



# Strategic Place Planning

Report of Handling by Development Management Manager

<b>Site Address:</b>	Land Adjacent To Oldfold Farmhouse, Milltimber, Aberdeen AB13 0HQ
<b>Application Description:</b>	Erection of two-storey detached dwelling house with integral garage and associated works
<b>Application Ref:</b>	240463/DPP
<b>Application Type:</b>	Detailed Planning Permission
<b>Application Date:</b>	12 April 2024
<b>Applicant:</b>	Mr Euan Davidson
<b>Ward:</b>	Lower Deeside
<b>Community Council:</b>	Cults, Bieldside and Milltimber

## **DECISION**

Refuse.

## **APPLICATION BACKGROUND**

### **Site Description**

The application relates to a grassed paddock adjacent to Oldfold Farmhouse, East Drive, Milltimber.

The site extends to 0.13 hectares and is enclosed to the south-west by woodland and the Tor-Na-Dee Care Home. To the north-west is a narrow tree belt beyond which are two-storey dwellinghouses forming part of the recent Oldfold housing development. To the north-east is Oldfold Farmhouse, a 1½ storey vernacular dwelling which is separated from the site by a timber fence. To the south-east is the private driveway providing access to Oldfold Farmhouse, which is accessed from East Drive, which in turn leads to North Deeside Road around 300 metres to the south, and to the south-west a plantation of mature trees is adjacent to and bounds the site

### **Relevant Planning History**

220746/MSC, Approval of matters specified in conditions 2 (tree survey and protection), 3 (surface water drainage) and 4 (waste-water connection) in relation to 220261/PPP for the erection of a detached dwelling house

Matters Specified in Conditions Approved Unconditionally 19<sup>th</sup> August 2022.

220261/PPP, Erection of two-storey detached dwelling house and associated works  
Planning Permission in Principle Approved Conditionally 21<sup>st</sup> April 2022.

150260, Approval of Matters Specified in 130378 in relation to residential development of 58 houses (Condition 1-Phasing, 4-New Junction, 9-Drainage, 10-Archaeology, 11-Contamination, 14-Trees, 15-CEMP, 16-SWMP, 17-Layout and Design, 18-Landscaping, 20-Travel Pack)

Matters Specified in Conditions Approved Conditionally 6<sup>th</sup> August 2015.

130378, Development including residential comprising approx. 550 house units, commercial, primary school, associated ancillary uses and infrastructure improvements including road junction formation on A93

Planning Permission in Principle Approved Conditionally 24<sup>th</sup> February 2015.

## **APPLICATION DESCRIPTION**

### **Description of Proposal**

It is proposed to erect a dwellinghouse with a built footprint of approximately 211 square metres and rising to a ridge height of approximately 8.3 m. The house would be built approximately 2 m from the north-eastern boundary shared with Oldford Farmhouse with the majority of outdoor amenity space located around the south and west of the house. The proposal would consist of two forms adjoining lengthways north-west to south-east in plan view: the first a gabled 2-storey form finished in granite blocks and white silicone render on the ground floor and vertical timber cladding and dark grey metal corrugate on the first floor. The roof would be clad likewise in dark grey metal corrugate. The second form would be single-storey flat-roof clad in white silicone render and accommodating at its southern end a double garage projecting forward of the main house. An air source heat pump would be installed against its south-eastern wall.

An asphalt driveway including turning circle would be laid in the south-east of the site leading up to the garage and to the front door of the house set on the west elevation under an overhang of the first floor. The proposal for waste management is that domestic bins would be kept by the driveway entrance and walked up for via the driveway and path to Murtle Den Crescent to sit alongside the existing waste collection point for Oldford Farmhouse approximately 80 m away.

A vertical timber panel fence approximately 1.7 m high would be erected along the eastern boundaries. Along the western boundaries, where there is an existing stone wall, this would be retained and made good in places where it has fallen into disrepair.

Foul water drainage would be connected to the mains and surface water drainage would be managed via a soakaway in the south-east of the site.

### **Amendments**

None.

### **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=SBTNOJBZM4K00>

- Design Statement
- Tree Survey Report
- Supporting Evidence
- Soakaway Drainage Calculations
- Response to Feedback Letter
- Response to Comments

## **CONSULTATIONS**

**Aberdeen City Council (ACC) - Contaminated Land Team** – No objection, advising that the potential for land contamination issues at the site is insufficient to justify attachment of conditions. The Planning Authority however should be notified immediately if ground contamination is discovered during development and the extent and nature of the contamination investigated with a suitable scheme for the mitigation of any risks agreed and implemented to the satisfaction of the Planning Authority.

