

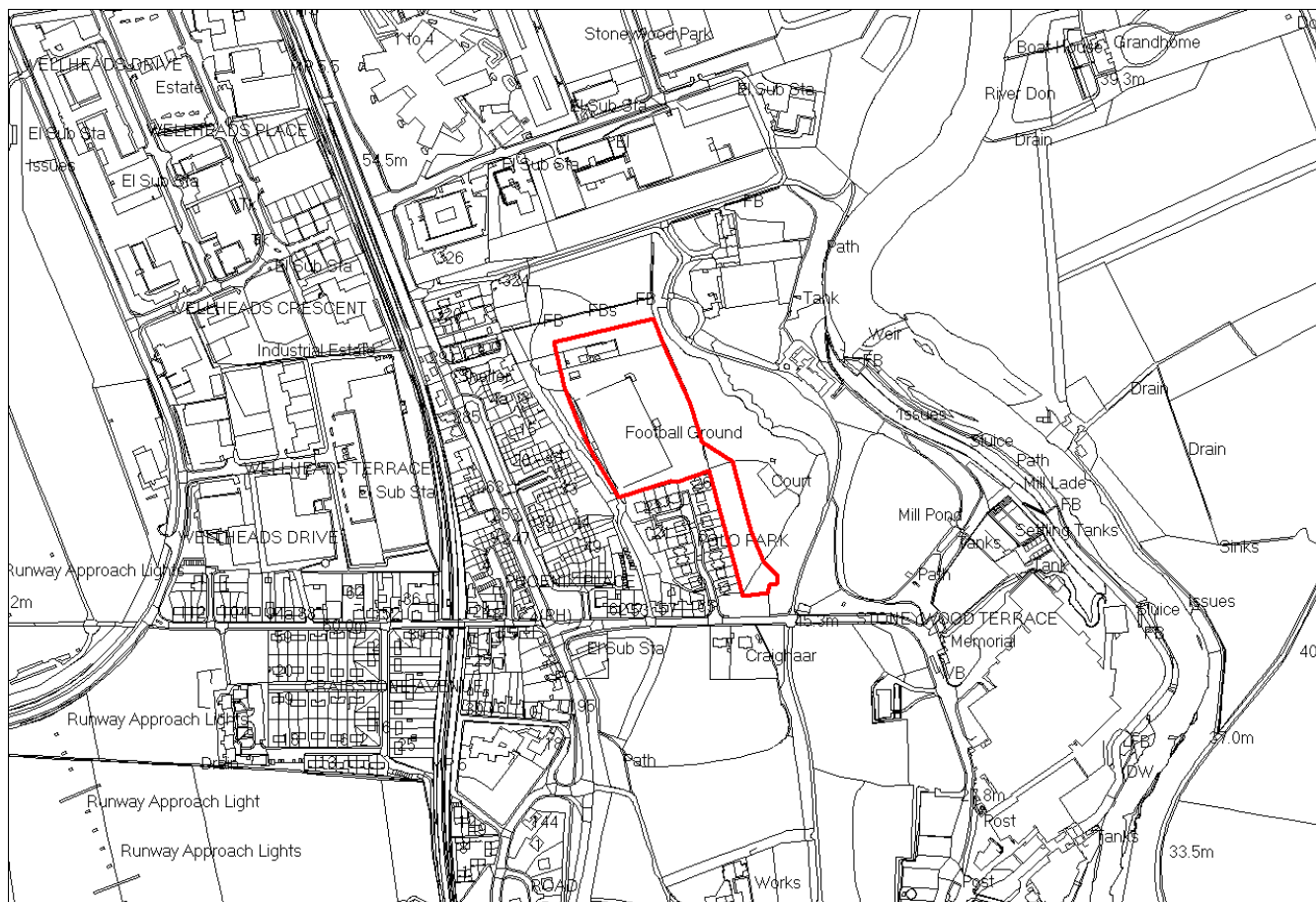
# STONEYWOOD ESTATE, (AREAS N3, N46, N5)

