

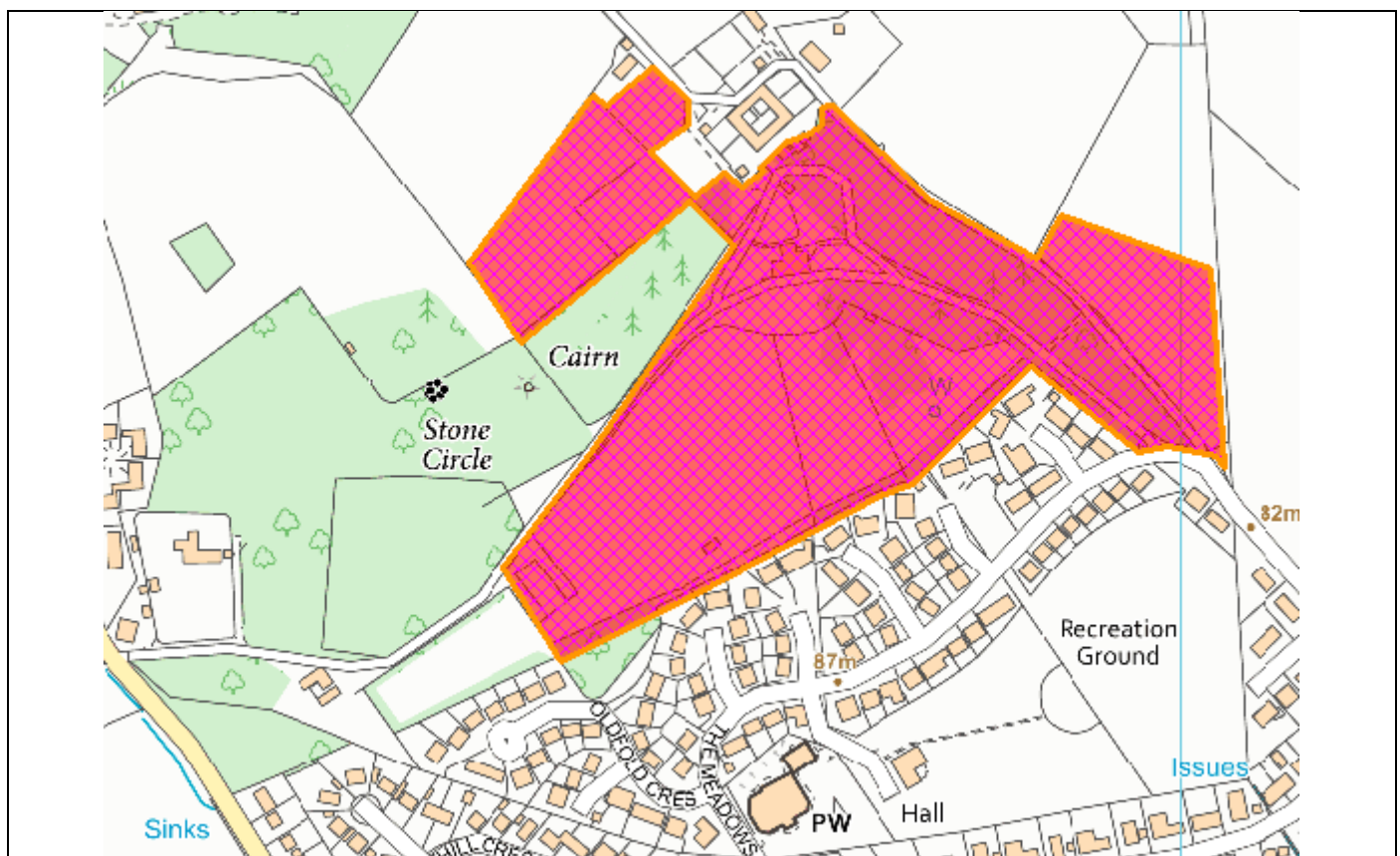


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 24th September 2020

Site Address:	Binghill House, Binghill Road, Aberdeen, AB13 0JL.
Application Description:	Erection of active retirement community (circa 60 units in mix of apartments, cottages and houses and 20-bed nursing home) including small-scale local shop and café, community allotments and associated infrastructure
Application Ref:	200750/PPP
Application Type	Planning Permission in Principle
Application Date:	3 July 2020
Applicant:	Mrs Shona Buyers
Ward:	Lower Deeside
Community Council:	Cults, Bieldside And Milltimber
Case Officer:	Gavin Clark



