

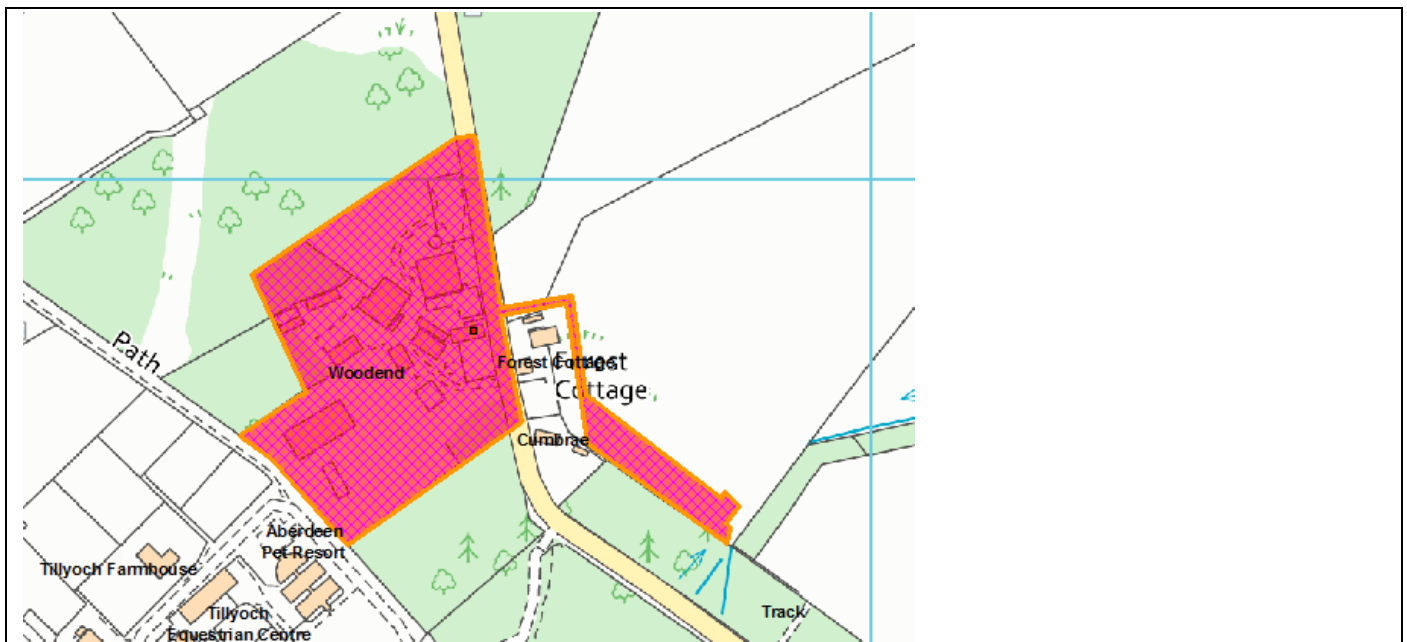


Planning Development Management Committee

Report by Development Management Manager

Committee Date: 20 June 2024

Site Address:	Woodend, Culter House Road, Aberdeen Peterculter AB14 0NS
Application Description:	Erection of 19no. self-build dwelling houses with associated landscaping, access and infrastructure
Application Ref:	210889/PPP
Application Type	Planning Permission in Principle
Application Date:	18 June 2021
Applicant:	John Adam And Son
Ward:	Lower Deeside
Community Council:	Culter



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RECOMMENDATION

Approve Conditionally & Legal Agreement

APPLICATION BACKGROUND

Site Description

The application site is located to the west of Culter House Road, c.350m to the north of the residential area of Peterculter. It is located in the green belt, and is allocated in the 2023 Aberdeen Local Development Plan as OP109 considered suitable for a residential development of no more than 19 dwellings.

The application site has an irregular shape, extending to c.2.5ha to the west of Culter House Road, which would include the main developable area, and a spur on the east side of Culter House Road, which would provide space for drainage arrangements.

The site is occupied by a collection of buildings, including the original farmhouse, agricultural buildings and polytunnels in various states of repair.

To the north and south of the main site are woods, with fields belonging to the Tillyoch equestrian centre to the west. Across the road, the eastern part of the site is bounded by agricultural fields to the north and east with woodland to the south, and by the properties of Forest Cottage and Cumbrae to the west.

Relevant Planning History

- 111144 – Planning permission in principle for a proposed residential development comprising 14 dwelling houses and associated landscaping and open space was refused on 2nd April 2012;
- 121581 – Planning permission in principle for a proposed residential development was refused on 25th July 2013;

APPLICATION DESCRIPTION

Description of Proposal

Planning permission in principle is sought for the construction of a total of 19 dwellings, with details submitted for roads layout, strategic landscaping and layout of residential plots. It is anticipated by the applicant that these will be sold off for self-build, with each plot developed on an individual basis by the future owner, subject to a subsequent 'Matters Specified in Condition' application for an individual plot.

The plots are arranged into four groups in a 'courtyard pattern', with a single vehicular access coming off Culter House Road, which forms a loop centrally in the site. Off this main access road, four secondary accesses would be formed to connect to parking areas serving the individual residential plots. The residential plots are set in three groups of four and one group of seven, with areas of strategic landscaping marking out the individual 'courtyards'. An area of 5-10m wide around the site's perimeter is excluded from development to allow for a biodiversity corridor and tree protection area. Pedestrian access to this perimeter zone is provided through each individual courtyard. In the centre of the development site, within the loop in the access road, is an area of communal amenity space.

Whilst the application is for planning permission in principle, and the details submitted do not include information on design, scale and massing of properties, the application is accompanied by a 'Design Code' which provides parameters for future owners of the individual plots to ensure that, given that the proposal is proposed as a self-build development, there is an element of future consistency across the site.

