

# Planning Development Management Committee

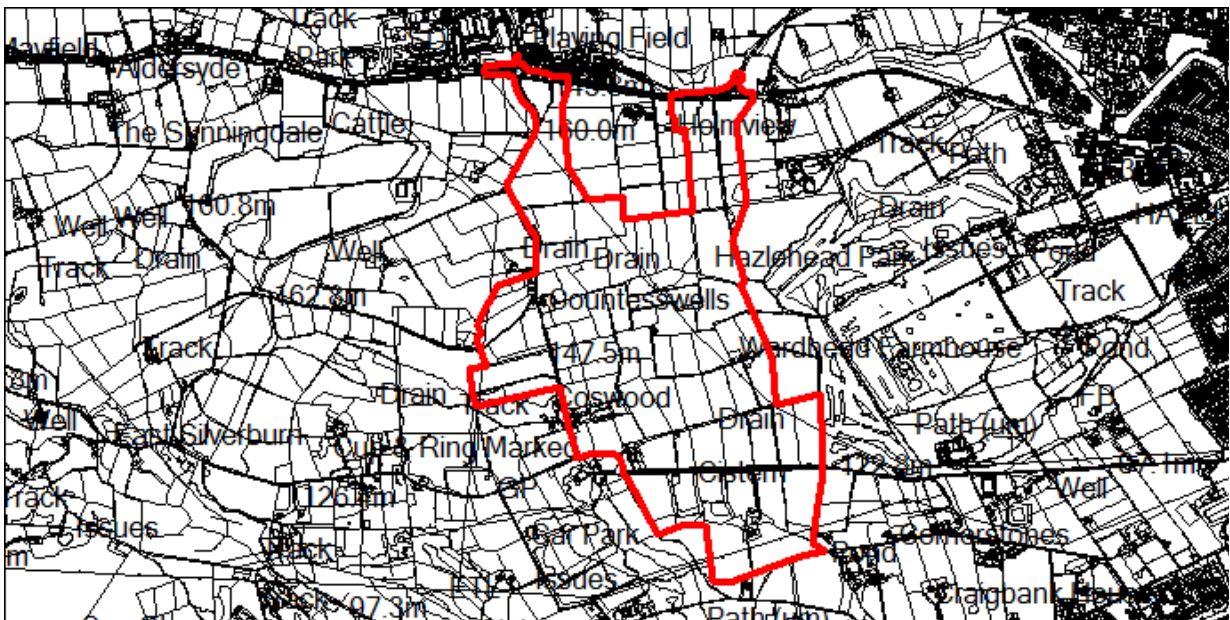
ABERDEEN LOCAL DEV' PLAN SITE OP58, COUNTESSWELLS  
LYING WEST OF HAZLEHEAD PARK

RESIDENTIAL-LED MIXED USE DEVELOPMENT INCLUDING  
APPROXIMATELY 3000 HOMES, EMPLOYMENT,  
EDUCATION, RETAIL, LEISURE AND COMMUNITY USES  
AND ASSOCIATED NEW AND UPGRADED ACCESS ROADS,  
LANDSCAPING AND ANCILLARY ENGINEERING WORKS

For: Countesswells Consortium

Application Type : Planning Permission in Principle  
Application Ref. : P140438  
Application Date: 27/03/2014  
Officer: Paul Williamson  
Ward : Lower Deeside (M Boulton/A Malone/M Malik)

Advert : Can't notify neighbour(s)  
Advertised on: 16/04/2014  
Committee Date: 21 August 2014  
Community Council : Comments



## RECOMMENDATION:

Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to address the following matters:

1. **The provision of 25% affordable housing on site in accordance with the Development Framework and includes a range of delivery options, including contributions towards a gypsy traveller halting site;**
2. **Developer contributions towards primary education provision (one two stream and one three stream school) and a new secondary school plus serviced land for the foregoing;**
3. **Developer contributions towards community facilities, library, sports provision, playing fields and healthcare;**
4. **Developer contributions towards the Strategic Transport Fund;**
5. **Developer contributions towards mitigation on the local roads network together with provision of infrastructure; and,**
6. **Developer contributions towards the Core Paths Network.**

## **DESCRIPTION**

The application site covers 214.72 hectares of predominantly agricultural land between Kingswells to the north and Cults to the south, approximately 5.5 km from the City Centre.

To the west the site is bound by Kirk Brae (C128C) and Countesswells Wood. To the south, the site straddles Countesswells Road, and borders the Foggieton Wood. To the east, the site is adjacent to Hazlehead Wood, while to the north is the A944/Skene Road.

There are a number of sporadic dwellings spread over the application site, while the Loanhead Equestrian Centre has been vacant for some time, and is scheduled to be demolished as part of the wider development proposals.

Also within the site are a number of pockets of trees and woodland, together with the Cults Burn, drainage ditches and dykes. A core path also links the Countesswells Wood and Hazlehead Woods cutting west to east across the site.

In respect of the general topography, the site is contained within a natural bowl in the landscape, and is not readily visible from the surrounding settlements of Kingswells, Cults and Craigiebuckler. The land to the north of the site is slightly more elevated than that to the south, which is also contained by woodland blocks, which act as a backdrop.

## **RELEVANT HISTORY**

In August 2012, the Consortium submitted a proposal of application notice (PoAN) to the Council indicating their intention to carry out public consultation on the proposed development.

An Environmental Impact Assessment (EIA) Screening Request (Ref: 110826) was responded to by the Council on 7 July 2011 advising that as a Schedule 2 development with potential significant effects on the environment, and

Environmental Impact Assessment would be required. A subsequent Scoping Request (Ref: 120826) was received by the Council on 6 June 2012, which sought to examine the specific content that would need to be covered within the environmental statement which would be required in support of the planning application.

On 3 June 2014, the Enterprise, Strategic Planning and Infrastructure Committee approved the Countesswells Development Framework and Masterplan as Interim Supplementary Guidance. This was subsequently sent to the Scottish Government for formal ratification, which was confirmed on 22 July confirming that they did not intend to intervene in the adoption of the Development Framework and Phase 1 Masterplan as Supplementary Guidance to the Local Development Plan. The Development Framework and Masterplan have therefore been formally Adopted as Supplementary Guidance.

Parallel detailed applications have also been submitted for Phase 1 infrastructure works (inc SUDS) (Ref: 140435), 124 dwellings at areas C1/C2 (Ref: 140730), and a further 1076 dwellings at area N10 (Ref: 141110), all of which remain pending at this time.

## **PROPOSAL**

Planning Permission in Principle (PPiP) is sought for a residential development comprising of 3000 units, town and neighbourhood centre (including commercial. Retail and leisure uses), approximately 10 hectares of employment land, community facilities, open space, landscaping and supporting infrastructure including access.

Indicative proposals are shown in the submitted Design and Access Statement. The indicative proposals are identical to those shown with the Development Framework. It is expected that detailed layout and elevation details will be submitted for approval by way of Matters Specified in Conditions (MSC) applications, and will be in accordance with the adopted Development Framework and Phase 1 Masterplan.

The site is identified within the ALDP as an opportunity site (OP58) for a development of 3000 homes and 10 hectares of employment land, covering 165.1 hectares. The application boundary for the application extends to some 214.72 hectares to take into account provision of new roads connections to the A944 to the north. However, the physical areas for development of the dwelling and other built structures, would not extend beyond the allocated area within the ALDP.

The key aspects of the development are -

- The development will accommodate up to 3,000 residential units of which 25% will be affordable, equating to 735 units provided on site (when taking the gypsy traveller contribution into account). Up to 10 hectares of employment land would also be provided. This would include class 4 offices. small business space, retail (convenience), and hotel uses.

- The development shall comprise a total of 35 development blocks, split over the northern, central and southern sections of the site. In respect of phasing, it is envisaged that the development would be built out over 3 phases, each of a five year period, at an approximate construction rate of approximately 200-250 units per year.
- Two neighbourhood centres, one of which would include a town centre adjacent to the 2.6 hectare Central Park. The neighbourhood centres would also accommodate shops and community facilities.
- The development would also provide one secondary school, and two primary schools (with one being a two stream, with the other capable of being a three stream if deemed necessary).
- The Development Framework indicates that health facilities would include suitable NHS provision along with pharmacies and dentists delivered within appropriately sized commercial units within selected neighbourhood centre, thereby accommodating the demand from the new development.
- The proposed average density would be approximately 30 dwellings per hectare, although densities would vary across the settlement to provide variety in built form and create a range of distinctive areas. In the aspects of the development towards the edges, the development may be at below 20 units per hectare, although towards the centre, and primary distributor road would be between 30 – 50 units per hectare.
- Building heights would be between one and four storeys.
- Roads provision i.e. upgraded Jessiefield roundabout, and ultimate grade separation in form of a flyover connecting Lang Stracht to Westbound A944. Also formation of bus gate at Kirk Brae / Kingswells roundabout. Also potential for junction improvements at other points on the local road network.
- The indicative plan illustrates that each development phase could be within a 5 minute walk of potential bus stops, while schools would generally be to a maximum of a ten minute walk for the primary school.
- The development would accommodate open space, which would comprise a full range of uses such as formal recreational facilities and informal places to rest and relax, as well as natural, untamed areas that support biodiversity. The provision at Countesswells, in respect of each ACC space type would include:
  - Major Open Space – 17.52 hectares – Cults Burn Corridor Network, and School Campus/Community Sports facilities;
  - Neighbourhood Open Space – 6.8 hectares – Countesswells Central Park, Countesswells Road Avenue, and Hazleden Park
  - Local Open Space – 2.22 hectares – Core Path Link, Meadowbank Park, and Wardhead Park.

It should be noted that the names of the spaces provided above, have been chosen by the developer.

### **Environmental Statement (ES)**

The proposal was subject to an environmental impact assessment as a “Schedule 2 Development” by virtue of its scale and location, in terms of Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations

1999 (as amended), in that the proposal falls within Table 10 Infrastructure Projects, sub-section (b) Urban development projects, specifically sports stadiums and it exceeds the specified site area threshold. An Environmental Statement (ES) was submitted with the planning application.

The ES reports on the findings of an environmental impact assessment (EIA) of the proposed development. EIA is the process of compiling, evaluating and presenting all of the significant environmental impacts of the proposed development, leading to the identification and incorporation of appropriate mitigation measures.

## **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?ref=140438>

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

Specifically, the supporting documents include:

- Drawings
- Planning Statement;
- Pre-application Consultation Report;
- Drainage Assessment;
- Tree and Woodland Survey Report;
- Geo-environmental Desk Study;
- Geo-technical Interpretative Report;
- Transport Assessment;
- Design and Access Statement; and,
- Environmental Statement comprising:
  - Geology and Soils;
  - Land Use, Agriculture and Infrastructure;
  - Hydrology, Drainage and Water Quality;
  - Air Quality;
  - Noise and Vibration;
  - Ecology, Nature Conservation and Biodiversity;
  - Cultural Heritage;
  - Landscape and Visual Impact Assessment;
  - Pedestrians, Cyclists and Community Effects;
  - Traffic and Transport; and
  - Disruption due to Construction.

