

## **PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

ABERDEEN, 1 June 2022. Minute of Meeting of the PLANNING DEVELOPMENT MANAGEMENT COMMITTEE. Present:- Councillor Henrickson, Convener; Councillor Bouse, Vice Convener; and Councillors Alphonse, Blake, Boulton, Clark (as substitute for Councillor McRae), Cooke, Crockett, Houghton and Thomson.

**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.**

### **PLANNING PERMISSION IN PRINCIPLE - RESIDENTIAL DEVELOPMENT (CIRCA 250 UNITS) WITH ASSOCIATED INFRASTRUCTURE, OPEN SPACE, LANDSCAPING AND COMMUNITY FACILITIES - LAND AT TILLYOCH, CULTER HOUSE ROAD, PETERCULTER - 211699**

1. The Committee conducted a site visit prior to the hearing. The Committee was addressed by Ms Aoife Murphy, Senior Planner, who summarised the proposal for the overall site.

The Convener explained that the Committee would return to the Town House to commence the hearing.

At the start of the hearing, the Committee heard from the Convener who began by welcoming those present at the hybrid Pre-Determination Hearing and providing information on the running order. The Convener explained that the site under review at the hearing was for a residential development (circa 250 units) with associated infrastructure, open space, landscaping and community facilities at land At Tillyoch, Culter House Road, Peterculter. The Convener explained that the first person to address the hearing would be Ms Aoife Murphy, Senior Planner and asked that speakers adhere to their allocated time in order for the hearing to run smoothly and in a timely manner.

The Committee then heard from Ms Aoife Murphy, who addressed the Committee in the following terms.

Ms Murphy explained that the site was located to the north of Peterculter, extended to nearly 20 hectares and encompassed the existing Equestrian Centre and pet resort, grazing land and areas of ancient woodland to the south east and west, which were also covered by Tree Preservation Orders and noted to the south east was the Peterculter Local Nature Conservation Site.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

Ms Murphy advised that the site was bound by Malcolm Road to the west, a minor road to the north, Culter House Road to the east, off which the existing access to the site was gained and to the south by Bucklerburn Road, a portion of which was also identified as Core Path 86, beyond which lay the residential area of Peterculter.

In terms of topography, Ms Murphy indicated that the site sat on the south, south western side of a slope and rose upwards from Malcolm Road towards the north of the site. Malcolm Road sat at approximately 55m Above Ordnance Datum (AOD) and the centre of the site at approximately 95m AOD, equating to a level difference of 40m, with the very north of the site sitting at approximately 105m.

Ms Murphy explained that as the application was for planning permission in principle, no details of the final layout had been submitted for assessment. The purpose of the application was to establish the principle of development with finalised details of layout and house types assessed at subsequent planning application stages, such as Matters Specified in Conditions.

Ms Murphy advised that the application constituted a major development as per the Development Management Regulations 2013 and as such the application required pre-application consultation, which was undertaken via a virtual means in September 2021. The application was also presented at the Pre Application Forum in September 2021. Also in relation to the Environmental and Impact Regulations 2017, the proposal was screened by the Planning Service to establish the likely effects from the development on the environment and it was established that the application would require an Environmental Impact Assessment (EIA). An EIA Report was duly submitted in December 2021.

During her presentation, Ms Murphy split the site into four distinct areas.

Area one was the parcel of land to the north and it was noted as per the indicative site plan it would accommodate 40-50 units, open space and associated infrastructure.

In relation to area two, it was located within the centre of the site and would accommodate approximately 200 units, 62 of which would be affordable, providing 25% affordable housing. Also proposed within this area were wildlife corridors, areas of open space identified in green, Sustainable Urban Drainage System (SUDS) located to the south of the site, community facilities and associated infrastructure such as roadways.

