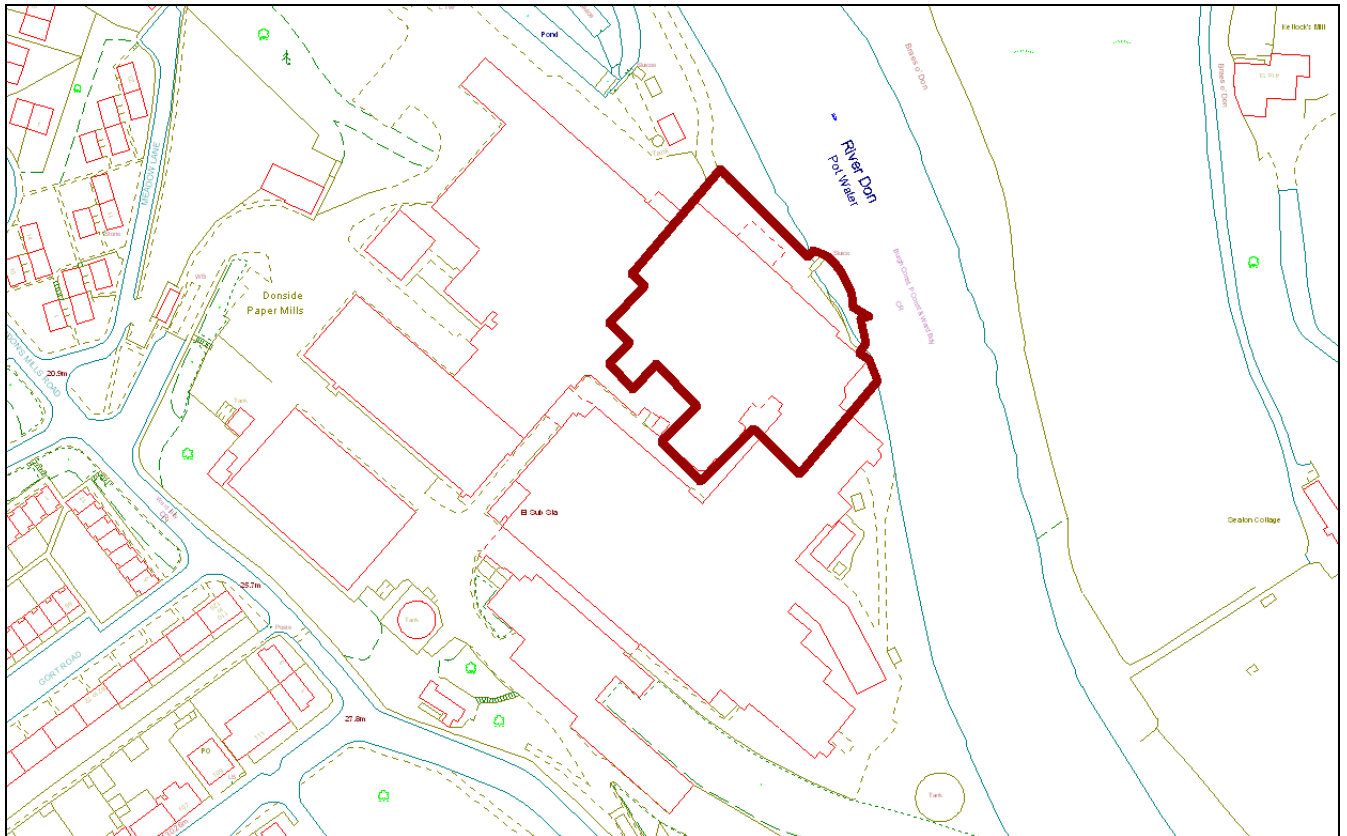


GORDON'S MILLS ROAD, DONSIDE  
URBAN VILLAGE

PROPOSED RE-DESIGN OF URBAN  
SQUARE, INCLUDING: RE-DESIGN OF  
COMMERCIAL OFFICES; RE-DESIGN OF  
RIVERSIDE HOUSING BLOCK; RE-  
DESIGN OF URBAN SQUARE CORNER  
BLOCKS INCLUDING RETAIL /  
COMMERCIAL SPACE ON GROUND  
FLOOR; RELOCATION OF CAFE.

