

# LOCAL REVIEW BODY



210657/DPP– Review against refusal of planning permission for:

Installation of security fence

At: Woolard and Henry site, Stoneywood Park,  
Aberdeen, AB21 7DZ

# Location Plan



SITE BOUNDARY



# Location Plan – GIS





**Location: Aerial Photo**





# Proposed Site Plan



1. Contractor must work only to Equid dimensions which are to be checked on 10th.

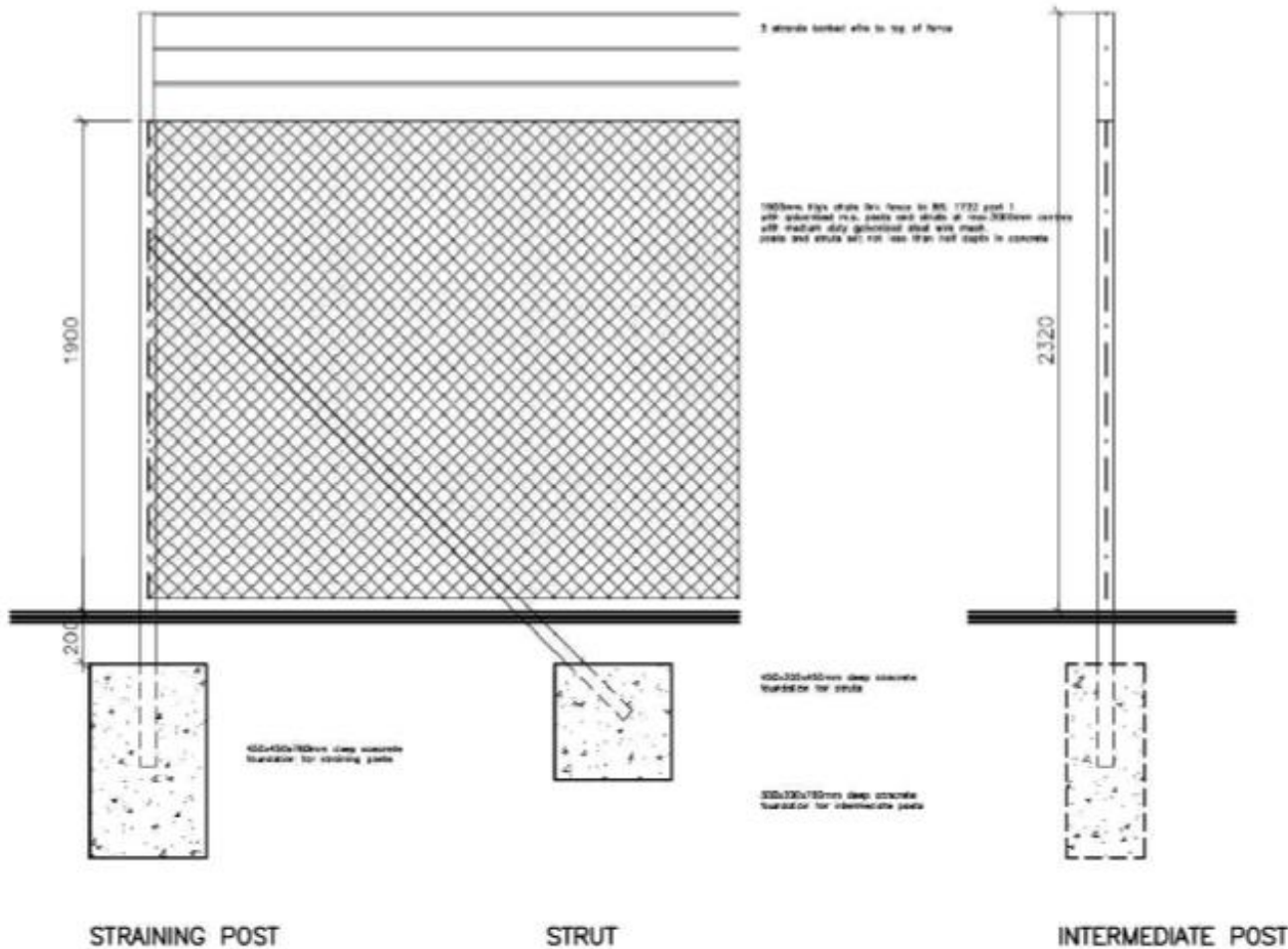


- BLACKTHORN HEDGE PLANTED AT 300mm CENTRES
- SECONDARY FENCE TO BE INSTALLED
- EXISTING FENCE TO BE REMOVED
- SITE BOUNDARY