In regard to area three, this portion of the site was located to the south east and accommodated existing and established ancient woodland, also protected by a Tree Preservation Order. This area was also identified as the Local Nature Conservation Site. Ms Murphy noted that to the north of this area was the existing access to the equestrian centre, which was to be retained to provide emergency access to the proposed development.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

Finally area four was the west of the site and it accommodated the proposed 6-9m wide access road. Access was to be taken from Malcolm Road via a new access point measuring in excess of 40m in width and the plan was for the road to extend north before splitting in two, both roads would then lead south and east into the residential development. A SUDs was also proposed and would be located to the south east of the proposed access and east of Malcom Road. An existing tree belt bounded the most western boundary of the site and it was noted that like the previous area, the area was identified as ancient woodland and was covered by a Tree Preservation Order. Ms Murphy also advised that given the extent of the topography of this area, the proposal would result in extensive cut and fill being required for the proposed road.

In terms of the current Aberdeen Local Development Plan 2017, Ms Murphy advised that the site sat within the Greenbelt. Two opportunity sites could be seen to the east and south west. OP109 was for 19 homes and OP52 was for 8 homes. The residential area of Peterculter lay to the south.

In relation to the Proposed Local Development Plan 2022, a portion of the site was to be allocated as OP53, a housing opportunity for 250 homes. The Proposed Plan was agreed by Full Council in March 2020 and was currently undergoing examination by Scottish Ministers.

Ms Murphy advised that in relation to the position of the current Local Development Plan and its zoning, the site fell within the Green Belt and under Policy NE2, there was a presumption against development unless it was associated with essential activities in the greenbelt such as agriculture. There were some exceptions allowed under this policy, but this related to small-scale development.

Ms Murphy explained that the majority of the site was also Green Space Network, with Policy NE1 advising that there was a presumption against development that would erode or destroy the character and function of the Green Space Network. Based on the existing zoning and designations, Ms Murphy advised the Planning Service was of a view that in principle the development would be contrary to Policies NE1 and NE2 of the current Local Development Plan and as such the proposal represented a significant departure from Development Plan Strategy and therefore necessitated the requirement of this Pre-Determination Hearing with final determination being made by Members in due course.

Ms Murphy indicated that in terms of the proposed plan, the majority of the site was proposed to be allocated as OP53 for a residential development, however the access road fell outwith the allocation and still lay in the Greenbelt. It was noted that whilst the Proposed Aberdeen Local Development Plan was a material consideration and represented the settled view of the Council, it was still undergoing examination by Scottish Ministers and the Reporter and was yet to be adopted. As such the current Local Development Plan 2017 was still the primary document against which the application should be assessed.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

Ms Murphy also provided information on the representations received. 301 had been received in total. 295 of these objected to the proposal, 4 were in support and 2 provided a neutral stance.

In terms of Developer Obligations, contributions would be required for the Core Path Network, Healthcare Facilities and a commuted sum for the remaining 0.5 units of Affordable Housing. Both Developer Obligations and Education had advised that based on the most up to date school roll forecasts there was sufficient capacity at both Peterculter Primary School and Cults Academy. Finally, the Environmental Policy had expressed concerns regarding the impact of the access road on the ancient woodland and the resultant impact on the natural heritage of the site. Further concerns had been expressed regarding the indirect impacts on the natural heritage of the Peterculter Local Nature Conservation Site and insufficient survey information having been provided to assess the impact of the development. As such, further information was formally requested by the Planning Service on the 23 May 2022, in respect of these concerns.

Ms Murphy concluded by outlining the next steps in relation to the application. A report would be prepared by officers for a forthcoming meeting of the Planning Development Management Committee containing a full assessment of the proposed development and with a recommendation to members.

The Committee then heard from Mr Michael Cowie, Engineer, in relation to the roads aspects.

