

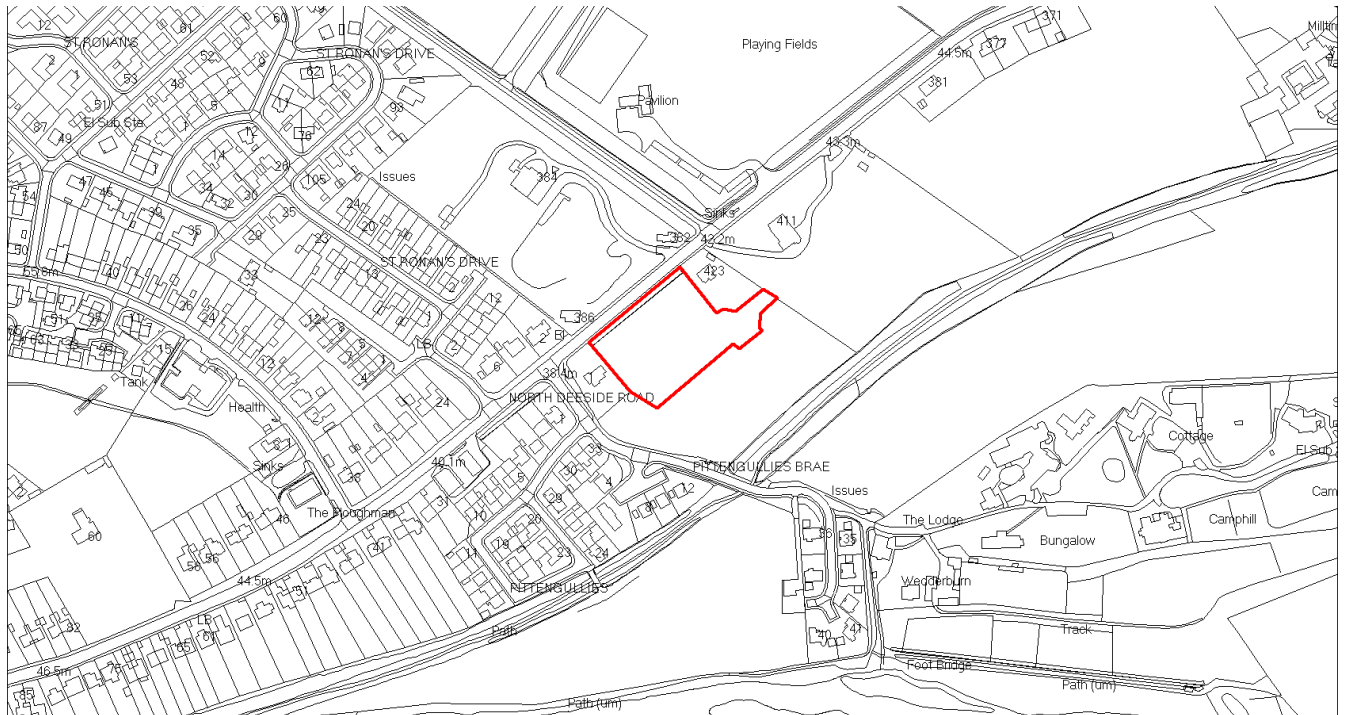
LAND ADJ TO NTH DEESIDE ROAD,  
PITTEGULLIES BRAE, PETERCULTER

ERECTION OF 8 NO.UNIT RESIDENTIAL  
DEVELOPMENT WITH ANCILLARY SITE  
WORKS AND LANDSCAPING

For: Bancon Developments Ltd

Application Type : Detailed Planning Permission  
Application Ref. : P130229  
Application Date: 21/02/2013  
Officer: Donna Laing  
Ward : Lower Deeside (M Boulton/A Malone/M  
Malik)

Advert : Can't notify neighbour(s)  
Advertised on: 13/03/2013  
Committee Date: 22 August 2013  
Community Council : Comments



**RECOMMENDATION:**

**Willingness to approve, subject to conditions, but to withhold the issue of the consent document until the applicant has made a payment to the Council of developer contributions towards affordable housing units, provision of community facilities and recreation, library, core path improvements, healthcare and strategic transport fund.**

## **DESCRIPTION**

The application site, which extends to some 0.65 hectares is located to the south of North Deeside Road, close to Pittengullies Brae. The site sits immediately on the eastern outskirts of Peterculter and forms part of opportunity site OP59: Peterculter East within the Aberdeen Local Development Plan 2012. The opportunity site, OP59: Peterculter East, extends to some 1.72 ha and is noted within the local development plan as being capable of providing a development of 25 homes.

