

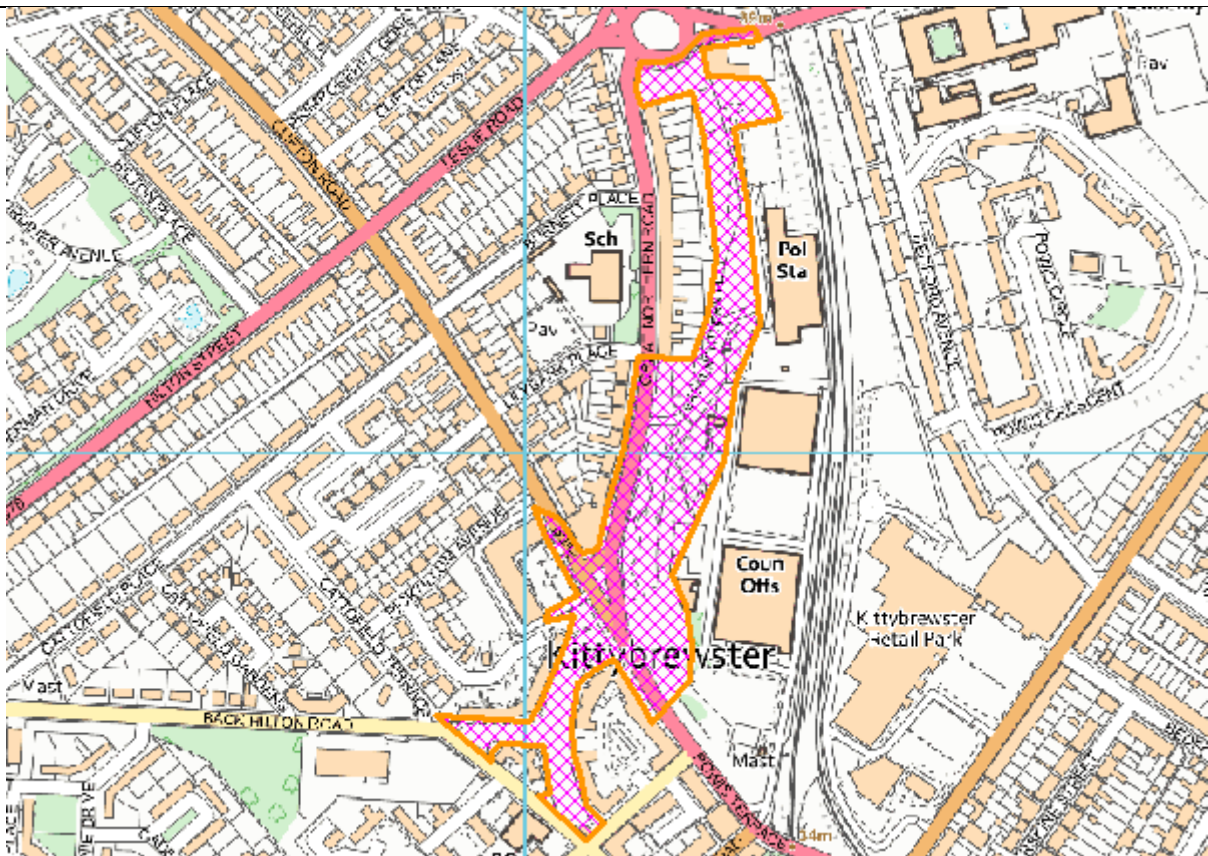


# Planning Development Management Committee

Report by Development Management Manager

**Committee Date:** 20 August 2020

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



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## **RECOMMENDATION**

Approve Conditionally

## **APPLICATION BACKGROUND**

### **Site Description**

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

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

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

### **Relevant Planning History**

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

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

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

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

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

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

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

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

## Supporting Documents

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

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

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

- Planning Statement
- Traffic Statement
- Tree Survey

## Reason for Referral to Committee

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

## CONSULTATIONS

**ACC - Environmental Health** – No objection.

### Noise

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

#### *Short Term Impact*

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

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

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

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

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

#### *Long Term Impact*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Rosehill and Stockethill Community Council** – Inactive.

