

LOCAL REVIEW BODY

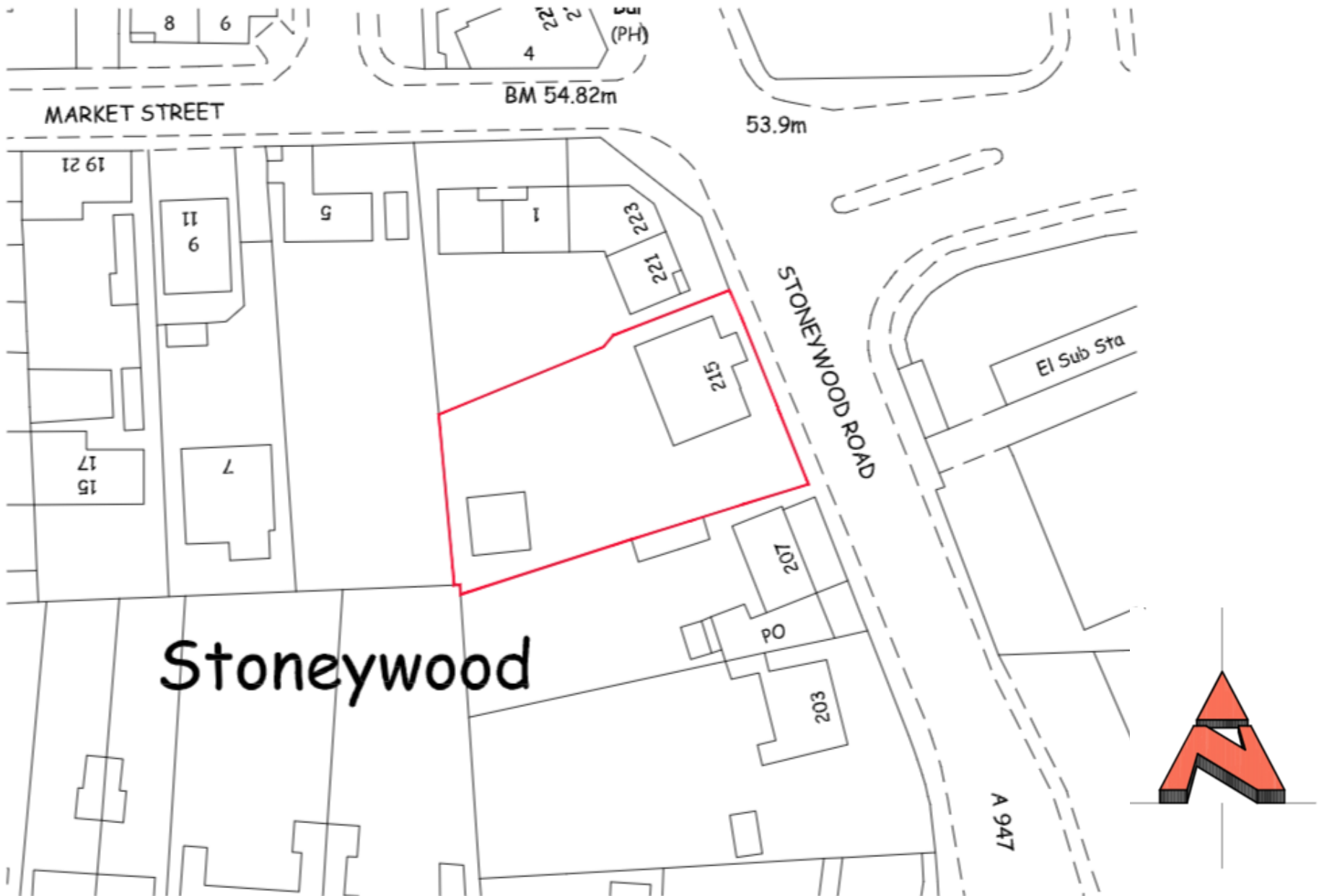


210763/DPP– Review against refusal of planning permission for:

Change of use from 2 no. residential units including formation of first floor extension above an existing single storey extension; alterations to windows and doors; formation of porches, fences with gates and associated works

215 Stoneywood Road, Aberdeen, AB21 9JD

Location Plan



Aerial Photo (GIS)



