

LAND TO NORTH OF, FRIARSFIELD ROAD, CULTS (PART OF OP51)

PROPOSED RESIDENTIAL DEVELOPMENT OF 81 UNITS (INCLUDING AFFORDABLE HOUSING), PUBLIC OPEN SPACE, SUDS AND ACCESS WORKS

For: CALA Management Ltd

Application Ref. : P120340
Application Date : 05/03/2012
Officer : Tommy Hart
Ward: Lower Deeside (M Boulton/A Malone/M Malik)

Advert : Full Notify not poss. (neighbours)
Advertised on : 14/03/2012
Committee Date : 8 November 2012
Community Council : Comments



RECOMMENDATION: To approve conditionally. Consent to be withheld until a legal agreement is secured to deliver on-site affordable housing provision, planning gain contributions towards education facilities, sport and recreation facilities, library provision, community facilities and core paths; and financial contributions towards the delivery of the Link Road

DESCRIPTION

The application site is rectangular in shape and extends to around 6.3ha in size and lies on the north side of Friarsfield immediately opposite the access to Abbotshall Drive. The land is agriculture in nature and rises gently upwards towards Craigton Road.

The site is bound to the north and west by agricultural land. The boundary to the north part of the application site is not delineated and is currently open up to Craigton Road. To the east there is a stone dyke which is around 1m in height. In addition to this, along the east boundary there is an informal footpath between the site and the adjacent land 'Morkeu' which is currently being developed by Cala Homes under planning ref 120369 for 10 homes. This path allows access between Friarsfield Road and Craigton Road. The informal footpath is around 8m wide and is lined on either side by a variety of mature trees and shrubs.

The site is bound to the west by a stone dyke of varying heights with some mature trees to the north west corner of the site with Core Path 63 running parrallell to this. In the south west corner of the site, there are a number of derelict out-buildings which form the former horticulture nursery. There is also an electricuty sub-station and telecommunications mast which are located outwith the application site.

The site is bound to the south by Friarsfield Road. A low-level post and wire fence abuts the road. There is a modern 2 ½-storey dwelling and garden (Bramble House) just outwith the application site which forms a wedge-shaped plot with a southerly aspect. That plot is bounded on 3 sides by a stone dyke

The application site is designated as a residential area and forms part of the wider Friarsfield Opportunity Site (OP51) which is allocated for around 280 homes in the Aberdeen Local Development Plan (ALDP). A Development Framework has been produced for the whole OP51 site.

PRE-APPLICATION CONSULTATION

The application is a major application as defined in the 'Hierarchy of Development' Regulations. Pre-application consultation was undertaken in August and November 2011 between the applicant and the local community. The consultation also involved Local Members and the local Community Council. The consultation also looked at the wider OP51 area with regards to the proposed Development Framework.

At the first consultation event, six questions were posed to attendees relating to local character, connection and permeability, public transport, landscape & environmental qualities, and open space. A number of positive suggestions were put forward by attendees relating to; improving the connections into the wider area, ensuring there is adequate public transport links to the site in order to reduce the traffic burden on the network, ensuring adequate and useable green space throughout the site, ensuring the development fits in with the wider Cults area. A small number of respondants did not want any development on site. Concerns were raised about the impact on the road network and general infrastructure in the area, impact on school provision, loss of green belt and overdevelopment of Cults.

At the second consultation event, many of the issues from the first event were raised again. In addition to these, issues were also raised regarding; traffic levels and the need for bus stops on the Link Road, safe crossings on Friarsfield Road, the SUDS provision, open space and landscaping provision in and around the site.

The applicants have provided feedback on the issues and concerns raised. In some instances, this has led to changes/improvements in the proposals whilst others have remained as originally shown with justification given in all instances.

HISTORY OF SPECIFIC SITE

Planning ref A1/1369 – outline planning permission for residential development was withdrawn by the applicant (Cala Homes) before the application was determined.

Planning ref A4/1865 – outline planning permission to demolish existing buildings and erect new 6-Year Comprehensive secondary school for maximum occupancy of 1194 people with associated amenities (inc. New Community Swimming Pool) was refused by the planning committee in November 2005 contrary to officer recommendation. The reasons for refusal were;

1. The proposals are premature with regard to the emerging Aberdeen City Local Plan, Green Spaces-New Places, in that the proposal included in the application is subject to considerable objection and should not be considered in advance of the pending inquiry into the local plan and subsequent adoption;
2. The proposals are contrary to the GB1 and GB2 designation of the site within the adopted 1991 Aberdeen City District Wide Local Plan which indicates that there will be an embargo on all development unless related to a use which must be located within the countryside;
3. The proposals are of such a scale and type of use as to be incompatible with the constraints in the local road network. The road improvements proposed as part of the application would be inadequate to address these concerns with particular regard to access to the site by bus transport and pedestrians.

Planning ref A4/1917 – outline planning permission for the erection of a residential development and replacement school was withdrawn by the applicant (Cala Homes) before the application was determined.

Planning ref 111065 – Proposal of Application Notice for proposed residential development with associated infrastructure, open space and strategic landscaping, the detailed site boundaries, layout & density of development will be evolved through the consultation process was submitted in July 2011.

Planning ref 111168 – Proposal of Application Notice for proposed residential development with associated infrastructure, open space and strategic landscaping, the detailed site boundaries, layout and density of development will be evolved through the consultation process was submitted in August 2011.

ADJACENT SITE (MORKEU) HISTORY

Planning ref 110559 For change of use to residential land and erection of 10 houses was granted conditional planning permission by the Development Management Sub-Committee in January 2012.

Planning ref 120369 for amendment to application 110559 for change of house type was approved under delegated powers in May 2012.

