

Planning Development Management Committee

FORMER ROYAL CORNHILL HOSPITAL,
BERRYDEN ROAD, ABERDEEN

DEMOLITION OF FORMER HOSPITAL
BUILDINGS AND PROPOSED RESIDENTIAL
DEVELOPMENT OF 323 UNITS COMPRISING 89
NEW BUILD HOUSES, 198 NEW BUILD FLATS
AND CONVERSION OF FORMER HOSPITAL
BUILDING TO FORM 36 FLATS, WITH
ASSOCIATED CARPARKING, OPEN SPACE AND
INFRASTRUCTURE

For: Stewart Milne Homes, Barratt East Scotland,
NHS Grampian

Application Type : Detailed Planning
Permission

Application Ref. : P130381

Application Date: 21/03/2013

Officer: Gavin Evans

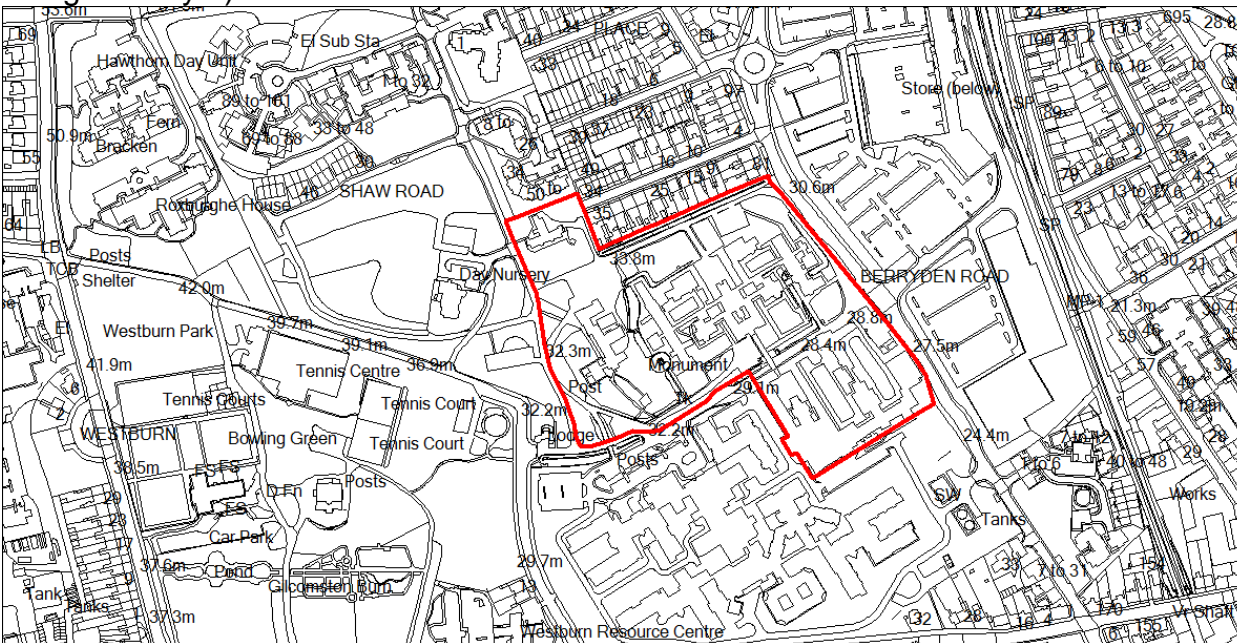
Ward : Midsocket/Rosemount (B Cormie/J
Laing/F Forsyth)

Advert : Section 60/65 - Dev aff
LB/CA

Advertised on: 01/10/2014

Committee Date: 12 February 2015

Community Council : No Comments



RECOMMENDATION: Willingness to approve the application subject to conditions and the conclusion of a legal agreement to secure the following;

- 25% affordable housing provision, including 15% on-site
- Developer contributions in relation to Primary Education, Community Facilities, Sports and Recreation and Library Facilities, in line with the assessment carried out by the Council's Developer Obligations team

- **Participation in a Car Club in order to mitigate the identified shortfall in car parking by providing memberships for residents.**
- **Contributions towards mitigation works at junctions in the local road network in the event that the development is implemented prior to Berryden Corridor road widening**

DESCRIPTION

The application site, which extends to 5.54ha, lies between Berryden Road, to the east, and May Baird Avenue, to the west. It is enclosed by residential buildings laid out along Chestnut Row to the north, with the new Cornhill Hospital (circa 1990) sitting between the application site and Westburn Road, to the south.