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1. PURPOSE OF REPORT

This report considers whether application Ref: 200750/PPP, which triggers the statutory criteria to require that a pre-determination hearing is held, should be determined by the Planning Development Management Committee or if it would be advisable for the pre-determination hearing and determination to be carried out by Full Council.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 Note the contents of the report; and
- 2.2 Agree that the application be subject of a statutory pre-determination hearing by a special meeting of the Planning Development Management Committee (PDMC) and that the application is then determined at a subsequent scheduled PDMC meeting.

3. BACKGROUND

- 3.1 A report to the 30th April 2020 meeting of the Planning Development Management Committee (Report No: GOV/20/087) set out the process to be followed for reporting to this Committee and referral to Full Council where the relevant criteria for Pre-Determination Hearings are triggered. The recommendations of that report were agreed by the committee.

4. APPLICATION BACKGROUND

4.1 Site Description

The site sits to the immediate north of the settlement of Milltimber and is allocated as both "Green Belt" and Green Space Network" in the adopted Aberdeen Local Development Plan. The site contains Binghill House, a Category "C" listed building, its grounds and adjacent land to the east at Binghill Farm.

4.2 Relevant Planning History

A proposal of application notice (Ref: 190857/PAN) was submitted in early 2019 for a mixed-use major development incorporating a new retirement community, the extension to and conversion of Binghill House to a care home (Class 8), new purpose built retirement and residential accommodation (Class 9 houses and flats - up to 140 units) and other supporting uses anticipated to include a small local shop, food & drink or service uses (Classes 1, 2 & 3) and community allotments.

A screening opinion (Ref: 191893/ESC) was issued in January 2020 advising that an Environmental Impact Assessment was not required for a mixed-use development incorporating a new retirement community, the extension to and conversion of Binghill House to a care home (Class 8), new purpose built retirement accommodation (Class 9 houses and flats - up to 56 units) and other supporting uses anticipated to include a small local shop and cafe (food & drink) and service uses (Classes 1, 2 & 3).

Planning permission (Ref: 130408) was granted in August 2014 for alterations to Binghill House to form three residential apartments. This permission was not implemented and has since expired.

4.3 Description of Proposal

The application seeks Planning Permission in Principle (PPiP) for the erection of active retirement community (circa 60 units in mix of apartments, cottages and houses and 20-bed nursing home) including small-scale local shop and café, community allotments and associated infrastructure.

As this is an application for Planning Permission in Principle, the precise details of the proposal and its form are yet to be fully developed, although the submitted site plan gives an indication of the level of development that could be accommodated on site. This application seeks simply to establish the principle of development in this location of the type and scale proposed.

4.4 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=QCW9G1BZIO100>

These include:

- Archaeology Desk Based Assessment and Walkover Survey
- Heritage Planning Statement
- Planning Support Statement
- Pre-Application Consultation Report
- Senior Living Supporting Statement
- Drainage Statement
- Transport Statement
- Supporting Environmental Walkover Survey
- Tree Survey Report
- Badger Survey
- Arboricultural Assessment Plan
- Binghill Arboriculture Impact Plan
- Tree Protection and Management Plan

4.5 Pre-Application Consultation

This application is accompanied by a Pre-Application Consultation Report (PAC Report), as required by the relevant regulations for all planning applications concerning developments in the major category.

The applicants held a statutory pre-application consultation event on the 20th June 2019 from 1pm – 7pm. An advertisement was placed in the Evening Express on the 12th June 2019 giving notice of the consultation event. Posters were also displayed in three places in Milltimber and leaflets were posted to properties in the vicinity of the site (which were agreed with the Planning Authority). These notices including details of the location, date and timing of the event as well as a short description of the development and details of how to obtain further information about the proposals. In addition, notices were sent to the local Cults, Bieldside and Milltimber Community Council and the local ward members at

least 7 days ahead of the meeting.

At the consultation event display boards were produced to illustrate the proposed development and supplementary aerial images and indicative masterplans were available for viewing at the event. Attendees were asked to register their attendance and were offered forms to provide feedback. Attendees were given a brief verbal introduction to the format of the event, the layout of the boards and display information and invited to ask questions of the Project Team at any time.