PROPOSAL

Detailed planning permission is sought for the construction of a residential development comprising 73 detached dwellings and 8 flats with associated landscaping/open space, car parking, access roads, SUDS and pedestrian/cycle paths.

Layout of the Development

The development site would mainly be laid out with a north-south aspect to the houses with the exception of the properties along the spine road, the feature plaza, the south east corner and the hilltop park. At the southern end of the development there would be 6no dwellings facing south towards Friarsfield Road and the SUDS basin. Three of these properties would be accessed directly off Friarsfield Road with the other three from the internal spine road. The next row of houses would back onto these gardens. The minor road would allow access to the far east of the site where five of the dwellings would congregate around a small urban square. The same pattern of development is proposed for the next east-west road road to the north. Access between these roads is gained via the feature open space which would have a north-south aspect. The road surface from here to the east of the site would change so as to be more pedestrian friendly. Ten houses in total would face onto the feature open space in the middle of the site. At the far north of the site, the majority of houses face north towards the Hilltop Park and the pedestrian orientated access road. There would be 4no houses on the northern side which would be surrounded by the landscaping of the park. Along the western boundary of the application site, the houses face onto the spine road with the back gardens facing towards the open land (future development site) to the west.

Proposed Houses

All the dwellinghouses, of which there are 9 different types, would be 2-storey in height, detached and would have either 4 or 5 bedrooms, and would have integral garages.

In terms of the materials, the houses would be similar in that they would be finished externally with either a white or buff dry dash render to the front elevations and white smooth render to the other elevations. All the properties would benefit from white UPVC Georgian Style windows, with the main entrance doors being predominantly glazed in keeping with the window style. The dwellings would have a mixture of either grey, red or anthracite coloured roof tile.

Affordable Housing Units

Two 2-storey blocks of flats at the north west corner of the application site have been identified for the provision of the affordable units. There would be eight 2-

bed flats split between the two blocks. Initially these were designed with feature spires and laid out internally so as to reflect mainstream housing. Amended plans have been received to show a layout and design that would be typical of affordable units. The blocks of flats would face north onto the Link Road. It would be accessed from the spine road with the parking allowance for 10 cars to the south (rear) of the buildings. The buildings would be surrounded on three sides by landscaping. The flats would pick out design elements of the detached houses (feature gables, window surrounds for example) in order to integrate better with the rest of the development. In terms of materials, these would match in with the rest of the development.

Access

In terms of pedestrian access, four access points are proposed to the east and the informal path which runs north/south between the application site and the adjacent site 'Morkeu'. Given the variation in levels, some of these access points would be by way of stairs but to the northern end of the site the path is more accessible. To the north, an access is to be provided from the Hilltop Park to the public walkway which would form part of the Link Road which itself would allow access to Craigton Road and into the rest of the OP51 site to the west. Along the west boundary, four access points are proposed either via formal path or informal landscape strip which would allow access to the existing Core Path 63 (Den of Cults North). To the south, a new public footpath is proposed along the frontage of the application site and links into the application site itself at three points.

The main access to the site would be from Friarsfield Road. To the north, part of the proposed Link Road is within the application site. Although this would not be available when the first unit is occupied, this would be available before occupation of the 161st house of the overall OP51 site and thereafter would allow easier access to Craigton Road (avoiding "Jacob's Ladder") and also to the adjoining sites to the west.

Open Space and Landscaping

In terms of open space provision, 2 distinct areas are proposed. The first is a feature plaza in the middle of the development which covers an area of around 1250sqm. This space is overlooked by 10 dwellings (3 on the east and west and 2 at the north and south). The second area is the Hilltop Park which covers an area of around 4000sqm. There are small pockets of landscaping throughout the site as well as the SUDS basin. It is also worth noting that it is proposed to plant trees along all the streets/avenues. In total, the amount of open space equates to around 0.64ha of open space for the application site.

Supporting Documents

The planning application is supported by; Supporting Statement, Design and Access Statement, Delivery Statement, Transport Assessment, Proposal of Application Consultation Report, Ecological Appraisal, Tree Survey, Drainage Assessment and Flood Statement.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has received thirteen objections and as such the application is required to be determined by the Development Management Sub-Committee in line with the approved Scheme of Delegation.

CONSULTATIONS

ROADS SECTION – no objections to the application. Their comments can be summarised as follows;

- The information provided in the TA is sufficient for this particular application;
- The proposed zebra crossing on Kirk Brae should be in place prior to occupation of any house;
- There is a requirement to improve access to the Deeside Railway Line and Westerton Road;
- Travel Plans and a Travel Plan Co-ordinator are required to promote residential travel pack which should be supplied to occupiers in order to promote sustainable travel in lieu of the Link Road and improved bus service which is some time off;
- Car parking provision on-site is acceptable but cycle and motorbike storage is required for the flats;
- The traffic generated from this development would not have a significant impact on the local road network but the development of the wider OP51 area would require mitigation in the form of a Link Road to act as a 'by-pass' which needs to be delivered timeously; and
- The spine road needs to be designed so as to manage speeds to the desired 20mph for residential developments.

A copy of the Roads Section comments is appended to the end of this report.

ENVIRONMENTAL HEALTH – no objections to the application and recommend conditions attached to any grant of permission relating to; Air quality assessment; Environmental Management Plan; and hours of construction.

COMMUNITY COUNCIL – do not object to the planning application but do make some comments and concerns as follows;

- The Link Road should be in place before construction of the houses to limit disruption on the local residents;
- The development would add further traffic stress to the area;
- Some of the nearby roads should be upgraded and classified to 'local distributor road' to take account of the additional traffic;
- Planning Gain monies should be used to upgrade the junction of Kirk Brae/Friarsfield Road and a pedestrian crossing in the vicinity;
- Concerned about the drainage of the site as a whole; and
- Concerned about the impact on the local school roles and health centre due to the development.

