

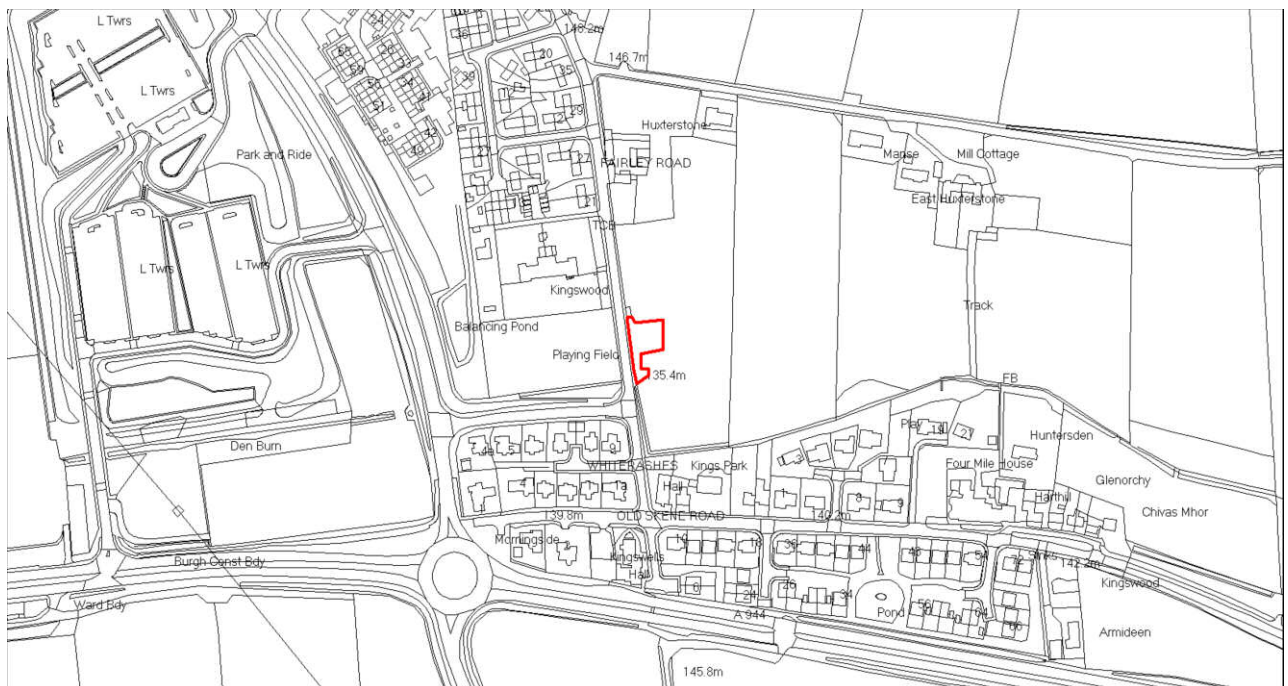
LAND AT, WESTER HUXTERSTONE, FAIRLEY ROAD, KINGSWELLS

PROPOSED ERECTION OF TEMPORARY BUILDING TO HOUSE SALES AND MARKETING FACILITIES TO SERVICE KINGSWELLS DEVELOPMENT

For: Dandara Group

Application Type : Detailed Planning Permission
Application Ref. : P130404
Application Date: 28/03/2013
Officer: Gavin Clark
Ward : Kingswells/Sheddocksley/Summerhill (L Ironside/S Delaney/D Cameron)

Advert :
Advertised on:
Committee Date: 26 September 2013
Community Council : Comments



RECOMMENDATION: Approve – Time Limited Period

DESCRIPTION

The application site lies to the east of Fairley Road and forms part of a site identified within the Aberdeen Local Development Plan (OP 42) for residential development. Residential properties are located to the north-west and north, and south with Kingswood Nursery and playing fields located to the west and open fields to the east.

The application site relates solely to an area of land in the western section of the development site, with a separate access proposed from that associated with the proposed residential site. The site boundary extends to approximately 965 square metres.

RELEVANT HISTORY

- An application (Ref: 130912) is currently pending consideration for the erection of 97 residential properties and associated works. This application is associated with the eastern part of the development site.
- Advertisement Consent (Ref: 130405) was approved in September 2013 for the erection of 3 no.non-illuminated hoardings.
- An application (Ref: 130288) is currently pending consideration for the proposed construction of 10 detached units, 28 semi-detached units and 11 terraced houses with associated access roads, drainage and SUDS basin. This application was submitted by the same applicant as the current proposal.

PROPOSAL

Detailed planning permission is sought for the erection of a temporary sales building to service a proposed residential development at Wester Huxterstone. The proposed sales building would be located in the western section of the site, at its boundary with Fairley Road, adjacent to Kingswood Nursery and the associated playing fields.

The proposed building would measure 5.7 metres x 9.3 metres and would include a sales area and meeting room. The building would be finished in timber panelling. The building would be single storey, with a total height of 2.8 metres. The site is to be accessed from Fairley Road, and would include 6 no. car parking spaces and bin storage facilities to the rear of the building.