At present the site is a field, used for the grazing of horses. At the North Deeside Road, north west of the site, there are two existing dwelling houses, these sit out with the site boundary but influence the shape of the development site. These two houses, due to the lie of the land, sit below North Deeside Road with the roof of each premise visible.

The site has an undulating nature and slopes down from North Deeside Road and beyond to the South Deeside line. The site is bound by the stone wall, shrubbery and timber fencing facing North Deeside Road, and the existing houses which sit on either side of it. Beyond the site boundary within the remainder of the opportunity site there are mature trees sitting out with the site boundary to the north east and south east, with the canopy of these trees spreading onto the site.

## **RELEVANT HISTORY**

The site was previously zoned as Green Belt and Green Space Network in the 2008 Aberdeen Local Plan. This as rezoned as an opportunity site with the 2012 Aberdeen Local Development Plan.

P130230 – Planning Permission in Principle – erection of 32 no. unit residential development with ancillary site works and landscaping – pending

P130845 – Signage application – pending

## **PROPOSAL**

It is proposed to erect 8 no. detached dwelling houses with associated works and landscaping on the site. The site would be accessed from North Deeside Road and would be laid out with four houses along the boundary with North Deeside Road and four houses being placed behind these. The houses would sit approximately 2m below the level of the North Deeside Road but would still be visible. The site has four different house types present. The building line of the houses closest to North Deeside Road would follow the building line of house belong the north west boundary of the site. The houses would be designed with a variety of materials, including render, timber, stone and grey roof tiles. Some would have detached garages and others would have garages incorporated within their build form. There would be garden space associated with each plot, ranging from a minimum of 505m<sup>2</sup> up to 780m<sup>2</sup>. There would be a play area to the north east of the site, which would service the 8 dwelling houses and the new houses associated with the larger OP59 site.

## 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?130229>

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

A number of pieces of additional information have been received as part of this application including a tree report, Drainage Impact Assessment and a number of cross sections and photomontages.

### REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the Community Council has objected to the proposal. Accordingly, the application falls out with the scope of the Council's Scheme of Delegation.

**Roads Project Team** – response received – no objection to the application provided there are conditions relating to flood routing, bus stop upgrades and obstructions within visibility splays.

**Environmental Health** – no response received

**Developer Contributions Team** – response received - contributions are also sought towards affordable housing, provision of community facilities and recreation, library, core path improvements, healthcare and strategic transport fund.

**Enterprise, Planning & Infrastructure (Flooding)** – Response received – satisfied with the drainage impact assessment and the SUDS pond. A condition has been requested to provide a condition survey, preferable through CCTV, of the culverted watercourse adjacent to the development and in the immediate downstream, to clarify the suitability of the connection of the drainage layout to this watercourse.

**Education, Culture & Sport (Archaeology)** – response received - No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The programme of archaeological work will include all necessary post-excavation and publication work.

**Community Council** – response received

- There has been a lack on consultation with the community council on this application, the applicant has engaged with Culter Community Council but not Cults, Bieldside and Milltimber Community Council.
- The OP59 Peterculter site is zoned for 25 units, we object to the proposal exceeding this threshold
- There is concern regarding traffic turning onto and from the site directly onto North Deeside Road, especially traffic turning out into North Deeside Road in an easterly direction. All traffic should be directed to Pittengullies Brae first.
- SUDS planning for application 130229 and 130230 should be considered for the whole site as one. There are existing drainage and sewage overflow issues and jointly with Culter Community Council we ask that these be resolved via planning gain for this OP site.