SEPA – no objections to this application with respect to drainage and flooding but have asked for a condition requesting an Environmental Management Plan to be attached to any grant of permission.

PLANNING GAIN – a planning gain package is required to mitigate the impact of the development. The contributions would go towards education provision, community facilities, playing fields, ancillary recreation provision, library, core paths and healthcare.

SCOTTISH WATER – no objections to the application. There appears to be capacity at the Nigg Waste Water Treatment Works and the Invercarnie Water Treatment Works to serve the development.

NESBREC – advise that there were sightings of bats within the application site around 15 years ago. Owls, swifts and swallows have been recorded on site

GRAMPIAN POLICE ARCHITECTURAL LIAISON OFFICER – no adverse comments received with respect to the development. It is noted that the layout is good from a Crime Prevention through Environmental Design point of view and there is a good amount of natural surveillance over the majority of properties.

SNH – the development is unlikely to have a significant effect on any qualifying interests of the River Dee Special Area of Conservation. Although the bat survey showed there was no evidence of bats within the buildings on-site, the developer should contact SNH if bats are found. Likewise, if any trees which are to be felled show signs of bats, a tree survey should identify any requirements for mitigation and a licence. The developer should also agree to conduct any demolition or construction outwith bird breeding seasons especially given that owls, swifts and swallows have been recorded on site. Lastly, a badger survey should be undertaken to confirm their absence.

REPRESENTATIONS

Thirteen letters of representation were received. The material planning considerations raised relate mostly to the following matters;

Design related concerns;

- The development does not integrate with the existing design and character of the wider Cults area;
- There is a lack of mix in terms of house types which fails to conform to ALDP policy H4;
- The location of the affordable units is an after-thought and do not integrate well within the site;
- Concerned with the connectivity with the overall masterplan site and the potential for ransom strips;

Infrastructure related;

- The development appears to encourage travel by car, rather than public transport, given the lack of information relating to the new bus service and route;
- The increase in traffic in the area is a road safety concern;
- Closing “Jacobs Ladder” will not help;
- The emergency access should be for that purpose only given its location near a brow in the road;
- The local schools/medical centre/roads would not be able to cope with this development;
- There are poor transport links to serve this development;
- Concerns are raised with regards the proposed new accesses and junctions;

- Concerned about the deliverability of the Link Road and its phasing;
- The existing footpaths should be upgraded and new cycle/footpaths should be introduced throughout the site and link into the wider area;

General Concerns;

- The development does not comply with sections 38 (Sustainable Development), 78 & 80 (Location and Design of New Development), 86 (Affordable Housing) of Scottish Planning Policy;
- This is a greenfield site and therefore does not promote regeneration and the re-use of previously developed land.
- There is a lack of information relating to carbon reductions;
- The amount of affordable units does not comply with Local or National Policy which seeks 25% on-site provision;

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) is a statement of Scottish Government policy on land use planning and contains;

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

Of particular interest is the general policy relating to Sustainable Development as well as the subject planning policies relating to Housing , Location and Design of New Development and Affordable Housing.

Designing Places is the statement that sets out the Government's expectations of the planning system to deliver high standards of design in development projects and is a relevant material consideration.

Designing Streets (A Policy Statement for Scotland) is a relevant material consideration which promotes pedestrian friendly developments.

PAN 77 (Designing Safer Places) highlights the positive role that planning can play in helping to create attractive, well-managed environments which help to discourage anti-social behaviour. It also aims to ensure that new development can be located and designed in a way that deters such behaviour as poorly designed surroundings can create feelings of hostility, anonymity and alienation and can have significant social, economic and environmental costs.

PAN 2/2010 (Affordable Housing and Housing Land Audits). Section one of this document relates to Affordable Housing and how the planning system can facilitate the development of affordable homes by way of supplying a mixture of tenures which are affordable and are of a high standard of design in order to contribute to the creation of sustainable, mixed communities. A range of tenure types can contribute to affordable housing, namely; social rented, subsidised and unsubsidised low cost housing for sale, and mid-market or intermediate rented.

PAN 65 (Planning and Open Space) provides advice on the role of the planning system in protecting and enhancing open spaces and providing high quality new spaces.

Strategic Policy

Aberdeen City and Shire Structure Plan sets out vision for the local area and sets objectives in relation to;

- Economic growth: to provide communities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term
- Population growth: to increase the population of the city region and achieve a balanced age range to help maintain and improve people's quality of life.
- Quality of the environment: to make sure new development maintains and improves the region's important built, natural and cultural assets.
- Sustainable mixed communities: to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to.
- Accessibility: to make sure that all new developments contribute towards reducing the need to travel and encourage people to walk, cycle or use public transport by making these attractive choices.

Adopted Local Policy and Supplementary Guidance

Aberdeen Local Development Plan (ALDP) policies;

- I1 (Infrastructure Delivery and Developer Contributions) states where development, either individually or cumulatively, will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. For Friarsfield the following improvements are specifically sought; upgrades to the local road network, improvement in pedestrian, cycle & public transport links to the site and extension to the existing health centre (Appendix 4 of ALDP). The Supplementary Guidance (Infrastructure and Developer Contributions Manual) provides advice on what developers need to be aware of in

relation to contributions which would help to mitigate the impact of a development on the surrounding area.

