

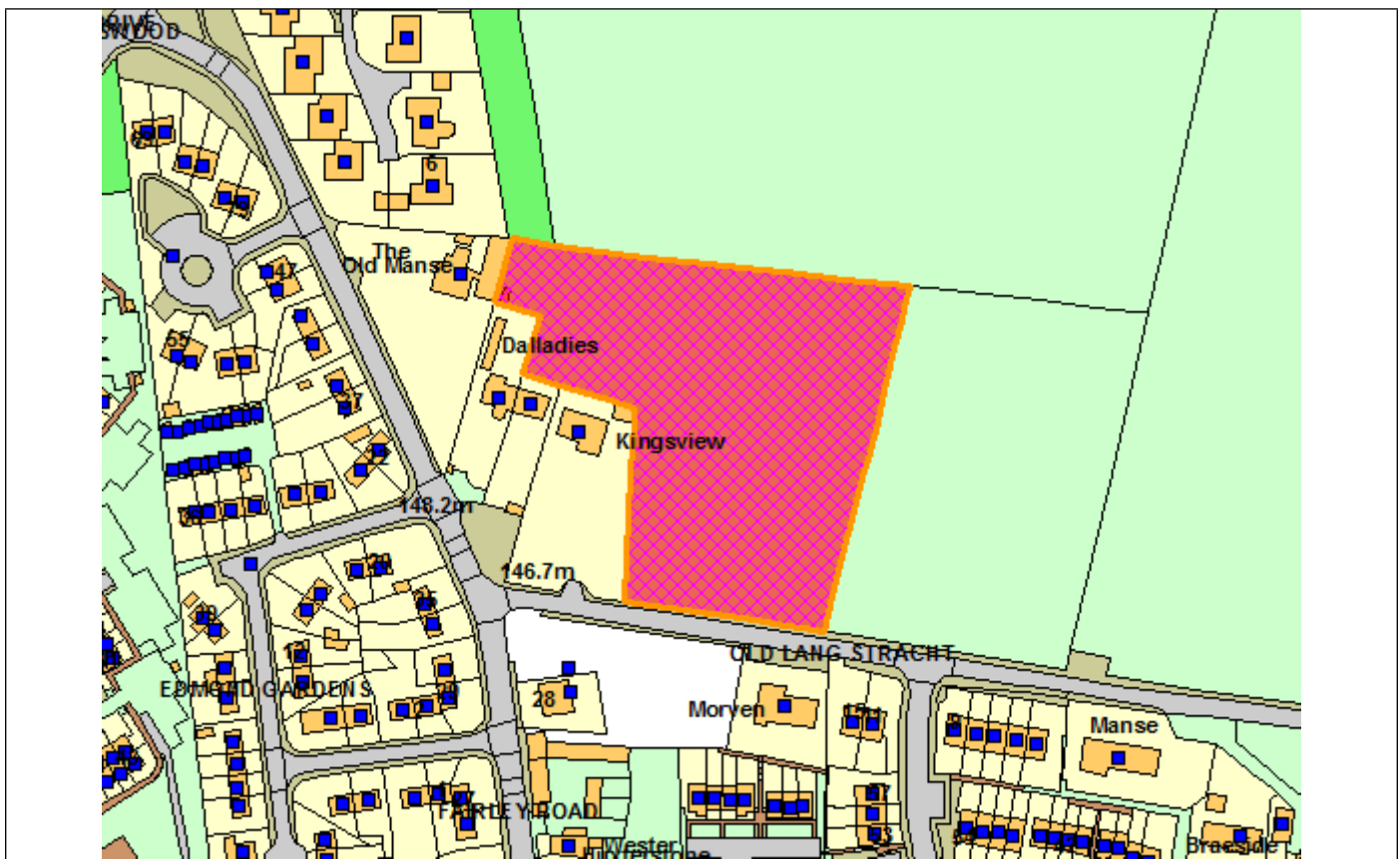


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 23 January 2020

Site Address:	Sunnyfield, Old Lang Stracht, Kingswells, Aberdeen
Application Description:	Erection of residential development comprising 30 affordable dwellinghouses with associated landscaping, garden ground, parking and access roads
Application Ref:	191034/PPP
Application Type	Planning Permission in Principle
Application Date:	1 July 2019
Applicant:	Carnoustie Links Development Ltd
Ward:	Kingswells/Sheddocksley/Summerhill
Community Council:	Kingswells
Case Officer:	Gavin Evans



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RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application site, which extends to 1.08 hectares, is located at the eastern edge of Kingswells, to the west of Aberdeen. The existing rough grassland is bounded to the south by Old Land Stracht, to the west by the rear boundaries of residential properties on Fairley Road, and to the north and east by drystone wall field boundaries, beyond which lie further open fields.

To the south of the site, on the opposite side of Old Land Stracht, work is ongoing in relation to two planning consents for 46 and 97 units respectively (refs 130288 and 130912 – details below).

Relevant Planning History

Application Number	Proposal	Decision Date
130288	Proposed Construction of 7 Detached Units, 28 Semi Detached Units and 11 Terraced Houses with associated access roads, drainage, and SUDS storage	Approved Conditionally: 14.11.2014
130912	Erection of 97 residential properties and associated works	Approved with Legal Agreement: 14.08.2015

APPLICATION DESCRIPTION

Description of Proposal

This application seeks Planning Permission in Principle (PPiP) for a development of 23 affordable homes on the site. It is important to note that, as this is a PPiP application, the layout shown is indicative only, and is intended to demonstrate how the proposed scale of development could be accommodated, rather than representing a final design for approval.