The former Royal Cornhill Hospital site is a complex of unlisted buildings, consisting of Upper and Lower hospitals, built of granite in a classical style and formally laid out in a mature parkland setting. The site is enclosed along its Berryden Road frontage by a stone wall of 2.5-3m in height. There is a disused, gated vehicular access in the Berryden Road elevation, slightly north of the junction serving a retail park on the opposite side of Berryden Road.

Notable tree belts are present along the northern boundary, screening the site from Chestnut Row, and the western boundary to May Baird Avenue.

With the relocation of operations to the new Cornhill Hospital the buildings within the application site have fallen vacant and are surplus to the operational requirements of NHS Grampian.

The site lies within the Rosemount and Westburn Conservation Area, and contains the Forbes of Newe Obelisk, which is category 'C' listed.

RELEVANT HISTORY

Application P130382, submitted in association with this application, seeks Conservation Area Consent for the demolition of the majority of the existing buildings. At time of writing, that application remains undetermined, however an update can be provided verbally to members at the committee meeting.

PROPOSAL

This application seeks detailed planning permission for a residential development of 323 units, comprising 89 new houses, 198 new-build flats and 36 flats provided via the conversion of existing Upper Hospital buildings.

The scale and form of new buildings would vary across the site, with 4 and 5 storey blocks addressing Berryden Road and providing an identifiable street frontage to the development. The interior of the site would include the converted 2-2½ storey Upper Hospital buildings, along with new 3 and 4 storey flatted blocks and a mix of detached, semi-detached and terraced houses at 2 and 3 storeys.

The site would be served principally by a new access formed on its eastern boundary with Berryden Road, opposite the junction into the adjacent retail park.

A secondary vehicular access, off May Baird Avenue, would utilise a collapsible bollard or similar in order to restrict access to emergency vehicles, cycles and pedestrians. A series of pedestrian routes are provided through the site, with connections to Berryden Road and May Baird Avenue.

The proposal involves the demolition of a number of existing buildings present on the site, however 5 buildings forming part of the Upper Hospital would be retained and converted. The demolition of buildings within a Conservation Area requires a separate type of consent, 'Conservation Area Consent', which the applicant has sought via a separate application.

It is noted that the proposal involves the relocation of the Forbes of Newe Obelisk, which cannot be carried out without a separate approval of Listed Building Consent. The applicants have been made aware of this requirement, but it does not preclude consideration of the current application for planning permission.

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=130381>

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

The supporting documents available online include the following;

- Design and Access statement
- Pre-application Consultation (PAC) report
- Tree survey
- Site appraisal report
- Indicative street visualisations
- Geo-Environmental Desk Study Report
- Transport Assessment
- Drainage Assessment

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation between the applicant and the local community in August 2012, as required for applications falling within the category of 'major developments', defined in the relevant 'Hierarchy of Development' Regulations. That consultation involved a public event, held on 27th August 2012 at the Aberdeen Northern Hotel. The event was advertised in the Aberdeen Press and Journal a week in advance. Posters advertising the event were displayed in local shops and community facilities. A separate consultation event was held with local NHS Grampian staff.

The main issues raised in these consultation events were as follows;

- Scale of development seen to be excessive.
- The main access onto Berryden Road requires careful consideration as there is already a busy junction to the retail park.
- Concerns stated over increases in vehicular traffic using May Baird Avenue, particularly if access onto Berryden Road becomes congested.
- Queries over the relationship between the development and ACC's proposals for the widening of Berryden Road.
- The obelisk should be retained.
- Re-use of granite is supported.
- The privacy of vulnerable adults attending the hospital should not be compromised by the development.

The submitted Pre-Application Consultation report outlines that building heights were reviewed as a result of the comments received, with significant numbers of 2-storey buildings incorporated towards boundaries with the NHS estate. Also, the access point on the western boundary will be controlled to ensure that it is not available to ordinary vehicle traffic.

REASON FOR REFERRAL TO COMMITTEE

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

CONSULTATIONS

Roads Projects Team – The Council's Roads Projects Team has indicated its satisfaction with the revised proposal.

Car Parking

Car parking has been reviewed in light of earlier feedback from the Council's Roads Projects Team. A total of 460 unallocated parking spaces have been proposed for the 323 units proposed, including provision for visitor parking and spaces for disabled users. Based on an agreed position that the 'inner city' car parking standards will be applied in this instance, the total requirement would be 493, resulting in a shortfall of 33 spaces. As recommended by Roads colleagues, 2 Car club bays have been proposed which would account for this shortfall in parking. Parking arrangements are now considered to be acceptable. In-curtilage car parking for dwellings has been provided in accordance with the Council's parking guidelines. A car parking management plan should be provided to demonstrate measures to encourage the efficient use of car parking and control usage by non-residents. A planning condition can be used to secure this.

