

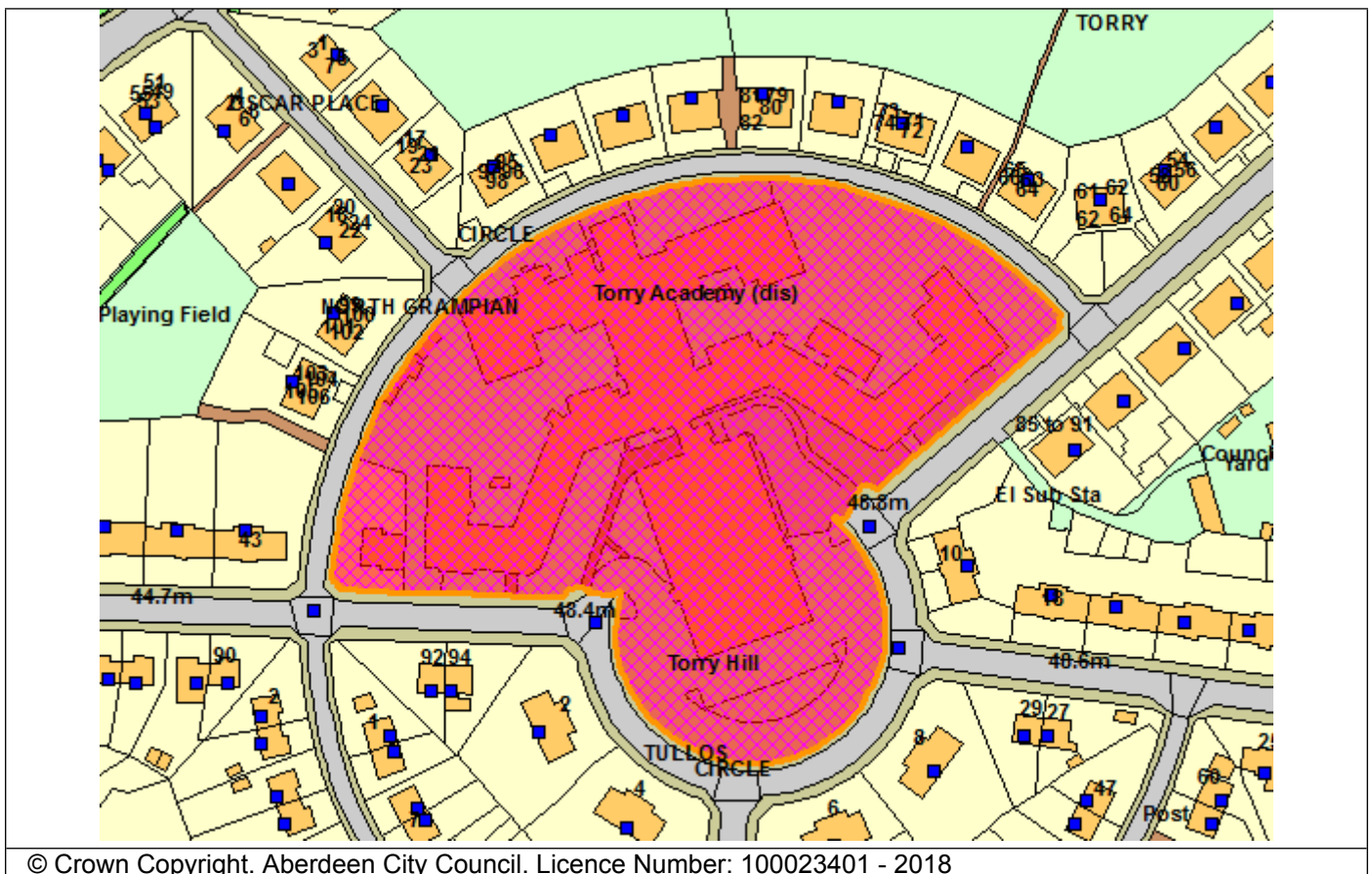


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date: 20 February 2020**

|                                 |   |
|---------------------------------|---|
| <b>Site Address:</b>            | Former Torry Academy, Tullos Circle, Aberdeen, AB11 8HD   |
| <b>Application Description:</b> | Erection of community hub consisting of primary school with early years, sports and community facilities with associated landscaping and infrastructure |
| <b>Application Ref:</b>         | 191661/DPP  |
| <b>Application Type</b>         | Detailed Planning Permission  |
| <b>Application Date:</b>        | 8 November 2019   |
| <b>Applicant:</b>               | Aberdeen City Council   |
| <b>Ward:</b>                    | Torry/Ferryhill   |
| <b>Community Council:</b>       | Torry   |
| <b>Case Officer:</b>            | Aoife Murphy  |



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

The site is located within Torry and currently accommodates the former Torry Academy which closed in 2018, what remains is a large granite building which encompasses the majority of the site, a granite house to the south west of the site and hardstanding forming an access, service area and car park along the south of the site and playground. The current boundary treatments come in the form of a low lying retaining wall with a mix of metal or closed board timber fencing on top.

