

Planning Development Management Committee

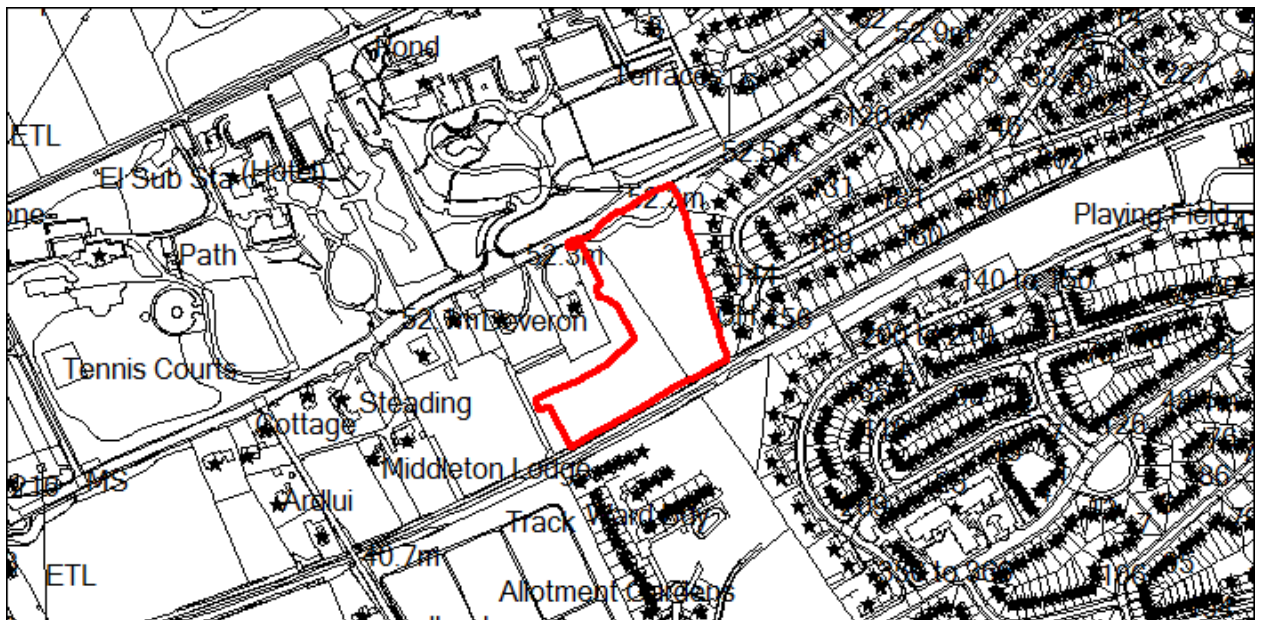
NORTH DEESIDE ROAD, OPPOSITE
INTERNATIONAL SCHOOL

3 HOUSES WITH LANDSCAPING

For: Dr George Stevenson

Application Type : Detailed Planning Permission
Application Ref. : P141260
Application Date: 21/08/2014
Officer: Tommy Hart
Ward : Lower Deeside (M Boulton/A Malone/M
Malik)

Advert : Dev Plan Dept/Section
60/65
Advertised on: 17/09/2014
Committee Date: 4 December 2014
Community Council : No response
received



RECOMMENDATION: Refuse

DESCRIPTION

This L-shaped site is approximately 2ha in size, is part of the Green Belt and Green Space Network and lies within the Pitfodels Conservation Area

To the immediate east is Deeside Gardens, which is a late 20th Century residential development comprising a mixture of detached and semi-detached properties typical of their time. To the west there are also residential dwellings which are generally large detached granite properties set in substantial gardens with a north-south orientation. To the south lies the Old Deeside Railway with residential dwellings beyond.

There are a number of trees along the periphery and within the application site although these are not subject to a TPO but the trees are protected by virtue of being within the Conservation Area. The boundary treatment to the north, south and west is generally rubble walls of varying heights, whilst along the east boundary it is generally hedging and fencing. Further, a low-lying rubble wall bisects the site.