The proposal was originally submitted for 30 units, however this has since been reduced to 23 units in order to allow for the inclusion of a landscape buffer around the northern and eastern boundaries of the site.

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=PTSZUJBZHB100>

- Drainage Statement
- Planning Statement
- Landscape & Visual Impact Assessment
- Swept path diagrams for refuse vehicle
- Letter of support from LAR Housing Trust
- Transport Statement
- Indicative site layout plan

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because more than 5 representations stating objection to the proposal have been received, thus reaching the relevant threshold stated in the Council's scheme of delegation.

CONSULTATIONS

ACC - Developer Obligations – Assessment has identified a requirement for developer obligations in the following areas:

- Core Path Network: £7,886 for the improvement of Core Path 31;
- Primary Education: £5,270 for the provision of additional capacity through reconfiguration of existing floorspace at Kingswells Primary (school over capacity within 2 years with development);
- Secondary Education: £9,111 for provision of additional capacity through extension to the existing building at Bucksburn Academy (school currently over capacity, with a rising school roll forecasted)
- Healthcare Facilities: £21,700 towards an extension to the Kingswells Medical Practice to increase capacity
- Open Space: £3,880 towards the improvement of existing open spaces in the vicinity. Alternatively, a small equipped play area within the site may allow for review of the financial contribution;
- Community Facilities: £38,764 towards provision of increased capacity at Kingswells Community Centre;
- Sports & Recreation: In this instance no contribution has been identified;
- Transportation requirements will be identified by the Council's Roads Development Management Team;
- Affordable Housing: Policy H5 requires a minimum of 25% of units (in developments totalling 5 or more units) to be provided as affordable housing. In this case that would equate to 5.75 units, however it is acknowledged that 100% of the units proposed are to be delivered as affordable housing. This is welcomed.

ACC - Environmental Health – No objection.

No objection. Recommend that conditions, relating to site preparation and construction, are attached to any grant of permission, addressing:

- Erection of an acoustic barrier between the development site and existing residential properties adjacent to the site;
- Limitations on the hours within which operations audible outwith the site may be undertaken (07.00-19.00 Mon-Fri and 08.00-13.00 on Saturdays)
- Identification of a maximum threshold level for noise affecting residential premises, via an appropriate method described in Annex E of BS5228 1:2009 + A1:2014
- Requirement to submit a Dust Management Plan (including control measures to be implemented) for approval prior to commencement.

ACC - Waste Strategy Team – Highlights that there are a number of mid-terrace properties which do not have a route for waste to be brought from the rear garden to the kerbside for collection. On that basis, it is suggested that communal waste and recycling facilities are provided within the development. Highlights that layouts should avoid the need for refuse vehicles to reverse wherever possible and should aim to allow vehicles to remain in a forward gear throughout.

ACC - Roads Development Management Team – No objection, but make the following observations:

Walking, Cycling & Public Transport

- Notes that the site is in the 'outer city' parking zone and lies outside any Controlled Parking Zone.

- Highlights that bus stops, the Park and Ride facility and other infrastructure lies to the west of the site, and therefore it is important that any proposal provides appropriate linkages to the west. The indicative proposals now include provision for footway west of the site access, which allows for access to public transport facilities at the Kingswells Park and Ride (x17 to city centre and Westhill) and stops on Fairley Road (new 14 service between Kingswells and City Centre).
- One of the existing stops on Fairley Road does not have a shelter or raised kerb. This may require to be upgraded at the applicants' expense in order to encourage sustainable travel to/from the site.

Parking

- It is noted that the proposal involves the development of 23 affordable units for rent, with 1 space parking space per unit being proposed. ACC Supplementary Guidance requires a minimum of 0.8 spaces per unit (19 total). In this situation, this site is located where residents will be heavily reliant upon the car, as such the proposed number of parking spaces is not deemed to be acceptable. Therefore, I would advise the applicant to provide additional parking spaces which should be agreed with ACC.
- The reconfiguration of the development, which has removed driveways to properties, necessitates provision for disabled parking spaces, which should be evenly spread within the site in order to ensure that dedicated accessible spaces are within a short distance of all units. The size and layout of accessible spaces should be in accordance with relevant roads specifications, which can be provided on request.
- There is no requirement for cycle parking as there are no flats proposed.
- Provision of infrastructure for electric vehicle charging should be made, via 1 active charging point (fully wired and connected – ready for use) and 2 passive charging points (underlying infrastructure to enable installation and activation of a charging point in future), as well as relevant bay markings and signage. Charge points should be capable of pay-as-you-go transactions.
- The dimensions of all parking bays should be in accordance with current standards (5m x 2.5m, with clear 6m aisle width and 0.5m turning head for end spaces).

Site Access & Internal Layout

- Some areas of superfluous hardstanding area shown on the indicative layout – these should be avoided in the finalised layout. Full details of which areas are intended for adoption by ACC as roads authority should be provided.
- Updated swept-path plans based on the finalised layout will be required as part of any future applications.
- Finalised layouts should seek to avoid reversing manoeuvres by refuse collection vehicles wherever possible.
- Details of traffic calming measures on the access road should form part of later detailed proposals.
- It is recommended that the rural footpath along the eastern boundary makes a direct connection to the roadside footway, rather than first diverting towards the house in the SE corner of the site.

Local Road Network

- It is noted that the TRICS assessment has been undertaken on the basis of privately owned residential houses, rather than using the affordable housing categorisation, however the assessment is more robust as a result and is therefore acceptable as a worse-case scenario.
- The proposal would result in 17 and 15 trips in the AM and PM peaks respectively. On that basis, no traffic surveys or junction capacity analysis is required.

