

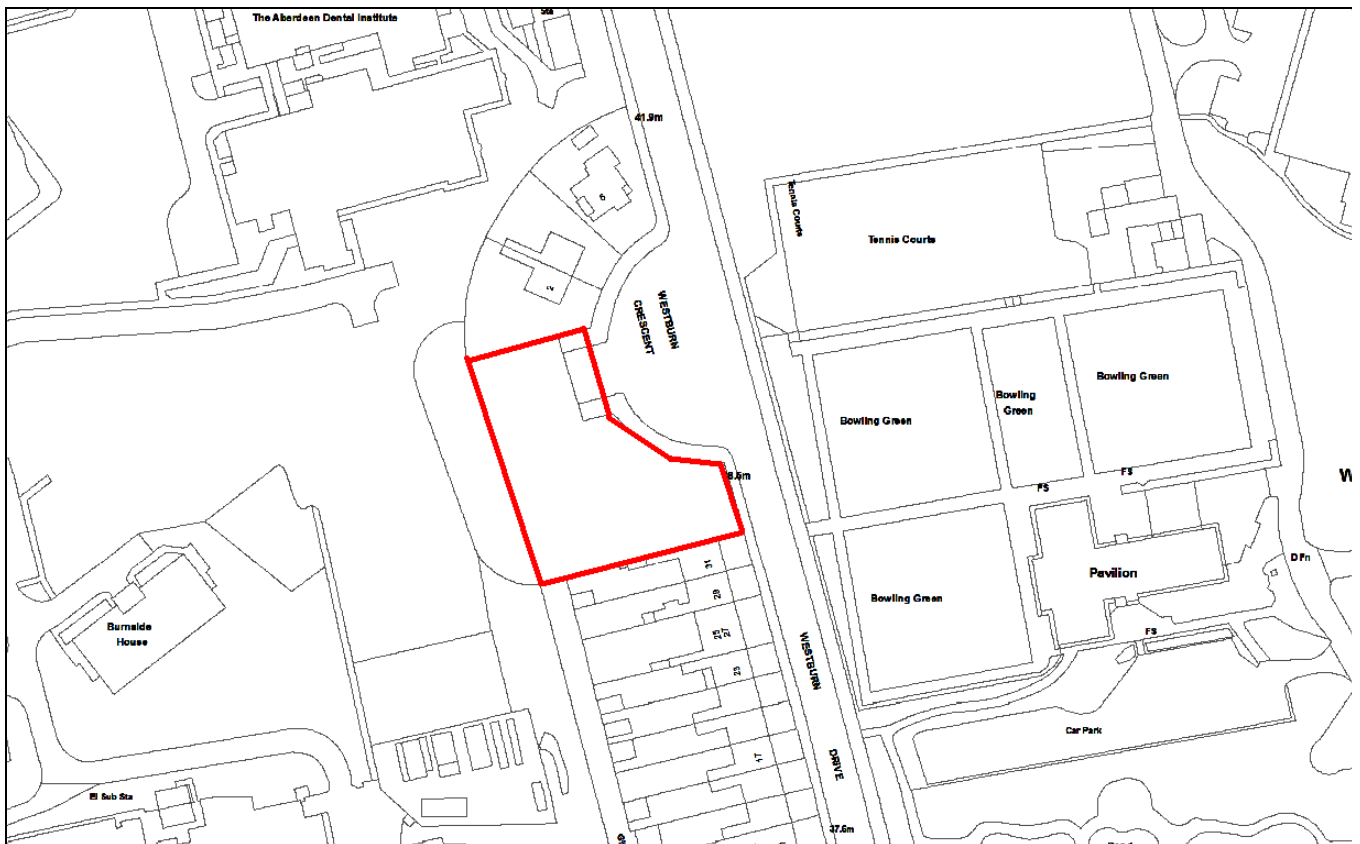
## WESTBURN CRESCENT, ABERDEEN

RESIDENTIAL DEVELOPMENT OF 9  
UNITS (COMPRISING OF 6 DWELLING  
HOUSES AND 3 FLATS) TO BE BUILT ON  
VACANT SITE

For: Kirkwood Homes Ltd

Application Ref. : P120584  
Application Date : 20/04/2012  
Officer : Matthew Easton  
Ward: Midsocket/Rosemount (B Cormie/  
Laing/F Forsyth)