The site sits within a prominent area of Torry on the top of Torry Hill and can therefore be viewed from a number of the surrounding streets. The topography of the site itself varies with the highest point being to the south with a gradual and consistent fall towards the north.

The site is bounded by a number of streets, these include North Grampian Circle, Tullos Circle and Mansefield Place, with a number of other streets running perpendicular from them. Beyond the bounding streets lies a mainly residential area with a varied mix of house types.

### **Relevant Planning History**

190937/PAN – Proposal of Application Notice for a major development for construction of primary school with early years and community facilities, all weather pitch with associated landscaping and infrastructure – Agreed 24.06.19.

As required by the Development Management Regulations, two pre-consultation meetings were carried out in July 2019. The outcome of these meetings is outlined in a pre-application consultation report and this will be evaluated further in this report.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

Proposed is the erection of a new Torry Primary School And Community Hub with an early years learning facility, located within one building with associated sports and play facilities. The existing school requires to be demolished in its entirety to allow for this development, however the demolition of such a building is not being assessed under this current application.

The proposed building is mainly two storeys in height, but also encompasses single storey elements, mainly to the north of the building. The building can essentially be split into three distinct areas:

1. Primary School;
2. Community Hub; and
3. Early Years Facility.

The primary school encompasses the rear of the building and is across two levels. This ground floor accommodates eight classrooms, pupil support room, dining hall and gymnasium. There are a number of other rooms associated with these such as WC's, cloak rooms, stores and a kitchen etc. While the first floor would accommodate a further 6 classrooms, WC's, resource room and GP room. Pupil access to the primary school would be gained from a number of entrance doors on the north and east elevations.

The community hub is located to the south of the main entrance and is across two floors. The ground floor would encompass the library, cafe, multi-use room, while the first floor would accommodate offices, along with staff and meeting rooms etc.

The final aspect is the early learning years facility is to the west of the main entrance and is all located on the ground floor. This area accommodates two activity rooms, WC's cloak rooms, stores, etc.

Access to the community hub and early years facility can be gained from the main entrance on the south elevation.

The proposed materials include:

- Fibre cement panels – including a mix of smaller and larger panels on all elevations (colour to be confirmed);
- Rockpanel Rockclad – to be placed on the main entrance, early years and dining room elevation (west, south and north elevations respectively) (colour to be confirmed);
- Brick – to be placed on the west, north and south elevations (colour – grey);
- Aluminium curtain walling with coloured reveals on west elevation (colour to be confirmed);
- Timber/aluminium composite windows (colour to be confirmed);
- Glazed and solid external doors (colour of solid doors to match colour of elevation);
- Standing seam Kalzip roof;
- Clear transparent panels on terraced area;
- Roof flues to be finished in same colour as roof; and
- Louvers – located on the north and east to be finished in colour to match elevation).

The area surrounding the school accommodates an external play area for the early years facility to the south west, a playground to the west and north, a grassed area and all weather pitch to the north west, with a sensory garden to the eastern corner of the site, a service yard area and a community garden and parking area to the south.

Pedestrian access to the site would be gained from three new access points off North Grampian Circle and two off Tullos Circle. Vehicular access will utilise the existing access point off Tullos Circle, this will provide access to both the service yard and the car park, as is currently the case.

The school site would be secure and inaccessible to the public during school hours, however outwith these times, it is intended that the site will remain open and can be used by the public. While the proposed sports pitch would be available to the public, this would be on a lettable basis and there would be restrictions put in place to ensure the amenity of the surrounding area was not impacted.

### **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=Q095WEBZKRO00>

- Design and Access Statement, October 2019
- Drainage Strategy Plan, October 2019
- Flood Risk Assessment, October 2019
- Geotechnical Design and Environmental Risk Assessment October 2019
- Lighting Strategy, January 2020
- Noise Impact Assessment, December 2019
- Revised Noise Impact Assessment, January 2020
- Pre-Application Consultation Report, October 2019
- Transport Statement, October 2019

### **Reason for Referral to Committee**

The application has been referred to the Planning Development Management Committee because the application constitutes a major development and therefore requires to be determined by committee.

## **CONSULTATIONS**

**ACC - Contaminated Land Team** – has no objection. However, the Team has requested that a condition be applied to ensure that all recommendations within the Geotechnical Design and Environmental Risk Assessment are carried out.

**ACC - Environmental Health** – has reviewed the revised Noise Impact Assessment (NIA) and submitted lighting strategy. With regards to the NIA, the Service has accepted the assessment of the recording studio and all plant. With regards to the plant required for the operation of the school, the Service recommends that a further assessment be carried out in line with the recommendations in the NIA. However, with regards to the sports pitch, Environmental Health cannot accept the findings in the report due to the predicted noise exposure and lack of robust noise mitigation coupled with the suggested operating times into the late evening. The Service has suggested opening times of the pitch should the application be approved, these are:

|          | Term Time  | School Holidays  |
|----------|--|--|
| Weekdays | <p><b>9.00am to 4.00pm</b><br/>(school use)</p> <p><b>4.00pm to 6.00pm</b> (general public access)</p> <p><b>6.00pm to 8.00pm</b><br/>(pre-arranged lets only)</p> | <p><b>9.00am to 6.00pm</b> (general public access)</p> <p><b>6.00pm to 8.00pm</b><br/>(pre-arranged lets only)</p> |
| Weekends | <p><b>10.00am to 6.00pm</b> (pre-arranged lets only)</p>   | <p><b>10.00am to 6.00pm</b> (pre-arranged lets only)</p>   |

While the information on the lighting proposal and the standards to be achieved is encouraging, it is insufficient to make an assessment. As such, further information will be requested via condition.