Access

Two vehicular access points are proposed. The main access point is via a signalised junction on Berryden Road, with a secondary access, for emergency vehicles only, proposed on May Baird Avenue. To the north of this secondary access, May Baird Avenue would be upgraded to an adoptable standard. 3m

wide footpaths, providing connections to surrounding footways, have been agreed with the applicant and implementation will be secured via a condition. It is noted that a connection previously shown to Chestnut Row has been removed, and this is acceptable given the alternative pedestrian routes which exist throughout the site. It is noted that pedestrian accesses to Berryden Road from the frontage of buildings 1-4 and 5-8 have been added, and this is supported.

Transport Assessment

As any new access onto Berryden Road would be affected by the Council's proposals for the widening of Berryden Road, the Council's Roads Design Section have been consulted in order to ensure that the signalised access junction can be designed to with those proposals in mind, minimising the potential for abortive works. A proposal has now been agreed with the applicants' transport consultants.

The main access junction would be signalised from the outset of the development, and in this respect a further drawing has been agreed.

Traffic modelling results suggest that development traffic would have a significant impact on the Berryden Road/Hutcheon Street junction. In order to alleviate the impact of the development traffic, the applicant has proposed that existing signal timings are optimised, however traffic modelling results indicate that this junction is operating beyond its practical capacity and a 'no net detriment' solution has not been achieved. Officers consider that the traffic modelling carried out is not satisfactory. It is understood that the applicants' transport consultant is undertaking further modelling works, but as yet no satisfactory scheme to offset impact on the Berryden Road/Hutcheon Street junction has been identified. Roads colleagues suggest that a condition be attached to any consent, requiring appropriate mitigation measures for this junction to be agreed with the planning authority prior to any works commencing.

Traffic modelling also indicates that the proposed development would result in a significant impact at the Skene Square/Rosemount Place junction. The applicants have proposed a hypothetical mitigation scheme, and have agreed that if this scheme is accepted, the applicant will make a financial contribution for the cost of those works. The applicant has been asked for a costing of the scheme, and this should be provided prior to commencement of any works, to be agreed with the planning authority. It is noted that the Skene Square/Rosemount Place junction would be reconfigured as part of the Council's proposals for the Berryden Corridor, and therefore any financial contribution, based on this hypothetical mitigation scheme, would be put towards the costs of that wider road improvement scheme.

It is also recommended that a condition requiring submission of a Residential Travel Plan, to be agreed prior to occupation of any units on site.

Internal Layout

It is noted that the internal layout has sought to address the aims of 'Designing Streets'.

Deliveries and Service Vehicles

Plans demonstrating the swept-path of large vehicles have been provided, and are considered to be acceptable in principle, though it is noted that detailed roads design will be considered further as part of the Roads Construction Consent process.

Drainage Impact Assessment

The submitted Drainage Impact Assessment is considered to be acceptable, provided it is also accepted by Scottish Water, SEPA and Aberdeen City Council's Flood Prevention Unit.

Strategic Transport Fund

This site was carried forwards from the 2008 Aberdeen Local Plan, and therefore is exempt from requirements to contribute towards the Strategic Transport Fund.

Construction Programme

A Construction Programme, including information about construction access arrangements and typical daily construction vehicle movements, should be submitted to the planning authority, for agreement prior to any works commencing.

Environmental Health - No objection, but highlight potential for historic site contamination. This should be ascertained by a risk-based site investigation in accordance with best practice, with the investigation commencing in advance of demolition. A study to this effect has been provided by the applicant, and Environmental Health colleagues have expressed their agreement with the recommendations therein. It is recommended that appropriate contaminated land conditions be attached to any approval, requiring that a 'Phase II' investigation be carried out prior to demolition and (if found to be necessary) supplementary investigations to be carried out thereafter.

Developer Contributions Team - Highlights the requirements of policies I1 (Infrastructure and Developer Contributions) and H5 (Affordable Housing), including a requirement for 25% affordable housing, with an expectation of on-site provision. It has been agreed in this instance that the site constraints would warrant delivery of the 25% affordable housing via 15% on-site provision and 10% via a commuted sum. The affordable requirement in this case equates to 80.75 units.