Core path number 65 runs along the northern side of North Deeside Road and runs down the eastern side of the site linking into Core Path no. 66 (Deeside Way) along the southern boundary of the site.

Currently there is no formal access onto the site save for an old opening onto North Deeside Road which cannot be used due to the topography and trees beyond.

RELEVANT HISTORY

There is no relevant planning history for the application site. However, it is worth taking note of a recent decision for similar proposal nearby.

Planning ref 131279 for the erection of 3 detached houses at Middleton Lodge (off Pitfodels Station Road) was refused by the Planning Development Management Committee in March 2014 for the following reasons;

1) That the site lies within the Green Belt which is defined to protect and enhance the landscape setting and identity of urban areas and in which there is a presumption against most kinds of development with only limited exceptions. The proposed development does not comply with any of the specified exceptions to the presumption against development within the Green Belt and therefore does not comply with Policy NE2 Green Belt of the Aberdeen Local Development Plan 2012. If permitted, this application would create a precedent for more, similar developments to the further detriment of the objectives of the Green Belt policy, when sufficient land has been identified for greenfield housing through the development plan.

2) The application is deficient in information in respect of a design statement and tree survey. It is therefore not possible to make a full assessment of the

implications of the development on the Lower Deeside/Pittfodells Conservation Area, and the potential loss of existing trees on site. As such it has not been possible to ascertain whether the proposal complies with Policies D1 Architecture and Placemaking, D5 Built Heritage, and NE5 Trees and Woodlands of the Aberdeen Local Development Plan 2012.

3) The application as currently submitted could result in a road safety hazard due to the intensification of use of a sub-standard access point which also has poor pedestrian linkages to the surrounding area.

PROPOSAL

Full planning permission is sought for the erection of three detached properties within the application site. Along the eastern side of the application site, it is proposed to retain the upgrade the current landscape setting of the eastern part of the site (between 40 and 100m in width). Within that landscape strip, a formal footpath is proposed as an upgrade and realignment of Core Path 65.

Vehicular access is proposed approximately 50m from the west boundary. The new asphalt finished road would wind through the site and terminate around the south-east corner of the adjacent residential feu pertaining to the house known as 'Airdrie Park', with the remainder of the road being private driveway access to plot three.

The building position of plots two and three would resemble that of the houses known as 'Helford' and 'Airdrie Park' sitting behind them. In relation to plot one, this would sit to the immediate east of 'Airdrie Park' within the inside curve of the new access road.

In terms of building design, the three 5-bed properties would be identical in design, scale and massing. The properties would be 10m at the tallest part of the cupola. The main building would be roughly 17m x 17m, with the attached wing being around 4m x 8m in size. At 2-storeys in height, a traditional approach has been taken in respect to using ashlar and quarry face granite on the walls, slate on the hipped roof, metal rainwater goods, as well as timber doors and windows. The north elevation would have include a 2-storey bay window either side of the large entrance, whilst the south elevation would have a simpler design finish with ample glazing; including three sets of full-height windows/bi-fold doors. A generously sized cupola is proposed to allow light into the stairwell, which would be white coloured powdercoated aluminium with a dark grey lead roof. The attached wing would be occupied by a study at first floor and boot/utility room at ground floor.

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=141260>

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

Design Statement;
Ecology Report;
Drainage Statement;
Tree Survey;
Landscape Specifications;
Transport Statement.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because more than 5 objections have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – Have concerns about the proposed development on the grounds of road safety.

The speed limit is 40mph on this section of the A93, which is a very busy radial route into and out of Aberdeen City centre. In terms of road standards, it would not be appropriate to apply "Designing Streets" policy to such a route and the higher road design standards contained within the DMRB would apply.