Residential Travel pack

- A Residential Travel Pack will be required, for distribution to residents upon moving in. The content of this document must be approved by ACC in advance. This is intended to encourage residents to use more sustainable means of transportation.

Drainage Impact Assessment

- The proposed combination of swales and filter drains is sufficient to ensure that the pollution mitigation index exceeds the hazard index.
- Road surface will discharge to the swale on the west of the access road, and the road will be constructed in cross fall to allow this.
- Parking bays will include filter drains, which is acceptable.

Refuse Storage / Collection

- Swept path plans should be submitted for the finalised internal road layout, demonstrating: that storage points are conveniently located for residents; that ACC specification collection vehicles can adequately access storage points; that containers do not have to be transported excessive distances by collectors; and that collection points are on hard surfaces.

ACC - Housing – Fully support the delivery of affordable housing.

Aberdeen International Airport – Recommend that conditions are attached in order to prevent conflict with safeguarding criteria:

- No development to commence until location, height, layout, form and materials of buildings and structures have been submitted to and approved in writing by the planning authority in consultation with Aberdeen Airport;
- No development to commence until detail of soft landscaping and water features have been submitted to and approved in writing by the planning authority in consultation with Aberdeen Airport.

AIA highlights that, in the event that the planning authority is minded to grant planning permission without the requested conditions, the application must be notified to Scottish Ministers (along with notifying the Civil Aviation Authority (CAA) and AIA), per Circular 2/2003: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003.

ACC - Education – No objection. Advises that the land is zoned to Kingswells Primary School and Bucksburn Academy. Kingswells School is expected to be close to capacity over the next three years, so developer contributions can assist in creating additional capacity. Bucksburn Academy is expected to be over capacity by 2022, and a contribution can assist in providing additional capacity. (See Developer Obligations response for further details of contributions)

North East Scotland Biological Records Centre – A record search within 100m of the site boundary highlights past bat sightings to the west of the site and identifies the site itself as G10 – improved grassland habitat.

Police Scotland – No objection. Note that the general layout appears good from a Crime Prevention Through Environmental Design (CEPTED) perspective. Make the following recommendations:

- Recommend use of different surface treatments in order to both act as traffic calming measures and signify a transition from 'public' to 'private' spaces;
- Advises that footpaths should be straight, wide and well-lit to promote a feeling of safety and discourage anti-social behaviour.
- Car parking area should be within view of active rooms and connected via footpaths.

- Good quality lighting, with uniform coverage has been shown to reduce fear of crime.
- External communal doors should incorporate access control systems with electronic lock release and colour images and audio. It is recommended that systems have no 'services' button.
- Ground floor and other readily accessible windows should be installed to stated standards. Laminate glazing should be used adjacent to entry doors and in other unsupervised areas.
- Recommends that the developer liaise with Police Scotland's Designing out Crime service and encourages the applicant to seek the 'Secured by Design' award to demonstrate high standards in this regard.

Scottish Water – No objection. Note that there is currently sufficient capacity at Invercarnie Water Treatment Works and Nigg PFI Waste Water Treatment Works to accommodate the proposed development, however capacity cannot be reserved and an application will have to be made to Scottish Water once planning permission has been obtained.

Kingswells Community Council – No response.

REPRESENTATIONS

12 representations have been received in relation to this application. All 12 state their objection to the proposal.

The matters raised in representations can be summarised as follows:

- Development on this site is not supported by the 2017 ALDP.
 - Agree with ACC's assessment of the development option as being 'undesirable'.
 - Highlight that the site was also rejected as an option in previous LDPs by both ACC and Scottish Government Reporters.
 - It would make more sense to direct this development to the allocated sites nearby.
 - Expresses disappointment that residents in Denview Wynd were not notified of this application.
 - Highlights that the site would be very visible from the A944 and detract from the landscape setting of Kingswells, including breaching the skyline of Newpark Hill.
 - Development here would detract from the setting and identity of Kingswells by encroaching on the open countryside separating Kingswells and Aberdeen.
 - Approval would set an undesirable precedent for development in this area of green belt.
 - The development appears to allow for future road connections to the north and east, raising the question of whether future development on adjoining land is envisaged.
 - Traffic accessing the site would impede buses using the existing bus route.
 - Recognise need for affordable homes, but points to plenty of allocated and approved site across the city, including Countesswells and Maidencraig.
 - Highlights the value of the site as a pathway for deer, foxes and badgers.
 - Affordable homes will devalue existing Kingswells properties.
 - Increased traffic represents a safety hazard.
 - Overlooking affecting properties on Denview Wynd.
 - Insufficient pedestrian infrastructure in the area.
 - Impact on school capacity, nursery placements and after school resources.
 - Queries the large-scale release of greenfield sites for development in recent years.
 - Highlights the loss of land suitable for agriculture.
 - States a requirement for clarification of boundary treatments, refuse storage, landscaping and relevant maintenance in the event that permission is granted.
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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), 2014

Scottish Ministers, through the 'core values' expressed at paragraph 4 of SPP, expect the planning system, amongst other things, to focus on outcomes, maximising benefits and balancing competing interests; play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities; and be planned, with plans being up-to-date and relevant.

SPP's identified outcomes include achieving 1. 'A successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places' ; 2. 'A low carbon place – reducing our carbon emissions and adapting to climate change'; and 3. 'A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use.' Para. 15 highlights the role of SPP to set out how these outcomes should be delivered on the ground. By locating the right development in the right place planning can provide opportunities for people to make sustainable choices and improve their quality of life.