1	07/02/21	Fencing line amended	UG	DN
2	08/02/21	Bring fence line closer	UG	DN
Rev.	Date	Details	Drawn	Checked
Issued for: <b>PLANNING</b>				
Project/Client:		Project No:		
Proposed fence at Woolard and Henry Ltd Stonywood		THE 21-0015		
		Drawing No:		
		A1-01		
		Revision:		
		8		
Drawing:		Scale:		
Proposed Site Plan		1:500@A3		
		Drawn by:	Date:	
		NE	04/02/21	
		Checked by:	Date:	
		NE	04/02/21	

**THE** | Thain  
**Harrington**  
**Edward**  
 ARCHITECTURE + PLANNING

# Proposed Fence detail



Rev	Date	Details	Drawn	Checked
Issued for: <b>PLANNING</b>				
Project/Client:		Project No: TWS 21-0015		
Proposed fence of Woolford and Henry Ltd Stoneyard		Drawing No: A1-03		
		Revision: -		
Drawing:		Scale: 1:20 @ A3		
Proposed Fencing Detail		Drawn by: LG	Date: 05/2021	
		Checked by: DH	Date: 05/2021	

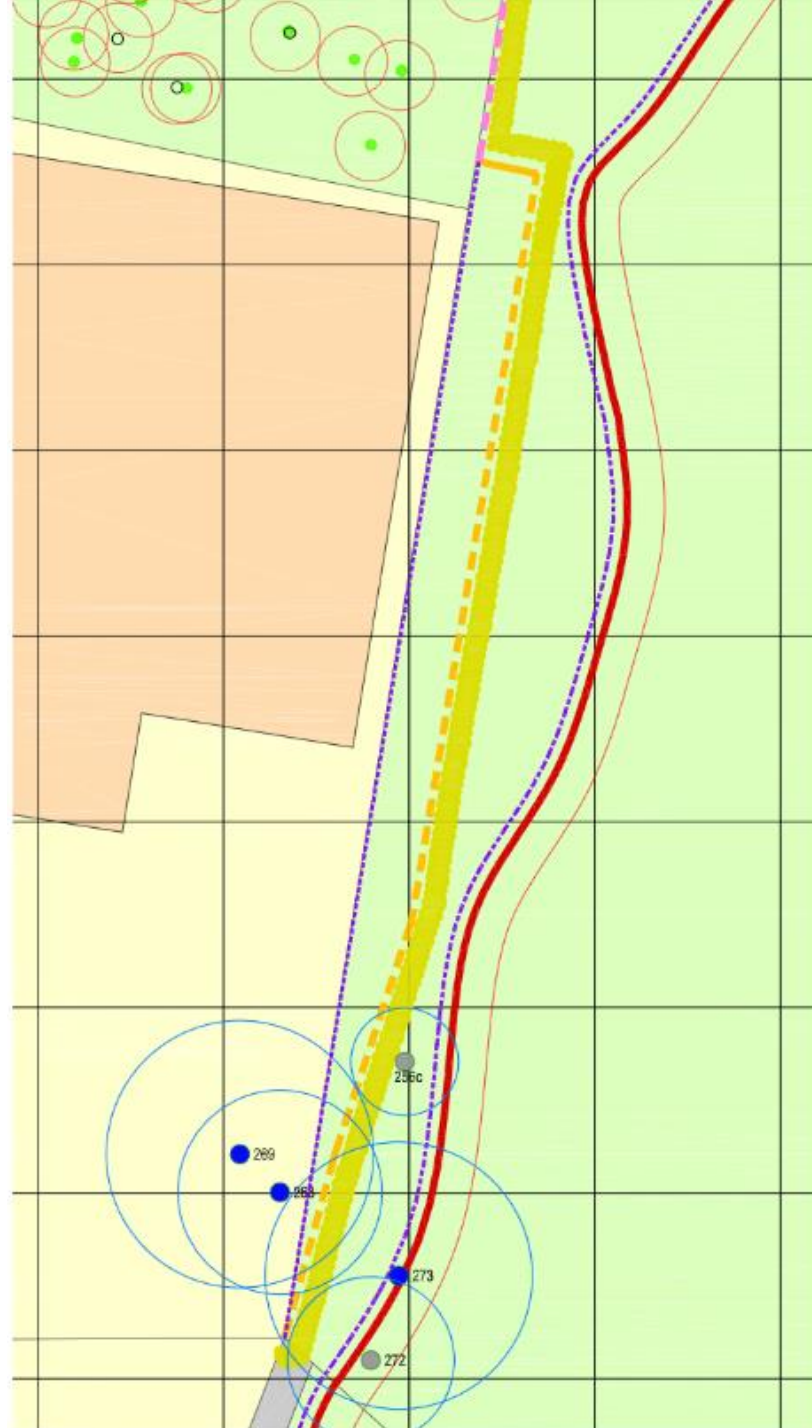
**THE** | Thain  
 Architecture + Planning | Harrington  
 Edward