## **REPRESENTATIONS**

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

### Infrastructure

#### *Traffic*

The existing difficult access and egress from Pittengullies Brae would be increased,

Congestion and queuing would increase in the village

All traffic should be directed to Pittengullies Brae first.

The creation of cul-de-sacs is not acceptable. The site should be redesigned with the creation of a circular route off Pittengullie Brae. The upper section of the site will then be at a lower level than proposed.

The increase in traffic on Pittengullie Brae will be dangerous for the children of Camphill.

#### *Services*

The infrastructure cannot cope as it is – public transport, council services, schools, health services

#### *Drainage*

SUDS planning for application 130229 and 130230 should be considered for the whole site as one. There are existing drainage and sewage overflow issues; we ask that these be resolved via planning gain for this OP site.

### Impact on Amenity

#### *Impact on view and attractiveness of Peterculter*

Building on this site will spoil the view of the valley as you come into Peterculter

Disappointed the SR4 zoning has been lost; ribbon development and loss of open space/parkland will reduce the attractiveness of Peterculter

A retaining wall and 6 ft fence should be erected on the south east boundary of 423 North Deeside Road to provide a degree of privacy, prevent overlooking and reduce visual/noise impact from the play park

#### *Noise*

The noise from the building works will cause huge trauma to the children attending Camphill School and limit their quality of life.

#### *Ground levels*

The ground levels will be raised significantly and the proposed dwellings would completely overpower the existing houses in close proximity to the site. The earth works to raise plots 5 and 8 are extensive and would not allow plots 1 and 4 to enjoy the view from the naturally sloping site

#### *Trees*

The large Ash tree would be required to be removed to accommodate the footpath in plot 9. The footpath should be re-routed. The Hawthorne tree at the north of plot 4 should be retained as it provides a level of privacy and reduces noise from the North Deeside Road

The type and placement of any trees should be considered as they would have the potential to obscure the outlook of 423 North Deeside Road should they grow too tall

#### *Facilities*

The play area should be bigger and should cover proposed plot 22. A retaining wall and 6 ft fence should be erected on the south east boundary of 423 North Deeside Road to provide a degree of privacy, prevent overlooking and reduce visual/noise impact from the play park.

#### Intensification of site

The number of units, 33, does not comply with the 25 allocated within Aberdeen local development plan.

#### Other

The 30mph speed limit should be relocated past Avondow to the corner before Kippie Lodge.

### **PLANNING POLICY**

#### **National Policy and Guidance**

##### Scottish Planning Policy

Paragraph 66 of the Scottish Planning Policy outlines there is a commitment from the Scottish Government to increase the supply of new homes and the planning system should contribute to raising the rate of new housebuilding by identifying a generous supply of land for the provision of a range of housing in the right places.

#### **Strategic Development Plan**

##### Aberdeen City and Shire Structure Plan

Sets strategic growth and policy areas for the City and Shire and outlines by 2030 there are to be 36,000 new homes proposed for Aberdeen City. The land allocations are set out within the local development plan.

#### **Aberdeen Local Development Plan**

##### Policy LR1: Land Release Policy

##### Part A – Phase 1 Release Development: Housing 2007 -2016; and employment 2007 -2023

Housing and employment development on sites allocated in Phase 1 will be approved in principle within areas designated for housing or employment. Development on an allocated site or in close proximity to an allocated site that jeopardises the full provision of the allocation will be refused.

##### Policy I1: Infrastructure Delivery and Developer Contributions

Development must be accompanied by the infrastructure, services and facilities required to support new or expanding communities and the scale and type of developments proposed. 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.

New infrastructure will either be provided by the developer or through financial contributions.

#### Policy T2: Managing the Transport Impact of Development

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

Maximum parking standards for a number of modes of transport are set out in Supplementary Guidance on Transport and Accessibility and details the standards that different types of development should provide.