Mr Cowie explained that as the proposal was for approximately 250 units and as per the Aberdeen City Council Supplementary Guidance, this would require the provision of a minimum of two separate vehicular accesses in order to serve the site. However Mr Cowie indicated that the indicative proposals indicated that the site would only be served by one vehicular access via Malcolm Road to the west of the site. Mr Cowie advised that this level of provision was thoroughly discussed with Roads Officers. The discussions also advised of the requirement for a wider access junction onto Malcolm Road with wider road widths for the first section until the road splits off into two separate roads serving different areas of the site, at such points the roads should reduce in width to a more typical residential design. This would retain access for emergency vehicles should there be incidents of cars broken down or temporary road works and this would all be subject to further detailed design as part of future applications and Section 21 Roads Construction Consent applications. In addition to this, the site also proposed to have a separate 'Emergency Only' access from Culter House Road in the eastern corner of the site, therefore there should not be any additional residential traffic on Culter House Road as this was always advised to be unsuitable.

In terms of associated trips for the site, Mr Cowie indicated that this was presented within the supporting Transport Assessment (TA), with an estimated 151 and 141 vehicular trips during the peak periods. Since the opening of the AWPR the volumes upon Malcolm Road had significantly reduced and the impact of the associated trips of

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

this development was not considered to impact Malcolm Road as it would still be below that in which it previously operated.

Mr Cowie explained that as the site lay to the north of the existing Peterculter area there was a requirement to provide suitable pedestrian connectivity between the site and the existing network and it was confirmed that this was proposed but the finer detail would be subject to condition and future applications given the nature of Planning Permission in Principle. This provision would provide connectivity to the nearest local amenities such as shops, community centre and the local primary school which should also form part of the necessary 'safe routes to school'.

Mr Cowie highlighted that the layout was only indicative and the internal design would be subject to condition(s) in terms of layout design, road widths, paths, drainage etc which should all be as per the Council's standards. Additionally, parking provision throughout the site would require to be as per the Council's supplementary guidance which included the like of electronic vehicle provision, disabled (if necessary) and visitor parking, all done via conditions.

Mr Cowie advised that at this stage, Roads Development Management believed that the proposal provided adequate level of provision for access and connectivity to the existing area of Peterculter but given this was a Planning Permission in Principle application much of the finer detail and design was subject to future Matters specified applications.

Members then asked questions of Ms Murphy and Mr Cowie and the following information was noted:-

- Discussions had commenced with the local bus operators in order to have public transport to and from the site and to make the site accessible;
- There would be pedestrian routes from the site to the local village of Peterculter.

The Convener then invited the applicant to address the Committee, and the speakers consisted of Elaine Farquharson-Black (Brodies), Julie Robertson (Halliday Fraser Munro) and Mark Peters (Fairhurst). Also available to answer questions were Steve Keenon (First Endeavour), Andrea Stewart (Halliday Fraser Munro) and Nigel Astell (Astell Associates).

Ms Farquharson-Black commenced the presentation for the applicant and advised that the site was currently an equestrian centre and cattery and it comprised 8 large buildings, a dwelling house, a cattery for 140 cats, an outdoor riding school which covered around 12 acres, hard standing parking for 200 cars and parking for 80 horse boxes/lorries.

Ms Farquharson-Black indicated that in March 2018, the Council embarked on a review of the 2017 Local Development Plan (LDP) and at the pre-Main Issues Stage, Culter Community Council advised the Council that there was a critical need for new homes for growing families in the Culter area, after the Reporter deleted nearly 70% of the

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

planned housing provision in the last LDP and expressed concern that their community would wither if their vibrant young families kept having to move away. The Community Council wanted a greater mix of house types - small, large, detached, semi-detached, terraced, bungalows, low-cost housing and retirement homes. Ms Farquharson-Black highlighted that the application sought to provide that much needed housing, including 25% affordable housing, a community and transport hub, open space, a community growing area and pedestrian and cycle networks.

Ms Farquharson-Black explained that the 20 minute neighbourhood was one of the current buzz terms in planning and it was about having access to your daily needs within a 20 minute walk or cycle.

Ms Farquharson-Black referred to their slideshow and indicated that it showed that all the key facilities: shops, school, medical centre, leisure facilities, library, hall were within a 20 minute walk of the site which would make it a very sustainable location. She noted that the Council had confirmed that there was capacity to accommodate pupils from the development within the local primary school and Cults Academy. Contributions had been agreed with the Council which would go towards healthcare and improving the existing core paths in the area.