24 North Elm Street, Farnham AS, G. K.






Tel: 01256 266 577  
 Email: info@theoffice.co.uk  
 Website: www.theoffice.co.uk

© 2021 THE OFFICE OF ARCHITECTURE AND PLANNING CONSULTANTS LIMITED

# Arboricultural Assessment Plan



 New blackthorn hedge to be planted at 300 mm centres  
 Secondary fence to be installed  
 Existing fence to be retained  
 Existing fence to be removed  
 Site boundary

 Category A Trees  
 Category B Trees  
 Category C Trees  
 Category U Trees  
 Root protection area

**Proposed New Fence at Stoneywood Park, Dyce Arboricultural Assessment**

Client:	Visselard & Henry		
Drawn to:	SFDW-2108-AA		
Issue No:	22nd September 2021		
Drawn by:	EP	Checked by:	NA
Noted:		Noted:	
Scale:	1:200 @ A3		


  
 18 Picken Road | Newcastle, Tyne and Wear, NE13 2JY  
 Tel: 0191 2741212 | www.astellassociates.co.uk



**Photo from Applicant's submission – existing fence**





**Photo from Applicant's submission – existing fence**





**Photo from Applicant's submission – existing fence**





**Photo from Applicant's submission – existing fence**





**Photo from Applicant's submission – existing fence**





**Photo from Applicant's submission – existing fence**





# Photos from applicant's submission





**Photo from Applicant's submission  
– similar type of fence along Cedar Avenue**





# Relevant History

Application Number	Proposal	Decision Date
110790	Residential Development (425 houses) with supporting facilities / open space (Stoneywood Estate)	02.05.2102 Approved with conditions / legal agreement
190152/DPP	Change of use from amenity land to industrial including installation of security fence; erection of workshop with offices and staff facilities with associated works and car parking (partly retrospective)	19.03.2019 Status: Withdrawn
191010/DPP	Change of use from amenity land to industrial including installation of security fence around enlarged site; formation of yardspace and car parking (partly retrospective)	31.10.2019 Status: Refused
200656/DPP	Installation of security fence (retrospective)	24.09.2020 Status: Refused

Note: application 191010/DPP was appealed to Scottish Gov't. That appeal was dismissed in 2020.



# Reasons for Decision

## 1. Impact on Residential Amenity

Due to the industrial character and appearance of the development and its proximity to a well-used recreational path forming an integral amenity within a designated open space associated to a residential area, the fence is considered to have an adverse impact on the residential amenity of the area and therefore conflict with policy H1 (Residential Areas) of the Aberdeen Local Development Plan 2017.

## 2. Loss of Access to Greenspace / Open Space

Notwithstanding that the site has been purchased by the applicant, the position of the proposed fence would result in loss / severance of public access to the woodland area within the site, which forms part of a consented housing development, in conflict with the objectives of policies NE1 (Green Space Network), NE3 (Urban Green Space) and NE9 (Access and Informal Recreation) of the Aberdeen Local Development Plan 2017 and PAN 65. Although some mitigatory planting is proposed, it is considered that this is not sufficient to warrant approval of the proposal or justify the loss of access to the open space. No replacement public open space is proposed.

By preventing public access to existing open space which was required to be delivered as part of the Stoneywood housing development, which is a valued open space resource for the wider community, the proposal would conflict with the Stoneywood Development Framework and Masterplan approved by the Council in 2011.

## 3. Precedent

Approval of this application would establish an undesirable precedent for further / similar proposals that would be likely to erode the extent and purpose of established public open space / woodland areas within housing and industrial areas.



# Applicant's Case

In full as part of the agenda pack. Main points are:

- Provides background on the business, past works and applications, and the importance of site security;
- Notes that the previous approval of a footpath in such close proximity to the existing industrial use departed from the original Masterplan, brings members of the public closer to this industrial edge and gives rise to security concerns for the applicants;
- Highlights that the proposed alignment of fencing would allow for a landscaped buffer between an existing footpath and the adjoining industrial use;
- Contends that the fencing design has been altered to address issues raised in the earlier appeal decision and avoid impact on trees, also introducing hedge planting to offer some screening/softening where its route remains close to the path;



# Applicant's Case

- A similar style of fence can be seen within the Green Space Network on Cedar Avenue;
- Contends that the proposed fencing is more compatible with the character of the adjoining residential area whilst offering security and enclosure for the applicants;
- Argues that the fencing would not undermine the enjoyment of the wider area of public open space. Contends that the area of Green Space Network which would be enclosed from public access is comparable with other industrial uses locally;
- Suggests that criteria within the Householder Development Guide SG, relating to the incorporation of open space into private gardens, should be applied to assessment of this application;
- Argues that the circumstances of this case are not shared by adjoining sites and that there is no real risk of an unwelcome precedent;
- Notes that the planning authority has previously stated no objection to a boundary fence in principle;





# H1: Residential Areas

- Is this overdevelopment?
- Would it have an *'unacceptable impact on the character and amenity'* of the area?
- Would it result in the loss of open space?