To the east of Culter House Road is provision for a foul water treatment plant and SUDS basin designed to accommodate the development.

Amendments

In agreement with the applicant, the following amendments were made to the application:

- Significant amendments to proposed site layout, including vehicular access and plot layout;
- Introduction of 'Zone of Influence' perimeter along edge of site;
- Further clarification on and adjustments to 'Design Code'.

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=QUUHEDBZKWF00>

- Design Code, by MAC Architects;
- Drainage Strategy Assessments, by Goodson Associates, dated 10th June 2021 and updated 10th November 2023;
- Ecological Assessment, by Countrywise, dated 25 May 2021;
- Supporting Planning Statement, by Savills, dated June 2021;
- Transport Statement, by Goodson Associates, dated 15th June 2021;
- Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan, by Tay Ecology, dated 24th May 2021.

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because the Culter Community Council has objected to the application, and it is recommended for approval.

Hierarchy of Development

The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 describes and assigns classes of development to the categories of national, major and local developments. Scottish Government Circular 5/2009 explains how the hierarchy of developments regulations should be applied across these development types, and provides criteria as to when a development is considered 'major', with the additional requirements of submission of a pre-application notice and pre-application consultation report.

For a housing development, the criteria are:

- a. The development comprises 50 or more dwellings; or
- b. The site area exceeds 2ha.

This second part is caveated in the Scottish Government Circular 5/2009 by the following: *'When considering whether a housing proposal is a major development under the terms of the second threshold only the area subject to the construction of buildings, structures or erections should be taken into account'*.

In this case, the developable area comprises the area covered by the residential plots, vehicular access and central amenity space, with the perimeter 'Zone of Influence' and area to the east of Culter House Road which is set aside for drainage excluded. As such, the developable area would extend to c.1.9ha, with a proposed development of 19 properties, and would thus constitute a local

development.

CONSULTATIONS

ACC - Developer Obligations – Developer obligations are required for Core Path Network: £6,696; Healthcare Facilities: £10,386; and Open Space: £3,294. A minimum of 25% of units should be delivered as affordable housing, which equates to 4.5 units in this instance. For developments of fewer than 20 units, the provision of affordable housing may be on-site, off-site or through a commuted sum payment. Any commuted sum would be based on the rate for affordable housing plots in the suburban sub-market area, and would be calculated as $4.5 \times £47,500 = £213,750$.

ACC - Environmental Health – No observations

ACC - Housing – As per policy H5 of the 2023 ALDP, an affordable housing contribution of 25% is required, which equates to 4.5 units. For developments of less than 20 units, the provision of affordable housing may be on-site, off-site or commuted payments.

ACC - Roads Development Management Team – The site is in a rural location, and is not well served for pedestrian access along Culter House Road as there is no footway or street lighting. Therefore there would be a heavier reliance on private vehicular trips than other residential developments. Proposed upgrades to an existing path through the local woodland area of Culter House Road are welcomed, but would not be considered a 'Safe Route to School'. Given its location, it is not considered possible to provide a 'Safe Route to School' for children walking or cycling to work. In terms of cycling, this shall be on-street via Culter House Road until it can tie in within North Deeside Road and Deeside Way. Culter House Road is lightly trafficked allowing for safer cycle use and the limited trips associated with the size of the site.

ACC - Schools Estates Team – The site falls within the catchment zones for Culter School and Culter Academy. School roll forecasts indicate that there is sufficient capacity at both schools to accommodate the number of pupils expected to be generated from the proposed development.

ACC - Waste And Recycling – No objection. Hard standing areas should be provided for each plot to position bin on service collection day.

NatureScot – Agrees with conclusion of the Habitats Regulations Appraisal. No further comments.

Scottish Water – No objection. The proposed development will be fed from Invercarnie Water Treatment Works. There is no public Scottish Water, waste water infrastructure within the vicinity of this proposed development. The applicant is therefore advised to investigate private treatment options.

Culter Community Council –

Initial comments:

Objection. The self-build model is an attractive alternative to the conventional provision of housing. It is considered that improvements are required before planning permission could be granted:

1. There is no affordable housing proposed. This is in breach of policy H5 and D1. It is noted that the applicant proposes a commuted sum to cover affordable housing, but this is very low in today's market;
2. The proposal to install gates would make this a gated community, which would not be welcoming;
3. On energy consumption, the applicant declares that individual plot-holders will need to demonstrate compliance with Building Regulations. There is no clear mechanism proposed to ensure that these are applied;

4. The proposals for walking and cycling access to public transport and to the main village of Culter do not appear to meet the policy D1 criteria 'Easy to get to, prioritising sustainable and active travel, and providing well-connected links'.

Additional comments:

Maintains objection. The proposal for 19 homes is consistent with the Local Development Plan and redevelopment of what is partially brownfield land is welcome. The self-build model is an attractive alternative to the conventional provision of housing. It is considered that improvements are required before planning permission could be granted:

The revised drawings show a layout which is more 'liveable', especially for children playing outside, and there is much greater detail on services and infrastructure on the site. The entrance gates have been removed, and this is a noticeable improvement. There has been no update to the Design Code or other documents, so most concerns raised in previous representation remain:

1. No affordable housing. It is noted that the current proposal does have a couple of smaller plots, although these are still far from any sense of 'affordable';
2. There is no commitment to low-energy housing;
3. The location of the site militates against the use of public transport, or active travel except for leisure.

REPRESENTATIONS

One letter of objection, and 21 letters of support were received during the initial representation period. No further letters, either of objection or support, were received during the second representation period.

