

Sites between Countesswells Rd and Hazledene Road, Pinewood and Hazledene

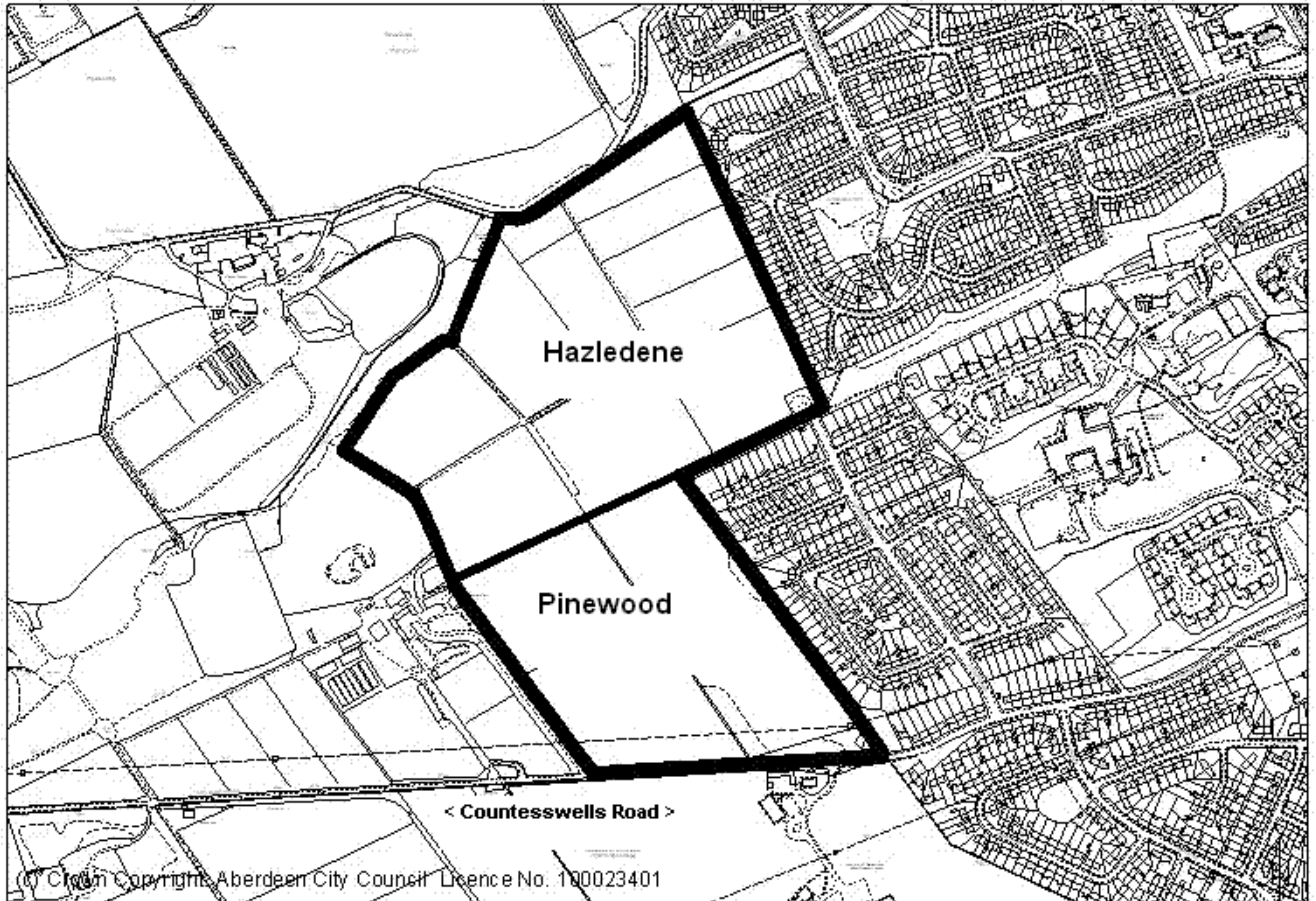
Application for the approval of matters specified in conditions 1 (suds); 2 (open space); 3 (landscaping); 8 (roads improvements - site access from Countesswells road); 10 (dry-stone walling); 11 (roads improvements - junction of Countesswells road and Springfield road); 16 (archaeology) of planning permission in principle ref A7/2178;