For: Tenants First housing Co-operative

Application Ref.	: P110099	Advert	: Section 34 -Proj. Pub.
Application Date	: 31/01/2011	Concern	
Officer	: Lucy Greene	Advertised on	: 16/02/2011
Ward: Tillydrone/Seaton/Old Aberdeen (J Noble/R Milne/R Grant)		Committee Date	: 19 July 2012
		Community Council	: No response received



**RECOMMENDATION:** Approve conditionally, withhold planning permission pending the signing of a legally binding agreement relating to planning gain.

## **DESCRIPTION**

The application site is 5820m<sup>2</sup> in size and is part of the former Donside Papermill site. The wider site is currently being developed for housing as part of a mixed use urban village.

The north eastern boundary of the site runs along the edge of the River Don. There is existing metal sheet piling along a short stretch of the river bank, extending along the southern stretch of the application site and further to the south outwith this current application site. Prior to development commencing on the site, work had taken place to remediate contaminated land.

## **HISTORY**

Application A7/0400, for a mixed use urban village, including 278 residential units, was conditionally approved in April 2008. Within the red line of the current application site, this permission included 20no. flats, 5no. houses, café use within the part of the ground floor of the river side block of flats (known as the 'icon' block) and office / business floorspace in a 4 and 5 storey block.

There is also an undetermined application for use of the flood basin for car parking (ref. 110283).

On the site immediately to the south of the current application site planning permission has been granted conditionally for a four storey building comprising a nursery on the ground floor and flats above (reference 110402).

## **PROPOSAL**

The application proposal involves changes to the proposals that were approved as part of planning permission for the wider former Donside Papermill site. The application would consist of residential, office and retail uses. The details are as follows:

'Icon' block: a building consisting of three joined blocks of 6, 7 and 8 storeys, up to approximately 23m in height at its highest. This would contain 21no. Flats, 19no. 2 bed flats and 2no. 1 bed flats. (The extant permission is for a building of approximately 20m in height).

Cafe block: This is a 3 and 4 storey building located within the northern portion of the site, half of the building is within the application site (the other half being the same as was granted permission previously). This building contains a cafe on the ground floor as well as 5no. Flats within the application site.

Corner blocks 1 and 2: These contain one small retail unit each and each contains 9no. Flats – a total of 18no. two bed flats.

Office building: This contains approximately 2500m<sup>2</sup> office floorspace within a 3 and 4 storey building. The four storey element of the building is on the block facing the river and on corner closest to the 'icon' block. The building is faced in fyfestone, with large elements of glazing on the ground and upper floors; the top storey being slightly set back and with a flat roof. Car parking for the office would be within the flood basin that lies outside and to the south of the application site.

Car parking is also located in the streets leading up to the square and within the square itself; an additional area of parking (additional to that proposed under the previous application A7/0400) is proposed to the north of the 'icon' block.

The proposals also include hard surfaced open spaces forming the square itself and a series of ramps and smaller spaces along the river and leading down to the river edge. The proposals indicate tree planting within these areas. The proposal also includes a platform cantilevered out over the river, the plans show the support for this platform as being located on the bank and not within the river (based on normal water levels within the river).

An updated Flood Risk Assessment has been submitted with the application.

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

The application proposal has been advertised in accordance with Schedule 3 and therefore falls outwith the Council's scheme of delegation to officers.

## **CONSULTATIONS**

ROADS SECTION – The flood risk assessment indicates that the use of the flood basin for car parking could operate satisfactorily.

ENVIRONMENTAL HEALTH – No comments received.

PLANNING GAIN – Requests contributions towards community facilities, sports and recreation, libraries and the core path network.

SEPA – require the attachment of a condition relating to compensatory flood storage proposals.

COMMUNITY COUNCIL – No comments received.

## **REPRESENTATIONS**

A letter has been received from the Don District Salmon Fishery Board. The letter appears to relate to all of the currently undetermined applications as mentioned above. The issues raised are:

- potential changes to existing flood risks (possibly on both banks), with the proposed 'quay' section being of particular concern;
- potential changes to existing erosion / sedimentation characteristics of the reach;
- width, character and protection of impacted riparian zones;
- drainage requirements from the site;
- potential risk of entrapment of fish within bank side 'architectural features' (including flood storage area) at high flows; and,
- public access issues.