The following matters were raised in the letter of objection:

1. The entrance gates would set a terrible precedent for socially divisive gated communities if approved;
2. The idea of 'self-build eco homes' is intriguing but a clear design code will be needed to ensure that the houses are built to appropriate safety, sustainability and construction standards and are visually acceptable;

The following matters were raised in the letters of support:

1. Innovative proposal due to the self-build nature of the development;
2. Proposal would provide a range of opportunities, and would be great for families;
3. The idea of a gated, safe community of individual self builds will be unique in the Culter area and unlike conventional housing developments with rows and rows of similar houses;
4. Proposed development would sit well within the surrounding woodland;
5. Proposal would have a positive impact on biodiversity;
6. Improvements to footpaths between the development and the village would not just benefit residents of the proposed development, but also others living in Culter and the surrounding area;

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where

making any determination under the planning acts, regard is to be had to the provisions of the Development Plan; and, that any determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Development Plan

National Planning Framework 4

National Planning Framework 4 (NPF4) is the long-term spatial strategy for Scotland and contains a comprehensive set of national planning policies that form part of the statutory development plan.

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 4 (Natural Places)
- Policy 6 (Forestry, Woodland and Trees)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 16 (Quality Homes)
- Policy 18 (Infrastructure First)

Aberdeen Local Development Plan (2023)

- Policy LR1 (Land Release Policy)
- Policy NE3 (Our Natural Heritage)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D4 (Landscape)
- Policy D5 (Landscape Design)
- Policy H3 (Density)
- Policy H5 (Affordable Housing)
- Policy R5 (Waste Management Requirements for New Developments)
- Policy R6 (Low and Zero Carbon Buildings and Water Efficiency)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy I1 (Infrastructure Delivery and Planning Obligations)

Supplementary Guidance

Planning Obligations

Aberdeen Planning Guidance

Affordable and Specialist Housing
Amenity and Space Standards
Flooding, Drainage and Water Quality
Landscape
Materials

Natural Heritage
Transport and Accessibility
Trees and Woodlands

EVALUATION

Principle of Development

The application site is allocated in the 2023 Aberdeen Local Development Plan (2023 ALDP) as OP109 and considered suitable for a residential development of up to 19 homes. The site was first included as an opportunity site in the 2017 Aberdeen Local Development Plan. The Reporters in their examination of the 2017 Aberdeen Local Development Plan acknowledged that the site was located outside the established residential area of Peterculter, and would be reliant on the use of the private car, which would be contrary to local and national planning policies promoting sustainable transport methods. However, they noted that the derelict buildings on the site detract from the amenity of the surrounding area, and that no improvement would be likely to occur without redevelopment of the site. They continued with setting out that redevelopment of the site could make a positive contribution to the surrounding area and would provide a contribution to the slight housing shortfall in greenfield housing land at the time.

Policy LR1 (Land Release Policy) of 2023 ALDP sets out that housing development on existing allocated sites will be approved in principle within areas designated for housing. Policy 16 (Quality Homes) part (a) of NPF4 sets out that development proposals for new homes on land allocated for housing in LDPs will be supported.

The proposal seeks planning permission in principle for a development of a total of 19 properties. The supporting information sets out that the plots would be developed as 'self-build', where each plot would be sold off individually with the current applicant responsible for providing infrastructure and services, and each individual purchaser responsible for further development of the plot and property. In general, Policy 16 (Quality Homes) part (c) of NPF4 encourages proposals that increase choice for new homes and includes schemes for self-build homes. Taking account of the above, the principle of the proposed residential development for a total of 19 dwellings is considered acceptable and in compliance with these policies. Whilst the applicant has specified this current proposal is for self-build plots where single residential plots are sold off to allow individual properties to be built by the future purchasers, this would not preclude the sale of several or all plots to a single party.

Siting and Design

Policy 14 (Design, Quality and Place) of NPF4 sets out that all development will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy D1 (Quality Placemaking) of 2023 ALDP sets out that all development must follow a thorough process of site context appraisal to arrive at an appropriate proposal, taking cognisance of specific characteristics of the surrounding area. All proposals will be considered against the following six essential qualities: distinctive; welcoming; safe and pleasant; easy to move around; adaptable; and resource efficient. Policy D4 (Landscape) of 2023 ALDP recognises that landscapes provide a distinct 'sense of place' that should not be adversely affected by development, whilst policy D5 (Landscape Design) of 2023 ALDP sets out that all development proposals will be designed with an effective, functional and attractive landscape framework supported by clear design objectives.

The application site is set in a rural location, c.350m to the north of the main residential area of Peterculter, but visually clearly distinct from this built-up area. The site itself is currently occupied by the farmhouse itself, a collection of farm buildings of a variety of ages, design and scale, and a selection of dilapidated polytunnels. Culter House Road is a narrow road providing a through route

between the B979 Malcolm Road to the west and the Deeside junction of the AWPR to the east, with no direct vehicular route from Culter House Road into the main settlement of Peterculter. The vehicular route from the development site to Peterculter would involve either going north along Culter House Road towards the B979 Malcolm Road and south towards the settlement, or east following Culter House Road until its junction with the AWPR Deeside Road sliproad, turning south to North Deeside Road and then west towards Peterculter. It is noted that a potential shorter route along Bucklerburn Road and School Road would necessitate using private roads with this section of Bucklerburn Road in a very poor state of repair and generally inaccessible for normal cars. As such, even though the site is relatively near to the settlement of Peterculter, there are no clear vehicular links to this existing residential settlement and this is reflected in the rural character of the application site. To the north, and south and part of the west, the site is bounded by woodlands, including ancient woodlands. Further to the north and to the east are agricultural fields, whilst further to the south, Culter House Road has a sylvan character. Whilst at a relatively short distance from the edge of Peterculter, the woodlands and character of Culter House Road in this location provide a clear visual barrier between the application site and Peterculter, further emphasising its rural location and character.

