

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS)

ABERDEEN, 16 December 2021. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE (VISITS). Present:- Councillor Boulton, Convener; and Councillors Bell, Cooke, Copland, Donnelly (as substitute for the Vice Convener, Councillor Stewart, the Depute Provost), Greig, MacKenzie, Malik and Radley (as substitute for Councillor Cormie).

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.

### DECLARATIONS OF INTEREST

1. At this juncture, Councillor Radley intimated that she had requested legal advice after the site visit, and had decided to withdraw from the meeting and would take no further part in deliberating or determining the application.

### LAND TO THE SOUTH AND SOUTH-WEST OF DEESIDE BRAE ABERDEEN - LEGGART BRAE - 201558

2. With reference to article 5 of the Planning Development Management Committee minute of 9 December 2021, whereby it was agreed that a site visit take place before determination, the Committee had before it a report by the Interim Chief Officer – Strategic Place Planning, **which recommended:-**

That the application for detailed planning permission for the residential development (100 units) with associated landscaping and parking and supporting ancillary infrastructure at land to the south and south west of Deeside Brae, be refused for the following reasons:-

1. That the proposed major housing development neither represents essential infrastructure nor complies with any of the exceptions contained within Policy NE2 (Green Belt) of the Aberdeen Local Development Plan 2017. Policy NE2 makes no provision for residential development of this scale. As such, the development is contrary to Policy NE2 and would represent a significant departure from the adopted Development Plan Strategy. Furthermore, the proposals would erode the character and function of the Green Space Network zoning which covers much of the site and the proposals would therefore be contrary to Policy NE1 (Green Space Network) of the Aberdeen Local Development Plan 2017.
2. That the development would result in the creation of a major housing development on undeveloped greenfield land, resulting in harm and significant

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change to the localised landscape character of the Burn of Leggart valley, a key part of the City's setting from the South, contrary to Policy D2 (Landscape) of the Aberdeen Local Development Plan 2017.

3. That the development would reduce capacity and have an undesirable impact on traffic flows on the A92, a major arterial route into the city, due to the signalised junction required to provide vehicular access to the development and pedestrian access to Kincorth. The design of the signalised junction is not acceptable, with the northern central pedestrian island being of an insufficient width. The proposed junction is not related to a strategic transportation link. The proposed second, emergency means of access to the development is inadequate. For these reasons, the development proposal is contrary to Policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan 2017.
4. That the development would not be sited in a sustainable location and does not have safe or quick access by sustainable modes of travel (particularly on foot or by cycle) to essential facilities such as schools and shops which would encourage the use of active travel and is therefore contrary to Policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan 2017.
5. The proposed development was also contrary to the strategic objectives of the Aberdeen City and Aberdeenshire Strategic Development Plan 2020 as it would result in the development of valuable green belt land and would not be sufficiently accessible via sustainable and active modes of travel.

Following the site visit, where Planning Officers showed Elected Members of the Committee around the area, presented relevant scheme drawings and pointed out significant features, the Committee met at the Town House for a hybrid meeting with some Members joining remotely, and heard from Mr Alex Ferguson, Planner, who spoke in furtherance of the application and answered various questions from members.

The Convener moved, seconded by Councillor Donnelly:-  
that the application be approved for the following reasons:-

The development was contrary to Policy NE2 (Green Belt) of the adopted Aberdeen Local Development Plan in as far as the proposed housing development does not comply with the exceptions contained within that Policy. Although there was a tension with Policy NE2 it was noted that, the site had been allocated as an opportunity site for 150 homes in the Proposed Aberdeen Local Development Plan 2020 (PALDP) and that allocation represents the final settled view of the Council as to an appropriate land use zoning for the site. This was considered to be a significant material consideration that was considered of sufficient weight to justify a departure from the policy zoning in the adopted ALDP in this particular instance.

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The development would be designed and landscaped with due respect for its setting and protect the localised landscape character of the Burn of Leggart valley, in compliance with Policy D2 (Landscape) and NE1 (Green Space Network) of the Aberdeen Local Development Plan 2017.

Whilst the new junction would reduce capacity and impact to a certain extent on traffic flows on the A92 the scale and extent of its impact was considered not significant enough to warrant refusal of the application. The design of the signalised junction and emergency access could be made the subject of a suitably worded planning condition and for these reasons, the development proposal was considered compliant with Policy T2 (Managing the Transport Impact of Development) of the Aberdeen Local Development Plan 2017.

The development would be sited in a sustainable location within a 20 minute walk of the nearest shops and primary school and less than a 400 metre walk from a regular bus service to the City Centre. Improvements to footway links to these facilities could be made the subject of a suitably worded planning condition. The proposal would also achieve the delivery of an aspirational core path as designated in both the adopted and proposed local development plan. The development was considered to be accessible by sustainable and accessible travel options to nearby facilities. In this context the development was therefore considered to be, on balance, compliant with Policy T3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan 2017.

Councillor Cooked moved as an amendment, seconded by Councillor Greig:-  
that the application be refused in line with the officer recommendation.

On a division there voted, for the motion (2) – the Convener and Councillor Donnelly–  
for the amendment (5) – Councillors Bell, Cooke, Copland, Greig and Malik; - absent from the vote (1) Councillor MacKenzie.

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

to adopt the amendment and therefore refuse the application.

- **Councillor Marie Boulton, Convener**