Approximately 85 people signed into the public event, however it is estimated that over 100 people attended the event over the course of the day. Comments received verbally following pre-application discussions, at the event, or on returned comments forms (50 completed responses) focussed on the following themes:

- Principle of Development
- Access
- Traffic
- The need for this style of housing
- Mainstream housing
- Environmental Impact

These responses are summarised in the PAC report along with the applicants' commentary on whether/ how the proposals have taken them into account.

In addition, members of the design team attended the 23rd May meeting of Cults Bieldside and Milltimber Community Council and presented the proposed development to those in attendance. Follow up meetings were held with the Planning Liaison Officer and Member of the Community Council on the 27th June 2019 as they were unable to attend the original meeting. A further meeting with the Planning Liaison Officer and two members of the Community Council was held on the 18th November 2019.

On 20th September 2019 the applicant gave a presentation of the proposal to the Council's Pre-Application Forum. This presentation contained details of the original proposal submitted at the time of the PoAN, the vision for the development, the history of the site and the consultation undertaken. Also presented were amendments to the development which were being considered at the time and the rationale for these amendments. An independent advisor to the project and an expert on senior living accommodation spoke as part of the presentation evidencing the need for the style of development being proposed, and how it differs to the style of retirement accommodation currently being provided in Scotland.

4.6 Requirement for a Pre-Determination Hearing

The proposed development is classed a 'major development' in terms of The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. The proposal is considered to be a Significant Departure from the Development Plan by virtue of it being a major mixed-used retirement community led development which is located on land designated as Green Belt and Green Space Network, where policies NE1 and NE2 of the Aberdeen Local Development Plan apply. Policy NE1 states that the "*Council will protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network*" and "*proposals for development that are likely to destroy or erode the character and/ or function of the Green Space Network will not be permitted*". Policy NE2 states that "*no development will be permitted in the Green Belt for*

purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction/ quarry restoration or landscape renewal". It also goes on to advise of several exemption criteria that would not relate to the current proposals.

Neither of these policies allows for mixed use retirement community-led development of the type proposed and therefore this proposal constitutes a significant departure from the Development Plan.

Under Regulation 27 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 there is a requirement to hold a Pre-determination Hearing before such applications may be determined.

A previous requirement for such applications to be determined by Full Council has been removed by the recently revised legislation under the Planning (Scotland) Act 2019, and in March of this year Council delegated authority for these statutory hearings and determinations to PDMC as part of the Scheme of Governance review. It will therefore be for Members to decide whether the hearing and subsequent determination of this application are conducted in front of PDMC, or whether there are any issues that would warrant referral to Full Council in this instance.

The purpose of such hearings is to afford both the applicant and those who have made written representation on the proposed development the opportunity to present their views directly to the Members of the Council.

4.7 Consultations

Archaeology Service (Aberdeenshire Council) – have advised that No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

In this instance this programme of works will include (with reference to the Desk-Based Assessment as submitted):

- Site 11 (ruined building) – Level 1 Building Survey undertaken of this structure
- Site 3 (outhouse) – Photographic Survey undertaken of this structure
- Site 12 – two trenches across this alignment to identify the former formal paths and circular garden features as identified on the 1st Edition OS Map and investigate how they were constructed, materials used etc.
- 10% Evaluation of the area south of the current Binghill House encompassing the majority of the 'central' section of development in an attempt to locate the old house of Binghill/Drum well. (so this would a corridor running south of the main house that

includes the area marked for the new village green, retirement apartments and retirement cottages); and

- Site 1 Bingham House Level 1 standing building survey prior to any alterations.

ACC - Developer Obligations – have advised of required developer obligations towards the Core Path Network (£26,784), Healthcare Facilities (£73,697), request the delivery of high quality on-site open space provision and a contribution of £131,652 towards Community Facilities.

ACC - Environmental Health – Due to the location of the proposed development, the occupants of surrounding existing residential property may be exposed to risk of dust impacting on amenity during each phase of the works (E.g. Preparation, earthworks, construction and track out). They are of the opinion that provision of suitable mitigation measures can address this. They therefore request the following;

- An 'Air Quality (Dust) Risk Assessment' by a suitably qualified consultant is carried out in line with the IAQM 2014 Guidance entitled 'Guidance on the Assessment of Dust from Demolition and Construction' to predict the likely dust levels and impact on air quality including a determination of its significance.
- A Dust Management Plan produced in line with the guidance (based on the outcome of the Dust Risk Assessment) submitted and agreed in writing with this Service detailing the necessary dust control measures to be implemented.