## **PRE-APPLICATION CONSULTATION**

The proposed development was the subject to pre-application consultation from May to October 2012 between the applicant and the local community, as required

for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations. The consultation involved:

- Initial public engagement in June 2012 at the respective meetings of: Kingswells Community Council; Cults, Bielside and Milltimber Community Council; and, Craigiebuckler and Seafield Community Council. It comprised exhibitions over a period of 6 hours where representatives of the consortium were on hand to provide information on the proposals and encourage public comments. Information leaflets were available at each venue along with a feedback form.
- 244 people attended over the three days with 96 on day one, 62 on day two, and 86 on day three. 42 feedback comments were received.
- Subsequent meetings with the respective Community Councils in August/September 2012 to update them on progress and address issues raised at the initial consultation events.
- The emerging Development Framework and Masterplan were presented to the Local Community and wider public at public exhibitions on 6-8 September 2012 at the Four Mile House, Kingswells, Airyhall Community Centre, and Cults Academy respectively. The format was similar to those held in June referred to above.
- Meetings with local residents were also held on 26/27 September 2012.
- Following refinement of the development proposals a further round of briefing meetings was held with the Community Council's on 2, 8 and 25 October 2012 respectively.
- In order to encourage participation: personal invitation letters were issued to individuals and organisations, as well as key stakeholders and local residents within notifiable distances; over 10,000 information leaflets were distributed to local homes lying to the west of Aberdeen; press and media releases, and posters promoting local events were distributed in local Community Centres, shops and libraries throughout the area.

A report on the public consultation that was undertaken has been submitted as part of this application. The report details the feedback that was received from the community, any changes that have been made to the development proposals in light of the comments that were received, as well as providing justification for why some suggestions were rejected.

The main concerns raised were in relation to-

- Open green spaces and woodland areas;
- Roads and vehicular congestion, and the linkages to the completion of the AWPR;
- Timings of education provision;
- Integrating the development with the countryside;
- Need for affordable housing;
- The need for infrastructure including schools, shops, health facilities, sport/leisure opportunities, recycling facilities, and a community centre;
- The style and size of properties to meet local needs;
- Impacts on existing property owners; and
- Cumulative impacts of Local Development Plan allocations.

The consultation process has directly informed the preparation of the proposals for the site with particular regard to:

- Creation of a new network of streets running through the development, in accordance with Designing Streets to achieve the aim of reducing speeding traffic on the country roads;
- Provision of the first primary school early in the development;
- Provision of the secondary school close to the centre of the development, which would also include community facilities;
- Inclusion of healthcare, leisure and retail facilities in the town centre;
- Concerns over various pinch points within the development have been addressed through provision of solutions within the site.

## **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to the Planning Development Management Committee because the application has been the subject of twelve timeous letters of representation that express objection or concern about the proposal – representing a significant level of opposition to any major development proposal. Furthermore, the application has also been the subject of a formal objection by the Cults, Bieldside and Milltimber Community Council, whose boundary covers the overwhelming majority of the application site. An objection has also been received from Kingswells Community Council, albeit the extent of land relative to their boundary relates to the Jessiefield roundabout, and a small part adjacent to the Lang Stracht connection. The proposed development has previously been subject to a formal decision by the planning authority that Environmental Impact Assessment should be undertaken. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## **CONSULTATIONS**

**Roads Projects Team** – No objections subject to the use of planning conditions, and appropriate clauses within a Planning Obligation (legal agreement) relating to the provision of off-site infrastructure works. Parking levels, pedestrian access and cycle access shall be ascertained as each subsequent planning application is submitted, and shall need to be provided in line with the Council's guidelines. Considerable discussion with the applicant has taken place, with a number of layout options considered for the Jessiefield junction. Accordingly, options for a staggered junction arrangement, or full signalised crossroads have been discounted.

A phased approach to the principle access for the development has been agreed, albeit further detailed work is required. The initial 300 units will be accessed from the C128C Kingswells to Countesswells Road, and the Kingswells Roundabout (A944/C89C/C128C junction). Beyond 300 units shows that the Switchback (Jessiefield) connection will be required to be provided by the developer. The switchback junction will be provided to a larger elongated roundabout, although

this shall have to undergo detailed design and the Roads Construction Consent process. This junction upgrade will allow the development to expand to 2000 housing units.

At this point a further upgrade to the access junction has been agreed in the form of partial grade separation with the construction of a flyover/overbridge from the Lang Stracht to the A944. This will remove the right turn from the Lang Stracht to Skene Road carrying vehicle towards Kingswells and Westhill/beyond. The construction of this flyover/overbridge will allow the development to be fully constructed.

The construction of the enlarged roundabout can be undertaken using land within the highway boundary, or under the control of the applicant. The construction of the grade separation will require additional land that is in third party control. The applicant shall therefore require to make a contribution to the Council for the cost of constructing this flyover/overbridge. This would therefore have to be catered for within the Planning Obligation (Legal Agreement).

The determination of the stage at which the C128C (Kirk Brae) connection into the Kingswells for private vehicles has still to be fully determined, and therefore a condition requiring analysis of the phasing and modelling of the junction shall be necessary. It is however expected that it shall be post AWPR.

In respect of wider traffic impacts, an impact has been identified on the Lang Stracht that will require to be mitigated. A condition requiring detailed analysis at junctions to be identified with the Roads Authority shall be necessary, and that any associated impacts be mitigated to the satisfaction of the Council. It is possible as an alternative to undertaking the mitigation directly, a contribution towards the cost of the works could be made. It is also noted that works to junctions at Queens Road/Kings Gate, and also Springfield Road/Countesswells Road are being undertaken through contributions from other developers, and the applicant shall require to demonstrate that the proposed works shall have sufficient capacity for the proposed development. Financial contributions may therefore be necessary. Further analysis is also required for the Kirk Brae/North Deeside Road, as well as Friarsfield Road/Kirk Brae junction. Both may also require the implementation of works or the provision of a financial contribution.

The provision of bus routes, and adequate bus stops will be developed through the subsequent planning applications on site. A condition requiring a public transport strategy shall be required for the application, and implementation necessary prior to the occupation of any dwellinghouse on site.

Provision of potential improvement/upgrades to Countesswells Road to improve safety for pedestrians, cyclists and equestrians will require to be controlled by a planning condition.

A contribution will be required to be provided towards the Strategic Transport Fund (STF). An estimate of the level of contribution has been identified to the developer in accordance with Council's Supplementary Guidance. The exact



level sought is dependant upon the specific types and number of properties to be provided. The planning obligation (legal agreement) shall therefore have to take this into account, and provide an appropriate clause.

Travel Plans, including residential Travel Packs, will be required for every aspect of this development, including residential and employment uses.

**Environmental Health** – No objection. Acknowledge that increased traffic will result in an imperceptible increase in the concentration of PM10, PM 2.5 NO<sub>2</sub> and there is no risk of exceedance of the national air quality objectives in the vicinity of the site. Development should be designed to minimise emissions and meet the requirements of the Air Quality Action Plan. Noise mitigation may be required for properties in close proximity to existing main roads. The final design of areas in the vicinity of Hazelhead Park should consider the impact of the development and ensure that tranquillity is preserved. Recommend that conditions be attached in relation to:

- Dust Management Plan outlining the dust mitigation measures and controls; and
- A scheme for protecting proposed residential properties from traffic noise at locations where WHO Guideline Values for Community Noise are exceeded.

**Environmental Health (Contaminated Land)** – No objection. The Desk Study for the whole development site has highlighted the potential for contamination in small areas of the overall site. Recommend that conditions are attached in respect of a contaminated land assessment; and the implementation of any necessary mitigation/remediation.

**Housing and Environment (Waste)** – No objection. Provide guidance on the specific requirements of Supplementary Guidance which shall require to be addressed through each subsequent detailed or Matters Specified in Conditions application.

**Developer Contributions Team** – Outline that developer obligations are required towards:

- Education: two primary schools, and one secondary school;
- Community Facilities;
- Sports and recreation;
- Playing Fields;
- Healthcare;
- Core Path Network;
- Gypsy Traveller Site; and
- Strategic Transportation.

**Enterprise, Planning & Infrastructure (Flooding)** - No objection. The main features considered for the design of the SUDS are in line with the requirements of ACC. A greenfield run-off rate of 5.77 l/sec/h remains within the usual range of figures considered in this area. The proposed use of several basins permits a local management of the surface water run-off, which is a better approach than designing large attenuation ponds at the end of the overall catchment. When detailed plans come forward it shall be necessary to take all existing watercourses into account.

**Education, Culture & Sport (Archaeology)** – No objection. A planning condition is required to secure the submission of a scheme of archaeology for each development phase/block of the development

**Scottish Environment Protection Agency** – No objection. Following the receipt of additional information, issues in respect of flood risk, ground water dependant terrestrial ecosystems, and private water supplies have been resolved. Also outlined the following points:

- Assume that the determination of the planning applications shall follow the approval of the Masterplan;
- In order to meet the objectives of the Water Framework Directive, developments should be designed to avoid engineering activities in the water environment wherever possible. We therefore welcome the objective to enhance existing watercourses and therefore incorporate them fully into the development layout.
- A habitat corridor between Hazlehead woodland and Countesswells woodland is also welcomed.
- Construction works have the potential to pollute the water environment. If not properly managed it can impact upon Aberdeen's drinking water supply.
- Confirmation should be obtained from Scottish Water that adequate infrastructure will be in place for both the transfer (pumping stations/sewers) and treatment (Waste Water Treatment Works) of foul water from this development.
- Discussions with Scottish Water to ensure that the necessary upgrades for water are in place for each phase of the development.
- The proposals have the potential to impact upon Air Quality Management Areas, and cumulative impacts require to be considered

Should the above objections be overcome, then conditions would be required in respect of:

- A detailed scheme for the protection/enhancement of the water environment;
- A detailed scheme illustrating the location and type of the Private Water Supplies serving Bogskethy and Upper Kingshill shall be provided;
- A detailed scheme for surface water drainage (SUDS) in any phase on site;
- A detailed Construction Environment Management Plan, including waste management proposals, to address all potential pollution prevention and environmental management issues related to construction works;
- Connection to the public waste water system;
- Water saving technologies throughout the development to reduce the need for local water abstraction; and,
- All works being carried out in accordance with the Summary of Environmental Commitments within Chapter 18 of the Environmental Statement.

**Scottish Natural Heritage** – The proposal could be progressed with appropriate mitigation in respect of the risk to fresh-water pearl mussels and salmon, two of

the interests of the River Dee SAC. No objection if conditions relating to the following aspect are attached:

- Detailed and Construction Environmental Management Plans for each phase of the development, including site specific construction method statements, measures to minimise the risk of sediment entering watercourses, and the mechanism for compliance;
- Details of the SUDS scheme, its adoption and maintenance, in order to manage sediments and pollutants from construction and operation of the development;
- A Water Efficiency Statement;
- Species Protection Plans; and,
- Landscaping and connectivity between Countesswells and Hazlehead Woods.