Notes that the zoned primary school is Skene Square School. Following advice from Education, a contribution towards primary education will be required, based on the notional increase in the number of school age children residing within the development. The applicants have expressed a commitment to such contributions previously, and the level of these contributions has been reviewed to reflect both the passage of time and change in methodology and also the increase in the number of units. Notes that Aberdeen Grammar School, the zoned secondary school, has capacity to accommodate the development, and therefore no financial contributions are required for secondary schooling.

Contributions are sought for improvements to public halls and community facilities, based on the increased usage attributable to a further 323 households. Residents would be within the catchments of Catherine Street Community Centre and Rosemount Community Centre.

Contributions are also sought based on increased pressure placed on existing sports and recreation facilities, playing fields and library provision, arising from the increased population.

It is acknowledged the development will open up otherwise inaccessible routes into Westburn Park and beyond and provide multi surface path options therefore no additional contributions are sought towards this element.

It is noted that the Council's Roads Projects Team will advise on any contributions payable to the Strategic Transport Fund.

Education, Culture and Sport

The financial contribution agreed with the applicant by the developer contributions team would seem a reasonable and fair contribution to mitigating the impact of the development on education provision.

The contribution can be used towards the necessary improvement of Skene Square Primary School to create additional capacity by creating additional classrooms, using space located above the gym hall. The rooms concerned have been unoccupied and used as storage facilities and have only recently had significant work to address dry rot issues and need significant refurbishment to bring them up to an acceptable standard for learning and teaching

Communities, Housing and Infrastructure (Flooding) – Note that the development proposes to discharge treated surface water into the existing Scottish Water systems, and that any treatment of surface water run-off from the development would represent an improvement on the existing situation. States that the Combined Sewer Overflow to the east of the development connects in to the Gilcomston Burn.

ACC Waste Strategy Team – A number of issues relating to the size and position of bin storage areas are raised, however it is considered that there is scope for the detail of proposals to be refined via further submissions, secured via a condition. More significantly, the terraces of the lower hospital are of concern, as refuse crews would not collect from dead end routes or car parks. Accordingly, bins would have to be presented at the north-south route for collection, however there is no place to present bins for collection. This leads to concerns over individual bins being left by the kerbside or along paths to the terraces.

Scottish Environment Protection Agency

Confirm satisfaction with the revised Sustainable Urban Drainage Systems (SUDS) proposals in terms of SEPA's interest in water quality.

SEPA also request a condition, securing submission of a site-specific construction environmental management plan (CEMP).

Community Council – In light of revisions to the proposal, which have addressed concerns regarding access arrangements and relationship with the Cornhill Hospital site, Rosemount & Mile-End Community Council has withdrawn its earlier objection and has stated its support for the amended proposal.

Transport Scotland – No objection to the proposal based on potential impact on the trunk roads network.

Police Architectural Liaison Officer (ALO) - The initial consultation response from the ALO expressed concern at the extent of footpaths and pedestrian permeability through the site, which were considered to provide opportunities for easy access and egress for potential offenders. It was highlighted that users of pedestrian routes should feel safe, and that such routes should be wide, straight and well lit, with good levels of natural surveillance. Suggestions were made regarding the removal of several pedestrian routes. Concerns were expressed about unrestricted access to the rear of properties, via pedestrian routes. The height of landscaping should be restricted to allow good sight lines, particularly around parking areas and footpaths. Suggestions are made regarding levels of lighting, with uniformity of lighting rather than level of lighting being of greatest importance.

Revisions to the proposal warranted re-consultation, with the subsequent response noting that earlier concerns regarding the degree of pedestrian permeability had been addressed. This reduced pedestrian permeability is supported. Locked gates to the rear of properties in the south-west corner of the site would restrict access appropriately adjacent to rear gardens. Best practice suggests that rear gardens should be enclosed by 1.8m fencing with lockable gates. Earlier comments regarding landscaping and lighting remain. Recommend that the applicants seek to obtain a 'Secured by Design Award' for the entire development.

Scottish Water – No objection. Note that Invercarnie Water Treatment Works and Nigg PIF Waste Water Treatment Works currently have capacity to service the proposed development.

Aberdeen City and Shire Design Review Panel – An earlier version of the proposal was presented to the Design Review Panel in April 2013, thus discussion was based on the development proposed at that time, and the scheme has been changed substantially in the intervening period. The main points raised by the panel at that time are summarised as follows;

- Consideration should be given to the orientation of the lines of buildings on the western part of the site so that they relate better to the existing residences and adjacent streets,
- The materials and design should be appropriate and of a quality and style suitable for a conservation area.

