



- **affordable housing;**
  - **education facilities;**
  - **community facilities and recreation;**
  - **healthcare; and**
4. **Provision of a footpath along the western boundary of the application site on Fairley Road.**

## **DESCRIPTION**

The application site forms the western side of the West Husterstone Masterplan Area (OP42) which covers a total of around 6 hectares. The site itself extends to some 1.6ha and lies on the edge of the village of Kingswells, around 4 miles to the west of Aberdeen City Centre. The site comprises undeveloped agricultural land and slopes down from north to south. To the north is a 20-30 year old drydash finished bungalow 'Morven' fronting onto the Langstracht and a more traditional steading and farmhouse facing onto Fairley Road. Generally the boundary enclosures for these properties consists of hedging and low-level stone dyke walling. The land to the east of the site is currently undeveloped agricultural land and to the south lies the Den Burn. On the opposite side of Fairley Road, there are a number of 1960's style 2-storey semi-detached properties with a white harl and brick finish to the walls. The front boundary treatment for those properties is generally a 1m high wall and low-level hedges.

## **RELEVANT HISTORY**

### **Site specific**

Planning ref 120296 (Proposal of Application Notice) was submitted for consideration in February 2012. No further consultation was required.

Planning ref 130404 for the erection of a temporary sales cabin was approved conditionally by the Planning Development Management Committee in September 2013.

Planning ref 130405 for the erection of 3 non-illuminated hoardings and 2 flagpoles was approved conditionally under delegated powers in September 2013.

### **Site to the east**

Planning ref 130912 for the erection of 97 dwellings, access roads, landscaping, drainage and SUDS was approved subject to satisfactory completion of a s75 Legal Agreement at the Planning Development Management Committee in January 2014.

## **PROPOSAL**

Detailed planning permission is sought for the erection of 46 residential dwellings with associated access roads, drainage and SUDS.

### Layout of the Development

The site is generally laid out in three rows of houses on a north-south axis. The properties to the west would face onto Fairley Road with the two other rows facing an internal access road. At the north-end of the site, there would be a group of thirteen properties surrounding a formal parking area. To the south of

the site, an area of formal amenity space is shown along the Den Burn and would include SUDS tanks.

### Proposed houses

Two-storey houses are proposed, namely: 2 detached four-bed properties; 5 detached three-bed; 25 semi-detached three bed; and 5 three-bed terraced properties.

The external finishes vary between two character areas - the nine properties facing onto Fairley Road being within the 'Fairley Road' character area and the remainder of the properties being within the 'central' character area. Finishes are generally in the order of white drydash render, dark grey roof tiles and white timber effect windows. Some properties would have timber front and garage doors, whilst others may have a more contemporary design approach. Accents of timber cladding are used sporadically throughout the site. The final details of the external finishes will be dealt with through a planning condition.

The houses on plots 9, 10 and 46 have a high-level window on the gable-ends which face onto the public road, thus breaking up and providing more interest to these prominent elevations.

### Affordable Housing

Nine affordable units are proposed within the northern cul-de-sac. These would be 2-storey 2-bed mid-terraced properties finished externally to match the other properties within the 'central' character area.

### Access

The main access point is from Fairley Road which is then to link with the adjacent site to the east. Pedestrian access is also proposed from Fairley Road and again links to the east.

### Open Space

Some 0.288ha (2880sqm) of open space is proposed at the south end of the site beyond the access road.

### Drainage

A SUDS tank is shown within the open space area to the south of the access road.

### Proposed site boundary treatment

Existing drystone dykes will either be retained or rebuilt along the Fairley Road and eastern boundaries. A feature drystone dyke is proposed at the access to the site off Fairley Road. Hedging and 1.8m high fencing are proposed in other areas throughout the 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?130288>

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

Design Statement

Landscape Appraisal and Planting Schedule

Drainage Assessment for Kingswells

Ecological Appraisal (Northern Ecological Services, May 2012)

West Huxterstone Transport Assessment (Fairhurst, October 2012).

### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the the Planning Development Management 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 Projects Team** - The proposed parking is considered acceptable, as is the access to the site and driveways onto Fairley Road. A residential travel plan is required. The internal layout of the site is acceptable in terms of vehicular movement. Information is still required in relation to surface water treatment for the access road but this could be conditioned. In relation to the Strategic Transport Fund, the applicant has been made aware that a contribution is required.

**Environmental Health** – no comments received

**Developer Contributions Team** - a developer contributions package is required to mitigate the impact of the development, relating to: securing on-site affordable housing and contributions towards affordable housing; education facilities; community facilities; playing fields; library; and healthcare facilities.

**Enterprise, Planning & Infrastructure (Flooding)** - there were potential flooding issues associated with the proposal but following the removal of the houses on the southern side of the access road, there are no objections forthcoming. A condition is requested requiring a Drainage Impact Assessment to be submitted for approval prior to work commencing on site. Discussions are on-going in relation to mitigation of potential on-site flooding issues.

**Education, Culture & Sport (Archaeology)** - requests a condition be attached requesting the submission of a programme of archaeological work to be approved in advance of work taking place on site

**Scottish Environment Protection Agency** – no objection subject to a condition being applied requiring the submission of details of SUDS and a construction environmental management plan both to be submitted and approved before development can commence.

**Community Council** – Kingswells Community Council object to the application. The reasons for objection can be summarised as;

1. The application fails to take account of the instructions of the Enterprise, Planning and Infrastructure Committee of 6<sup>th</sup> November with regards to: a) allowing for the possibility of two exits onto Fairley Road; b) instruct officers to look at a range of options for affordable housing rather than restrict to one type; c) phase the site development in conjunction with advice from the Education, Culture and Sport Service;
2. There is no acknowledgment of phasing in this application;
3. The primary school can only accommodate more pupils if house building at West Huxterstone is delayed until 2016 – developer contributions will not solve this issue;
4. The application fails to comply with the Masterplan guiding principles regarding open spaces;
5. The application fails to comply with the Masterplan with respect to lack of 'gateway' opportunity;
6. The application fails to comply with the Masterplan with respect to lack of homezones.

### **Transport Scotland – no objections**

**Police Scotland** – in general, the site layout offers high levels of natural surveillance. However, the rear of properties can be vunrable to theft, particularly where there is unobserved access and this should be taken into account.

**Aberdeen International Airport** - the proposed development does not conflict with safeguarding criteria, subject to condition relating to: measures to limit bird strike risk to Aberdeen Airport and submission of SUDS scheme. A requirement controlling the use of cranes can be included as an informative as can the requirement to ensure that the fabric design of dwellings is such that noise impact, from aircraft, on residential amenity levels is mitigated but bearing in mind that the site lies outwith the noise contours which would cause disturbance.

### **REPRESENTATIONS**

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

1. A cul-de-sac is shown adjacent to the Stewart Milne application site where there should be a through-road;
2. No flood risk assessment has been submitted but it would appear that some houses would fall within the flood area and could not be constructed;
3. There are drainage issues at the south west corner of the site which will be made worse by the proposed development.

### **PLANNING POLICY**

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

Scottish Planning Policy (SPP) is a statement of Scottish Government policy on land use planning. Of particular interest is the general policy relating to Sustainable Development, as well as the subject planning policies relating to Housing; Affordable Housing; Location; and Design of New Development.

Designing Places is the statement that sets out the Government's expectations that the planning system delivers high standards of design in development projects.

Designing Streets (A Policy Statement for Scotland) promotes pedestrian friendly design in developments.

### **Strategic Policy**

Aberdeen City and Shire Structure Plan sets out vision for the local area and sets objectives in relation to; Economic growth; Population growth; Quality of the environment; Creation of sustainable mixed communities; and Accessibility.