- T2 (Managing the Transport Impact of Development) states new development will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. The Supplementary Guidance (Transport & Accessibility) provides more detailed information and is also a material planning consideration.
- D1 (Architecture and Placemaking) seeks to ensure high standards of design, with new development designed with due consideration to its context and make a positive contribution to its setting. Factors such as scale, massing, colour, materials, details, the proportions of building elements and landscaping will be considered in assessing this.
- D2 (Design and Amenity) sets out the design and layout criteria that should be met in new residential developments.
- D3 (Sustainable and Active Travel) seeks to ensure that new developments are designed in order to minimise travel by car, improve access to services and promote healthy lifestyles by encouraging active travel with access to the wider area and permeability should be enhanced.
- H1 (Residential Areas) states that in existing residential areas the predominantly residential character and amenity will be retained. Other uses or activities will not be permitted unless the Council can be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity.
- H3 (Density) - All residential developments of over one hectare must:
 1. 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;
 2. have consideration of the site's characteristics and those of the surrounding area;
 3. create an attractive residential environment and safeguard living conditions within the development; and
 4. consider providing higher densities in the City Centre, around local centres, and public transport nodes.
- H4 (Housing Mix) states that developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan. This mix is in addition to affordable housing contributions.
- H5 (Affordable Housing) – housing developments of five or more units are required to contribute no less than 25% of the total number of units as affordable housing. The Supplementary Guidance provides more detailed information and is also a material planning consideration.

- NE4 (Open Space Provision in New Development) outlines that at least 2.8ha of meaningful and useful open space should be provided per 1,000 people in new developments. The Supplementary Guidance (Affordable Housing) provides more detailed information and is a material planning consideration.
- NE9 (Access and Informal Recreation) states that new development should not compromise the integrity of existing or potential recreational opportunities, core paths, other paths and rights of way. Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.
- R7 (Low and Zero Carbon Buildings) seeks to ensure that low and zero-carbon generating technology is installed to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards regulations. The Supplementary Guidance (Low and Zero Carbon Buildings) provides more detailed information and is a material planning consideration.

Interim Planning Guidance - Friarsfield Development Framework

The Friarsfield Development Framework (DF) sets out the Council's preferred option for the development of the wider OP51 site. The DF reported to the Enterprise, Planning & Infrastructure (E,P&I) Committee on 31st January 2012 where Members agreed to a formal consultation exercise taking place. This exercise has been completed and it is the intention for officers to report the DF back to E,P&I Committee in the near future once an appropriate assessment has been undertaken so that the DF can be adopted as Supplementay Guidance.

The vision of the DF is for an attractive, high quality and sustainable residential development that will be integrated well into the surrounding area. It aims to achieve the following;

- a high quality residential environment that meets a variety of housing needs while giving due consideration to the infrastructure and safety issues;
- successful integration of the site with the surrounding area, ensuring new development fits well in the landscape as well as providing links from the site to the wider area;
- attractive open space and opportunities for continued recreation on the site while retaining and enhancing access to the Core Path Network;
- safeguard existing site features, enhance green space provision and to include proposed strategic landscaping, efficient connections to pedestrian and cycle path linkages, public transport and city roads networks.

The DF sets out the development potential of the site, indicating suitable housing land at 3 distinct areas, namely; 'Morkeu', 'Friarsfield' and 'Sunnyside', with mention being made with regards to materials to be used and house sizes (generally 2-storey) and density (9.5 – 15 houses per hectare) which is acceptable. There is also mention of land which is required to be set aside for open space and landscaping strips as well as drainage provision.

Due to the potential impact on the local road network by virtue of the proposal, there is a requirement for a Link Road which would allow access into the site from Craigton Road and Kirk Brae, therefore reducing the potential traffic on "Jacobs Ladder". The 'Morkeu' site would not join onto the Link Road but the 'Friarsfield' and 'Sunnyside' site would have direct links onto the Link Road. The Link Road is seen as a key element of the overall DF as it would mean that once it is constructed, the site and immediate area could be accessible via improved public transport network, with the Link Road reducing the impact on the local road network.

In terms of phasing, the DF indicates that this application site would form part of phase one and two of three.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that in determining a planning application, regard must be had to the Development Plan. Determination shall be made in accordance with the Plan unless material planning considerations indicate otherwise. The Development Plan consists of the Aberdeen City and Shire Structure Plan and the Aberdeen Local Development Plan.

The Scottish Planning Policy, Designing Places, Designing Streets, other Planning Advice Notes, the Aberdeen Local Development Plan, Supplementary Guidance and the Friarsfield Development Framework are relevant material considerations. The proposal constitutes a major development as defined in the 'Hierarchy of Development' Regulations. SPP sets out the Government's core principles that underpin the modernised planning system which seeks a plan-led system which has a clear focus on the quality of outcomes, with due attention given to the sustainable use of land, good design and the protection and enhancement of the built and natural environment. SPP also states that the planning system should proactively support development that will contribute to sustainable economic growth and to high quality sustainable places, whilst protecting and enhancing the quality of the natural and built environment as an asset for that growth. It states that planning authorities should take a positive approach to development. It is in this context that the application requires to be assessed.

Principle of Residential Use

The Aberdeen Local Development Plan (ALDP) identifies the site as residential (policy H1) and as part of an Opportunity Site (OP51). The site is a long-standing land allocation being included in the previous Finalised Aberdeen Local Plan (2004) and the Aberdeen Local Plan (2008). It is clear from its inclusion in previous local plans that there is a need for housing land in this area and thus there is conformity with the Housing Land section of SPP. The preferred option for the redevelopment of the site identified in the Friarsfield Development Framework is for a residential development. Accordingly, the principle of residential use on the site is acceptable.