APPROVAL OF CONDITIONS 1, 10 & 14 OF REFERENCE P110790 IN RELATION TO THE ERECTION OF 51 DETACHED AND 6 SEMI-DETACHED HOUSES AND ERECTION OF SHARED ACCESS

For: Stoneywood Developments Ltd C/O Dandara

Application Type : Approval of Conditions for Planning Permission in Principle  
Application Ref. : P121652  
Application Date: 30/11/2012  
Officer: Harry Campbell  
Ward : Dyce/Bucksburn/Danestone(B Crockett/G Lawrence/N MacGregor/G Samarai)

Advert : Can't notify neighbour(s)  
Advertised on: 19/12/2012  
Committee Date: 18 July 2013  
Community Council : No response received



## RECOMMENDATION:

**Approve subject to conditions**

## **DESCRIPTION**

The application site lies generally in the north west corner of the larger Stoneywood Estate site to be developed by Dandara. It abuts the north and east boundaries of Bancon's new housing development at Polo Park, the rear boundaries of residential properties on Stoneywood Road and Polo Gardens, an unnamed track that runs eastwards from adjacent to 322 Stoneywood Road, and internal roads that are presently under construction.

Most of the site is presently occupied by Polo Park, a football ground used by Stoneywood Juniors, and a temporary marketing suite which the developers are using to promote the overall Stoneywood development. The south east part of the site was formerly covered in evergreen trees which have now been felled in accordance with the strategic landscaping proposals contained in the approved Development Framework and Masterplan. Further to the east is woodland which is to be retained.

## **RELEVANT HISTORY**

On 24th May 2011 the Enterprise Planning and Infrastructure Committee approved the Stoneywood Estate Development Framework and Masterplan as interim planning guidance pending adoption of the Aberdeen Local Development Plan. The Local Development Plan was subsequently adopted in February 2012. The Development Framework and Masterplan has therefore now been adopted as supplementary guidance to the Plan.

Planning permission in principle (ref 110790) for for a "proposed residential development of approximately 425 houses with a mix of supporting and ancillary facilities including a neighbourhood centre, landscaping, open space and recreational facilities" was approved by the Development Management Sub-Committee on 2<sup>nd</sup> May 2012.

## **PROPOSAL**

This is an application for the approval of matters specified in conditions 1 (Means of access, siting, design and landscaping), 10 (SUDS) and 14 (Waste collection etc) attached to planning permission in principle reference 110790.

### Condition 1

Design – The proposed layout shows a total of 57 detached and semi-detached houses (10 in area N3, 7 in area N4b and 40 in Area N5). Areas N4b and N5 would be formed around a loop road connecting with an internal road which is presently under construction. This road would be a shared surface. Located centrally in N5 would be a courtyard area enclosed by 9 dwellings. A footpath link leading through to the wider path network would be taken from the east side of this courtyard. Area N3 would front onto the new internal road which would eventually connect through to the east end of Stoneywood Terrace. The rear gardens of these houses would abut the rear gardens of recently completed Bancon houses at Polo Park. All houses would be two storeys in height and have integral garages and driveways. Accommodation would range from 3 to 5 bedrooms. External materials would be white render and dark timber for walls, dark grey roof tiles with slate appearance and dark coloured upvc for windows.

Means of Access - Vehicular access from (i.e. from Stoneywood Terrace) would be taken via the new Bancon development at Polo Park to the south, which is presently a cul de sac, and a new internal road, which already has planning permission, leading from the east end of Stoneywood Terrace. Polo Park would be linked to the internal road by a new spur formed by an extension to its northern end.

Siting – As mentioned in the design section above, the houses in N4b and N5 would be sited around a loop road and central courtyard, while the N3 houses would be sited on the west side of the internal road connecting with the east end of Stoneywood Terrace.