**Scottish Water** – No objection to this planning application. There is currently sufficient capacity in the Invercarnie Water Treatment Works to service the demands from this development. However a Water Impact Assessment is required to ensure that the network can supply adequate flow and pressure to the development and to ensure no detriment to existing customers in the area. Scottish Water is carrying out a strategic wastewater modelling study within the Aberdeen Area (Nigg and Persley catchments). The study will take account of all known developments in the area and will identify what mitigation works are required to serve these developments.

**Transport Scotland** - No objection. Requests that a condition be attached restricting the first phase of development to 1000 residential units, 1000 square metres of Class 4 office space, and 2500 square metres of Class 1 retail space, for the period prior to the Aberdeen Western Peripheral Route being open to traffic, and the subsequent removal of trunk road status for the A90 Anderson Drive.

**Historic Scotland** – No objection, as there would be no significant impacts on scheduled monuments, category A Listed Buildings, Gardens and Designed Landscapes, or battlefields.

**Aberdeen International Airport** – No objection. The proposal has been assessed from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. Require that conditions are attached in respect of: building heights; cranes; bird hazard management plan, and SUDS. Further advice was also provided in respect of landscaping schemes.

**Aberdeen Western Peripheral Route Team** - Indicated that additional information was required in respect of the development trip totals leaving/entering the site via the Kingswells roundabout.

**NATS Safeguarding** – No safeguarding objection to the proposals.

**Cults Bieldside and Milltimber Community Council** – Object for the following reasons:

- It is not satisfactory for comments to be sought on a planning application, before the deadline for comments on the Development Framework and Masterplan for the same site.
- Dates for the opening of the primary and secondary schools should be laid out in the planning application, and legal agreement.
- Concerns about the positioning of the secondary school under the alignment of the high voltage power line;

- The school design should incorporate adequate drop-off/picking up areas;
- The ownership and future management of greenspace areas must be established as part of the legal agreement, to ensure that future maintenance is provided/delivered;
- Concerns over proximity of houses to existing woodland in light of potential safety implications;
- Consideration should be given to preserving more of the wetland areas to the south west of block S9, to provide an amenity area;
- There should be a firm provision to provide single storey bungalows for housing the elderly;
- The quality and design of the affordable housing should be of a high enough standard that would be acceptable to housing associations;
- There is little reference within the plans to the opportunities for taking advantage of natural energy;
- Potential road closures of Kirk Brae could have significant implications on traffic flows. As such, no closure of this road should take place until the link to Jessiefield junction is available for use;
- The proposed route for the road to Jessiefield appears to run through the western edge of the garden of remembrance for Aberdeen Crematorium. This is inappropriate and should be moved;
- The City Council should consider the alignment of the road through the middle of the development, and instead route it around the edge of the new settlement;
- No imaginative solutions to travel modes in the Transportation Assessment i.e. Monorail, dedicated bus-road, or tram;
- The TA does not include surrounding committed developments such as Friarsfield or Oldfold;
- The model within the TA seems overly optimistic, with observed queues longer than modelled ones;
- It is doubted that simple signalling would resolve the ratio of flow to capacity of road junctions;
- The provision of high speed broadband through fibre optic cable should be mandatory for the development, and should be included within the legal agreement.

**Kingswells Community Council** – KCC approved of the main road access into the development being from the Jessiefield junction on the A944. It also supports the eventual restriction of the existing Cults-Kingswells road (C189) to a bus and cycle route that also allows access to existing properties. However, concerns are raised over the following aspects:

- The main access road is shown running through the area for the western expansion of the cemetery, and the existing garden of remembrance;
- There will be traffic problems on the C189 (Cults to Kingswells road) until the new connection at Jessiefield is provided;
- Little confidence in the traffic assessment calculations as the Blacktop Road is used as a rat-run from Westhill to Countesswells, and not suitable for high volumes of traffic;
- Small bungalows or flatted accommodation with lifts would be attractive to elderly people. Developers need to take this need into account;

- Claims over the amount of green space are misleading, as several green areas are wayleaves for overhead power lines;
- The development must be hidden as far as possible from Kingswells and Brimmond Hill. This may require a substantial belt of planting to blocks N1 and N3;
- The route of the main access through a forested area should not be used as an excuse for removing whole blocks of woodland. Trees should be replaced with indigenous species;
- SUDS basins should be used to encourage biodiversity. Unattractive and sterile grass basins, devoid of any water, are not acceptable;
- It is disappointing that the former reservoir shown in 3.3.1 of the consultation document is not being exploited to create an area of biodiversity and a possible water feature;
- The allocation of S9 is inappropriate;
- It is essential that maintenance arrangement for all communal spaces are set out transparently and in legal terms from the outset;
- There is considerable scope to increase the biodiversity on the Countesswells site. To achieve this, some of the green areas should be kept in a managed but un-manicured state; and
- All homes and businesses should have easy access to high speed, fibre optic broadband from the outset.
- However KCC did acknowledge support for the creation of the Central Park, use of existing watercourses, and the conversion of the tree lined section of Countesswells Road to a vehicle-free access;

**Craigiebuckler and Seafield Community Council** – CSCC welcomed the 25% allocation for affordable housing. However, concerns are raised over the following aspects:

- The existing roads infrastructure will be inadequate to cope with the traffic generated;
- Despite recent upgrades to the A944, the volume of traffic attempting to access the roads during rush hours will result in lengthy queues, which will in turn increase air pollution;
- There is no apparent record of hydrology surveys having been completed on this site, and therefore natural springs and watercourses have not been taken into account;
- Adjacent medical practices shall be overburdened until medical facilities have been provided on site; and,
- There are no details within the Development Framework as to the timing for the transition between the interim and permanent educational establishments. The strategy of utilising Braeside Infant School, which itself requires upgrading, could see class sizes increasing beyond the guidelines set by the Scottish Government.

## **REPRESENTATIONS**

12 number of letters of representation/objection/support have been received. The objections raised relate to the following matters –

- 1) Support the comments made by the Cults, Bieldside and Milltimber Community Council;
- 2) Links to public transportation to the south should be provided as they are currently weak;
- 3) The planning application is premature given the context of the Countesswells Development Framework and Masterplan;
- 4) The routing of the proposed access to the Jessiefield Junction would cut through OP68 where an extension to the crematorium and cemetery is proposed. This element has not been properly consulted upon;
- 5) The transportation elements in the altered Countesswells Development Framework required detailed analysis before receiving Council approval;
- 6) The application description is inadequate to describe the site, and could prejudice consultees, and may be inadequate for the purposes of advertisement for the EIA;
- 7) The number of non-residential uses requires to be properly referenced;
- 8) The extent of retail floorspace is not quantified and could have serious implications upon the transportation network;
- 9) Considers the level of pre-application consultation was inadequate as most took place during 2012 with little thereafter;
- 10) No justification has been provided in the Pre-Application Consultation Report for the alteration to the northern means of access;
- 11) The application (including supporting statement and detailed Design and Access Statement) fail to address planning policy considerations such as: OP68 (Skene Road, Hazlehead), Green Belt (Policy NE2) and Green Space Network (Policy NE1);
- 12) The Environmental Statement (ES) fails to adequately assess elements of the proposed development outwith the OP58 designation, and therefore is not in accordance with the EIA regulations;
- 13) The loss of Green Belt and Green Space Network is unacceptable in both qualitative and quantitative terms;
- 14) Do not consider that alternatives to the access routes have been fully considered as per the requirements of Green Belt policy;
- 15) Matters within the Transportation Assessment do not seem to have been addressed in full and are therefore not a cohesive analysis of the traffic impact of the proposed development and proposes inconclusive validation of the case for a single vehicular access at the Jessiefield Junction;
- 16) The proposal would result in urban sprawl, and not the creation of a new community;
- 17) The proposal shall result in the loss of rural jobs/livelihoods, and in particular in the equestrian industry those impacting upon the 'horsicultural' designation by DEFRA;
- 18) The proposed paths through the sites are no substitute for the unhindered access enjoyed at present;
- 19) Materials and design previously imposed on other rural developments have been largely waived for major developers;
- 20) No development should be allowed until the AWPR is delivered;
- 21) The Kirk Brae Road between Countesswells and the Kingswells roundabout is already at capacity;

- 22) The site in Countesswells is an environmentally sensitive area. There are several areas of protected land and rare species which need to be protected;
- 23) The existing trees on site should be protected given their contribution to the character of the area;
- 24) The amenity of existing residents shall be impacted upon during the build out phase;
- 25) Input into specific design is essential as part of the consideration of future applications;
- 26) Any development in Countesswells is unsustainable in transport terms;
- 27) Potential impacts on biodiversity and wildlife;
- 28) The junction with the Kingswells Road should be a flyover, as enough money shall be made from the development to 'stump up' for the required infrastructure;
- 29) The developers have not addressed the major issues raised by attendees at pre-application meetings;
- 30) Access and water supply issues have not been adequately addressed;
- 31) There should be no houses built until the supporting infrastructure is in place such as roads, schools, shops, doctors etc
- 32) The principle of development on green belt has not been established over developing and enhancing existing established urban settlements;
- 33) Potential implications on development identified at the south field of the Craigiebuckler Campus (James Hutton Institute);
- 34) Traffic safety implications on the existing road network as a result of increased development; and,
- 35) Ribbon development ruins cities.

The following matters raised are not material planning considerations:

- Has the Treasury Bond been approved, will it be in place before commencement, and would it be lost following a Yes vote in the referendum;
- What process was adopted to select the Countesswells development for UK Government funding ahead of others;
- Is there sufficient funding in place to build out the development? If the oil price drops, is there sufficient economic backing;
- ASPC indicates that there is no shortage of properties available, and therefore the need for the whole development is questioned;
- The schooling provided must be of the same standard as the current zones schools (Cults Primary and Secondary). School catchment zones shall also have to be re-set; and,
- Dogs may be allowed to roam which may endanger animals as part of a crofting business.

Support was received from one organisation which highlighted the following positive aspects:

- We strongly support the creation of a mixed use development that provides jobs, spaces and amenities in addition to housing;
- Encourage and support the provision of affordable housing. A diverse mix of sizes and types of accommodation should be provided.

## **PLANNING POLICY**

### **National Policy and Guidance**

SPP (Revised June 2014) – SPP is the statement of Scottish Government Policy on land use planning, and includes the Government's core principles for the operation of the planning system, subject planning policies, and how they should be exercised to contribute to the objective of sustainable development. The principle policies relating to sustainability and placemaking and subject policies relating to: a Successful, Sustainable Place; a low Carbon Place; a Natural, Resilient Place; and, a Connected Place, are all relevant material considerations.

Creating Places (Architecture and Place Policy Statement) – Scotland's new policy statement on architecture and place sets out the comprehensive value good design can deliver. Successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy.