Ms Farquharson-Black advised that the site was designated as part of the Green Belt and Green Space network in the current LDP with an ancient woodland within the site and the current access to the equestrian centre and cattery ran through the woodland. Given the existing development which had taken place on the site, Ms Farquharson-Black advised that it must be considered to be a brownfield site and thus suitable for redevelopment in accordance with national and local policies and following the submissions from the Community Council, the Council decided to allocate the land for 250 homes in the proposed LDP to meet the community's wish for more family housing in the village.

The bulk of the site was identified as site OP53, with the ancient woodland proposed as part of the Greenspace Network.

As part of the examination into the proposed LDP, Ms Farquharson-Black advised that the Council had confirmed that the site provided doorstep opportunities for outdoor recreational access to natural open space and an opportunity for the woodland areas to be sensitively managed to enhance biodiversity.

Ms Julie Robertson then went through the development design approach for the site. Ms Robertson explained that in order to establish the design approach to the development, the context and characteristics of the surrounding area were considered. The strong landscape and woodland setting provided the starting point to consider how the development would sit within its surroundings and had guided the built and natural elements of the indicative proposal.

Ms Robertson noted that the ancient woodland, which was also a local nature reserve, in the southeast of the site was a key natural asset within the area and this would be

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

retained as part of the proposal. In addition, the proposal ensured that the pedestrian routes within the woodland would be retained with access for both residents and the existing community. The development adjacent to this area had also been designed to ensure a landscape buffer between dwellings and the trees to protect tree roots and growth as well as protecting wildlife.

Ms Robertson advised that the ancient woodland to the west as part of the proposed new access road had been carefully considered with the new road designed to minimise impact on the existing trees. A tree management plan had been submitted as part of this proposal which included a management and tree planting scheme for the site and also incorporated the area of ancient woodland outwith the application site boundary but within the applicant's control. The tree species proposed as part of the scheme would seek to regenerate and enhance an area which had undergone historic felling and had to date been unmanaged. This development would therefore enable the management and enhancement of this area. The applicant had indicated their commitment to also provide off-site compensatory planting, using the ancient woodland soil that would be removed for the road and carefully transporting it to a suitable site to enable regrowth and regeneration. In addition, the applicant would offer both areas of ancient woodland for community ownership in tandem with clubs such as the Scouts and Guides and the applicant would be responsible for the first 10 years' maintenance at its own cost.

Ms Robertson further highlighted the creation of wildlife corridors north to south and east to west within the development would also make a positive contribution with linkages to the existing and surrounding green network. The importance of retaining and encouraging wildlife and enabling their movement through the site had also been ensured through the creation of badger tunnels under the road as well as landscape buffers between the new housing and treelines to protect wildlife, in particular red squirrels. In addition to wildlife movement these corridors would also provide pedestrian green links within a landscape setting contributing to a sense of place and health and wellbeing.

To contribute further to the existing green network, Ms Robertson advise that areas of open space were provided throughout the development with a landscaped area of open space along the western edge, an area of open space in the north and an area of open space and play in the central hub. The proposal had been designed to create green links between these spaces using street trees and the wildlife corridors therefore creating a sense of place as well as promoting recreational opportunities.

In terms of connectivity, Ms Robertson explained that the site had existing informal pedestrian paths running north to south on the western edge as well as existing links through the ancient woodland in the southeast. In addition to encouraging active travel options, Ms Robertson advised that the indicative layout demonstrated the ability of the site to accommodate public transport links including a bus stop in the central hub of the site which was within 400 metres from all parts of the development.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

Ms Robertson then provided details on the character areas of the application site and noted that the site lent itself to the creation of 3 character areas which would provide interest and choice as you moved through the site.

Character area 1 in the north of the site provided a low density area of private housing around an area of greenspace. The area would be landscaped and the use of trees along the boundaries would provide a landscape buffer between existing uses and woodland outwith the site boundary.