Planning should direct the right development to the right place. To do this, decisions should be guided by the following policy principles –

- optimising the use of existing resource capacities, particularly by co-ordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure;
- using land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores;
- considering the re-use or re-development of brownfield land before new development takes place on greenfield sites;
- considering whether the permanent, temporary or advanced greening of all or some of a site could make a valuable contribution to green and open space networks, particularly where it is unlikely to be developed for some time, or is unsuitable for development due to its location or viability issues; and
- locating development where investment in growth or improvement would have most benefit for the amenity of local people and the vitality of the local economy.

As regards green belts, para 49 sets out in the context of development planning that these will not be appropriate to all settlements, however, where planning authorities consider it appropriate, the development plan may '*designate a green belt around a city or town to support the spatial strategy by:*

- *directing development to the most appropriate locations and supporting regeneration;*

- *protecting and enhancing the character, landscape setting and identity of the settlement; and*
- *protecting and providing access to open space.*'

Again in the context of development planning, para 52 sets out that local development plans should describe the types and scales of development which would be appropriate within a green belt. These may include:

- *development associated with agriculture, including the reuse of historic agricultural buildings;*
- *development associated with woodland and forestry, including community woodlands;*
- *horticulture, including market gardening and directly connected retailing;*
- *recreational uses that are compatible with an agricultural or natural setting;*
- *essential infrastructure such as digital communications infrastructure and electricity grid connections;*
- *development meeting a national requirement or established need, if no other suitable site is available; and*
- *intensification of established uses subject to the new development being of a suitable scale and form.*

Paras 113-122 set out the role of the Development Plan process in providing for identified housing needs, based on robust housing need and demand assessment (HNDA). Once a housing supply target has been identified for each functional housing market area, based on evidence from the HNDA, this is then increased by a margin of 10-20% in order to ensure that a generous supply of land for housing is provided. Local Development Plans in city regions should then allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the SDP up to year 10 from the expected year of adoption. They should provide for a minimum of 5 years' effective land supply at all times. Paragraphs 123-125 highlight the role of annual housing land audits as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions, to ensure a generous supply of land for house building is maintained and there is always enough effective land for at least 5 years. A site is only considered effective where it can be demonstrated that within 5 years it will be free of constraints and can be developed for housing. Para 125 states that, where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date, and paragraphs 32-35 will be relevant.

Paragraphs 126-134 address Affordable Housing and other specialist housing provision types, noting the role of Housing Need and Demand Assessments in establishing whether there is a shortage of affordable housing, and the roles of strategic development plans in stating how much of the total housing land requirement this represents and local development plans in clearly setting out the scale and distribution of the affordable housing requirement for their area. Plans should also identify any expected developer contributions towards delivery of affordable housing, with supplementary guidance setting out further detail.

Paras 193 & 202-204 address the policy 'Valuing the Natural Environment'. Para 193 notes the importance of planning in '*protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use*'. Para 202, in the context of development management, states that '*The siting and design of development should take account of local landscape character*', and that '*developers should seek to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement*'. Para. 203 states that '*Planning permission should be refused where the nature or scale of proposed development would have an unacceptable impact on the natural environment*'.

In terms of promoting sustainable transport and active travel, paragraph 287 of SPP states in relation to Development Management functions that *'Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where:*

- *direct links to local facilities via walking and cycling networks are not available or cannot be made available;*
- *access to local facilities via public transport networks would involve walking more than 400m;*
or
- *the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements.'*

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)

Entire first section of plan is concerned with identifying land for housing development to meet identified needs

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 B4: Aberdeen Airport (consultation based on safeguarding map)

Policy H1: Residential Areas

Policy H3: Density

Policy H5: Affordable Housing

Policy NE1: Green Space Network

Policy NE2: Green Belt

Policy NE4: Open Space Provision in New Development

Policy NE6: Flooding, Drainage and Water Quality

Policy NE8: Natural Heritage

Policy R6: Waste Management Requirements for New Development

Policy R7: Low and Zero Carbon Buildings, and Water Efficiency

Policy CI1: Digital Infrastructure

Supplementary Guidance and Technical Advice Notes

Planning Obligations

Affordable Housing

Transport and Accessibility
Green Space Network and Open Space
Flooding, Drainage and Water Quality
Landscape

Other Material Considerations

Proposed Aberdeen and Aberdeenshire Strategic Development Plan (Proposed SDP)

Published in September 2018, this represents the settled view of the Strategic Development Planning Authority and has weight as a material consideration.

Aberdeen Local Development Plan Main Issues Report (MIR) 2019

Represents the first stage in producing a revised and updated Local Development Plan for Aberdeen which, when adopted, will replace the 2017 ALDP.

Local Housing Strategy (2021-2023)

Sets out aims to deliver six strategic outcomes:

- There is an adequate supply of housing across all tenures and homes are the right size, type and location that people want to live in with access to suitable services and facilities.
- Homelessness is prevented and alleviated.
- People are supported to live, as far as is reasonably practicable, independently at home or in a homely setting in their community.
- Consumer knowledge, management standards and property condition is improved in the private rented sector.
- Fuel poverty is reduced which contributes to meeting climate change targets.
- The quality of housing of all tenures is improved across the city.

Housing Land Audit 2019 – Aberdeen City & Aberdeenshire Councils, July 2019

The Housing Land Audit (HLA) illustrates the scale and characteristics of the housing land supply in Aberdeen City and Aberdeenshire. It is used to determine if there is sufficient land available for housing development and to inform the planning of future infrastructure such as roads, schools and drainage.