# Policy D1 (Quality Placemaking by Design)

## Policy D1 - Quality Placemaking by Design

All development must ensure high standards of design and have a strong and distinctive sense of place which 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.

Places that are distinctive and designed with a real understanding of context will sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against the following six essential qualities;

- **distinctive**
- **welcoming**
- **safe and pleasant**
- **easy to move around**
- **adaptable**
- **resource efficient**

How a development meets these qualities must be demonstrated in a design strategy whose scope and content will be appropriate with the scale and/or importance of the proposal.

- Does the proposal represent a high standard of design and have strong and distinctive sense of place?



# Policy D2 (Landscape)

## Policy D2 - Landscape

Developments will have a strong landscape framework which improves and enhances the setting and visual impact of the development, unifies urban form, provides shelter, creates local identity and promotes biodiversity. In order to secure high quality development, planning applications for new development must include a landscape strategy and management plan incorporating hard and soft landscaping design specifications. The level of detail required will be appropriate to the scale of the development.

### Quality development will

- be informed by the existing landscape character, topography and existing features to sustain local diversity and distinctiveness, including natural and built features such as existing boundary walls, hedges, copses and other features of interest;
- conserve, enhance or restore existing landscape features and should incorporate them into a spatial landscape design hierarchy that provides structure to the site layout;
- create new landscapes where none exist and where there are few existing features;
- protect and enhance important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;
- provide hard and soft landscape proposals that is appropriate to the scale and character of the overall development.

Further guidance can be found within the Supplementary Guidance and Technical Advice Notes listed in Appendix 5.



# NE1: Green Space Network

- The Council will protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network, which is identified on the Proposals Map.
- Proposals for development that are likely to destroy or erode the character and/or function of the Green Space Network will not be permitted.
- Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments should maintain and enhance the coherence of the network. In doing so, provision should be made for access across roads for wildlife and outdoor recreation.
- Masterplanning of new developments should consider the existing areas of Green Space Network and identify new areas incorporating Green Space Network.
- Masterplans will determine the location, extent and configuration of the Green Space Network within the area, and its connectivity with the wider network.





## NE3: Urban Green Space

- Permission will not be granted to redevelop parks, playing fields, sports pitches, woods, allotments or all other areas of urban green space for any use other than recreation and sport.
- Exceptions made where equivalent alternate provision is to be made locally
- In all cases, development only acceptable provided:
  - No significant loss to landscape character and amenity;
  - Public access maintained or enhanced;
  - Site is of no significant wildlife/heritage value;
  - No loss of established/mature trees;
  - Replacement green space of same or better quality is provided;
  - No adverse impact on watercourses, ponds, wetlands;
  - Proposals to develop outdoor sports facilities should also be consistent with SPP



## NE5: Trees and Woodlands

- Presumption against development that would 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.
- Buildings and services should be sited so as to minimise adverse impacts on existing and future trees.
- Measures should be taken for the protection and long-term management of existing trees and new planting, both during and after construction.
- Applications affecting trees to include details of tree protection measures, compensatory planting etc.





## NE8: Natural Heritage

- Relates to protection of sites and species covered by environmental/ecological designations, including bats (European Protected Species)
- No specific natural heritage designations applicable (note trees covered separately under NE5)

## NE9: Access and Informal Recreation

New development should not compromise the integrity of existing or potential recreational opportunities including general access rights to land and water, Core Paths, other paths and rights of way. This includes any impacts on access during the construction phase of a development. Applicants should provide detail on how public access and safety will be maintained during construction, for example through temporary diversions.

Wherever possible, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

Core Paths are shown on the Proposals Map. Further guidance on developer contributions towards Core Paths, as well as general information on access rights, is available in relevant Supplementary Guidance.



# Points for Consideration:

Zoning: Do members consider that the proposal satisfies the criteria set out in policy H1

Design: Is the proposal of sufficient design quality (D1), and would it have an adverse impact on landscape setting (D2)?

Would the proposed fencing result in any adverse impact on the character or function of the Green Space Network (per policy NE1) or result in loss of/damage to trees and woodlands (policy NE5)?

Would it satisfy the requirements of policy NE3 (Urban Green Space), and would there be any adverse impact on natural heritage designations (NE8)?

Would the value of existing access and recreational routes be maintained (per policy NE9)?

**1. Does the proposal comply with the Development Plan when considered as a whole?**

**2. Do other material considerations weigh for or against the proposal?**

(e.g. representations/consultation responses; applicant's case; national policy and guidance; earlier decisions and appeal decisions; Proposed ALDP) Are these of sufficient weight to overcome any conflict with the Development Plan?

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)