**ACC - Roads Development Management Team** – has no objection. The team has reviewed the application and all submitted plans with regards to accessibility (walking/cycling/public transport), parking, access/servicing and the travel plan framework and has advised that the development is acceptable subject to the conditions.

**ACC - Waste Strategy Team** – has provided general comments regarding the required waste facilities for the development.

**Aberdeen International Airport** – has no objection. The Airport has however requested that a condition be attached requesting the submission of a Bird Hazard Management Plan. General comments have also been made with regards to the use of cranes during construction.

**Archaeology Service (Aberdeenshire Council)** – has advised that the Service has no objection, but has requested that a Standing Buildings Survey be carried out prior to development being carried out.

**Police Scotland** – has no objection, but has provided comments regarding layout, the internal and external aspects of the building.

**Scottish Environment Protection Agency (SEPA)** – has no objection. SEPA has provided comments regarding placemaking and environmental enhancements, combined heat and power, waste drainage, surface water drainage, pollution prevention and environmental management and air quality.

**Scottish Water** – has no objection and has advised that there is sufficient capacity in the Invercarnie Water Treatment Works and the Nigg Waste Water Treatment Works.

**Torry Community Council** – no comments received.

## **REPRESENTATIONS**

None

## **MATERIAL CONSIDERATIONS**

### **Legislative Requirements**

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

### **National Planning Policy and Guidance**

Scottish Planning Policy (SPP)

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

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

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

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

### **Aberdeen Local Development Plan (2017)**

Policy D1 - Quality Placemaking by Design

Policy D5 - Our Granite Heritage

Policy T2 - Managing the Transport Impact of Development

Policy T3 - Sustainable and Active Travel

Policy T5 – Noise

Policy B4 - Aberdeen Airport

Policy H1 - Residential Areas

Policy CF1 - Existing Community Sites and Facilities

Policy CF2 - New Community Facilities

Policy NE6 - Flooding, Drainage and Water Quality

Policy R2 - Degraded and Contaminated Land  
Policy R6 - Waste Management Requirements for New Development  
Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency

### **Supplementary Guidance and Technical Advice Notes**

Transport and accessibility  
Noise  
Flooding, Drainage and Water Quality  
Resources for New Development

### **EVALUATION**

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

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

#### **Pre-Application Consultation**

As per the major application process, a pre-application consultation was undertaken over two days in July 2019 at two different locations, Torry Youth and Leisure Centre and Tullos Community Centre with a total of 23 people attending and 7 of those providing comment. A number of considerations were highlighted through this process and were considered through the development of the proposal as detailed in the Pre-application Consultation Report.

#### **Principle of Development**

The site is located within a residentially zoned area of Torry as designated by the Local Development Plan, as such Policy H1 applies. H1 advises that proposals for non-residential uses should be complementary to the existing residential use and should not cause conflict with, or any nuisance to, the enjoyment of existing residential amenity. In addition, given the development is related to an existing school site, Policies CF1 and CF2 also have to be considered. CF1 advises that proposals for new uses on existing sites will be supported in principle, while CF2 advises that proposals for new community facilities shall be supported, in principle, provided they are in locations convenient to the community they serve and are readily accessible, particularly to public transport, pedestrians and cyclists.

In this instance, the proposed development will see a new primary school and community hub on the site that accommodates the former Torry Academy. It is therefore considered that this site is an appropriate location for the proposed use, given that the use of the site for educational purposes has already been established. Furthermore, it is unlikely that the new development would result in a conflict with the existing amenity, but this aspect will be further explored in the evaluation below.

As previously mentioned, the proposed development proposes three elements; a primary school, a community hub and an early years learning facility. The primary school and the early years facility will be assessed against Policy CF1, while the community hub will be assessed against Policy CF2.

As mentioned, this site currently falls within an education use and while the existing school closed its doors to pupils in 2017, the use still applies. Therefore, given that Policy CF1 supports existing educational sites being used for those purposes, it is considered that the development, specifically the primary school and early years facility, is in full compliance with this policy. With regards to the community hub, as mentioned above, CF2 supports new community facilities dependent on their location and accessibility. While this aspect will be outline further in this evaluation, it is considered that this site is ideal for such a use, given to its prominence within Torry and that it is readily accessible by the local community.

Overall, it is considered that the site can, in principle, satisfactorily accommodate a new primary

school community hub and early years facility, especially given that it will replace a former academy. While the issue of amenity will be explored further, it is considered that the principle of development can be established when assessed against Policy H1, CF1 and CF2.