Street View Images



IMAGE DATED DEC 2021

Street View Images



IMAGE DATED DEC 2021

Street View Images

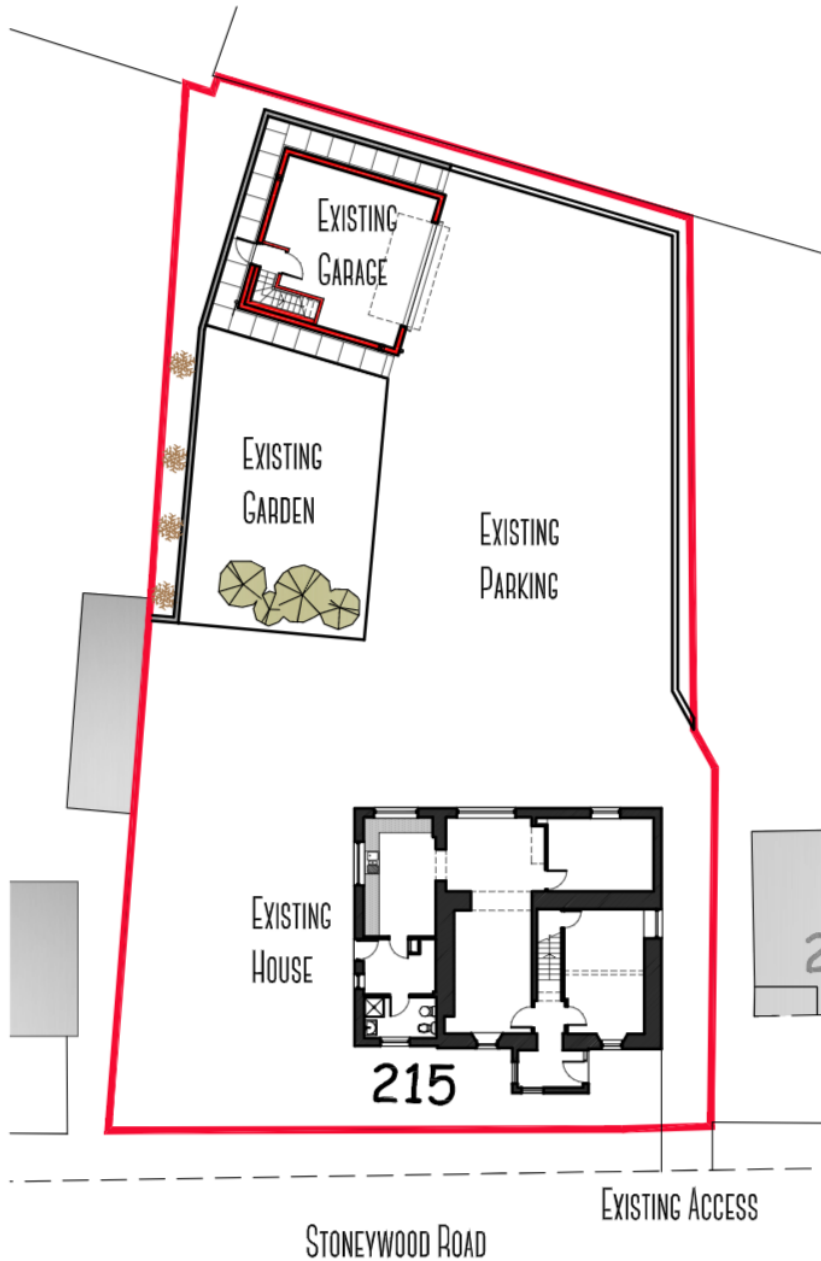


Google

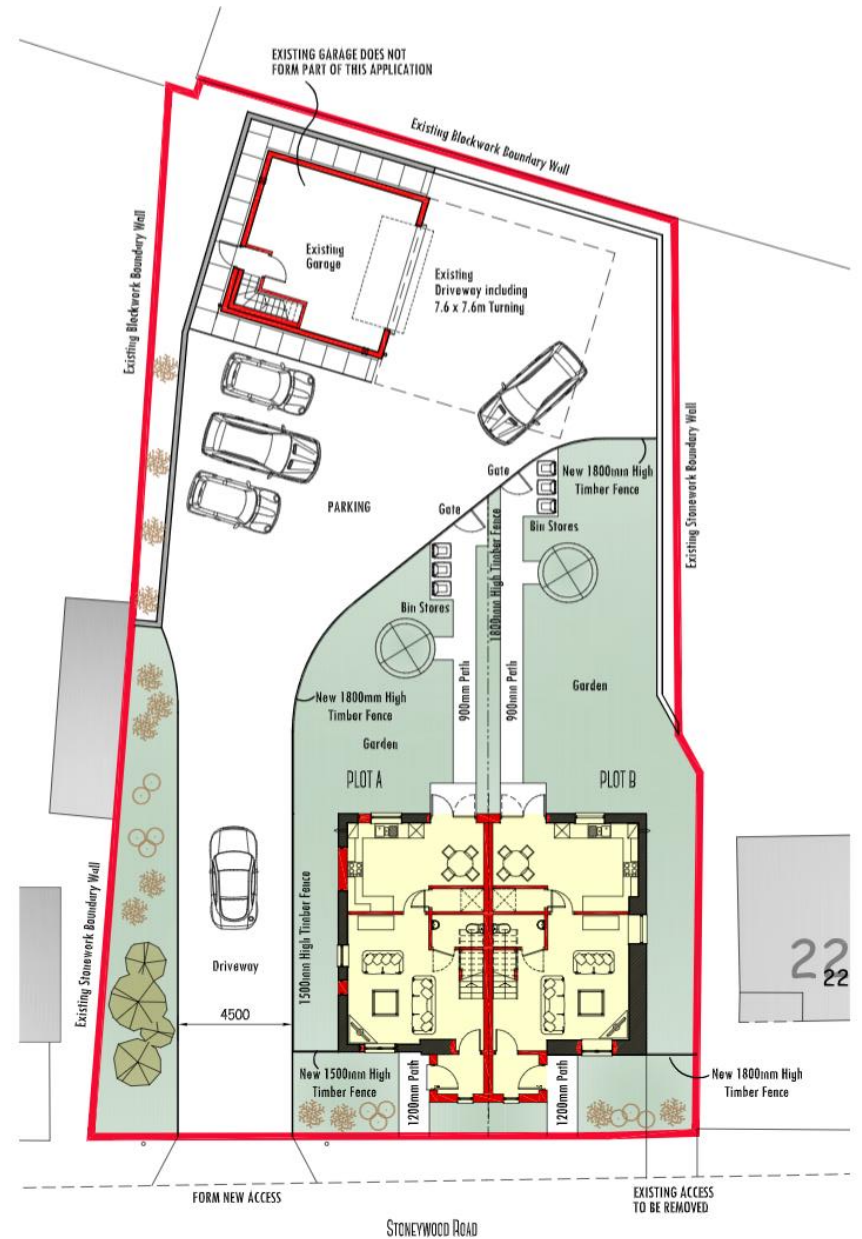
IMAGE DATED DEC 2021

Site Plan

EXISTING



