

Planning Development Management Committee

ABERDEEN LOCAL DEV' PLAN SITE OP58,
COUNTESSWELLS (PHASE 1), WEST OF
HAZLEHEAD PARK

PROVISION OF INFRASTRUCTURE
INCLUDING ACCESS, INTERNAL ROAD
LAYOUT, LANDSCAPING AND DRAINAGE
PROVISION FOR PHASE 1 OF RESIDENTIAL-
LED MIXED USE DEVELOPMENT

For: Countesswells Consortium

Application Type : Detailed Planning Permission
Application Ref. : P140435
Application Date: 27/03/2014
Officer: Paul Williamson
Ward : Lower Deeside (M Boulton/A Malone/M
Maik)

Advert : Can't notify neighbour(s)
Advertised on: 16/04/2014
Committee Date: 6 November 2014
Community Council : Comments



RECOMMENDATION:

Approve subject to conditions

DESCRIPTION

The application site covers 26.54 hectares of predominantly agricultural land between Kingswells to the north and Cults to the south, approximately 6 km from the City Centre.

To the west the site is bound by Kirk Brae (C128C) and Countesswells Wood. To the south, the site partially adjoins the Blacktop Road, opposite the Foggieton Wood. To the east, the site comprises open fields which lead up towards Hazlehead Wood, while to the north is Newton of Countesswells Farm and the A944/Skene Road beyond.

In respect of existing buildings on site, the Loanhead Equestrian Centre has been vacant for some time, and is scheduled to be demolished shortly as part of the wider development proposals.

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

RELEVANT HISTORY

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

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.

A parallel application for planning permission in principle (Ref: 140438) for the overall 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, was recently considered by Members at Full Council on 8 October 2014. Members were minded to accept the officer recommendation for a willingness to approve

planning permission subject to a s75 legal agreement, and a number of planning conditions.

Parallel detailed applications have also been submitted for 124 dwellings for part of blocks C1/C2 (Ref: 140730), and a further 107 dwellings for part of block N10 (Ref: 141110), remain pending at this time.

PROPOSAL

Detailed Planning Permission is sought for the provision of infrastructure including access, internal road layout, landscaping and drainage provision for part of the first phase of the residential led mixed use development.

The submitted plans show the provision of roads, drainage and landscaping associated with development blocks C1/C2 (188 units); N10 (215 units); C3/C4 (139 units plus small office, retail and commercial property); C5 (Hotel, office and small business units); together with the Cults Burn corridor. It represents approximately half of the initial first phase of the development. Substantial detail is also contained with the Design and Access Statement. The proposals expand upon the detail contained within the Development Framework.

The site of 26.54 hectares is identified within the ALDP as part of the opportunity site (OP58) for a development of 3000 homes and 10 hectares of employment land, covering 165.1 hectares.

The key aspects of the development proposals relating to this application include the provision of infrastructure (roads, drainage and servicing) together with significant landscaping for 6 of the overall 35 development blocks. Those 6 blocks would ultimately include the following uses:

- Approximately 542 residential units;
- Office, commercial, business units;
- Small scale retail; and
- a hotel.

which shall be subject to further detailed or matters specified in conditions applications in due course.

In respect of the formal submission, the Design and Access Statement provides an insight into 4 detailed design areas, and outlines:

- general aspects of landform;
- pedestrian, cyclist and equestrian circulation;
- bus stops, cycle and car parking;
- wayfinding/signage;
- hydrology/SUDS;
- play areas;
- street layouts;
- lighting; and,
- hard/soft landscaping including materials and species palletes.

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; and,
- A Design and Access Statement; and,

It should be noted that the parallel application for planning permission in principle (Ref: 140438) required the submission of an Environmental Statement. Many of the component chapters for that ES, have been copied over for this application, although the proposal in this instance would not require as ES on its own. The chapters include:

- 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 wider 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, Bieldside 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 ten timeous letters of representation that express objection or concern about the proposal – representing a significant level of opposition to any major development proposal. This figure of ten also includes objections from Kingswells Community Council, and Craigiebuckler and Seafield Community Councils, whose boundaries fall outwith the current application boundary. Furthermore, the application has also been the subject of a formal objection by the Cults, Bielside and Milltimber Community Council whose boundary covers this application site. 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, particularly into the proposed gradients on roads within the application site. The full detail of roads design shall be considered through the Roads Construction Consent (RCC) process.