Landscaping – The development would nest within the strategic landscaping already approved for the wider development. Details of the specific landscaping proposals for areas N3, N4b and N5, as well as planting around the SUDS pond, have been submitted. These include beech hedging and 1.8 metre high stone wall boundary enclosures on the frontages throughout the site. Individual native trees would be planted throughout the site adjacent to front gardens and on prominent corners. Around the SUDS pond there would be feature planting and water loving plants (reed, marsh marigold etc) around the pond margins. Bulb planting (bluebells, snow drops, wild daffodil etc) would be spread throughout the site.

#### Condition 10

SUDS – Sustainable Urban Drainage would be to a SUDS pond located to the east of the site. The SUDS pond already has the benefit of permission by way of strategic SUDS approvals. A Drainage Assessment has been submitted in support of the application.

#### Condition 14

Waste Collection – Waste would be collected from individual houses via the usual wheelie bin collections.

### **Supporting Documents**

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?121652>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

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

The application has been referred to the Sub-committee because more than five letters of objection have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

### **CONSULTATIONS**

**Roads Project Team** – No objections.

**Environmental Health** – No comments.

**Enterprise, Planning & Infrastructure (Flooding)** – Satisfied with the details submitted in the Drainage Impact Assessment .  
**Community Council** – No response received.

## **REPRESENTATIONS**

25 letters of objection have been received. The objections raised relate to the following matters –

1. Use of Polo Park as a means of access to the application site and use by construction traffic;
2. Road safety;
3. Removal of trees;
4. Lack of neighbour notification;
5. Environmental concerns relating to loss of trees, effect on wildlife habitat;
6. Drainage;
7. Overlooking and privacy issues;
8. Roads accesses to Dandara sites north of Stoneywood Terrace;
9. Relocation of football pitch;
10. Replacement football pitch does not meet the requirements of the North East Junior Football Association;
11. Breach of planning control at Area N5;
12. Dandara's marketing of their site does not match up with the plans;

## **PLANNING POLICY**

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

The site is allocated for Land Release (LR1) purposes and as part of a larger opportunity site (OP24) in the adopted ALDP.

### **Supplementary Guidance**

The approved Stoneywood Development Framework and Masterplan document is now incorporated into the Supplementary Guidance contained in the ALDP.

## **EVALUATION**

Planning permission in principle (ref. 110790) has already been granted for housing development of approximately on the application site as part of Dandara's wider development at Stoneywood Estate. The site also falls within a Land Release Policy (LR1) Area in the adopted Aberdeen Local Development Plan (ADLP) and is also identified as an Opportunity Site (OP24) in the Plan. OP24 states that the area represents an opportunity for development of 500 houses, subject to a Masterplan being required. A Development Framework and Masterplan was approved by the Enterprise, Planning and Infrastructure Committee in 2011 and it is now incorporated as supplementary guidance in the ADLP. The principle of housing here is therefore not an issue.

The main issues related to the proposal are considered to be:-

- Means of access
- Siting
- Design

- Landscaping
- Sustainable Urban Development (SUDS) drainage details
- Refuse collection arrangements
- Any material considerations raised by the letters of objection
- Whether the proposals generally conform to the approved Development Framework and Masterplan

Taking these issues in turn:-

### Means of Access

The proposed means of access via the internal road and via Polo Park is considered acceptable. The approved Masterplan shows a secondary street connecting to the north end of Polo Park, which has always been part of the intended connectivity of the new scheme with existing development. Members may care to note that planning permission ref 120622 granted 24<sup>th</sup> September 2012, for the erection of 6 houses in area 4a, located at the northern end of the, also permitted a change to the approved Masterplan street structure. A non-material variation to that permission was subsequently granted on 21<sup>st</sup> May 2013. Both the original permission and the non-material variation show a secondary street linking to Polo Park.

### Siting

The proposed layout and siting of the buildings are considered to be acceptable. Areas N4b and N5 would be set around a loop road with central east-west access incorporating a parking court and central space. The development would be set within substantial retained woodland to the north, west and east. A footpath would link the central court with land to the east thus affording greater permeability through the scheme. Area N3 would be aligned along the west side of an estate drive with passing places that has already been approved.