**Scottish Water** – No objection.

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

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

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

## **REPRESENTATIONS**

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

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

## **MATERIAL CONSIDERATIONS**

### **Legislative Requirements**

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

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

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

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

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

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

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

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

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

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

## **Proposed Aberdeen Local Development Plan (2020)**

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be, and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether –

- these matters have been subject to public consultation through the Main Issues Report;



and,

- the level of objection raised in relation these matters as part of the Main Issues Report; and,
- the relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case by case basis.

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

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

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

### **Other Material Considerations**

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

## **EVALUATION**

### **Principle of Development**

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

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

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

consultation.

### National Policy

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

### Strategic Development Plan

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

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

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

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

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

### Proposed Strategic Development Plan

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

transport links and by minimising the impact of traffic.

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

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

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

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

### Regional Transport Strategy

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

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

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

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

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

centre in favour of pedestrians.

### Local Transport Strategy

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

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

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

### Strategic Infrastructure Plan

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

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

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

### City Centre Masterplan

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

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

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

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

### North East Scotland Roads Hierarchy Study 2019

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

### Land use Zoning

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

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

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

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

### Summary

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

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

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

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

## Traffic Management

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

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

## Air Quality

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

Nitrogen dioxide (NO<sub>2</sub>) monitoring data indicates that existing levels in the northern leg of the corridor range from 12–23  $\mu\text{g m}^{-3}$  and are well below the annual mean air quality objective of 40  $\mu\text{g m}^{-3}$ . In terms of the overall project, the assessment predicts the air quality impact at the majority

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

In terms of particulate matter ( $PM_{10}$  and  $PM_{2.5}$ ), modelling of background concentrations in the area indicate current levels are well below the annual air quality objective of  $18\mu\text{g}\text{m}^{-3}$ . As with  $\text{NO}_2$ , both beneficial and detrimental impacts were predicted along the new route. The maximum predicted increase in concentration was  $1.2\mu\text{g}\text{m}^{-3}$  and levels at all receptors were predicted to be well below the air quality objective.

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

As discussed earlier in this report, the Berryden project is one of several elements required to allow a reallocation of road space and reduction in traffic in the city centre. One of the matters which the city centre measures aim to address is the poor air quality within the city centre, much of which has been declared as an Air Quality Management Area. The project would therefore have a wider positive impact on air quality across the city. Going forward air quality monitoring will continue along the proposed new route, to inform any future traffic management decisions and to ensure that the risk of exceedances of the annual mean  $\text{NO}_2$  objective are minimised.

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

## Noise

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

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

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

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

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

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

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

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

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

## **Vibration**

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



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

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

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

With the project in place,

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

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

## **Drainage**

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

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

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

## **Built Heritage**

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

## Northern Hotel.

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

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

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

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

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

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

## Natural Heritage

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

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

## Landscape and Trees

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

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

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

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

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

### **Proposed Aberdeen Local Development Plan**

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

### **RECOMMENDATION**

Approve Conditionally

### **REASON FOR RECOMMENDATION**

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

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

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

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

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

## **CONDITIONS**

### **(1) PHOTOGRAPHIC SURVEY**

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

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

### **(2) TREE PROTECTION**

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

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

### **(3) BAT SURVEY**

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

Reason – to ensure the protection of bats.

### **(4) DUST MANAGEMENT**

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

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

Reason – to protect the surrounding receptors from dust.

### **(5) DRAINAGE**

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

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

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

#### (6) STREET FURNITURE

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

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

#### (7) LANDSCAPING

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

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

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

#### (8) BOUNDARY TREATMENTS

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

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

#### (9) RE-USE OF GRANITE

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

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

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

#### (10) NOISE BARRIERS

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

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

### **ADVISORY NOTES FOR APPLICANT**

#### (1) HOURS OF DEMOLITION AND CONSTRUCTION WORK

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

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

#### (2) PROTECTION OF BATS

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

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

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