proximity to North Deeside Road, to that currently prevalent in the surrounding area; in the proposed levels of development, with a plot ratio of c.40% for plots 2 and 3, and an overall plot ratio of c.37% across the developable area of the site;; and due to the lack of separation space between South Avenue and the east elevation of the buildings. As such, the proposal is considered not to comply with relevant parts of policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan, policies H1 (Residential Areas) and D1 (Quality Placemaking) of the 2020 Proposed Local Development Plan, and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.
2. The close proximity of the houses to each other results in insufficient space and spacing between the buildings, which together with the repetitive design would create a development out of keeping with the prevailing character of the surrounding area, to the detriment of the visual amenity of the area, contrary to expectations as set out in policy D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan, policy D1 (Quality Placemaking) of the 2020 Proposed Local Development Plan and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.
3. The proposed development would not achieve an acceptable level of residential amenity for future residents due to the combination of a restricted outlook through the windows of the main living accommodation immediately out onto the bin store and blank north wall of the neighbouring property for plots 2 through to 4; the small amount of good quality usable private garden space; the lack of direct sunlight for the main private garden area for plots 2 through to 4; and the lack of privacy provided for the east facing ground floor room, the combination of which would result in a substandard living environment for future residents. This is considered contrary to the

requirements of policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan and policies H1 (Residential Areas), D1 (Quality Placemaking) and D2 (Amenity) of the 2020 Proposed Development Plan, and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.

4. Due to the position of, especially plots 1 and 4 to the front and rear of the existing dwelling at 21 South Avenue, the change in levels between especially plot 4 and the front elevation of 21 South Avenue, and the proximity of the proposed buildings to the boundary with this existing dwelling, it is considered that the proposed development would have a significantly detrimental impact on the outlook of windows serving main living accommodation of this dwellings. In addition, due to the position of south facing first floor windows serving plot 4, these are considered to look back directly towards windows on both the ground and first floor of 21 South Avenue, which would give rise to an unacceptable level of overlooking/loss of privacy to this dwelling. Taken together, the proposal is therefore considered to have an unacceptable detrimental impact on the residential amenity of 21 South Avenue, and would therefore not comply with policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan, policies H1 (Residential Areas), D1 (Quality Placemaking) and D2 (Amenity) of the 2020 Proposed Local Development Plan and Supplementary Guidance on Subdivision and Redevelopment of Residential Curtilages.

PRE-APPLICATION FORUM

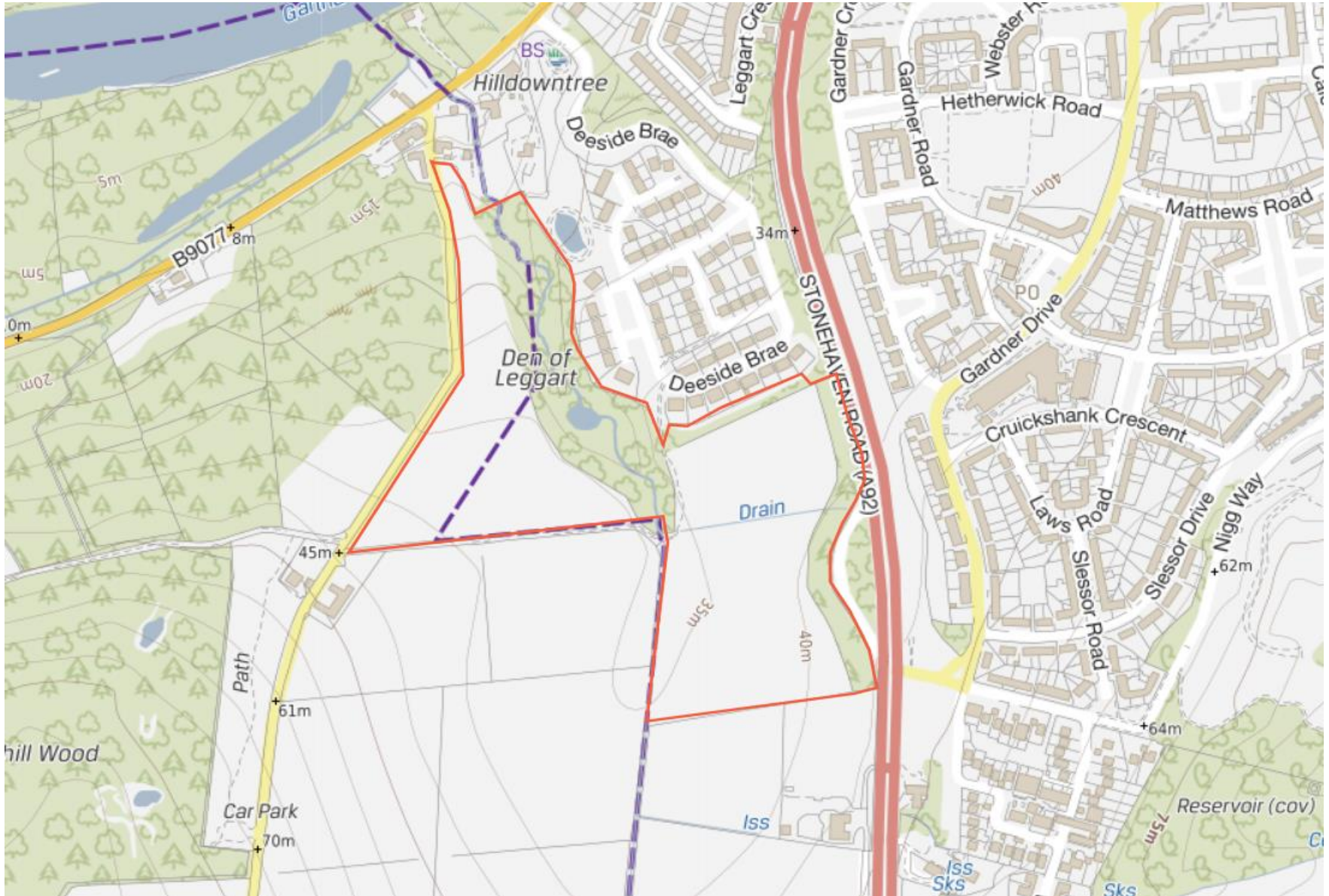
20th August 2020

Major residential development of up to 150 units, with associated landscaping, parking and infrastructure