Advert : Section 60/65 - Dev  
aff LB/CA  
Advertised on : 02/05/2012  
Committee Date : 19 July 2012  
Community Council : Comments



**RECOMMENDATION: Approve subject to conditions and withhold consent until the signing of a legally binding agreement to secure affordable housing and developer contributions.**

## **DESCRIPTION**

The site is located on the west side of Westburn Drive and faces largely onto Westburn Crescent – a small semi-circular road off Westburn Drive. The site comprises an area of 0.246 hectares which is largely covered in grass. There are four sycamore trees (8.5m to 13.5m in height) along the boundary with Westburn Crescent.

To the south of the site are granite and slate two storey terraced properties which face onto Westburn Drive and continue south to its junction with Westburn Road.

To the west of the site is the boundary with the NHS Grampian Foresterhill complex which is defined by a timber fence behind which are substantial trees (generally between 15m – 20m in height) providing a landscape buffer between the two sites

To the north is 2 and 4 Westburn Crescent, a set of 1½ storey granite and slate semi-detached dwelling houses. On the corner of Westburn Crescent and Road is 6 Westburn Crescent which is a granite and slate dwellinghouse with 2 storey and 1½ storey elements.

To the east of the site across Westburn Drive is Westburn Park.

The site is within Conservation Area 11 (Rosemount and Westburn), the boundary of which runs along the rear boundaries of Westburn Drive and Crescent.

## **HISTORY**

Prior to purchase by the applicant the site was owned by NHS Grampian and held in reserve to provide a potential access route into the Foresterhill complex.

There is no specific planning history attached to the site.

## **PROPOSAL**

It is proposed to develop the site to provide a terrace of six townhouses and three flats, all within the same built structure which would generally follow the crescent shape of Westburn Crescent.

The three flats would be accommodated within the most southerly part of the structure which would be largely two storeys and feature a three storey bay window on its corner before leading around to the terraced townhouses. Each flat would have three bedrooms, lounge, kitchen / dining room and bathroom. There would be a small enclosed garden at the rear of the flats and a landscaped area at the front. Three parking spaces and a turning area would be provided at the front of the building which would be accessed from Westburn Crescent.

The terrace of townhouses would be 2 storeys high with pitched roofs. They would comprise a hall, family room, kitchen / dining room, utility room and toilet on the ground floor, lounge, hall, en-suite master bedroom and toilet on the second floor and hall, three bedrooms and bathroom on the third floor.

On the front elevation of each would be a two storey bay window situated below a gablet style roof feature. On the rear elevation each house would have a first floor terrace overlooking individual private gardens which would vary between 8m and 22m in length. Each dwelling would have a driveway at the front of the property providing space for two vehicles, accessed from Westburn Crescent.

The buildings would be finished in granite blockwork with a darker granite used for the bay windows, cills and roof tabling. The rear elevation would be finished in white render and the roof in slate.

Bin storage would be provided at the front of for each property and cycle storage would be provided for the flats.

The four sycamore trees at the front of the site would be removed.

A 2m wide pavement would be included around the Westburn Crescent at the front of the properties.

## **REASON FOR REFERRAL TO SUB-COMMITTEE**

The application has been submitted to the Sub-Committee because (i) Rosemount and Mile-End Community Council have raised concerns with the application and (ii) more than five objections have been received.

## **CONSULTATIONS**

ROADS SECTION – No objection however further information is requested.

- The provision of three parking spaces for the flats and two parking space per house would result in a shortfall of 1 parking space per proposed dwelling, however willing to accept the proposed provision as the site is located within a controlled parking zone and residents would be eligible for on-street parking permits. The existing on-street parking can handle any over-spill parking.
- Cycle parking should be included for the proposed flats.
- The site has very good access to public transport however in order to maintain adequate pedestrian access and footway should be constructed and tied into the existing footway on Westburn Drive.
- The existing traffic regulation order on Westburn Crescent would need revised and a condition should be attached regarding this.