Providing a new junction at this location would introduce new turning movements on and off the A93, which would create a road safety concern. It is noted that the proposed location for a new junction onto A93 North Deeside Road, has been altered from that which was proposed previously. The visibility to either side of the proposed access would now be adequate.

As the revised proposals would meet the DMRB standards, the concerns about the road safety implications are less than that of the original position of the junction. As such if the committee is minded to grant consent, it is recommended that conditions are applied relative to;

1. A new access onto North Deeside Road shall be constructed, generally in accordance with the plan layout shown on Drg. No. 104591/0002 Rev. D, which shows bellmouth radii of 6.0m. There shall be a refuse bin storage area provided on the west side of the access, located behind the wall at the rear of the footway. The wall on the east side of the proposed access needs to be realigned over approximately 10m to provide the required visibility splay of 2.4m x 120m.
2. A 5.0m wide access road shall be constructed, generally in accordance with Drg. No. 104591/0002 Rev. D (which shows the plan layout) and Drg. No. 104591/0003 Rev. A (which shows the proposed vertical geometry).

3. A minimum of three car parking spaces shall be provided adjacent to each house, with adequate turning space so that cars can enter and leave the access road in forward gear.

Environmental Health – no observations

Enterprise, Planning & Infrastructure (Flooding) - no observations

Community Council – no comments received

Education, Culture and Sport (Museums and Galleries) – requests a condition for a programme archaeological works to be submitted and agreed in advance of works being undertaken on site.

REPRESENTATIONS

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

1. Road safety issues with regards the new access;
2. The proposal would conflict with Green Belt and Green Space Network policies;
3. The proposal conflicts with the Pitfodels Conservation Area Appraisal;
4. The proposal conflicts with Historic Scotland's 'SHEP' in respect to impact on the Conservation Area.

PLANNING POLICY

National Policy and Guidance

SPP is clear in identifying that the purpose of green belt designation in the development plan as part of the settlement strategy for an area is to:

- direct planned growth to the most appropriate locations and support regeneration,
- protect and enhance the quality, character, landscape setting and identity of towns and cities, and
- protect and give access to open space within and around towns and cities.

It also advises that where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available. Development in a designated green belt should be of a high design quality and a suitable scale and form.

Further, it is clear that within Conservation Areas, development within such areas should not have a negative impact on its appearance, character or setting which should be preserved or enhanced.

Aberdeen Local Development Plan

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 that are likely to destroy or erode the character or function of the Green Space Network will not be permitted.

Policy NE2 – Green Belt

No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal.

The following exceptions apply to this policy:

1. Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:
 - a) the development is within the boundary of the existing activity;
 - b) the development is small scale;
 - c) the intensity of activity is not significantly increased; and,
 - d) any proposed built construction is ancillary to what exists.

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.

Policy D1 – Architecture and Placemaking

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

Policy D5 – Built Heritage

Proposals affecting Conservations Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

Supplementary Guidance

The Council's Supplementary Guidance *Transport and Accessibility* and *Landscape Strategy Part 1 - Maintenance of Landscape Setting* are relevant material considerations.

Other considerations

The Council's Conservation Area Character Appraisals and Management Plan, and Pitfodels Conservation Area Appraisal are relevant considerations.

Proposed Aberdeen Local Development Plan

The following policies substantively reiterate policies in the adopted local development plan as summarised above;

- Policy NE1 – Green Space Network
- Policy NE2 – Green Belt
- Policy NE5 – Trees and Woodlands
- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to preserve and enhance the character or appearance of conservation areas

Principle of Residential Development

Scottish Planning Policy (SPP) is clear that the aim of Green Belt is to direct planned growth to the most appropriate location, and to protect and enhance the quality, character and setting of towns and cities. In this instance, while adjacent to existing residential properties, the site is located within the Green Belt. Allowing residential development in this location is likely to have a significant detrimental impact on the character of the landscape setting of this part of the green belt, which would be contrary to paragraph 49 of SPP which seeks to direct development to the most appropriate location and protect and enhance the character, landscape setting and identity of the settlement.