- There is an opportunity to have unusual types of trees to provide focal points within the site and reflect the existing tree mix around the new development,
- The panel suggested the street elevation along Berryden Road might be made more substantial by reducing the space between individual blocks of flats and making it more street like.
Careful consideration should be given to the nature of the external spaces and how they relate to each other.

REPRESENTATIONS

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

1. All existing granite buildings should be retained and converted;
2. The proposal represents over-development of the site;
3. Increased traffic would cause problems in surrounding area, unless accompanied by improvements to the road network;
4. Parking problems in the surrounding area would be exacerbated by the proposed development;
5. No reference is made to road network improvements;
6. Removal of habitat and impact on wildlife currently using the Cornhill site;
7. Loss of existing healthy trees;
8. Safety concerns over new footpath formed at end of Chestnut Row;
9. Loss of privacy, specifically to properties on Barkmill Road;
10. Absence of reference to cycle linkages;
11. Provision should be made for an east-west cycle link through the development;
12. Concern that the proposal may result in May Baird Avenue attracting a significant increase in vehicle traffic – vehicle access should be taken from Berryden Road only;
13. Consultation process was not adequately publicised;
14. Request for clarification that schools in the area have capacity to serve the new development; and that
15. Parking will be more difficult for staff and visitors to Cornhill Hospital

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP)

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 and concise subject planning policies. The principal policies relating to sustainable development and placemaking are relevant to assessment of this proposal, along with subject policies relating to Enabling Delivery of New Homes; Valuing the Historic Environment; Valuing the Natural Environment; and Promoting Sustainable Transport and Active Travel.

Creating Places

Scotland's policy statement on architecture and place sets out the comprehensive value which good design can deliver. Advising that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy.

The six qualities of successful places are set out as:

- distinctive;
- safe and pleasant;
- easy to move around;
- welcoming;
- adaptable; and
- resource efficient.

These guiding principles continue to underpin the Scottish Government's approach to delivering good places.

Designing Streets

Designing Streets is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda and is intended to sit alongside Designing Places.

Scottish Historic Environment Policy (SHEP)

Scottish Historic Environment Policy (SHEP) is the statement of government policy on the protection and management of the historic environment. It seeks to make the best use of the historic environment in a sustainable way that secures its long term survival yet achieves the government's wider aims of economic and social regeneration.

Aberdeen City and Shire Strategic Development Plan (SDP) 2014

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

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 these attractive choices.

Aberdeen Local Development Plan

Policy I1: Infrastructure Delivery and Developer Contributions

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Policy T2: Managing the Transport Impact of Development

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review. Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail the standards that different types of development should provide.

Policy D1: Architecture and Placemaking

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. 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 D2: Design and Amenity

In order to ensure the provision of appropriate levels of amenity certain principles will be applied, including the following: Privacy shall be designed into higher density housing. Residential development shall have a public face to a street and a private face to an enclosed garden or court. All residents shall have access to sitting-out areas. This can be provided by balconies, private gardens, terraces, communal gardens or other means acceptable to the Council. Individual houses within a development shall be designed to make the most of opportunities offered by the site for view and sunlight. Development proposals shall include measures to design out crime and design in safety. External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

Policy D3: Sustainable and Active Travel

New development will be designed in order to minimise travel by private car, improve access to services and promote access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles.

Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation. Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained through the provision of suitable alternative routes.

D4: Aberdeen's Granite Heritage

The City Council will encourage the retention of granite buildings throughout the City, even if not listed or in a conservation area. Conversion and adaptation of redundant granite buildings will be favoured. Within conservation areas, neither conservation area consent nor planning permission will be given for the demolition or part removal of granite buildings (excepting those buildings that make an insignificant contribution to the character of the Conservation Area).

Where a large or locally significant granite building that is not listed or in a conservation area is demolished, the City Council will expect the original granite to be used on the principal elevations of the replacement building.

D5: Built Heritage

Proposals affecting Conservation Areas will only be permitted if they comply with Scottish Planning Policy.

D6: Landscape

Development will not be acceptable unless it avoids 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.

Policy H3 (Density)

An appropriate density of development is sought on all housing allocations and on developments of over one hectare must meet a minimum density of 30 dwellings per hectare, have consideration of the site's characteristics and those of the surrounding area, create an attractive residential environment and safeguard living conditions within the development.

Policy H4 (Housing Mix)

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

Policy H5 (Affordable Housing)

Housing developments of 5 or more units are required to contribute no less than 25% of the total units as affordable housing.

