

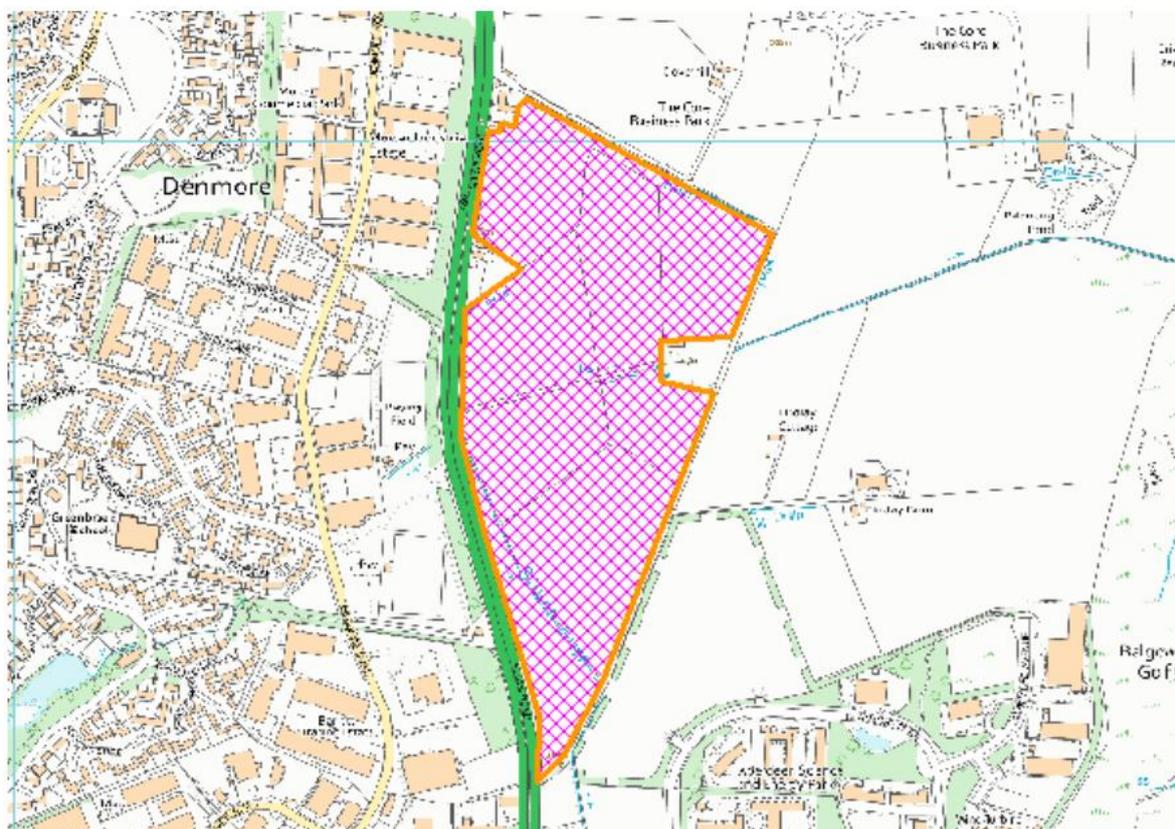


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 30 September 2021

Site Address:	Land At East Of A92 Ellon Road At Cloverhill, Murcar, Bridge Of Don, Aberdeen
Application Description:	Approval of matters specified in conditions: 1(phasing) 2(detailed design) 3(landscaping) 4(drainage) 5(archaeology) 6(contaminated land(i)) 8(safe routes to school) 9(residential travel pack) 15(noise) 16(dust) 17(species surveys) 18(water) 19(watercourses) 20(SUDS) 21(trees) 22(tree care) 23(carbon reduction and water efficiency) 25(sports pitch) 26(street design, parking) 27(CEMP)28(flood risk) of 191171/PPP in relation to the erection of 536 homes with associated landscaping, open space and infrastructure
Application Ref:	210884/MSC
Application Type	Approval of Matters Specified in Cond.
Application Date:	18 June 2021
Applicant:	Bancon Homes Ltd
Ward:	Bridge Of Don
Community Council:	Bridge Of Don
Case Officer:	Gavin Evans



RECOMMENDATION

Approve Conditionally

APPLICATION BACKGROUND

Site Description

The site extends to 22.5ha and forms part of a large Business and Industrial land allocation in the adopted Aberdeen Local Development Plan (ALDP), further identified as an opportunity site (OP2 Berryhill, Murcar), with a flood risk being noted in the allocation text. A Green Space Network (GSN) designation covers a large swathe of land running from east to west through the central part of the site.

Immediately to the west are the four lanes of the now de-trunked A92 Ellon Road, with the exception of a small number of dwellings in two pockets of development which lie between this site and the road. Beyond the A92 is the Denmore industrial area.

To the north and east is land presently in agricultural use, although this is allocated for business/industrial development in the ALDP. Indeed, the area to the north-east has seen various planning permissions granted for such development, with a number of plots further to the north-east and north already developed along with various elements of related infrastructure, collectively known as 'The Core' business park. The northern allocation is also an opportunity site (OP1 Murcar) and has a flooding potential. The associated policy (LR1 Land Release Policy) indicates that this area is not likely to see development until post 2027.

To the south and east is again agricultural land allocated for business and industrial use, with a residential property towards the northern end, access to which is taken from Ellon Road. The southern portion of the eastern boundary is adjoined by land which is subject to an extant planning permission in principle (PPiP - P160107) for an extension (Class 4, 5 and 6 use) to the Aberdeen Energy Park, the existing developed extent of which is a short distance further south-east.

Further east is the coastline of the North Sea, towards which the land generally falls. The existing landscape comprises open agricultural fields enclosed by fences/ dry stone walls/ hedgerows and several trees at various points along these divisions. The Silver Burn passes through the southern extent of the application site.

The site is allocated in the Proposed Aberdeen Local Development Plan 2020 as OP2 Cloverhill as an opportunity for 550 homes on former employment land. The site is subject to Planning Permission in Principle 191171/PPP.

Relevant Planning History

Application Ref.	Proposal	Decision Date
190136/PAN	Proposal of Application Notice	18.02.2019
190162/ESC	Request for an Environmental Impact Assessment (EIA) Screening Opinion	20.02.2019
191171/PPP	Planning Permission in Principle for the <i>'Erection of residential led, mixed use development of approximately 550 homes, community and sports facilities, retail (Classes 1, 2, 3 and Sui Generis) with associated landscaping, open space and infrastructure'</i>	16.11.2020

APPLICATION DESCRIPTION

Description of Proposal

This application seeks approval of various matters specified in conditions attached to an earlier Planning Permission in Principle (ref 191171/PPP). The overall proposal presented in this application is for the erection of 536 homes with associated landscaping, open space and infrastructure.