### **Site Layout and Design**

With regards to the design, Policy D1 - Quality Placemaking by Design, all development must ensure high standards of design and have a strong and distinctive sense of place which complements the context of the surrounding area. It is considered that given the sites positioning within Torry and the developments proposed use, it is vital that this development meets the six essential qualities of Policy D1. Therefore, proposals should be distinctive, welcoming, safe and pleasant, easy to move around, adaptable and resource efficient.

It is considered that the proposed development makes use of this irregular shaped site, positioning the school to the centre and south east has allowed the existing access and car park to be utilised, while the remainder of the site can be used as external play areas (including both hard and soft landscaping) for future pupils.

The building itself would be of a contemporary design, which will be visible from all surrounding streets. Given the sites prominent positioning at the top of Torry Hill and 360 degree public aspect it is important that all elevations of the development are designed with this in mind. While the main elevation is located to south east, the north, east and west elevations play an important role within this site, with the north and east elevations providing pupil access to the primary school. While most of the west elevation incorporates areas of ventilation, these have been designed in such a way that they blend into the building, either by design or choice of material.

The main entrance to the building would be located on the south east elevation and the site has been opened up in this area to create a plaza allowing for easy access to the community hub and early years facility. Given that this entrance will be visible, not only from Tullos Circle, but also from Grampian Place, it was important that a feature entrance was created. It is considered that this has been achieved through the use of double height glazing, curtain walling and contrasting materials.

Significant ventilation is required for this development given the proposed use and while a number of flues are visible given the slope of the roof, the planning authority can impose conditions on any consent to ensure that an appropriate material is used so that they blend into the roof rather than detracting from the overall development.

In terms of the six essential qualities, it is considered that they can be achieved by this development for the following reasons. The site itself is distinctive in the sense of being elevated and highly visible from all sides and it is considered that the school has been designed/positioned in such a way that it responds to this context and the character of the surrounding area through the use of appropriate materials which complement the surrounding townscape. Given the positioning and improvements to the main entrance, it is considered that this development will be welcoming not only to the pupils that will use it but also by the local community it will serve.

The development has been designed in such a way that it gives precedence to pedestrian movement, with vehicles restricted to a certain area of the grounds. In addition, a number of new pedestrian access points have been introduced along the boundary, which will allow for easy access to the site. Also, through the use of boundaries and landscaping it will be clear what space is available to the community/school pupils. Finally, given the location of the site and proximity to residential properties, it is considered that the site will be highly visible which will result in a high level of natural surveillance. As such, it is considered that the development is both safe, pleasant and easy to get around.

Given the development proposes a number of different uses ranging from educational to community

uses, it is considered that the building proposed is adaptable. In addition, the sports pitch while available for school use will also be available to the general public, Furthermore, outwith school hours the school grounds will be readily accessible. In light of the foregoing it is considered that the development would be adaptable.

Finally, in terms of resource efficiency, given that it is a new build, it is considered that a certain level of efficiency will be achieved. The site will also be easily accessible by other sustainable modes of transport such as walking and cycling and public transport, which will aid with the reduction of car users travelling to the site.

In light of the above, it is considered that the development has been well designed and responds successfully to the context of the site and its surrounding characteristics, while still being a modern addition. However, given the lack of detail with regards to the proposed finish it is considered necessary to request this information via condition. Nevertheless, it is considered that overall the proposal complies with Policy D1 - Quality Placemaking by Design.

Given that the former academy is constructed of granite, it is important that the granite heritage of Aberdeen City is protected and preserved. While the demolition of the existing building is unfortunate, it is noted that the former school is no longer fit for purpose and therefore would not be suitable for the proposed development. However, the planning authority consider it vital that the granite heritage is evident on this site in some way. As such, the Planning Authority has requested that some of the granite is retained on site and it has been agreed that this will be used as a low-lying wall around part of the boundary as detailed in the boundary treatment plan submitted with this application. It is considered that using the granite on the elevations of the new school/community hub would not be practical as such the solution proposed by the applicant is acceptable. As such the proposal is considered to comply with Policy D5 – Our Granite Heritage.

### **Amenity**

A Noise Impact Assessment (NIA) has been submitted by the applicant and reviewed by the Planning Service and Environmental Health. The assessment identifies that the noise sources within the proposed site include the all-weather sports pitch, all mechanical plant and the music room within the building itself.

The sports pitch would be used by school pupils during the day and by the community into the evening, at weekends and during school holidays. However, the results of the NIA indicate that the expected noise level from the proposed sports pitch would be in excess of the Local Authority recommended maximum external noise level at the nearest existing noise sensitive receiver – namely the nearest residential façades and gardens. The mitigation proposed in the submitted NIA includes the restriction of hours or the introduction of fencing around the pitch to aid with noise reduction. The installation of high noise reduction fencing would conflict directly with a series of Council policies relating to schools and specifically with regards to safety, security and community integration, as such the client has advised that this option is not feasible. The option for restricting use to mitigate the noise impact is explored in the NIA. The NIA advises use between 8.45am to 9.45pm weekdays and weekends with a recommendation to use synthetic rubber isolation inserts between the fence and supports in order to reduce ball impact noise and fence rattle.