and

Conditions 1 (archaeology); 2 (suds); 6 (public transport agreement); 7 (road junction works); 8 (roads improvements); 9 (landscaping); 11 (open space); 12 (dry-stone walling); 14 (design per 'homezone' principles); 16 (road junction works); 17 (roads improvements); 19 (road junction improvements); 20 (traffic calming); 23 (i)(access) and 23(iv) (design) of planning permission in principle ref A8/0530, relating to the construction of 200 dwellinghouses across the Hazledene site, and 23(ii)(siting) and 23(iii)(landscaping) solely in relation to phase 1, comprising 50 dwellings.

For: Allyn Ltd

Application Ref.	: P120029 & P120952	Advert	:
Application Date	: 10/01/2012	Advertised on	:
Officer	: Alex Scott/Gavin Evans	Committee Date	: 23 August 2012
Ward: Hazlehead/Ashley/Queen's Cross(M Greig/J Stewart/R Thomson/J Corall)		Community Council	: Comments



RECOMMENDATION:

To approve the applications, but to withhold the issue of the consent document until the applicant has entered into appropriate arrangements with the Council for making the financial contributions in lieu of road improvements, and has made payment to Transport Scotland in lieu of works to the A90(T) trunk road.

DESCRIPTION

This report concerns two separate applications for Matters Specified in Conditions (MSC) on two adjoining application sites, located between Hazledene Road to the north and Countesswells Road to the south. The two sites combined form a wider development area, L-shaped in plan view, which sits directly to the west of the established residential area of Countesswells and Craigiebuckler. Their combined site area is some 27 hectares, of which roughly 10.5ha is contained within the Pinewood site and 16.5ha within Hazledene.

The western boundary is formed by the wooded grounds of Pinewood House and the Ben Reid Garden Centre. The land was, for the most part, last used for horticultural purposes, mainly the growing of trees and shrubs, and is currently under grass. The ground rises gently to a central area then slopes down to the north. The site is bounded by mature woodland on the east and west sides and is subdivided by hedges and dry stone dykes.

PRE-APPLICATION CONSULTATION

Statutory Pre-Application Consultation is not required for applications relating to Matters Specified in Conditions, as these represent follow-up applications to earlier approvals for Planning Permission in Principle (PPiP).

HISTORY

There is a substantial planning history relating to the identification of this site for residential development through the preparation of the previous Aberdeen Local Plan (2008). The Pinewood and Hazledene sites were identified as opportunity sites OP4 and OP120 in that local plan and Planning Permission in Principle (PPiP) was granted through the approval of applications A7/2178 (Pinewood) and A8/0530 (Hazledene), based on consideration against that plan. It should be noted that at that time there was a requirement for the applications to be notified to Scottish Ministers as a result of the Council's interest in the land. This notification process gave Ministers the option to 'call-in' the applications for determination by the Scottish Government. Ministers declined to exercise this power and the applications were subsequently approved by the planning authority.

The sites are now identified as Residential areas (H1) in the current Aberdeen Local Development Plan. A Planning Brief, covering both sites, was approved in 2004 and involved significant input arising from public and community consultation.

The Hazledene site is entirely owned by Aberdeen City Council, while parts of the Pinewood site are owned by Aberdeen City Council and Robert Gordon's College respectively. The ownership of the site does not influence the assessment of these applications on their respective merits; however the Council's interest does require that such applications are referred to the Development Management Sub-Committee for determination under the agreed scheme of delegation.

PROPOSAL

These applications seek approval for matters which were specified in conditions attached to planning consents A7/2178 (Pinewood) and A8/0530 (Hazledene) respectively. The principle of development of a certain scale has been established through the grant of those consents, and it will not be appropriate to revisit this in considering the proposals before members today.