### Design

The scale, massing, layout and external materials generally comply with the design brief and masterplan and are considered acceptable.

### Landscaping

A Strategic Landscaping Plan was submitted in support of the application and this is considered to be acceptable.

### SUDS Details

A Drainage Assessment was submitted in support of the application. The Council's flood prevention officers have been consulted on these details and are satisfied that they are acceptable.

## Refuse Collection Arrangements

Refuse collection would be from householder bins, collected by refuse vehicles

## Issues Raised in Letters of Representation

A number of issues have been raised by objectors to the proposal -

- Use of Polo Park as means of access. The approved Development Framework and Masterplan identifies an access to the application site, in the form of a secondary street, being provided. Some adjustments have been made to the wider core street layout on the northern part of the site, but these have proved acceptable to roads officials.
- Road Safety. Again roads officials have not raised any concerns with regard to road safety being compromised by the proposal.
- Removal of Trees. A proposed woodland structure for the whole Dandara site is contained in the Development Framework and Masterplan. This shows the removal of a large block plantation of conifers which was located immediately to the east of the rear gardens of the recently completed properties on Polo Park. That area exhibited the character of a commercial forestry plantation. The plantation has now been removed as envisaged and this would allow block N3 to be constructed and a SUDS pond to be provided further east, also as envisaged in the Framework.
- Neighbour Notification. When the planning application was first submitted on 30<sup>th</sup> November 2012, some of the houses at Polo Park were occupied, some under construction and some not started. Being a new development, none of the houses at Polo Park appeared on the geographic data base used to automatically generate neighbour notification letters (ie land falling within 20 metres of the application site boundary). However, in cases where land without premises falls within 20 metres of an application site, the proposal is required to be advertised in a local newspaper, which was done on 19<sup>th</sup> December 2012. Subsequently, the Council received complaints from new residents that they had not been notified of the proposal and it was accepted that, this being an exceptional case, renotification should be undertaken. This was done on 18<sup>th</sup> April 2013 when notices were delivered by hand to all properties on Polo Park falling within 20 metres of the site boundary. It can also be confirmed that a new system for updating more quickly the geographic data base has now been put in place.
- Environmental Concerns Arising From Loss of Trees. This matter was considered fully at the planning permission in principle stage. That application was supported by an Environmental Assessment that, inter alia, examined the potential impact of development on wildlife.
- Drainage. A Drainage Impact Assessment was submitted in support of the application. This has been assessed by the Council's flood prevention officers and is considered to be acceptable.

- **Overlooking and Privacy Issues.** Objectors residing in Polo Park have expressed concerns about potential overlooking and loss of privacy arising from the development. The window – window distances between the rear elevations on Polo Park and properties in area N3 range from 18 – 25 metres, by no means an unexceptional spatial relationship within the City. Accordingly, it is considered that there would be no unusual or unacceptable privacy issues caused by the development. Some objectors on the east side of Polo Park have raised the issue that the removal of the tree plantation that formerly stood behind their rear gardens will lead to an unacceptable loss of privacy. However, the removal of these trees has always been envisaged by the Development Framework. One related variation from the Framework is proposed, however. The design principles for Area N3 detailed in the Framework presently show a woodland edge being formed at the rear garden boundaries of nos 2 and 4 Polo Park, which are recently completed houses in the adjacent Bancon development, whereas the application being considered here shows a dwellinghouse instead. As mentioned above, the function of the adopted Framework is to guide development and, while condition 15 of the planning permission in principle requires the developer to generally follow the principles of the framework, it does not require absolutely strict adherence. It is considered that the construction of a house to the rear of nos 2 and 4 Polo Park, would not introduce any unacceptable or unusual relationship between these houses and the new development. Such spatial relationships are commonplace within the urban and suburban areas throughout the City. The trees as proposed in the Framework were designed to provide a sense of enclosure and strong containment of space. A sense of visual enclosure to the east would still exist, even with the new house proposed in this location, taking account of the remaining trees and new tree planting that would still be undertaken.
- **Road Access.** Acceptable changes were made to the core street structure by way of planning permission reference 120622 (see under Means of Access section above).
- **Relocation of football pitch.** The football pitch located in Area N5, presently occupied by Stoneywood Juniors to a new facility presently under construction at the west end of Market Street, Stoneywood. Stoneywood Juniors will have the option to move to the new facility when it is completed, which is anticipated to be in August.
- **New Football Pitch Does Not Meet the Requirements of the Scottish Junior Football Association (SJFA).** No requirement was placed on the developer to construct the new facility to SJFA specifications.
- **Breach of Planning Control in Area N5.** It is acknowledged that a breach of control has taken place within Area N5 by reason of the length of secondary street that has been partially constructed to the north of Polo Park. A condition attached to the planning permission in principle requires that no development shall take place within area N5 unless the replacement football pitch on Market Street has been completed and