#### Policy D1: Architecture and Placemaking

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

#### Policy D2: Design and Amenity

Policy D2 sets out a series of criteria for new development, intended to ensure that an appropriate level of amenity can be secured for residents of both that new development and neighbouring land and buildings.

#### Policy D3: Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles.

#### Policy D6: Landscape

Development will not be acceptable unless it avoids:

1. significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it;
2. obstructing important views of the City's townscape, landmarks and features when seen from busy and important publicly accessible vantage points such as roads, railways, recreation areas and pathways and particularly from the main city approaches;
3. disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them;
4. sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Development should avoid significant adverse impacts upon existing landscape elements, including linear and boundary features or other components, which contribute to local amenity, and provide opportunities for conserving, restoring or enhancing them.

Policy H5: Affordable Housing

Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

Policy NE4: Open Space Provision in New Development

The City Council will require the provision of at least 2.8 hectares per 1,000 people of meaningful and useful public open space in new residential development.

Communal or public open space should be provided in all residential developments.

Policy NE5: Trees and Woodlands

There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable. Appropriate measures should be taken for the protection and long term management of existing trees and new planting both during and after construction.

Policy NE6: Flooding and Drainage

Development will not be permitted if:

- 1 it would increase the risk of flooding:-
  - a) By reducing the ability of the functional flood plain to store and convey water;
  - b) Through the discharge of additional surface water; or
  - c) By harming flood defences.
- 2 it would be at risk itself from flooding

Where more than then 10 homes or greater than 100m<sup>2</sup> floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment. Surface water drainage associated with development must:

- 1 be the most appropriate available in terms of SUDS; and
- 2 avoid flooding and pollution both during and after construction.

Policy NE9: Access and Informal Recreation

New development should not compromise the integrity of existing or potential recreational opportunities including access rights, 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.

### Policy R6: Waste Management Requirements for New Development

Housing developments should have sufficient space for the storage of residual, recyclable and compostable wastes. Details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste.

### Policy R7: Low and Zero Carbon Buildings

All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards.

### **Supplementary Guidance**

#### Infrastructure and Developer Contributions Manual

The purpose of this Infrastructure and Developer Contributions Manual is to provide clear guidance on the methodology used to identify infrastructure requirements and the criteria that should be used to calculate developer contributions to support new development.

#### Transport and Accessibility Supplementary Guidance

The guidance examines a number of transport and accessibility issues that may have to be considered as part of a planning application.

#### Affordable Housing

Outlines affordable housing provision and the delivery of this on site or by securing a contribution.

#### Open Space

Outlines the different types of open space and the ratios required for different sizes of development

#### Trees and Woodlands

Outlines policy and legislation on trees and protection measures required during construction periods and outlines the requirements within a tree survey.

#### Drainage Impact Assessment

The guidance provides information on the requirements on the submission of Drainage Impact Assessment and emphasises the requirements for SUDS.

#### Waste Management

Developments should provide enough space for the storage and collection of waste access to such facilities.

#### Low and Zero Carbon Buildings

The purpose of this supplementary guidance is to provide the methodology for developers to demonstrate compliance with Aberdeen Local Development Plan policy R7.

### **EVALUATION**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning



acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

### Principle of Development

Scottish Planning Policy outlines a commitment to increase the supply of new housing and the Aberdeen City and Shire Structure Plan outlines by 2030 there are to be 36,000 new homes proposed for Aberdeen City. The land allocations are set out within the local development plan. The principle of residential development on this site will, in the first instance, be established by considering how it relates to the zoning of the site, Policy LR1: Land Release Policy. The site falls within Opportunity Site 59: Peterculter East for the development of 25 homes within the first phase of development from 2007 to 2016. Therefore, housing development on this site will be approved in principle.