### **Aberdeen Local Development Plan**

#### Policy LR1- Land Release Policy Part A

Phase 1 release development: Housing 2007 – 2016; development on sites allocated in Phase one will be approved in principle.

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

Where development, either individually or cumulatively, will place additional demands on community facilities or infrastructure necessitating 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 situations.

#### Policy D1 - Architecture and Placemaking

Seeks to ensure high standards of design, with due consideration to context and that a positive contribution to the setting is made. Factors such as scale, massing, colour, materials, details, the proportions of building elements and landscaping will be carefully considered.

#### Policy D2 - Design and Amenity

Sets out design and layout criteria to be addressed in new residential developments.

#### Policy H3 - Density

All residential developments 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. Consider 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.

#### Policy 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. Supplementary Guidance provides more detailed information.

#### Policy NE4 - Open Space Provision in New Development

At least 2.8ha of meaningful and useful open space should be provided per 1,000 people in new developments. Supplementary Guidance (Affordable Housing) provides more detailed information.

#### Policy NE6 - Flooding and Drainage

Applications will be required to provide an assessment of flood risk in order to show that there would be no risk from flooding. A drainage impact assessment is also required for any development over 10 homes.

#### Policy NE9 - Access and Informal Recreation

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.

### **Supplementary Guidance**

The Council's Supplementary Guidance "OP42: West Huxterstone Masterplan"; "Affordable Housing"; "Infrastructure and Developer Contributions Manual"; "Open Space" and "Transport and Accessibility" are relevant planning considerations in the determination of the application.

### **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 Residential Use**

The Aberdeen Local Development Plan (ALDP) identifies the site as part of an Opportunity Site (OP42) within Part A of Land Release Policy LR1 with an indicative allocation of 120 units. The site is also a long-standing housing land allocation, being included in the previous Aberdeen Local Plan (2008) as Strategic Housing Land Reserve (SLHR30). These factors reflect an identified need for housing land in this area and thus there is conformity with the Housing Land section of SPP. The West Huxterstone Masterplan identifies the site as suitable for residential development. Lastly, the application is considered to accord with the Structure Plan objective relating to population growth, by providing additional housing opportunity and choice. Accordingly, the principle of residential use on the site is acceptable in terms of development plan considerations.

### **Design, Scale, Mix and form of 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 general type of houses are not uncommon with many Dandara residential developments within Aberdeen. Notwithstanding, ALDP Policy D1 (Architecture and Placemaking) seeks to ensure that all development is designed with due consideration for its context.

This context is currently that of agricultural land with properties to the immediate north of the site being a mix of traditional steading and farm house, otherwise drydash render finished bungalows, 1½ and two storey properties are the common residential style. Otherwise there are a small number of more vernacular granite built properties in the locality. Although the proposal does not directly mimic these design types or styles, in respect to the existing properties on Fairley Road, the proposed dwellinghouses in that character area would fit in comfortably, being predominantly 2-storey semi-detached properties with a white render finish, enclosed by dry stone dykes and low-level hedging, and are thus considered acceptable. In terms of site context, it is clear that the introduction of houses of a design and style, typical of Dandara, would not directly relate to the character of the locality, nor the buildings to the north, but when taken in the context of the wider Kingswells area, the design and form of development would generally respect the varying design and finish of dwellings, as well as the overall character and pattern of development. In this wider context (including what has been approved on the adjoining site to the east), it is considered that the approach taken is consistent and therefore acceptable in terms of ALDP Policy D1.

The layout of the development is generally in keeping with what is shown in the Masterplan as regards: access, landscaped areas and general plotting. An attempt has been made to ensure that the internal layout of the development is designed so as to give priority to pedestrians and cyclists, rather than motorised vehicles through the inclusion of 'homezone' design principles and a meandering internal road, in keeping with the thrust of 'Designing Streets'. Embedded in the design is a desire to ensure the development is a 'safe' place.