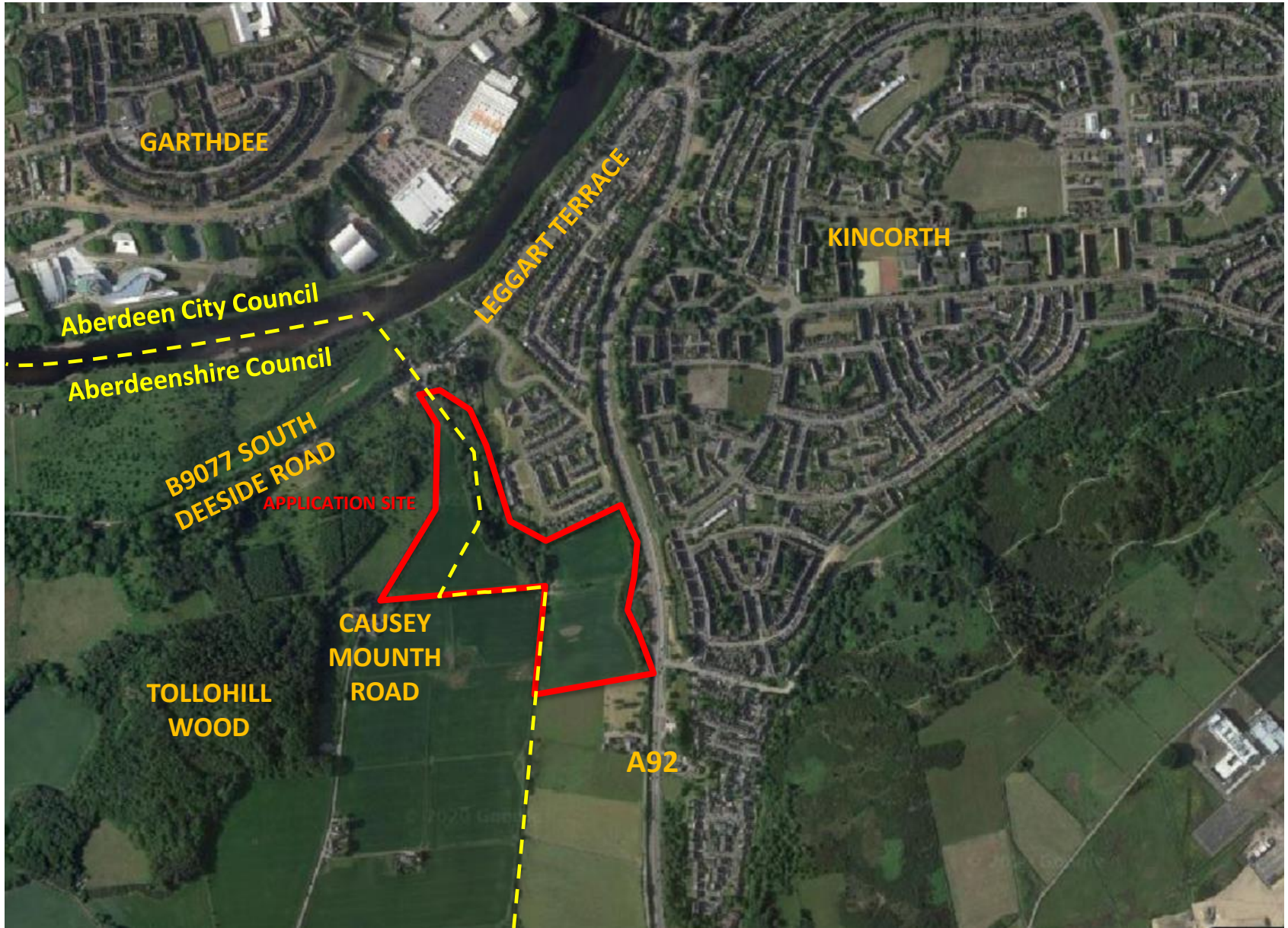
Leggart Brae: Land to South and West of Deeside Brae