The purpose of applications relating to Matters Specified in Conditions (MSC) is to secure further information or specifications as required by conditions which were placed on an approval of Planning Permission in Principle. Not all conditions require the submission of further information, but those which do shall be the subject of one or more applications for MSC.

The applicant seeks approval of matters specified in conditions as follows;

Pinewood site:

- Condition 1: Details of site drainage in accordance with Sustainable Urban Drainage principles.

- Condition 2: Provision of a scheme for the management and maintenance of open space following implementation in accordance with a previously agreed drawing.
- Condition 3: Provision of a detailed scheme of landscaping for the site, demonstrating existing trees and landscaped areas on the site, those to be retained and measures for their protection in the course of development, and the proposed areas of new planting – to include details of numbers, densities, locations, species, sizes and stage of maturity at planting.
- Condition 8: Provision of a detailed junction design relative to the proposed site access from Countesswells Road.
- Condition 10: A scheme demonstrating the extent and location of any removal, alteration or rebuilding of dry-stone walling.
- Condition 11: Agreement of details relating to junction improvements at the junction between Countesswells Road and Springfield Road.
- Condition 16: Submission of a written scheme of archaeological investigation.

Hazledene site:

- Condition 1: Submission of a written scheme of archaeological investigation.
- Condition 2: Details of site drainage in accordance with Sustainable Urban Drainage principles.
- Condition 6: Provision of evidence relating to an agreement with a public transport operator to provide bus services to serve the site, following consultation with Transport Scotland.
- Condition 7: Provision of a detailed scheme for modifications to A90(T)/Seafield Road/Cromwell Road junction, or alternatively for a contribution in lieu of such works, following appropriate consultation with Transport Scotland's Trunk Road Network Management Directorate.
- Condition 8: Implementation of the works agreed through condition 7 prior to occupation of any part of the development.
- Condition 9: Provision of a detailed scheme of landscaping for the site, demonstrating existing trees and landscaped areas on the site, those to be retained and measures for their protection in the course of development, and the proposed areas of new planting – to include details of numbers, densities, locations, species, sizes and stage of maturity at planting.
- Condition 11: Provision of a scheme for the management and maintenance of open space following implementation in accordance with a previously agreed drawing.

- Condition 12: A scheme demonstrating the extent and location of any removal, alteration or rebuilding of dry-stone walling.
- Condition 14: The adoption of 'Homezone' principles in the final layout of the development.
- Condition 16: Submission of a detailed junction design relative to the proposed site access from Countesswells Road and the extension of Countesswells Avenue to serve the site.
- Condition 17: Requires the road improvements set out in condition 19 (below) to be implemented prior to the occupation of any part of the development.
- Condition 19: Submission of engineering details regarding improvements required at the following junctions; (1) Countesswells Road/Springfield Road; (2) Springfield Road/Queens Road; (3) Cromwell Road/Forest Avenue/Union Grove
- Condition 20: Provision for the implementation of traffic calming and 20mph speed limits on all roads within the development site.
- Condition 23, parts (i) and (iv): Condition 23 states that no development shall commence on site until further applications have been made in relation to the following matters; (i) means of access; ... and (iv) the landscaping of the site.

In addition to these conditions, which relate to the entire Hazledene development site, the applicant has provided information relating to conditions 23 (ii) and (iii) for 'phase 1' of the development, which involves the construction of 50 homes on the western side of Hazledene. Condition 23 is set out above, with parts (ii) and (iii) relating to 'siting' and 'design and external appearance of the building(s)' respectively.

As noted previously, there are further conditions which do not require to be the subject of MSC application(s). These conditions will remain in effect following determination of these applications. An example of such a condition would be the restriction of construction outwith specified hours. This requires no further submissions, but will continue to apply irrespective of the outcome of these MSC applications.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application involves land in Council ownership and has attracted comments from the local community council; both aspects therefore necessitate consideration of the application by the Development Management Sub-Committee.