### Scale and pattern of development, design and amenity

#### *Scale and pattern of development*

As the proposed site sits to the eastern edge of Peterculter the pattern of development surrounding the site is, for the most part, one of large plots and a high degree of open space. The zoning surrounding the north east and south east edges of the site are Policy NE2: Green Belt and Policy NE1: Green Space Network. To the north west and south west of the site the zoning is Policy H1: Residential. The historic pattern of development to the eastern edge of Peterculter along the southern side of North Deeside Road, comprises plots with houses in close proximity to North Deeside Road and large gardens running southwards, many towards and down to the South Deeside Line. This pattern of development has been broken through the creation of Pittengullies Brae and Pittengullies Circle, to the west of the proposed site, in which the pattern of development is one of much smaller plots with one and two storey detached and semi-detached properties. The two properties in closest proximity to the site also do not follow the expected pattern of development as the garden area associated with these two sites is square rather than long and linear and stretching southwards. The layout of the 8 units in this proposal would follow the modern pattern of development of Pittengullies Brae and Pittengullies Circle more so than the historic pattern of development. The houses would also sit at a lower level than the road, following the pattern of the two neighbouring properties in closest proximity to the site.

The relationship between the proposed 8 units on the site and the wider OP59 site has also been addressed through the provision of cross sections and photomontages which show that although there may be a height difference between the 8 units on this site and those indicative dwellings located within the OP59 site, there would not be significant concern regarding the dominance of these 8 units on the surrounding area, due to the orientation and design of the houses, the landscaping and the boundary treatment.

#### *Design and amenity*

The layout of the houses would follow the criteria as outlined in Policy D2: Design and Amenity of the Aberdeen Local Development Plan. The houses would have public face to the street and a private face to an enclosed garden, with residents

having access to sitting out areas. The design of the houses would ensure there is an open frontage along the street. The materials used are acceptable. The area of garden ground proposed with each dwelling is sufficient in area, with those units occupying plots 5-8 capturing the greatest sunlight due to their orientation. The boundary treatment surrounding the site comprise, to the North Deeside Road a 900mm high stonework wall with cope and 900mm high timber fence. The elevations of the houses facing the street would be open with 1.8m timber fencing starting typically mid way along the side elevations to create a sense of a public front and a private rear. To boundary treatment to the play areas again would comprise 1.8m timber fencing with the exception of the access to the link path with would have a 0.9m high timber fence. This, along with the open nature of the street elevation of the houses, would allow for passive surveillance along the path and to the play area. The proposal therefore accords with Policy D2: Design and Amenity of the Aberdeen Local Development Plan and Policy D1: Architecture and Placemaking of the Aberdeen Local Development Plan

#### *Open space*

Open space provision has been included within the proposal through the inclusion of a play park to the north of the application site. The open space audit has deemed that for every 1000 residents there should be approximately 2.8 ha of open space. The open space provision is to be calculated on a ratio of this requirement. With the house type's proposed and average number of people per dwelling it would be expected that up to 32 people could be living on site once completed. The expected outdoor space would therefore be approximately 0.0896m<sup>2</sup>. The playarea occupies 0.0832m<sup>2</sup>. Although there is a slight shortfall in open space the site is in close proximity to an area of recreational space, the South Deeside Line, therefore it is not considered that this small deficit in open space would cause significant concern. The proposal would therefore accord with Policy NE4: Open space provision in new development and the supplementary guidance: open space can be undertaken.

#### Landscape and Trees and Woodlands

The landscape character of the site is noted for its undulating nature and the prominence of mature trees which are located out with the site boundary, and in particular those trees on the north east and south east sides of the larger opportunity site area. The development of these 8 no. units would not lead to the disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them. The existing use of the site does not relate to these categories, however, the South Deeside Line does run in close proximity to the site, approximately 65m, from the southern edge of the site. The enjoyment of the South Deeside Line would not be detrimentally impacted by the location of houses. The impact on landscape character and sense of place can be assessed through the cross sections and photomontages which have been submitted as part of the application. These show the relationship between the proposed houses, the gradient of the site and have provided indicative proposals for the remained of the OP59 site. These elements show the landscape character of the area would be altered due to the erection of the houses, yet not to the detriment of the sense of place as this would be maintained through the elevation levels of the site and the relationship between these differing levels. The

application would modify the view from the North Deeside Road and from the South Deeside Line however, the proposal would not obstruct important views of the City's townscape, landmarks and features. This is especially true during the growing season of the trees surrounding the site which would block views into the site. The proposal would not sprawl into a green space buffer, the principle of development has been outlined through the change in status of this area to an opportunity site through the Aberdeen Local Development Plan 2012. The proposal therefore would accord with Policy D6: Landscape of the Aberdeen Local Development Plan.