The proposed site layout submitted as part of this application provides details of the plot layout, strategic landscaping, boundaries, vehicular access and infrastructure and areas of open space, including a buffer zone around the perimeter of the site.

The proposed layout would see a single vehicular access from Culter House Road, located midway along the eastern boundary and running to a point centrally within the site, where it loops around a small central green space. From this access road, a total of four smaller private roads would run to four different courtyards. Each courtyard would be fronted by, and provide access to, a set of four to seven residential plots, varying in size from c.550m² to c.1100m². The four 'courtyards' would be separated by strategic, structural landscaping consisting of hedges. A pedestrian link would run through each individual courtyard to a buffer zone of strategic landscaping – 5m to 10m in depth – running along the north, west and south perimeter of the site. The eastern boundary with Culter House Road would be made up of a stone wall with hedge and timber fencing to provide sufficient screening to properties.

The proposed site layout, which separates the site into four 'courtyards' would reflect the agricultural heritage of the surrounding area, and would take cognisance of its rural nature. The 5m-10m wide mature landscape buffer to the perimeter of the site would see sufficient distance retained to the existing mature woodlands, whilst ensuring that the development would sit comfortably within the application site. The main function of this buffer zone is to protect the ancient woodlands outside the application site and to introduce valuable biodiversity habitat into the site. Whilst this area would be mainly untouched, there could be some additional tree planting where necessary, and the buffer zone would be separated from the rear boundary of residential plots by a hedge, which would form part of the strategic landscaping plan. Additional strategic landscaping would be between the various courtyards, along the central access road, and along the frontage with Culter House Road providing a softer setting for the overall development and ensuring that the development would sit well within its setting, thus contributing to an improvement to visual amenity as set out by the Reporter when the site was first allocated in the 2017 Aberdeen Local Development Plan. Whilst the locations and general criteria for strategic landscaping are included in the current application, details and timing will require to be agreed through a subsequent Matters Specified in Conditions (MSC) application, which will also need to include a detailed landscaping scheme for the central open space.

The position and alignment of the access road and secondary accesses into the 'courtyards', the positions of the courtyards, the plot boundaries, size and extent of each individual plot and the location and extent of the buffer zone is set out in this current application and will all be fixed, if this application is approved, with final details of site wide roads and drainage infrastructure, perimeter

planting and the phasing of the delivery of these elements to be the subject of a separate MSC application.

Turning to the individual properties, the current application does not include details of scale, siting and design of each property. Whilst a drawing has been submitted showing a potential footprint for individual dwellings, this is labelled 'indicative' and thus gives an indication of how dwellings could potentially be positioned within each plot, but does not form part of the assessment and determination of this application. Thus the details shown are likely to be subject to change following submission of future MSC applications for detailed scale, siting and design of individual properties. The applicant has stated that their intention is to sell plots on an individual basis, and for each dwelling to come forward as a unique self-build project. To assist this process and to ensure a comprehensive, cohesive final development which respects the rural setting of the site whilst providing flexibility for each individual to create their own unique dwelling, the applicant has submitted a 'Design Code' which sets out the main parameters in relation to scale, massing and design elements including guidelines on appropriate external materials for individual properties. It is recommended this Design Code is included as part of a suitably worded condition to ensure that MSC applications for future dwellings would need to adhere to these design parameters.

Subject to the proposed conditions and requirements for subsequent MSC applications, it is considered that the proposal takes sufficient cognisance of its rural setting and would provide a good quality development in compliance with Policy 14 (Design, Quality and Place) of NPF4 and Policies D1 (Quality Placemaking), D4 (Landscape) and D5 (Landscape Design) of 2023 ALDP.

Density

In terms of density, Policy H3 (Density) of 2023 ALDP sets out that the Council will seek an appropriate net density of development on all housing allocations and windfall sites. For all residential development over 1ha, the net density is generally sought at no less than 50 dwellings per hectare. In this case, the development site extends 1.9ha and a total of 19 dwellings are proposed, resulting in an overall density of 10 dwellings per hectare. Whilst this is significantly less than the 50 dwellings per hectare as set out in the above policy, it is considered that, due to its rural location and other environmental constraints, the site was considered suitable for a development of up to 19 dwellings as part of the development plan process. This low density is therefore considered acceptable in this instance, even though it does not strictly comply with the criteria as set out in Policy H3 of 2023 ALDP.

Residential Amenity

Policy D2 (Residential Amenity) of 2023 ALDP seeks to ensure that all developments achieve a good level of residential amenity, both within the property and externally. In this case, the proposed site layout would see the creation of four individual 'courtyards' fronted by four to seven residential plots. Each plot would extend between c.550m² and c.1100m². Due to the proposed courtyard layout, size of plots and the parameters as set out in the proposed 'Design Code' as discussed above, the dwellings can be positioned in such a way that they would not result in excessive overlooking or overshadowing, whilst ensuring sufficient garden space to provide sufficient external amenity space.

In addition to private external garden space, the proposed site layout includes a communal space within the centre of the site, and pedestrian access to the perimeter along the north, west and south boundary. Access to this perimeter is provided through each courtyard. Taken together, the proposal would achieve a high quality of residential amenity, exceeding the expectations of Policy D2 (Residential Amenity) of 2023 ALDP.