Environmental Health – No observations.

Environmental Health (Contaminated Land) – No direct response to this application, although the parallel application indicated that 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.

Communities, Housing and 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. Conditions are required in respect of:

- A detailed scheme for the protection/enhancement of the water environment;
- A detailed scheme for surface water drainage (SUDS) on site; and,
- A detailed Construction Environment Management Plan, including waste management proposals, to address all potential pollution prevention and environmental management issues related to construction works.

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; and
- Details of the SUDS scheme, its adoption and maintenance, in order to manage sediments and pollutants from construction and operation of the development.

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.

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: SUDS and bird hazard management. Further advice was also provided in respect of lighting and landscaping schemes.

Dee District Salmon Fisheries Board – Acknowledge that it is unlikely that Salmon would be present within the Cults Burn which runs through the site. Main concern relates to the potential for sediment entering the burn and ultimately being discharged into the River Dee SAC during the various construction phases of the development. Pollution Prevention Guidelines should therefore be followed.

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.

REPRESENTATIONS

10 number of letters of representation/objection have been received, with 8 from members of the public (predominantly local residents), and two from the adjacent Community Council's representing Kingswells, and Craigiebuckler and Seafield. The objections raised relate to the following matters –

- 1) The potential closure of Kirk Brae for 12 months to facilitate the installation of utilities for Phase 1 is too lengthy a period;
- 2) Such a closure would cause congestion on surrounding roads, and result in prolonged and frustrating difficulties for commuters travelling north to Kingswells, Westhill and Dyce;
- 3) Kirk Brae should not be closed at peak travel times;
- 4) The new link road should be built early in the development;

- 5) Suggest the routing of traffic through the middle of the site, thus acting as a distributor road;
- 6) The proposed route for the road for the Jessiefield Junction appears to go through the Garden of Remembrance for Aberdeen Crematorium;
- 7) The provision of high speed broadband through fibre optic cable should be compulsory;
- 8) Concern over the amount of planned green space that runs under the existing high voltage power lines, which also run through the proposed secondary school;
- 9) Properties should not be located close to woodland in light of the risk of falling trees;
- 10) Hydrology surveys should be carried out through the site to detect natural springs and watercourses;
- 11) SUDS areas and wetlands should be integral to all landscaping strategies;
- 12) The Countesswells Development Framework has been the subject of inadequate publicity and consultation, and requires an additional round of consultation in light of amendments to transportation aspects including access;
- 13) No details are provided for the connection of the new link road to the Jessiefield Junction which is required for Phase 1;
- 14) The Countesswells Road and Kirk Brae are not up to modern day standards, and are significantly overused;
- 15) Appropriate markings are essential on such roads;
- 16) The new link road should be completed prior to any houses being constructed;
- 17) No imagination has been used for meeting the travel needs of a new township;
- 18) The development needs to provide adequate education infrastructure i.e. new schools;
- 19) The development would create huge problems with additional traffic, which would not be relieved by the AWPR;
- 20) The recreational importance of the Countesswells FNC area, and its linkages between Hazlehead Park and Countesswells Woods cannot be overstated;
- 21) The development shall wipe out three established equestrian centres;
- 22) Any development at Countesswells would damage the green belt, and would constitute the erosion of a green area;
- 23) Ribbon development ruins cities;
- 24) Potential impacts on biodiversity and wildlife;
- 25) Potential implications on development identified at the south field of the Craigiebuckler Campus (James Hutton Institute);
- 26) The submitted TA is significantly flawed;
- 27) Development at Countesswells is reliant upon the AWPR being operational first;
- 28) Existing trees should be protected throughout the development;
- 29) The planning application is premature given the context of the Countesswells Development Framework and Masterplan;
- 30) The amenity of existing residents amenity needs to be protected and compensated for during the build out phase.