By virtue of the layout and design of the application site, as discussed above, it is also considered that the proposal complies with ALDP Policy D2 (Design and Amenity) in respect of: provision of public and private faces to the development; making the most of natural sun/daylight; providing useable private gardens and other 'sitting out' areas; and designing out crime.

Although the development falls below the threshold for ALDP Policy H4 (Housing Mix) to be a material consideration, it is worth noting that the proposal comprises a mix of 2 – 4 bedroom properties, which are 2-storeys in height and vary between terraced, semi and detached properties. It is considered that the proposed mix of properties throughout the site is varied.



With regards the affordable housing element, ALDP Policy H5 (Affordable Housing) and the supplementary guidance on the same seeks on-site provision of 25%. The application seeks to provide 9 units on-site (c.20%). The remaining 5% (2.5 units) would be addressed by way of a commuted sum to be included in the section 75 legal agreement. Although the on-site provision is less than the stated policy target, the planning authority accepts the approach, and is in line with what relates to the site to the east. The location and design of the affordable units is also considered to fit comfortably with the rest of the development, in an attempt to avoid distinction between tenures. As such there are no conflicts with regards SPP, PAN 2/2012, the Council's Supplementary Guidance and Policy on Affordable Housing.

In terms of density, ALDP policy H3 (Density) seeks to ensure a minimum of 30 dwellings per hectare, which is net of any land not directly related to the housing. The development would provide 46 dwellings on an area of land of around 1.6ha in size, resulting in a gross density of 28.75. Taking account the open space provision of around 0.288ha, the net provision is around 35.06, which is in line with policy requirements.

The useable open space extends to around 2880sqm (0.288ha) which is proportionately greater than the expectations for the site, as set out in policy NE4, the West Huxterstone Masterplan and the Supplementary Guidance on Open Space.

### **Impact on Residential Character and Amenity**

The nearest residential properties lie to the immediate north of the site, which are 1 – 1 ½-storays in height. The nearest property to 'Morven' would be around 22m away and the nearest property to the farmhouse at Wester Huxterstone around 30-35m to the south and south east. The physical separation, boundary treatment and drop in levels towards the south means that the new houses would have an acceptable impact on the amenity currently afforded to the residential dwellings closest to the application site. In terms of the residential character of the wider area, the proposed development reflects the general form and scale of development in the locality and is therefore acceptable.

### **Visual Impact of the Development**

The application site is currently undeveloped and without any significant boundary screening, save for trees within the Den Burn corridor to the south and some low-level hedging and stone dykes. The site has a reasonable slope, rising around 5m in height from south to north. It is accepted that the development will have a substantial visual impact on the existing character of the area, given the site is currently open agricultural land, however it is allocated for development in the Aberdeen Local Development Plan and the Masterplan has a preference for residential development thereon. The site is prominent when viewed from Fairley Road and that vista will also see a change in character and feel. With respect to the wider area, it is not considered that there would be an unacceptably significant impact due in part to: topography; landscaping; existing buildings; and the design approach taken.

### **Traffic Impacts, Access Arrangements and Car Parking**

A Transport Assessment (TA) was submitted in support of the application and was updated through discussions with the Roads Projects Team. Following a review of the junction modelling, it is considered that the application would not have any significant impact on the surrounding road network and so there are no objections from the Roads Projects Team in that respect.

In relation to vehicular access, this would be from a junction onto Fairley Road, which is considered adequate for the number of units proposed and there is no technical need for a second access.

Pedestrian access to the site would be from Fairley Road, at the main vehicular junction and also at the northern end of the site adjacent to the boundary of Wester Huxterstone farmhouse, which would link with the Kingswells Avenue to Old Skene Road core path. Pedestrian access to the east is proposed at two points: off the northern 'homezone'; and at the vehicular access link, to the adjacent approved development.

The car parking provision has been evaluated and is considered to be satisfactory.