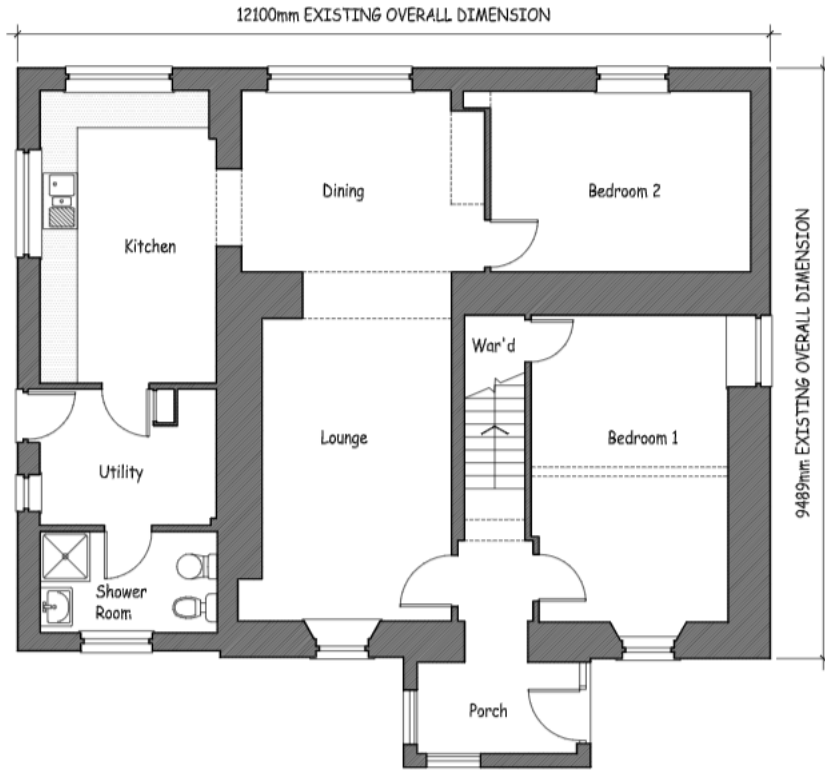
PROPOSED



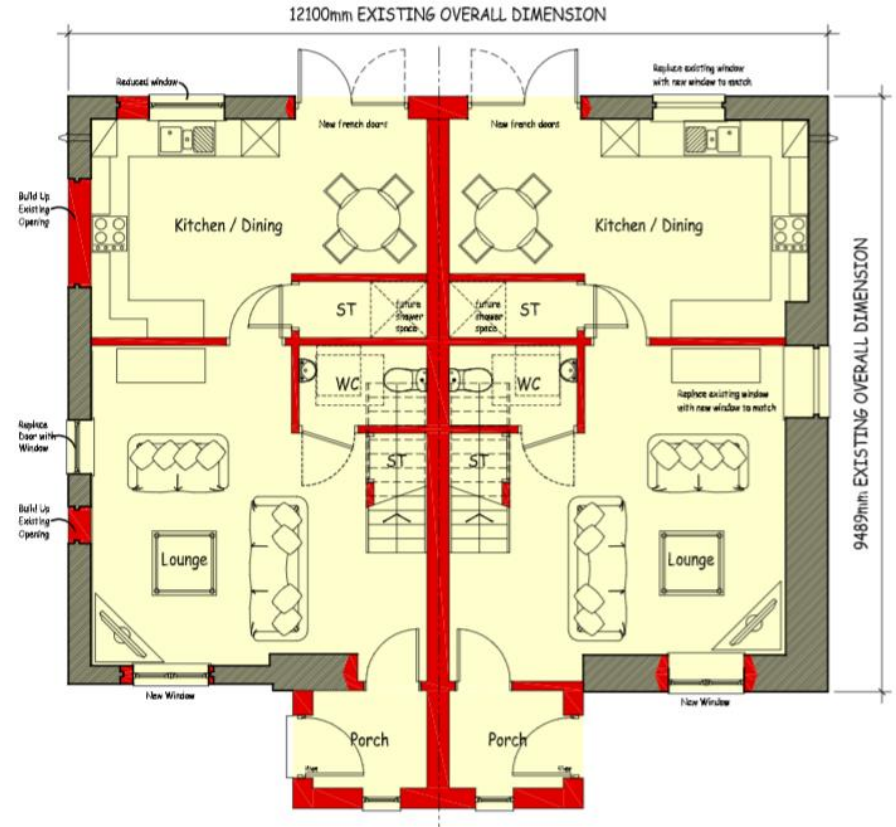
Proposed Site Plan – closer view



Ground Floor

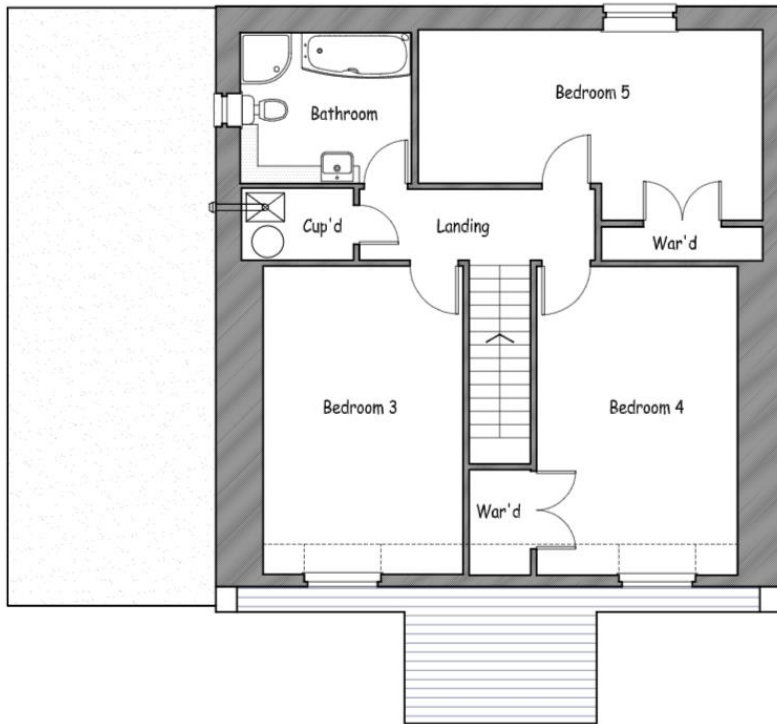


EXISTING



PROPOSED

First Floor



EXISTING