The applicant has provided a tree survey in support of this application, which also covers the whole OP59 site area. The majority of the existing trees and woodland would be retained. The Council's Arboriculture Planner has stated no objection to the proposed development, and has requested that certain conditions be attached to any grant of planning permission, relating to landscaping/tree planting and measures for the protection during construction of those trees to be retained. Taking these matters into account, the proposal is considered to accord with the relevant provisions of Policy NE5: Trees and Woodlands of the Aberdeen Local Development Plan and the Trees and Woodlands Supplementary Guidance.

#### Drainage/Flood Risk

A drainage impact assessment has been submitted for the site, which includes SUDS pond details. The SUDS pond located with this development would be out with the application boundary of the site but would be located within land under control of the applicant and would also be placed within the OP59 site and within the boundary of the Planning Permission in Principle application which also covers the land these 8 units are located on. The drainage impact assessment and SUDS proposal has been assessed by the Council's Flooding Team and by the Council's Roads Project Team. The flooding team is satisfied with the drainage impact assessment and SUDS pond. A condition has been requested to provide a condition survey, preferable through CCTV, of the culverted watercourse adjacent to the development and in the immediate downstream, to clarify the suitability of the connection of the drainage layout to this watercourse. The Roads Project Team has also assessed the application and have no objections.

Policy NE6: Flooding and Drainage of the Aberdeen Local Development Plan and the supplementary guidance: Drainage Impact Assessments have been satisfied through the production of the drainage impact assessment and by conditions attached relating to the condition survey of the culvert and the production of a construction management plan.

#### Transport and Access

The layout proposes access into the site from North Deeside Road. The proposal has been assessed by the Council's Roads Project Team who has no objection to the proposed development. The car parking provided has been deemed to be satisfactory and accords with the Council's Supplementary Guidance: Transport and Accessibility.

The footpath within the site is proposed to join with the wider area of indicative development to the south of the site, which would once completed provide access to the South Deeside Line. Access to public transport has also been addressed and upgrading of the bus stop. Taking these matters into account, it is considered that the proposal demonstrates accordance with Policy T2: Managing the Transport Impact of Development of the Aberdeen Local Development Plan and with the Transport and Accessibility supplementary guidance.

There are 2 core paths in close proximity to the site, core path 66: Deeside Way runs approximately 80m from the south of the site and core path 76: Culter House Road to River Dee runs approximately 37m to the west of the site. The proximity of the site to the core path network would mean there is a noticeable choice of modes of movement to and from the site, and the ability of improving provision for public access and links to green space for recreation and active travel, thereby the proposal complying with Policy NE9: Access and Informal Recreation of the Aberdeen Local Development Plan and with Policy D3: Sustainable and Active Travel of the Aberdeen Local Development Plan.

#### Developer Contributions

The site has been assessed by the Developer Contribution Team who has advised, in order to comply with Policy I1: Infrastructure Delivery and Developer Contributions of the Aberdeen Local Development Plan, Policy H5: Affordable Housing of the Aberdeen Local Development Plan, Infrastructure and Development Contributions supplementary guidance and the Affordable Housing supplementary guidance developer contributions/affordable housing provision would be required. The development of the 8 units is tied to the legal agreement of the Planning Permission in Principle (P130230). Agreement in principle has been reached with the applicant and a legal agreement is required in order to ensure that this is appropriately controlled. It is recommended that permission is withheld pending the conclusion of a legal agreement in relation to developer contributions for affordable housing provision, community facilities and recreation, library, core path improvements, health care and strategic transport fund contributions.