Proposal of Application Notice ref 200638/PAN

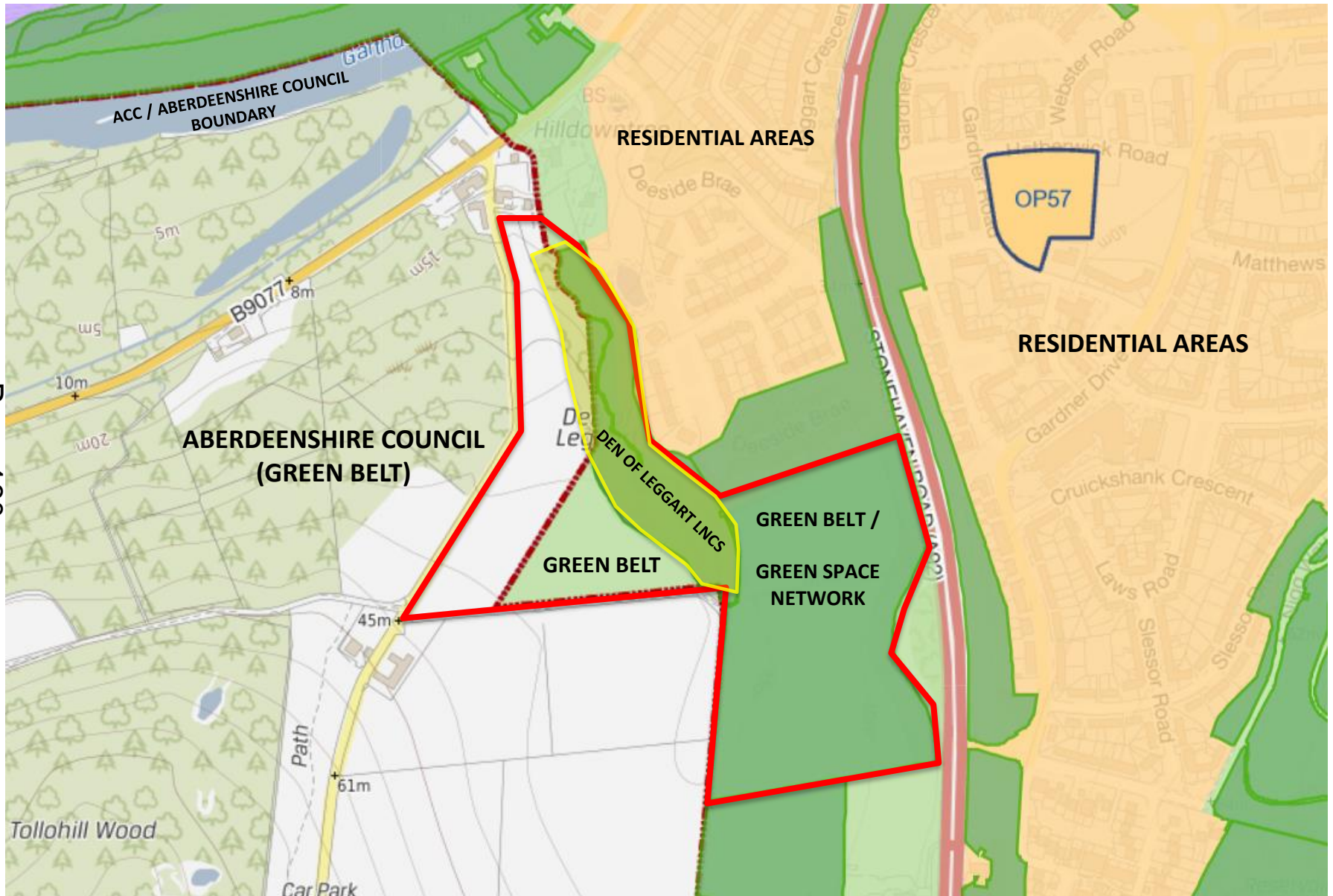
LOCATION PLAN



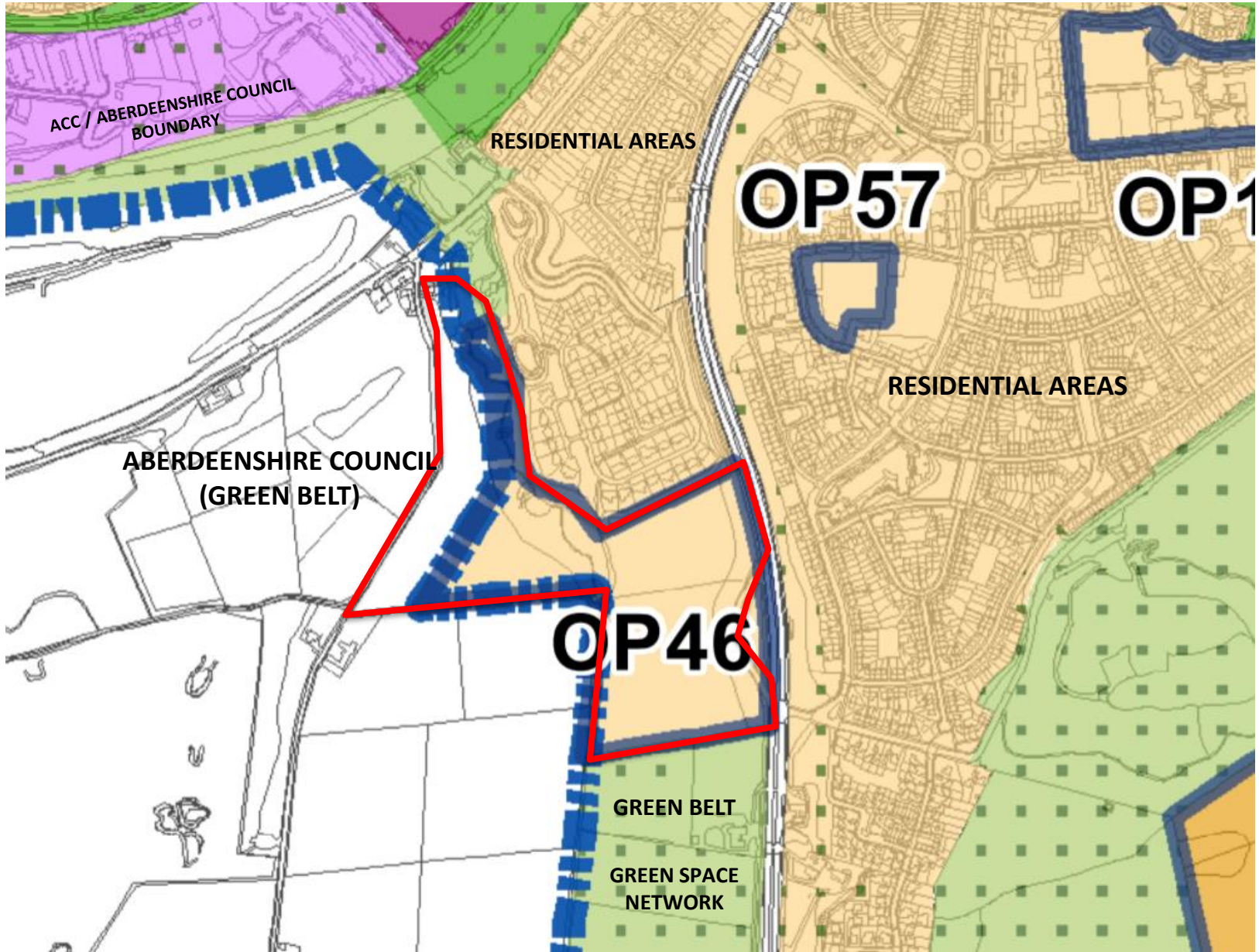
AERIAL PHOTO



ADOPTED ALDP ZONING



PROPOSED ALDP ZONING



ABERDEEN LOCAL DEVELOPMENT PLAN

Zoning

- Site lies within the Green Belt, covered by ALDP Policy NE2 (Green Belt);
- Straddles the ACC & Aberdeenshire Council administrative boundary;
- Parts of the site also zoned as Green Space Network (Policy NE1) and the Den of Leggart is a designated LNCS;
- Policy NE2 states: *'No development will be permitted in the Green Belt for purposes other than those essential for agriculture; woodland and forestry; recreational uses compatible with an agricultural or natural setting; mineral extraction/quarry restoration; or landscape renewal'*
- Redevelopment of the site for residential use represents a significant Departure from the Adopted ALDP.