The document contains an action plan that sets out the work that will be taken forward to achieve positive change.

The statement is in four parts:

1. The value of architecture and place;
2. Consolidation and ambition;
3. A strategy for architecture and place; and
4. Resources, communications and monitoring.

Designing Places (Design Policy) – This planning policy statement was launched in 2001 and sets out government aspirations for design and the role of the planning system in delivering these.

The aim of the document is to demystify urban design and to demonstrate how the value of design can contribute the quality of our lives. Designing Places is a material consideration in decision in planning applications and appeals. It also provides the basis for a series of Planning Advice Notes (PAN's) dealing with more detailed aspects of design.

### **Aberdeen City and Shire Strategic Development Plan (March 2014)**

The SDP sets out the following key objectives for the growth of the City and Aberdeenshire:

- Economic Growth – to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.
- Population growth – to increase the population of the city region and achieve a balanced age range to help maintain and improve people's quality of life.



- Quality of the environment – to make sure new development maintains and improves the region’s important built, natural and cultural assets.
- Sustainable Mixed Communities – to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to;
- Accessibility – to make sure that all new development contributes towards reducing the need to travel and encourages people to walk, cycle or use public transport by making attractive choices.

## **Aberdeen Local Development Plan**

### Policy LR1 Land Release Policy

Opportunity Site OP58 Countesswells, which is the subject of this application, has been zoned under this policy for 2150 homes for the period 2007 – 2016, 850 homes for the period 2017-2030, and a total of 10 hectares of employment land across both periods.

The site is identified as opportunity site OP58 and is described as being a large new community covering 165.1 hectares. It further identifies that a Masterplan will be required.

### Policy LR2 Delivery of Mixed Use Communities

Mixed use developments will be required to service employment land long with the associated phases of the housing development. This means that the road, water, gas and electricity infrastructure will need to be considered for the whole site.

### Policy I1 Infrastructure Delivery and Developer Contributions

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded 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.

Infrastructure requirements relating to Masterplan Zone sites are set out in Appendix 4. For Countesswells it identifies: contributions towards the cumulative impact of development on the transport network; new road links and major junctions at the A944, with appropriate design standards to accommodate forecasted traffic volumes; new development being served by comprehensive pedestrian and cycle network and frequent public transport services including new and extended services; new secondary school within the proposed development; two to three primary schools with the proposed development; possible contributions towards water supply and drainage infrastructure; a new five GP Health Centre (including land); New four chair Dental Surgery (including land), which could form part of the aforementioned health centre; and, two new community pharmacies

The level of provision or contribution required will relate to the development proposed either directly or to the cumulative impact of development in the area and be commensurate to its scale and impact.

#### Policy T1 Land for Transport

Transport infrastructure required to facilitate new development will also be supported in principle, including walking and cycling facilities, new and extended public transport services, and new and improved roads.

#### 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.

Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review.

Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail 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. To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied. Landmark or high buildings should respect the height and scale of their surroundings, the urban topography, the City's skyline and aim to preserve or enhance important views.

#### Policy D2 Design and Amenity

Includes various principles to ensure the provision of appropriate levels of amenity.

#### 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.

Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on

Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation.

Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained through the provision of suitable alternative routes.

#### 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.

#### Policy BI1 Business and Industrial Land

Aberdeen City Council will support the development of the business and industrial land allocations set out in this Plan. New business and industrial land proposals shall make provision for areas of recreational and amenity open space, areas of strategic landscaping, areas of wildlife value and footpaths, in accordance with the Council's Open Space Strategy, Open Space Supplementary Guidance and approved planning briefs/masterplans.

#### Policy H1 Residential Areas

Within existing residential areas and within new residential developments, proposals for new residential development and householder development will be approved in principle if it:

1. Does not constitute overdevelopment;
2. Does not have an unacceptable impact on the character or amenity of the surrounding area; and,
3. Does not result in the loss of valuable and valued areas of open space;

#### Policy H3 Density

The City Council will seek an appropriate density of development on all housing allocations and windfall sites. All residential developments of over one hectare must:

1. Meet a minimum density of 30 dwellings per hectare (net);
2. Have consideration of the sites 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 H4 Housing Mix

Housing developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan, reflecting the accommodation requirements of specific groups, in particular families and older people. This mix is in addition to affordable housing contributions.

#### 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. Further guidance on the provision of affordable housing from new developments is available in Supplementary Guidance on Affordable Housing.

#### Policy H7 Gypsy and Traveller Requirements for New Residential Development

Sites listed below are required, as part of the 25% affordable housing contribution, to make contributions towards the provision of sites for Gypsies and Travellers. The contribution will be for small sites of six pitches, with a new area of approximately 0.5 ha.

Site: Grandhome  
Newhills Expansion (Craibstone, Rowett South and Greenferns landward)  
Countesswells  
Greenferns  
Loirston

With Grandhome, the Newhills expansion and Loirston sites, the provision must be provided on-site.

#### Policy CF2 New Community Facilities

Proposals for new community facilities shall be supported, in principle, provided they are in locations convenient to the community they serve and are readily accessible, particularly to public transport, pedestrians and cyclists. In significant greenfield and brownfield developments, where a likely need is identified through the masterplanning process, sites shall be reserved for new community facilities.

#### Policy RT5 Retail Development Serving New Development Areas

Masterplans for sites allocated for major greenfield residential development should allocate land for retail and related uses at an appropriate scale to serve the convenience shopping needs of the expanded local community. Sites should be in accessible locations for walking, cycling and public transport. Masterplans should indicate the delivery mechanism and timescale for the provision of retail uses.

Proposals for retail development which serves a wider catchment area will be subject to a sequential test and retail impact assessment in accordance with Policy RT1.

### Policy NE1 Green Space Network

The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted. Where major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments shall take into account the coherence of the network. In doing so measures shall be taken to allow access across roads for wildlife and for access and outdoor recreation purposes. Masterplanning of new development should determine the location and extent of the Green Space Network within these areas.

Development which has any impact on existing wildlife habitats, or connections between them, or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network.

### Policy NE4 Open Space Provision in New Development

The City Council will require the provision of at least 2.8 hectares of per 1000 people of meaningful and useful public open space in new residential development. The nature of the provision is set out in Supplementary Guidance on Open Space.

Communal or public open space should be provided in all residential developments, including those on brownfield sites.

### 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. Buildings and services should be sited so as to minimise adverse impacts on existing and future trees and tree cover. Native trees and woodlands should be planted in new development.

### Policy NE6 Flooding and Drainage

Development will not be permitted if:

1. It would increase the risk of flooding;
2. It would be at risk itself from flooding;
3. Adequate provision is not made for access to water-bodies for maintenance; or
4. It would result in the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

Applicants will be required to provide an assessment of flood risk where a development is likely to result in a material increase in the number of buildings at risk from flooding.

Where more than 10 homes is proposed, the developer will be required to submit a drainage impact assessment. Surface Water Drainage associated with development must:

1. Be at the most appropriate available in terms of SUDS; and
2. Avoid flooding and pollution both during and after construction.

Connection to the public sewer will be a pre-requisite of all development where this is not already provided.

#### Policy NE8 Natural Heritage

Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its natural heritage value will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy.

In all cases of development at any location:-

1. Applicants should submit supporting evidence for any development that may have an adverse effect on a protected species demonstrating both the need for the development and that a full range of possible alternative courses of action has been properly examined and none found to acceptably meet the need identified;
2. An ecological assessment will be required for a development proposal on or likely to affect a nearby designated site or where there is evidence to suggest that a habitat or species of importance exists on the site;
3. No development will be permitted unless steps are taken to mitigate negative development impacts. All proposals that are likely to have a significant effect on the River Dee SAC will require an appropriate assessment which will include the assessment of a detailed construction method statement addressing possible impacts on Atlantic Salmon, Freshwater Pearl Mussel and Otter. Development proposals will only be approved where the appropriate assessment demonstrates that there will be no adverse effect on site integrity, except in situations of overriding public interest;
4. Natural heritage beyond the confines of designated sites should be protected and enhanced;
5. Where feasible, steps to prevent further fragmentation or isolation of habitats must be sought and opportunities to restore links which have been broken will be taken;
6. Measures will be taken, in proportion to the opportunities available, to enhance biodiversity through the creation and restoration of habitats and, where possible, incorporating existing habitats;
7. There will be a presumption against excessive engineering and culverting; natural treatments of floodplains and other water storage features will be preferred wherever possible; there will be a requirement to restore existing culverted or canalised water bodies where this is possible; and the

inclusion of SUDS. Natural buffer strips will be created for the protection and enhancement of water bodies, including lochs, ponds, wetlands, rivers, tributaries, estuaries, and the sea.

#### Policy NE9 Access and Informal Recreation

New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, and other paths and rights of way. Core Paths are shown on the proposals maps. 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 NE10 Air Quality

Planning applications for development which has the potential to have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and can be agreed with the planning authority. Such planning applications should be accompanied by an assessment of the likely impact of development on air quality and any mitigation measures proposed (see Air Quality Supplementary Guidance).

#### Policy R2 Degraded and Contaminated Land

The City Council will require that all land that is degraded or contaminated, including visually, is either restored, reclaimed or remediated to a level suitable for its proposed use. This may involve undertaking site investigations and risk assessments to identify any actual or possible significant risk to public health or safety, or to the environment, including possible pollution of the water environment, that could arise from the proposals. Where there is potential for pollution of the water environment the City Council will liaise with SEPA.

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

Housing developments should have sufficient space for the storage of residual, recyclable and compostable wastes. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and on other developments where appropriate. Details of storage facilities and means of collection must be included as part of any 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 standards. This percentage requirement will be increased as specified in Supplementary Guidance.

### **Supplementary Guidance**

Countesswells Development Framework and Phase 1 Masterplan was considered at the meeting of the Enterprise, Strategic Planning and Infrastructure Committee on 3 June 2014, where Members were minded to approve the Development Framework and Masterplan as Interim Guidance to the Aberdeen

Local Development Plan (2012). The Scottish Ministers have subsequently confirmed on 22 July that they do not intend to intervene in the adoption of the Countesswells Development Framework and Phase 1 Masterplan as supplementary guidance to the Adopted Aberdeen Local Development Plan. The CDF has therefore been formally adopted as Supplementary Guidance to the LDP.

[Affordable Housing](#)

[Air Quality](#)

[Archaeology and Planning](#)

[Drainage Impact Assessments](#)

[Gypsy and Traveller Sites](#)

[Infrastructure and Developer Contributions Manual](#)

[Landscape Strategy Part 2 – Landscape Guidelines](#)

[Low and Zero Carbon Buildings](#)

[Transport and Accessibility](#)

[Trees and Woodlands](#)

[Waste Management Requirements in New Development](#)

### **Other Relevant Material Considerations**

None relevant to this 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.

The proposed development is classed a 'major development' in terms of The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009.