EVALUATION

Background

The applicants highlight that submissions have been made to the Council as part of the process of preparing the next Local Development Plan for the period from 2022. This seeks to re-zone the site for residential development in the emerging plan. Submissions, including a layout for 24no homes, were made in response to the Council's 'call for sites' to be included in the Main Issues Report (MIR). The 'Sunnyfield' site submissions *(ref B0303) were assessed as being south facing, with good drainage, no risk of flooding and little sensitivity in terms of built or natural heritage, however its elevation, exposure and slope were identified as negative factors. The bid assessment noted that the site forms part of an area separating Kingswells from Aberdeen and concluded that it should remain as green belt, therefore recommending that the site be considered 'undesirable' for inclusion in the Main Issues Report. A 10-week public consultation on the content of the MIR took place from 4th March to 13th May, and at time of writing the responses to that consultation are still under consideration by the planning authority prior to reporting to Full Council.

Principle of Development

The application site extends to 1.08ha, of which 0.9ha of is zoned as Green Belt and 0.18ha is zoned as part of a wider Residential Area. On that basis, policy NE2 (Green Belt) applies to the majority of the site, with policy H1 (Residential Areas) applicable to the remaining 0.18ha parcel of land.

Policy NE2 prohibits development 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. NE2 continues, setting out a number of exceptions (including essential infrastructure works, conversion of existing vernacular buildings, replacement houses on a one-for-one basis etc.), none of which provide for residential development as proposed. There is a further requirement that all development in the green belt must be of the highest quality in terms of siting, scale, design and materials. The proposal is therefore contrary to policy NE2 insofar as it relates to approximately 83% of the application site.

The remaining 0.18ha of the site is residentially zoned, and therefore policy H1 applies. Policy H1 offers support for new residential development in such areas, provided that proposals meet a series of criteria relating to: overdevelopment; unacceptable impact on the character and amenity of the surrounding area; loss of valuable and valued open space; and compliance with Supplementary Guidance. It should be noted that this zoning and policy applies to a landlocked area that sits between existing residential feus and the adjoining green belt land, and represents less than 17% of the site. In that context, the residentially zoned portion of the site appears something of an anomaly, particularly given the absence of any 'Opportunity Site' being identified. Whilst residential development in this smaller portion of the site is supported by the development plan, the planning authority is assessing the proposal as a whole, and in that context there remains a significant conflict with policy NE2, such that the proposal represents a significant departure from the Development Plan.

The submitted Planning Statement recognises that the proposed development is not provided for by policy NE2, but contends that the proposal may be supported on the basis that it would not undermine the underlying aims of the green belt and is supported by other material considerations, discussed below.

Heads of Terms of any Legal Agreement

The applicants have indicated a willingness to agree to the obligations set out in the Developer Obligations Team's updated response, based on 23 units.

Housing Land Supply

Scottish Planning Policy (SPP), in paragraphs 115 and 116, requires development plans to set a housing supply target for each functional housing market area, based on evidence from a Housing Need and Demand Assessment. This figure should be increased by a margin of 10-20% to establish the housing land requirement, in order to ensure a generous supply of housing land. Paragraph 123 also requires planning authorities to ensure that there is always enough effective land for at least five years.

The Aberdeen City and Shire Strategy Development Plan was last adopted in 2014 and is now beyond its five year review period. On that basis, the 2014 SDPA no longer forms part of the Development Plan, but may represent a material consideration in the planning authority's assessment, along with the Proposed Strategic Development Plan of August 2018, which at time of writing has been the subject of an examination by DPEA reporter and publication of the reporter's examination report is awaited. The Proposed SDP therefore has weight as a material consideration in the decision-making process, but does not yet form part of the Development Plan. The Aberdeen City and Shire Strategic Development Plan sets out the housing requirement for each housing market area, including the Aberdeen Housing Market Area (AHMA).

Part 1 of the Aberdeen Local Development Plan (ALDP) sets out that Scottish Planning Policy and other national policies and strategies have informed the plan's spatial strategy, whilst also highlighting the role of the SDP in identifying the housing land allowances that the LDP is required to meet. The Spatial Strategy at Part 2 sets out how a combination of brownfield sites and new

greenfield allocations will meet the city's identified needs over the plan period. An annual Housing Land Audit is carried out by Aberdeen City and Aberdeenshire Councils to determine the extent and status of the housing land supply in their respective areas.

The most recent Housing Land Audit (HLA) for Aberdeen and Aberdeenshire was published in July 2019. In order to demonstrate that there is a five year supply, the number of 'effective' (i.e. unconstrained) housing units must be greater than or equal to the housing requirement for the five year period concerned. Table 10 of the 2019 HLA demonstrates that the SDP housing requirement for the period 2019-2023 is 7,509 houses, whilst the five year effective supply is 10,816. This equates to a 7.2 year land supply at the time of the 2019 audit. This supports the case that there is no shortage of effective housing land where new residential development could be accommodated, and on that basis there is no compelling argument for setting aside the Development Plan's provisions in relation to the development of land in Green Belt areas. It is noted that the applicant's supporting statement does not seek to argue that there is insufficient housing land available to maintain the required 5 year land supply, but does note the Proposed SDP's housing supply target of 5000 affordable units in Aberdeen City in the period 2020-2032 and its statement that achieving that target will require 'effort, coordination and creativity'. The applicant's submission contends that this proposal represents such an approach and highlights that delivery of this development of affordable housing would be achieved without additional Scottish Government funding, and should therefore be supported. The applicants' supporting statement also highlights that the proposal would contribute to the achievement of the Local Housing Strategy's outcomes in terms of increasing the supply of affordable housing. This is noted and agreed, however affordable housing schemes are still required to accord with the development plan in other respects, and are not exempt from consideration against the spatial strategy and the restrictions which exist in green belt locations. This will be explored further below.