In terms of the Council's Green Belt Policy, no justification has been received for the proposed residential dwellings. In this instance, the proposal does not meet any of the defined criteria for acceptable development in such an area, and the development is therefore deemed to be contrary to Policy NE2.

The applicant's supporting statement acknowledges that green belt policy seeks to ensure only appropriate development is permitted therein. However, it suggests that the zoning of two Opportunity Sites (OP64 and OP65) which were formally zoned as Green Belt sets the precedent for the development proposed within this application. It should be noted that these two sites were formally allocated as housing sites and adopted through the Local Plan in 2012. To help meet the housing needs for Aberdeen, sufficient land has been allocated for housing in the ALDP and thus there is no need to allow this site to be used for residential purposes. Further, the Proposed Local Development Plan does not seek to change this designation. The allocation of OP sites to not set a precedent.

The supporting statement suggests that Core Path 65 is aspirational and *does not exist on the ground*. However, it is clear that this is not the case, with the Core Path being in place since 2009 and running close to the eastern boundary of the site. It is therefore considered that the upgraded path would not be a *significant improvement to the way that the ISA* [International School Aberdeen] *is accessed* as the situation would be no different to the current line. The statement also suggests that although the houses would create residential curtilage, the majority of the land within the application site would be preserved in perpetuity as accessible open space which enhances the amenity of the immediate area. Although there may be some positive aspects in respect to upgrading Core Path no. 65, and enhancing the landscape setting of the existing landscaped area, these do not outweigh the fact that introducing three large detached properties into this 'green space' would significantly erode the character of the Green Space Network and therefore the application is contrary to Policy NE1.

In conclusion, the principle of residential development on this site is not acceptable as there would be significant detrimental impact on the Green Belt and Green Space Network.

Design, scale and massing of dwellings

As noted above, the general principle of development on site cannot be established against Scottish Planning Policy nor the ALDP Policy as it relates to Green Belt locations. Notwithstanding, it is still necessary to assess the design of the proposed houses against the relevant policy. An important and defining characteristic of Pitfodels is the variety of house designs, with no two houses in this part of the Conservation Area being of the same design. The supporting statement states that the houses and driveway have been designed so as to resemble a country estate, with large houses set in large grounds. The houses themselves take cognisance of the traditional built form of the West End of Aberdeen. The proposed houses are generally in keeping with the theme of the large residential dwellings to the west which characterises the Pitfodels Conservation Area best. However, the main issue relates to the proposal for three identical houses to be constructed in an area which is characterised by different styles of properties. Introducing three identical properties would go against the grain of the established character. For this reason, it is considered

that the proposed houses have not been designed with due consideration for their context and therefore do not comply with Policy D1.

For applications within Conservation Areas, there is a requirement to submit a Design Statement with planning application. Reference is made within the submitted statement to the following;

Impact on the Lower Deeside/Pitfodels Conservation Area

As noted above, the site is located within the Lower Deeside/Pitfodels Conservation Area. As such, it is necessary to assess the impact of the proposed development upon whether to proposals preserve and enhance the character or appearance of the Conservation Area as a whole, taking account of the existing 'green spaces' as well as built form.

When compared to the immediate area, the proposal of three houses set in feus of approximately 1 – 1.5 acres in size is generally commensurate with the surrounding area whereby large dwellings are set within sizeable grounds from 1/3 acre to 1.5 acres in size.