An Environmental Statement (ES) was required as the development falls within Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended) and exceeds the thresholds set down in the Regulations. An ES has to identify the likely environmental effects of a project through the study and analysis of individual issues, predicting and assessing the projected impacts and proposing measures to mitigate the effects. Before determining the application the Council must take into consideration the information contained in the ES, including any further information, any comments made by the consultation bodies and any representations from members of the public about environmental issues. The ES is submitted in support of the planning application but it is not part of the application itself. However, provided it serves a planning purpose, any information from the environmental impact assessment process may be material and considered alongside the provisions of the development plan.



### **Adequacy of the Environmental Statement (ES)**

Before considering the merits of the proposed development it is appropriate to comment on the ES submitted in support of the application. There is no statutory provision as to the form of an ES but it must contain the information specified in Part II and such relevant information in Part I of Schedule 4 of the Environmental Impact Assessment (Scotland) Regulations 2011 as is reasonably required to assess the effects of the proposed development and which the applicant can be reasonably required to complete. Whilst every ES should provide a full factual description of the development, the emphasis of Schedule 4 is on the 'main' or 'significant' environmental effects to which the development is likely to give rise. An ES must comply with the requirements of the Regulations, but it is important that it is prepared on a realistic basis and without unnecessary elaboration. It is for the Council to satisfy itself on the adequacy of the ES. If it is deemed to be inadequate, then the application can be determined only by refusal. In this instance, the ES is considered to be satisfactory as the submission has been fully assessed by experts both within the Council and through consultees, thus meeting the requirements of the Regulations.

### **Principle of Development**

The site is identified in the Local Development Plan (LDP) as OP58 and under Policy LR1 as land released for housing and employment uses. The housing allocation on the application site is split between 2,150 houses in the period between 2007-2016, and 850 houses in the period between 2017-2023. The Strategic Development Plan illustrates that in light of the location within the City, the site forms part of the Strategic Growth Area., and would therefore meet with the spatial strategy of the SDP. Sufficient justification has been provided by the applicant for the need to include the phase 2 (2017-2023) land within the application. This is on the basis of the infrastructure costs associated with the delivery of such a large allocation. There is no prospect of achieving the entire 2,150 allocation within phase 1 before the end of 2016, and therefore the development shall result in a construction period over the next 15 years. The proposal is considered to comply with the aims and objectives of strategic development plan in this regard, and accords with the general principles contained within the Land Release Policy.

The employment land element is across phases 1 and 2 and the proposal therefore complies with the land release policy in this regard.

### **Mixed Use Communities**

The proposal includes 10ha of employment land and this is defined in the development schedule as containing class 4 offices. Small business space, retail (convenience), and hotel uses. The applicant has outlined in supporting documentation that in light of the significant provision of class 4 office space within close proximity i.e. Prime 4 Business Park at Kingswells, which is an already established and growing destination, there is unlikely to be significant demand for a further roll-out of solely class 4 sites within the Countesswells

allocation. As such, a number of additional employment opportunities have been identified to help ensure that a continued supply of employment opportunities is brought forward. The proposal therefore complies with Policy LR2 (Delivery of Mixed Use Communities).

## **Housing**

The Countesswells Development Framework and Phase 1 Masterplan (CDF) sets out the principles of the development, and aims to coordinate the planning and delivery of both the development and its associated infrastructure requirements. It also aims to establish a clear and exciting future at Countesswells; describe and explain the integrated land-use, landscape and transport proposals; and, set out a clear phasing strategy. In doing so, it has also set out the importance of place-making, and providing opportunities for living, working and recreational activities in a sustainable approach. The framework also indicates a range of densities and house types/sizes across the site, and has been adopted as Supplementary Guidance to the LDP. Conditions attached to this PPIp permission would require the submission of Matters Specified in Conditions applications to show the detailed site layout, and component parts for each phase, with subsequent detailed Masterplans (for Phases 2 and 3) that would require to be adopted as Supplementary Guidance in due course. With the attachment of such conditions, it can be ensured that the proposal does not constitute over development, is acceptable in terms of the level of amenity provided for future residents, as well as the residents of existing properties spread across the application site. The proposal therefore complies with the principles of Policies H1, H4, D1, and D2, albeit a full assessment shall be made in future applications.

In respect of density, the proposal ties in with the approved Development Framework in that it illustrates a range of densities across the site, with some areas being developed in excess of 50 residential units per hectare towards the proposed town centre, and outlying areas being developed at less than 20 units per hectare. Overall, once completed the development shall ensure that the overall density on site is provided at a level in excess of the 30 dwellings per hectare density requirement set within the Development Plan. As such the proposal is considered to accord with Policy H3 (Density) of the LDP.

A further aim of the SDP and the LDP is to ensure that new development provides an appropriate level of affordable housing in new development. Policy H5 outlines that housing developments are required to provide no less than 25% of the total number of units as affordable housing. In parallel to this, is a further requirement through Policy H7 to ensure that as part of the 25% affordable housing provision, contributions should also be made towards sites for Gypsies and Travellers. In this instance, the applicant has agreed to the provision of a total of 735 units (24.5 % of the overall total) for affordable housing on site, together with a financial contribution (equivalent to 0.5% of the overall total/15 units ) towards a site for gypsies and travellers which shall be provided off-site on one of the sites identified through Policy H7 (Grandhome/Newhills Expansion/Loirston). The exact mechanism for the types of affordable housing

shall be incorporated into the Developer Obligations (legal agreement) for this development. This shall provide a degree of flexibility to cater for Registered Social Landlord developments, shared equity, low cost home ownership, national housing trust units etc. Accordingly, final arrangements for affordable housing delivery will be arrived at through discussions with housing officers, with due regard to the phasing of the development.

## **Environmental Impact Assessment**

Environmental Impact Assessment (EIA) is a means of drawing together, in a systematic way, an assessment of the likely significant environmental effects arising from a proposed development. The proposed development is of a type and scale listed in Schedule 2 to the 2011 EIA Regulations and, based on consideration of its likely effect on the environment, by virtue of factors such as its size, nature and location, the planning authority has adopted a formal opinion that EIA is required. In such cases, applications for planning permission must be accompanied by an Environmental Statement (ES) detailing, amongst other specified matters, a description of the aspects of the environment likely to be significantly affected by the development, including, geology and soils, land use, hydrology, air, noise and vibration, ecology, landscape and visual, community effects, and traffic to name just some of the aspects covered, and also by a 'non-technical summary' of the Environmental Statement'.

The non-technical summary provided in connection with this application for planning permission in principle describes the following mitigation proposals in relation to the effects predicted:

- Geology and Soils:
  - Risks are considered to be through contamination, infilling and radon gas. Geology features are considered to be a low sensitivity and importance. Crop production capabilities and mineral resources on site are of low to medium importance. Intrusive geo-environmental investigation and testing has been recommended to determine if remediation of soil and/or groundwater is required. Mitigation would be through any remediation measures identified at the detailed design stage for each subsequent application in the design blocks identified in the Development Framework.
- Land Use:
  - Predicted effects are anticipated to be loss of agricultural/grazing land, and temporary disruption to infrastructure and utilities. Particular attention to these elements is to be given during the construction phase. Enhancement shall take place to the public footpath and cycle network, landscaped open space, and new public realm/civic spaces.
- Hydrology, Drainage and Water Quality:
  - Potential impacts on water could occur during the construction phase, with impact to the Cults Burn being medium to large.

Mitigation would be through an appropriate Construction Method Statement (CMS) and the use of best practice relating to SUDS.

- Impacts on the private water supplies of Bogskethy and Upper Kingshill shall require detailed analysis prior to commencement, and throughout the course of construction.
- Air Quality:
  - Current concentrations of air pollution in the area are well within the Government's air quality objectives, the main source of which is road traffic.
  - The most considerable of the potential impacts arise through the construction phase as a result of dust emissions arising from earthworks, demolition, and stockpiles of material.
  - Construction traffic will also result in minor increases in local concentrations of PM<sub>10</sub> and NO<sub>2</sub>.
  - Following completion of the development the main impact on air quality will be an imperceptible increase in concentrations of PM<sub>10</sub>, PM<sub>2.5</sub> and NO<sub>2</sub> due to increased traffic flow on local roads.
  - While ultimate levels will remain low in comparison to the Government's objectives, the development shall incorporate some features intended to minimise reliance on private transport that shall minimise the adverse air quality impacts.
- Noise and Vibration:
  - While traffic shall increase as a result of the development, it is considered that there shall be no increase in noise levels (greater than 3 dB). Impacts on existing dwellings shall to an extent be buffered by the new development which shall screen noise pollution.
  - The Construction Environmental Method Statement shall include measures to reduce the impacts of noise and vibration, particularly to existing residential properties during the construction phase.
- Ecology, Nature Conservation and Biodiversity:
  - The site is of a lower conservation interest due to a long history of agricultural use combined with local plantations dominated by non-native tree species.
  - The main bird interest is limited to a few farmland bird species, and mitigation is recommended to reduce the severity of potential impacts which are already in the negligible to low category.
  - A Badger Protection Plan is under preparation, and shall be subject to ACC and SNH review and agreement.
- Cultural Heritage:
  - A total of 37 cultural heritage sites were identified within the study area, while the development area itself contains 19 sites of cultural heritage interest. There are 13 statutory designated sites, comprising one scheduled ancient monument, ten B-listed buildings, and three C-listed buildings, recorded within 1 km of the development area boundary (The Broad Dyke, East Dyke and Kingswells Consumption Dykes are both a Scheduled Ancient Monument and a B-Listed Structure)..

- None of the 19 known cultural heritage sites are of significant heritage interest, and only 8 of these sites will be directly impacted to a minor or moderate degree.
- Mitigation by archaeological work shall be the subject of a suspensive planning condition.
- It is assessed that the proposed development will have no indirect impact upon the setting of the thirteen statutory designated sites.
- Landscape and Visual Effects:
  - The site consists of an area of predominantly open and wooded farmland (as described in the SNH Landscape Character Areas) on the outskirts of Aberdeen. The area is typical of rural areas close to the edge of the city, with residential properties, equestrian facilities, golf courses, and paths and woodland managed for recreation.
  - The site is in a natural hollow and is surrounded to the east, south and west by large areas of forest, which shall be retained. Although the site is rural in character, it is undesignated and locally common, so generally landscape impacts will not be significant.
  - Effects on regional landscape character, despite the scale of development will also not be significant in the long term, with impacts on the green network surrounding Aberdeen becoming slight to moderate beneficial.
  - Mitigation shall be achieved through the management of the landscape within the application site, and the planting measures maturing over time.
  - The mixed use new community at Countesswells will have limited visibility, restricted to receptors within 1 km of the site boundaries. Views from nearby settlements are significantly restricted due to intervening trees and landform.
  - The redevelopment of the Countesswells site will lead to significant landscape and visual change to this part of the countryside surrounding Aberdeen. While landscape and visual impacts shall be predominantly adverse, where currently undeveloped open areas are lost. Significant impacts will be fairly localised due to the limited visibility of the site in its location.
  - Partial mitigation can also be achieved through requiring a high quality layout, and standards of design, to ensure that the resultant quality of place is achieved in line with the CDF.
- Pedestrians, Cyclists and Community Effects:
  - The application site is surrounded by a number of existing settlements including Kingswells, Cults and Craigiebuckler, as well as scattered individual dwellings. The key access routes that traverse the site include Kirk Brae and Countesswells Road. There is one core path that traverses the site, while a further 5 are in close proximity. Cycle Path 195 (National Cycle Network) passes to the south of the site.
  - Temporary impacts are anticipated during the construction phase on the amenity of residential dwellings on the local road network, together with community severance, and access to local recreation.