The findings of the NIA and its proposed mitigation measure have been reviewed by the Council's Environmental Health Service, has and that Service advises that the assessment is not acceptable. This is because it is considered that there is insufficient demonstration that the proposal would provide acceptable conditions for nearby residents due to the absence of noise mitigation measures that would have tangible effects sufficient to mitigate the noise impact. Environmental Health is therefore unable to accept the noise impact assessment report and its findings due to the predicted noise exposure and lack of robust noise mitigation given that the suggested operating times extend late into the late evening (ie. until 9.45pm). It has advised that should the planning authority



recommend approval despite their reservation, conditions restricting use of the sports pitch should be used, to help reduce the impact on the local amenity. Environmental Health has outlined hours of use and these are highlighted above. However, while the Monday to Friday times are considered to be appropriate, it is considered that the Saturday and Sunday times should be altered. It is now proposed to open at 10am as highlighted by Environmental Health, but close at 8pm rather than 6pm. Given the location and proposed use, it would seem unreasonable to close the 3G pitch so early at the weekend, given that it is proposed as a community facility and that the later closing time would be of more benefit to those within the community that would use it.

From a planning perspective, the previous use of the site as a former academy and the community benefit of this new proposal requires to be taken into account. While use of the 3G sports pitch may result in some additional noise in the surrounding area, the area to be occupied by the proposed 3G pitch would occupy exactly the same area that is an area of bitmac hardstanding previously used for outdoor play by the school, which to the best of the planning authorities knowledge was open to the public outwith school times under the Council's open grounds policy. As such it would seem unreasonable to deem this element unacceptable in principle given that it is a pre-existing historic use. While mitigation could be used, there is a concern that there would be a resultant visual impact or impact on daylight or sunlight to adjoining residential property as a result of the installation of high fencing with netting which would not be acceptable. As such, it is considered appropriate in this instance to recommend a condition be attached restricting the hours of use of the sports pitch for the reasons outlined above this in addition to the fact that the sports pitch will be locked to the general public and will only be lettable to the community should aid the surrounding amenity.

With regards to the proposed music room, Environmental Health are satisfied with the information in the NIA and that there would be no adverse noise impact on sensitive receptors and, therefore, have no further comment to make. The NIA advised that the plant has not been specified in detail at this stage of the project, and therefore maximum allowable plant noise levels have been calculated to inform the design selection. Environmental Health find the information submitted acceptable. However, once plant requirements have been specified a further assessment of for daytime and night-time noise levels is required to be undertaken. The submission of this assessment once carried out should be requested via condition.

A lighting strategy has also been submitted. Whilst the information on the lighting proposal and the standards to be achieved is encouraging a final design for the required lighting solutions, in particular for the pitch, has not been finalised. As such Environmental Health still requires demonstration of how the final design will comply with the relevant standards through the submission of a further report, which will be secured by condition. This report should demonstrate the following:

1. The floodlighting needs;
2. Floodlighting position and direction;
3. Floodlight height and technical specification;
4. Light spill, illumination of neighbouring land, glare, upward light levels;
5. Hours of use;
6. Means of control to ensure lights to be on only when in use;
7. Details of any automatic cut-off device (or equivalent) to be installed;
8. Impacts on neighbours; and
9. Any mitigation measures to be applied.

To conclude, in terms of amenity it is considered that the information submitted is acceptable. Concerns about the impact on amenity resulting from light spillage are operational matters that can be resolved by the submission and approval of further information prior to the school and community hub being brought into use. While Environmental Health has highlighted their concerns, specifically regarding the impact of late evening noise resulting from the use of the sports pitch, they have not objected to the development and have suggested that the impact can be satisfactorily mitigated by

controlling the hours of public use of the proposed 3G pitch by way of the imposition of planning conditions on any consent. Upon reviewing all the information provided and consultee comments, it is considered that the proposed development will not have an adverse impact on the current levels of residential amenity for the immediate or surrounding area. As such, with respect to amenity the development is considered to be acceptable.

### **Transport Impacts**

Under Policies T2 and T3, commensurate with the scale and anticipated impact, new developments must demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel.

The Roads Development Management Team have reviewed the submitted Transport Statement and have provided comments on access, parking, sustainable modes of transport and the proposed travel plan framework.

With regards to access, it is noted that the existing access which was used for the former Torry Academy will be utilised, with no proposed alterations. Where delivery vehicles, will require to take access into the site, a swept path analysis evidences that there is adequate space to enter and exit in a forward gear. The aspect of refuse collection has also been considered and is detailed further in this evaluation.

A total of 42 parking spaces have been proposed, 3 of which are disabled/accessible spaces and a further 2 for electric vehicle charging. The Roads Team has advised that this provision is adequate due to the site's location and accessibility by those that it would serve.