Kingswells Community Council – KCC provided a joint response to both applications 140438 (Planning Permission in Principle), and the current application 140435 (Detailed Planning Permission for Initial Infrastructure). In this instance their submission is treated as a representation given that their boundary does not include any of the land falling within the application site boundary. They have indicated their approval of the main road access into the development being from the Jessiefield junction on the A944. They also support the eventual restriction of the existing Cults-Kingswells road (C189) to a bus and cycle route that also allows access to existing properties. Aspects which are not relevant to this specific application have not been listed below, but were assessed as part of the parallel application for planning permission in principle. However, concerns are raised over the following aspects:

- 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;
- Claims over the amount of green space are misleading, as several green areas are wayleaves for overhead power lines;
- SUDS basins should be used to encourage biodiversity. Unattractive and sterile grass basins, devoid of any water, are not acceptable;
- 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.

The following matters raised in the representations received 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; and,
- Is there sufficient funding in place to build out the development? If the oil price drops, is there sufficient economic backing.

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.

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.

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 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 D3 Sustainable and Active Travel

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 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 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.

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.

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 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.

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.

Archaeology and Planning

Drainage Impact Assessments

Infrastructure and Developer Contributions Manual

Landscape Strategy Part 2 – Landscape Guidelines

Transport and Accessibility

Trees and Woodlands

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.

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 parallel application for planning permission in principle was considered at the meeting of the Full Council on 8 October 2014, where Members were minded to agree with the Officers Recommendation to agree a willingness to approve Planning Permission in Principle subject to the completion of a s75 legal agreement, and a number of planning conditions. Progress is being made with the finalisation of the associated legal agreement. As such, the principle of development has already been established on site. 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. 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.

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. This application relates purely to the provision of infrastructure associated with the initial phase for this mixed use development. The layout of the roads shown are considered to align with the layout shown with the Development Framework and Masterplan. Thereafter, the finer detail for each development block shall be assessed as part of applications either for Matters Specified in Conditions, or Detailed Planning Permission.

Environmental Impacts

As part of the assessment of the parallel application for planning permission in principle (Ref: 140438), an Environmental Impact Assessment (EIA) was deemed necessary. The Environmental Statement (ES) detailed, 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'. As such the submitted Environmental Statement was considered in depth, both internally, and by external consultees. The aspects which are of particular relevance to this application include the following mitigation proposals in relation to the effects predicted:

- Geology and Soils:

- Mitigation would be through any remediation measures identified through a contaminated land assessment which would be required by condition.
- Land Use:
 - 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:
 - Mitigation would be through an appropriate Construction Method Statement (CMS) and the use of best practice relating to SUDS.
- Air Quality:
 - 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.
- Noise and Vibration:
 - 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 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:
 - Mitigation by archaeological work shall be the subject of a suspensive planning condition.
- Landscape and Visual Effects:
 - Mitigation shall be achieved through the management of the landscape within the application site, and the planting measures maturing over time thus securing 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 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.
- Traffic and Transport:
 - 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.
- Disruption Due to Construction:
 - 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.

The submitted Environmental Statement, the chapters of which have been copied over to this current application for the initial infrastructure, 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.

In respect of the proposal to demolish the building associated with the former Loanhead Equestrian Centre, and the adjacent tree belts, an updated Bat Surveys contained that the buildings and adjacent trees contained no bat roosts, and therefore their removal could proceed without the need for a bat licence.

Green Space Network/Landscape

There are parts of the site towards the north 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, N10, C6 and N7 could have a direct impact upon the Green Space Network allocation. However, in light of the significant benefits in enhancing connectivity, and green space linkages throughout the current application site, particularly near the Cults Burn Corridor/Core Path, it is considered that the loss of parts 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 detailed application submission illustrates the content of the CDF. 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 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. The detail contained in the Design and Access Statement goes a long way to illustrate the quality of the intended finished appearance, and compliance with the CDF. However, a specific condition is

required to obtain the finite details of all planting and maintenance. Accordingly, the development is considered to accord with the principles of Policy D6.