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?130404>

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 Kingswells Community Council have objected to the application. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – have commented on the application as follows:

Parking Provision: the applicant would be required to provide a maximum of two parking spaces for the proposal. The applicant proposes to provide six parking spaces; four more than the maximum parking requirements. They have not objected to proposal due to the application's temporary nature.

Access: noted that vehicular access at the northern end of the site would serve the temporary office site and access to the southern end would be used as a main entrance to the proposed Wester Huxterstone site. Roads Construction Consent would be required for any new access. As the access is to be temporary in nature any redundant access would need to be re-instated to Aberdeen City Council standards. Informatives are to be inserted into the consent to make the applicant aware of these requirements.

Environmental Health – no observations.

Enterprise, Planning & Infrastructure (Flooding) - no observations.

Education, Culture & Sport (Archaeology) – request for condition stating that no development will 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 – Kingswells Community Council have objected to the application for the following reasons:

- did not wish for the sales cabin/ hoardings to be in situ for any length of time prior to a planning application being approved – concern that this may take some time.

REPRESENTATIONS

No letters of representation, apart from that of Kingswells Community Council, have been received.

PLANNING POLICY

Aberdeen Local Development Plan

Policy LR1: Land Release Policy - states that housing 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 allocation that jeopardises the full provision of the allocation will be refused.

Policy D1: Architecture and Placemaking – states that new development must be designed with due consideration for its context and make a positive contribution to its setting.

Supplementary Guidance

Temporary Buildings: states that permission will not normally be given for the retention of portable buildings beyond the two and a half years maximum duration. To be granted planning permission, units:

- a) Must be sited to the rear of existing buildings;
- b) Must avoid loss of existing car parking spaces; and
- c) Must not be sited on landscaped amenity areas, especially those with established tree and shrub planting

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.

The proposal is not considered to be in conflict with Policy LR1 (Land Release Policy) of the Aberdeen Local Development Plan. Although no residential development has been approved, the surrounding land is designated for residential use. It is considered that the proposed development is only appropriate if a residential development has been approved. Accordingly, it is appropriate to apply a condition ensuring that no development takes place on site until an associated residential development has been approved. The proposed site is intended to support the Wester Huxterstone Development. The siting of the proposed sales building for a temporary period would result in a minimum distance of 70 metres from any nearby residential properties. As such, the proposal is unlikely to result in any excessive noise or disturbance, and would not adversely impact on the amenity of the surrounding area.

The Council's Supplementary Guidance on Temporary Buildings states that buildings should be sited to the rear of existing buildings; must avoid the loss of car parking spaces and must not be sited on landscaped amenity land. In this instance the proposal would be compliant with these points. In general, portable buildings are granted permission on a year-to-year basis up to a maximum of 2 ½ years. In this instance no permission has been granted on site, it is therefore appropriate that a condition is inserted ensuring no development takes place until an associated residential development has been approved – and after this permission should be granted for an initial two year period.

In terms of the letter of representation received from Kingswells Community Council, their comments have been taken into account, and as previously mentioned an appropriate condition has been inserted to ensure that the sales cabin is not sited until an associated residential development has been approved. In terms of comments from the Council's Roads Projects Team, their comments have been taken on board, and will be advised via informative.

Due to the extent of the proposed works it is not considered appropriate to insert a condition requesting an archaeological investigation. This will be something which is covered by any associated residential development.

In this instance there are no material considerations which would warrant refusal of planning permission; and the proposal accords with the relevant policies and guidance associated with the Aberdeen Local Development Plan; the application is subsequently recommended for approval.

RECOMMENDATION

Approve – Time Limited Period

REASONS FOR RECOMMENDATION

The size, design and location of the sales cabin is acceptable on a temporary basis associated with a development site, but only when a planning permission is in place for a residential development on the site. The sales cabin will not be located close to any residential properties, so there will be no impact on amenity. Sufficient parking will also be provided within the curtilage of the site. The proposal raises no public safety concerns. The application subsequently accords with Policy LR1 of the Aberdeen Local Development Plan and the Council's Supplementary Planning Guidance in relation to Temporary Buildings. Although permission has not yet been granted for a residential development, it is considered that permission can be granted subject to the insertion of a condition ensuring that no development takes place until permission for a residential use has been approved. There are no material planning considerations which would warrant refusal of planning permission.

CONDITIONS

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

(1) that the temporary building shall not be constructed until such a time as an associated residential development has been approved; once this application has been approved the sales cabin shall be in place for a maximum period of two years - that the character and siting of the structure is not such as to warrant its retention for a period longer than that specified in this permission.

(2) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. APL_102 of the

plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

INFORMATIVES

Road Consent will be required for the construction of the access road junctions. All design and construction should be in accordance with the standards of Aberdeen City Council. The applicant should be advised to contact Colin Burnet (Tel 522409) of our Civil Design Section with regard to this matter.

That any redundant access would require to be reinstated up to the Aberdeen City Council standards and the applicant is required to bear costs associate with this work. The applicant should be advised to contact Colin Burnet (Tel 522409) of our Civil Design Section with regard to this matter.

Dr Margaret Bochel

Head of Planning and Sustainable Development.