PROPOSED

Front / East Elevation

EXISTING

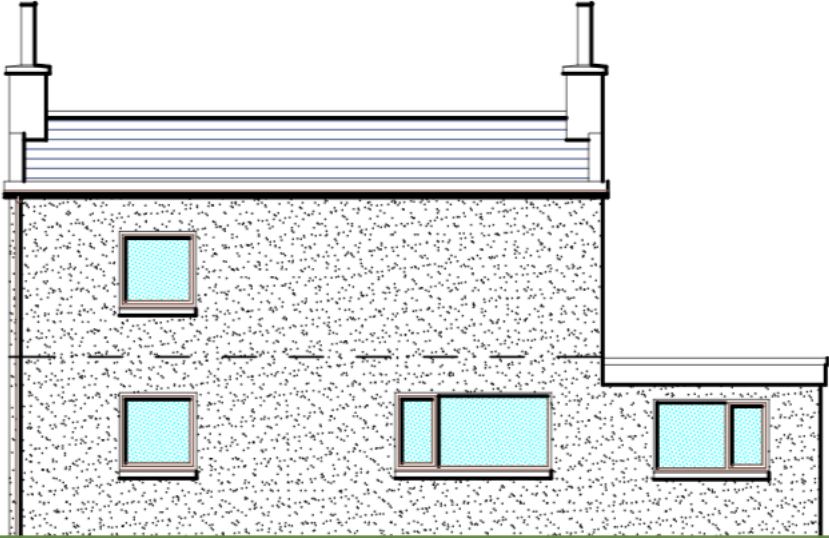


- CONCRETE ROOF TILES - GREY
- UPVC WINDOWS & DOORS - GREY
- UPVC DOWNPIPES - BLACK
- WHITE RENDERED FINISH TO WALLS
- ETERNIT CLADDING TO PORCH - GREY