Character area 2 was around the central hub. The central hub would provide an area for gathering, play and access to public transport. The density would therefore be more medium density with a mix of house styles for private sale. This area would also include the wildlife corridor which ran east to west within the site.

Character area 3 would have a strong backdrop with the existing ancient woodland and would provide a mix of density and tenure providing housing choice and interest. This area would include the wildlife corridor and landscape setting of the western edge which provided a welcoming natural approach to the development.

Ms Roberson noted that in summary the key characteristics of the masterplan included:

- the delivery of housing choice through a mix of house sizes (2,3, 4 and 5 bed homes), a mix of house design (detached, semi-detached, terraces and cottages) and a mix of tenure with 25% provision for affordable housing;
- the creation of a new access road from the west;
- the retention and strengthening of the landscape and woodland setting;
- the creation of a central hub to provide a community focus and gathering space within the development;
- the strong existing pedestrian links within the site therefore retaining and enhancing active travel opportunities; and
- the promotion of sustainable transport options through a roads layout that was compatible for use by buses and the inclusion of a bus stop in the central hub.

Mr Mark Peters then provided details regarding the access road.

Mr Peters explained that the Council's Roads Standards typically required 1 point of access for serving up to 50 residential units and between 50 and 100 residential units there was a need to provide at least 1 additional emergency access. Once development exceeded 100 residential units, 2 permanent points of access should be provided.

The proposals at Tillyoch were for circa 250 residential units, and therefore when applying the Council's standards there was a need for two permanent points of access. The first and preferred option to provide access to the site was via the existing access on Culter House Road. However, following investigations, including a full topographical survey, it was established through discussions with the Council's Roads Officers that they would be unable to provide a road which would meet the required Roads Standards.



**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

The second option to provide access to the site was via the unclassified road to the north west of the site. Following investigations they were again unable to provide a road which would meet the required Roads Standards, while the road was also private. The third option was to provide access to the site via two junctions on Malcolm Road which would meet the Roads Standards to suit unit numbers. However Mr Peters explained that whilst this option was technically viable, it was not the preferred solution since it would have led to a large number of trees being removed.

Mr Peters explained that the requirement for 2 permanent points of access for development over 100 residential units was not National Guidance, with other local authorities in Scotland permitting up to 250 residential units with only 1 point of access and an emergency access. However he noted that the Council did provide some flexibility where there were known constraints, such as engineering, environmental and land ownership.

Mr Peters indicated that subject to agreement with the Roads Department, they would permit more residential units under the general access requirements. Where two permanent points of access could not be provided, the Council would permit the development of only a single access with additional emergency access as long as the access road was 9m wide up to the point where a 2nd internal access road was provided. This would be permitted on the basis that a 9m wide road was effectively the width of 3-lanes which therefore allowed the temporary closure of a 3m section of the road if ever required. This might be required for road works, maintenance or as a result of an accident, but would still permit 2-way vehicle movements over the remaining 6m and importantly continued access for residents, service vehicles and buses.

Mr Peters indicated that it was agreed with Roads officers in November 2020 that the principle of a singular widened section of access to/from Malcolm Road was acceptable along with the provision of an emergency access from the top of the site linking to Culter House Road, which would also provide an additional link for pedestrians and cyclists.

Therefore, when taking account of the road design standards, review of the three access options, discussions with the Roads Department and further re-design to meet the requirements of the residential layout and existing trees, Mr Peters indicated that it was concluded that the access road layout as submitted was the best access road option available.

In relation to complying with planning policy, Mr Peters explained that the proposal would be a departure from the current Local Development Plan, however noted the 2017 LDP went out of date on 21 January 2021. He also advised that when the Council approved the Proposed Local Development Plan 2022, the current zoning no longer reflected the Council's most up to date thinking on the use of land.

In regards to policy NE2, Green Belt, Mr Peters advised that the Council had already assessed the site's suitability for housing and decided to remove it from the Green Belt.

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

In removing the land from the Green Belt in the Proposed LDP, the Council had already concluded that its development would not impact on the aims of the Green Belt policy and noted that the principle of residential development on this site had been established.