In terms of sustainable modes of transport, the development proposes 66 cycle sheltered parking spaces, which is considered appropriate given the use and size of the development. Also, given the site's location within the surrounding community, it is considered that it is easily accessible by walking and cycling. Further to this, the site is well served by public transport, with bus stops located on Tullos Circle, which forms part of a regular route which connects to the wider Torry area.

A Travel Plan is required to improve safety measures and reduce car trips to the site. This would be of benefit to both staff and those using the school/early learning units and community centre. A template and example of how a travel plan should be compiled has been provided for within the Transport Assessment and this is considered acceptable and should be adopted when the School Travel Plan is being finalised. Should an approval be granted, a condition will be applied requesting the approval and implementation of a travel plan.

In light of the above, it is considered that the proposed development can be easily accessed via the existing entrance and can provide a suitable level of parking. In addition, given the sites location within Torry, it is noted that the development would be readily accessible by other means of travel such as walking, cycling and public transport. As such the development is considered to be in compliance with Policy T2 - Managing the Transport Impact of Development and Policy T3 - Sustainable and Active Travel; as well as the Council's Supplementary Guidance Transport and Accessibility.

### **Contaminated Land**

A Geotechnical Design and Environmental Risk Assessment Report has been submitted and outlines the level of investigation that was carried out on the site while the existing building still stands. The report confirms that no significant contamination was detected on site and that there would be no significant risk to the water environment. While basic radon protective measures are recommended in the report, there is no requirement for ground gas protection. The above report has been reviewed by the Council's Contaminated Land Team and they advised that it is satisfied

with its conclusion and recommendation. It will be conditioned that all of the recommendations contained within the above report will be carried out, with the scope of works first agreed with the Contaminated Land Team.

As noted in the report, a level of asbestos has been found on the site. The Contaminated Land Team has recommended that a Full Buildings Asbestos Survey is undertaken prior to the demolition. However, as the demolition is not being assessed under this application, it was be feasible for the planning authority to attach such a condition. The contract for demolition and asbestos removal has been tendered by the Council and works are currently ongoing to ensure the safe removal of all asbestos containing material will by a licensed waste management carrier to a licensed facility.

Overall, the submitted report is acceptable to both the Contaminated Land Team and the Planning Authority, as such the proposal is considered compliant with Policy R2 - Degraded and Contaminated Land.

### **Flooding and Drainage**

In terms of flooding, a Flood Risk Assessment has been submitted and advises that any future flooding will pose no threat to the proposed development. In addition, the proposed surface water drainage has been designed to ensure that pluvial and overland flooding does not occur. Therefore, there is a negligible level of flood risk to the site.

With regards to drainage, a Drainage Strategy has been submitted and reviewed. The strategy advises that combined sewers run along the north boundary, heading north east and a sewer along the south boundary heading south west. In terms of foul water, it is proposed to collect all waste water and foul discharges into a traditional gravity system, which will then be discharged into the combined sewer on North Grampian Circle.

With regards to surface water the site will provide a suitable Sustainable Urban Drainage System. The surface water collected from the site via filter trenched within the soft landscaping, porous car parks and cellular storage. This will enable the collected water to be attenuated before discharging into the existing combined sewer. A full attenuation for a 200 year storm event will be provided for within the underground storage structures.

In light of the above, the information supplied in the Flood Risk Assessment and Drainage Strategy is considered to be acceptable, a condition should be used to ensure that the recommendations of the Drainage Strategy. Overall, it is considered that the proposal complies with Policy NE6 - Flooding, Drainage and Water Quality and Supplementary Guidance Flooding, Drainage and Water Quality.

### **Aberdeen Airport**

The site falls within the safeguarding area for Aberdeen Airport, as such it has been consulted as part of this application process. The Airport advises that the development has been examined from an aerodrome safeguarding perspective and could result in conflict with the criteria. However, it advises that, if a condition requesting the submission of a Bird Management Plan is attached to any grant of permission, there would be no objection. This plan would help ensure that the site would be less appealing to birds which could endanger the safe movement of aircraft and the successful operation of Aberdeen Airport.

In addition to the above, given the nature of the development proposed, it is likely that cranes may be required during the construction period, as such the Airport has advised the planning authority of their advice regarding the use of cranes, which will be passed onto the applicant in the form of an informative, should permission be approved. Subject to the above condition/informative, it is considered that the development complies with Policy B4 - Aberdeen Airport.

## **Other Matters**

Aberdeenshire Council's Archaeology Service has reviewed this site and has advised while the Service has no objection, it has requested that a Standing Buildings Survey be conditioned. While under normal circumstances this would be appropriate to attach such a condition, it is not in these circumstances because the demolition of the development is already underway and is regulated under different legislation. A number of photographs were taken of the site and it has been agreed that these will be submitted to the planning authority for our records, but generally speaking this is outwith the scope of this application and the submission of these photographs has only been secured given that the Council owned the site.

A proposed bin store has been donated on the submitted site plan and would be located along the south east boundary adjacent the existing vehicular entrance. This is considered to be an appropriate location for such facilities. In terms of refuse collection, it is intended that shall be via on-street collection from Tullos Circle adjacent the existing entrance, this is considered acceptable the proposed location would be within 10m of the bin store.