**ACC - Environmental Health** – No objection, advising that construction be conducted in accordance with BS8228 – 1:2009+A1:2014 and best practice contained in BRE Guide (2003) Control of dust from construction and demolition activities. Has advised hours of construction to protect neighbouring residential amenity.

**ACC - Roads Development Management Team** – No objection, advising that the level of parking and garage internal dimensions are acceptable.

**ACC - Waste and Recycling** – No objection, and is satisfied with the proposals for waste management and has advised the services the house would be provided with and the relevant costs charged to the developer.

**Scottish Water** – No objection, advising that a Pre-Development Enquiry form should be submitted to Scottish Water to ascertain capacity at Invercarnie Water Treatment Works which would supply water to the development.

**Cults, Bieldside and Milltimber Community Council** – No comment received.

## **REPRESENTATIONS**

One representation objecting to the application has been received, which is concerned with dust and noise during construction and how these will be minimised.

## **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 (NPF4)**

- Policy 1 (Tackling the Climate and Nature Crises)
- Policy 2 (Climate Mitigation and Adaptation)
- Policy 3 (Biodiversity)
- Policy 6 (Forestry, Woodland and Trees)

- Policy 7 (Historic Assets and Places)
- Policy 11 (Energy)
- Policy 12 (Zero Waste)
- Policy 13 (Sustainable Transport)
- Policy 14 (Design, Quality and Place)
- Policy 15 (Local Living and 20 Minute Neighbourhoods)
- Policy 16 (Quality Homes)
- Policy 19 (Heating and Cooling)
- Policy 22 (Flood Risk and Water Management)

#### Aberdeen Local Development Plan 2023 (ALDP)

- Policy D1 (Quality Placemaking)
- Policy D2 (Amenity)
- Policy D5 (Landscape Design)
- Policy D6 (Our Historic Environment)
- Policy LR1 (Land Release Policy)
- Policy LR2 (Delivery of Mixed Use Communities)
- Policy NE4 (Our Water Environment)
- Policy NE5 (Trees and Woodland)
- Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency)
- Policy R7 (Renewable and Low Carbon Energy Developments)
- Policy T2 (Sustainable Transport)
- Policy T3 (Parking)
- Policy WB2 (Air Quality)
- Policy WB3 (Noise)

#### **Aberdeen Planning Guidance**

- Noise
- Air Quality
- Amenity and Space Standards
- Materials
- Transport and Accessibility
- Flooding, Drainage and Water Quality
- Trees and Woodlands
- Resources for New Development
- Waste Management Requirements for New Developments

#### **Masterplans**

- Oldfold Development Framework and Masterplan

#### **Other National Policy and Guidance**

- Developing with Nature guidance
- Historic Environment Policy for Scotland

## **EVALUATION**

### **Principle of Development**

On this site the two main considerations for determining the principle of development are zoning and planning history.

The site is within an area zoned as part of Opportunity Site 48 (Oldfold), which is allocated for 550 homes and 5 hectares of employment land. Policy 16 (Quality Homes) of National Planning Framework 4 (NPF4) supports development proposals for new homes on land that is allocated for housing in the local development plan. As a small-scale development on an allocated site, Policies LR1 (Land Release) and LR2 (Delivery of Mixed-Use Communities) of the Aberdeen Local Development Plan 2023 apply. The principle of a single dwellinghouse on this site would not conflict with the spatial strategy of the allocation and as such the application accords with ALDP Policies LR1 (Land Release) and LR2 (Delivery of Mixed-Use Communities) and NPF4 Policy 16 (Quality Homes)

Furthermore, there is extant planning permission in principle for the erection of a dwellinghouse on the site (see Relevant Planning History above) which is due to expire in April 2025. Therefore, the principle of a dwellinghouse on site is acceptable.

### **Climate, Nature and Place**

The following policies of NPF4 and ALDP set out underlying principles for the creation of good quality places and the role of planning to address the climate and nature crises. These policies and principles will be applied throughout the foregoing evaluation.