Access and sustainable transport

Both Policy 13 (Sustainable Transport) of NPF4 and Policy T2 (Sustainable Transport) of 2023

ALDP seek to reduce reliance on the private car. Policy 15 (Local Living and 20 Minute Neighbourhoods) of NPF4 seeks to create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

As set out above, the site is in a rural location and removed from the main residential area of Peterculter. There is no pavement or cycle path along Culter House Road and whilst narrow, this road is subject to the national speed limit. Furthermore, whilst not directly connecting to Peterculter, Culter House Road does provide access to the Aberdeen Western Peripheral Route – Deeside junction, and is relatively busy at times. As such, it is not a safe, comfortable route for walking or cycling. In terms of linkages with Peterculter, there are existing tracks through woodlands between Tillyoch and School Road, an aspirational Core Path along Bucklerburn Road and a rough track across Ardbeck Hill, but these are not necessarily maintained and are not lit. In addition, many of these tracks run over private land, including Ardbeck Hill and the woodland between Tillyoch and School Road. As such, they would function more as leisure walking routes than a functional route to schools, shops and public transport. Furthermore, the distance from the site to the nearest bus stop in Johnston Gardens; Culter Primary School and leisure centre on Coronation Road; and Culter District Centre centred on North Deeside Road are c.1.6km; c.2.1km and c.2.1km respectively. The development is thus reliant on private car use and would not contribute to the development of connected and compact neighbourhoods, given the distance between the application site and the nearest local facilities, and the lack of good, safe sustainable travel routes. Taking account of the above, there is also no safe route to school.

In an attempt to mitigate these matters to some extent, the applicant has included indicative proposals in relation to the creation of a pedestrian route between the application site and the main residential area of Peterculter. This would provide the option of a segregated walking route to the east of Culter House Road, where it would link into Ardbeck Hill further to the south. It is noted that the land to the east of Culter House Road is within control of the applicant, whereas the land on Ardbeck Hill is not. Whilst there are existing walking routes across Ardbeck Hill, it has not been evidenced by the applicant that such upgrades could be delivered, as the land is not identified as being within the applicant's control. In addition, in any case, due to the location of the proposed paths through the woods and rough ground, with Ardbeck Hill forming part of the Peterculter Local Nature Conservation Site and the land to the east of Culter House Road considered an ancient woodland, any construction of a footpath would need to be light weight and could not include any lighting to ensure no adverse impact on existing habitats. As such, the delivery of such a route might, at worst, not be feasible and, at best, would not result in a pedestrian connection to the settlement of Peterculter that could be considered a 'Safe Route to School'. Given that the proposed pedestrian route would not alleviate the fact that there would be no 'Safe Route to School' it is not considered essential to attach a condition requiring its implementation.

As such, despite proposed improvements to existing walking routes, due to the distance between the application site and the main residential area of Peterculter, the proposed development would be reliant on the use of the private car and would not be in a position to promote the use of sustainable and active travel methods. In addition, it would not contribute to the development of 20-minute neighbourhoods and local living. As such, the proposal would not meet the requirements of Policy 13 (Sustainable Travel) and Policy 15 (20-Minute Neighbourhoods and Local Living) of NPF4 and Policy T2 (Sustainable Travel) of 2023 ALDP. However, consideration is given to the inclusion of the site as an opportunity site for residential development of up to 19 houses. It is however acknowledged, as set out previously, that the Reporter in their assessment of the site for the 2017 Aberdeen Local Development Plan, acknowledged that it would be reliant on the use of the private car and would conflict with both national and local policies in relation to sustainable travel. However, in their assessment, they concluded that the benefit of a small scale development on the site, which currently detracts from the character of the surrounding area, would significantly improve the

amenity of the surrounding area, and that this would outweigh the conflict with sustainable transport policies. This assessment remains a material consideration in this instance, and the inclusion of the site in the 2023 Aberdeen Local Development Plan, which was adopted after NPF4, would therefore outweigh the conflict with Policy 13 (Sustainable Travel) and Policy 15 (20-Minute Neighbourhoods and Local Living) of NPF4 and Policy T2 (Sustainable Travel) of 2023 ALDP.

Parking and Access

A single vehicular access is proposed from Culter House Road. This access road would loop through the development, and would include four spurs into the individual 'courtyards'. It has not been confirmed whether it is proposed to adopt this road. The indicative roads design would be acceptable, with further details secured through a subsequent MSC application, including details of the design of the junction onto Culter House Road.

The indicative layout shows that all plots could be served by two to four parking spaces. Given the size of the individual houses is not confirmed at this stage, this figure is indicative and would be acceptable. It is noted that as part of a subsequent MSC application for the detailed design of each individual house, relevant parking standards as specified in Aberdeen Planning Guidance: 'Transport and Accessibility', including on EV-charging, will need to be applied. Therefore, based on the current level of information provided and required as part of this application for planning permission in principle, the proposal meets the requirements of Policy T3 (Parking) of 2023 ALDP and Aberdeen Planning Guidance: 'Transport and Accessibility'.

Trees and Woodlands

Policy 6 (Forestry, Woodland and Trees) of NPF4 aims to protect and expand forests, woodland and trees. It further sets out in Policy 6(b)(i) that development proposals will not be supported where they will result in *'any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition'*.

Policy NE5 (Trees and Woodland) of 2023 ALDP sets out that development should not result in the loss of, or damage to, trees and woodlands. However, where tree removal takes place or is necessary for good arboricultural reasons, replacement planting will be required to ensure an overall net gain in tree cover. In addition, buildings and infrastructure should be sited to allow adequate space for a tree's natural development, taking into account the predicted mature height, canopy spread and future rooting environmental.

Whilst the woodlands do not encroach into the site, immediately to the north, south and parts of the west boundaries are areas of woodland included in the ancient woodland inventory, and are protected by Tree Preservation Orders (TPO) 210 to the south and 244 to the north and west. The TPOs do not extend into the site.