Design, Scale, Mix and Form of the Development

'Designing Places' sets out the Government's expectations of the planning system to deliver high standards of design. It lists what the Government considers to be successful places, including being 'distinctive', 'safe and pleasant', 'easy to get to and move around' and 'welcoming'. The design and the layout of the development generally meets these broad objectives with the exception that this 'place' is not considered to be distinctive in that the type of houses and general layout are not uncommon with many developments throughout Scotland.

The layout of the development generally is in keeping with what is shown in the DF whereby there is a landscape strip/SUDS provision to Friarsfield Road, main north-south spine road with minor access roads to the east, an area of open space in the middle of the development and part of the Link Road along the northern edge of the site. The internal layout of the development has been designed so as to give priority to pedestrians and cyclists, rather than motorised vehicles. The change of materials introduces a more pedestrian friendly approach in keeping with the principles of 'Designing Streets'. Embedded in the design is a desire to ensure this is a safe place. A number of properties face onto the public open spaces to ensure natural surveillance and it is considered that this is acceptable in relation to PAN 77 (Designing Safer Places).

ALDP policy D1 (Architecture and Placemaking) seeks to ensure that all development is designed with due consideration for its context. With regards to the design of the houses and flats, these would have a very simple design which is typical of the style and design of Cala Homes. The proposed houses would be have simplified finishes to exterior walls (smooth or drydash render) with the roof finishes being either grey or red coloured tiles. When taking stock of the design and finishes of both the immediate and wider area, it is considered that this approach is consistent and therefore acceptable. The size of the proposed houses, however, would be larger than what is available nearby and certainly not in keeping with the predominant built form of the surrounding area (semi-detached and terraced properties). Notwithstanding this, the Council's policies do not preclude new developments being designed in this manner. It is considered that the introduction of 73 large detached dwellings in this area is acceptable. The site is physically detached from the rest of Cults and the layout of the site would make a positive contribution to the OP51 site. However, in respect to the wider Cults area, the design and form of development would be different to the prevailing character and pattern of development and in that regard the proposal does not wholly comply with policy D1. By virtue of the layout and design of the application site, it is considered that the proposal complies with ALDP policy D2 in respect to public and private faces to a development, making the most of natural sun/daylight, providing useable private gardens, providing other 'sitting out' areas and designing out crime.

In terms of the mix of development ALDP policy H4 encourages a range of sizes and types of accommodation in new developments. The proposal comprises mainly large 2-storey detached dwellings with 4 or 5 bedrooms. It is considered that the proposed mix of properties throughout the site does not conform to the underlying principles of the policy and there is conflict in that respect.

With regards the affordable housing element of the application site, both National and Local policy and guidance seeks to ensure that there is an on-site provision of 25% affordable houses and both provide a definitive list of what type of tenure would be acceptable, which includes; social rented, subsidised low cost for sale or mid-market rented. It is also suggested that the types of units should fit in with the wider development so there is no distinction between the tenures. The application seeks to provide 10% on-site provision by means of 2 blocks, each containing 4 x 2-bed flats, at the north west corner of the site. Through negotiations with the applicant an agreement has been reached whereby the remaining 15% affordable housing provision would be by way of a commuted sum to be included in the section 75 legal agreement. Although the on-site provision is less than what is required by policy, in these specific circumstances, the planning authority accepts the reduced on-site provision. In relation to the location of these units, in this particular instance, the design and location of the affordable units as a 'feature gateway' is acceptable.

The density of the site is well below the level expected by ALDP policy H3 which seeks a minimum of 30 dwellings per hectare. The development would provide 81 dwellings on an area of land of around 6.3ha in size meaning the density would be nearer to 13 dwellings per hectare. Whilst this is considerably lower than policy requirements, this fits in with the nearby area whereby the densities vary from 6 dwellings per hectare to around 20 dwellings per hectare and in light of this information the proposal is acceptable and in line with the Development Framework.

PAN 65 states that open space has social, environmental and economic value and is important for a wide-range of pursuits and social interactions that support personal and community well-being, hence why it is important that development site provide an adequate amount of useable open space. The application site is 6.35ha in size and would provide useable open space on-site equating to around 6000sqm (0.6ha). ALDP policy NE4 seeks 2.8ha of open space provision per 1000 people in new development. Assuming there were 5 or 6 people residing in the houses and 2 or 3 in the flats, the amount of people who potentially could live in this development would be around 460. Taken as a proportion of the policy guideline, the amount of open space that should be provided for that number of residents is around 1.3ha. The actual amount of space being proposed on this particular site is less than half of what should be provided and therefore there is conflict with the policy in this respect. It should be noted, however, that the amount of space proposed over the entire OP51 area is around 4ha which would be in excess of the Local Plan requirement.

Both National and Local Policy seek to ensure that new developments help address the causes of climate change, with one way being reducing the carbon emissions from new development. The Council's policy and SG requires new developments to incorporate on-site low and zero carbon equipment contributing at least an extra 15% reduction in CO2 emissions beyond the 2007 Building Regulations carbon dioxide emissions standard. As no report has been submitted which deals with this issue, it is recommended that a condition be applied to the planning permission requiring the submission of a report detailing such measures.

Impact on Residential Character

The wider area is characterised predominantly by 1-2 storey semi-detached and terraced properties although there are some detached properties (especially facing onto Friarsfield Road). For the most part, the properties have generous gardens (with the exception of Kirk Brae Mews). The type and pattern of development existing within the immediate area is typical of its time. The application proposes a pattern and type of development which is somewhat alien to the area. Although the internal road layout is not too dissimilar from the wider area – minor avenues feeding off a main ‘spine road’ – the amount of garden space available to occupiers is less than the majority of properties in the area. Further, the higher-end detached properties (4 & 5 bedrooms) are much larger than what exists in the vicinity. Notwithstanding, it is considered that the design and form of development of this application is unlikely to have a significant negative impact on the character of the wider area due to its separation from the existing settlement.