It is worth noting that that the large 'green space' to which this site relates is an important characteristic of the established character of Pitfodels Conservation Area. Part of the character of the area relates to the sense of place that is gained by the available views from the North Deeside Road across undeveloped fields to the wider valley landscape of the River Dee. New buildings within this area might tend to obstruct attractive views of the lower areas near to the river, and of the valley itself, which help to give the area a sense of place. Since many open spaces in this area do not have significant tree cover except along some field boundaries new buildings would tend to be very visible until new planting had become established. They would also be unable to mirror the parkland setting for which a large part of the conservation area has become recognised. The area south of the North Deeside Road, between it and the river, is as an area of local landscape significance. It therefore helps to support the existing designation of Green Belt to the southern part of the Pitfodels Conservation Area. The Green Belt policies of the ALDP apply to control development that might otherwise affect landscape setting. When taking on board the fact that the proposal would remove around 4.5 acres of Green Belt and Green Space Network and replace it with residential dwellings and associated infrastructure, it is considered that this would have a significant detrimental impact on the character of the Conservation Area in that it would change the character of the immediate area. It is acknowledged that there would be landscaping associated with each plot but this is not considered sufficient to out-weigh the significant detrimental impact of the development. The development of the 'green space' could set a precedent for development which would incrementally erode the character of the area and the reasons for which it was made a Conservation Area.

Further, taking account of the existing character of Core Path 65, this is currently a trodden path through an unkempt and overgrown field which is an important aspect of the areas character being a wildlife corridor. The plans proposed to fundamentally change the character of the Core Path by changing its location, and by upgrading it to a more formal path set in an open landscaped area. It is considered that this in itself would have a significant detrimental impact on the character of the Pitfodells Conservation Area.

It is considered that the development would not preserve or enhance the Conservation Area and as such there is conflict with Policy D5, Historic Scotland's SHEP and SPP.

Access and servicing

A new vehicular and pedestrian access is proposed off North Deeside Road, with the new road meandering through the site towards the south. That access would be around 150m east of the existing access of the International School on the northern side of North Deeside Road. A refuse wheelie bin store is proposed adjacent to the new access behind the existing stone dyke along the northern edge of the site.

The Roads officer has indicated that the visibility to either side of the proposed access is adequate and therefore there are no objections to the access. Although there is still concern over the proposed new right turn movements in and out of the site, this is not enough to warrant recommendation of refusal.

Trees

A tree survey accompanied the application indicating that a total of 76 trees up to 20m in height had been surveyed, which are mainly situated along the north, north-east and western boundaries of the site, with some small groups throughout the site. The survey indicates that the trees are generally of moderate to poorer quality with an age class between young to mature.

Approximately 60 trees are proposed to be removed in order to permit development, these predominantly being at the point of the proposed new access and along the northern boundary. These are labelled G3 in the tree survey - a young to semi mature mixed broadleaved mostly Ash, Sycamore and Elder. They are likely self seeded regeneration as they are grown in close proximity causing one sided, leaning to the outside or slender and stretched to the interior. They are low graded Category C and unlikely to reach full maturity. It is proposed to replace them with high quality specimen trees / woodland. Similarly there is a group of 16 self sown Category C sycamore trees along the northern boundary that although are not required to be removed to accommodate the road alignment now, are poor quality and unlikely to reach full maturity. Therefore it is proposed to remove and replace with high quality specimen trees along North Deeside Road to improve the quality of the frontage to this road. These are within the overall no of trees to be removed.

Although the survey indicates the trees are of a poorer quality, it is important to note the part they play in contributing to the landscape character of the immediate area. The majority of the trees to be removed would be on this main public thoroughfare where the impact would be most apparent. Whilst it is acknowledged that there is already a gap in the landscaping along the site frontage, removing some twenty trees from that same frontage would significantly change the character of the immediate area.

Replacement planting is proposed along North Deeside Road which would help to further screen the site and enhance the landscape setting of the area. However, the current views over the valley to the south would likely be lost by virtue of that planting and given that this is a key characteristic of the Pitfodels Conservation Area, the impact on the experience of the Conservation Area would be significant. Additional trees are proposed along the new internal access road and on the boundaries of all the properties. In total, the replacement planting is on a 2:1 basis which is in line with Council requirements which would allow for 75 new trees and just over 9000m² of new wooded area within the site. Although the new planting would be required in order to screen the new dwellings, these trees would actually have a negative impact on the character of this part of the Pitfodels Conservation Area.