PROPOSED ALDP

Zoning

- The part of the site within the ACC boundary has been allocated as an opportunity site (OP46) for a residential development of 150 homes;
- The development of the site for residential use is therefore in principle in accordance with the Proposed ALDP;
- Proposed ALDP would be a material consideration in the determination of any planning application but prior to adoption, is not considered to be of sufficient weight to allow the proposal to be supported in principle, significantly contrary to the adopted ALDP at this point in time.

PROCEDURAL MATTERS

- The site lies partly within the Aberdeen City Council boundary and partly within Aberdeenshire Council's boundary;
- Any works within the Aberdeenshire Council boundary will require a separate planning application to Aberdeenshire Council – initial plans suggest that the main roads access(es) are likely to be taken from the Causey Mounth in Aberdeenshire to the west;
- A planning application to each authority is therefore anticipated.

TECHNICAL CONSIDERATIONS

Transport & Accessibility

Policies T2 and T3 are relevant in respect of Transport and Accessibility, as well as the associated SG. A Transport Assessment is required.

The main means of providing access to the site are not known at this stage. Access from the A92 to the East presents road safety issues, whilst proposals to provide access from the Causey Mounth to the West would be determined by Aberdeenshire Council.

Design, Scale, Layout & Landscape

The site lies in is in a relatively prominent location from certain viewpoints and is adjacent to the A92, a key arterial route into the City. Careful consideration will need to be given to the visual impact on the landscape. The proposals will be assessed against the following Policies in this regard:

- Policy D1 (Quality Placemaking by Design)
- Policy D2 (Landscape)

TECHNICAL MATTERS

- Developer Obligations requirements apply (Policy I1);
- At least 25% affordable housing would be required (Policy H5);
- Natural heritage (protected species) to be protected and impacts minimised (Policy NE8), including minimising impact on Den of Leggart LNCS and on the River Dee SAC;
- Trees to be protected and retained where possible (Policy NE5);
- Policies T4 & T5 require Air Quality and Noise Assessments to ensure no significant impact on air quality and satisfactory amenity;
- Policy H3 requires developments to achieve min. density of 30 dwellings/hectare. Policy H4 requires an appropriate mix of units;
- Drainage proposals required, per Policy NE6, as well as a flood risk assessment;
- Measures to reduce carbon emissions and incorporate water saving technologies required (Policy R7).

PRE-APPLICATION CONSULTATION

- Online interactive Q&A event took place on the applicant's dedicated website (www.leggartbrae.com) on Thursday 6 August 2020 between 4pm and 8pm;
- The applicant's representatives were available to discuss and respond to queries regarding the proposals;
- Three indicative options are on display to the public on the website, including different numbers of units and different proposals for providing access;
- The event was advertised more than 7 days in advance;
- Copies of the Notice were issued to relevant parties and addresses in the local area;
- Pre-Application Consultation (PAC) Report to accompany application – detailing extent of public consultation, feedback received, and any resulting changes made to the proposal.

NEXT STEPS

- Ongoing pre-application discussions;
- 31 August 2020 - Earliest date a planning application could be submitted (12 weeks after the PoAN);
- Expected that the list of supporting documents referenced at the end of the report would accompany any forthcoming application.