PROPOSED



Rear / West Elevation



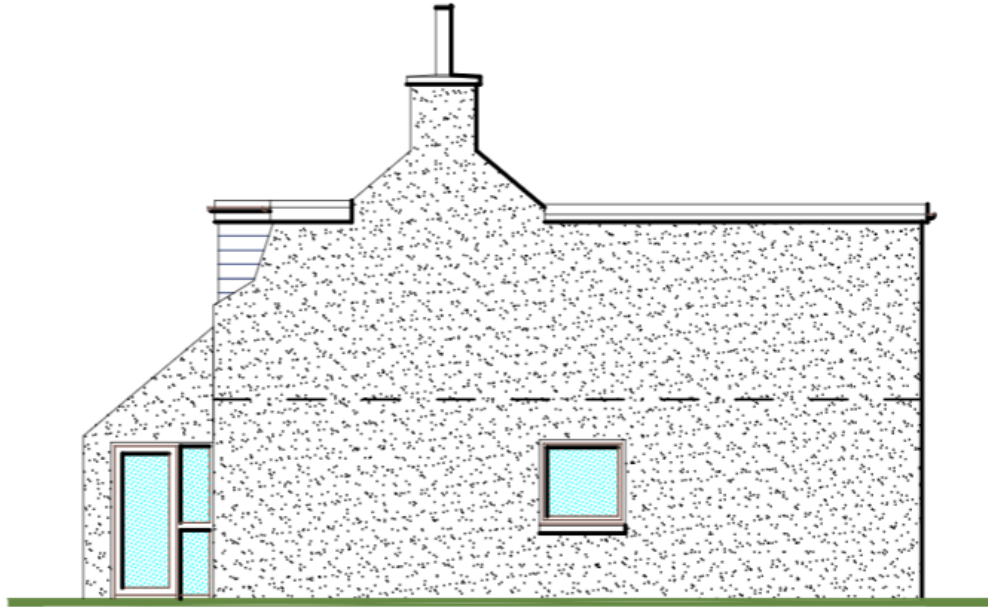
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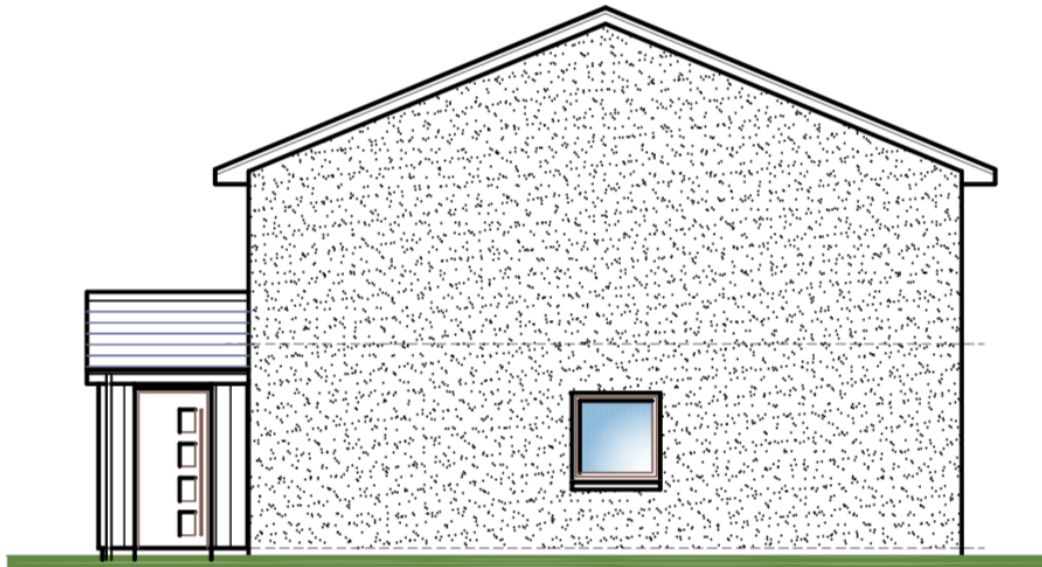
PROPOSED