Policy CF1: Existing Community Sites and Facilities

Existing healthcare sites shall be used primarily for healthcare and/or related medical and educational purposes. Where land or buildings become surplus to current or anticipated future requirements, alternative uses which are compatible with adjoining uses and any remaining community uses, will be permitted in principle. Large sites or sites in sensitive locations will be subject to a Planning Brief or Masterplan.

Policy NE4 (Open Space Provision in New Development)

The City Council will require the provision of at least 2.8 hectares per 1000 people of meaningful and useful public open space in new residential development. Communal or public open space should be provided in all residential developments, including those on brownfield sites.

Policy NE5 (Trees and Woodlands)

There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

Policy NE6 (Flooding and Drainage)

Development will not be permitted if:

1. it would increase the risk of flooding:-
 - By reducing the ability of the functional flood plain to store and convey water;
 - Through the discharge of additional surface water; or
 - By harming flood defences.
2. it would be at risk itself from flooding;
3. adequate provision is not made for access to waterbodies 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.

Where more than 10 homes or greater than 100m² floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment (see Supplementary Guidance on Drainage Impact Assessments). Surface water drainage associated with development must:

- be the best available in terms of SUDS; and
- avoid flooding and pollution both during and after construction.

Connection to the public sewer will be a pre-requisite of all development where this is not already provided. Private wastewater treatment systems in sewered areas will not be permitted. In areas not served by the public sewer, a private sewer treatment system for individual properties will be permitted provided that the developer demonstrates that there will be no adverse effects on the environment, amenity and public health.

NE8 (Natural Heritage)

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

Policy NE9 (Access and Informal Recreation)

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. Where there is potential for pollution of the water environment the City Council will liaise with SEPA.

Policy R6: Waste Management Requirements for New Development

Housing developments should have sufficient space for the storage of residual, recyclable and compostable wasters. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste. Further details are set out in Supplementary Guidance on Waste Management.

Policy R7 (Low and Zero Carbon Buildings)

States that all new buildings, in order to meet with building regulations energy requirements, must install low and zero-carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards.

Supplementary Guidance

The following supplementary guidance (SG) documents are of relevance to assessment of this application:

- Affordable Housing
- Infrastructure and Developer Contributions Manual
- Waste Management
- Transport and Accessibility
- Low and Zero Carbon Buildings
- Bats and Development
- Royal Cornhill Hospital Design Brief

Proposed Aberdeen Local Development Plan

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

- Policy D1: Quality Placemaking by Design
- Policy D2: Landscape
- Policy D4: Historic Environment
- Policy D5: Our Granite Heritage
- Policy I1: Infrastructure Delivery and Developer Obligations
- Policy T2: Managing the Transport Impact of Development
- Policy T3: Sustainable and Active Travel
- Policy H3: Density
- Policy H4: Housing Mix
- Policy H5: Affordable Housing
- Policy CF1: Existing Community Sites and Facilities
- Policy NE4: Open Space Provision in New Development
- Policy NE5: Trees and Woodland

- Policy NE6: Flooding, Drainage and Water Quality
- Policy NE8: Natural Heritage
- Policy R2: Degraded and Contaminated Land
- Policy R6: Waste Management Requirements for New Developments
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency
- Policy C1 – Digital Infrastructure

Other Relevant Material Considerations

Rosemount and Westburn Conservation Area Appraisal – dated March 2004. This appraisal is intended to identify those elements that contribute to the Conservation Area’s special character and sense of place.

The matters raised in representations and the views expressed by the Aberdeen City and Shire Design Review Panel represent material considerations in the assessment of this application, in so far as any matters raised relate to relevant planning considerations.

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to, in considering whether to grant planning permission for development which affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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 site zoning and applicable policies would not be

materially different from those applicable under the current ALDP and detailed above.

Zoning & Opportunity Site designation

The site is within an area zoned CF1: 'Existing Community Sites and Facilities' in the Aberdeen Local Development Plan (ALDP), reflective of the healthcare use in the locality, both past and present. NHS Grampian consider the site is surplus to their requirements, and it is identified as Opportunity Site OP94 in the ALDP. That Opportunity Site designation identifies scope for a mixed-use redevelopment incorporating residential, office/business and community uses, and states that a Planning Brief will be required. A Planning Brief prepared for the site, and adopted as Supplementary Guidance to the ALDP, is described later in this report.