NPF4 Policy 1 (Tackling the Climate and Nature Crises) requires that the climate and nature crises are given significant weight when considering all development proposals. It is supported by NPF4 Policy 2 (Climate Mitigation and Adaptation), which requires development proposals to be sited and designed to minimise lifecycle greenhouse gas emissions and adapt to climate change risks; and NPF4 Policy 3 (Biodiversity), which requires local developments to include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. This guidance includes Developing with Nature guidance, published by NatureScot.

NPF4 Policy 14 (Design, Quality and Place) sets out six qualities of successful places which all developments should be consistent with: to be healthy, pleasant, connected, distinctive, sustainable, and adaptable. ALDP Policy D1 (Quality Placemaking) sets out similar qualities that do not conflict with those of NPF4 Policy 14 (Design, Quality and Place).

### **Design and Amenity**

#### **Design**

The main features within and immediately outwith the site which are pertinent to the assessment of the application's design are:

1. the screen of oak trees to the north of the site, within the boundary wall;
2. the woodland outwith the site to the south-west;
3. the neighbouring Oldfold Farmhouse to the north-east;
4. the historic stone boundary walls along the north- and south-western boundaries.

The trees are considered in greater detail under 'Trees and Biodiversity' below. The historic boundary wall to the north-west is part of the boundary for Oldfold Development Framework and Masterplan, wherein the site's historic stone walls are acknowledged as positive historic features which should be preserved. Oldfold Farmhouse is a traditionally built cottage dating to the second half of the 19<sup>th</sup> century and stands as a vestige of the original stading. It thus makes an important contribution to the place character of the surrounding area. Its historic value has been acknowledged in the determination of previous planning applications (in particular 150260, see Relevant Planning History above) whereby it was surveyed and recorded for the Historic Environment Record (HER). As such both the farmhouse and stone walls are considered to meet the criteria for non-designated historic environment assets. NPF4 Policy 7 (Historic Assets and Places) seeks for such assets and their settings to be protected and preserved in situ wherever feasible. Impact on Oldfold Farmhouse is considered in further detail below.

The proposed dwellinghouse would be oriented with its front door, most windows to habitable rooms, and garage door oriented towards the south-west boundary, with access taken from the south-east. The dwellinghouse would be placed close to the north-east boundary with Oldfold Farmhouse, with garden ground primarily to the south-west and north-west, and hardstanding and a small front garden area to the south-east. The stated intentions for this choice of layout primarily concern the woodland to the south-west (see Trees and Biodiversity below) but it raises issues related to place and design which are set out in further detail below, in the way they relate to materials and built form.

The proposed dwellinghouse's use of materials is for the most part acceptable. Its use of timber panels, granite blocks and standing seam metal in the wall finish would be used in places to a specification where they would contribute to the dwellinghouse's distinctiveness, in accordance with the guidelines for wood, granite and metal contained in Aberdeen Planning Guidance: Materials. (APG Materials).

The main 2-storey form of the dwellinghouse would deploy these materials with clear distinction of material and form. The first-floor overhangs on the south-west and south-east corners would introduce interesting variations in form and pleasant areas of shelter.

However, the proposed single-storey element would be plainer and simpler in form and materials, with a flat roof and walls finished entirely in white silicone render. It is acknowledged that render is a popular and widespread choice for contemporary finishing materials. APG Materials makes clear that its use still requires careful technical and design considerations and offers a range of colour choices and finishes appropriate in Aberdeen, and in the proximity of granite, with a preference against white and off-white renders, which often weather poorly in Aberdeen's climate. In this case, white render would be implemented particularly across the north-east elevation close to the neighbouring boundary with Oldfold Farmhouse. This location would be likely darker and damper and would be less successful for maintenance and appearance in the long-term.

The rendered form of the single-story element would have the most prominent impact on arrival to the dwellinghouse from the south-east, where the form would come forward of the main dwellinghouse. The single-storey element would be approximately 5 m from the Oldfold Farmhouse building and approximately 7 m forward of its building line. When compared to the finer grain detailing of the 2-storey form's southern elevations (such as a mix of materials and window arrangement), the southern appearance of the single-storey form would be stark: its main visual elements restricted to a blank white rendered wall forward of the entrance, air source heat pump (ASHP), and double garage door. This combination of form, materials and prominent plant machinery so forward of the building line of Oldfold Farmhouse would be visually incongruent and have a harmful impact both on impression of the house on arrival but also the house's visual impact

on the wider area, in particular its relationship with Oldfold Farmhouse, the setting of which would be diminished by the stark appearance of the white single-storey form in close proximity. The permission in principle (220261/PPP) included an indicative layout which, though of limited materiality on account of its being indicative, does demonstrate a building footprint which, by aligning to the principal building line of Oldfold Farmhouse, would not have the same detrimental visual impact. As such the permission in principle provides a reference point for a layout, of size and position relative to Oldfold Farmhouse, of detailed development which may be acceptable on the site.