Environmental Health also note from the application that a Café is proposed as part of the development, it is also highly likely that some catering operations will take place in the nursing home. Full details of the proposed Local Extract Ventilation (LEV) systems would therefore be required from the applicant in order to demonstrate that systems for either facility will have satisfactory measures in place to mitigate any potential odour issues, which may affect the amenity of existing and proposed residential properties nearby. They would therefore request the following 'details for approval' relating to odour and noise control which would be required prior to determination:

- A suitable extract ventilation assessment by a competent person, in line with relevant guidance for example, the EMAQ guidance document 'The Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (or equivalent as suitably demonstrated) and associated references. This assessment must predict the impacts of odour associated with the specific type and level of cooking activities to be undertaken and fully demonstrate the effectiveness of any proposed mitigation measures to; extract filter, neutralise, and disperse cooking fumes produced at the premises. Details of this assessment including evidence to demonstrate adequate odour control must be submitted for review, in the form of a suitable report to the satisfaction of the Environmental Health Service; and
- A Noise Impact Assessment by a suitably qualified noise consultant to predict impacts of noise associated with the proposal and establish the extent of any noise controls. The methodology for such an assessment must be agreed with this Service. Details of this assessment including evidence to demonstrate adequate Noise control must be submitted for review, in the form of a suitable report to the satisfaction of the Environmental Health Service.

They have also suggested that, in order to protect the amenity of the occupants of existing nearby residential properties, any development works at the proposed development

(including site/ground preparation, demolition, and construction) causing noise beyond the site boundary should not occur outside the following hours: Monday to Friday 0700 hours to 1900 hours and Saturday 0800 hours to 1300 hours.

ACC - Structures, Flooding and Coastal Engineering – advised that a Flood Risk Assessment was not required and that any drainage issues should be dealt with by colleagues in Roads Development Management.

Police Scotland – have provided general guidance on crime levels in the surrounding area and encouraged the applicants to contact them at an early stage in relation to access control/ lockable gates, perimeter fencing and vehicle parking, lighting, landscaping, alarm systems, permeability and maximising natural surveillance.

ACC - Roads Development Management Team – have provided the following comments:

Walking and Cycling: It is noted the site proposes to provide internal pedestrian footpath connectivity looping round the overall site, while providing connections to the existing adopted footpath network onto Bingham Road and Oldfold Crescent directly to the south of the site, which in turn connects further to wider Milltimber area and North Deeside Road (bus links). Clearer details of the internal footpaths adjacent to the road (if any) shall be required at future date of an MSC application.

It is noted within supporting 'Transport Statement' (TS) the intention to tie in and extend new pedestrian footpath up the east side of Bingham Road which is being implemented as part of the new Milltimber Primary School. It is confirmed that this is required and should be conditioned as part of any approval of this application.

In terms of the site being served by cycle provision this shall be on-street via Bingham Road until such times it can tie in with North Deeside Road and the Deeside Way (part of National Cycle Route) to the south. Bingham Road and the wider Milltimber area has recently had imposed upon it a new mandatory 20mph speed limit and increased traffic calming measures, making it safer for on-street cycling.

Public Transport: It is noted that the nearest bus route to the site is on North Deeside Road (south of site), this route provides regular services along North Deeside Road into the heart of the City and City Centre. Bus stops for such services are unfortunately just out with the desired distance of the site but considered still walkable for future employees.

Parking: It is noted within the supporting TS all parking shall be provided as per ACC Supplementary Guidance, all standards are also referenced within, it is confirmed such provision shall be required. Indicative provision has been shown on the site plan, but conditions should be attached to confirm and quantify this on-site at stage of a MSC application.

Additionally, details of other associated parking provision is details and require to be provided such as disabled parking, cycle parking (residents/staff) and mini-bus/coach parking. Motorcycle parking is also referenced but typically this is accommodated within standard vehicle parking, however, should the applicant wish to provide designated motorcycle parking that would be no concern.