Vehicular Access / Traffic Impact

New primary, secondary and tertiary streets would be created within the site in alignment with the concept layout within the CDF. The Design and Access Statement also outlines the broad connections that would be created through the site, in accordance with the CDF.

The general principle of development has already been established through the allocation of the entire site within the Aberdeen Local Development Plan, and through the willingness to approve the parallel application for planning permission in principle (Ref: 140438). As such, detailed analysis of the Transportation Assessment has concluded that the impacts upon the existing road network are acceptable. Ultimately a number of conditions shall be attached to the parallel application which require the provision of key pieces of infrastructure such as the connection to the Jessiefield junction, the provision of the bus-gate to the Kingswells roundabout leg of Kirk Brae, and limitations on dwelling completions prior to their installation.

With regard to this current application, Roads Officers are satisfied with the level of details provided, although request a condition be attached in respect of the proposed gradients of roads within the application site. It has also been outlined that a slight revision to the T-junction arrangement at the south east corner is recommended. The applicant has indicated that this can be accommodated, and revised plans are to be submitted.

As such, the proposal is considered to accord with the Principles of Local Development Plan policies T1, and D3, in that the proposals provide infrastructure to facilitate new development, and help to maintain and enhance permeability through the site.

Relationship with the Countesswells Development Framework

The application proposal contains detail that reflects that shown within the CDF, and therefore the application is considered to accord with the required detail.

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;
- The future management of greenspace areas shall be a matter for the applicant to address, subject of the planning authorities satisfaction; and,

- 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 – the routing is considered to accord with that illustrated within the adopted CDF.

It must however be acknowledged that due to representations essentially being copied between the respective applications for planning permission in principle, and this application for detailed planning permission, the following comments were not applicable in this instance and shall be the subject of assessment of future applications:

- Dates for the opening of the primary and secondary schools should be laid out in the planning application, and legal agreement – these matters are dealt with through the parallel planning application.
- Concerns about the positioning of the secondary school under the alignment of the high voltage power line – the secondary school does not form part of this application;
- The school design should incorporate adequate drop-off/picking up areas – the school does not form part of these proposals;
- Concerns over proximity of houses to existing woodland in light of potential safety implications – this is not under consideration;
- Consideration should be given to preserving more of the wetland areas to the south west of block S9, to provide an amenity area – that area does not form part of this application.;
- There should be a firm provision to provide single storey bungalows for housing the elderly – such details shall be assessed in future applications;
- The quality and design of the affordable housing should be of a high enough standard that would be acceptable to housing associations – this shall be subject to future applications;
- There is little reference within the plans to the opportunities for taking advantage of natural energy – such matters shall be addressed through future applications;
- Potential road closures of Kirk Brae could have significant implications on traffic flows – the traffic impacts have already been addressed through the parallel application for planning permission in principle;
- The proposed route for the road to Jessiefield appears to run through the western edge of the garden of remembrance for Aberdeen Crematorium - This does not form part of this application;
- No imaginative solutions to travel modes in the Transportation Assessment i.e. Monorail, dedicated bus-road, or tram – there is a requirement for consideration of Modal shift through the parallel application for planning permission in principle;
- The TA does not include surrounding committed developments such as Friarsfield or Oldfold – the Roads Officers are satisfied with the detail provided;
- The model within the TA seems overly optimistic, with observed queues longer than modelled ones – the Roads Officers are satisfied with the detail provided;

- It is doubted that simple signalling would resolve the ratio of flow to capacity of road junctions – the Roads Officers are satisfied with the detail provided; and,
- The provision of high speed broadband through fibre optic cable should be mandatory for the development, and should be included within the legal agreement – this does not form part of this application, and there is no legislative requirement for the developer to do so. It is however understood that consideration is being given to this provision as a matter of good practice.