Side / North Elevation

EXISTING



PROPOSED

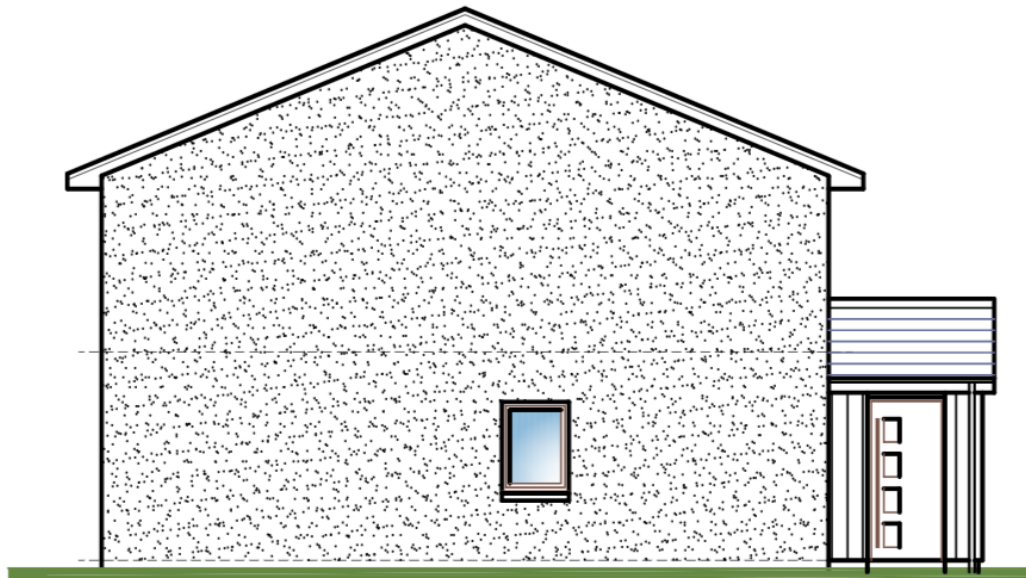


Side / South Elevation

EXISTING



PROPOSED



Relevant Planning History

170643/DPP - permission granted in 2017 for change of use from dwelling house (class 9) to guest house (class 7) and erection of 2 storey extension to rear.

- 8 no parking spaces using the existing site access. Consent not yet implemented, but remains 'live'.

181102 sought planning permission for the Erection of 4 residential flats, set over two storeys, and 1 attached single storey retail unit, including shared car park to rear. Application withdrawn.

- Applicant notes that 11 spaces were proposed, making use of existing access, and that local Dyce and Stoneywood CC raised concerns about its proximity to the junction of Stoneywood Road / Market Street / Stoneywood Terrace

181898/DPP – Permission granted for installation of new front porch, blocking up of existing windows and door, formation of new window and door openings and canopy to rear.

- Consent remains 'live', but not yet implemented.

Reasons for Refusal

Stated in full in Decision Notice, included in agenda pack. Key points as follows:

- As no Noise Impact Assessment has been provided, the Appointed Officer has not been able to properly assess the proposal against policies H1 (Residential Areas), D1 (Design), B4 (Aberdeen Airport) and T5 (Noise), having regard for the level of amenity afforded to prospective residents and the effects of intensifying residential use close to the airport on existing airport operations
- The Appointed Officer notes that the absence of this essential information also prevents due consideration against the Proposed ALDP and its corresponding policies
- States that the proposal would adversely affect road safety due to the formation of a new access close to a busy signalised junction, with cars exiting the access the carriageway over a bicycle stop line
- It is highlighted that any vehicles waiting to turn into the access from the southbound carriageway would hinder the free flow of traffic through a busy junction
- Proposal therefore considered to be in conflict with policy T2 (Managing the Transport Impact of Development)

Applicants' Case

- Notes that a shop previously stood to the south of the cottage at 215 Stoneywood Road, however that has been demolished;
- Notes that the existing site access is of long standing and existed prior to the installation of traffic signals, crossings or bike lanes;
- Contends that a Noise Impact Assessment was never sought by the planning authority when assessing earlier applications for change of use (from dwellinghouse to guest house or House in Multiple Occupation), but nevertheless feel that concerns around noise can be addressed by carrying out a Noise Impact Assessment and via the design and materials employed;
- Highlight that a number of new domestic, commercial and educational developments have been constructed within the same area subject to airport noise;