- A contribution to the Strategic Transport Fund is required in accordance with the Aberdeen City and Shire Structure Plan.
- Site drainage proposal should be submitted for approval.

ENVIRONMENTAL HEALTH – No objection to the proposal however there is the potential for construction works to cause noise nuisance. Therefore a condition restricting hours of work should be attached to any grant of planning permission.

COMMUNITY COUNCIL – Although the Community Council welcome such a development in the area it is felt that –

- The number of units is inappropriate for the size of the site and is considered as overdevelopment.
- The number of extra vehicles likely to be generated by the development needs to be closely examined.

PLANNING GAIN TEAM – Contributions are also sought towards affordable housing (25%), provision of community facilities, recreation, libraries, core path network and strategic transport fund.

## **REPRESENTATIONS**

Nine letters of objection from eight different addresses on Westburn Crescent and Westburn Drive have been received in relation to the proposal. They raise the following concerns –

- The number of units proposed on the site is overdevelopment.
- There are insufficient plans to determine the application.
- Access to 2 Westburn Crescent would be compromised.
- The proposal does not take account of the existing context of the area.
- The proposal would result in the loss of existing green space.
- The trees would not be planted in suitable locations.
- Insufficient parking has been provided.
- The proposal would result in road safety and pedestrian being compromised.
- The parking in the front gardens does not comply with the guidance on the proportion of garden which should be soft landscaping.
- The proposal would reduce on-street parking.

- A footway or traffic calming measures should be provided instead of making Westburn Crescent a one-way street.
- There would be disruption during the construction phase
- The proposed use of render for the walls of the properties is not in keeping with the character of the surrounding area and conservation area designation.
- The proposed elevation of the flatted portion of the building would not tie in with the existing terraced properties on Westburn Drive.
- The proposed balconies would create privacy issues with existing residents.
- The development is too close to the existing buildings.
- The lack of a Planning Brief for the site at planning in principle stage has led to an inappropriate development proposal.
- Concern over future access to maintained boundary features.

## **PLANNING POLICY**

### ***Aberdeen Local Development Plan (2012)***

Policy I1 (Infrastructure Delivery and Developer Contributions) – Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of development proposed. The Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Policy T2 (Managing the Transport Impact of Development) – New developments will need to demonstrate that sufficient measures have been taken to minimize traffic generated.

Policy D1 (Architecture and Placemaking) – To ensure high standard of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with spaces around buildings, including streets, squares, open space, landscape and boundary treatments, will be considered in assessing that contribution.

Policy D2 (Design and Amenity) – Privacy shall be designed into higher density housing, residential development will have a public face to the street and private face to an enclosed garden or court, residents shall have access to sitting out areas, car parking should not dominate, opportunities should be made of views and sunlight, measures should be included to design out crime and external lighting shall take into account amenity and the effects of light spillage.

Policy D3 (Sustainable and Active Travel) – New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Street layouts will reflect the principles of Designing Streets and with minimum distances to services.

Policy H1 (Residential Areas) – Within existing residential areas, proposals for new residential development will be approved in principle if it does not constitute overdevelopment; does not have an unacceptable impact on the character or amenity of the surrounding area; does not result in the loss of valuable areas of open space and complies with supplementary guidance on curtilage splits.

Policy H3 (Density) – The City Council will seek an appropriate density of development on all housing allocations and windfall sites. All residential developments of over one hectare must:

- meet a minimum density of 30 dwellings per hectare (net). Net dwelling density includes those areas which will be developed for housing and directly associated uses, including access roads within the site, garden ground and incidental open space;
- have consideration of the site's characteristics and those of the surrounding area;
- create an attractive residential environment and safeguard living conditions within the development; and
- consider providing higher densities in the City Centre, around local centres, and public transport nodes.

Policy H5 (Affordable Housing) – Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

Policy R6 (Waste Management Requirements for New Development) – Housing developments should have sufficient space for the storage of residual, recyclable and compostable wastes. Flatted developments will require communal facilities that allow for the separate storage and collection of the materials.