Due to the Scottish Government initiative for almost complete decarbonisation of road transport by 2050, new developments are required to provide electric vehicle provision, further information on this can be found within ACC Supplementary Guidance.

Given the PPIp nature of this application, finalisation of the above shall come as part of detailed follow-up application, therefore suitable conditions shall require to be placed on any approval.

Development Access / Construction Consent: It is noted that the proposed site shall be served by a new T-junction onto Bingham Road with an additional emergency vehicular access, it is confirmed that such access means is required. Although, indicative within overall site plan exact details on the width and footpath provision shall require to be confirmed via condition and final design of the site. It is also noted that the proposed is as per scoping with Roads Development Team.

It should be noted that the proposed new vehicular accesses and footpath extension shall be subject to a Section 56 Roads Construction Consent (RCC) procedure and require to be designed and constructed to Aberdeen City Council standards.

Refuse and Servicing: It is noted and confirmed that an appropriate condition should be attached in order to provide full details of how both the residential and care home aspects of the site shall be served in terms of refuse and deliveries which includes swept path analysis for refuse vehicles accessing/egressing the overall site.

Local Network Impact: It is confirmed and noted that the applicant has evidenced through the supporting TS that the proposed development shall have no adverse effect on the localised network and the nearest junctions, while much trips shall be outwith the peak periods as well given the nature of the development. Therefore, Roads Development Management have no further observations in this regard.

Travel Plan Framework (Residential Travel Pack) / Safe Routes to School: It is noted that within the supporting TS the applicant has provided an outline of a proposed Residents Travel Pack, this outlines appropriate objectives and aims to promote alternative and sustainable transport methods. A finalised Residential Travel Pack shall require to be conditioned along with that for a Staff Travel Pack.

Drainage Impact Assessment: It is noted that the applicant has provided a supporting 'Drainage Assessment' which outlines appropriate drainage and SUDS proposals. It should also be noted that all additional aspects of roads drainage in relation to new constructed accesses shall be included and subject to the aforementioned Section 56 RCC.

Scottish Environment Protection Agency – currently object to the proposal on the grounds of lack of information on potential impacts on Groundwater Dependent Terrestrial Ecosystems. They have also provided some commentary on disruption to wetlands including peat land, pollution prevention and environmental management, drainage, existing groundwater abstractions and environmental enhancements through placemaking. They have also given details of regulatory requirements.

Scottish Water – are currently unable to confirm capacity at the Invercarnie Water Treatments Works and Nigg PFI Wastewater Treatment Works. Request that the developer complete the pre-development enquiry forms. A review of their records indicates that the proposed activity falls within a drinking water catchment where a Scottish Water abstraction is located. Also noted that Scottish Water will not accept any surface water connections into their combined sewer system.

Cults, Bieldside And Milltimber Community Council – conditionally supports this application for specialised housing with care facilities, subject to:

- The applicant providing full proposals for refurbishing Bingham House as apartments and securing its future. The traffic analysis should be updated to include the contribution from the additional homes.
- Evidence that the applicant either becomes or appoints a long-term operator to manage the development. This should include a guarantee of continuous future availability of the shuttle bus and of e-bikes. Both should be included in the Travel Plan for the development.
- Approval by ACC Roads Development of the proposed new access road joining Bingham Road.
- The developer negotiates appropriate access arrangements for existing properties which currently use the Bingham Farm access track.
- A developer contribution being made towards the increased load on primary care facilities in Lower Deeside.
- A developer contribution being made towards enhancing the core path network around Milltimber.
- The applicant resolves the security concerns expressed by Police Scotland without requiring the creation of a “gated community”.
- There should be no further housing development on Bingham Farm land to the East of Bingham House.
- Construction is scheduled to take place only after the new Milltimber Primary School is complete and operational.
- The site design should ensure that disturbance to healthy mature trees is minimised. The Planning Support Statement refers to a Tree Protection Plan but this does not appear in the documents presented.

They did acknowledge that the proposal is a departure from the current and proposed Local Development Plans and that a number of objections have been received in relation to the proposals. They noted that their Community Plan identified a shortfall of suitable good-quality retirement-friendly housing in the area and the community support for this view.