In their statements submitted for the application, the agent has asserted that no significant harm is caused in this regard on account of the wider setting of Oldfold Farmhouse being surrounded by the Oldfold housing development (approved under application 130378), which is furthermore characterised by widespread use of white rendered walls. However, this is not comparable to the development that is proposed. While Oldfold Farmhouse now lies in the relatively new context of a major housing development, it retains a sense of independent identity and separation which positively reinforces its historic character. The nearest dwellinghouses from the surrounding development are between 20 and 30 m away from Oldfold Farmhouse, and its raised position and tree screening mean that the surrounding development is rarely visually obtrusive when viewing the house. The surrounding houses are typically detailed on all sides and present a mixture of white and off-white renders. Neighbouring development to the south-west as proposed would inevitably have an impact on this place characteristic, and as such there is a greater onus on the design and layout of such development to ensure that the impact is not harmful. As described above, the proposal to place a stark and visually incongruent physical form in close proximity to and in advance of Oldfold Farmhouse would have a detrimental impact on both houses and the wider area. As such, the application is considered to be contrary to NPF4 Policy 7(o), as the development would fail to protect the historic farmhouse's historic setting. Likewise, it would be contrary to ALDP Policy D6 (Our Historic Environment) which requires appropriate development to protect the setting of Aberdeen's historic environment. This is notwithstanding the application proposals to repair and retain the historic stone walls.

Visualisations submitted by the applicant's agent to inform an appraisal of the single-storey form's impact indicate soft landscape planting along the south-eastern boundary as screening. No such soft landscaping exists nor has been formally proposed, and would in any case not be the appropriate means to address the dominant impact of the single-storey form, as such vegetation does not constitute permanent screening or design solution.

### Amenity

As well as the requirements for high quality amenity in NPF4 Policy 14 (Design, Quality and Place) and ALDP Policy D1 (Quality Placemaking), ALDP Policy D2 (Amenity) requires residential developments to afford occupiers and neighbours adequate levels of privacy, daylight, sunlight, noise, air quality, and immediate outlook, make the most of any opportunities offered by the site to optimise views and sunlight through appropriate siting, layout, and orientation, adhere to minimum standards for internal floor space and private external amenity space, and ensure minimal shading of external private and public spaces.

There are windows on the north-east and north-west elevations which face directly or indirectly onto the neighbouring property at Oldfold Farmhouse. On the first floor, those on the north-east would be small windows providing light to bathrooms and as such would not overlook nor prejudice the amenity and privacy of Oldfold Farmhouse. The first-floor windows on the north-west elevation would directly face onto the property's own northern curtilage and would not overlook the neighbouring property to any extent that was unacceptable for a suburban context. On the ground

floor, windows would be largely screened by the proposed 1.7 m timber fence and would not impinge on privacy. In terms of design, the timber fence would be typical for a residential specification and appropriate for the area.

Aberdeen Planning Guidance: Amenity and Space Standards ('APG Amenity and Space Standards') sets 100 sqm as the minimum internal floor area for a 4-bedroom dwelling. The proposed dwellinghouse would have an internal floor area of approximately 276 square metres, which therefore meets this quantity requirement.

The form of the dwelling proposed to the south-west of Oldfold Farmhouse would have a degree of impact on daylight and sunlight receipt to the neighbouring garden ground, as demonstrated by the shadow visualisations submitted by the applicant's agent. However, the impact is not considered significant as the proposal would stand at a sufficient distance and height from Oldfold Farmhouse that it would not fail any of the basic tests in APG Amenity and Space Standards as a guideline. The visualisations indicate that impact would primarily be felt towards sunset when shadows from any kind of development would stretch some length across the site and its neighbour.

Issues regarding daylight, sunlight, shading and layout/orientation on this site are heavily informed by the nearby trees as a significant constraint and are considered in further detail under Trees and Biodiversity below. Noise and air quality has been raised in a representation and is considered under Representation: Air Quality and Noise.