The Council's Waste Strategy Team has also provided some additional information with regards to the requirements for a development such as this. Overall, this aspect of the development is acceptable and in compliance with the requirements of Policy R6 - Waste Management Requirements for New Development and Supplementary Guidance Resources for New Development.

As per Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency, all new buildings, must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology and should reduce the pressure on water abstraction from the River Dee, and the pressure on water infrastructure. As such, a condition will be attached requesting this information to be submitted.

## **Conclusion**

Overall, it is considered that the development is in compliance with all relevant policies outlined above. A new primary school, community hub and early years facilities is an appropriate use for this former academy site. It is considered that all aspects of the proposal have been addressed above and overall the planning authority is satisfied with the development that is proposed. It is therefore recommending that this application be approved.

## **RECOMMENDATION**

Approve Conditionally

## **REASON FOR RECOMMENDATION**

The site is considered to be acceptable for the proposed use, not just because of its highly accessible location, which is situated centrally within the community, but also because of its former use which is very similar to that proposed, in line with Policy H1 - Residential Areas, Policy CF1 - Existing Community Sites and Facilities and Policy CF2 - New Community Facilities. The design and layout of the site has been considered and assessed and is found to be acceptable not just in respect to the proposed use, but also with regards to the existing site context and characteristics. The building is a modern intervention within this area, but one that works well given the prominence of the site. A portion of the granite from the existing school is to be retained on site and will provide a link to the granite heritage of the area. As such the proposal complies with Policy D1 - Quality Placemaking by Design and Policy D5 - Our Granite Heritage.

The impact on amenity has been considered and information has been submitted to enable an adequate assessment of the development. It is considered that based on this, it is unlikely that the development would have any adverse impact on the current levels of residential amenity in respect

to noise and lighting. The proposal provides sufficient access and parking arrangements as well as suitable and acceptable routes for other modes of transport, such as walking, cycling and public transport. The proposal is therefore considered to comply with Policy T5 – Noise, Policy T2 - Managing the Transport Impact of Development and Policy T3 - Sustainable and Active Travel.

The potential impact on Aberdeen Airport has been considered and it is found that whilst the development could have a safeguarding conflict, this can be resolved by the submission and implementation of a bird management plan, in compliance with Policy B4 - Aberdeen Airport. The development allows for adequate provision of foul and surface water drainage and it is unlikely, due to the location of the site, that there would be any flooding impacts, as such the development is acceptable under Policy NE6 - Flooding, Drainage and Water Quality. The site has also been assessed in respect to potential contamination and Policy R2 - Degraded and Contaminated Land and due to the previous use, this is considered unlikely, however further information has been required via condition. Suitable provision has been made for waste facilities and further information has been required in relation to carbon neutrality and water efficiency, in line with Policy R6 - Waste Management Requirements for New Development, Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency.

Overall, the planning authority is satisfied with the proposal and it is considered that it complies with all relevant policies of the Aberdeen Local Development Plan and the Council's relevant Supplementary Guidance. There are no material considerations that warrant refusal of this application.

## **CONDITIONS**

### **Materials**

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

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

### **Contaminated Land**

No works in connection with the development hereby approved shall commence unless the recommendations set out in the Geotechnical Design and Environmental Risk Assessment Report, prepared by Goodson Associates dated September 2019 have been carried out and any subsequent reports prepared as a result, have been submitted to and approved in writing by the planning authority. Once approved all required mitigation measures shall thereafter be implemented in full accordance and retained in perpetuity.

The scope of the works set out in the recommendations of the Geotechnical Design and Environmental Risk Assessment Report shall be agreed in writing with the planning authority in consultation with Protective Services prior to any works being carried out.

Reason: In order to ensure any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

### **Hours of Use**

The All-Weather Sports Pitch hereby approved shall only be used by the school or for pre-arranged lets during the period from 9 am to 8 pm on Monday to Friday and from 10 am to 8 pm on Saturday and Sunday and shall not be used outwith these times.

Reason: In order to ensure that the development would not result in undue loss of amenity for surrounding properties.

### **Noise**

The building hereby approved shall not be brought into use unless a further assessment and report of the specific mechanical plant, including plant louvres at school, condenser units and substation, being used for the operation of the site has been undertaken. This assessment and report shall then be submitted to and approved in writing by the planning authority in consultation with Environmental Health. Once approved, all mitigation measures recommended in the report should be implemented prior to the building being brought into use and retained in perpetuity.

Reason: To ensure that noise from the use of the development does not result in undue loss of amenity for surrounding properties.

### **Lighting Strategy**

No development in connection with the planning permission hereby granted shall commence unless full details of the proposed lighting for the development and an impact assessment of obtrusive light from the development have been submitted to and approved in writing by the planning authority. Prior to the assessment being undertaken in accordance with a scope that has been agreed with the planning authority in consultation with Environmental Health. All lighting shall be provided and thereafter retained in perpetuity in accordance both with the approved scheme and the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Professionals (GN01:2011) and any such guidance notes that replace or supersede them.