Paragraph 33 of SPP sets out that, where relevant policies in a development plan are out of date then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. In this case, both the Aberdeen Local Development Plan (ALDP) and the 2019 HLA were prepared based on the housing land requirements set out in the 2014 SDP, which is now more than five years old and beyond its review period. The Proposed SDP has reached an advanced stage, having been approved by the relevant City and Shire committees, submitted for examination and currently awaiting publication of the reporter's report, and therefore represents a material consideration in the planning authority's assessment. The Main Issues Report published as part of the process of preparing the next ALDP takes account of the housing numbers set out in the Proposed SDP, but nevertheless assessed the Sunnyfield site as being undesirable and identifies alternative preferred new allocations to meet the anticipated SDP requirement. The 2019 HLA demonstrates that there is no current shortage of housing sites, and the omission of Sunnyfield from the MIR's preferred sites indicates that there is no anticipated shortage, notwithstanding the possibility of future changes to the SDP housing numbers and/or the sites preferred for inclusion in a new LDP.

In terms of this proposal's contribution to sustainable development, it is noted that the site is located within a designated Green Belt area, where policy NE2 does not provide for new residential development of the type and scale proposed. The site is adequately accessible to local shops and public transport services, to the extent that it is not unduly reliant on travel by private car, however by utilising a greenfield site which lies within the identified green belt, development of housing in this location would undermine the aims of the development plan to direct development to the most appropriate location and prioritise the redevelopment of previously developed (brownfield) land.

Impact of the development on the Green Belt

The application site lies within the green belt, as defined in the relevant Proposals Map of the ALDP. As such it is subject to policy NE2 of that plan. This sets out the types of development normally considered acceptable in the green belt, subject to meeting a number of impact and assessment

criteria. The development of new housing, other than on a 'one-for-one' basis for replacing an existing dwelling or involving the conversion of a traditional/vernacular building of value, is not in accordance with policy NE2. This position is accepted by the applicants in their supporting statement.

The applicants contend that the proposal would not undermine the underlying aims of the green belt and complies with all other relevant LDP policies and associated supplementary guidance, whilst also being supported by other material considerations including SPP, the Proposed SDP, the Main Issues Report for the next ALDP and the Aberdeen Local Housing Strategy.

It is noted that the applicants submitted a 'development bid' to the planning authority as part of the process of preparing a new ALDP. At that time, though the site was identified as having good drainage, no risk of flooding and little nature conservation value, it was ultimately assessed as being 'undesirable' on the basis of its elevation and associated prominence, slope and most notably recognition of its role as part of an area which separates Kingswells from Aberdeen. On that basis, the assessment concluded that it should remain as green belt.

The ALDP states its aims in designating Green Belt at paragraph 3.101. This refers to: maintaining the distinct identity of Aberdeen and the communities within an around the city, by defining their physical boundaries clearly; safeguarding the green belt as a means of avoiding coalescence of settlements and sprawling development on the edge of the city; maintaining Aberdeen's landscape setting; and providing access to open space. It states that the Green Belt directs planned growth to the most appropriate locations and supports regeneration.

In this case, it is clear that the settlement of Kingswells is quite distinct from the main urban area of Aberdeen, and that the land designated as Green Belt to the east of Kingswells (of which the application site forms a part) has a role in ensuring the continued separation of those settlements and their distinct identities. As recognised in the assessment of the applicants' development bid, the site is on sloping ground, on the brow of a hill, and is open and exposed to the north with little tree cover/vegetation. This prominent position is such that there is scope for the landscape and visual impact of the development to be significant. This is highlighted by the submitted Landscape and Visual Impact Assessment, which identifies a requirement for structural planting along the northern and eastern boundaries of the site in order to partially mitigate that landscape impact. Whilst the proposed development would not itself result in coalescence between settlements, it would nevertheless erode the green belt buffer that exists between Kingswells and the Lang Stracht. This represents unplanned growth of the settlement, and undermines the LDP review process, whereby sites have been considered and those that are assessed as being desirable for development are allocated accordingly in the development plan.

Scottish Planning Policy (SPP) sets out, at paras 49 and 52, the role that development plans are expected to play in directing development to the most appropriate locations and supporting regeneration. By restricting development in green belt areas, development is directed towards either greenfield sites allocated through the development plan or to previously developed brownfield land within the city. By restricting the locations where such developments may take place, regeneration of urban areas is encouraged, and the release of green belt sites such as this without compelling evidence of a fundamental shortage of unconstrained land supply would undermine the aim of SPP and the development plan to strongly encourage redevelopment of brownfield land and runs contrary to the overall sustainability aims of the plan. In this regard, it is clear that the proposal does not accord with policy NE2 (Green Belt) and represents a significant departure from the development plan which, if approved, could give rise to increased pressure for development in green belt locations, further undermining the aims of the development plan as an expression of the Council's aims for the City.

In terms of assessment against the Strategic Development Plan, due to the small scale of this

proposal the proposed development is not considered to be strategic or regionally significant, or require consideration of cross-boundary issues and, therefore, does not require detailed consideration against the SDP.