Visual Impact of the Development

The application site is currently undeveloped and without any boundary screening to the South (Friarsfield Road). The site rises by around 10m in height over a distance of 300m or so. Currently some of the residential properties facing towards the application site have an unobstructed view of the green space which would be impacted on should development go ahead whilst others’ views are obstructed by mature boundary landscaping along Friarsfield Road. It is considered that the development will have a substantial impact on the immediate area by virtue that the application site is currently agricultural land but it should be remembered that the site is allocated for development in the Aberdeen Local Development Plan and the Development Framework has a preference for residential on the site. With respect to the wider area, it is not considered that there would be an impact by virtue of the site position in a natural bowl whereby the site is not readily visible from any vantage point in the surrounding area except in the immediate vicinity.

It is worth noting that the existing farm buildings would be removed which is considered to be a gain in planning terms and for the surrounding area.

Traffic Impacts, Access Arrangements and Car parking

The main access onto the application site is proposed from Friarsfield Road, around 20m to the east of the Kirk Brae junction, and on the opposite side of the road from, the existing junction with Abbotshall Drive. The site layout plan indicates a new footpath along the frontage of the application site to the east which would lead up the spine road into the development. Three of the houses facing onto Friarsfield Road (between the proposed SUDS basin and the existing house) would be accessed directly off Friarsfield Road onto an area of pavers – in essence this is a large driveway. An emergency access is also proposed in the south eastern corner of the site which is proposed to be an extension of the shared surface to the immediate north.

The internal layout of the site provides for suitable access and circulation for both vehicular and pedestrian movements to the development. The design of the road generally complies with the principles set out in Designing Streets.

Notwithstanding, the opportunity exists to improve on the precise design of the internal road in order to more fully comply with the guidance and thus it is recommended that condition be applied to the planning permission requiring the submission of a detailed and precise road/street design for the development.

The nature of the internal road layout would allow safe and adequate pedestrian and cycle circulation and connecting to the wider core path network outwith the site, including to the local Primary and Academy. Once complete, the Link Road would also include a cycle lane and path, although this detail is yet to be finalised, which would increase permeability to the wider area outwith the application site. These pedestrian accesses and linkages are considered to be generally acceptable in terms of National and Local policy and guidance.

In order to combat the situation of potential 'ransom strips' between the application sites, a condition is proposed which would ensure that all roads and paths are taken up to the boundary and would require removing any wall or other boundary enclosure so that the road or path could be built on the boundary.

A Traffic Assessment (TA) was submitted with the application which covered the wider OP51 site. The TA suggests that 160 houses can be accommodated on the local road network before there is a negative impact. It is therefore concluded that in the absence of the AWPR (and the relief it is forecast to provide on the local road network through Cults) that the completion of the Link Road will be required to take place at that point in order to provide a significant element of relief to the Friarsfield Road/Kirk Brae/Kirk Terrace junction by allowing traffic to by-pass the area and gain access direct to Craigton Road. It is considered that any diversion of traffic away from this junction would help further reduce traffic levels thus helping to improve junction performance. The TA suggests that the provision of the new Link Road could also facilitate the closure of "Jacobs Ladder" to vehicular traffic. However, it is also recognised that this may cause some inconvenience for local residents so with that in mind an alternative could be promoted to potentially reduce through movements and change junction priorities although this is subject to discussions with the relevant Roads officers. The TA has been the subject of a detailed audit and demonstrates minimal impact on the surrounding road network by virtue of the initial 160 homes. Thereafter, mitigation measures need to be put in place by way of a Link Road and junction improvements.

Public transport access to the site is non-existent at present. The application site is around 600m minimum from the nearest bus stop on North Deeside Road. This goes against policy which seeks for development to be within 400m walking distance of public transport. Unfortunately, "Jacobs Ladder" is not an acceptable route for bus traffic hence why no services are promoted along this route from Craigton road to Friarsfield Road. The only way of ensuring some public transport provision to the development site is the introduction of the Link Road. The construction of the Link Road in full is unlikely to happen for some time and in the meantime, the situation would be no worse in terms of access to public transport but it would mean that residents would have further to walk to get to the bus route in the meantime. The TA mentions the possibility of a 15 minute bus service which could be introduced once the Link Road is in place although subsequent

discussions have indicated a 60 minute frequency. It is considered that this frequency is acceptable given that it is an improvement on the current situation albeit is not considered to be 'frequent'. Discussions have taken place to ensure that this frequency is improved although it would be difficult to ensure a bus operator provided a service. What may occur is that as this and other nearby developments progress, a bus operator would have more of a reason to extend a nearby service to take account of the improved need.

With regards to the objection raised regarding the emergency access being used for that purpose only given its location near a brow in the road, the roads section have not objected. It is considered that there would be adequate visibility between the access and the brow of the hill to the east. It is noted in the supporting information that on completion of the Link Road, this emergency access would not be required.

It is considered that the proposal generally conforms to the principles of SPP as well as ALDP policy T2 (Managing the Traffic Impact of Development) and SG (Transport and Accessibility).

This application alone does not require access to the Link Road by virtue of the number of houses proposed as there is sufficient capacity within the surrounding network. The TA has indicated that the local road network can accommodate 160 houses before having a negative impact on its capacity.

It is considered that, prior to occupation of the 161st house, the Link Road is required to be constructed in its entirety. Whilst this may not be such an issue for the main part of the OP51 area whereby many of the houses would require a certain section of the Link Road to be in place for access purposes, construction of the road may not be practicable on the land to the east of this application site towards Craigton Road. That land, approximately 500m in length, is in multiple ownership and it would appear that there is nothing in place to ensure that the Link Road can be constructed there. There is a risk that this section of the Link Road may never be delivered. If that was the case, this would impact on the number of units which could be built within the main OP51 site, limiting the allocation to 160 houses. If this was to happen, it would not be possible to provide a bus route into the OP51 area.