Trees are predominantly located along the perimeter of the site, with some clusters of predominantly self-seeded silver birches in the western half of the site. Two Category-B copper beeches are located in the garden of the existing farmhouse. The proposed site layout includes a 10m wide exclusion zone for development along the north, south and west boundaries with a section of the north west boundary having an exclusion zone of 5m. This adequately protects the trees located near the site boundary – both within and outside the site. It is proposed to fell all trees positioned more centrally within the site, including the copper beeches, to allow for the development. Whilst no replacement planting has been proposed at this stage, it is considered that the site layout allows for sufficient opportunities for additional tree planting within the central communal area, the exclusion zone along the boundaries and within individual plots, and that this can be secured through further MSC applications.

The proposed 10m exclusion zone should be sufficient to ensure the development has no adverse

impact on the ancient woodlands surrounding the site, and would ensure that there is sufficient space for dwellings to be located within their individual plots without being located in the tree's zone of influence. Some tree protection is indicated on the proposed site layout drawing, however, additional detail can be submitted through a further MSC application.

On the basis of the above, and whilst acknowledging that there is a loss of trees within the more central part of the development site, it is considered that the proposal is generally compliant with Policy 6 (Forestry, Woodland and Trees) of NPF4 and Policy NE5 (Trees and Woodland) of 2023 ALDP subject to the further MSC applications as set out above.

Natural Heritage

Policy 3 (Biodiversity) part (c) of NPF4 sets out that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity. Measures should be proportionate to the nature and scale of development. In part (d) it continues that any potential adverse impacts will be minimised through careful planning and design. Policy 4 (Natural Places) part (f) of NPF4 sets out that development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets relevant statutory tests. These policies are mirrored by Policy NE3 (Natural Heritage) of 2023 ALDP which similarly seeks protection of protected species and designated sites.

The application is supported by an Ecological Assessment and additional Badger Survey. The Peterculter Local Nature Conservation Site (LNCS) stretches from Lochnagar Road to the south, to the edge of Bucklerburn Road to the west, to Guttrie Hill to the east and the southern boundary of, but does not extend into, the application site to the north. The LNCS is mainly designated due to upland birch woodland and other pine woodland, and provides habitat for various protected species, including red squirrels, badgers and bats. The Ecological Assessment found badgers using the site and the wider LNCS, with traces of red squirrels in the woodlands surrounding the site. The site was surveyed for their suitability for bat roosts. Due to their construction, all agricultural buildings were considered not to have bat roosting potential. A further sunset and sunrise bat survey was carried out on the farmhouse. Whilst the site was visited by bats during the survey, none of these were found roosting in the farmhouse.

As such, the main impact of the development on protected species was the potential presence of badgers and a separate further badger survey and species protection plan was submitted. Proposals are included as part of this second document to ensure no adverse impact on this protected species, which has been accepted by NatureScot in correspondence with the applicant.

The proposed site layout shows location of areas of strategic landscaping along the site boundaries, main access road running through the site and between the four courtyards in addition to the retention of the 5/10m wide zone of influence along the site's perimeter. Subject to a detailed landscaping scheme and use of suitable, native species, these areas can be designed to create additional habitat and enhance biodiversity across the site.

On that basis, it is considered that the proposal would not have an unacceptable detrimental impact on protected species or the surrounding Peterculter Local Nature Conservation Area and adequately seeks to enhance biodiversity and would meet requirements as set out in Policy 3 (Biodiversity) and Policy 4 (Natural Places) of NPF4 and Policy NE3 (Natural Heritage) of 2023 ALDP.

Other Matters

Drainage

The site is not connected to public waste water infrastructure and a private treatment of both foul and surface water is proposed. Policy NE4 (Our Water Environment) of 2023 ALDP sets out that private waste water treatment systems will only be acceptable outside settlement boundaries and only

if there is no connection to public sewers. Furthermore, all new developments are required to incorporate adequate SUDS systems to manage surface water.

The application is supported by a drainage strategy assessment. This document sets out that foul and surface water would be collected separately, and would run to a detention basis and treatment plant to the east of the main development site in land controlled by the applicant, from where treated water would be discharged in the Buckler Burn further to the south. This would be considered acceptable and in line with Policy NE4 of 2023 ALDP, given that the site is located outwith the settlement boundary of Peterculter, and there is no connection to the public sewer.

Waste

All properties would require three individual bins as per general Aberdeen City Council requirements. These bins would be stored within the curtilage of each individual property. Whilst no details have been submitted as to where within the plots bin storage will be, it is considered that plots are of a sufficient size to adequately provide space for bin storage. On collection days, occupiers of the houses will need to take their individual bins to a collective bin stance at the end of the private road serving each courtyard. A total of four bin stances are shown on the proposed site plan, with bin lorries using the internal loop road to service. Swept path drawings showing bin lorries can navigate the loop road have been submitted, and are accepted.

On that basis, the proposal would comply with Policy R5 (Waste Management Requirements for New Developments) of 2023 ALDP in principle, with details of bin storage to be submitted as part of subsequent MSC applications for each plot.

Low and Zero Carbon Building and Water Efficiency

Policy R6 (Low and Zero Carbon Building and Water Efficiency) of 2023 ALDP sets out that all new buildings will be required to demonstrate that a proportion of carbon emissions reduction standard set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technology. This will be controlled through the building standards process and there is no additional condition required to ensure compliance with this policy.

Tackling the Climate and Nature Crises and Climate Mitigation

Consideration must be given to Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4. Policy 1 gives significant weight to the global climate and nature crises in order to ensure that it is recognised as a priority in all plans and decisions. Policy 2 states that emissions from new development are minimised as far as possible.