The PPiP conditions against which approval is sought are as follows:

1 (phasing); 2 (detailed design); 3 (landscaping); 4 (drainage); 5 (archaeology); 6 (contaminated land(i)); 8 (safe routes to school); 9 (residential travel pack); 15 (noise); 16 (dust); 17 (species surveys); 18 (water); 19 (watercourses); 20 (SUDS); 21 (trees); 22 (tree care); 23 (carbon reduction and water efficiency); 25 (sports pitch); 26 (street design, parking); 27 (CEMP) and 28 (flood risk).

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=QUSXULBZKVC00>

These include:

- Acoustic Boundary Conditions plan
- Air Quality Dust Risk Assessment
- Archaeological Date Structure Report
- Biodiversity Action Plan Report
- Construction Environment Management Plan (CEMP)
- Concept Drainage Layout Plan
- Contaminated Land Report
- Cut/Fill Contours and Volumes
- Design Statement rev P03
- Drainage Assessment
- Dust Management Plan
- Pre-Construction Protected Species Report
- Energy Design Analysis Report
- Existing Services Report
- Footway and Cycleway Linkages Plan
- Foul Drainage Strategy Plan
- Landscape Maintenance Schedule
- Noise Impact Assessment
- Phasing Layout
- Planning Statement
- Pollution Prevention Plan
- Landscape Layout and schedule
- Residential Travel Pack
- Safe Routes to Schools Assessment
- Swept Path Analysis
- Watercourse Management Plan

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee due to an objection from the local Bridge of Don Community Council. Accordingly, the application does not fall within the scope of the scheme of delegation for determination of planning applications.

CONSULTATIONS

Archaeology Service (Aberdeenshire Council) – No objection. Content for condition 5 to be discharged.

ACC - Contaminated Land Team – ACC's Contaminated Land Team recommended contamination conditions be applied to the PPIp approval due to the historic presence of a petrol station immediately to the south of the site, with potential for contamination to have migrated onto the development site. A submitted Geo-Environmental Interpretative Report has been reviewed, and necessary groundwater sampling and analysis has been undertaken to demonstrate that the historic use does not pose a risk. On that basis, the Contaminated Land Team is content to recommend discharge of condition 6.

ACC - Environmental Health – No objection. The submitted noise assessment (PPIp conditions 15 & 25) has been reviewed and found acceptable, subject to a restriction on hours of use of the sports pitch (already secured via PPIp condition 24). Submissions relating to dust management and mitigation (PPIp condition 16) have also been reviewed and accepted. The submitted Construction Environment Management Plan is acceptable from an Environmental Health perspective.

ACC - Structures, Flooding and Coastal Engineering – No objection, having reviewed the revised Drainage Impact Assessment and associated documents.

ACC - Housing – No objection. Notes that this development forms part of the Aberdeen City Council new build programme and will be 100% affordable. Satisfied with the mix of units proposed, based on an anticipated future shift away from Council tenant high rise living and knock-on effect this may have on the citywide housing mix.

Police Scotland – No objection. It is noted that the site is in a low crime area. Variation in surfacing materials for roads, paths is recommended to highlight the transition from 'public' to 'private' spaces. Vehicular and pedestrian routes should also be designed to be visually open and direct, with dwellings positioned to offer passive surveillance of open space/car parking areas and discourage crime. Footpaths should be wide and well-lit.

Communal areas such as playgrounds and seating areas should be designed to allow natural surveillance from nearby dwellings, with safe and accessible access routes. General advice on lighting, windows and entry door specification is offered. The applicant is encouraged to attain the 'Secured by Design' award – an informative with details has been recommended.

ACC - Roads Development Management Team – No objection. Notes the submission of additional information/revised plans to address earlier comments.

Access/general

The two access junctions proposed onto the A92 are largely acceptable in their principle and general design, and the Roads Construction Consent (RCC) process will deal with detailed junction design separately. It is further noted that a footpath is shown crossing a turning head to the rear of plot 355 – it is recommended that the path be re-routed around the turning head, however this can be considered further as part of the detailed roads design at RCC stage.

The site layout includes adequate traffic calming and footpaths are designed in accordance with 'Housing for Varying Needs', which is beneficial. The submitted waste collection strategy is acceptable for both residential and retail/commercial/community uses.

As regards delivery of a Toucan crossing south of the Murcar roundabout (per PPiP condition 12), the applicants have given reassurance that this will be delivered at roughly the same time as the main access junction, such that the revised phasing strategy does not give rise to any conflict with condition 12.

Drainage

The applicant is proposing that new gravity surface water sewers and road drains will be provided within the access roads, shared driveways and areas of open space. These will shed into trapped gullies, which in turn will gravitate into one of four attenuation structures – 3no SUDS basins and 1no cellular storage area. Flows from these attenuation features will be restricted to values not exceeding the greenfield runoff value. These will then gravitate to grass conveyance swales, and then into natural watercourses. All of the above will be designed in accordance with Sewers for Scotland and the SUDS manual. This is acceptable. It has also been demonstrated that water would be adequately treated prior to leaving the site to protect the water environment from pollution.

The proposed sports pitch will have drains built underneath it, which will drain to a stone filled filter trench, before flowing to the surface water sewer, joining the rest of the surface water from the development for treatment. This is acceptable.

The general principles of the drainage proposed are acceptable. Spacing of gullies and their position will be assessed during the corresponding RCC. It is noted that access tracks/roads have been provided for the maintenance of SUDS ponds, which is welcomed.

Safe Routes to Schools

Notes that the proposed site layout provides a good range of pedestrian infrastructure to allow travel throughout the site, including a 3m wide footway/cycleway which runs from North to South through the entire length of the site. As this is set back off the A92, this is considered to be safer and better suited to children travelling to school. It is noted traffic along the A92 is to be restricted to 40mph, with a temporary 20mph limit applying during school travel times and indicated via flashing 20mph signs. A Traffic Regulation Order (TRO) will be required for this (secured by PPiP condition 11). It is noted that crossing points will be delivered over the A92 at the main access junction and to the north, close to the Murcar roundabout.

The combined footway/cycleway will connect to another development site to the south at the former Silverburn House, should that proceed, potentially giving access to an additional crossing point over Parkway East and offering an alternative route for school travel. RDM conclude that the site is highly accessible internally and well connected externally to existing pedestrian routes, facilitating safe travel to school.

Residential Travel Pack

The travel plan submitted includes information about walking, cycling, bus facilities/routes and associated health benefits of active travel. This is considered to be acceptable, having been updated to include further information on the location of bus stops/services serving the Cloverhill site – it is noted that this will be updated again to include details of new bus stop locations once routing through the site has been agreed. The RTP now also includes information on the car club provision to be made within the site. This is noted and accepted.

Street Design/Parking

Parking has been incorporated within the layout, to include 81 wheelchair accessible spaces, 364 general spaces and 91 visitor parking spaces, for a total of 536 spaces serving the residential units. In addition, a further 82 car parking spaces and 2 no bus parking spaces are proposed to serve the commercial/community/sports facilities. 2 no Car Club spaces are also identified in a central location. 9 no motorcycle spaces and 70 cycle spaces are also provided, with cycle stores suitable secure and sheltered for long-stay use. 158 active Electric Vehicle (EV) spaces are proposed, and every other space would have passive provision, which is welcomed. Swept path analysis drawings have been provided to demonstrate the adequacy of the roads layout for vehicle manoeuvres. These are accepted, and will be subject to further assessment as part of the RCC process.