available for public use. The developer was contacted when the breach was notified to the planning authority and work in N5 has presently ceased. It is not considered expedient to consider enforcement action at present until the application has been determined. If this application is approved and the new football pitch is completed as anticipated, the breach will have been rectified at that point without any enforcement action being necessary.

- Dandara's Marketing of the Site does not match up with the Plans. This is not a material consideration in determining the application. The planning authority has no control over the developer's marketing activities.

### Conformity with Development Framework and Masterplan

The proposal generally complies with the approved Development Framework and Masterplan as required by condition 15 of the planning permission in principle. Some changes to the core street network have already been approved and the application complies with these.

### Summary

In summary, the proposal is considered acceptable and is in general conformity with both the planning permission in principle and the approved Development Framework and Masterplan. The development will fall within a woodland setting as envisaged and will provide good connectivity for residents both within and outwith the site into the woodland and wider area. The layout, form, design, access and sense of place created by the proposal are all considered acceptable and there would be no unacceptable or unusual impacts on neighbouring properties.

## **RECOMMENDATION**

**Approve subject to conditions**

## **REASONS FOR RECOMMENDATION**

The proposal complies with the terms of planning permission in principle ref 110790, in particular conditions 1, 10 and 14, which are the subject of this application, and generally complies with the requirements of the approved Stoneywood Development Framework and Masterplan, which is contained in supplementary guidance in the adopted Aberdeen Local Development Plan. The proposal also complies with the Aberdeen Local Development Plan. There would be no unacceptable impact on the neighbouring dwellings in terms of amenity and road safety.

## **CONDITIONS**

It is recommended that approval is granted subject to the following conditions:-



1. That no dwelling house within areas N3, N4b and N5 shall be occupied unless the Sustainable Urban Drainage Scheme relative to that house has been implemented and is fully operational. Drainage arrangements shall comply with the document "Drainage Assessment for Area N5, Stoneywood" dated 19<sup>th</sup> June 2013, a stamped copy of which is attached to this planning permission – to ensure that the site is adequately drained.
2. That no dwelling house within Areas N3, N4b and N5 shall be occupied unless a revised scheme for the National Cycle Path and footpath network to be provided through Area L1, as annotated on approved drawing number MP\_101, has been submitted to, and approved in writing for the purpose by, the planning authority – in the interests of sustainable transport and to ensure that there is adequate connectivity between the application site and other parts of the neighbourhood and the wider city area.
3. That the approved scheme as landscaping, as detailed in the document entitled "Stoneywood Estate Landscaping Strategy – Site N5, N3 and N4b", a stamped copy of which is attached to this planning permission, shall be implemented no later than the first planting season following completion of the the last house in the development approved as part of the this approval of matters specified in conditions – in order to safeguard the amenity of the neighbourhood and to ensure that the landscaping associated with the scheme is completed timeously.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.