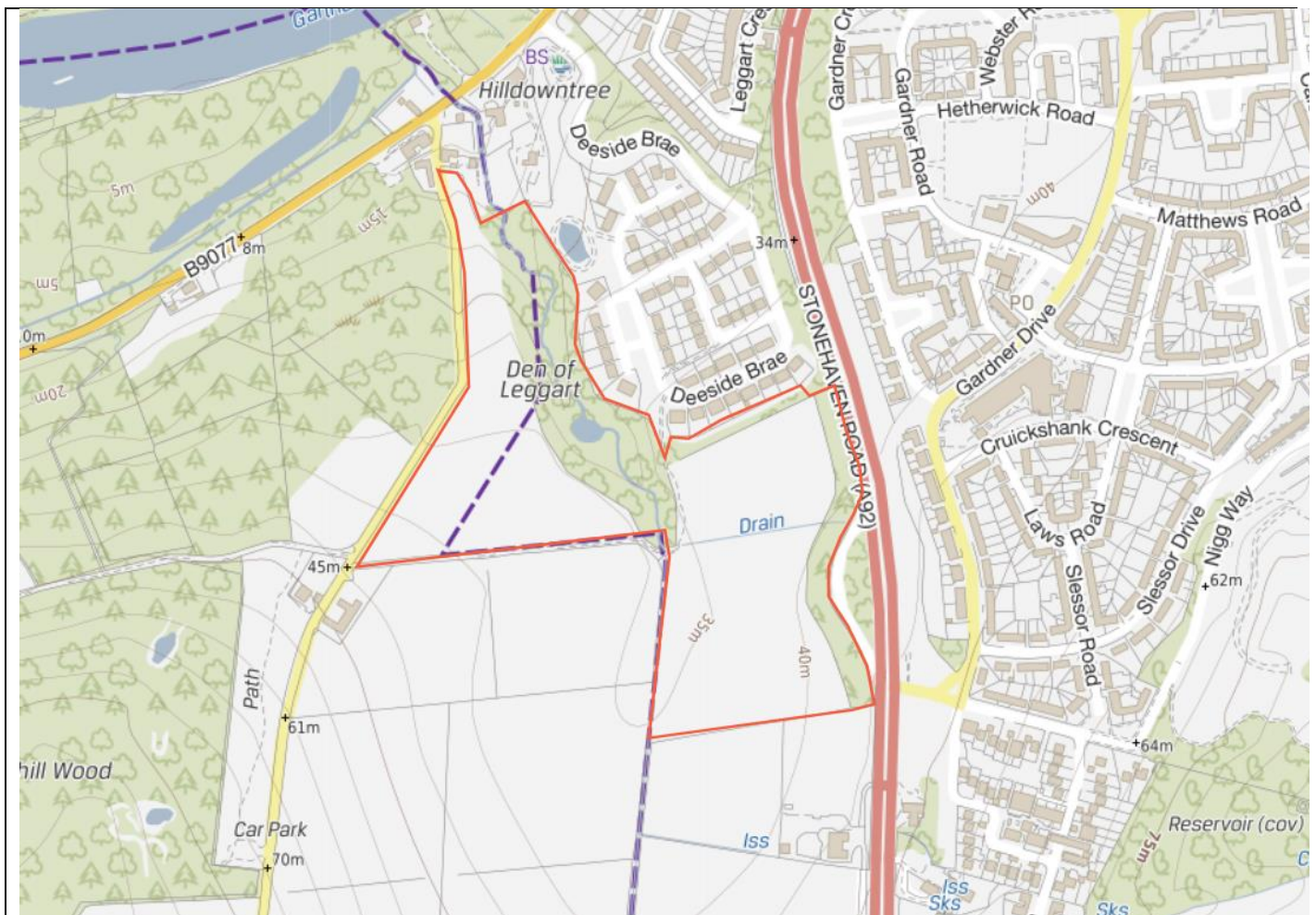


Pre-Application Forum

Report by Development Management Manager

Meeting Date: 20 August 2020

Site Address:	Land to South and West of Deeside Brae, Aberdeen
Description of Proposal:	Major residential development of up to 150 residential units with associated landscaping, parking and infrastructure
Notice Ref:	200638/PAN
Notice Type:	Pre-Application Enquiry / Proposal of Application Notice
Notice Date:	1 July 2020
Applicant:	Comer Homes C/o Savills
Ward:	Kincorth/Nigg/Cove
Community Council:	Kincorth And Leggart
Case Officer:	Alex Ferguson



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RECOMMENDATION

It is 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 applicants to consider and address in any future application.

APPLICATION BACKGROUND

Site Description

The site comprises an area of greenfield land to the south and west of the Deeside Brae housing development, and is locally known as Leggart Brae. The Den of Leggart runs through the central and northern section of the c. 10.5 Hectare site which is bound to the east by the A92, to the north by the Deeside Brae housing development, to the west by the 'Causey Mounth' minor road and to the south by open fields. The site straddles the Aberdeen City Council (ACC) administrative boundary with Aberdeenshire Council, which runs through and to the west of, the Den of Leggart and forms the western boundary of the southern half of the site. The area of land within the ACC boundary is approximately 8 Hectares in size and aside from the Den of Leggart Local Nature Conservation Site (LNCS), it mostly comprises open agricultural fields with an established tree belt forming the eastern boundary of the site with the A92. The Leggart Burn runs along the western boundary of the site in the southern section, before entering the Den of Leggart wooded area and then flowing into the River Dee approximately 200m to the north. An informal access track runs along the boundary of the site from the Causey Mounth, over the Leggart Burn and connects up into the Deeside Brae development to the north.

Relevant Planning History

The area of the site that lies within the Aberdeen City Council administrative boundary was allocated as an opportunity site (OP46) for up to 150 houses in the Proposed Aberdeen Local Development Plan (PALDP), which was approved at a Council meeting on 2 March 2020. The Proposed LDP is currently subject to a period of public consultation.

A Proposal of Application Notice (PoAN) was submitted for this proposal under planning reference 200638/PAN on 8 June 2020, with an online public consultation event by the applicants taking place on 8 August 2020.

An Environmental Impact Assessment (EIA) Screening Opinion request for the proposed development was submitted to the Council on 19 June 2020. The Planning Service considered that EIA is not required but requested that various supporting information documents and surveys will be required to support a formal planning application in due course.

APPLICATION DESCRIPTION

Description of Proposal

A Major residential development of the area of the site within the ACC boundary for up to 150 homes is proposed.

Full details of the proposals are not yet known as the site layout and design are still being developed, although three indicative options for the site layout and accesses are shown on the applicant's dedicated website www.leggartbrae.com. The three options comprise differing layouts of between 100 and 150 homes, with access taken from either the west via the Causey Mounth, or from the

east via the A92.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

National Planning Policy and Guidance

- Scottish Planning Policy (SPP)

Aberdeen City and Shire Strategic Development Plan (2014) (SDP)

The purpose of the SDP is to set a spatial strategy for the future development of the Aberdeen City and Shire. The general objectives of the plan are promoting economic growth and sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change, limiting the use of non-renewable resources, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility.

From the 29 March 2019, the Strategic Development Plan 2014 will be beyond its five-year review period. In the light of this, for proposals which are regionally or strategically significant or give rise to cross boundary issues between Aberdeen City and Aberdeenshire, the presumption in favour of development that contributes to sustainable development will be a significant material consideration in line with Scottish Planning Policy 2014.

The Aberdeen City Local Development Plan 2017 will continue to be the primary document against which applications are considered. The Proposed Aberdeen City & Shire SDP 2020 may also be a material consideration.