Policy R7 (Low and Zero Carbon Buildings) – All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted CO<sub>2</sub> emissions by at least 15% below building standards.

### ***Supplementary Guidance***

Transport and Accessibility Supplementary Guidance – Two-bedrooms flats should provide 2 car parking spaces per flat, although these are guidelines only.

Rosemount and Westburn Conservation Area Appraisal (2004) – Seeks to define and evaluate the character of the conservation area and identify strengths, weakness, opportunities and risks. The application site, Westburn Drive and Westburn Crescent are not specifically mentioned in the document.

## **EVALUATION**

The site is within an area zoned as residential within the adopted local development plan. In such areas residential development will be supported in principle. The surrounding properties are largely residential; however there is a car park and the dental school building to the west, within the Foresterhill hospital complex. However it is not considered that these would cause any conflict with residential use and in any case there is a tree belt between the two sites which provides a buffer.

Concern has been raised that the development would result in the loss of green space. However the land is not public open space and does not function as such other than it happens to be planted with grass. Therefore there is no conflict with local plan open space policies.

### **Layout / Design**

The proposed development seeks to emulate the pattern of development along Westburn Drive to the south by creating terraced properties in long curtilages. The buildings would be the same scale, form and general appearance as those on Westburn Drive. The density of development is considered acceptable when the characteristics of the surrounding area are taken into account.

Features such as bay windows and sash and case windows are which found on existing buildings help to satisfactorily integrate the development into the surrounding area. Although concern has been raised regarding the proposed three storey bay window at the south east corner of the development it is not considered that this would be an incongruous feature of the development or the wider area.

Initially the proposed materials consisted of white render with granite block work to the bay windows, cills and roof tabling. However it was considered by planning officers that the choice of white render would be inappropriate for the context of the site due to the existing granite buildings found both to the north and south on Westburn Drive and the lack of other rendered buildings in the wider conservation area. Although there are white rendered buildings nearby in the Foresterhill hospital complex, they are found within an entirely different context outwith the conservation area and separated from the site by significant trees. Therefore the applicant has chosen to amend the final scheme to finish the front and northern gable of the property with granite block work. The bay windows, cills and roof tabling would be finished in a darker granite block. Slates are proposed for the roof. The amended scheme of materials is considered acceptable and would maintain the character of the conservation area.

Parking would be provided at the front of properties which within the conservation area is not the most desirable solution, however the impact of parked vehicles would be softened through the planting of hedging and trees within the front gardens. Given the constraints of the site, with access only available from Westburn Crescent there is little other option than to have parking at the front of the properties.

Concern is raised that the proposed building would be too close to the existing terrace on Westburn Drive. However the buildings would have their gables facing each other and there would be no adverse impact upon amenity. The continuation of the terrace is also necessary to visually tie the buildings together.

In summary it is considered that the development has been designed with regard to its context in accordance with Policy D1 (Architecture and Placemaking), Policy H4 (Residential Areas) and it's location within the Rosemount and Westburn conservation area. The proposed development has been well designed and respects the existing built form it is considered that on balance the character of the conservation area would be maintained and that the proposal complies with Policy D5 (Built Heritage).

## **Trees**

The Four sycamore trees would be removed on Westburn Crescent to allow development of the site. Contrary to what the applicants Planning and Design Statements suggests the trees to be removed are regarded as contributing significantly to the character of Westburn Drive. However due to their size and location at the front of the site it would be impractical to develop the site for anything more than a couple of units without the removing the trees.

It is unfortunate that this is the case and it is acknowledged that the loss of these trees would have an impact upon the character of this part of Westburn Drive and the conservation area. However mitigation through replacement planting and the creation of a high quality development would negate this impact and would maintain the character of the conservation area.

Despite the loss of the trees on the application site, Westburn Drive and the surrounding area would still retain the appearance of a street and area which enjoys significant tree cover. Both the street trees on Westburn Drive and trees within Westburn Park and the Foresterhill hospital complex contribute to this character.