Site Drainage and Flooding

A drainage assessment was submitted with the application and a SUDS basin is proposed at the south-west corner of the site adjacent to the junction of the spine road and Friarsfield Road. Due to the size of the development, 2 levels of treatment are proposed as per Chapter 5 of the SUDS Manual.

With regards to flooding, the application site is located to the east of the Cults Burn and at around 5m above the level of the burn. On assessing the SEPA flood map, it is clear to see that the areas at risk (from the Cults Burn) in the immediate area do not include the application site.

It should be noted that no objections have been forthcoming from the Council's Roads section or SEPA in respect to drainage or flooding and thus it is considered the application is acceptable in this respect.

School Capacity

The capacity of Cults Primary is 540 pupils and Cults Academy has a capacity of 1150 pupils. Based on the most up-to-date figures provided by the 2011 census, the current role of Cults Primary is 477 pupils and the role of Cults Academy is 1044. Although these figures show ample capacity on paper, this should not be taken lightly. The overall capacity of the schools depend on the mix of ages of the children which might mean the requirement for composite classes (1-2 for example) which might impact on the amount of usable space within the school.

The developer has provided an indicative build programme for the application site, with annual completions being below 40 units. Officers in the Education, Culture and Sport section have indicated that Cults Primary can accommodate 65 pupils before being over capacity. At that point, contributions would be required to off-set the impact and this may be by means of temporary accomodation on-site.

With regards Cults Academy, officers have indicated that around 40 pupils could be accommodated before any contributions would be required to off-set the school being over capacity. Again, temporary accommodation may be a possibility on-site although this would be subject to the relevant committee decision and is not a matter to be discussed here

Assuming that the build-out of this particular site takes 4 years, the impact of the application site alone on school provision is likely to be minimal given that only 81 units are proposed.

The monetary contribution required for this specific development is relatively low in that it is based on the potential for providing temporary accomodation at both schools. Members will be aware that there is a current consultation being undertaken regarding the school capacities and zoning. It may be the case that once this exersise is complete, the monatary contribution for the future phases of the OP51 site are based on the cost of new build accomodation.

Community Council comments

In reference to the specific comments made by the Cults, Milltimber and Bielside Community Council, it should be noted;

- that it is not economically viable for the applicant to construct the Link Road in its entirety before any houses are constructed. Further, this is not a requirement of the Development Framework;
- the TA demonstrates that the increase in traffic in the immedaite area would not be detrimental. The network would be able to cope with an additional 160 houses before requiring the Link Road to be in place;
- the financial contribution in relation to 'Planning Gain' would be collected by the Council and allocated to projects which are yet to be determined but these may include upgrading of pedestrian paths in the local area;
- that a Drainage Assesment was submitted and the plans show a SUDS basin on-site. SEPA have no objections to the application in relation to flooding and thus flooding is not considered to be an issue on this site;

- it is acknowledged that the development would ultimately have some impact on the local school roles and health services. This is taken account of in the Developer Contributions package which has been agreed with the applicant. The money gathered in would help mitigate the impact of this development on schooling, healthcare, core paths etc as detailed below.

Developer Contributions

The Council has policy and Supplementary Guidance which sets out exactly what is expected of developers in order to off-set the impact of a development on the local area. Discussions have taken place between the Council and the developer in order to agree a suitable package which would go towards; Affordable Housing Commutes Sum; Education Contribution; Community Facilities; Playing Fields; Ancillary Sports/recreation provision; Library facilities; Core Paths and Healthcare. The detail relating to timing of payment of these contributions would be set out in the s75 Legal Agreement.

Proposed Legal Agreement

A legal agreement is required in order to secure (1) a financial contribution equivalent to 15% affordable housing, (2) the on-site provision of 8no affordable units, (3) the planning gain contribution to be used for off-setting the impact of the development on local healthcare, education, library, sports facilities and the like, (4) a financial contribution towards the construction of the Link Road.

Conclusion

Planning legislation requires that planning applications are determined in accordance with the development plan unless there are material considerations that indicate otherwise. The application site is designated as Opportunity Site for residential development in the Aberdeen Local Development Plan. The Friarsfield Development Framework also identifies residential as the preferred use. Therefore the principle of residential development on the site is acceptable.

It is considered that the development is compatible with most of the relevant National and Local Policies and Guidance; SPP, PANs, Structure Plan, ALDP and Supplementary Guidance, as detailed above. Likewise, the proposal is considered to conform to certain aspects of the Development Framework.

A Transport Assessment has indicated that 160 dwellinghouses could be supported on the local road network without having any undue impact. In order to mitigate the impact of the 161st – 280th house on the wider OP51 site, a Link Road is proposed. This application does not require direct access to the Link Road and can be accommodated on the local road network adequately. Given that there is no definitive delivery strategy for the Link Road, there is a risk that this may not be constructed and this could lead to the number of houses built on the OP51 site being less than the land allocation.

It is considered that, notwithstanding the impact on the wider residential area and the lack of public transport links direct to the site, the proposal should be supported as it generally conforms to most National and Local policies and guidance.