Reason: In order to minimise the amount of obtrusive lighting from the development in the interests of the residential and visual amenity of the surrounding area.

### **Travel Plan**

The building hereby approved shall not be brought into use unless a Travel Plan for that building has been submitted to and approved in writing by the planning authority. The Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. It shall identify measures to be implemented, the system of management monitoring review, reporting and duration of the incorporated measures designed to encourage modes other than the private car. The building shall not be brought into use unless the measures set out in its approved Travel Plan have been implemented in full.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

### **Traffic Restrictions**

The building hereby approved shall not be brought into use unless:

- (i) an assessment of existing traffic restrictions within the surrounding road network has been undertaken to establish if any restrictions, in addition to those that exist, are required;
- (ii) the scope of the assessment shall be agreed with the Council's Traffic Management Team;
- (iii) a Traffic Regulation Order is promoted for any works to implement the additional restrictions; and
- (iv) any works required to implement the addition restrictions are completed.

For the avoidance of doubt, all necessary works required as a result of the assessment shall be implemented prior to the building being brought into use.

Reason: In the interests of road safety and providing a safe route to school.

### **Existing Public Transport Infrastructure**

The building hereby approved shall not be brought into use unless the existing public transport infrastructure, such as, but not limited to bus shelters in close proximity to the development, have been assessed in consultation with the Council's Public Transport Services and Infrastructure.

For the avoidance of doubt, all necessary works required to improve or replace this infrastructure shall be carried out prior to the building being brought into use.

Reason: In the interests of public safety and providing suitable public transport infrastructure.

### **Foul and Surface Water Drainage Arrangements**

The building hereby approved shall not be brought into use unless the proposed foul and surface water drainage arrangements have been provided in accordance with the approved plans and the Drainage Strategy Plan, prepared by Goodson Associates and dated October 2019. The foul and surface water drainage arrangements shall be permanently retained thereafter in accordance with the approved maintenance scheme contained within the Drainage Strategy.

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

### **Bird Management**

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the planning authority in consultation with Aberdeen Airport. The submitted plan shall include details of:

Management of any flat/shallow pitched roofs (of less than 15 degrees) on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' and any such guidance notes that replace or supersede them.

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

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

### **Landscaping Scheme**

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

Details of the scheme shall include:

- a) Existing and proposed finished levels.
- b) The location of new trees, shrubs, hedges and grassed areas.
- c) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- d) The location, design and materials of all hard landscaping works including walls, fences, gates, and play equipment.
- e) An indication of existing trees, shrubs and hedges to be removed.
- f) A programme for the implementation, completion and subsequent management of the proposed landscaping.

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

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

### **Carbon Neutrality and Water Efficiency**

No building hereby approved shall be erected unless an Energy Statement and Water Efficiency applicable to that building has been submitted to and approved in writing by the planning authority.

The Energy Statement shall include the following items:

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

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

The development shall not be occupied unless it has been constructed in full accordance with the approved details in both statements. All measures shall be retained in place and fully operational thereafter.

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

### **ADVISORY NOTES FOR APPLICANT**

#### **Bird Hazard Management Plan**

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Aberdeen Airport Airside Operations staff. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage (SNH) before the removal of nests and eggs.

#### **Waste**

- Business premises need to be provided with a bin store to allocate, within the property, the waste and recycling bins
- Commercial waste bins cannot be stored on the street any day of the week as per Council



Policy 2009 (Obstructions- Commercial Waste Bins). Infringement on the Council Policy can lead to a fine of £500 per bin as adopted by the Enterprise, Strategic Planning and Infrastructure Committee on 29<sup>th</sup> August 2013

- There are many waste contract collection providers operating in Aberdeen and each one provides different collection of waste and recycling services. For this reason, business premises need to liaise with their waste contract collection to ensure the correct management of their waste.
- Business premises have a legal Duty of Care covering all the waste they produce. This means that it is the Business premises responsibility to manage and dispose of any waste correctly.
- The Waste (Scotland) 2012 requires that **all businesses** from 1<sup>st</sup> January 2014 are required to separate paper, cardboard, glass, plastic and metals for recycling. Some businesses will additionally be required to separate their food waste (where food waste >5kg per week).
- General tips for site and hopefully the chosen waste collection contractor will detail this but for access, the following is needed:
  - An area of hard standing at storage and collections point(s)
  - Dropped kerb at proposed bin collection point
  - Yellow lines in front of bin collection point
  - Bin storage areas to ideally be provided with a gulley and wash down facility for the interest of hygiene

For further independent guidance about waste and recycling provision, storage and collection please refer to the following document:  
[http://www.lgcplus.com/Journals/3/Files/2010/7/14/ADEPTMakingspaceforwaste\\_000.pdf](http://www.lgcplus.com/Journals/3/Files/2010/7/14/ADEPTMakingspaceforwaste_000.pdf) and additional Trade Waste information can be found in the Waste Supplementary Guidance available at <http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=74584&sID=14394>

### **Crane Operations**

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policysafeguarding.htm>)