## **Trees and Biodiversity**

### Context

Mature woodland of Norway maple and elm lies south-west of the site beyond the site boundary and a line of three mature oaks lie within the site's north-western boundary, partially screening it from Milltimber Gardens beyond. A tree survey report identifies all but one trees for retention and the felling of a dead elm. The tree survey report determines that the rest of the trees except two oaks are of low value relative to higher categories and that two of the oaks are of moderate quality. Nevertheless, no trees on site are proposed for removal as part of the application, as there are no arboricultural reasons for their removal. Taken together, the trees forming the woodland make a significant contribution to the landscape character and biodiversity of the wider area.

NPF4 Policy 6 (Forestry, Woodland and Trees) seeks to protect and expand woodlands and trees, and will not support development proposals where they result in adverse impacts on native woodlands and individual trees of high biodiversity value. ALDP Policy NE5 (Trees and Woodland) requires buildings and infrastructure to be sited to allow adequate space for a tree's natural development, taking into account the predicted mature height, canopy spread and future rooting environment. Root protection areas should be established and protection secured in line with Aberdeen Planning Guidance: Trees and Woodland ('APG Trees and Woodland')

APG Trees and Woodland further specifies adequate space as generally outwith any tree's *zone of influence* (ZOI), which is usually considered to be the distance from the bottom of the tree equal to its mature height. Therefore, a tree that is 10 m high has a ZOI extending 10 m across the ground from the base of its trunk. The purpose of the ZOI is to manage the relationship between trees and buildings and the conflicts which can arise. This includes the potential of trees to harm residential amenity through overshadowing. By considering the ZOI when developing land, potential conflicts from the presence of trees can be minimised and their future safeguarded, in order to comply with NPF4 Policy 6 (Forestry, Woodland and Trees) and ALDP Policy NE5 (Trees and Woodland).



All trees identified in the submitted tree survey are mature and between 13 and 18 metres in height. Given their location within the site or proximity immediately outwith it, their ZOIs as consolidated cover most of the site, such that any meaningful development of the site would to some extent be encroached upon by the trees' ZOIs.

Planning history is a material consideration and the ZOI has previously been addressed when determining the planning consents granted in 2022. An excerpt from the report for 220746/MSD:

*'In terms of the zone of influence (ZOI) of the trees to the west, the house would sit within their ZOI. However as discussed at planning permission in principle stage, whilst it is desirable for buildings and garden ground to sit outwith the ZOI, it is not always possible if a site is to be developed. In this case the large garden ground and orientation of the trees relative to the house and track of the sun would result in large areas of the garden receiving direct sunlight throughout the day. The trees to the west would only cast a shadow over part of the site in the evening, so the pressure to have trees removed or pruned in this regard is likely to be minimal. In relation to tree matters the application is considered acceptable.'*

The tree protection plan approved under 220746/MSD indicates a 'developable area', which the applicant's agent maintains that the proposed house is entirely within. However, it does not follow that any development within this area would not be harmful to trees or amenity, which is dependent on the specifics of layout and design. The pressure to have trees removed or pruned is dependent on a design and layout of development which is appropriate and minimises this pressure.

Notwithstanding planning history, the planning policy context has changed since the consents for the site granted in 2022. A new statutory development plan in the form of NPF4 and the ALDP 2023 has been adopted. In particular ALDP Policy NE5 (Trees and Woodland) establishes a more explicit principle not found in the previous ALDP 2017 that: '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 environment.' Likewise, NPF4 Policy 1 (Tackling the Climate and Nature Crises) has been introduced, which requires significant weight to be given to the nature crises when considering development.

It is also noted that the design and layout of the proposed dwellinghouse is substantially different from the indicative layout at permission in principle stage, which would have informed assessment of the trees' potential impact.

Bearing these considerations in mind along with the planning history and established principle of a house on the site, it is therefore accepted that:

- a) The development of a dwellinghouse on site, including garden ground, would necessarily be partially within ZOIs;
- b) Development of a dwellinghouse on the site can be accepted, subject to balancing specific details of layout and arrangement against the inevitable inclusion within the ZOIs;
- c) The present policy context of the application site introduces an enhanced requirement to protect trees within and in proximity to the site.