In this case, the site is an allocated brownfield development site, currently occupied by a collection of agricultural and horticultural buildings in various state of repair and the original farmhouse. None of the agricultural buildings would be suitable for conversion. The site would be clear, including demolition of the farmhouse to allow for the redevelopment of the site to take place. Whilst there is an environmental cost to the clearance of the site, it would result in a better, more efficient layout and use of the site and would result in the construction of additional residential units on an allocated brownfield site in accordance with other policies both in NPF4 and 2023 ALDP as discussed above. It is further considered that the overall layout of the site would see a strong buffer zone between the proposed residential plots and the edge of the site leading into the woodlands to the north, west and south and would include strong strategic landscaping through the use of native species and structural hedges along the main access road and between 'courtyards'.

However, as set out previously, there is a clear conflict with Policy 13 (Sustainable Travel) and Policy 15 (Local Living and 20-Minute Neighbourhoods) of NPF4 given that the proposal would be reliant on the use of private cars. This unsustainable location would create tension with Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4.

Developer Obligations and Affordable Housing

Policy 16 (Quality Homes) part (e) of NPF4 and Policy H5 (Affordable Housing) of 2023 ALDP set out that proposals for private market housing will only be supported where at least 25% of all units will be provided as affordable housing. Aberdeen Planning Guidance: 'Affordable and Specialist Housing' sets out that affordable housing on sites with fewer than 20 units can be provided on-site, off-site or through a commuted sum. In this instance, a commuted sum of £213,750 towards affordable housing delivery in the suburban housing market area has been agreed.

In line with Policy 18 (Infrastructure First) of NPF4 and Policy I1 (Infrastructure Delivery and Planning Obligations), the following further monetary contributions are required:

- Core Path Network - £6,696. Contribution required towards the enhancement of Core Path 51 and/or Aspirational Core Path 4, which are located in close proximity to the development;
- Healthcare Facilities - £10,386 Contribution required towards internal reconfiguration works to increase capacity at Peterculter Medical Practice or other such healthcare facilities serving the development; and
- Open Space - £3,294. Contribution is required towards the enhancement of existing open spaces in the vicinity of the development. The contribution may also be used to support community food growing.

Heads of Terms of any Legal Agreement

The applicant has agreed to the payment of the developer obligations as listed above, and these can be secured through a suitably worded legal agreement.

RECOMMENDATION

Approve Conditionally & Legal Agreement

REASON FOR RECOMMENDATION

The proposal would see the development of Opportunity Site 109 (Woodend) with a total of 19 units in accordance with the figure as set through the Local Development Plan process. The proposed site layout is well considered, and takes cognisance of the rural context of the development site through the grouping of residential plots around 'courtyards', the introduction of a buffer zone along the site's perimeter and through the integration of significant strategic landscaping across the site. Detailed siting, layout and design of individual dwellings would be subject to further Matters Specified in Conditions (MSC) applications, however, to ensure a satisfactory approach, a 'Design Code' has been agreed as part of this current application which provides guidelines and criteria for the further development of individual plots, that future proposals require to be in line with. The proposed site layout would allow for a good quality residential amenity to be created across the site. On that basis, the application is considered to suitably comply with Policy 14 (Design, Quality and Place) and Policy 16 (Quality Homes) of National Planning Framework 4 (NPF4) and policies LR1 (Land Release Policy), D1 (Quality Placemaking), D2 (Amenity), D4 (Landscape), D5 (Landscape Design) and H3 (Density) of the Aberdeen Local Development Plan 2023.

The site is a brownfield site positioned between ancient woodland and in close proximity to the Peterculter Local Nature Conservation Site. The proposed buffer zone along the site's perimeter will ensure no adverse impact on the ancient woodland outside the application site. Whilst there is a loss of trees within the application site, these are mainly self-seeded and of a lower quality, and can be replaced within a detailed landscape scheme which can be submitted as part of a future MSC application. Submission of a badger species protection plan is required. No other protected species are noted to use the site for roosting or similar and impact on protected species is acceptable. The proposal thus suitably complies with Policy 3 (Biodiversity), Policy 4 (Natural Places) and Policy 6

(Forestry, Woodland and Trees) of NPF4 and Policies NE3 (Our Natural Heritage) and NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan 2023.

Due to its rural location outwith the settlement boundary of Peterculter, the development would be reliant on the private car, would not be easily accessible by sustainable transport, nor would it result in the creation of well-connected neighbourhoods where the majority of daily needs are easily accessible by sustainable transport modes. As such, the proposal would not comply with Policy 13 (Sustainable Transport) and Policy 15 (Local Living and 20 Minute Neighbourhoods) of NPF4, and Policy T2 (Sustainable Transport) of the Aberdeen Local Development Plan 2023. However, given that the site is allocated for residential development in the Aberdeen Local Development Plan 2023 as Opportunity Site 109, this allocation outweighs this conflict with the above policies.

Matters in relation to drainage, waste storage, and parking can be secured through future MSC application with the general approach considered compliant with Policies NE4 (Our Water Environment), R5 (Waste Management Requirements for New Development), R6 (Low and Zero Carbon Buildings, and Water Efficiency) and T3 (Parking) of the Aberdeen Local Development Plan 2023.

The applicant has agreed to a legal agreement requiring monetary contributions in relation to affordable housing, core paths, healthcare facilities and open space in line with Policy 18 (Infrastructure First) of NPF4 and Policy I1 (Infrastructure Delivery and Planning Obligations) of the Aberdeen Local Development Plan 2023.

Finally, the proposal would create tension with Policy 1 (Tackling the Climate and Nature Crises) and Policy 2 (Climate Mitigation and Adaptation) of NPF4 given the unsustainable location of the site and resultant reliance on the private car. However, the resultant development would see the reuse of an existing brownfield site allocated for residential development through the development planning process, with the proposed site layout integrating strategic landscaping and a buffer zone surrounding trees outside and along the edge of the development site.

CONDITIONS

(01) DURATION OF PERMISSION

The development to which this notice relates must be begun not later than the expiration of 5 years beginning with the date of this notice. If development has not begun at the expiration of the 5-year period, the planning permission in principle lapses.