Replacement rowan trees (native to Scotland) would be planted within the front gardens of the properties. Rowans trees normally grown to around 9m in height. Six smaller Rocky Mountain Junipers known as 'Skyrocket' due to the long slender shape would be planted closer to the buildings. The remainder left over after parking areas would be turfed and enclosed with hedging.

A condition has been attached require a tree protection scheme for the trees along the western boundary but within the Foresterhill hospital complex.

Therefore, although the loss of the trees would have an adverse impact upon the immediate surroundings, a significant level of tree cover would remain in the area and the tree's replacement with a well designed development would offset their loss to a certain degree. Although there is slight tension with Policy NE5 (Trees and Woodland), through replacement planting and the creation of a high quality development which respects the character of the conservation area, it is considered that the proposal would be acceptable and maintain the treed character of the area.



## **Amenity**

A suitable level of amenity would be achieved for residents of the proposed properties. Each property would have a public face to the street and a private face to garden ground. Although the gardens vary in size this is inevitable due to the orientation and shape of the buildings, however they are consistent with the majority of plot sizes in the area. Additionally each of the townhouses would have a terrace at first floor level which provides further opportunities for outdoor activities. The flats would have a small outdoor area at the rear. It is considered that there is sufficient private outdoor amenity space within the development.

In terms of the impact of the development on the amenity of existing residents, the proposal would have a negligible impact. The properties to the north on Westburn Crescent would remain unaffected in terms of daylight, overshadowing or privacy. There is potential for the garden of the 31 Westburn Drive to be overlooked from the terraces of plots 5 and 6. However this would only affect the very end of the garden where there are sheds and would be at acceptable distances of between approximately 11m and 22m. No existing windows would have their privacy compromised and the part of the garden closest to the house would remain unaffected.

The proposal complies with Policy D2 (Design and Amenity) and Policy H4 (Residential Areas) with regards to amenity.

## **Access / Parking / Traffic**

The site is within the urban area and therefore highly accessible both by foot, vehicle and public transport. There is open space provision within the immediate area and shops within Rosemount are a short walk away. The city centre is a reasonable distance away (approximately 20 minutes walk). Cycle parking would be provided in the entrances to the flats. The site is on the route of the Stagecoach number 59 bus service from Northfield to Balnagask via Foresterhill and the city centre. The proposal complies with Policy D3 (Sustainable and Active Travel).

The Transport Supplementary Guidance figure suggests a figure of three parking spaces per townhouse and two per flat. The proposal would provide two spaces per townhouse and one per flat. Although below the guideline figure the parking provision is considered acceptable by the Council's roads service as the site is within a controlled parking zone and on-street parking by permit in the area would be capable of accommodating any additional vehicles.

Access to the properties would be across footway crossings over a proposed new pavement around the front of the development onto Westburn Crescent. It is considered that this would be the most suitable means of providing vehicular access to the site, rather than using Westburn Drive for access. Although the development will undoubtedly increase the number of vehicle movements through Westburn Crescent there is no evidence to suggest that this would lead to pedestrian or road safety issues. There is sufficient visibility up and down Westburn Road for vehicles exiting from Westburn Crescent.

The Traffic Regulation Order (TRO) on Westburn Place which allows residents only parking would need to be amended as a result of the development. This would lead to at least four parking spaces being removed and the possibility of Westburn Crescent becoming a one-way street. These consequences are considered acceptable to the roads service and can be controlled by the Council as roads authority. Therefore it would be inappropriate to attach a planning condition requiring the TRO to be amended.

Traffic speeds on Westburn Crescent are unlikely to be high due to its short length and curve. It is not considered necessary to install traffic calming measures such as speed humps in these circumstances.

The proposal would raise no road safety matters and a satisfactory level of parking has been proposed for the development. It is considered the proposal complies with Policy T2 (Managing the Transport Impact of Development).

### **Developer Contributions**

The development is for more than five residential units and therefore in accordance with Policy I1 (Infrastructure Contributions) contributions have been sought to offset the impact of the development on community infrastructure and for affordable housing. Contributions are sought for community centres, library services, sports and recreation, core paths and the Strategic Transport Fund (STF) and have been agreed with the developer.