Whilst the OP94 designation indicates potential for a mixed use development, the current proposal is entirely residential. A mix of uses is generally desirable in order to secure sustainable communities, served by local services and amenities. In this instance, it is recognised that the site is relatively well-sited in relation to existing shops and services, already catering for residents of the surrounding area. The retail premises on the western side of Berryden Road, which include a large food supermarket, are considered to be capable of meeting the needs of residents. Opportunity Site commentaries are intended to briefly suggest the development potential of a site, rather than providing an exhaustive assessment of its scope for development, and would not preclude an alternative, but otherwise acceptable, form of development coming forward. Residential use is considered to be generally compatible with adjoining uses, which include residential to the north and retail uses to the west. The application site abuts the 'new' Cornhill Hospital site, and it will be necessary to consider carefully how any residential development relates to those ongoing healthcare uses, in order to ensure that both the clinical sensitivities of the hospital's services and the residential amenity afforded to prospective new occupants are balanced appropriately.

Development Brief

The Royal Cornhill Hospital Development Brief was prepared in August 2010, with the purpose of providing '*clear guidelines for the redevelopment of the OP94 Cornhill Hospital site in the historical context within a conservation area*'. The Royal Cornhill Hospital Development Brief was subsequently updated and carried forward as Supplementary Guidance on adoption of the ALDP.

The adopted Brief identifies potential for up to 364 homes, based on a density of 70 dwellings per hectare, and acknowledges that the Council's plans for road widening along the Berryden Corridor may reduce the developable area of the site. It is stated that potential developers will be required to specifically address an integrated landscape strategy for the site, which shall include a survey of existing trees and a report on their condition, along with proposals for a landscape management plan. The key principles set out in the development brief are as follows;

- Proposals must adopt the principles of ‘place making’, high quality building design, high quality urban design, high quality landscape design and sustainability;
- Overarching theme for redevelopment strategy should be to integrate the architecture of old and new into the park like setting of the site;
- Identifies a requirement for a Conservation Audit to identify elements of retention and demolition of existing buildings within development proposals;
- Materials should incorporate elements of granite for external walls, boundary walls and linking structures and other compatible materials appropriate to modern redevelopment within the historical context of the site and a conservation area.

Rosemount and Westburn Conservation Area Appraisal

In identifying the local context and assessing how the proposed development relates to that context, and to the character and appearance of the Rosemount and Westburn Conservation Area, it is appropriate to consider the Conservation Area Appraisal, which describes the character of the area around the Royal Cornhill Hospital as being typified by a collection of Victorian Asylum buildings of granite construction sitting proud in a parkland setting. It is acknowledged in the appraisal that a number of additional buildings have appeared over time, particularly with the construction of the ‘new’ Cornhill Hospital in 1989, but it is stated that the over-riding impression remains that of a parkland with open lawns and tree planting.

The appraisal recognises that later additions have largely engulfed the original asylum building of the Royal Cornhill Hospital, however whilst the relationship of the pavilions, villas, wards and courtyards and the spaces between may have altered over time, with the introduction of car parking, the localised sense of enclosure still exists within the hospital complex. The Forbes of Newe Obelisk (1830) commemorates John Forbes, who bequeathed £10,000 towards building the hospital. The category ‘C’ listed obelisk was originally sited in St Nicholas churchyard, but was relocated to the hospital grounds in 1838.

This appraisal establishes that the designation of the Rosemount and Westburn Conservation Areas was proposed for two main reasons:

1. *preservation of street pattern and granite buildings that make an important, positive and lasting contribution to the City’s character and building stock; and*
2. *preservation of the parkland setting of both Westburn and Victoria Parks, and the Cornhill Estate for the benefit of future generations. Designation of the Rosemount and Westburn Conservation area enables the protection of the whole area rather than simply individual buildings. Demolition can be*

prevented and changes controlled so that the distinct character of the area is preserved.

Design merits & relationship to context

Having established that the Cornhill site is typified by a collection of robust granite buildings and mature landscaping, that create a series of protected and largely enclosed courtyard spaces, it is appropriate to consider how the proposed redevelopment of the site would relate to its identified setting and character.

The residential accommodation proposed across the site demonstrates a range of sizes and types of unit, with detached, semi-detached and terraced houses alongside flatted blocks. The proposal is therefore consistent with the aims of policy H4 (Housing Mix) of the ALDP.

The use of undercroft car parking beneath the main Berryden Road blocks and buildings 11 & 12 has allowed for a reduction in the level of surface car parking, and has lessened the visual impact arising from the earlier dominance of car parking across the site. A further 29 spaces are concealed beneath open space around the obelisk, which is possible due to a change in levels at this part of the site. The provision of surface car parking and open spaces within the proposed layout has been revised in order to provide more meaningful open space on the site, as well as a better outlook for a number of properties which were previously set within substantial areas of car parking. The setting afforded to the refurbished upper hospital blocks has been significantly enhanced through the provision of a central open space immediately to the south, which includes the re-sited Forbes of Newe obelisk, which is now afforded a prominent position at the heart of the site and which would, along with the refurbished blocks, act as the centrepiece to the development.