Construction Environment Management Plan (CEMP)

The content of the CEMP is robust and acceptable from a RDM perspective.

Scottish Environment Protection Agency – No objection.

Information was provided to justify the proposal for an 82m section of arched culvert along the Silver Burn. Details were included to demonstrate that the preferred option of two separate culverts in close proximity would not be feasible. Updated drawings propose use of an arched culvert, providing a bottomless culvert solution. Further information relating to options for de-culverting of the Glashieburn and the 525m section of culvert to the south have been provided, demonstrating that de-culverting of the Glashieburn based on the current proposed layout is not feasible and may be of little benefit to the development or provision of environmental enhancement. It has been demonstrated that Scottish Water is responsible for the 525m culvert and de-culverting

Information has been provided on works within buffer strips around watercourses, including justification in terms of site layout and cut/fill works. The internal road layout has been altered to avoid conflict between the position of roads and the culverted Glashieburn, minimising the extent of road over the watercourse.

Construction details have been provided to illustrate the relationship between an existing spring/groundwater and the proposed detention basin to the NE corner of the site. This demonstrates that groundwater would be collected underground and discharged via pipe into culvert, with the proposed detention basin above to be lined to prevent groundwater entering the detention basin. The applicants have advised that although a detention basin is proposed there would be some water retention for the purposes of habitat enhancement, rather than utilising the groundwater/spring to provide separate environmental enhancement.

As regards flood risk, SEPA notes that there is no land raising or built development within the floodplain. The site plan previously indicated allotments in the identified floodplain, and SEPA had advised that it would be for the planning authority to determine whether the increased risk of flooding would be acceptable, suggesting that this area might instead be appropriate for the creation of a new wetland, with environmental enhancement. The site plan has since been revised to re-site the proposed allotments outwith the area identified as being at risk of flooding.

Scottish Water – No objection. Confirm that the development would be fed from Invercarnie Water Treatment Works, but a separate formal submission to Scottish Water will be required to obtain a full appraisal. There is currently sufficient capacity for a foul only connection at Nigg Waste Water Treatment works, however a formal application will be required for this also. It is highlighted that capacity cannot be reserved, and availability will be reviewed once full planning permission has been granted and a formal connection application submitted to Scottish Water.

ACC - Waste And Recycling – No objection. General information is provided on the cost, size and specification of general waste, recycling, garden waste containers etc. for flats and dwellings. The location of bin stores has been agreed. It is noted that the access road serving plots 503-536 ends in a turning head and if used for parking this may necessitate a very long reversing manoeuvre. Roads colleagues have confirmed that parking has been provided in line with approved Supplementary Guidance rates and, in the event that there is an issue with parking in the turning head obstructing waste vehicles, traffic management measures can be considered.

Advice is offered on the location of refuse storage points relative to dwellings/flats and to the route used by refuse collection vehicles. Detailed swept path analysis has been provided as requested.

Bridge Of Don Community Council – Objects to the proposal, raising the following concerns:

- Medical facilities in Bridge of Don are currently at capacity and the proposed development will increase demands on already stretched services;
- Local schools will struggle to cope with additional demands;
- Notes that some parts of the development would be more than 2 miles from Scotstown School, contending that this is likely to mean more parents driving and additional congestion;
- Considers that the site is currently not well served by public transport, so will be reliant on travel by car;
- Development would add to congestion on the A92, with a negative impact on air quality;
- A temporary 20mph speed limit on the A92 is totally impractical and would reverse the benefits seen from the AWPR and Diamond Bridge. This temporary speed limit will encourage car users to use alternative routes, creating problems elsewhere;
- Encourages further traffic modelling to assess the impact of the development given the inadequate local roads infrastructure;
- Questions whether the shops and community facilities will ever be delivered.

REPRESENTATIONS

None.

MATERIAL CONSIDERATIONS

Legislative Requirements

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

National Planning Policy and Guidance

Scottish Planning Policy (2014)

Scottish Planning Policy was approved in 2014. An updated version published in December 2020 is currently subject to challenge, therefore SPP 2014 remains in place. Sections relating to *'enabling delivery of new homes'*, *'valuing the natural environment'*, *'maximising the benefits of green infrastructure'*, *'managing flood risk and drainage'* and *'promoting sustainable transport and active travel'* are relevant to this application.

Creating Places (architecture and place policy statement)

Scotland's policy statement on architecture and place sets out the comprehensive value good design can deliver. Successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy. The document contains an action plan that sets out the work that will be taken forward to achieve positive change. The statement is in four parts:

1. The value of architecture and place,
2. Consolidation and ambition,
3. A strategy for architecture and place,
4. Resources, communications and monitoring.

Designing Streets (2010)

Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda and is intended to sit alongside Designing Places, which sets out government aspirations for design and the role of the planning system in delivering these.

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. Aberdeen City is designated as a Strategic Growth Area. 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. The SDP also sets out Housing Supply Targets for both Council areas, to be detailed through allocations in the Local Development Plans.

Aberdeen Local Development Plan (2017)

- Policy LR1 – Land Release Policy
- Policy LR2 – Delivery of Mixed Use Communities
- Policy D1 – Quality Placemaking by Design
- Policy D2 – Landscape
- Policy NC4 – Sequential Approach and Impact
- Policy NC5 – Out of Centre Proposals
- Policy NC8 – Retail Development Serving New Development Areas
- Policy I1 – Infrastructure Delivery and Planning Obligations
- Policy T2 – Managing the Transport Impact of Development
- Policy T3 – Sustainable and Active Travel
- Policy T5 – Noise
- Policy B1 – Business and Industrial Land
- Policy B4 – Aberdeen Airport
- Policy H3 – Density
- Policy H4 – Housing Mix
- Policy H5 – Affordable Housing
- Policy CF2 – New Community Facilities
- Policy NE1 – Green Space Network
- Policy NE4 – Open Space Provision in New Development
- Policy NE5 – Trees and Woodlands
- Policy NE6 – Flooding, Drainage and Water Quality

Policy NE8 – Natural Heritage
Policy NE9 – Access and Informal Recreation
Policy R6 – Waste Management Requirements for New Development
Policy R7 – Low and Zero Carbon Buildings, and Water Efficiency
Policy CI1 – Digital Infrastructure

Supplementary Guidance and Technical Advice Notes

- Master Plans;
- Energetica;
- Transport and Accessibility;
- Noise;
- Planning Obligations;
- Affordable Housing;
- Landscape;
- Children’s Nurseries;
- Natural Heritage;
- Open Space;
- Trees and Woodland;
- Flooding and Drainage.