### Proposal

The dwellinghouse would be situated close to the north-eastern boundary of the site, such that the single-storey element and approximately half of the 2-storey element would be outwith the ZOI. The south-eastern corner, functioning as a front garden, and part of the rear eastern curtilage, would also be outwith the ZOIs. The main areas within the ZOIs and impacted by them would be the garden

areas formed to the south- and north-west as well as the south-western half of the house, where the majority of the property's habitable rooms are located, namely three of the four bedrooms, living/dining room/kitchen and snug/lounge. As a result of the proposed layout, these rooms would be overshadowed by the woodland throughout much of the year, as indicated by submitted sunlight visualisations. This would be detrimental to their amenity and contrary to the basic standard of residential amenity established by APG Amenity and Space Standards.

It is acknowledged from the submitted supporting statements, in particular the Design Statement and Response to Feedback Letter that the effect of the trees on the site has been considered during the proposal's design phase. According to the applicant's agent, as set out in the submitted supporting documents, the main considerations can be summarised as:

1. locating the house as far to the north-east of the site as possible to minimise overshadowing;
2. directing the majority of windows serving habitable rooms towards the woodland, according to the applicant's desire as future occupant;
3. making use of the trees for shading to contribute towards the house's passive heating and cooling.

The rationale for point 1 is acknowledged, but as discussed in Design and Amenity above, the resulting proposal is designed and laid out in a way that has harmful consequences on the place setting of Oldfold Farmhouse and on the amenity of the proposed dwellinghouse itself, whereby the majority of the habitable rooms would be subject to overshadowing for much of the year. Minimisation of overshadowing is not exclusively a question of minimising the extent of footprint that is overshadowed or within the ZOI. Through the layout of habitable rooms, windows, and garden ground it is considered for example possible that a proposed footprint more within the ZOIs could in fact minimise overshadowing more effectively.

When considering the applicant's stated intention in point 2 and their attraction towards the woodland to the south-west of the site, it should be reiterated that the statutory purpose of planning under the Town and Country Planning (Scotland) Act 1997 is to 'manage the development and use of land in the long term public interest.' The applicant's stated intention as the dwellinghouse's prospective first occupant cannot be guaranteed to persist in subsequent occupants' future intentions. The objective conditions of the site and proposal are that the trees would overshadow the house's primary habitable rooms through much of the year and this would impact on the amenity for future occupants. This could then introduce pressure to remove or cut back the trees, which are outwith the site and ownership, for reasons that were not strictly arboricultural and contrary to ALDP Policy NE5 (Trees and Woodland), where development should not result in the loss of or damage to trees and woodlands.

No further supporting information or calculations have been submitted which elaborate the trees' proposed role in the dwellinghouse's passive temperature management. As such point 3 cannot be further assessed. It does however appear to contradict the considerations of point 1, especially as the submitted sunlight/shadow visualisations show that the trees will not cast shadow on the house at the times when passive cooling will be needed most, i.e. close to midday at the height of summer.

Overall therefore, as a result of the form and layout of the proposal, the application is considered contrary to NPF4 Policy 6 (Forestry, Woodland and Trees) and ALDP Policy NE5 (Trees and Woodland) due to the potential harm it poses to the woodland along the south-western boundary. Whilst built development within that woodland's ZOI would be almost inevitable, the particular layout and arrangement that has been proposed would cause undue pressure on those trees to their detriment.

NPF4 Policy 3 (Biodiversity) requires local developments to include appropriate measures which conserve, restore and enhance biodiversity, in accordance with national and local guidance. As a baseline, the present site is an entirely grassed paddock. The proposal would plant a grass lawn around the immediate vicinity of the dwellinghouse and plant the rest of the site in wildflower meadow, which is supported by Natural Environment Policy as a measure that would contribute towards biodiversity enhancement. Notwithstanding, the potential harm to trees outlined above would compromise development's conservation or enhancement of biodiversity, and its accordance with NPF4 Policy 3 (Biodiversity) is considered weak.

### **Access and Connectivity**

As per Annex D of NPF4, connected developments should be well connected to multiple active and public transport routes and modes. Pedestrian experience should be designed for, including providing suitable vehicular parking and management of waste storage and collection. In accordance with the quality of connectedness, NPF4 Policy 13 (Sustainable Transport) supports development where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel hierarchies. NPF4 Policy 15 (Local Living and 20 Minute Neighbourhoods) seeks for development to contribute to local living including 20 minute neighbourhoods where relevant.