CONSULTATIONS

ROADS SECTION – Agreed the form and detail of submitted Sustainable Urban Drainage Schemes. Agree to proposals for public transport services pending agreement of Transport Scotland, which was subsequently obtained. Agreed to scale of financial contribution in lieu of improvements to Trunk road junction. Transport Scotland have subsequently issued a letter of understanding to the applicant's solicitors regarding that payment. Confirm agreement to proposals for Countesswells Road roundabout and extension of Countesswells Avenue. Confirm acceptance of engineering design details for Countesswells Road/Springfield Road junction. Agree to the level of financial contribution to be made in lieu of works to Springfield Road/Queens Road and Cromwell Road/Forest Avenue/Union Grove junctions. Acknowledge that implementation of 20mph speed limits and speed calming measures are best addressed through Roads Construction Consent process, which is ongoing.

ENVIRONMENTAL HEALTH – No observations

COMMUNITY COUNCIL – Object to the application as areas of these sites belong to the City Council and no application should be considered until land is sold for appropriate market price and audit Scotland advised.

REPRESENTATIONS

5 letters of objection have been received - the main concern relates to the increased traffic along Countesswells Road and the number of accidents caused by speeding commuting drivers. Further points can be summarised as follows - Local roads are already congested particularly when Robert Gordons College run events at their sports fields. The development will destroy existing green space and wildlife and should remain Green Belt. There are problems with localised flooding which the SUDS scheme is unlikely to address. The location of the detention basins will encourage vermin. There is a lack of local school capacity for the residents of this new development. The development will result in the loss of a quiet rural area and the footpaths through the development will result in loss of amenity and privacy to existing residents. There is insufficient screening along the rear of existing gardens. The style of the proposed houses, up to 3-storey in height is not compatible in the area and will result in overlooking and loss of privacy. The details of the whole 350 dwelling development should be shown, not just the first phase of 50 houses. The effect of the electricity pylons across the site must be considered.

PLANNING POLICY

The sites are identified as opportunity sites in the recently adopted Aberdeen Local Development plan, Hazledene as OP 52 and Pinewood by OP57 and are both within an H1 Residential land use allocation. Within such areas new residential development will be approved if it does not constitute over development, has no unacceptable impact on the character and amenity of the surrounding area and does not result in the loss of open space.

EVALUATION

The principle of development on these sites, and broad details of that development in terms of landscaping, roads and traffic, design and layout were substantially established at the earlier Planning Permission in Principle stage. It is proposed that, for each application, conditions will be addressed in turn, with the terms of the condition summarised and details of how those terms have been addressed through further submissions.

It should be noted that a mechanisms for the delivery of the planning gain packages attached to each grant of Planning Permission in Principle still require to be put in place and are not dealt with in these applications. Both consents were granted subject to a condition, necessitated in recognition of the Council interest in the sites, that the prospective developer enter into an appropriate legal agreement. These agreements have yet to be concluded, and remain to be completed in due course.

As regards the representations received from members of the public, the impact of the traffic related to this development was investigated at the outline stage and found acceptable subject to local road improvements, which will be implemented as required by suspensive conditions, or otherwise via improvements made by the Council following payment of monies in lieu of necessary works. The principle of residential development has been established and recognised in the Local Development Plan. The pylons referred to cross the southern part of the Pinewood site and there is no housing development underneath or in proximity to the line of these overhead wires. This area will provide open amenity space. Drainage schemes, in accordance with the principles of Sustainable Urban Drainage Systems, have been designed to accommodate the surface water drainage from the site and should address any existing issues related to poor drainage of the existing site. There is no reason to believe that SUDS schemes will encourage vermin, and the 2 detention basins will be maintained through adoption by the Council and Scottish Water respectively. The 3-storey houses referred to are 2-storey with accommodation in the steeply pitched roof and there is adequate separation between these new houses and existing dwellings - 35 metres between properties is sufficient to ensure that overlooking will not be an issue notwithstanding that there will be landscape trees and shrub planting in the intervening open space. The question of school capacity was addressed at the outline stage. The landscape proposals have been updated to address the issue of privacy and additional planting is to be provided.