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. 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 –

- such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP;
- the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

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

EVALUATION

Principle of Development

The principle of development of the type and scale proposed was established through the earlier granting of Planning Permission in Principle (PPiP) in November of 2020, following the Planning Development Management Committee’s expression of its willingness to approve subject to conditions and successful conclusion of a legal agreement concerning matters including affordable housing provision and payment of developer obligations. This application seeks to address many of the conditions which were attached to that grant of PPiP, to allow development to commence. These are detailed below.

Condition 6: Contaminated land

Policy R2 (Degraded and Contaminated Land) requires that all land that is degraded or contaminated, including visually, is either restored, reclaimed, or remediated to a level suitable for its proposed use.

ACC's Contaminated Land Team has reviewed the submitted Geo-Environmental Interpretative Report, and advised that groundwater sampling and analysis should be undertaken to adequately assess the risks from contamination related to the historic presence of a petrol station immediately to the south of the site. Additional information has now been provided and ACC's Contaminated Land Team advises that this provides comfort that the former petrol station located close to the site does not pose a risk. On that basis, the Council's Environmental Health Service recommends that condition 6 is discharged. The Planning Service is satisfied that the proposals are consistent with the requirements of policy R2 (Degraded and Contaminated Land).

Condition 5: Archaeology

An Archaeological Data Structure Report has been prepared by Cameron Archaeology Ltd and reviewed by Aberdeenshire Council's Archaeology Service on ACC's behalf. This report details archaeological evaluation incorporating 161 trenches across the site, with a concentration of stone artefacts (lithics) found in the NE part of the site, along with 3 flints. The report recommends that a Post-Excavation Research Design (PERD) is compiled, which is consistent with the requirements of PPIp condition 5, but concludes that no further fieldwork is required. Aberdeenshire Council's Archaeology Service has advised that this report is acceptable, and the provisions of PPIp condition 5 require that details of that PERD for the analysis, publication and dissemination of results must be submitted to and agreed in writing by the planning authority prior to first occupation.

Condition 17: Species Surveys

A report detailing pre-construction surveys for protected species has been submitted and reviewed with input from Environmental Policy colleagues within the Planning Service. Surveys indicated no signs of badger, water vole, reptiles or red squirrel within the site. Earlier PPIp submissions noted that some existing trees with cavities could provide roosting spaces for bats and therefore any such trees to be removed should first be checked for possible bat roosting features. As regards birds, skylark and reed bunting were recorded within the site. Roe deer and signs of their activity were also frequently observed. Recommendations include standard protective measures and it is also noted that the presence of roe deer and rabbits will necessitate protection of new saplings as part of any landscaping scheme. As there is potential for nesting birds, any site clearance works within the bird breeding season (April to end July) should not be undertaken until affected habitats have first been checked for signs of breeding birds being present. The report also recommends that giant hogweed is subject to a programme of eradication, with site staff made aware of its health implications. The Planning Service is satisfied that the submitted report meets the requirements of PPIp condition 17 and that the recommended mitigation measures will provide appropriate safeguards for wildlife within the site, consistent with policy NE8 (Natural Heritage) of the ALDP.

Conditions 2 (Detailed Design) and 26 (Street Design/Parking)

Policy D1 (Quality Placemaking by Design) requires that all development must ensure high standards of design and have a strong and distinctive sense of place which is a result of context appraisal, detailed planning, quality architecture, craftsmanship and materials. Well considered landscaping and a range of transportation opportunities ensuring connectivity are required to be compatible with the scale and character of the developments.

This application is accompanied by an updated Design and Access Statement, which sets out the key design principles underpinning the proposed development of the site. The scheme remains faithful to the key principles of an earlier Design and Access Statement lodged as part of the PPIp

application. The site layout incorporates a central signalised access junction and a secondary 'left-in, left-out' junction to the south. The new central signalised junction offers the main point of arrival to the site and acts as the focal point, with retail and community uses, higher density flatted blocks and a central linear open space delivering an aspirational core path route from west to east. The central linear park reflects the location of a Green Space Network designation which applies to a central portion of the site, along the route of the aspirational core path. Other areas of open space of differing types are provided throughout the site, with a landscaped corridor along the route of the Silver Burn in the southern portion of the site, north and south 'pocket parks' which include play equipment, a sports pitch and an area set aside for allotments to the south of the site. Drainage infrastructure has been integrated within open spaces at the central linear park, at the north-eastern corner of the site and at the south of the site, adjacent to the Silver Burn. These detention basins would allow for the treatment and slow release of surface water from the site at a controlled rate, but would often be dry so do not need to be fenced off and can also act as recreational space within the development.

The internal road layout has been reviewed by the Council's RDM Team and is considered to be acceptable, with a clear roads hierarchy which provides access and circulation routes suitable for buses and refuse vehicles. It is noted that the earlier PPiP envisaged bus stops being provided on the A92 to serve the development, however the layout has been designed in such a way that buses can in future utilise the interior street network.

The proposed development includes a mix of flats and houses (370 houses and 166 flats), and a range of dwelling types which includes, detached, semi-detached and terraced house types. Units range from 1 to 4 bedrooms and include 81 wheelchair adaptable units of varying sizes. This mix of unit types and sizes is considered to be consistent with the aims of policy H4 (Housing Mix) of the ALDP. Small-scale retail/commercial units are included at ground floor level in flatted block 2, adjacent to the proposed 'village square' space. Such units would provide for local shops or services, within use classes 1, 2, 3 or 10 – these use classes would allow for uses such as retail, hairdresser, café, professional services (e.g. dentist, estate agent) or nursery. Also located at this central portion of the site would be a new community facility at ground floor level within block 3. To the southern portion of the site, a new sports pitch would be provided, with land set aside for a changing pavilion to be delivered at a later date, subject to permission being obtained by others. Members should note that the legal agreement related to the earlier PPiP consent regulates the transfer of the sports pitch and changing facilities to an approved community body if agreement can be reached, with payment of a financial contribution required in the event that it is not possible to reach agreement with an appropriate community body. In addition to the main housing areas, the combination of flats in the higher density village core, commercial uses, sports facilities and allotments is appropriate for a development of this scale and meets placemaking requirements.

The main difference from the PPiP stage is that the 536 residential units proposed would be delivered as 100% affordable housing, exceeding the 25% requirement set out by policy H5 (Affordable Housing) and which was secured via a planning agreement at the PPiP stage. As a result, reduced residential car parking standards apply and this is reflected in the development layout. As mainstream residential development would require a higher provision of on-site car parking which is not compatible with the proposed layout, it will be necessary to apply a condition which restricts the development to social housing only. This approach has been used in other cases where a development of exclusively affordable housing is reliant on the reduced parking rate provided for by Supplementary Guidance to the ALDP. An adequate supply of wheelchair accessible and visitor spaces is also included within the overall provision, with wheelchair accessible spaces located alongside accessible dwelling types. Provision has been made on site for 2no Car Club spaces, 9no motorcycle spaces and 70no cycle spaces. Electric Vehicle charging infrastructure is incorporated by way of 158 'active' charging points, with every other space served by 'passive' provision which allows for new charging points to be easily installed in future in line with increased demand.