Landscape and Green Space Network Impact

A Landscape and Visual Impact Appraisal (LVIA) has been provided in support of this application, which notes the elevated position compared to the surrounding development, but still overall within the Den Burn Valley, with higher land to the north and east providing a degree of shelter. Whilst slopes of 1 in 11 gradient are present within the site, the assessment concludes that this is not prohibitive to achieving access and development layout. Impact on existing landscape features, which in this case are the drystone walls on the N, S and E boundaries, would be minimal and relate to forming site access and maintaining safe visibility. It is noted that dismantled stone could be re-used within the site.

Inclusion of a landscaped buffer to the northern and eastern edges is recommended by the LVIA as a means of creating improved shelter and greater settlement definition, serving to mitigate impact of the development in views from the Lang Stracht. In terms of landscape fit, the LVIA indicated that there would be no significant views of the site from within the modern portion of Kingswells, and views to the south within old Kingswells would be confined to the western areas and mostly close to Fairley Road. Whilst the assessment does identify views from the Lang Stracht, these can be partially contained through use of a landscape buffer on the eastern edge.

Colleagues in ACC's Environmental Policy Team (EPT) recognise that these changes have reduced some of the landscape design quality issues within the site and reduce adverse landscape and visual effects of the proposal, however the development will remain visible from key points, and EPT advise that the sense of openness and agricultural setting of Kingswells will be eroded. On that basis, and having regard for the function that this particular green belt site has in maintaining the landscape setting and distinct visual identity of Kingswells, it is considered that the proposal would result in an adverse visual impact which policy D2 (Landscape) seeks to avoid or mitigate.

The site does not encroach on the designated Green Space Network, though it is noted that there is a north-south corridor along the eastern edge of Kingswood Gardens and Kingswood Crescent which would abut the proposed structural landscaping along the northern boundary of the site. In this regard there is no loss of, or encroachment on the Green Space Network, and the proposal is consistent with policy NE1 and the associated 'Green Space Network and Open Space' Supplementary Guidance.

Design and layout

Detailed assessment of the development layout and the design, scale and form of buildings etc. would take place on consideration of future matter specified in conditions (MSC) applications. The layout shown is indicative of what might be accommodated within the site and is principally intended to demonstrate that the level of development proposed can be achieved. Detailed assessment against policy D1 (Quality Placemaking by Design) and the placemaking qualities set out in SPP would be undertaken at the approval of matters specified in conditions (MSC) stage.

The Planning Statement provided in support of this application states that the initial proposal for 30 units would development achieve a gross density of 28 units per hectare and a net density of 40 units per hectare. The number of units has since been reduced to incorporate greater structural landscaping to the boundaries of the site, which results in a gross density of 21 units per hectare. No revised calculation of net density has been provided, however it would be expected that the net density would be similarly reduced. Policy H3 requires development to achieve a minimum density of 30 dwellings per hectare (net), but also refers to achieving an appropriate density of development, which has consideration for the site's characteristics and those of the surrounding area. The local context in this instance is that of low-rise suburban housing in the older properties along Fairley

Road, with higher density evident in the allocated site south of the Old Lang Stracht. In that regard, whilst more detailed consideration for density may be given once final designed layouts are submitted as part of the MSC approval process, the general form and density appears to be consistent with the more recent residential schemes in the surrounding area. For the purposes of this PPIp application, the proposal demonstrates due regard for policy H3 (Density).

The indicative layout does include an area marked as public open space, at its south-western corner, however it is notable that this is at the site frontage and on the opposite side of the access road from all houses and from the pedestrian footway indicatively shown. There is scope for any open space to be much better integrated into the site in order to ensure it has a clear function and is useable for recreation or play. It is noted that the structure planting belt along the north and eastern boundary includes a rural footpath, which has some benefit as a recreational route, notwithstanding the absence of any onward connection north or westwards. As with other aspects of the detailed design, the specifics of open space could be subject to further discussion and assessment via the MSC process. Despite some concerns regarding its current form, it is likely that adequate open space could be accommodated within a finalised layout, ensuring compliance with policy NE4 (Open Space Provision in New Development) and the associated 'Green Space Network and Open Space' Supplementary Guidance.

Natural Heritage

Whilst the relevant NESBREC records search indicates the presence of bats near to the site, the site itself does not include any trees or building offering potential habitat or roosting potential that would be affected by the development. On that basis, it is considered that there is no likelihood of adverse impact on protected species, consistent with policy NE8 (Natural Heritage) of the ALDP.

Affordable Housing Provision and Developer Obligations

The proposed development comprises 23 affordable units, which the applicants' submissions indicate is to be delivered in association with LAR Housing Trust, an independent housing charity which offers homes at affordable rents to those with no realistic prospect of being allocated social housing.

Policy H5 (Affordable Housing) of the ALDP requires that developments of five or more units will contribute no less than 25% of the total units as affordable housing. In this case the development is exclusively affordable housing units, and would be an intermediate form of affordable housing, with units available for rental at a discounted rate. Delivery of the affordable component of a residential development would normally be secured by a legal agreement. On the basis that affordable rented units attract a lesser rate of car parking under the Council's Transport and Accessibility Supplementary Guidance, it is appropriate to secure the entire development as affordable units in order to ensure compliance with the development plan.

The delivery of affordable housing in principle is positive, however as noted previously in the Housing Land Supply section of this report, there is an ample supply of unconstrained land for residential development that would not require the use of land in the designated green belt. Whilst affordable housing developments are welcome as a means of addressing identified housing needs in the city, SPP and the Development Plan still require developments to be located in the right place. No compelling argument has been made to show why this exclusively affordable development might not be located on land where the principle of development is acceptable.