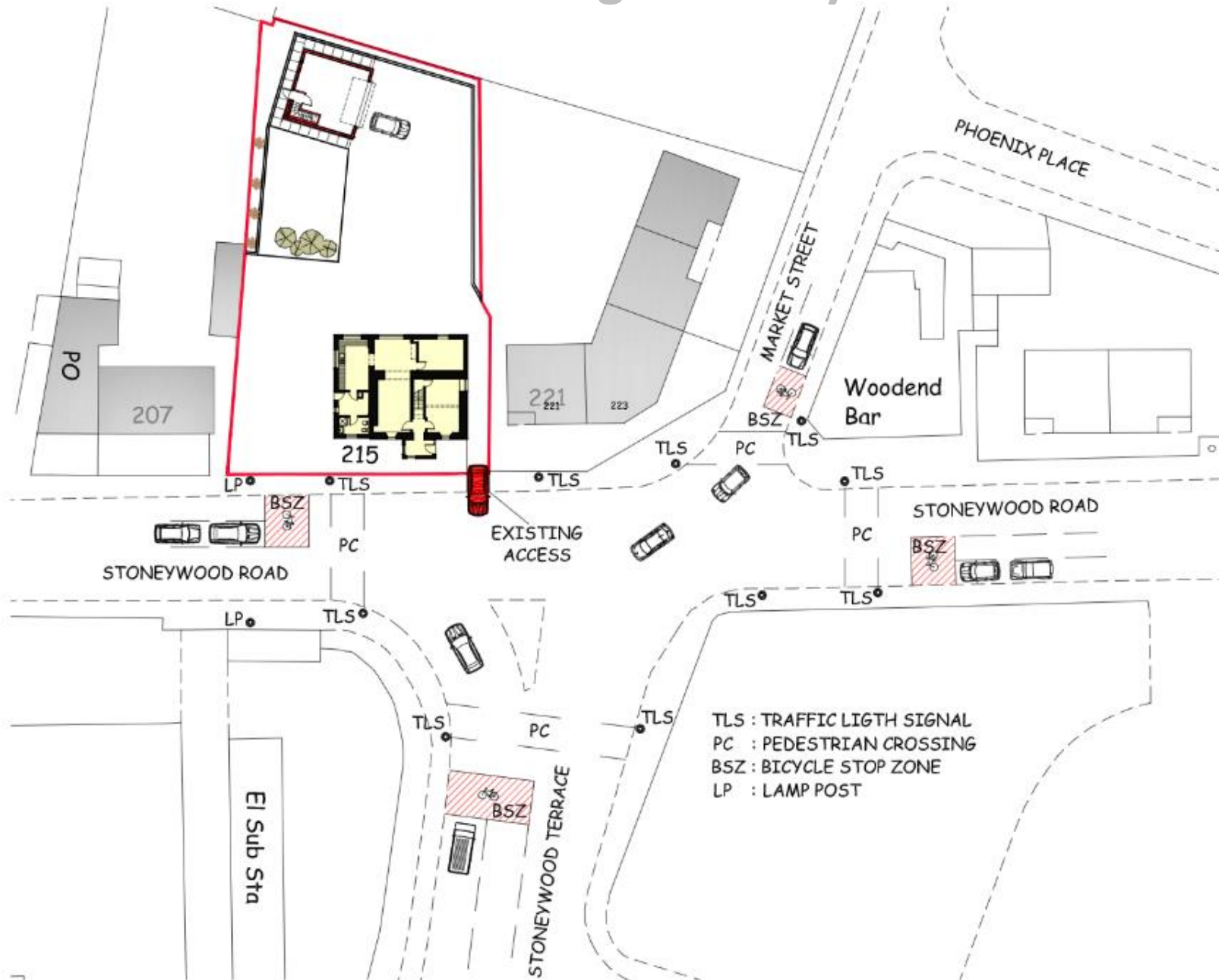
Applicants' Case

- Explains that the existing access, which pre-dates the installation of traffic signals, is difficult to use as a vehicle exiting is not aware which phase the lights are at and it is also very tight to manoeuvre;
- Consider the proposed access to be an improvement on the current arrangement and note that other live permissions would increase the number of vehicles using the existing access;
- Highlights that efforts were made to discuss the access with officers and find a solution, but no agreement could be reached;
- Asks that members visit the site to see first hand the benefit of the proposed new access.

Applicants' Case – historic photo showing shop to south



New Info – Existing Road Layout Plan





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?
- Does it comply with Supplementary Guidance?
(e.g. 'Householder Development Guide' SG)

Policy B4 (Aberdeen Airport)

- Airport safeguarding map requires consultation with Aberdeen Airport Safeguarding Team
- Proposed developments must not compromise safe operation of the Airport
- Matters such as height of buildings, external lighting, landscaping, bird hazard management and impact on communications/navigation equipment will be taken into account in assessing any potential impact.
- Consultation response from Aberdeen Airport Safeguarding Team states no objection, but draws applicant's attention to best practice on safe use of cranes during construction

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 NE6 (Flooding, Drainage and Water Quality)

Policy **NE6** - Flooding, Drainage and Water Quality

Development will not be permitted if:

- 1 It would increase the risk of flooding:
 - a) by reducing the ability of the functional flood plain to store and convey water;
 - b) through the discharge of additional surface water; or
 - c) by harming flood defences.
- 2 It would be at risk itself from flooding;
- 3 Adequate provision is not made for access to waterbodies for maintenance; or
- 4 It would require the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

Drainage Impact Assessment (DIA) will be required for new development proposals comprising 5 or more homes or 250 square metres non-residential floorspace. DIA will also be required for developments of any size that affect sensitive areas. DIA should detail how surface water and waste water will be managed. Surface water drainage associated with development must:

- 1 Be the most appropriate available in terms of SuDS; and
- 2 Avoid flooding and pollution both during and after construction.