- The phased development will result in an increase in demand for public transport.
- The proposal is envisaged to have moderate positive effects on access, and community impacts, as access to community spaces and core paths will be improved, including pedestrian access to natural amenity points such as Hazlehead Park.
  - Mitigation requiring cycleways to be incorporated into the design, which shall improve access and connections to the wider cycle network.
  - The CDF and respective Masterplans shall also require an increase in leisure and recreation areas.
  - Careful mitigation is also required to reduce impacts during the construction of surrounding community infrastructure, particularly in relation to the road alignment through the most southern corner of Hazlehead Wood (Local Nature Conservation Site). Although this shall result in short term minor adverse impacts during construction, the development once operational, shall result in moderate beneficial impacts due to new connections and landscape improvements.
- **Traffic and Transport:**
    - Increased traffic flows during construction and operation have been identified.
    - Mitigation can be achieved through the delivery of good pedestrian and cycle links, with significant opportunities to maximise modal shift and journeys by walking and cycling, particularly for trips to employment centres.
    - A detailed Access and Connectivity Strategy shall be required that links internal routes on site to the wider strategic cycling and pedestrian network.
    - The AWPR will alleviate some pressure on the A944 and North Deeside Road (A93). It shall be located approximately 2 km west of the application site.
    - There may be a minor increase in air pollutants due to the increase in traffic, although these shall remain below Government levels.
  - **Disruption Due to Construction:**
    - The main receptors of construction impacts are likely to be the existing local residents and road users who shall experience disruption from construction activities.
    - The nature of construction works is that impacts are generally temporary, and localised as work progresses across a site of this size.
    - A draft Construction Environmental Management Plan (CEMP) has been produced as part of the EIA based on the key mitigation measures and environmental enhancement measures identified in the ES. The draft CEMP is a working document to illustrate the elements which will be covered in the final CEMP which will be produced once construction methods are finalised.
    - Some construction impacts will be controlled and mitigated through standard conditions, restrictions and responsibilities placed upon

- site development contractors. Measures to reduce potential impacts will be agreed prior to construction as part of the CEMP.
- Impacts from construction traffic have the potential to be significant and will be addressed through a Construction Traffic Management Plan produced by the contractor.

The submitted Environmental Statement is considered to be sufficient in setting out the likely environmental effects of the development, and demonstrating that the severity of such impacts is not likely to be so significant adverse as to warrant the refusal of this application, and that appropriate mitigation where effects are likely, can be provided.

### **Green Space Network/Landscape**

There are parts of the site towards the centre adjacent to Countesswells Wood, and the vacated Loanhead Equestrian Centre, which lead up towards Hazlehead Wood, which are zoned as Green Space Network (Policy NE1). Supporting information from the applicant contains site plans from the Development Framework. Development Blocks C1, N11 and N8 would have a direct impact upon the Green Space Network allocation. However, the quality of these spaces is not considered to be of particular merit. Accordingly, in light of the significant benefits in enhancing connectivity, and green space linkages throughout the site, particularly near the Cults Burn Corridor/Core Path, it is considered that the loss of the aforementioned affected areas, including many of the trees contained therein, can be accommodated without significant detriment to the wider function of the adjacent Green Space Network. Notwithstanding, the detailed layout of green spaces and any associated new and replacement landscaping, would be the subject of subsequent applications for either Matters Specified in Conditions or Detailed Planning Permission. As such the proposal would not be contrary to Policy NE1 of the Adopted Local Development Plan.

In respect of the landscape impacts on site, and the provision of new landscaping, the detail contained within this PPiP application submission illustrates the content of the CDF, and would be the subject of detailed consideration as part of future planning applications. It must be acknowledged that the site is allocated for a residential led, mixed use development within the Local Development Plan, and therefore significant change in the landscape shall take place. However, as noted within the ES, the physical characteristics of the site and landscape, shall restrict the wider impacts to predominantly the local level (i.e. within 1 km of the site). The provision of a landscape strategy within the CDF would result in planting which would help enhance the overall quality of place, and mitigate the impact of the development. Accordingly, the development is considered to accord with the principles of Policy D6.

### **Vehicular Access / Traffic Impact**

Vehicular access to the site would be taken from a variety of locations, although the principle access shall be taken through a new junction onto the Jessiefield Roundabout, which connects the Lang Stracht with the A944. New primary, secondary and tertiary streets would be created within the site in alignment with the concept layout within the CDF. The proposal shall eventually see the existing Kirk Brae connection to the Kingswells roundabout, become a public transportation and cycle connection, with a bus gate to prevent use by private vehicles (while maintaining access to existing properties). Countesswells Road would also face significant change in that it would become a tree-lined green corridor (which the developer has suggested would be named 'Countesswells Road Avenue') as part of the strategic path network, with new roads diverting traffic to the new distributor roads within the site. Connections to the south would continue to be provided by Kirk Brae and Friarsfield Road before connecting with North Deeside Road, while Blacktop Road would also continue to serve the west. The Design and Access Statement also outlines the broad connections that would be created through the site, in accordance with the CDF.

The table below, shows the timing of works to the local road network and indicates how these would be delivered either by direct works (D), or by developer contributions (C).

### Summary of Infrastructure Thresholds

<p><b><u>Inception up to 300 Households</u></b></p> <p>The initial 300 units will be accessed from the C128C Kingswells to Countesswells Road, and the Kingswells Roundabout (A944/C89C/C128C junction). Thereafter, a connection shall be provided to the Jessiefield roundabout (see below).</p>
<p><b><u>Following the Closure of the southern arm of the Kingswells Roundabout (C128C Kingswells to Cults Road)</u></b></p> <p>An appropriate cycle connection to the south west of the Kingswells roundabout will be required to connect the development across the A944 towards Prime 4 Business Park and the connection to the Westhill to Aberdeen Cycleway (D).</p>
<p><b><u>Prior to Completion of AWPR (Anticipated Spring 2018)</u></b></p> <p>Transport Scotland have requested a condition be attached restricting the first phase of development to 1000 residential units, 1000 square metres of Class 4 office space, and 2500 square metres of Class 1 retail space, for the period prior to the Aberdeen Western Peripheral Route being open to traffic (anticipated Spring 2018), and the subsequent removal of trunk road status for the A90 Anderson Drive.</p> <p>After the opening of the AWPR, a bus gate shall be provided to the Kirk Brae road from the Kingswells roundabout.</p>



### **From 300 households to 2000 households**

Beyond 300 units shows that the Switchback (Jessiefield) connection will be required to be provided by the developer. The switchback junction will be provided to a larger elongated roundabout, although this shall have to undergo detailed design and the Roads Construction Consent process. This junction upgrade will allow the development to expand to 2000 housing units. (D).

### **From 2000 Households to Development Completion (3000 households)**

At this point a further upgrade to the access junction has been agreed in the form of partial grade separation with the construction of a flyover/overbridge from the Lang Stracht to the A944. This will remove the right turn from the Lang Stracht to Skene Road carrying vehicle towards Kingswells and Westhill/beyond. The construction of this flyover/overbridge will allow the development to be fully constructed. (D and C).

### **Wider Traffic Impacts**

Potential contributions towards mitigation on Lang Stracht and associated junctions. (C)

Analysis of the following junctions, with the potential for implementation of mitigation measures, or provision of a financial contribution in lieu of works;

- Queens Road / Kings Gate;
- Springfield Road/Countesswells Road;
- Kirk Brae/North Deeside Road; and
- Signalisation of the Friarsfield Road/Kirk Brae Junction.

Provision of potential improvement/upgrades to Countesswells Road to improve safety for pedestrians, cyclists and equestrians.

## **Strategic Transport Fund (STF)**

The applicant has indicated a willingness to make a contribution to the STF, in accordance with the established methodology, or its subsequent revision which is anticipated in the near future.

The local road works, payment of the STF, layout of the development and the attached conditions requiring travel plans would together manage the transport impact of the development and ensure compliance with Policy T2.

## **Travel Plans**

Two conditions would be attached to any permission, requiring the submission of a framework travel plan, outlining how travel planning will be implemented into all aspects of the site, targets, measures and an action plan. A second condition for Travel Plans and Residential Travel packs would also be required, and

occupation of the component parts should not occur unless these aspects have been agreed.

### **Relationship with the Countesswells Development Framework**

The application proposal contains little additional detail over and above the proposals that reflect the CDF, and therefore the application complies with the adopted CDF. Conditions would be attached requiring MSC applications to be submitted and these will be assessed against both the CDF and detailed masterplans for the site.

### **Retail and Town Centre Uses**

The submitted documents indicate that two mixed use centres would be provided on site at the centre and towards the north of the site, which would align with the content of the Adopted CDF. Such areas, which extend to approximately 9.76 hectares, would include a mix of employment and ancillary opportunities to serve the local catchments created. This is likely to include local shops, and a number of services, together with employment and leisure opportunities. A supermarket to meet the needs of the new community and in line with the Council's 2013 Retail Study. As such, the proposal which shall be assessed once the exact details are submitted as part of a future application, are likely to accord with Policy RT1 and RT5.

### **Infrastructure**

An indication has been given by the applicant that they have a broad agreement over the contributions outlined in the Assessment Report from the Developer Obligations Team. These consist of both financial contributions and the provision of land. As such the proposal complies with Policy I1 and T2, and the respective Supplementary Guidance on Infrastructure and Developer Contributions.

### **Matters raised by Community Councils**

In respect of matters raised by the respective Community Councils which have not already been addressed above, are as follows:

- The application, while submitted at the same time as the consideration of the Development Framework, is not premature, as the determination of this application is after the Adoption of the CDF, and the proposals as set out, accord with the principles of the CDF;
- Appropriate provision shall be made through the legal agreement and conditions to ensure that the schools be provided in accordance with the requirements of the Council's Education Service; and, for maintenance of open spaces/landscaping
- The details of the specific house types to be delivered shall be determined through future planning applications. The CDF and Development Plan has a requirement to deliver a wide range of housing types and sizes to meet all housing needs on site;

- The development shall be conditional upon details of low and zero carbon generating technologies, which may include utilising natural energy resources;
- The routing of the access to the Jessiefield junction can be accommodated on land outwith the boundary of the Extension to the crematorium and cemetery, and the CDF has been amended to reflect this. The ultimate layout shall require to be considered in full once the relevant details have been submitted as part of an application;
- The alignment of the roads shown is deemed to reflect those contained with the CDF, and therefore a peripheral road around the site boundary has not been deemed necessary, as the current layout shall assist in delivering good connectivity across the site, and between development blocks;
- Further information has been provided in respect of the TA to clarify aspects which were not covered in the original submission;
- It is considered that there are substantial opportunities to roll out of high speed broadband across the site, although this is materially a consideration for the developer of the component parts of the site;
- The provision of Block S9 is shown in the CDF and is deemed appropriate. The specific layout shall be fully assessed against development plan policies and the CDF as part of a future application;
- Appropriate hydrology surveys (including existing watercourses) have taken part as part of the ES; and
- Discussions with NHS Grampian have taken place as part of the Developer Obligations negotiations, and appropriate timescales shall be placed into the Planning Obligation (s75 agreement).