#### Low and Zero Carbon Buildings

The application does not include details of how Low and Zero Carbon Generating Technologies will be incorporated into the proposed development, however, such details can be obtained through the use of an appropriate condition. The proposal cannot be assessed against Policy R7: Low and Zero Carbon Buildings of the Aberdeen Local Development Plan and the Low and Zero Carbon Buildings Supplementary Guidance at this stage.

#### Waste

Policy R6: Waste Management Requirements for New Developments and the Waste Management supplementary guidance cannot be assessed at this stage, however, such details can be obtained through the use of an appropriate condition.

## **Material Planning Considerations raised by objectors**

### **1 Infrastructure**

#### *Traffic*

Is it likely that due to the development of 8 units there would be a small increase in traffic from and to the site. The access to the site would be from North Deeside Road. It is not expected there would be an increase in traffic on Pittengullies Brae from the 8 unit development. The application has been subject to consultation with the Council's Roads Projects Team who has deemed they have no objection to the proposal. The site is located within walking distance to amenities within the Peterculter District Centre and is located next to a bus stop, to which improvement are proposed, a cycle route and to Core Paths which will encourage more sustainable modes of transport.

#### *Services*

These have been assessed by Developer Contributions and are discussed in the section Developer Contributions

#### *Drainage*

The drainage has been discussed under the section titled Drainage/Floodrisk

### **2 Impact on Amenity**

#### *Impact on views and attractiveness of Peterculter*

The views and impact on landscape character were discussed under the section of the report titled landscape and trees and woodlands. The zoning of the site has been discussed under the section Principle of Development

#### *Noise*

The site is buffered from the Camphill Estate by the trees surrounding the Camphill Estate, the bunding and trees surrounding the South Deeside Line and there is a distance of distance, 116m from the edge of the site to the edge of Camphill Estate. The impact of noise is not a relevant planning consideration in determining the application. The principle of development has been established on the site through the land allocation. It is noted there would disturbance in the immediate vicinity of the site, yet it is the remit of environmental health to deal with issues of excessive noise. There would be a condition attached requiring landscaping, therefore there is the possibility of an increase in the screening due to the proposal.

#### *Ground Levels*

The ground levels are discussed under the section titled scale and pattern of development and Landscape and Trees and Woodlands.

#### *Trees*

The Ash tree is out with the red line boundary of this site and thus not affected by this development. The Hawthorne tree (number 19) is to be retained. The landscaping of the site is to be conditioned.

#### *Facilities*

The play area has been discussed under the section entitled open space. The boundary treatment has been discussed under design and amenity.

### 3. Intensification of site

The application is for 8 units not 33, the 33 units relates to application P130230 for planning permission in principle.

### 4. Other

The repositioning of the 30mph sign is not a material planning consideration.

### **Material Planning Considerations raised by Community Council**

The applicant is not obliged to consult with the community council as this is not a major application.

The number of units proposed is 8 not 33, the 33 units relates to application P130230 for planning permission in principle.

The application has been assessed the Council's Roads Project Team and traffic concerns have been discussed under the heading transport and access.

The SUDS issues have been addressed under the section titled Drainage/Flood Risk

### **RECOMMENDATION**

**Willingness to approve, subject to conditions, but to withhold the issue of the consent document until the applicant has made a payment to the Council of developer contributions towards affordable housing units, provision of community facilities and recreation, library, core path improvements, healthcare and strategic transport fund.**