The specific conditions dealt with in this application and as are required by the planning permissions in principle relate to:-

Pinewood site:

Condition 1: Details of site drainage in accordance with Sustainable Urban Drainage principles.

Detailed drainage proposals have been submitted in relation to the Pinewood site, and have been agreed following consultation with the Council's Roads section.

Condition 2: Provision of a scheme for the management and maintenance of open space following implementation in accordance with a previously agreed drawing.

A schedule for the management and maintenance of landscaped areas and open space has been provided, detailing maintenance for a period of 5 years, after which period responsibility for maintenance would be transferred to another party. The proposals contained within the maintenance schedule are considered to be acceptable to ensure such areas are given due consideration following initial planting/laying out.

Condition 3: Provision of a detailed scheme of landscaping for the site, demonstrating existing trees and landscaped areas on the site, those to be retained and measures for their protection in the course of development, and the proposed areas of new planting – to include details of numbers, densities, locations, species, sizes and stage of maturity at planting.

A detailed scheme of landscaping has been provided, and contains all the relevant information on proposed new planting and means of protecting those trees to be retained within the site. This scheme has been agreed in consultation with the Council's Arboricultural Planner.

Condition 8: Provision of a detailed junction design relative to the proposed site access from Countesswells Road.

Detailed design drawings have been provided in relation to the site access from Countesswells Road. These have been agreed in consultation with the Council's Roads section, and a formal application for Roads Construction Consent is underway.

Condition 10: A scheme demonstrating the extent and location of any removal, alteration or rebuilding of dry-stone walling.

Arrowsmith Design, acting on behalf of the applicant, has provided drawings detailing the extent and location of all dountaking, removal and rebuilding of dry-stone walling required in order to accommodate the development and its supporting network of roads and footpaths. These details are considered to be acceptable, demonstrating that extensive areas of existing walling will be retained in its existing form, and that all works will be undertaken in accordance with an appropriate method statement to ensure sensitive working practices.

Condition 11: Agreement of details relating to junction improvements at the junction between Countesswells Road and Springfield Road.

Cameron & Ross, engineering consultants, have submitted drawings detailing these junction improvements, which have been agreed in consultation with the Council's Roads section and which now form part of a formal application for Roads Construction Consent.

Condition 16: Submission of a written scheme of archaeological investigation.

A written report, prepared by Cameron Archaeology Ltd, was submitted by the applicant in relation to this condition. The report detailed the investigation works undertaken on both Pinewood and Hazledene sites and, following consultation with the Council's Lead Curator of Local History and Archaeology, it has been concluded that no further archaeological investigation will be required.

Hazledene site

Condition 1: Submission of a written scheme of archaeological investigation.

A written report, prepared by Cameron Archaeology Ltd, was submitted by the applicant in relation to this condition. The report detailed the investigation works undertaken on both Pinewood and Hazledene sites this Spring and, following consultation with the Council's Lead Curator of Local History and Archaeology, it has been concluded that no further archaeological investigation will be required.

Condition 2: Details of site drainage in accordance with Sustainable Urban Drainage principles.

Detailed drainage proposals have been submitted in relation to the Hazledene site, and have been agreed following consultation with the Council's Roads section.

Condition 6: Provision of evidence relating to an agreement with a public transport operator to provide bus services to serve the site, following consultation with Transport Scotland.

The applicant has provided correspondence from the Operations Director of First Aberdeen Ltd, setting out the intended changes to the current service 16A in order to serve the development site. Re-positioning of the existing turning circle further into the development site during Phase 1, and the associated re-routing of the service in the longer term would result in increased operating costs, and an agreement has been reached with the developer to cover associated costs on completion of the internal loop road. The revised service is envisaged to progress clockwise through the wider Pinewood and Hazledene development, accessing from the new roundabout junction on Countesswells Road and subsequently rejoining Countesswells Road at its junction with Countesswells Avenue. Transport Scotland has confirmed it is satisfied for the local authority to make such arrangements regarding public transport as it sees fit. The submissions made are considered to be sufficient to demonstrate evidence of an agreement with First Aberdeen for the provision of appropriate bus services to serve the site.