Aberdeen Local Development Plan 2017 (ALDP)

- D1: Quality Placemaking by Design
- C11: Digital Infrastructure
- D2: Landscape
- D5: Our Granite Heritage
- H3: Density
- H4: Housing Mix
- H5: Affordable Housing
- I1: Infra Delivery & Planning Obligation
- LR1: Land Release Policy
- NE1: Green Space Network
- NE2: Green Belt
- NE4: Open Space Provision in New Dev
- NE5: Trees and Woodland
- NE6: Flooding, Drainage & Water Quality
- NE8: Natural Heritage
- NE9: Access and Informal Recreation
- R6: Waste Management Requirements for New Development
- R7: Low & Zero Carbon Build & Water Efficiency

- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel
- T4: Air Quality
- T5: Noise

Proposed Aberdeen Local Development Plan (PALDP)

- C11 (Digital Infrastructure)
- D5 (Landscape Design)
- D1 (Quality Placemaking)
- D2 (Amenity)
- D4 (Landscape)
- D7 (Granite Heritage)
- H1 (Residential Areas)
- H3 (Density)
- H4 (Housing Mix and Need)
- H5 (Affordable Housing)
- I1 (Infrastructure Delivery & Planning Obligations)
- LR1 (Land Release)
- NE2 (Green and Blue Infrastructure)
- NE3 (Natural Heritage)
- NE4 (Water Infrastructure)
- NE5 (Trees and Woodland)
- R5 (Waste Management Requirements in New Development)
- R6 (Low+Zero Carbon & Water Efficiency)
- R8 (Heat Networks)
- T2 (Sustainable Transport)
- T3 (Parking)
- WB1 (Health Developments)
- WB2 (Air Quality)
- WB3 (Noise)

Supplementary Guidance and Technical Advice Notes

- Affordable Housing
- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Landscape
- Natural Heritage
- Noise
- Planning Obligations
- Resources for New Development
- Transport and Accessibility
- Trees and Woodlands

CONSIDERATIONS

Procedural Matters

The site lies partly within the Aberdeen City Council (ACC) boundary and partly within Aberdeenshire Council's (the Shire) boundary. Initial plans indicate that all housing would be located within the OP45 site area in ACC's boundary, while vehicular access would be taken from either the A92 to the east or via the Causey Mounth Road / B9077 (South Deeside Road) within Aberdeenshire to

serve the proposed housing. Planning permission is required for all development within both administrative boundaries, therefore two separate applications will require to be submitted; one to each authority for the works proposed within their respective boundaries. For the sake of transparency and completeness, the applicant has been advised that the application submitted to ACC for the housing should also include details of the proposed works within the Shire, particularly as a safe means of accessing the site will be fundamental to the assessment of the application, even if ACC would not ultimately determine an application for those works. Each application should be supported by relevant technical reports.

Principle of the Proposal

The entirety of the site within the ACC boundary is zoned in the adopted Aberdeen Local Development Plan 2017 (ALDP) as Green Belt land and a large portion (including the Den of Leggart and the land to the east of it) is also zoned as Green Space Network. The Den itself is also a Local Nature Conservation Site (LNCS) and the Leggart Burn watercourse that passes through the site also flows into the River Dee, a Special Area of Conservation (SAC). Policies NE2 (Green Belt) and NE1 (Green Space Network) of the ALDP are thus the most relevant to the principle of the proposed development.

Policy NE2 is explicit in stating that: *'no development will be permitted in the Green Belt for purposes other than those essential for agriculture; woodland and forestry; recreational uses compatible with an agricultural or natural setting; mineral extraction/quarry restoration; or landscape renewal.'*

Although there are various exceptions to the above statement, these principally apply to very small-scale development associated to existing activities or essential infrastructure. The proposed housing development does not fall into any of the applicable categories of permissible development in the green belt and is thus contrary to Policy NE2.

Policy NE1 states that: *'The Council will protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network, which is identified on the Proposals Map.'*

Proposals for development that are likely to destroy or erode the character and/or function of the Green Space Network will not be permitted.'

As the proposed development would detrimentally impact upon a significant amount of natural landscape zoned as Green Space Network, the works would in principle also be contrary to Policy NE1. The development of the site for a major housing development would thus be contrary to both Policies NE1 and NE2 and would represent a significant departure from the current, adopted ALDP.

Emergence of the Proposed Aberdeen Local Development Plan (PALDP)

The Proposed Aberdeen Local Development Plan (PALDP) was approved at the Council meeting of 2 March 2020. The PALDP constitutes the Council's settled view as to what the content of the forthcoming adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered, however. The PALDP is still undergoing a period of public consultation and is not anticipated to be submitted to Scottish Ministers for consideration until spring 2021.

The portion of the site within the ACC boundary has been allocated as an opportunity site for 150 houses (OP46) in the PALDP. However, although the site has been allocated in the PALDP, the proposals would represent a significant departure from the adopted ALDP, and the PALDP could be subject to change before adoption. The Planning Service therefore considers that the allocation of the site in the PALDP is not a material consideration of sufficient weight to allow the proposal to be

supported in principle, significantly contrary to the adopted ALDP, at this point in time.

It is therefore unlikely that an application could be supported by the Planning Service, in terms of the development principle, unless the site remains allocated when the PALDP is formally adopted. Any application submitted prior to the adoption of the PALDP would therefore be done so at the applicant's own risk, having regard to the above summary.

Should the site remain allocated for housing once the PALDP is adopted then the development would be acceptable, in principle.

Aside from matters of principle, there are multiple other aspects of the proposed development that require thorough assessment against various policies of the ALDP and PALDP and associated supplementary guidance. These are set out below:

Technical Considerations

Transport & Accessibility

The main means and location of providing vehicular and pedestrian access to the site have not yet been finalised by the applicant. At the time of writing, three options for providing access to the site are indicatively shown on the applicant's dedicated website for pre-application public consultation feedback, comprising:

- Option A – A new road is formed between South Deeside Road and the Causey Mounth, to provide the main access to the site, with an emergency access onto the A92;
- Option B – A signalised junction is formed to provide access to/from the A92, along with a secondary, emergency access. No access would be formed to the west;
- Option C – Incorporates main accesses both from the Causey Mounth (via the new road outlined above in Option A) and the A92.

The local 'Causey Mounth' road to the west lies wholly within Aberdeenshire Council's boundary and any proposed new roads or upgrades to the existing road would be the subject of a separate planning application to Aberdeenshire Council. The land in this area is zoned as Green Belt in the Aberdeenshire Local Development Plan 2017 and this is not proposed to change through the forthcoming replacement Aberdeenshire LDP, which is at a similar 'Proposed' stage to the City Council's LDP. However, whilst the provision of any access(es) from the Causey Mounth and any associated upgrades to the road itself (and associated pedestrian infrastructure) would be assessed by Aberdeenshire Council, ACC would need to be satisfied that the development would be suitably served by appropriate vehicular and pedestrian accesses.