RECOMMENDATION: To approve conditionally. Consent to be withheld until a legal agreement is secured to deliver on-site affordable housing provision, planning gain contributions towards education facilities, sport and recreation facilities, library provision, community facilities and core paths; and financial contributions towards the delivery of the Link Road

REASONS FOR RECOMMENDATION

Planning legislation requires that planning applications are determined in accordance with the development plan unless there are material considerations that indicate otherwise. The application site is designated as Opportunity Site for residential development in the Aberdeen Local Development Plan. The Friarsfield Development Framework also identifies residential as the preferred use. Therefore the principle of residential development on the site is acceptable.

It is considered that the development is compatible with most of the relevant National and Local Policies and Guidance; SPP, PANs, Structure Plan, ALDP and Supplementary Guidance, as detailed above. Likewise, the proposal is considered to with the general principles of the Development Framework.

It is considered that, notwithstanding the impact on the wider residential area and the lack of public transport links direct to the site, the proposal should be supported as it generally conforms to most National and Local policies and guidance.

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

1. that no development pursuant to this planning permission shall commence unless a detailed delivery statement for the entire Link Road has been submitted for the further written approval by the Planning Authority – in the interests of promoting sustainable transport
2. that no residential unit within the development hereby approved shall be occupied unless a phasing plan for the entire development, which shall include provision of footpath and road linkages to the adjacent sites, has been submitted for the further written approval of the Planning Authority and thereafter the construction is undertaken in accordance with the plan unless the Council provide written agreement to the contrary – in the interests of the ensuring pedestrian and vehicular connectivity, facilitating the future Link Road in accordance with the Development Framework.
3. that no residential unit within the development hereby approved shall be occupied unless the proposed zebra crossing on Kirk Brae to the west of its junction with Friarsfield Road and associated footway on the north side of Friarsfield Road are constructed and operational – in the interests of pedestrian safety
4. That no development pursuant to this planning permission shall commence unless detailed plans of the proposed access arrangements connecting the application site to the public footpath to the east of the site which joins Craigton Road and Friarsfield Road, including sections showing the change in levels and the proposed materials, and thereafter

- the accesses to be provided in full accordance with the plans unless otherwise agreed in writing – in the interests of visual amenity
5. that no development shall take place unless there has been submitted to and approved in writing by the planning authority a detailed design for the proposed internal road serving the development. The road shall be designed taking into account the principles set out in “Designing Streets: A Policy Statement for Scotland” – in order to comply with the guidance and expectations set out in Designing Streets.
 6. that no development shall take place unless there has been submitted to and approved in writing by the planning authority a detailed design for the section of the Link Road which runs through the application site. The plans shall include details of junctions, cycle/pedestrian paths, laybys and bus stops – in the interests of promoting sustainable transport
 7. that no development pursuant to the planning permission hereby approved shall take place unless a finalised SUDS scheme has been submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme - to ensure adequate protection of the water environment from surface water run-off
 8. That no development pursuant to this planning permission shall commence 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.
 9. Prior to work commencing on site, the mitigation measures as identified in the Ecological Appraisal (dated December 2011) by Northern Ecological Services shall be taken account of and implemented in their entirety – in the interests of safeguarding the fauna and habitats on-site
 10. at least 2 months prior to the commencement of any works, a site specific environmental management plan (EMP) must be submitted for the written approval of the Planning Authority (in consultation with SEPA and other agencies such as SNH as appropriate) and all work shall be carried out in accordance with the approved plans – to control pollution of air, land and water.
 11. that no development pursuant to the planning permission hereby approved unless a full site waste management plan for the processing of construction and demolition waste has been submitted to and approved in writing by the planning authority. No work shall be carried out unless in accordance with the approved plan unless the planning authority has given written consent for a variation - to ensure that waste on the site is managed in a sustainable manner

12. that no development pursuant to the planning permission hereby approved shall take place unless a scheme of street and footpath lighting has been submitted to, and approved in writing by the planning authority. No development shall be carried out unless in full accordance with the scheme of lighting approved in writing by the planning authority - in the interests of public safety and protecting wildlife
13. that, except as the Planning Authority may otherwise agree in writing,
- no piling work shall be carried out; and
 - no construction or demolition work shall take place outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; 9.00 am to 4.00 pm Saturdays; or 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.
14. 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 hard and soft landscaping for the site, which scheme shall include
- the materials to be used for all hard surfaces including footpaths
 - detailed specification of children's play equipment
 - 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.
15. that no development pursuant to the planning permission hereby approved shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site 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 - in order to ensure adequate protection for the trees on site during the construction of the development.
16. that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved - in order to preserve the character and visual amenity of the area.

17. that any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 1989 "Recommendation for Tree Works" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.
18. that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.
19. that on each house plot there shall be planted two trees of species to be agreed in writing with the Planning Authority. These trees are to be planted at half-standard size or larger. Planting shall take place in the first planting season after completion of each house and any trees 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 similar size and species unless the Planning Authority gives written consent to any variation - in order to preserve the amenity of the neighbourhood.
20. 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'.
21. That no development pursuant to the planning permission hereby approved shall take place unless an air quality assessment has been submitted to and approved in writing by the planning authority to quantify the impact of increased traffic. The assessment must also include mitigation measures and thereafter these mitigation measures shall be implemented in full accordance with the approved assessment. The assessment should be in accordance with the Environmental Protection UK Development Control: Planning for Air Quality (2010) Update – in the interests of improving air quality and minimising pollution
22. that no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied, unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission

- shall be occupied unless the said scheme has been implemented in its entirety - in order to preserve the amenity of the neighbourhood.
23. that no development shall take place unless samples of all external finishing materials to the roof and walls 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.
 24. That none of the affordable housing flats hereby granted planning permission shall be occupied unless a scheme detailing cycle and motorcycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel.
 25. That no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets - in order to encourage more sustainable forms of travel to the development.

Dr Margaret Bochel

Head of Planning and Sustainable Development.