Condition 7: Provision of a detailed scheme for modifications to A90(T)/Seafield Road/Cromwell Road junction, or alternatively for a contribution in lieu of such works, following appropriate consultation with Transport Scotland's Trunk Road Network Management Directorate.

Following dialogue between the Council's Roads section and Transport Scotland, it has been agreed that a sum of £42,500 would be required in lieu of modification works to the A90(T)/Seafield Road/Cromwell Road junction. The applicant's solicitors and Transport Scotland have agreed the terms for a 'letter of understanding', which has been copied to the planning authority. This consent will not be released until such time as Transport Scotland confirms receipt of payment in lieu of the stated works.

Condition 8: Implementation of the works agreed through condition 7 prior to occupation of any part of the development.

As noted above, a financial contribution is to be made in lieu of those works, with the contribution used by Transport Scotland for Sustainable Transport Measures as it deems necessary. Given the as yet undetermined nature of those

Sustainable Transport Measures, it is appropriate to consider this condition to be purified on payment of funds to Transport Scotland. As noted above, Transport Scotland will confirm receipt of funds, following which approval may be issued.

Condition 9: Provision of a detailed scheme of landscaping for the site, demonstrating existing trees and landscaped areas on the site, those to be retained and measures for their protection in the course of development, and the proposed areas of new planting – to include details of numbers, densities, locations, species, sizes and stage of maturity at planting.

A detailed scheme of landscaping has been provided, and contains all the relevant information on proposed new planting and means of protecting those trees to be retained within the site. This scheme has been agreed in consultation with the Council's Arboricultural Planner.

Condition 11: Provision of a scheme for the management and maintenance of open space following implementation in accordance with a previously agreed drawing.

A schedule for the management and maintenance of landscaped areas and open space has been provided, detailing maintenance for a period of 5 years, after which period responsibility for maintenance would be transferred to another party. The proposals contained within the maintenance schedule are considered to be acceptable to ensure such areas are given due consideration following initial planting/laying out.

Condition 12: A scheme demonstrating the extent and location of any removal, alteration or rebuilding of dry-stone walling.

Arrowsmith Design, acting on behalf of the applicant, has provided drawings detailing the extent and location of all dountaking, removal and rebuilding of dry-stone walling required in order to accommodate the development and its supporting network of roads and footpaths. These details are considered to be acceptable, demonstrating that extensive areas of existing walling will be retained in its existing form, and that all works will be undertaken in accordance with an appropriate method statement to ensure sensitive working practices.

Condition 14: The adoption of 'Homezone' principles in the final layout of the development.

'Home Zones' are a means of creating residential areas where street spaces are shared between different users, vehicle speeds are kept low, and drivers are made to feel they are guests in an environment designed for people to walk and play. A roads layout incorporating these principles has been submitted, while Roads colleagues advise that Roads Construction Consent is sufficiently advanced to be able to identify the successful incorporation of such measures into the final detailed road design.

Condition 16: Submission of a detailed junction design relative to the proposed site access from Countesswells Road and the extension of Countesswells Avenue to serve the site.

Cameron & Ross, engineering consultants, have submitted drawings detailing the design of the roundabout access from Countesswells Road and the extension of

Countesswells Avenue. Those designs have been agreed in consultation with the Council's Roads section and now form part of a formal application for Roads Construction Consent.

Condition 17: Requires the road improvements set out in condition 19 (below) to be implemented prior to the occupation of any part of the development. As the applicant is to make a financial contribution in lieu of works to the latter 2 junctions, the condition will be partially purified on payment of that contribution. Full purification will be based on works at the Countesswells Road/Springfield Road junction being carried out as agreed with the Council's Roads section.