## **PLANNING POLICY**

### Aberdeen City and Shire Structure Plan

The structure plan promotes the growth of sustainable communities especially within Aberdeen City and on brownfield sites. Paragraph 3.20 describes redevelopment on brownfield sites and states that it should respect the character of the local area, improve the quality of the environment, use high quality design and include a mix of uses. The plan identifies the need to ensure that new development must be mixed in terms of type and size and tenure.

To ensure that new development maintains and improves the region's natural assets is an objective of the structure plan.

Reducing the need to travel is also one of the objectives in the structure plan.

### Aberdeen Local Development Plan

The application site is zoned under Policy H2 (Mixed Use) and is identified as an opportunity site. The River Don adjacent to the site is zoned under Policy NE2 (Greenbelt) and as Green Space Network (NE1).

Development within H2 areas must take into account the existing character. A adequate level of amenity should be achievable for residential uses, and these should not in turn impinge upon the operation of any commercial uses.

The Opportunity Site description (OP100) identifies the site for mixed use development with flood risk being a constraint.

The River Don adjacent to the site is zoned under Policy NE2 (Greenbelt) and as Green Space Network (NE1). Introducing recreational and enhancing wildlife use along the riverside is therefore to be encouraged in terms of NE1.

Policy I1 – Developer Contributions

Policy D1 – Architecture and Placemaking: new development must be designed in context.

Policy D2 – Design and Amenity – describes the principles to be applied to ensure an appropriate level of amenity for residents.

Policy H3 – Density: seeks an appropriate density. A net level of 30 dwellings per hectare is sought for larger sites.

Policy H4 – Housing Mix: Seeks a mix of dwelling types and sizes on larger sites

Policy H5 – Affordable Housing: requirement for at least 25%

Policy NE6 – Planning and Flooding: Development will not be permitted, inter alia, where it would increase the risk of flooding or would be at risk itself. A flood risk assessment is required in circumstances relevant to this application.

Policy R7: All new buildings must install low and zero carbon equipment in accordance with requirements of the Supplementary Guidance on Carbon Emissions.

Scottish Planning Policy: Contains advice on dealing with applications where flooding is an issue.

## **EVALUATION**

The application shall be determined in accordance with the development plan unless material considerations indicate otherwise.

The application proposal would result a larger number of flats than were previously approved on this part of the Donside site, an office of broadly similar scale as well as small retail and cafe units. It is considered that the proposed uses would be complementary to the main residential use. An appropriate mix of types of residential unit are provided across the wider site and these include a mix of tenures. The principle of these uses has already been established as appropriate on the site. As the entire site is currently under development, there are no existing uses whose viability or operation would potentially be compromised. In terms of car parking, the Roads Section are content that the overall parking strategy for the site includes sufficient capacity to accommodate the uses, subject to ensuring that the flood basin is available for use by those using the office building.

In terms of its scale and massing, the 'icon' block would be 23m at its highest. The principle of the this block as a feature in this location on the site has already been established. The current proposal is to increase the height of part of the building. This is something that was suggested by the Design Review Panel as it was considered that this would provide a strong focal point at the end of the main street and within the square.

There would be a variety of heights of buildings in the surrounding area, with those along the river side being: the 4 storey nursery/flats building (this has planning permission), the 16m office building, the 'icon block' proposed at approximately 23m. There are also three and four storey flatted buildings and two and three storey houses and flats in the surrounding area. The elevational design and form of the buildings are considered appropriate, there are some similarities being some of the buildings, whilst there is a more clear difference in terms of materials and elevational design between those in different uses. This is all considered acceptable and appropriate.

In terms of the impact on the landscape setting of the River Don, the proposal to develop this site, in a fairly dense urban form, has already been accepted by the earlier approval of the Donside Urban Village. The application proposals would contain a higher element than the development previously approved, however, overall the scale of buildings remains the same.

In terms of the impact on the river and river banks, the proposal would involve sheet piling parallel with the river edge (this would also extend outside the application site and is also the subject of other planning applications).