Given the above, it is considered that there are no conflicts in relation to ALDP Policy T2 (Managing the Transport Impact of Development).

### **Site Drainage and Flooding**

The drainage proposals submitted have been ratified by Roads and Flooding officers and no objections have been forthcoming. For the most part, the information provided is acceptable. However, some clarification relating to how the car parking and access roads will be treated can be dealt with as part of the suspensive condition requiring the submission of updated drainage proposals and via the RCC process.

With regards flooding, the plans originally proposed three houses on the southern side of the access road, within the Den Burn flood plain. The Council's 'flooding' team objected to that proposal on the basis that it could potentially increase flood risk at this section of the Den Burn. In order to allow the application to progress, the plans were amended to remove these properties and discussions are ongoing with a view to finding an acceptable solution. Any further future proposals for the development of this area will be assessed on their merits, taking account of the integrity and value of the open space, sense of place, overall design objectives and any other material considerations.

### **School Capacity**

The indicative capacity of Kingswells Primary is 450 pupils with the current role at 441. Although this provides some capacity on paper, advice from ACC Education indicates that the school is full as a result of recent internal configuration changes which have impacted on non-teaching spaces (library and dining areas for example) which have been converted into teaching space. It is also considered that the potential for extension is limited. Notwithstanding, the development of site OP42 has historically been incorporated into the school role forecasts.

The capacity issues at Kingswells Primary, as set out above, could be mitigated via a developer contributions package to be used for the purposes of expanding Kingswells Primary or transporting children to another school and secured through the s75 legal agreement. A small developer contribution has been requested by the PG Team in respect of education. The developer has indicated that the site would be built in phases: with 21 being before the end of 2014 and the remainder in 2015 which would help limit the scale of impact on the school and this is generally in line with the school forecasts.

### **Relevant planning matters raised by the community council**

1. a) information has been provided which demonstrates that 2 access off Fairley Road could not be accommodated and this was confirmed by the Roads Project Team; b) the affordable units proposed on this part of the overall OP42 site differ in style and tenure from what was approved in the adjacent application for Stewart Milne, although it is accepted that they comprise 9 two bed mid-terraced properties; c) this has been dealt with in the school capacity section above.
2. Phasing is proposed and is discussed in the school capacity section above;
3. School capacity issues are discussed above;
4. The open space proposed is around 0.288ha in size which is in excess of what was expected for this portion of the OP42 site, as indicated within the approved Masterplan;
5. The plans have been updated to show a new drystone dyke at the entrance, which is considered to be in the spirit of the OP42 Masterplan 'gateway';
6. The submitted plans show 'homezone' areas within the application site, which are considered to be in the spirit of the OP42 Masterplan.

### **Relevant planning matters raised in written representations**

In relation to the points raised in written representations; the following comments are raised;

1. The plans have been updated to show the internal road laid out such that it links with / adjoins the Stewart Milne application site and associated road network to the east;
2. A flood risk assessment has been submitted and assessed by the relevant officers. Subsequent to that, the plans have been amended to remove the houses from south of the access road;
3. A drainage impact assessment has been submitted in support of the application and a condition has been attached requiring the submission of detailed drainage details for the site and that these be agreed with the relevant technical officers.

### **Proposed legal agreement for developer contributions**

A section 75 legal agreement can secure: (1) on-site provision of 9no affordable housing units; (2) contributions towards the 'Strategic Transport Fund'; (3) developer contributions towards: affordable housing; education facilities; community and recreation facilities; core path network links/improvements and

local healthcare provision; (4) Provision of a footpath along the western boundary of the application site on Fairley Road. Such an agreement would see the proposals comply with ALDP Policies: I1 (Infrastructure Delivery and Developer Contributions), H5 (Affordable Housing) and the Supplementary Guidance on 'Affordable Housing'.