In relation to policy NE1 – Green Space Network, Mr Peters explained that the south east corner of the site was identified in the Proposed LDP as part of the Greenspace Network and this area would be protected and enhanced to provide increased accessibility into the countryside, in line with policy objectives.

Regarding policy NE5 – Trees and Woodland, Mr Peters noted that the south east corner comprised Ancient Woodland and formed part of the Nature Conservation site. The existing access through it would remain as an emergency access, but the woodland would be maintained and enhanced.

Mr Peters explained that the access road to the west would also go through Ancient Woodland. As part of the development, the applicant would retain existing healthy trees in this area, remove the bracken and undertake new planting. They would also provide off site compensatory planting. In time, the new planting and landscaping would provide an attractive entrance to the development, screening it from Malcolm Road. Overall, the woodland, wildlife and landscaping of the site would be enhanced significantly as part of the development.

Mr Peters indicated that the Council had confirmed as part of the LDP examination that there was no conflict with the proposed allocation of the site for housing and the requirements of Policies NE2, NE3 and NE5 which would still apply to the development. The Council had advised that including the ancient woodland and Local Nature Conservation Site within the site boundary meant that these areas would have an additional level of protection through planning condition. The Council had also identified the potential to strengthen the Green Network through the masterplanning exercise.

Mr Peters advised that the application did conflict with the 2017 LDP, but that now being out of date, paragraph 33 of Scottish Planning Policy should be triggered and the presumption in favour of development which contributed to sustainable development would be a significant material consideration for the determination of the application.

Mr Peters explained that one of the key principles of sustainable development was economic benefit and noted this was a £60m development, which would create circa 100 direct construction jobs plus indirect jobs. Once completed, residents' spend would add approximately £1.25M per annum to the local economy and he noted that the economic benefits of the development were significant.

Mr Peters indicated that the Proposed LDP zoned the site for housing and was already a material consideration which carried significant weight as it represented the Council's settled view on the use of the site.

## PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

1 June 2022

In conclusion Mr Peters highlighted that the Council's allocation of the site for housing in the Proposed LDP had established the principle of residential development on the site and the legal balance was therefore very heavily tilted in favour of departing from the out of date Green Belt zoning and granting consent for this well designed and sustainable extension of Peterculter and the provision of 250 much needed family and affordable homes.

Members then asked questions of the applicant and the presenters and the following information was noted:-

- in relation to broadband provision, this would be covered when the Detailed Planning Application was submitted;
- parking provision would meet the required standards as set out by the Council;
- the dry stone wall at the north of the site would hopefully be retained;
- electric vehicle charging points would be provided in line with the requirements;
- there would be no flatted properties in the development;
- the applicant was working with the Scottish Government in order to achieve Passive Housing for the development.

The Committee then heard from Mr Peter Brawley, who was speaking on behalf of Culter Community Council. Mr Brawley explained that Peterculter fell just within Aberdeen City boundary and had its own primary school, village hall, church, medical centre, shops and pubs and it had a strong sense of community with an active Community Council and a village Gala each year.

Mr Brawley advised that over the years, the Community Council had received requests for more sensibly priced housing, either owned or rented, and predominantly for modest houses with small gardens to allow young families to move out of flats but to remain in Peterculter. Mr Brawley noted that the last significant housing development in Peterculter was the Bucklerburn development about 30 years ago which consisted of 70 large houses.

Mr Brawley advised that the development was for 250 houses, of which 25% would be affordable housing of 2-4 bedroom homes for rent. Mr Brawley indicated this would mean that the population of Peterculter would increase by roughly 1000 to 6000, which would be an increase of 20%.

Mr Brawley advised that the feedback from the consultation was predominantly negative in relation to this proposal. Mr Brawley also indicated that it had been stated that the Community Council objected to the development, however advised that in fact they did not support it and their main concerns were the following:-

- The destruction of Ancient Woodland for the access roads together with the consequent impact on wildlife;
- The capacity of the local schools, particularly Cults Academy;
- The capacity of the local medical centre, particularly as current constraints related to the difficulty in recruiting doctors rather than the size of the surgery;

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

- Roads concerns, particularly the proposed junction where the access road would join Malcolm Road and the likelihood of additional traffic on Culter House Road; and
- Drainage, both surface water drainage at properties below the site and long standing issues with the sewer at the proposed tie in point.