### **REASONS FOR RECOMMENDATION**

The development hereby approved is of an appropriate type for the land use zoning, LR1: Land Release Policy of the Aberdeen Local Development Plan. The proposal has been assessed by Developer Contributions who have outlined a number of financial and physical contributions required, the proposal would therefore accord with Policy I1: Infrastructure Delivery and Developer Contributions of the Aberdeen Local Development Plan, Policy H5: Affordable Housing of the Aberdeen Local Development Plan, Infrastructure and Development Contributions supplementary guidance and the Affordable Housing supplementary guidance. The proposal accords with Policy D1: Architecture and Placemaking of the Aberdeen Local Development Plan and with Policy D2: Design and Amenity of the Aberdeen Local Development Plan, as the materials, siting, orientation, and amenity space provided along with the separation of public and private space are deemed to be acceptable. The proposal would accord with the principles of Policy D6: Landscape of the Aberdeen Local Development Plan and with the relevant provisions of Policy NE5: Trees and Woodlands of the Aberdeen Local Development Plan and the Trees and Woodlands Supplementary Guidance. The proposal is subject to a condition relating to the condition survey of the culvert, yet the indicative drainage layout and the SUDS proposal would accord with Policy NE6: Flooding and Drainage of the Aberdeen Local Development Plan and the supplementary guidance: Drainage Impact Assessments. Access arrangements are subject to assessment against Policy T2: Managing the Transport Impact of Development of the Aberdeen Local Development Plan with further consideration required of the Transport and Accessibility supplementary guidance, Policy NE9: Access and Informal

Recreation of the Aberdeen Local Development Plan and Policy D3: Sustainable and Active Travel of the Aberdeen Local Development Plan. Further information would be required to comply with Policy R7: Low and Zero Carbon Buildings of the Aberdeen Local Development Plan and Low and Zero Carbon Building supplementary guidance and also with Policy R6: Waste Management Requirements for New Developments and Waste Management Supplementary Guidance. The proposal accords with the relevant provisions of the Development Plan. No matters raised in representations or through consultation have been of sufficient weight to warrant determination other than in accordance with the Development Plan.

## **CONDITIONS**

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

(1) notwithstanding the drainage plan submitted, that no development shall take place within the application site until the applicant has carried out and submitted to, and been approved in writing by, the planning authority (i) a condition survey, preferably through CCTV, of the culverted watercourse adjacent to the development and in the immediate downstream; and (ii) an assessment of flood routing; and, if required, an updated drainage impact assessment, Sustainable Urban Drainage System and outline any flood routing mitigation measures required. Thereafter the development shall not be occupied unless built in full accordance with the details approved - in order to clarify the suitability of connection to the watercourse, to safeguard water qualities in adjacent watercourses, to ensure that the proposed development can be adequately drained and to ensure that the 200 year rainfall event flooding can be accommodated.

(2) that no development shall take place unless a scheme detailing 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.

(3) that no development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work which shall include post-excavation and publication work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority - in the interests of protecting items of historical importance as may exist within the application site.

(4) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained,

together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting. Further to this within plot 8 four heavy standard trees are to be planted in the southern corners of the site - in the interests of the amenity of the area and to minimise the visual impact to changes in the ground levels.

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

(6) that no development 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.

(7) 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: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.

(8) 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.

(9) 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.



(10) That the use hereby granted planning permission shall not take place unless provision has been made within the application site for refuse storage and disposal in accordance with a scheme which has been submitted to and approved in writing by the planning authority – in order to preserve the amenity of the neighbourhood and in the interests of public health.

(11) that the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(12) that no dwellings hereby granted planning permission shall be occupied unless the area/areas of public open space including the play area as identified on Drawing No. DPL-01B of the plans hereby approved (or such other drawing as may be subsequently approved) have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the Planning Authority. No development pursuant to this planning permission shall take place unless such a scheme detailing the manner in which the open space is to be managed and maintained has been submitted to and approved in writing by the planning authority. Such scheme shall include provision for a play area comprising at least five items of play equipment and a safety surface. The said area shall not thereafter be used for any purpose other than as a Play Area - in order to preserve the amenity of the neighbourhood and to ensure the timely provision of play facilities unless the area/areas of public open space as identified.

(13) that no part of the development shall be occupied unless a schedule of work relating to the upgrading of bus shelters, seating, lighting, shelter, raised kerbs and timetable provision for the bus stops on the westbound and eastbound bus stop has been submitted to, and approved in writing by the planning authority, and subsequently the upgrading work has been implemented prior to the occupancy of any residential unit implemented - in the interests of sustainability and to encourage a reduction in the level of private car trips generated by the development

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.