## **RECOMMENDATION**

**Willingness to approve, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure;**

- 1. On-site affordable housing provision;**
- 2. Strategic Transport Fund contributions;**
- 3. Developer contributions towards:**
  - affordable housing;**
  - education facilities;**
  - community facilities and recreation;**
  - .healthcare; and**
- 4. Provision of a footpath along the western boundary of the application site on Fairley Road.**

## **REASONS FOR RECOMMENDATION**

The proposal is deemed suitably compliant with relevant national policy including Scottish Planning Policy (SPP) in relation to: sustainable development; housing, location and design of new development; and, affordable housing. Further, the proposal is considered to be acceptable in terms of the general principles and objectives of Scottish Government publications: 'Designing Places' and 'Designing Streets'.

In terms of the Aberdeen City and Shire Structure Plan, the application is considered to conform to the general principles contained within the objectives: 'economic growth'; 'population growth'; 'quality of environments'; 'sustainable mixed communities'; and 'accessibility'.

The proposal is considered to be of an appropriate scale, form and style in accordance with Aberdeen Local Development Plan (ALDP) Policy D1 (Architecture and Placemaking). The approach is also consistent with the OP42: West Huxterstone Masterplan and ALDP Policy LR1 (Land Release Policy). An acceptable residential environment is proposed, in accordance with ALDP Policy D2 (Design and Amenity), an appropriate mix of houses is proposed and the density is in line with the requirements of ALDP Policy H3 (Density).

Access and parking arrangements have been agreed with the Council's Road Projects Team, as required by Supplementary Guidance on 'Transport and Access'. The site is easily accessible by foot and motorised vehicles and links would be afforded to the core path network in line with the requirements of ALDP Policy NE9 (Access and Informal Recreation).

Details of appropriate landscaping can be secured via condition, and open space provision exceeds the requirements of the OP42 West Huxterstone Masterplan, ALDP Policy NE4 (Open Space Provision in New Development), and Supplementary Guidance on 'Open Space'.

Appropriate 'Developer Contributions' and 'Affordable Housing' provision can be secured through the s75 agreement, as set out above, in compliance with ALDP Policies I1 (Infrastructure Delivery and Developer Contributions), H5 (Affordable Housing), and Supplementary Guidance 'Infrastructure and Developer Contributions Manual' and 'Affordable Housing'.

It is therefore concluded that the proposed development demonstrates due regard for the relevant provisions of the development plan, and no material considerations have been identified which would warrant a determination other than in accordance with the plan.

## **CONDITIONS**

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

1. That no more than 21 dwellinghouses (i.e. Phases 1 and 2 as shown on drawing no AOL\_208 rev. C) hereby granted permission shall be occupied unless;
  - a. The new pedestrian footpath along the east side of Fairley Road has been provided and is available for use;
  - b. an RCC compliant road link and pedestrian footpath has been provided up to the eastern legal boundary of the application site as per Drawing No APL\_205 rev H;
  - c. the open space provision to the south of the access road (as shown on Drawing No APL\_205 rev H) is completed and laid out in accordance with drawing no APL\_301 rev I, and the Fairley Road planting schedule Rev A (unless otherwords agreed in writing by the Planning Authority). The approved 'public open space' shall not thereafter be used for any purpose other than as public open space;
  - in the interests of amenity, pedestrian safety and in order to allow satisfactory vehicular access to the site to the east and ensure compliance with the West Huxterstone Masterplan.
2. That no more than 40 dwellinghouses hereby granted permission shall be occupied unless all pedestrian footpaths shown on Drawing No APL\_205 rev H have been constructed up to the legal boundary of the application site and are available for use - in order to allow satisfactory pedestrian access to the site to the east and ensure compliance with the West Huxterstone Masterplan.
3. That plots 22 – 34 inclusive hereby approved shall not be occupied unless the car parking areas relative to those houses have been constructed,

drained, laid-out and demarcated in accordance with Drawing No APL\_205 rev H, or such other drawing as may subsequently be submitted and approved in writing by Aberdeen City Council as Planning Authority. Such areas shall not thereafter be used for any other purpose other than the parking of cars ancillary to the development - in the interests of public safety and the free flow of traffic.