ALDP Policy T2 (Sustainable Transport) generally accords with these requirements and ALDP Policy T3 (Parking) elaborates how vehicle parking requirements should be determined for developments, supported by Aberdeen Planning Guidance: Transport and Accessibility ('T&A')

The site is located within an existing suburb. Although Milltimber has no shops or facilities at present, commercial space is proposed as part of the Oldfold development, adjacent to the new school which is within walking distance of the site. Bus stops are located on North Deeside Road, around 430 m to the west bound stop and 365 m to the east bound stop, which accords with the principle in ALDP Policy T2 (Sustainable Transport) that such facilities should be approximately 400 m from development.

Vehicular access would be from East Drive, an adopted road which connects the eastern access to Tor-Na-Dee Care Home to North Deeside Road. Approximately the final 53 m from this eastern access to the site boundary is unadopted. Three external parking spaces and a double garage would provide up to five spaces for motor vehicle parking as well as secure cycle parking facilities. According to the Parking Standards set out in T&A, this would be in excess of the three spaces required as a maximum. There would not be any significant reduction in hardstanding achieved by adhering to this maximum and as such the application is considered to accord with ALDP Policy T3 (Parking). As such, it further accords with NPF4 Policies 13 (Sustainable Transport) and 15 (Local Living and 20 Minute Neighbourhoods) and ALDP Policy T2 (Transport and Sustainability).

### **Water**

NPF4 Policy 22 (Flood Risk and Water Management) requires development to not increase the risk of surface water flooding and to manage surface water sustainably, with a presumption against surface water connection to the public sewer. Development proposals should connect to the public water mains supply. Development that is connected to the public water mains will be supported. ALDP Policy NE4 (Our Water Environment) is in alignment with NPF4 Policy 22 (Flood Risk and Water Management), further requiring developments to connect to the public sewer for foul water.

The applicant has indicated that a connection will be made to the public sewer to deal with foul water discharge. It is also proposed to connect to the existing public water supply. Scottish Water has confirmed there is capacity for both a foul discharge and a connection to the water supply.

The site is not within area identified as at risk from flooding on the SEPA Flood Maps and does not form part of a functional flood plain. The proposed surface water soakaway arrangement is supported by a drainage statement and meets the requirements of NPF4 Policy 22 (Our Water Environment) and ALDP Policy NE4 (Flood Risk and Water Management).

## **Energy**

In order to contribute towards the development's lifetime energy requirements, an air source heat pump (ASHP) is proposed against the south-eastern elevation of the dwellinghouse's adjoining garage, approximately 4.5 m from the neighbouring boundary with Oldford Farmhouse. Solar panels are proposed across the south-western roof plane. These proposals contribute towards the application's accordance with ALDP Policy R6 (Low and Zero Carbon Buildings, and Water Efficiency).

NPF4 Policy 11 (Energy) supports small scale renewable energy generation technology and requires various impacts of these technologies to be addressed in the project design. This includes impact on residential amenity, significant visual impact, and noise. When considering these impacts, significant weight is to be placed on the contribution made towards targets for renewable energy generation and greenhouse gas emissions. These requirements are generally aligned with ALDP Policy R7 (Renewable and Low Carbon Energy Developments).

The proposed solar panels would be of a scale and layout that they would not have a significant impact on visual appearance, the setting of the residential area, or residential amenity.

Subject to complying with MCS standards, the ASHP would be at sufficient distance from neighbouring properties that it would not have a significant impact on amenity with regards to noise and residential amenity.

With reference to the design issues raised above, the ASHP's visual impact would be stark against a blank white rendered wall on the south-eastern elevation facing towards the driveway entrance. Notwithstanding this harmful impact, contrary to NPF4 Policy 14 (Design, Quality and Place) and ALDP Policy D1 (Quality Placemaking), when assessing strictly the ASHP and solar panels against the energy policies described above, the impact of these installations would not be so significant as to outweigh their contributions to sustainable energy generation, in accordance with NPF4 Policy 11 (Energy) and ALDP Policies R6 (Low and Zero Carbon Buildings, and Water Efficiency) and R7 (Renewable and Low Carbon Energy Developments).

NPF4 Policy 19 (Heating and Cooling) supports development where buildings to be occupied by people are designed to promote sustainable temperature management such as through prioritising natural or passive solutions such as siting, orientation and materials. As discussed regarding trees above, the applicant's agent asserts that layout, orientation and trees have been considered towards prioritising passive temperature management for the dwellinghouse. Further information and/or calculations on how this would be achieved has not been provided and there is insufficient information for the Planning Service to determine whether the application receives any support from NPF4 Policy 19 (Heating and Cooling).