The Design and Access statement identifies three 'character areas' within the proposed development, roughly corresponding to the north, central and south portions of the site. These character areas are partially defined by the presence of various formal and informal open spaces, commercial and community uses, however there is also variation in the built form and landscaping, including differences in drydash render specifications, window and external cladding colours and use of facing blockwork within the central character area. It is considered that the materials palette is appropriate to its context and offers subtle variations which reflect different character areas within the development whilst still retaining a consistent overall tone. Boundary treatments include the re-use of stone from existing field boundaries as feature dry stone walls in open spaces around SUDS features, which serves to enhance biodiversity value. Rear plot boundaries are generally 1.8m high and are formed in timber fencing, or rendered blockwork walls and a 900mm wall with 900mm fence top. The use of walling is generally focused on corner plots or more prominent ends of rows/terraces where there is an interface between open spaces and private plots. To the front, boundaries are generally defined by hedging and soft landscaping to provide a visually softer appearance whilst still denoting the extent of public and private spaces.

In terms of hard landscaping and road surfacing, the Design and Access Statement identifies a clear street hierarchy, with primary, secondary and tertiary streets differing in their geometry, materials and landscaping. Primary streets are focused around the site accesses and higher density core with commercial uses to the central portion of the site, and are designed to be capable of accommodating bus services in future. A combined 3m wide cycle/footway would also be included in the primary street layout, along with the inclusion of street tree planting. Secondary streets facilitate access and accommodate some driveways and traffic calming measures, whilst tertiary streets and lanes are designed for lower traffic and include shared surfaces and give access to parking courts which allow for vehicles to be kept away from main street frontages, enhancing the character of those areas. Road surfaces on tertiary streets would also be formed using asphalt with red chippings to provide variation and also signify a change in the character of these spaces, where road users would share the surface.

It is considered that the layout and design of the development takes account of the provisions of Policy D1 (Quality Placemaking by Design). The updated Design and Access Statement maintains the key principles of the earlier PPIP decision and expresses these through a high-quality development which includes a range of residential unit types and sizes alongside appropriate local commercial and community uses, open spaces and landscaping, accompanied by appropriate pedestrian and cycle infrastructure to connect within the surrounding networks of paths and other routes. Appropriate provision is made within the development for the storage and collection of refuse and recycling, with a roads layout which can accommodate refuse vehicles and allows for collection points in convenient locations for both residents and refuse operatives. In this regard, the proposal is consistent with policies NE1 (Green Space Network), NC8 (Retail Development Serving New Development Areas), T2 (Managing the Transport Impact of Development), T3 (Sustainable and Active Travel), R6 (Waste Management Requirements for New Development) NE4 (Open Space Provision in New Development) and NE9 (Access and Informal Recreation). Development is provided at an appropriate net density of 32 dwellings per hectare, which is satisfies the ALDP policy H4 (Density) requirement for all new developments to achieve a minimum of 30 dwellings per hectare. With this in mind, it is considered that the proposal satisfies the requirements of PPIP conditions 2 (Detailed Design) and 26 (Street Design, Car Parking, etc).

Condition 8: Safe Routes to School

The application submissions include a Safe Routes to School Assessment, which highlights that the site lies within the catchment areas for Scotstown Primary and Bridge of Don Academy. It is noted that Greenbrae Primary and Braehead Primary area also located nearby, so are included in the assessment. This submission notes that access to all schools will require crossing of the A92/A956 dual carriageway. For those travelling from the northern and central sections of the

development, this would utilise the Toucan crossing which forms part of the main new access junction serving the development. For pupils travelling from the southern part of the site, they would have to either travel north to access that same Toucan crossing or alternatively use a new foot/cycle path provided as part of this development to reach a new Toucan crossing on Parkway East which is to be provided as part of a separate development at the former Silverburn House site.

ACC's Roads Development Management Team has reviewed the proposal and noted that the internal site layout provides a range of pedestrian infrastructure, including a 3m wide footway/cycleway, running north to south through the site and set back off the busy main road. In conjunction with the delivery of a new crossing at the main site access, this is considered to facilitate safe travel to schools, and would be further aided by a temporary 20mph speed limit on the A92 Ellon Road, which is secured by other conditions on the PPIp. The provision of an additional crossing on Parkway East in connection with a separate planning proposal at the former Silverburn House site will, if that development goes ahead, provide a further option for safe school travel. Taking these matters into account, the proposal is considered to meet the requirements of condition 8 of the PPIp and is consistent with policies T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) of the ALDP.

Condition 9: Residential Travel Pack

Condition 9 requires submission and agreement of a Residential Travel Pack, the aim of which is to promote sustainable travel choices to and from the site, with an emphasis on reducing reliance on the private car, thereby lessening the impact of the development on the surrounding road network. A Residential Travel Pack has been submitted and, following feedback from the Council's Roads Development Management Team, will include a map of local bus stops serving the development site to accompany a bus map of city centre services/stops. The revised RTP also includes information on bus and cycle routes, as well as indicative information on the location of Car Club spaces within the development which will be updated with full details prior to being issued to residents on first occupation of residential units. The Council's RDM Team has expressed its satisfaction with the revised submission, which is considered to meet the requirements of PPIp condition 9 and is consistent with the relevant 'Transport and Accessibility' Supplementary Guidance commentary on Travel Plans/Packs, as well as the overarching aims of policy T3 (Sustainable and Active Travel) of the ALDP.

Conditions 3 (Landscaping) and 21 (tree survey and protection measures)

Policy NE5 indicates 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.

A tree survey accompanying this application identifies existing trees, along with tree and shrub groups. 36 mature and semi-mature specimens are arranged along the route of the Silver Burn, with a central cluster of 7 at existing field boundaries and two distinct rows of 14 and 16 trees along the northern site boundary. The most common species are ash, sycamore and wych elm, with smaller numbers of beech, alder and hawthorn. Hawthorn hedgerows are also present along field boundaries.

15 individual trees are identified for removal to facilitate the proposals, along with two groups of shrubs. Of those fifteen, the tree survey notes that six would be removed to accommodate construction, five to accommodate new landscaping and four to accommodate earthworks/level changes. There are some localised areas of encroachment into root protection areas to facilitate level changes and path construction, however the trees are still capable of retention subject to use of no-dig construction methodology. Some houses at the north-western corner of the site have been repositioned to provide greater space around existing trees, allow for future growth and reduce encroachment on these trees' zone of influence. The arboricultural submission includes

specifications and an accompanying plan demonstrating the form and location of tree protection barriers, designed to safeguard the health of retained trees during construction. This specification is sufficient to address the requirements of PPIp condition 21 (tree survey and protection measures), which secures ongoing compliance with any approved scheme.