4. 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, such a programme shall be submitted in advance for the written approval of Aberdeen City Council as Planning Authority - in the interests of protecting items of historical importance as may exist within the application site.
5. That no development shall take place unless a bird hazard management plan has been submitted to and approved in writing by Aberdeen City Council as Planning Authority (in consultation with Aberdeen International Airport). The submitted plan shall include details of the developer's commitment to managing the risk of attracting birds to the site during excavation activities, measures put in place for the safe dispersal of birds, and thereafter the such approved measures shall be implemented in full – to avoid endangering the safe movement of aircraft and the operation of Aberdeen International Airport through the attraction of birds.
6. That no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by Aberdeen City Council as Planning Authority and thereafter no individual house shall be occupied unless the drainage required for that house has been installed in complete accordance with such an approved scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.
7. That no development shall take place unless a site specific Environmental Management Plan (EMP) must be submitted for the written approval of Aberdeen City Council as Planning Authority (in consultation with SEPA and other agencies such as SNH as appropriate) and all work shall be carried out in accordance with such approved plan. Such plan must address the following: surface water management and pollution prevention; soils management; site waste management; and noise & dust management - in order to minimise the impacts of necessary demolition/construction works on the environment.
8. That no development shall take place unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of the site boundary enclosure along the western side of the development hereby granted planning permission. The scheme shall include details of the 'drystone gateway' to the site. None of the buildings along the Fairley Road elevation (plots 1-9 inclusive) 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.
9. That no development shall take place unless further details of the render finishes to the walls of the dwellinghouses 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.
  10. That no development shall take place unless the mitigation measures as identified in the Northern Ecological Services report (report dated July 2012) have been implemented in their entirety - in the interests of safeguarding the fauna and habitats on-site.
  11. That no development shall take place unless there has been submitted to and approved in writing a detailed Residential Transport Pack 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.

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 Aberdeen City Council as 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" as soon as practicable - in order to preserve the character and visual amenity of the area.

## **INFORMATIVES**

### **Cranes:**

This response applies to a maximum development height of 153m AOD. In the event that during construction, craneage or scaffolding is required, then their use must be subject to separate consultation with Aberdeen International Airport (AIA). We would like to draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome.

**Sustainable Urban Drainage (SUDS):** The proposed SUD ponds have the potential to attract feral geese and waterfowl, therefore details of the pond's profile and its attenuation times are requested from the applicant. If the pond is to remain dry for the majority of the year and has a rapid drawdown time, it should not be an attractant. However, should this not be the case, the scheme must outline the measures in place to avoid endangering the safe operation of aircraft through the attraction of birds.

Landscaping: All landscaping plans and all plantations should be considered in view of making them unattractive to birds so as not to have an adverse effect on the safety of operations at the Airport by encouraging bird feeding/roosting and thereby presenting a bird strike threat to aircraft operating at the Airport. Expert advice should be sought on trees and shrubs that discourage bird activity as described above.

Noise: Given the proximity of the development to the airport, all relevant insulation in building fabric including glasses, glazing and ventilation elements will be supplied and fitted in compliance with current noise attenuation regulations and tested. The Developer is advised to make themselves aware of current flight paths, including that of helicopters.

Hours of Construction: 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.

Lighting: That lighting schemes required during construction phases or in association to the completed development shall be of a flat glass, full cut off design, mounted horizontally and shall ensure that there is no light spill above the horizontal - to avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare.

Waste Management: A full site waste management plan for the processing of construction and demolition waste should be submitted to and approved in writing by the relevant authority (in this case SEPA) and no work shall be carried out unless in accordance with the approved plan unless the relevant authority has given written consent for a variation – to ensure that waste on the site is managed in a sustainable manner

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.