They go on to state that the proposed development of low-rise cottages and houses would offer a welcome alternative to flatted developments and would sit coherently within the Bingham House policies. It would enable senior occupants of large houses to downsize to comfortable smaller accommodation in a semi-rural environment, with access to continuing care available on site. They emphasise that this application is not for mainstream housing, which we could not support, but for specialised housing with care facilities, the nature of which clearly fits in with our Community Plan.

Further to this they also offer some commentary on the 90m contour and other developments that have been constructed within this, support the proposal of a new build care home – noting their preference for full details of these alterations. They also note that there should be continuous availability of shuttle buses and e-bikes and note that Police Scotland’s comments should be taken into consideration.

Whilst noting it is not a material planning consideration they have also asked for assurances in relation to the continuous provision of all facilities suggested in the proposal including the shuttle bus service, café, shops and allotment and would expect the applicant to appoint a long-term operator for the development on the lines of the Associated Retirement Community Operators.

Finally, the wish to see the insertion of a condition to ensure no further development on land to the east of Binghill House.

5. REPRESENTATIONS

- 5.1 176 representations have been received in relation to this application (149 comments of objection, 2 neutral comments and 25 comments of support). These representations have not been fully summarised below, but in general terms raised a number of the following issues.
- 5.2 In terms of the objecting comments concerns including the destruction of habitats, the impact on the Green Belt and Green Space Network (principle of development), impacts on the setting of the listed building, traffic concerns with the proposed development (distance to public transport, access etc).
- 5.3 In terms of the supporting comments, these commented on the type of development proposed (and the benefits this would bring to the older generation) and the benefits this would have on the wider community.

6. MATERIAL CONSIDERATIONS

6.1 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.

6.2 National Planning Policy and Guidance

- National Planning Framework (NPF3) 2014
- Scottish Planning Policy (SPP) 2014
- Designing Streets (2010)
- Historic Environment Policy for Scotland (HEPS)

6.3 Aberdeen City and Shire Strategic Development Plan (2020) (SDP)

The Strategic Development Plan 2020 was published in August 2020. The purpose of this Plan is to set a clear direction for the future development of the City Region. It sets the strategic framework for investment in jobs, homes and infrastructure over the next 20 years and promotes a spatial strategy for the next 20 years. All parts of the Strategic Development Plan area will fall within either a Strategic Growth Area or a Local Growth and Diversification Area. Some areas are also identified as Regeneration Priority Areas. The following general targets are identified; promoting diversified economic growth, promoting sustainable economic development which will reduce carbon dioxide production, adapting to the effects of climate change and limiting the amount of non-renewable resources used, encouraging population growth, maintaining and improving the region's built, natural and cultural assets, promoting sustainable communities and improving accessibility in developments.

6.4 Aberdeen Local Development Plan (2017)

- D1: Quality Placemaking by Design
- D2: Landscape
- D4: Historic Environment
- D5: Our Granite Heritage
- NC7: Local Shop Units
- I1: Infrastructure Delivery and Developer Obligations
- T2: Managing the Transport Impact of Development
- T3: Sustainable and Active Travel
- T4: Air Quality
- T5: Noise
- H3: Density
- H4: Housing Mix
- H5: Affordable Housing
- NE1: Green Space Network
- NE2: Green Belt
- NE4: Open Space Provision in New Development
- NE5: Trees and Woodlands
- NE6: Flooding, Drainage and Water Quality
- NE8: Natural Heritage
- NE9: Access and Informal Recreation
- R6: Waste Management Requirements for New Development
- R7: Low and Zero Carbon Buildings, and Water Efficiency
- C11: Digital Infrastructure

6.5 Supplementary Guidance (SG)

- Landscape
- Conversion of Buildings in the Countryside
- The Sub-division and Redevelopment of Residential Curtilages
- Planning Obligations
- Affordable Housing
- Transport and Accessibility
- Air Quality
- Noise
- Natural Heritage
- Trees and Woodlands
- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Resources for New Development

6.6 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.

In terms of the Proposed Aberdeen Local Development Plan, a development bid was put forward for the site (B0947 – Binghill House). This also included an area of land to the west. The recommendation was that the site was undesirable and was not taken forward as a development site in the PALDP.