In order to provide adequate access to the site from the west, the Council's Roads Development Management (RDM) team have noted that the entirety of the Causey Mounth road from its junction with Leggart Terrace up to at least the entrance to the site would need to be widened to 5.5m in width, with associated pedestrian footpaths (at least 2m wide) and street lighting. The speed limit of the road would also need to be reduced from 60mph to 30mph. Given the number of units proposed (more than 100), two separate accesses to the site will also be required, in order to allow access and egress in the case of emergencies. Alternatively, any new road connection from South Deeside Road (as shown in Options B & C) would also need to meet the aforementioned requirements.

With regard to any proposals to provide access to the site from the A92 dual carriageway to the east, it is understood from RDM colleagues that this option is not likely to be feasible due to road safety implications.

As providing suitable access to the site would be fundamental to whether the development could be supported, the Planning Service has recommended to the applicant that any application to Aberdeenshire Council for associated roads infrastructure is submitted either before, or at the very latest simultaneously to, any application to ACC for the housing. The Planning Service's preference would be for any such application to Aberdeenshire Council to be determined prior to the determination of any application for the housing, in order that there is more certainty as to whether an access(es) of an appropriate standard could feasibly be delivered. If permission is not granted by Aberdeenshire Council to provide suitable roads access from the west then it is unlikely that the ACC Planning Service could support an application for the housing, on road safety grounds.

The Planning Service has therefore encouraged the applicant to engage in further pre-application discussions with Aberdeenshire Council, involving ACC's RDM team, to ascertain whether a suitable access solution can be found, as it is fundamental to the acceptability of the development.

In terms of public transport accessibility, the nearest bus routes to the site run along the A92. The applicant will need to outline how residents of the development would safely access the nearest bus stops on the A92 for buses running in both directions. Also, the existing footway on the western side of the A92 is currently sub-standard and would require to be upgraded, with the cost of doing so payable by the applicant.

With regards to sustainable and active travel, Policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) will be used to assess the development, along with the Council's supplementary guidance (SG) on Transport and Accessibility. T2 requires all new developments demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel. In terms of T3, new developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport. Parking requirements are outlined in the Transport and Accessibility Supplementary Guidance and will depend on the total number of units and the number of bedrooms within each dwelling.

A Transport Assessment (TA) will be required to support any application and the Council's Roads Development Management Team have confirmed that the TA should include details of:

- Site Accessibility
- General / Walking / Cycling / Public Transport / Local Road Network / Safe Routes to School / Accident Review
- Development Proposals
- Overview
- Parking
- Service Vehicles
- Trip Generation and Traffic Impact
- Trip Generation Distribution
- Traffic Impact
- Residential Travel Plan (RTP) Framework
- RTP Aims and Objectives
- Framework for the preparation of the RTP

Layout, Scale and Design

Issues of layout, scale and design will need to be considered against Policies D1 (Quality Placemaking by Design) and D2 (Landscape). Policy D1 advises that all development must ensure high standards of design and have a strong and distinctive sense of place which takes into account the context of the surrounding area and will be required to offer opportunities for connectivity which take in to account the character and scale of the development.

Developments that contribute to placemaking will help sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against six essential qualities:

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

Policy D2 (Landscape) of the ALDP states that: *'Quality development will:*

- *be informed by the existing landscape character, topography and existing features to sustain local diversity and distinctiveness, including natural and built features such as existing boundary walls, hedges, copses and other features of interest;*
- *conserve, enhance or restore existing landscape features and should incorporate them into a spatial landscape design hierarchy that provides structure to the site layout;*
- *create new landscapes where none exist and where there are few existing features;*
- *protect and enhance important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches'*

Given the prominent location of the site immediately adjacent to one of the main arterial routes into the city (the A92), it is vitally important that the development would protect or enhance the views from the A92. The site is at present predominantly screened from the A92 by the tree belt along the eastern boundary. Careful attention will need to be paid to ensuring that key views, including those from the A92 and of the city from the Causey Mounth and Tollochill Woods to the south and west would not be unduly affected. The design of the site (and in particular the height and positioning) of buildings should thus be guided by the findings of a Landscape Visual Impact Assessment, in order to protect key views.

Any application must also be accompanied by a landscape strategy and management plan, incorporating hard and soft landscaping design specifications.

Density & Housing Mix

Policy H3 (Density) seeks an appropriate density of development on all housing allocations and windfall sites. Densities should have consideration to the site's characteristics and those of the surrounding area and should create attractive residential environment and safeguard living conditions within the development.

Policy H4 (Housing Mix) advises that housing developments of larger than 50 units, such as that proposed, will be required to achieve an appropriate mix of sizes, which should reflect the accommodation requirements of specific groups. This mix should include smaller 1 and 2 bedroom units and should be reflected in both the market and affordable housing contributions. This approach helps to create mixed and inclusive communities by offering a choice of housing.

Affordable Housing

Policy H5 (Affordable Housing) of the ALDP requires 25% of the units in all residential developments of 5 or more units to be affordable.

Developer 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 additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. The level of infrastructure requirements and contributions will be outlined by the Council, through the Developer Obligations Assessment and will relate to the development, in line with Policy I1 (Infrastructure Delivery and Planning Obligations).

Noise

Given the location of the development adjacent to public roads, and the heavily trafficked A92 dual carriageway in particular, it is likely that there will be exposure to noise. As such and as per the requirements of Policy T5 (Noise), a Noise Impact Assessment (NIA) will be required in support of an application. The NIA should ascertain all sources of noise that could affect residential amenity (both internally and when experienced from external amenity areas) and should suggest mitigation measures to minimise noise emissions to an acceptable level. These mitigation measures should then be designed into the development to ensure a satisfactory level of amenity can be achieved.

Air Quality

Policy T4 (Air Quality) of the ALDP states: *'Development proposals which may have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and agreed with the Planning Authority. Planning applications for such proposals should be accompanied by an assessment of the likely impact of development on air quality and any mitigation measures proposed.'* Due to the location of the site adjacent to the A92, an Air Quality Assessment will be required to consider whether the impact of this can be adequately mitigated.