Mr Brawley also advised that an additional point was the location of Tillyoch, being at the top of a steep hill and about 1km from the village centre. He noted that one of the aims of housing developments in Scotland was to maintain a 20 minute neighbourhood to encourage people to walk or cycle instead of using cars. Mr Brawley indicated that although Tillyoch was just within a 20 minute walk of the village centre, it was a very steep walk due to the hill and he felt that most people would choose to use their cars to get to the village centre and the shops.

Mr Brawley also advised that there was a shortage of parking spaces in the village and the extra houses and car usage would only make the problem worse and noted that there was a proposal to extend the route of the number 19 bus into Tillyoch.

Mr Brawley asked that should the application be approved, that the following matters be secured by condition or developer obligations:-

- Appropriate Developer contributions to fund expansions of Lower Deeside education and medical facilities;
- The creation of compensatory future woodland in light of the loss of Ancient Woodland above Malcolm Road;
- A requirement for buffer zones on the Tillyoch site around all the woodland which was being retained, whether that woodland was on the development site or on neighbouring property;
- The provision of an appropriate form of junction for the development onto Malcolm Road by means of a roundabout or traffic lights;
- The shortest route into Aberdeen from Tillyoch would be via Culter House Road, which was a quiet very narrow road and the Community Council were concerned that this road would become very busy, so asked that this be investigated and prevent Culter House Road being overly used; and
- The usual condition requiring a scheme of drainage to be submitted and approved.

In conclusion Mr Brawley advised that a substantial majority of all the views they had heard were against the development however he noted that genuinely affordable housing would be welcomed in the community by young families.

The Committee then heard from Mr Maurice Manning who was against the proposed development. Mr Manning explained that the development was out of scale for a village the size of Peterculter and noted that there would be a 20% increase in the population of Peterculter if the development went ahead. He advised that there was a need for affordable housing in Peterculter but the development was too big for a village

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

the size of Peterculter. He noted the lack of dentists in the area and an overwhelmed medical practice. Mr Manning also expressed his concern for the ancient woodland, the 50 metre boundary and the vulnerability of the ground.

The Committee then heard from Mr Carl Gerrard who was also against the proposed development. Mr Gerrard explained that from practical experience, it would take in excess of 20 minutes to walk from the proposed development and noted that from the very top of the development, walking 800metres would only just get you out of the development and nowhere near the village. He noted that the elevation difference and the challenge to walking times was recognised in developer feedback to the public comments and the proposed bus service was suggested as an alternative solution for people.

As an example, Mr Gerrard indicated that in order to get a pint of milk from the shop in Peterculter from the development, you could either walk for an hour there and back, pay for 2 bus fares or take the car. He highlighted the use of individuals' cars as the preferred method. He also indicated that to walk to the local pharmacist downhill would take 29 minutes and 34 minutes back as the journey was uphill.

Mr Gerrard also noted the definition of the 20 minute neighbourhood and how the journey should be 20 minutes in total.

**At this juncture, the Convener departed the meeting and was replaced in the chair by the Vice Convener for the remainder of the meeting.**

The Committee then heard from Mr Robert Brew who was also against the proposed development. Mr Brew explained that he was a member of the local Community Council and also a representative on the Parent Forum for Cults Academy but he was speaking on a personal capacity. Mr Brew explained that he had concerns with the availability forecast for Cults Academy and felt there were inaccuracies in relation to availability for future pupils. Mr Brew also advised that development on the green belt would set an unwelcome precedent. Mr Brew shared his concerns for the ancient woodland and the nature conservation and noted that the area was rich with wildlife. Mr Brew intimated that it was the wrong development in the wrong place and asked that it be refused.