### **Matters raised through Representations**

In respect of matters raised through representations which have not already been addressed above, are as follows:

- The proposal is not considered to result in urban sprawl or ribbon development. The allocation of the land within the LDP offers an opportunity for a self-contained, yet well connected new community which would contain a mix of uses, together with recreational opportunities of a standard expected for new development in the City;
- The application description of the EIA is considered to meet the requirements of the relevant legislation, and the EIA itself is considered sufficient to set out the likely environmental impacts of the development, demonstrating that these are not likely to be significantly adverse, and that appropriate mitigation can be provided;
- The alteration to the northern means of access towards the Jessiefield junction has arisen following detailed discussion with the Roads Projects Team as to the best solution that can be achieved for connectivity. No built development (i.e. towards the 3000 households or 10 hectares of Employment land) would take place outwith the areas allocated within the LDP, and the appropriate notification has taken place. Further scrutiny of

- any detailed alignment will be possible through the submission of future applications;
- The materials and design that the developer has indicated within the Design and Access Statement illustrate that marked change in approach to delivering quality design, which is one of the key objectives within the LDP. As such, it is recognised that the attention to detail for Masterplanning the wider site, and ensuring design quality improvements in comparison to mass produced standard house types used previously, is welcomed. There shall be a further opportunity for members of the public to make representation upon specific design and layout matters as part of the subsequent applications that shall be submitted;
  - The level of pre-application consultation was considered appropriate for an application of this scale, and exceeded the minimum requirements of legislation. The developer has sought to address the concerns raised by attendees, particularly in respect of roads matters which were a primary concern;
  - As an allocated site within the LDP, and as part of the strategy for growth set within the Strategic Development Plan, it is considered that the need for the development has already been established, with the general location suitable for development, subject to the specific analysis of future applications against the Development Framework and associated Masterplans;
  - While the proposal will result in the loss of a small number of jobs in rural industries, and particular equestrian ventures, the development would result in significant employment opportunities both in the construction phase, and ultimate new community which would more than mitigate for such losses;
  - Supporting services and infrastructure such as roads, schools and healthcare shall have to be provided at appropriate junctures throughout the course of the development to meet the need of the new community. This is largely dealt with through the necessary Planning Obligation for this site; and,
  - The proposal is not envisaged to have any detriment to the deliverability of adjacent or semi-distant development plan allocations such as at the Craigiebuckler Campus (James Hutton Institute).

## **Conclusion**

In conclusion, the proposal complies with the Land Release Policy as the particular circumstances, in terms of investment in infrastructure, justify the granting of planning permission. The matters raised by objectors have been dealt with above, and it is considered that the various conditions, including restricting the level of development that can be accommodated before the provision of key elements of infrastructure, as well as the payment of developer contributions to ensure the provision of schools and healthcare facilities, would satisfactorily mitigate the impact of the development. The details of each phase of the development will be dealt with by the separate applications for either Matters Specified in Conditions or Full Planning Permission. The proposal

complies with Scottish Planning Policy and the relevant policies within the Aberdeen Local Development Plan relating to Delivering Infrastructure, Transport and Accessibility, Promoting High Quality Design, Meeting Housing and Community Needs, Supporting Retail Centres, Protecting and Enhancing the Natural Environment, together with supporting the aims and objectives of the Strategic Development Plan.

## **RECOMMENDATION**

### **Willingness to approve**

- 1. The provision of 25% affordable housing on site in accordance with the Development Framework and includes a range of delivery options, including contributions towards a gypsy traveller halting site;**
- 2. Developer contributions towards primary education provision (one two stream and one three stream school) and a new secondary school plus serviced land for the foregoing;**
- 3. Developer contributions towards community facilities, library, sports provision, playing fields and healthcare;**
- 4. Developer contributions towards the Strategic Transport Fund;**
- 5. Developer contributions towards mitigation on the local roads network together with provision of infrastructure; and,**
- 6. Developer contributions towards the Core Paths Network.**

## **REASONS FOR RECOMMENDATION**

The proposal complies with Policy LR1 Land Release Policy, in that the development proposed including 3000 residential units and up to 10 hectares of employment land is in accordance with the direction for growth set within the Adopted Local Development Plan. The matters raised by objectors have been fully considered, and the various conditions proposed, including limiting the level of occupation of the development prior to the completion of the AWPR, as well as the payment and agreement on Developer Contributions to ensure the provision of schools and affordable housing, would satisfactorily mitigate the impact of the development. The details of each phase of the development will be dealt with by separate applications for Matters Specified in Conditions, with further opportunities for stakeholders comment on the full details. The proposal also complies with policies I1 Infrastructure Delivery and Developer Contributions; T2 Managing the Transport Impact of Development; D1 Architecture and Placemaking; D3 Sustainable and Active Travel; D6 Landscape, BI1 Business and Industrial Land, H4 Housing Mix, H5 Affordable Housing, H7 Gypsy and Traveller Requirements for New Residential Developments, NE1 Green Space Network, NE2 Green Belt, NE4 Open Space Provision in New Development, NE5 Trees and Woodlands, NE6 Flooding and Drainage, and NE9 Access and Informal Recreation within of the Aberdeen Local Development Plan.

## **CONDITIONS**

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

(1) That no development shall be undertaken in any phase unless a detailed phasing programme outlining the delivery of buildings, open space and roads infrastructure across the entire application site has been submitted to, and approved in writing by the planning authority via a formal 'Matters Specified in Conditions' application - in order to ensure development is progressively accompanied by appropriate associated infrastructure, and to inform the timescale for submission of further applications for 'Matters Specified in Conditions' specified in the planning authority's direction stated in this notice.

(2) No development in connection with each respective phase/block of the planning permission hereby approved shall take place until full details of the siting, design, external appearance and landscaping within the relevant phase of the development and the means of access serving the relevant phase/block of development have been submitted to and approved in writing by the Planning Authority. The development shall then be implemented in complete accordance with the approved details, or those subsequently approved. Depending on the phase/block, and unless otherwise agreed in writing with the planning authority, the MSC applications shall include:

a) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point within the relevant phase/block of development;

b) A detailed Drainage Plan for the relevant phase/block of development, including full details of the proposed means of disposal of surface water from the relevant phase/block of development, including how surface water run-off shall be addressed during construction, as well as incorporating the principles of pollution prevention and mitigation measures. The final location of SUDs, including ponds, should be appropriately positioned in accordance with an agreed flood risk assessment;

c) Full details of the connection to the existing Scottish Water foul water drainage network for the relevant phase/block of development;

d) Details of all cut and fill operations in the relevant phase/block of the development;

e) The details of all roads, footpaths and cycleways throughout the relevant phase/block of the development;

f) Details of any screen walls/fencing to be provided within the relevant phase/block of the development;

g) Details of all landscaping, planting and screening associated with the relevant phase/block of the development;

h) Full details of the layout, siting, design and finish of all residential properties, throughout the relevant phase/block of development;

i) Full details of the layout, siting, design and finish of all non-residential properties throughout the relevant phase/block of development. This shall include but is not limited to; community facilities, health centre, schools, commercial premises, energy centres, pumping stations, and water treatment works;

j) Full details of all waste/recycling collection points, for residential and non-residential properties;

- In order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

(3) The landscaping details to be submitted pursuant to Condition 2 above shall include:

a) Existing and proposed finished ground levels relative to a fixed datum point;

b) Existing landscape features and vegetation to be retained;

c) Existing and proposed services including cables, pipelines and substations;

d) The location of new trees, shrubs, hedges, grassed areas and water features;

e) A schedule of plants to comprise species, plant sizes and proposed numbers and density;

f) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;

g) An indication of existing trees, shrubs and hedges to be removed;

h) A Biodiversity Action Plan;

i) A Management Plan detailing appropriate management measures for all watercourse buffer strips;

j) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the

development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted - in the interests of protecting trees and ensuring a satisfactory quality of environment.

(4) The details to be submitted pursuant to Condition 2 for each respective phase of the development shall show the proposed means of disposal of foul and surface water from the relevant phase of the development within the form of a Sustainable Urban Drainage System and include a development impact assessment and detailed design and methodology statement. Unless otherwise agreed in writing by the Planning Authority, in consultation with SEPA, the development shall connect to the public sewer and the relevant phase of the development shall not be occupied unless the agreed drainage system has been provided in its entirety and maintained thereafter throughout the lifetime of the consent in accordance with the approved maintenance scheme. The details required shall also include details of the future long term maintenance of the system covering matters such as:

- a) Inspection regime relating to matters such as outlets/inlets;
- b) Frequency and method of cleaning of filter trenches, removal of silt etc.;
- c) Grass cutting (and weeding) regime for swales;
- d) Means of access for future maintenance;
- e) How to ensure that planting will not be undertaken over perforated pipes;
- f) Details of the contact parties for future factoring/maintenance of the scheme;  
- to protect the water environment and help reduce flooding.

(5) Prior to the commencement of any phase of development, as identified in the approved phasing plan required by condition 1, for each respective phase full details of the proposed street design for each block, which shall contain, but not be limited to, a parking strategy, road junctions and visibility splays, cycleway provision, gradients, level details, finishing/surfacing materials and crossing points, shall be provided for the further written approval of the Planning Authority in consultation with the Roads Authority. The development shall be carried out in complete accordance with such a plan and buildings shall not be occupied unless the streets and parking areas for the respective block are complete and available for use - in the interests of road safety.

(6) That no development shall commence unless further detailed analysis of:

- 1) Lang Stracht;
- 2) Queens Road/Kings Gate;
- 3) Springfield Road/Coutnesswells Road;
- 4) Kirk Brae/A93 North Deeside Road; and



## 5) Friarsfield Road/Kirk Brae

has been undertaken in order to assess the mitigation required to the local roads network, and submitted for the approval of the planning authority. Once agreed, any necessary mitigation shall be undertaken in complete accordance with the scheme as so agreed, unless otherwise confirmed in writing - in order to ensure there is no net detriment to the surrounding local roads network, and to assist the free flow of traffic.