In terms of new landscaping, section 4 of the revised Design and Access Statement sets out the type and extent of landscaping across the site, including the various areas of open space. The mix of soft landscaping and plant species proposed across the site is acceptable, including provision for habitat of ecological value and a high proportion of native species. Mixed native hedges and areas of scrub are also welcome as these provide habitat for birds and other wildlife. Landscape planting is also shown within SUDS areas, and it is noted that these also incorporate dry-stone walls which would be an attractive feature which contributes to the character of the new development. Bench seating is provided throughout the development's open spaces, with play equipment provided in open spaces at the north and south of the site. Cut and fill contour plans and sections showing the development alongside existing ground levels show that earthworks would not result in excessive level changes, but would allow more even levels to accommodate new roads construction. Boundary treatments are discussed elsewhere in this report under condition 2 (Detailed Design), and the application submissions include a management plan for buffer strips along water courses which has been reviewed and found acceptable by Environmental Policy colleagues within the Planning Service. As noted under condition 22, below, landscaped areas will be maintained by an appointed factor (or by ACC itself), with an acceptable schedule of regular maintenance set out. Taking these matters into account, the proposal is considered to satisfy the requirements of PPIp condition 3 (Landscaping) and accord with the provisions of ALDO policies D2 (Landscape), NE1 (Green Space Network), NE5 (Trees and Woodlands) and NE8 (Natural Heritage).

Condition 22: Tree Care

Submissions relating to condition 22 include a schedule for the maintenance of soft landscaping for years 1 to 5, along with maintenance proposals contained within a Biodiversity Action Plan. These have been reviewed by Environmental Policy colleagues within the Planning Service and are considered to be acceptable. As highlighted in the submitted pre-construction species surveys, the presence of roe deer in the local area necessitates the use of measures to protect new tree specimens as they become established. Hard and soft landscaped areas will be maintained by an appointed factor, with regular grass cutting, pruning, watering, weeding and replacement of any dead or dying trees and plants. These proposals are considered to satisfy the requirements of PPIp condition 22, subject to compliance with the agreed schedule, consistent with ALDP policies D2 (Landscape), NE4 (Open Space Provision in New Development) and NE5 (Trees and Woodlands).

Condition 1: Phasing

Condition 1 requires all development to take place in accordance with an agreed phasing programme. Indicative phasing had been shown within the Design and Access statement provided in support of the earlier PPIp application, however condition 1 provides for alternative phasing to be agreed via this approval of matters specified in conditions process. A phasing layout plan has been provided, which illustrates development commencing at the central part of the site containing the main new access junction, before proceeding simultaneously both north and south. This provides for a rational progression of the development and allows for early delivery of the main access junction, retail units and central linear park open space, along with SUDS infrastructure to the site's north-eastern corner. The last parts of the development to be delivered would be flats and houses in phases 6, 7 and 8 in the north-western corner of the site. Indicative dates suggest a target for completion of the final phases by Jan 2026, however members should note that the pace of construction is not controlled by the planning consent.

The 'indicative' phasing set out at the PPIp stage had also involved development commencing in the central portion of the site, with the northern portion of the site in phase 2 and a smaller phase 3 at the southern tip of the site. It is noted that condition 12 prohibits occupation of units in the northern portion of the site until a pedestrian crossing has been provided south of the Murcar roundabout. The applicants have confirmed that discussions are ongoing regarding the design and specification of that crossing, and their intention is that this would be delivered at roughly the same time as the main signalised site access junction, such that the Murcar Toucan would be installed and available for use prior to occupation of first units in phase 1, ahead of the trigger point set out by PPIp condition 12. It is considered that the proposed phasing is acceptable and meets the requirements of PPIp condition 1 (Phasing), presenting no conflict with the requirements of PPIp condition 12 in relation to the delivery of necessary roads/pedestrian infrastructure and consistent with the aims of policy T3 (Sustainable and Active Travel).

Conditions 4 (Drainage Connections), 18 (Private water supplies), 19 (Watercourses and de-culverting) and 20 (Sustainable Urban Drainage Systems)

Drainage Connections and SuDS

Policy NE6 requires that a Drainage Impact Assessment should detail how surface water and wastewater will be managed. Connection to the public sewer will be a prerequisite of all development where this is not already provided. PPIp condition 4 (Drainage Connections) requires that proposals include details of the means of disposal of foul and surface water from any given phase of the development as part of a Sustainable Urban Drainage System (SuDS). Condition 4 reiterates policy NE6's requirement for connection to the public sewer. PPIp condition 20 requires submission of a detailed scheme of sustainable drainage, to include details of any proposals to de-culvert existing watercourses and measures to minimise impacts on an existing spring in the north-east of the site.

The submission includes a Drainage Assessment which confirms that there are no existing adopted foul or combined sewers within the application site itself. There is an existing 525mm diameter surface water sewer located at the southernmost part of the site, which discharges into the Silver Burn. Existing foul, combined and surface water sewers are located to the west site of the A92. These existing sewers will serve as the discharge point for foul water flows from the proposed development, with new gravity foul sewers provided within access roads, shared driveways and areas of open space, ensuring connection for each individual plot. These will shed into trapped gullies, which in turn will gravitate into one of four attenuation structures – 3 SUDS basins and 1 cellular storage area. Flows from these attenuation features will be restricted to values not exceeding the greenfield runoff value. These will then gravitate to grass conveyance swales, and then into natural watercourses after treatment. The sports pitch would have drains beneath it, which would drain to a stone filled filter trench before flowing to the surface water sewer along with surface water flows from the rest of the development. ACC's RDM team has reviewed these arrangements and confirmed them to be acceptable in terms of the requirements of policy NE6 (Flooding, Drainage and Water Quality).

The submission advises that it is assumed that the site is currently drained by a network of field drains, which will be investigated as part of initial construction works and any existing field drains will be diverted to suit the development layout and routes to existing outfalls or a similar alternative. The submitted information confirms that the proposal satisfies the terms of PPIp conditions 4 (Drainage Connections) and 20 (Sustainable Urban Drainage Systems) as regards the drainage connections and a scheme of sustainable drainage.

As regards the relationship between drainage infrastructure and an existing groundwater spring to the north-eastern corner of the site, the submitted Drainage Assessment advises that flows from that spring would be collected underground and discharged via pipe into an existing culvert, with the detention basin above to be lined to prevent any groundwater from the spring entering the

detention basin. This arrangement has been reviewed and accepted following consultation with SEPA, and is therefore considered to satisfy the requirements of PPIp condition 20 as regards the existing groundwater spring.

Private Water Supplies

PPIp condition 18 (Private Water Supplies) restricts commencement of development until it has been demonstrated that any wells in the vicinity are avoided through appropriate buffers, per SEPA guidance. The applicants have provided correspondence with ACC (which maintains a register of private water supplies) which confirms that there are no records of any existing private water supplies within 100m of the site boundary. This evidence is considered to be sufficient to demonstrate that there would be no adverse impact on existing private water supplies as a result of the development proposal, satisfying the requirements of PPIp condition c18 and consistent with ALDP policy NE6 (Flooding, Drainage and Water Quality) as regards private water supplies.