There is an existing stretch of sheet piling and retaining wall extending along the northern portion of the river bank within this application site and further south along the river bank to the south of the application site. The river edge along the remainder of the application site does not have existing sheet piling and although there are signs that in the past the riverbank has been altered by the previous industrial use of the site, the riverbank in this area is more or less natural. The proposed sheet piling would be to the land side of any existing retaining structures and would be outside the 'normal' water level of the river.

The existing sheet piling would remain in place. A condition has been attached that requires a construction method statement to be submitted showing how the work would be carried out without allowing the river to be polluted. Along some stretches of the river side water levels would reach the lower edge of the sheet piling during 1 in 200 year flood events. It is also proposed to construct a wildlife corridor along the river side of the sheet piling. This would consist of two levels of paths: one consisting of turfed path and the other planted with native plants; these would be retained in place by timber stakes and live willow spilling.

It is recommended that conditions be attached requiring the submission of construction method statement, including timing of work in relation to river conditions, in order to prevent pollution of the River Don by any material from the site, including run off. With the implementation of these measures it is considered that any impact on wildlife in the river and along the banks can be minimised. Similarly, external lighting would be the subject of a condition so that any impact on wildlife can be controlled.

In terms of affordable housing, the proposal is for flats in a mix of tenures. Across the wider Donside site there are 309 units. These include 79 for sale, LIFT (Low-cost Initiative for First Time Buyers) units and those that would be rented out by a housing association. Given that the level of affordable housing across the site is well above that required by policy, the proposal is considered acceptable in this regard.

The application was also submitted some time before the Strategic Transport Fund contributions came into effect and no contribution is therefore required.

In terms of the objections: it is proposed to retain the existing sheet piling with the proposed sheet piling being installed behind (ie to the land side). Conditions are also attached to the permission that require further details of works to the river bank and would serve to control pollution of the water. The works to install new sheet piling are above the normal water level in the river and also above / to the land side of the existing sheet piling. It is considered that with the measures in place that are required by the conditions, the proposal is acceptable.

**RECOMMENDATION: Approve conditionally, the planning permission being withheld pending the signing of a legally binding agreement relating to planning gain.**

## **REASONS FOR RECOMMENDATION**

The proposal complies with Policy H2 - Mixed Use in the local development plan. The design of the proposed buildings is acceptable in the context of the development already approved on this site. With the attachment of appropriate conditions the proposal is acceptable in terms of flooding and the prevention of pollution in relation to proposed works close to the riverside.

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

- (1) landscaping scheme
- (2) materials
- (3) car parking to be laid out prior to occupation
- (4) compensatory flood storage areas to be provided

(1) that no development shall take place unless a scheme detailing all external finishing materials to the roofs, walls and hard surfaces 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.

(2) That no development shall take place unless there has been submitted to, and approved in writing by, the planning authority a construction method statement for all works to the river bank and including the sheet piling, and construction of wildlife corridor and any other works affecting the river bank. The method statement shall include methods for the prevention of pollution reaching the River Don, including measures to control dust, run-off, timing of works in relation to water levels and the management of waste. The scheme shall be implemented in complete accordance with details as so approved and work shall not take place unless the measures as so agreed are in place and fully operational - to control pollution of air, water and land.

(3) that the full details of the compensatory storage proposals, including cross sections and drawings clearly showing how the scheme will fill and drain freely during a flood event, are agreed with relevant parties including SEPA and implemented in full prior to the commencement of development. The detailed proposals are to be designed in accordance with Appendix C of the Flood Risk Assessment (dated 1 March 2012) and the plan of "Flood Extents" ref 62299/WS/11 (dated 14 March 2012) – in the interests of preventing flooding.

(5) That the existing piling and any retaining structures shall not be removed or altered unless a detailed method statement, including measures for satisfactorily dealing with contaminated land, has been submitted to and agreed in writing with the planning authority – in order to ensure that there is no adverse impact on the river.

(6) That the office building shall not be brought into use unless the car parking within the flood basin to the south of the application site has been laid out and is fully operational – in the interests of road safety.

(6) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities,

locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(7) that all planting, seeding and turfing comprised in the approved scheme of landscaping 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 amenity of the area.

(8) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme - in the interest of public safety and wildlife

(9) that the building(s) hereby approved shall not be brought into use 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 and 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 City Council's relevant published Supplementary Planning Guidance 'Low and Zero Carbon Buildings'.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.