Policy I1 (Infrastructure Delivery and Developer Contributions) requires that impacts of the development are offset by improvements to infrastructure in order to accommodate the development, or payment of contributions in order to allow for that. The response from the Council's Developer Obligations Team highlights the various contributions that would be required for this development, including contributions towards increasing capacity at Kingswells Primary and Bucksburn Academy, through reconfiguration and extension respectively, as well as the extension

of Kingswells Medical Practice and increase to capacity at Kingswells Community Centre. Payment of these contributions can be secured via a legal agreement, ensuring compliance with policy I1 and the associated 'Planning Obligations' Supplementary Guidance.

Transport and Accessibility

Whilst the site is located towards the western edge of the City, it is within accessible distance of the existing public transport routes serving Kingswells, including the nearby park and ride site. Subject to the provision of new footway along the site frontage to connect with existing pedestrian infrastructure, the site can be accessed on foot. It is noted also that Core Path 31, from Kingswells Avenue to Old Skene Road, runs to the west of the site. The Developer Obligations Team has identified a requirement for a contribution of £7,886 for the improvement of that Core Path, based on increased usage relating to development at the scale proposed and consistent with policy NE9 (Access and Informal Recreation). The upgrading of an existing bus stop on Fairley Road, as described in the RDM consultation response, would further encourage travel by sustainable means, consistent with policy T3 (Sustainable and Active Travel).

Detailed assessment of car parking provision, internal road layout, accessibility for refuse collection vehicles etc would be undertaken via subsequent applications as part of the approval of matters specified in conditions process, however the indicative layout shown demonstrates on-site car parking which exceeds the maximum rates set out in the Council's relevant 'Transport and Accessibility' Supplementary Guidance (23 spaces instead of 19). The Council's Roads Development Management Team response expresses the view that, notwithstanding accordance with the Council's Supplementary Guidance, this edge-of-city location is such that additional spaces may be desirable. In recognition of this, the applicants have submitted a letter which points out that the indicative layout is not fixed at this PPIP stage, and expresses a willingness to incorporate extra spaces into the layouts at the MSC stage should the planning authority consider this to be necessary.

Roads colleagues also note that disabled parking spaces will be required at convenient locations throughout the development in order to ensure that all buildings are appropriately accessible, given the layout shows communal car parking and does not include dedicated driveways for residents of a given property. Electric Vehicle charging infrastructure (1 active and 2 passive charging locations) will also be required within the site, to ensure compliance with the relevant Supplementary Guidance.

As regards the development's impact on the existing road network, the RDM response highlights that assessment has been carried out on a more onerous basis than might have been expected, but nevertheless indicates modest increases to trips in the AM and PM peaks, such that no traffic surveys or junction capacity analysis is required. Submissions relating to the content and distribution of a Residential Travel Pack prior to occupation will be required as a means of encouraging travel by sustainable means.

On the basis of the above, it is concluded that the proposal would accord with the provisions of policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the ALDP.

Measures to treat and slow the discharge of surface water have been shown, with swales and filter drains sufficient for this purpose, however further submissions based on the detailed design of the final layout would be required in order to ensure compliance with NE6 (Flooding, Drainage and Water Quality).

Resources for New Development

No information relating to waste management provision or measures to achieve compliance with carbon reductions targets have been provided at this permission in principle stage. The applicants'

supporting statement recognises that such issues would require to be addressed via further applications for the Approval of Matters Specified in Conditions. The applicants' supporting statement gives a commitment to incorporating energy and water efficiency measures, as well as making provision for modern, high-speed communications infrastructure, in compliance with policy C11. Further submissions detailing appropriate measures, and delivery thereafter, could be secured via conditions attached to any granting of permission in principle, thus ensuring compliance with policies R7 and C11. The consultation response from Scottish Water indicates that there is presently capacity within the relevant water and waste water treatment works to accommodate connection, though the applicants will have to make separate application to Scottish Water in due course before that connection could be guaranteed.

Conclusion

Whilst it is recognised that a small portion of the site is residentially zoned, this cannot be considered in isolation, and the planning authority's assessment concerns the proposal as a whole. In that context, the proposed development represents a significant departure from the Development Plan by directing residential development to an area zoned as green belt in the relevant Aberdeen Local Development Plan, rather than to any of the allocated sites across the city, of which there is no shortage according to the most recent Housing Land Audit. There is no provision for residential development of this type in designated Green Belt areas, and no compelling case has been set out on the basis of other material considerations that would justify setting aside the provisions of the Development Plan in this instance.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

1. The development plan does not provide for residential development in green belt locations as proposed, and therefore the proposal represents a significant departure from policy NE2 (Green Belt) of the Aberdeen Local Development Plan (ALDP). Development in this location would undermine the strategy of the development plan, which seeks to allocate adequate land for identified housing needs and restrict development in green belt areas as a means of directing development to the most appropriate location and promoting the development of previously developed brownfield sites, which is central to regeneration in urban areas and consistent with the approach set out in Scottish Planning Policy (SPP). Whilst it is recognised that there is a small portion of the site that is zoned H1 for residential use, this does not alter the position as regards conflict with green belt policy on the majority of the site, which includes the proposed access point.
2. The 2019 Housing Land Audit demonstrates a healthy and generous housing land supply, indicating that there is no shortage of suitable housing sites in the city where a development of this scale and type could be accommodated.
3. The proposal would serve to erode the area of green belt between Kingswells and the Lang Stracht and, whilst not resulting in coalescence, would set an undesirable precedent for the development of green belt areas between existing settlements.