Matters raised through Representations

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

- 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;
- Hydrology surveys have been carried out as part of the wider planning permission in principle application, with SEPA and Flooding Officers satisfied with the details provided;
- SUDS areas have been incorporated into proposals, and shall be through the subsequent application which are to be submitted in the future;
- This application relates purely to the initial half of Phase 1. An application for the associated link road to the Jessiefield Junction is anticipated shortly; and,
- 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.

The following matters while material planning considerations, related more to the wider application for planning permission in principle (Ref :140438), and not the specifics of the current application for the initial infrastructure:

- 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;
- 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);
- While concern was raised over urban sprawl, the site is allocated within the LDP for a new community which would contain a mix of uses, together with recreational opportunities;

- 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;
- 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.

Conclusion

In conclusion, the proposal complies with the Land Release Policy as the general principle of development on site has already been established through the allocation of the wider site (OP58) within the Adopted Aberdeen Local Development Plan, and the willingness to approve the parallel application for planning permission in principle. The proposal in this instance to form the initial road layout for part of the first phase, together with the provision of appropriate SUDS, and landscaping arrangements for this section of the Cults Burn corridor, is considered to accord with the relevant policies of the development plan. The finer details of each development block identified through the CDF, will be dealt with by the separate applications for either Matters Specified in Conditions or Detailed 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, Protecting and Enhancing the Natural Environment, together with supporting the aims and objectives of the Strategic Development Plan.

RECOMMENDATION

Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal complies with Policy LR1 Land Release Policy, in that the development proposed forms part of the wider allocation of 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, would satisfactorily mitigate the impact of the development. The proposal also complies with policies: D1 Architecture and Placemaking; D3 Sustainable and Active Travel, D6 Landscape, NE1 Green Space Network, NE2 Green Belt, NE5 Trees and Woodlands, and NE6 Flooding and Drainage, within of the Aberdeen Local Development Plan.

Conditions

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

(1) that the roads layout hereby approved shall be constructed, drained, laid-out and demarcated in accordance with drawing No's. 92762/1193 Rev A,

92762/1107, 110342_Ph1a_Infra_X01, 110342_Ph1a_Infra_X02, 92762/1100 Rev B, 92762/1101 Rev B, 92762/1102 Rev B, 92762/1200 Rev A, 92762/1201 Rev A, 92762/1202, 92762/1203 Rev A, and 92762/1204 of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority - in the interests of public safety and the free flow of traffic.

(2) No road gradients within the application site boundary should exceed 1 in 16 (6.25%) - in the interest of road safety.

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

(4) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of hard and soft landscaping for the site (including play areas), which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting, all in accordance with Countesswells Development Framework/Phase 1 Masterplan, and the submitted Design and Access Statement (Dated March 2014) - in the interests of the amenity of the area.

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

(6) No development 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: (a) an investigation to determine the nature and extent of contamination; (b) a site specific risk assessment; (c) a remediation plan to address any significant risks and ensure the site is fit for the use proposed; and

(d) verification protocols to demonstrate compliance with the remediation plan. No building(s) in the respective block shall be occupied unless (a) 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 (b) 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.

(7) Prior to the commencement of works on site, a detailed scheme for surface water drainage shall be submitted to and agreed by the Planning Authority, in consultation with SEPA. The scheme shall detail an appropriate level of sustainable drainage SUDS treatment for all areas of the development. All work shall be carried out in accordance with the approved scheme - to ensure adequate protection of the water environment from surface water run-off.

(8) Prior to the commencement of any works on site, a site specific Construction Environment Management Plan (CEMP) shall be 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 in site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority - In order to minimise the impacts of necessary demolition/construction works on the environment.

(9) Prior to the commencement of any work in this 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.

(10) That 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.

(11) No development 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 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 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

(12) 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.

(13) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the Planning Authority in consultation with Aberdeen Airport, and thereafter implemented in full accordance with said scheme - in the interest of public safety.

Informatives

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

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

Dr Margaret Bochel

Head of Planning and Sustainable Development.