Treatment of Watercourses

Policy NE6 (Flooding, Drainage and Water Quality) sets out a presumption against excessive engineering and culverting of waterbodies, highlighting that natural treatment of floodplains and other water storage features will be preferred wherever possible. In addition, there will be a requirement to restore currently culverted or canalised water bodies to a naturalised state where this is possible. It is recognised that in some instances culverts are unavoidable for technical reasons, and in such instances they should be designed to maintain existing flow conditions. Proposals for new culverts should have a '*demonstrably neutral impact on flood risk*'.

PPIp Conditions 19 and 20 both require details of any proposals for de-culverting of existing watercourses within the site. In addition, condition 19 requires related information on how watercourses have been accommodated within the proposed site layout, including any realignments and the incorporation of appropriate buffer strips.

Application submissions include a Watercourse Report (Fairhurst Consulting Engineers), Watercourse Management Plan and Channel, Culvert, Surface Water Flows and Flood Assessment Report documents. These documents outline that a section of the Silver Burn which is currently in an open channel would require to be culverted in order to accommodate the two new site access junctions and related roads geometry. Following initial consultation with SEPA, further information has been provided to incorporate a bottomless arched culvert design and demonstrating that the site levels are such that the provision of two separate culverts/watercourse crossings in close proximity would not be feasible as this would leave a steep embankment on each side of the burn, which would not offer useable green space or biodiversity enhancement. It is further noted that one longer section of culvert in this location is preferable for long-term maintenance and avoidance of increased flood risk resulting from obstruction to culverts. This justification and revised culvert specification for the Silver Burn has been reviewed and accepted in the latest SEPA consultation response. Options for de-culverting the Glashieburn, which runs west to east through the central portion of the site within an existing culvert, have also been explored, however the site levels, maximum gradients for slopes and generally very low flow rates within this culvert mean that opening up the culvert through the central open space would provide negligible ecological benefit, but would effectively undermine the value and success of this central open space. For these reasons, the Planning Service is satisfied that the location and extent of new culverting is necessary to facilitate the development and would not result in increased flood risk. The Council's Structures, Flooding and Coastal Engineering team has confirmed that it has no objections to the proposal. The Planning Service also considers that the submissions provide appropriate justification for retaining the Glashieburn within its existing culvert, consistent with the requirements of policy NE6 (Flooding, Drainage and Water Quality) and addressing the requirements of PPIp conditions 19 and 20.

Condition 28: Flood Risk

PPiP condition 28 requires submission and approval of a Flood Risk Assessment based on the final proposed site layout and including consideration of flood risk from all sources likely to affect the development. The potential for flooding to affect the site is considered in the submitted 'Channel, Culvert, Surface Water Flows and Flood Risk Assessment Report' by Fairhurst Consulting Engineers. The planning service has sought input on the content of this report from both ACC's Structures, Flooding and Coastal Engineering Team and SEPA. Following initial feedback, the site layout has been revised to relocate allotments outwith an area that is currently affected by flooding as a result of flows being carried along an existing track (outwith the application site) before settling at a low point within the site. Following that change, SEPA has confirmed that no land raising or built development would take place within the floodplain. In terms of assessment against the relevant policy NE6 (Flooding, Drainage and Water Quality), these submissions demonstrate that the proposed development would not itself be at risk of flooding, nor would it increase the risk of flooding elsewhere by virtue of reducing the ability of the functional floodplain to store and convey water. No existing flood defences would be affected by the proposal, and the submissions demonstrate that surface water flows will be discharged at a controlled rate which does not exceed the pre-development greenfield runoff rate, with surface water having been subject to appropriate treatment prior to entering any watercourse. Other aspects of policy NE6, such as measures to prevent pollution during construction, the extent of any culverting and assessment of impact on any private water supplies are addressed separately in this report in connection with PPiP conditions 18, 19, 20 and 27 respectively. The Council's Flooding Team and SEPA have confirmed in their most recent responses that issues relating to flood risk have been appropriately addressed and there is no outstanding objection from either party. Taking these matters into account, it is considered that the proposals satisfy the requirements of PPiP condition 28 (Flood Risk) and accord with policy NE6 (Flooding, Drainage and Water Quality) in relation to flood risk.

Conditions 15 and 25: Noise, including from proposed sports pitch

A Noise Impact Assessment (NIA) was carried out at the PPiP stage, based on an indicative layout, in order to demonstrate the feasibility of addressing impacts from various noise sources in principle. These sources of noise included the busy A92 road, existing industrial uses on neighbouring land and the sports pitch proposed as part of the development. PPiP condition 15 requires submission and agreement of a further noise assessment, based on the finalised development layout, including details of any necessary mitigation measures. PPiP condition 25 is specific to the proposed sports pitch, requiring a further noise assessment which demonstrates adherence to SportScotland guidance on the siting and design of synthetic pitches. Both conditions require development to be carried out in full accordance with any submissions so agreed. These conditions reflect the requirements of ALDP policy T5 (Noise), which requires submission of noise impact assessments where significant exposure to noise is likely to arise as a result of development and notes that housing and other noise sensitive developments will not generally be permitted close to existing noisy land uses without suitable mitigation measures in place to reduce the impact of noise.

The current application includes a NIA (by RMP – Robin McKenzie Partnership acoustic consultants) which addresses both conditions, including a separate assessment of noise relating to the sports pitch. This assessment also takes account of road traffic noise from the A92, existing business and industrial uses and consented business and industrial proposals on neighbouring land at Aberdeen Energy Park and Berryhill Business Park (also known as 'The Core'). The NIA identifies a requirement for mitigation along the western boundary of the development, onto the A92. Initially a 1.5m acoustic fence was proposed, however following discussion with the applicants this has been revised to comprise a mix of fencing and acoustic bund, in order that its overall length appears broken up and the visual impact at the site frontage is reduced. The location of the road is such that noise mitigation measures were always anticipated along this boundary, and this proposal integrates these into areas of landscaping and tree planting along the western edge of the site in an appropriate manner whilst also ensuring that appropriate conditions

are achieved for residents of the proposed development. The combination of fencing and bunds will adequately reduce noise levels to gardens and ground floors within buildings, however further mitigation is required for some properties at upper floors. The NIA recommends the use of laminated double glazing, which has enhanced acoustic properties, for those properties closest to the A92, along with acoustic ventilation. As regards noise from consented business/industrial development on neighbouring land, section 6 of the NIA recommends use of a 3.2m high acoustic barrier along the eastern boundary of the proposed Cloverhill development. With this in place, the assessment concludes that adverse noise impact affecting residential properties is unlikely. An accompanying plan demonstrates that this would be achieved via a 2.0m acoustic fence, set upon a 1.2m high bund. At upper floors, laminated glazing and appropriate ventilation are recommended for properties facing onto adjoining commercial land.