The following policies are of relevance to the determination of this application:

- WB1: Healthy Developments
- WB2: Air Quality
- WB3: Noise
- WB4: Specialist Care Facilities
- NE1: Green Belt
- NE2: Green and Blue Infrastructure
- NE3: Our Natural Heritage
- NE4: Our Water Environment
- NE5: Trees and Woodland
- D1: Quality Placemaking
- D2: Amenity
- D4: Landscape
- D5: Landscape Design
- D6: Historic Environment
- D7: Our Granite Heritage
- R5: Waste Management Requirements for New Development
- Low and Zero Carbon Buildings, and Water Efficiency
- H3: Density
- H4: Housing Mix and Need
- H5: Affordable Housing
- VC10: Local Shop Units
- I1: Infrastructure Delivery and Planning Obligations
- T2: Sustainable Transport
- T3: Parking
- C11: Digital Infrastructure

6.7 Other Material Planning Considerations

Historic Environment Records: House and garden depicted on historic OS maps. These show the house with small structures to north and west, set in wooded grounds. East of the house is a fountain. To the north of the house is a quadrangular steading (now Binghill Steadings) with an attached horse mill at the north corner, two small structures to the east and two other buildings to the south. The smaller buildings are now disused, and the steading converted to residential use. Now named Binghill House. The house dates from circa 1840 with substantial additions of 1885-1889 and a billiard room extension added in 1900. It is two storeys with attic and basement, of three bays and multi-gabled. Built of coursed rubble with tooled granite dressings, with a grey slate roof and wide end stacks with clay cans. Bargeboards to the gables of the principal elevations have an intricately carved grapevine motif. The main entrance has sidelights and fanlights and is set under a gabled timber porch supported on octagonal columns with grapevine motif to the capitals and wrought iron finial with leaf motif. The interior has high quality plasterwork

and intricately carved timber fixtures and fitting to the principal rooms dating to the 1880s. Colonel Alexander Kyle bought the estate in 1808, and it remained in the family's possession until sold in 1885 to Martin Lindsay Hadded who enlarged and altered the house.

The site formed part of the Open Space Audit (2010).

Scheduled Monuments: Binghill House Stone Circle and Cairn: There are two stone circles (scheduled monuments) to the west of the application site.

The access to the site is covered by a Tree Preservation Order (TPO 125: Binghill Road).

7. DISCUSSION

- 7.1 As described above, following legislative change there is no longer a statutory requirement for applications concerning a significant departure from the Development Plan to be subject to determination by Full Council. The Planning Development Management Committee may therefore opt to determine an application itself, or to refer the matter to Full Council. The agreed procedures require this report to make a recommendation, and it is suggested that relevant factors for consideration in reaching that include: the level of representation attracted by an application; the scale of development proposed; the nature and extent of the resultant departure from the Development Plan.
- 7.2 The scale of this proposal, being for the erection of active retirement community (circa 60 units in mix of apartments, cottages and houses and 20-bed nursing home) including small-scale local shop and café, community allotments and associated infrastructure is such that it represents a “major development” in terms of the relevant hierarchy of developments. In addition, the current application has attached 170 representations (149 in objection, 2 neutral and 25 in support. As the main purpose of a Pre-Determination Hearing is to offer a forum for those who have made representations to be heard, it may be appropriate for the meeting to be determined by PDMC given the scale of development proposed.
- 7.3 As regards to the nature of the departure from the Development Plan, this principally relates to the zoning of the site as “Green Belt” and “Green Space Network” as well as the potential impact on the setting of the Category “C” listed Binghill House. Due to the level of development proposed the proposal clearly represents a departure from the Development Plan. The Proposed Aberdeen Local Plan retains the sites designations as “Green Belt” and “Green and Blue Infrastructure”.
- 7.4 Taking into account the scale of the proposal, the level of public representation and the status of the site in the existing and proposed Local Development Plans, it is recommended that the application should be subject to a hearing before the Planning Development Management Committee and that the application should also be determined by that Committee. This is because, whilst a major development, the proposal is not of a scale to have strategic city-wide importance that would warrant determination by the Full Council. The PDMC is equipped to provide the necessary public scrutiny via the statutory pre-determination hearing and determination of the application.

8. NEXT STEPS

A hearing will be arranged for Full Council or PDMC in accordance with the Committee's

instructions today.

Following any hearing, a report will be prepared by officers for Full Council or PDMC as per Committee's instruction today. This will include an assessment of the proposed development and make a Recommendation to Members as regards determination of the application.