## **Representation: Air Quality and Noise**

One representation has been received objecting to the application and raising concerns about dust and noise during the construction of the development. It is accepted that construction of an approved development can result in a temporary period of disturbance and this is not in itself a material consideration. However, it can be material where the nature and context of the development is such that construction may have an excessive impact on amenity. ALDP Policies WB2 (Air Quality) and WB3 (Noise) are supported by Aberdeen Planning Guidance documents on Air Quality and Noise which set out how potential impacts during construction are managed.

The proposal for the erection of a single dwellinghouse is of a scale and character that it does not meet the threshold for further air quality assessment under the guidelines. Likewise, Aberdeen Planning Guidance: Noise acknowledges that higher levels of noise can be expected and accepted during the construction of development for a temporary period. ACC's Environmental Health team does not object to the application subject to construction proceeding in accordance with BS8228 – 1:2009+A1:2014 and best practice contained in BRE Guide (2003) Control of dust from construction and demolition activities.

Noise over and above acceptable levels is controlled through mechanisms outwith the planning system, such as the Control of Pollution Act 1974 and British Standard BS 5228:1997 Noise and Vibration Control on Construction and Open Sites.

As such, the proposal does not present significant issues of noise and air quality and accords with ALDP Policies WB2 (Air Quality) and WB3 (Noise).

## **Summary**

Due to the site's planning history, a dwellinghouse on this site is acceptable in principle. The provision of services such as access, water, and drainage are considered acceptable. Important policies when considering whether the application complies with the statutory development plan include NPF4 Policy 1 (Tackling the Climate and Nature Crises) and Policy 14 (Design, Quality and Place). NPF4 Policy 1 (Tackling the Climate and Nature Crises) requires significant weight to be given to the climate and nature crises, supported by NPF4 Policies 2 (Climate Mitigation and Adaptation) and 3 (Biodiversity). While the application accords with NPF4 Policy 2 (Climate Mitigation and Adaptation) and proposes a degree of biodiversity enhancement on site, the proposed housing layout would put a number of trees under pressure, weakening any accordance with NPF4 Policy 3 (Biodiversity) and causing harm to trees of significant landscape value, contrary to NPF4 Policy 6 (Forestry, Woodland and Trees) and ALDP Policy NE5 (Trees and Woodland)

The spatial relationship between the trees and proposed house would result in detriment to the amenity of occupants of the house as a result of overshadowing, and as such the application does not comply with ALDP Policy D2 (Amenity) nor the requirement to be pleasant under NPF4 Policy 14 (Design, Quality and Place) and ALDP Policy D1 (Design, Quality and Place). Furthermore, the proposed house's design and layout, especially that of the single-storey garage in close proximity to Oldfold Farmhouse and forward of its building line, would have a harmful impact on the historic character of Oldfold Farmhouse and the wider landscape setting of the development, contrary to the requirements of NPF4 Policies 7 (Historic Assets and Places) and 14 (Design, Quality and Place) and ALDP Policies D1 (Quality Placemaking), D5 (Landscape Design) and D6 (Historic Environment).

The applicant's agent has been advised of these issues and revision to the proposal sought. However, following submission and consideration of additional supporting statements, the issues

are considered to remain and the applicant's agent has confirmed they do not wish to revise the proposal.

## **DECISION**

Refuse.

## **REASON FOR DECISION**

The proposed development would by virtue of its design and layout have a harmful impact in the following ways:

1. It would visually intrude upon the existing Oldfold Farmhouse, to the detriment of its historic character and that of the wider setting of the area;
2. by erecting a dwellinghouse where the majority of habitable rooms were excessively overshadowed by neighbouring woodland, it would provide inadequate amenity to the residential development and;
3. thereby place undue pressure on woodland, in particular to the south-west of the site.

On account of points 1 and 2, the development would fail to be distinctive and pleasant and would be contrary to Policy 7 (Historic Assets and Places) and Policy 14 (Design, Quality and Place) of National Planning Framework 4 (NPF4) and Policy D1 (Quality Placemaking), Policy D5 (Landscape Design) and Policy D6 (Our Historic Environment) of the Aberdeen Local development Plan 2023 (ALDP). It would further be contrary to ALDP Policy D2 (Amenity), by failing to fully promote and provide adequate residential amenity for the proposed development. On account of point 3, it would be contrary to NPF4 Policy 6 (Forestry, Woodland and Trees) and ALDP Policy NE5 (Trees and Woodland).