Reason: In accordance with section 59 (planning permission in principle) of the Town and Country Planning (Scotland) Act 1997 (as amended).

(02) MATTERS REQUIRING FURTHER APPROVAL – SITE WIDE

That an application for approval of matters specified in condition containing details of the specified matters listed below shall be submitted for consideration by the planning authority in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

No development shall take place unless a matters specified in conditions application comprising the detailed layout and design of vehicular access and roads, landscaping and drainage has been submitted to and approved in writing by the Planning Authority. The application(s) shall comprise:

- a. Details of the layout and finish of all roads and junction onto Culter House Road, visibility splays, swept path analysis and footpaths;
- b. Details of strategic landscaping and site boundaries including the communal open space; boundary along Culter House Road; structural boundary hedges between 'courtyards' and along the main access road and along the rear boundary of the residential plots marking the position of the buffer zone;
- c. Details of design and layout of drainage and SUDS features;
- d. A scheme for the phasing and delivery of all of the above matters. For the avoidance of doubt, this phasing plan shall indicate when communal infrastructure including the main road through the site, central communal open space and drainage shall be constructed. Furthermore, this phasing plan shall set out that the boundary between the buffer zone shown in pink on drawing 464(PA)009/RevB and the rear boundary of residential plots shall be implemented prior to commencement of any works on site, and shall be retained in perpetuity.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) and to ensure all strategic infrastructure will be constructed and available for use when required.

(03) MATTERS REQUIRING FURTHER APPROVAL – RESIDENTIAL PLOTS

That application(s) for approval of matters specified in condition containing details of the specified matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

No development within any individual plot shall take place unless a matters specified in conditions application(s) comprising the detailed layout and design of access, buildings, landscaping and boundary treatments for that individual plot has been submitted to and approved in writing by the Planning Authority. The application(s) shall comprise:

- a. Details of layout, positioning, design and external appearance of buildings and ancillary structures in accordance with the 'Design Code' approved as part of this application;
- b. Details of landscaping, boundary treatments and hard surfacing;
- c. Details of bin storage, parking

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

(04) STRATEGIC LANDSCAPING - DETAILS

No development shall take place unless a matters specified in conditions application(s) comprising a scheme of hard and soft landscaping works covering the entire site, but excluding the individual residential plots, has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- a. Existing trees and vegetation to be retained and an indication of existing trees, shrubs and hedges to be removed;
- b. The location of new trees, shrubs, hedges and grassed areas;
- c. A schedule of planting to comprise species, plant sizes and proposed numbers and density;
- d. The location, design and materials of all hard-landscaping works, including walls, bin stances, street furniture and play equipment;
- e. Schedule for implementation of landscaping scheme;

- f. A programme for completion and subsequent maintenance of the proposed landscaping.

For the avoidance of doubt, all usable granite from the farmhouse to be demolished and existing walls within the site shall be reused within the boundary treatments starting at the junction and boundary along Culter House Road and working its way west into the site.

Reason: To ensure a satisfactory finish of the development and to ensure biodiversity enhancement

(05) STRATEGIC LANDSCAPING – IMPLEMENTATION

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed in accordance with the approved schedule for implementation as specified in the aforementioned condition (05)(e) or such other date as may be agreed in writing by the Planning Authority. Any planting or trees which, within a period of five years from the completion of the development, in the opinion of the Planning Authority, is dying, being severely damaged or becoming seriously diseased shall be replaced by plants or trees of similar size and species to those originally required to be planted.

In addition, all management and maintenance of the landscaped areas and structural planting shall be implemented, in perpetuity, in accordance with the approved programme as specified in the aforementioned condition (05)(f).

Reason: To ensure a satisfactory finish of the development and to ensure biodiversity enhancement.

(06) TREE PROTECTION (01)

No development shall take place unless a matters specified in condition application(s) comprising a scheme/ details showing all trees to be removed and those to be retained, and a scheme for the protection of all trees to be retained on site during construction works has been submitted to, and approved in writing by the Planning Authority, and any such approved scheme has been implemented.

Reason: To ensure adequate protection for the trees on site during the construction of the development.

(07) TREE PROTECTION (02)

That any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before any of the residential properties hereby approved are first occupied.

Reason: In order to preserve the character and visual amenity of the area.

(08) TREE PROTECTION (03)

That no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the prior written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks

Reason: In order to ensure adequate protection for the trees on site during the construction of the

development.

(09) PROTECTED SPECIES

That no development shall take place unless a matters specified in conditions application comprising a further updated badger survey and badger protection plan for the site has been submitted to and approved in writing by the Planning Authority. Any required mitigation measures to minimise disturbance to badgers must be identified and be in accordance with NatureScot best practice. A licensed badger ecologist will be required to monitor the site during and post construction.

Reason: To mitigate any potential impact on protected species

(10) SUDS – DETAILS

That no development shall take place unless a matters specified in conditions application comprising a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme

Reason: In order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(11) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

That no development shall take place unless a matters specified in conditions application comprising a site-specific Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The CEMP must address the following issues:

- a. Surface water management, including construction phase sustainable drainage measures;
- b. Measures to ensure that no sediment or pollution from the site enters the Buckler Burn and affects the River Dee Special Area of Conservation; and
- c. Site waste management including details of re-use on-site and off-site disposal of demolition materials.

Reason: To minimise the environmental impact of construction and demolition and to ensure no adverse impact on the Buckler Burn and the River Dee SAC.

ADVISORY NOTES FOR APPLICANT

That all applications for Matters Specified in Conditions must be submitted to and approved by the Planning Authority within the five-year period set out in Condition 1 of this Planning Permission in Principle, in line with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).