No contributions are sought for education as both Mile End Primary School and Aberdeen Grammar School both have sufficient capacity to meet the level of pupils generated by the development.

Affordable housing contributions at 25% would be met as a commuted sum which would contribute towards off-site provision of affordable housing. This has been agreed with the Council's Housing service.

The proposal complies with Policy I1 (Infrastructure Contributions) and Policy H5 (Affordable Housing). A section 75 legal agreement should be entered into in order to secure these contributions.

### **Other Matters**

- Initially when the application was submitted the area of ground which will become a pavement at the front of the site was outwith the site boundary. The plans have since been amended to show this area as land within the control of the applicants which allows the planning authority to attach a condition requiring the provision of the pavement.
- Disruption during the construction phase is inevitable and not a legitimate reason for refusal of a proposal. However a condition has been attached to restrict construction work to reasonable times.

- Concern has been raised that lack of a Planning Brief for the site at planning in principle stage has led to an inappropriate development proposal. However there is no requirement for a planning brief at this particular site as it is considered that the matters which development needs to address on the site can be adequately dealt with through a planning application alone.
- Concern over future access to maintained boundary features would be a private legal matter between neighbours and the developer or future owners.

## **RECOMMENDATION**

**Approve subject to conditions and withhold consent until the signing of a legally binding agreement to secure affordable housing and developer contributions.**

## **REASONS FOR RECOMMENDATION**

The site is within an area suitable for residential development and could be satisfactorily integrated with the surrounding existing uses. Although the proposed tree loss would be regrettable, in order to create a development which respects the built form and is viable, their removal is required. The proposed terrace of homes would respect the character of the area through its scale and use of appropriate materials and architectural features which would maintain the character of the conservation area. Suitable access and car parking arrangements would be implemented and developer contributions secured.

**it is recommended that approval is granted with the following condition(s):**

(1) that no development shall take place unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been approved in writing by the planning authority. Thereafter none of the units hereby granted planning permission shall be occupied unless the equipment has been installed in accordance with those approved details - to ensure this development complies with requirement for on-site carbon emissions contained in Scottish Planning Policy (SPP) and specified in the the City Council's relevant published Supplementary Planning Guidance 'Low and Zero Carbon Buildings'.

(2) that no development shall take place unless a plan a scheme for the protection of all trees to be retained along western site boundary during construction works has been submitted to and approved in writing by the Planning Authority and any such scheme as may have been approved has been implemented. The scheme must include details of the proposed changes in ground level within the gardens of plots 1 and 2 - in order to ensure adequate protection for the trees on opposite side of the western site boundary during the construction of the development.

(3) that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls (to include granite on the front elevation walls and north gable elevation) of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity and the character of the conservation area.

(4) that no development shall take place unless a detailed site specific construction method statement for the site has been submitted to and approved in writing by the planning authority. The method statement must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS. Such statement shall be implemented in full for the duration of works on the site - in order to prevent potential water pollution.

(5) that none of the units hereby granted planning permission shall be occupied unless a new pedestrian footpath as shown on drawing 1343-P-001(Rev.G) or such other plan as may subsequently be approved in writing by the planning authority for the purpose, has been constructed or a variation granted in writing by the planning authority - in order to ensure satisfactory pedestrian access is provided to the development.

(6) that none of the units hereby granted planning permission shall be occupied unless all drainage works detailed in the Drainage Impact Assessment dated 13th June 2012 by Ramsay and Chalmers or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

(7) that none of the units hereby granted planning permission shall be occupied unless the car parking areas associated with that particular unit have been constructed in accordance with drawing 1343-P-001(Rev.G) of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(8) that all planting, seeding and turfing comprised in the approved scheme of landscaping shown on drawing 1218/2 (Rev.C) by the Ross Partnership, shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the visual amenity of the area.

(9) that, except as the Planning Authority may otherwise agree in writing,

no construction or demolition work shall take place:

- (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
- (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or
- (c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary.

[For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.