The application fails to adhere to the defining principles of Policy NE5.

Drainage

In terms of foul drainage, the submitted Drainage Statement indicates that each plot would have a single level of treatment for roof and road water. Foul drainage would outfall to Scottish Water's existing manhole in the south-east corner of the application site. In terms of surface water drainage, the attenuated, treated surface water run-off from the main access and plots would discharge to the existing ditch along the southern boundary of the application site. No observations have been received from the Council's flooding team.

Material considerations raised in letters of objection

The issues raised in the letters of objection have been dealt with in the relevant sections above.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

- these matters have been subject to public consultation through the Main Issues Report; and

- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

The foregoing can only be assessed on a case by case basis. In relation to this particular application, the policies listed below are of relevance;

- Policy NE1 – Green Space Network
- Policy NE2 – Green Belt
- Policy NE5 – Trees and Woodlands
- Policy D1 – Quality Placemaking by Design
- Policy D4 – Historic Environment

These policies substantively reiterate policies in the adopted local plan. In addition, for the same reasons that the proposal does not comply with the adopted local development plan, it also does not comply Policies NE1, NE2, NE5, D1 and D4 of the Proposed Plan.

In Summary

The proposal represents a departure to the development plan, specifically in relation to Green Belt policy. The principle of development is unacceptable in respect that there is no justification been provided which would allow deviation from Green Belt Policy. Further, the proposed right turn movements into the site would lead to a road safety hazard. Lastly, the proposed development would have a significant detrimental impact on the character of the Pitfodels by virtue of the loss of the 'green space' and the construction of three identical dwellings.

Should Members be minded to approve the application, it is recommended that any such approval includes planning conditions relative to; landscaping, actual design of internal road layout, drainage, programme archaeological works. An informative may also be necessary in respect to construction hours.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION

- 1) That the site lies within the Green Belt which is defined to protect and enhance the landscape setting and identity of urban areas and in which

there is a presumption against most kinds of development with only limited exceptions. The proposed development does not comply with any of the specified exceptions to the presumption against development within the Green Belt, and would lead to the erosion of the character of the Green Belt which would adversely affect the landscape setting of the City. The proposal therefore does not comply with Policy NE2 (Green Belt) of the Aberdeen Local Development Plan, Policy NE2 (Green Belt) of the Proposed Local Development Plan or Scottish Planning Policy. If permitted, this application would create a precedent for more, similar developments to the further detriment of the objectives of the Green Belt policy, when sufficient land has been identified for greenfield housing through the development plan.

- 2) That the site lies within land designated as Green Space Network which the Council seeks to protect, promote and enhance the wildlife, recreational, landscape and access value of. The proposed development would detrimentally erode the character or function of the Green Space Network and as such is contrary to Policy NE1 (Green Space Network) of the Aberdeen Local Development Plan and Policy NE1 (Green Space Network) of the Proposed Local Development Plan.
- 3) The proposed residential dwellings, because of their design, would be unsatisfactory in this location taking account of the prevailing character of the immediate Pitfodels Conservation Area, in that they have not been designed with due consideration for their context. The introduction of the three identical houses, the loss of the area of Green Belt and Green Space Network would have a significantly detrimental impact on the character of this part of the Pitfodels Conservation Area in that the development would not preserve or enhance the Conservation Area. The proposals do not comply with Policies D1 (Architecture and Placemaking), D5 (Built Heritage) or NE5 (Trees and Woodlands) of the Aberdeen Local Development Plan, Policies D1 (Quality Placemaking by Design), D4 (Historic Environment) or NE5 (Trees and Woodlands) of the Proposed Aberdeen Local Development Plan, Scottish Planning Policy or Historic Scotland's Scottish Historic Environment Policy.

Dr Margaret Bochel

Head of Planning and Sustainable Development.