Open Space

Policy NE4 (Open Space Provision in New Development) requires new developments to accommodate an area of open space within the development site. As per the policy the Council requires at least 2.8Ha per 1,000 people of meaningful and useful open space. The Supplementary Guidance on Open Space states that open space standards are based on the number of residents within a new development, which can be calculated using the average number of people who live in each dwelling. These figures are outlined in the Supplementary Guidance.

Natural Heritage

Policy NE8 (Natural Heritage) states: *'development that is likely to impact a locally designated site should seek to address this through careful design and mitigation measures.'*

The Den of Leggart is a Local Nature Conservation Site (LNCS) and although the majority of the Den is proposed to remain undeveloped, the roads access as currently shown in the central part of the site would encroach within the southern portion of the LNCS. Given the greenfield nature of the site, its green belt and green space network zonings and the Den of Leggart LNCS, there is an abundance of flora and fauna on the site and the potential for protected species to be affected by development. A detailed ecological and habitat survey will therefore be required as part of any application, evidencing what species are present on the site and incorporating mitigation measures to minimise the impact on them. The site layout should also be designed to maximise opportunities to enhance biodiversity wherever possible, in accordance with Policy NE8.

The Leggart Burn is a tributary of the River Dee, which is designated as a Special Area of Conservation (SAC) due to its population of otter, freshwater pearl mussel and Atlantic salmon. As the proposals would involve works in and around the Leggart Burn, there is the potential for those works to adversely affect the qualifying features of the SAC, particularly during the construction phase. As such, the Council will need to carry out a Habitats Regulations Appraisal (HRA) and as part of the HRA process, a detailed Construction Environmental Management Plan (CEMP) would be required, incorporating suitable mitigation measures sufficient to ensure that there would be no significant harm to the qualifying features of the SAC.

Trees & Woodland

Policy NE5 (Trees and Woodland) states: *'There is a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation.'*

Although large parts of the site comprise open fields with no trees, there are a number of trees within the site, particularly the established tree belt along the eastern boundary with the A92, as well as within and adjacent to the Leggart Burn and the Den of Leggart. Existing trees on the site need to be retained and the development designed around them wherever possible. A Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan must be submitted with any formal application and tree loss should be minimised.

Access & Recreation

Policy NE9 (Access and Informal Recreation) states: *New development should not compromise the integrity of existing or potential recreational opportunities including general access rights to land and water, Core Paths, other paths and rights of way. This includes any impacts on access during the construction phase of a development.'*

It is noted that parts of the site are well used by members of the public, including residents of the development to the north at Deeside Brae. Policy NE9 notes: *'Wherever possible, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.'*

Flooding & Drainage

Policy NE6 (Flooding, Drainage & Water Quality) states that development will not be permitted if it would increase the risk of flooding or it would itself be at risk of flooding, amongst other criteria. The proposed development would result in a significant amount of hard landscaping being created on what is almost entirely permeable land at present, therefore the surface water (and waste water) drainage of the site will require careful consideration via a Drainage Impact Assessment (DIA), in order to ensure that the site could be adequately drained and would not pose a flood risk.

The Leggart Burn runs through the site and is noted on SEPA's flood maps as having the potential to flood. The site requires to be designed to ensure that no new properties would be at risk of flooding and as noted in the PALDP Opportunity Site allocation, a Flood Risk Assessment (FRA) will be required to accompany any application.

Policy NE6 of the ALDP also notes that: *'there is a presumption against excessive engineering and culverting of waterbodies. Natural treatments of floodplains and other water storage features will be preferred wherever possible.'*

It is noted that in order to provide access to the eastern portion of the site, engineering works will be required in the narrow central section of the site, including the culverting of the Leggart Burn. Policy

NE4 (Our Water Environment) of the PALDP further notes:

'Where the Council agrees that culverts are unavoidable for technical reasons, they should be designed to maintain existing flow conditions and aquatic life. Any proposals for new culverts should have a demonstrably neutral impact on flood risk and be linked to long term maintenance arrangements to ensure they are not the cause of flooding in the future.'

Careful consideration will therefore be required in this regard in order to minimise the length of culvert and to maintain existing flow conditions and aquatic life.

Waste/Refuse

Policy R6 (Waste Management Requirements for New Development) states that all new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. Details of storage facilities and means of collection (including swept path analyses for bin lorries) must be included as part of a planning application for any development which would generate waste.

Sustainable Development

In terms of low and zero carbon, buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through low and zero carbon generating technology. With regards to water efficiency, all new buildings are required to use water saving technologies and techniques. This is a requirement of Policy R7 (Low and Zero Carbon Buildings, and Water Efficiency) and details would be requested via condition.

Digital Infrastructure

Policy C11 (Digital Infrastructure) requires all new residential and commercial development will be expected to have access to modern, up-to-date high-speed communications infrastructure (broadband).

PRE-APPLICATION CONSULTATION

Due to the ongoing Covid-19 restrictions on public gatherings and social distancing requirements, an online public consultation event was undertaken by the applicant on a dedicated website for the proposed development (www.leggartbrae.com) on Thursday 6 August, between 4pm and 8pm. Representatives of the applicant and their project team were available to discuss and respond to queries regarding the proposals via a virtual question and answer session. Various options for the site layout of the development and how it could be accessed were on display on the website for a week prior to the online event.

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 –

- Location Plan
- Site Plan (Existing & Proposed)
- Dwelling Elevations (Existing & Proposed)
- Contextual Street Elevations
- Topographical Survey (Existing & Proposed)
- Design & Access Statement
- Flood Risk Assessment

- Drainage Impact Assessment
- Landscape Visual Impact Assessment
- Noise Impact Assessment (due to noise from traffic on the adjacent A92)
- Air Quality Impact Assessment (due to traffic generated and the adjacent A92)
- Draft Construction Environmental Management Plan
- Ecological and Habitats Survey
- Transport Assessment
- Tree Survey, Arboricultural Impact Assessment & Tree Protection Plan
- Archaeological Survey
- Landscaping and Maintenance Plan