The Committee then heard from Mr Mark Shields who was also against the proposed development. Mr Shields explained that in his response to the development he had raised a number of concerns in relation to the following:-

- i) impacts on ancient woodland, the greenbelt and the local conservation site;
- ii) road safety concerns
- iii) pressure on local services;
- iv) surface water run off risk;

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

- v) loss of green belt and greenspace;
- vi) conservation concerns; and
- vii) the Aberdeen Local Development Plan.

Mr Shields advised that the intended access road from Malcolm Road to the proposed Tillyoch development would run through a site that was designated as greenbelt and ancient woodland and would result in approximately 40% reduction in area of that site.

Mr Shields explained that the developer in the application acknowledged that the construction of the access road reducing the ancient woodland was a major impact from the project. He advised that the access road through the ancient woodland was also justified on the basis that the majority of the trees in the ancient woodland had been felled. However, those trees were felled without authorisation, not by the developer, but did lead to Aberdeen City Council serving a Tree Preservation Order and resulted in the Forestry Commission Scotland pursuing prosecution for the unauthorised felling of trees.

Mr Shields indicated that tree coverage was important because in the Aberdeen Local Development Plan it acknowledged that "Aberdeen has one of the lowest tree coverage percentages in Scotland." Mr Shields noted that Aberdeen City Council in the Aberdeen Local Development Plan proceeded to confirm that they "would therefore seek to protect and enhance Aberdeen's existing stock of trees and woodland." He also advised that when referring to Policy NE5, the Council confirmed that the policy "supported the Planning Authority's duty to make adequate provisions for the preservation and planting of trees, Scotland's Forestry Strategy and Scottish Government's Policy on Control of Woodland Removal". Also, Policy NE5 stated that "Development should not result in the loss of, or damage to, trees and woodlands."

Mr Shields advised that the proposed access road via the ancient woodland would connect the development with Peterculter via Malcolm Road and based on the number of house and allocated parking spaces there would be an expectation of somewhere between 400 and 550 additional cars using Malcolm Road on a daily basis one way, with the number of journeys likely to be at least double when considering service vehicles and proposed bus journeys.

Mr Shields indicated that Malcolm Road was around 5.7 metres wide at its narrowest sections and as a local resident he regularly witnessed vehicles being unable to pass each other on the road, with vehicles often having to either stop and reverse to a wider section of road or alternatively mounting the footpath in order to pass, which was not safe for pedestrians. Mr Shields outlined that with the proposal to extend the bus route to the development and with the increase in number of vehicles from the development this would exacerbate this issue and would discourage cyclists and pedestrians from using that section of Malcolm Road and would result in an increased reliance in car usage from the development.

Mr Shields also advised that the proposed development would also result in the loss of greenbelt and loss of the natural border of Peterculter and it was stated in Policy NE2

**PLANNING DEVELOPMENT MANAGEMENT COMMITTEE**

1 June 2022

that development on greenbelt would not be permitted unless any of the exception criteria provided in Policy NE2 were met. Mr Shields felt that the proposed development did not meet any of the exception criteria and therefore did not align with Aberdeen City Council's Policy NE2. He advised that only part of the site was included in the proposed Aberdeen Local Development Plan 2022 and was only added following a last minute recommendation in the meeting of 2<sup>nd</sup> March 2020. In addition he explained that the part of the site for the access road through the ancient woodland and greenbelt was never included in either the 2017 or 2022 Local Development Plans. Therefore the proposed development, in particular the access road through ancient woodland and greenbelt did not align with Scottish national planning policy, Scottish national policy on ancient woodlands or Aberdeen City Council local development planning policies NE1 (Green Space Network), NE2 (Green Belt) or NE5 (Trees and Woodland).

The Vice Convener thanked all those who attended the hybrid hearing, specifically those who had presented their case, submitted representations and provided information. He advised that the Interim Chief Officer – Strategic Place Planning would prepare a report for submission to a meeting of the Planning Development Management Committee (PDMC) for subsequent consideration and determination.

- **Councillor Dell Henrickson, Convener**