Subject to implementation of these measures, the proposed development offers suitable mitigation of noise and provides a satisfactory residential living environment. The noise assessment relating to the proposed sports pitch recommends that a 2.5m acoustic barrier is sited alongside the pitch in order to offer screening for the closest houses. With that barrier in place, noise levels would be comfortably below the required noise threshold at ground level. At upper floor level, the NIA recommends that the nearest affected properties (north of the pitch) have double glazing and acoustic ventilators installed. The report also recommends appropriate time restrictions for use of the sports pitch in order to maintain good neighbour relations. A separate condition on the PPIp (condition 24) already addresses this, with use prohibited outwith the hours between 9am and 10pm.

The submitted NIA has been reviewed by ACC's Environmental Health Service and found to be acceptable, with no objections raised. Implementation of the recommended mitigation measures, if approved, would be secured by the existing PPIp conditions. These measures are considered to adequately mitigate noise from existing and proposed noise sources, both within the site and on neighbouring land, as required by ALDP policy T5 (Noise), and also to satisfy the requirements of PPIp conditions 15 and 25.

Condition 16: Dust Risk Assessment and Management Plan

PPIp condition 16 requires submission and agreement of an Air Quality (Dust) Risk Assessment, along with a related site-specific Dust Management Plan intended to set out control measures to be implemented during the proposed works. The requisite documents have been submitted and reviewed by the Environmental Health service and their findings accepted. Condition 16 requires that the development be undertaken in accordance with the approved control measures.

Condition 27: Construction Environment Management Plan

The submitted construction environmental management plan has been reviewed by ACC's Environmental Health service, along with Roads Development Management and Environmental Policy Teams, with no objections raised. Environmental Health colleagues have highlighted that any applications for any crucial out-of-hours noisy works should be made via the Environmental Health service in advance. It is recommended that an informative note is applied to any approval with details of this process. The proposed CEMP is therefore considered to be acceptable in meeting the requirements of PPIp condition 27. It is noted that PPIp condition 27 requires that development on site is carried out in full accordance with the approved CEMP.

Condition 23: Carbon reduction/water efficiency

PPIp condition 23 requires submission of information to demonstrate compliance with ACC's 'Resources for New Development' Supplementary Guidance, including energy efficiency/carbon emissions and water efficiency measures. Members may recall that at the PPIp stage the applicants had outlined an intention to integrate micro-CHP (Combined Heat and Power) fuel cell technology into 30 homes within the first phase of development as a pilot scheme, however the developer has removed this element from the MSC application due to concerns about the

technology currently available, instead opting to demonstrate compliance with the relevant ALDP policy by alternative means. An Energy Design Analysis report has been submitted as part of the current application, setting out a 'whole dwelling approach' which initially focuses on improved building fabric performance before subsequently turning to additional measures such as Low and Zero Carbon Generating Technologies (LZCGT). This document confirms that the proposed dwellings would achieve the 'Gold' sustainability label under current Building Regulations, with a 27% saving in carbon emissions when compared to the baseline rate set by the 2015 standards. This would be achieved by a combination of improved performance in building fabric and the use of air source heat pumps, which are acceptable alternatives to that outlined at the PPIP stage and which achieve the stipulated reduction in carbon emissions. Water meters and lower flow toilets, showers and taps would ensure reduced water usage, consistent with the requirements of PPIP condition 23, ALDP policy R7 (Low and Zero Carbon Buildings, and Water Efficiency) and the associated Supplementary Guidance. These measures are acceptable to the Planning Service in addressing the requirements of condition 23 and the associated ALDP policy.

Proposed Aberdeen Local Development Plan

In relation to this particular application, the policies in the Proposed Aberdeen Local Development Plan 2020 (PALDP) substantively reiterate those in the adopted Local Development Plan, however in relation to this site the PALDP identifies Cloverhill as a residential opportunity site (ref OP2) for approximately 550 homes. The PALDP carries significant weight as it represents the most up to date 'settled view' of the Council and the principle of residential development at this scale has already been established through the granting of PPIP. With that in mind, the proposal is considered to be acceptable in terms of both Plans for the reasons previously given.

RECOMMENDATION

Approve Conditionally

REASON FOR RECOMMENDATION

The principle of residential development has been established by the earlier granting of Planning Permission in Principle. Satisfactory information has been submitted to address each of the respective conditions within the scope of the application, satisfying the requirements of these conditions and demonstrating accordance with the relevant provisions of the Aberdeen Local Development Plan. The proposal remains consistent with the key principles established by the earlier PPIP approval. Conditions have been attached where further restriction controls are required to establish which use classes may operate from the approved commercial units, to ensure restricted access to rear lane areas and to control the tenure of residential units.

CONDITIONS

1. Use as Social Rented Housing

The development hereby approved shall not be used other than as social rented housing (as defined in Aberdeen City Council's 'Affordable Housing' Supplementary Guidance), managed and operated by either Aberdeen City Council or by a Registered Social Landlord (RSL).

Reason: To ensure compliance with Aberdeen City Council's 'Affordable Housing' Supplementary Guidance and because the level of car parking provision within the approved development is based on standards for social rented housing specifically, as opposed to other forms of affordable housing.

2. Commercial Units – Use Classes

The ground floor commercial units hereby approved shall not be used for purposes other than those falling within classes 1 (shops), 2 (financial and professional services), 3 (food and drink) or 10 (non-residential institutions – including nursery).

Reason; In order to ensure that the development is served by facilities to meet the needs of residents and to allow for facilitate first occupation within acceptable use classes.

3. **Rear Lane Access**

No unit within the development hereby approved shall be occupied unless any path with no destination other than access to multiple rear gardens has been restricted through the use of lockable gates or other such equivalent measures to prevent access by non-residents. For the avoidance of doubt this requirement does not apply to paths fronting open space.

Reason: In order to restrict inappropriate access to rear lanes by non-residents and to 'design out' crime where practicable.

ADVISORY NOTES FOR APPLICANT

Hours of construction work

In order to protect amenity of the occupants of the neighbouring residences and prevent any potential noise nuisance caused by site conversion works, it is recommended that such operations should not occur:

- Outwith the hours of 07:00 to 19:00 Monday to Friday and
- Outwith the hours of 08:00 to 13:00 on Saturdays so that no noise is audible at the site boundary outwith these times.

Noisy out-of-hours works

Should there be occasion that noisy work is required outwith the hours noted above due to critical operations, for example, works giving rise to road traffic controls, application of out of hour work (OOH) should be made to the Environmental Health Service at least 5 days in advance. Application can be made by email to poll@aberdeencity.gov.uk.

Secured by Design Award

Attention is drawn to the consultation response from Police Scotland's Architectural Liaison Officer, which strongly encourages the applicants to seek the 'Secured by Design' award in order to demonstrate that safety and security have been proactively considered and that the development will achieve high standards in these respects.

'Secured by Design' (SBD) is a police initiative to encourage the building industry to adopt crime prevention measures in development design to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment. 'Secured by Design' is endorsed by the Association of Chief Police Officers (ACPO) and has the backing of the Home Office Crime Reduction Unit. It has been drawn up in consultation with the Department of Transport, Local Government and the Regions (DTLR, formerly DTLR).