(7) Unless otherwise agreed in writing by the Planning Authority, no more than 300 residential units within the development shall be occupied until an upgraded Jessiefield roundabout, and connecting road into the application site has been constructed in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority - In the interests of road safety.

(8) Prior to the opening of the AWPR, a scheme for the provision of a bus gate on Kirk Brae (C128C) close to the Kingswells roundabout shall be submitted to, and approved in writing by, the planning authority. Thereafter the scheme shall be implemented in complete accordance with the details as so agreed, unless other approved in writing by the planning authority - In the interests of road safety.

(9) Unless otherwise agreed in writing by the Planning Authority, no more than 2000 residential units within the development shall be occupied until a further upgrade solution to the Jessiefield roundabout, has been constructed in complete accordance with a scheme to be submitted to, and approved in writing by, the planning authority - In the interests of road safety.

(10) That no development shall commence until details of an appropriate segregated cycle connection to the crossing on the A944 towards the Prime 4 Business Park, has been submitted to, and approved in writing by the Planning Authority. Thereafter the approved connection shall be provided in complete accordance with the details as so agreed - in the interests of road safety and sustainable transportation measures.

(11) Prior to the occupancy of each block, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the agreed parking strategy in accordance with the Council's Car Parking Standards, unless otherwise agreed in writing with the planning authority - in the interests of road safety.

(12) That prior to the commencement of development, a Framework Travel Plan, setting out proposals for reducing dependency on the private car, shall be submitted to and approved in writing by the Planning Authority – in the interests of reducing travel by private car.

(13) That no commercial / employment or residential element of the development shall be occupied unless there has been submitted to and approved in writing by the Planning Authority, a comprehensive Travel Plan for that part of the

development, setting out proposals for reducing dependency on the private car. Each Travel Plan shall identify measures to be implemented, the system of management, monitoring, review and reporting, as well as the duration of the plan - in the interests of reducing travel by private car.

(14) That no development shall take place within any individual phase unless there has been submitted, to and approved in writing by, details identifying safe routes to schools within the proposed development. This shall include details of measures, including a timetable for implementation, required to help ensure safe travel to school and the measures shall be implemented fully in accordance with such a plan - in order to promote sustainable and safe travel.

(15) That no dwellings shall be occupied until such time as a public transport strategy, including proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy, have been submitted to and approved by the Planning Authority. Thereafter the agreed strategy shall be implemented in full in accordance with such a scheme, unless otherwise agreed in writing with the Planning Authority - in the interests of encouraging the use of public transport.

(16) The proposed development shall be limited to Phase 1, comprising 1000 residential units; 1000 square metres GFA Class 4 office space; 2500 square metres GFA Class 1 retail space; and associated ancillary uses, for the period prior to the Aberdeen Western Peripheral Route being open to traffic, and the consequent removal of trunk road status for the A90 Anderson Drive - to limit the scale of the development to that considered within the supporting Transportation Assessment, in order to minimise the impact of development on the safety and free flow of traffic on the trunk road.

(17) That no development within the phase that includes the 'town centre' (including the 2500m<sup>2</sup> single unit of retail floorspace indicated in the approved Countesswells Development Framework) shall take place unless there has been submitted to and approved in writing by, the planning authority a Retail Impact Assessment (RIA) for the Town Centre. The RIA shall assess the proposed scale and mix of town centre uses (Class 1, 2, 3, 7 and 11) and any impact on nearby town, district and neighbourhood centres and the city centre, together with an assessment of the scale and mix of town centre uses that are required to meet the retail and leisure needs of Countesswells residents and adjacent residential communities. The Assessment should also demonstrate how town centre uses should be phased to ensure the vitality and vibrancy of the Town Centre. The precise level of retail and town centre uses shall be informed by the outcome of the RIA to ensure that there is no significant adverse impact on pre-existing centres - in order to ensure that the level of retail floorspace is appropriate to the size of settlement.

(18) No development in any individual phase/block shall take place unless it is carried out in full accordance with a scheme to address any significant risks from

contamination on the site that has been approved in writing by the planning authority.

The scheme shall follow the procedures outlined in "Planning Advice Note 33 Development of Contaminated Land" and shall be conducted by a suitably qualified person in accordance with best practice as detailed in "BS10175 Investigation of Potentially Contaminated Sites - Code of Practice" and other best practice guidance and shall include:

1. an investigation to determine the nature and extent of contamination;
2. a site specific risk assessment;
3. a remediation plan to address any significant risks and ensure the site is fit for the use proposed; and
4. verification protocols to demonstrate compliance with the remediation plan

No building(s) in the respective phase/block shall be occupied unless

1. any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and
2. a report specifically relating to the building(s) has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out unless the planning authority has given written consent for a variation - to ensure that the site is suitable for use and fit for human occupation.

(19) that no development in any individual phase/block shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems (in accordance with the technical guidance contained in the SUDS Manual C697), including details of an appropriate level of treatment for all areas of the development, has been submitted to and approved in writing by the Planning Authority (in consultation with SEPA) and thereafter no part of the development in that phase/block shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(20) Notwithstanding the indicative layout in figure 96 of the Design and Access Statement (110342\_das, Rev 140324), prior to the commencement of any works in any phase of the development, the location (NGR of source) and type (surface water or groundwater) of the Private Water Supplies serving BogskeAthy and Upper Kingshill shall be identified. Should they be groundwater fed and fall within 100m of roads, tracks or trenches or within 250 m of foundations as proposed within the development, a quantitative hydrogeological assessment shall be submitted and, where appropriate, a scheme of protection and/or mitigation shall be developed by the applicant and agreed with the planning authority in writing in consultation with SEPA. Once approved, the agreed scheme shall be implemented in full - in order to protect the water environment and its users.

(21) That no development in each independent phase/block pursuant to this planning permission shall commence unless:

- 1) a detailed and finalised Construction Environment Management Plan including site specific construction method statements, measures to minimise the risk of sediment entering watercourses on the site, and the mechanism for compliance, for that phase/block; and
- 2) details of the SUDS scheme, its adoption and maintenance, in order to manage sediments and pollutants from construction and operation of the development

have been submitted to and approved in writing by the planning authority in consultation with SEPA. The mitigation measures outlined in the CEMP shall be informed by the result of a full ground (water and soil) investigation study. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the planning authority - in order to prevent potential water pollution and to minimise the impacts of construction works on the environment.

(22) Prior to the commencement of any work in any phase/block of the development, a detailed scheme for the protection and enhancement of the water environment shall be submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. This shall include:

- a) Confirmation of the location of all existing water bodies on site and demonstration of how they have been positively incorporated into the layout of the development, including appropriate buffer zones between the top of the bank of the watercourse and the development.
- b) Full details relating to the realignment/deculverting of any watercourse on site including the Cults Burn. Any re-designed watercourses shall be designed to accommodate the 1 in 200 year flow from the whole catchment. This shall include a low flow channel designed to accommodate the 1 in 2 year flow set within a wider channel capable of conveying the 1 in 200 year flow. In addition, appropriate buffer zones shall be included between the edge of the wider channel (i.e. the extent of channel utilised during high flows) and the development.
- c) Full details relating to any other proposed engineering activities in the water environment, including the location and type of any proposed watercourse crossings. Any proposed watercourse crossings shall be designed to accept the 1 in 200 year flow.

All works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority in consultation with SEPA - to protect and improve the water environment and to protect people and property from flood risk.

(23) The development hereby approved shall be connected to the public waste water system in line with PAN 79 Water and Drainage. Any necessary upgrades to the public waste water system should be in place prior to the occupation of the phase of development requiring the upgrade - in order to ensure the appropriate connection is made to ensure satisfactory disposal of sewerage, and thereby maintain and improve standards of environmental quality, public health and amenity.

(24) Development in any individual phase/block shall not commence until a water efficiency statement to illustrate the measures proposed to incorporate water saving technology, has been submitted to and approved in writing by the planning authority. The measures contained therein shall thereafter be implemented, as approved - in order to ensure targets towards sustainability measures are met.

(25) No development in any particular phase of the development hereby approved shall take place unless surveys for protected species (red squirrel / bats /badgers) for that phase have been carried out and submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place within the relevant phase of the development unless detailed mitigation measures to safeguard any identified protected species have been submitted to and approved in writing by the Planning Authority. No development shall take place within the relevant phase unless the mitigation measures which have been agreed in writing by the Planning Authority are carried out in accordance with the agreed scheme - to ensure the protection of protected species.

(26) That all works should be carried out in accordance with the approved Summary of Environmental Commitments containing within Chapter 18 of the Environmental Statement carried out by Ironside Farrar dated March 2014 - in order to ensure that appropriate mitigation measures are in place to minimise the environmental impacts of the development.

(27) No development shall take place within any individual block 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 publications.

(28) No demolition of any traditional farmstead buildings or development shall take place prior to a photographic survey being undertaken by the developer and approved by the planning authority. All elevations, both internal and external, together with the setting of the farmstead, and any unusual feature/s, shall be photographed and clearly annotated on a plan. Photographs, which should be digital on cd, shall be clearly marked with place name for identification, national grid reference and planning reference and deposited in the local Sites and Monuments Record – in order to ensure a historic record of the building

(29) that no development within any individual phase/block 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'.

(30) Development in any individual phase/block shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with the Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented, as approved, on completion of the development and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority - it is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Aberdeen Airport.

(31) In the event that during construction, cranes 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 - in the interests of aircraft safety and the operation of Aberdeen Airport.

(32) that no development in any individual phase/block 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.

(33) that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) in any individual phase/block has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.

**DIRECTION UNDER SECTION 59 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997:**

that the subsection (2)(a)(i) of section 59 shall apply as respects the permission with the substitution for the period of 3 years referred to in that subsection of 10 years, as is considered appropriate by the planning authority in this instance on the basis of the scale of the allocation. The provisions of section 59(2) shall therefore be read as follows; that this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all condition(s) attached to this grant of planning permission in principle across the entire site has been made before whichever is the latest of the following;

(i) the expiration of 10 years from the date of this grant of planning permission in

principle;

(ii) the expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused;

(iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed;

- pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

INFORMATIVE 1: that this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the development to which the permission relates is begun before that expiration – in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

INFORMATIVE 2: For the avoidance of doubt, the term 'phase' within any condition shall refer to the phases as have been approved under the terms of Condition 1 of the planning permission in principle hereby approved.

INFORMATIVE 3.

Unless otherwise agreed in writing with the Planning Authority, during the construction of any phase of the development, the normal hours of operation for all activity audible at the boundary of the nearest noise sensitive premises shall be between 07:00 to 19:00 hours Monday to Friday; 07:00 to 12:00 hours on Saturday, with no working on Sundays.

INFORMATIVE 4

It is advisable that the developer contact the Council's Waste Aware Team to discuss the appropriate waste storage and uplift arrangements for the residential developments.

INFORMATIVE 5

In the event that during construction, cranes 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 - in the interests of aircraft safety and the operation of Aberdeen Airport.

**Dr Margaret Bochel**

Head of Planning and Sustainable Development.