Connection to the public sewer will be a pre-requisite of all development where this is not already provided. Private wastewater treatment systems in sewered areas will not be permitted. In areas not served by the public sewer, a private sewer treatment system for individual properties will be permitted provided that the developer demonstrates that there will be no adverse effects on the environment, amenity and public health.

Policy R6 (Waste Management Requirements for New Development)

Policy R6 - Waste Management Requirements for New Development

All new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and in other developments where appropriate. Details of storage facilities and means of collection must be included as part of a planning application for any development which would generate waste. Further details are set out in Supplementary Guidance.

For proposals where we believe the potential savings on construction or demolition materials for recycling or reuse is likely to be significant, we will ask developers to prepare a Site Waste Management Plan as a condition of planning consent.

Policy T2 (Managing the Transport Impact of Development)

Policy T2 - Managing the Transport Impact of Development

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

Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in Supplementary Guidance.

The development of new communities should be accompanied by an increase in local services and employment opportunities that reduce the need to travel and include integrated walking, cycling and public transport infrastructure to ensure that, where travel is necessary, sustainable modes are prioritised. Where sufficient sustainable transport links to and from new developments are not in place, developers will be required to provide such facilities or a suitable contribution towards implementation.

Further information is contained in the relevant Supplementary Guidance which should be read in conjunction with this policy.

Policy T3 (Sustainable and Active Travel)

Policy T3 - Sustainable and Active Travel

New developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport, and the internal layout of developments must prioritise walking, cycling and public transport penetration. Links between residential, employment, recreation and other facilities must be protected or improved for non-motorised transport users, making it quick, convenient and safe for people to travel by walking and cycling.

Street layouts will reflect the principles of Designing Streets and meet the minimum distances to services as set out in the Supplementary Guidance.

Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained at all times by the developer through provision of suitable alternative routes.

Recognising that there will still be instances in which people will require to travel by car, initiatives such as like car sharing, alternative fuel vehicles and Car Clubs will also be supported where appropriate.

- Emphasis on encouraging active and sustainable travel (e.g. walking, cycling, public transport)
- Need to protect existing links and form new ones where possible
- Scope to also encourage car sharing and low-emissions vehicles, with associated infrastructure

Policy T5 (Noise)

Policy T5 – Noise

In cases where significant exposure to noise is likely to arise from development, a Noise Impact Assessment (NIA) will be required as part of a planning application.

There will be a presumption against noise generating developments, as identified by a NIA, being located close to noise sensitive developments, such as existing or proposed housing, while housing and other noise sensitive developments will not normally be permitted close to existing noisy land uses without suitable mitigation measures in place to reduce the impact of noise.

Development within or near to Candidate Noise Management Areas (CNMAs) and Candidate Quiet Areas (CQAs) will not be permitted where this is likely to contribute to a significant increase in exposure to noise or a deterioration of noise conditions in these areas, or where this will reduce the size of, or cause an increase in the noise level within, the CQA.

Further information on NIAs, CNMAs and CQAs, including maps of these areas, can be found in the relevant Supplementary Guidance which should be read in conjunction with this policy.

- Noise Impact Assessments central to consideration
- Presumption against noisy developments being located close to noise sensitive uses

Policy CI1 (Digital Infrastructure)

Policy CI1 - Digital Infrastructure

All new residential and commercial development will be expected to have access to modern, up-to-date high-speed communications infrastructure.

Points for Consideration:

Principle: Does the proposal comply with the tests set out in policy H1 (Residential Areas)? Specifically, is the principle of residential use supported and would it result in an *'unacceptable impact on the character or amenity of the area'*?

Design: Is the proposal of high design quality, appropriate to its context (D1) - *having regard for factors such as scale, siting, footprint, proportions relative to original, materials, colour etc?*

Noise – noting the potential for residential development in this location to be adversely affected by airport noise and conversely to threaten future operation of the airport, the absence of a Noise Impact Assessment required by policy B4, the policy position set out in relation to development in this area and the feedback provided by ACC's Environmental Health Service on noise matters, do members consider that the proposal would satisfy the requirements of policies B4 (Aberdeen Airport) and T5 (Noise)?

Do members feel that the site itself is sufficiently accessible by sustainable means (policy T3), and would the proposal appropriately manage the transport impacts of development, as required by policy T2, noting the consultation response from ACC's Roads Development Management Team.

Are members satisfied that the requirements of policies C1, NE6 and R6, relating to digital infrastructure, flood risk/drainage, and refuse storage and collection arrangements can be adequately met?

If not wholly in accordance with the development plan, are there other material considerations weighing in favour of approval? (e.g. existing consent capable of being implemented)

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

2. Are there any material considerations that outweigh the Development Plan in this instance?

Decision – state clear reasons for decision

Conditions? (if approved – Planning Adviser can assist)