Condition 19: Submission of engineering details regarding improvements required at the following junctions; (1) Countesswells Road/Springfield Road; (2) Springfield Road/Queens Road; (3) Cromwell Road/Forest Avenue/Union Grove. *Engineering details have been submitted in respect of the Countesswells Road/Springfield Road junction. Those details have been agreed through consultation with the Council's Roads section. A financial contribution of £40,500 has been agreed in lieu of works to the junctions at Springfield Road/Queens Road and Cromwell Road/Forest Avenue/Union Grove respectively.*

Condition 20: Provision for the implementation of traffic calming and 20mph speed limits on all roads within the development site. *Consultation with colleagues in the Council's Roads section has ascertained that the implementation of traffic calming and 20mph speed limits within the site, and the payment of costs associated with administration and subsequent implementation, can be adequately controlled through the Roads Construction Consent process, and required no further action as regards this planning condition.*

Condition 23, parts (i) and (iv): Condition 23 states that no development shall commence on site until further applications have been made in relation to the following matters; (i) means of access; ... and (iv) the landscaping of the site. *Parts (i) and (iv) of this condition effectively replicate requirements made through other standalone conditions. Matters relating to means of access have been addressed through conditions relating to roads improvements, roads layouts and footpath connections as detailed above, while landscaping has been addressed through condition 9. It is considered that appropriate submission have been made in relation to these conditions, and that no further details in addition to those already provided in order to satisfy the terms of condition 23, parts (i) and (iv).*

Hazledene site – Phase 1 only

Condition 23: the applicant has provided information relating to condition 23, parts (ii) and (iii) for 'phase 1' of the development only, involving the construction of 50 homes on the western side of Hazledene. Parts (ii) and (iii) relate to 'siting' and 'design and external appearance of buildings' respectively. *A series of drawings have been submitted to demonstrate the external appearance of the different house-types contained within Phase 1 of the*

development site. Furthermore, a detailed site plan has been provided for Phase 1, demonstrating the road layout and arrangement of buildings, landscaping and open space. These details are considered to be acceptable in terms of condition 23, parts (ii) and (iii).

RECOMMENDATION

To approve the applications, but to withhold the issue of the consent document until the applicant has entered into appropriate arrangements with the Council for making the financial contributions in lieu of road improvements, and has made payment to Transport Scotland in lieu of works to the A90(T) trunk road.

REASONS FOR RECOMMENDATION

Pinewood

The proposed development accords with the principle established under the approved Planning Permission in Principle application. It introduces a form of development appropriate to its context in terms of its design, scale and massing and provides a satisfactory level of amenity for future occupiers. The information provided in support of this application is sufficient to address the matters specified in conditions 1(SUDS); 2(Open Space); 3(Landscaping); 8(Roads improvements - site access from Countesswells Road); 10(Dry-stone walling); 11(Roads improvements-junction of Countesswells Road and Springfield Road); and 16(Archaeology) of Planning Permission in Principle ref A7/2178, relating to the construction of 150 dwellinghouses.

Hazledene

The proposed development accords with the principle established under the approved Planning Permission in Principle application. The scale and form of development are appropriate to their context in terms of design, massing, open space and landscaping, and would provide an appropriate residential environment for both prospective residents and those whose properties adjoin the site. The information provided in support of this application is considered sufficient to address the matters specified in conditions 1 (Archaeology); 2 (SUDS); 6 (Public Transport agreement); 7 (Road junction works); 8 (Roads improvements); 9 (Landscaping); 11 (Open Space); 12 (Dry-stone walling); 14 (design per 'Homezone' principles); 16 (Road junction works); 17 (Roads improvements); 19 (Road junction improvements); 20 (traffic calming); 21 (footpath links outwith site); 23 (i)(access) and 23(iv)(design) of planning permission in principle ref A8/0530, relating to the construction of 200 dwellinghouses across the Hazledene site, and 23(ii)(siting) and 23(iii)(landscaping) solely in relation to Phase 1, comprising 50 dwellings.

Dr Margaret Bochel

Head of Planning and Sustainable Development.