Areas of open space immediately to the fore of converted buildings would contribute to giving them an appropriate setting and, whilst small areas of car parking are present within the landscaped foreground of the three linked villas, these are of a modest size and would be screened by low walls, formed from granite downtakings. The extensive use such granite walling across the site is consistent with the traditional character of the Cornhill site and the wider conservation area.

Policy D4 (Aberdeen's Granite Heritage) of the ALDP sets out the Council's desire to encourage the retention of granite buildings across the city, whether or not they are listed or lie within a Conservation Area. Conservation Area Consent is required for those demolition works due to the site's location within the Rosemount & Westburn Conservation Area, and it will be for that separate application to demonstrate justification for the demolitions, which do not require planning permission and therefore do not form part of this application for planning permission. It is nevertheless relevant to consider that the redevelopment proposal does not involve the use of granite downtakings in the construction of new buildings. The applicants have intimated that the re-use of granite blocks in new buildings would incur prohibitive costs associated with re-cutting stone, and have been resistant to take the approach advocated by policy D4. Instead, their focus has been on the extensive re-use of salvaged granite in boundary walls

and hard landscaping, combined with extensive use of new granite in new flatted blocks and houses, helping to embed the new development in its setting.

Whilst not strictly compliant with policy D4, this approach demonstrates regard for the use of vernacular materials in order to reflect the local character, and is considered to be acceptable on balance.

New granite would feature strongly on prominent frontages and gables, with other elevations finished in complementary drydash renders. Buildings 1-4 and 5-8 present the development's main public frontage, onto Berryden Road, and would incorporate a continuous granite frontage of 4 ½ storeys, stepping up to 5 ½ storeys at the ends of the blocks. This eastern frontage is regular and well-ordered, incorporating granite bays with full-height glazing, small balconettes/Juliet balconies and well-proportioned dormer windows. Natural granite would be used for the entire Berryden Road frontage, as well as the prominent double-gables at the site access, with a rusticated finish at ground and first floor levels giving way to a dressed finish on upper floors.

Elevations of other new buildings would be generally finished in dry dash render with new natural granite (not from downtakings) used on feature gables and other prominent locations. Basecourses, below granite elevations, would also be finished in granite, with basecourses under drydash rendered walls to be formed in re-constituted / synthetic stonework. The use of granite in external walls, boundary walls and linking structures is consistent with the principles set out in the development brief, which also referred to 'other compatible material appropriate to modern redevelopment within the historical context of the site and a conservation area'. The precise specification of materials will be subject to further agreement, however discussions have involved the use of products which replicate the characteristics of cast iron rainwater goods and natural slate, in order that materials are appropriate for their context, whilst more contemporary glazing styles and rendered elevations would be compatible.

The layout of terraces in the southern part of the site has been influenced by the arrangement of the existing lower hospital buildings, where buildings are laid out around protected courtyards. The proposal features rows of terraces arranged with views onto communal green spaces, providing an attractive outlook for homes and replicating the symmetrical disposition of both the refurbished upper hospital blocks and the existing lower hospital wards. Such attractive 'pocket' green spaces are reflective of existing courtyards, and contribute to a strong identity and sense of place within the development.

Across the site, new buildings would feature exposed purlins (horizontal equivalent of rafters) on gables, which have been influenced by the styling of some existing buildings on the site and are reflective of the site's history as a hospital. This is a unifying feature in the proposal, helping to give a common theme to a range of building sizes and types. Similarly, the use of a consistent pallett of materials across all buildings, with natural granite on elevations and appropriate materials used in rainwater goods and roofs will help to unify new buildings and those refurbished and retained. This is consistent with the development brief, which stated that the overarching theme for any

redevelopment strategy should be to integrate the architecture of old and new into the park-like setting of the site. The application of inner city parking standards, use of undercroft parking and associated enhancement of open spaces have also contributed to this aim.

Suggestions made on referral to the Aberdeen and Aberdeenshire Design Review Panel (DRP), relating to the arrangement of buildings and spaces in the north-western corner of the site, adjacent to the terminus of Chestnut Row, have been taken into account and are reflected in the revised proposal. The height and orientation of building 13-15 now better reflects the existing urban grain. Similarly, the eastern edge of the development now presents a more consistent street frontage to Berryden Road, rather than the standalone blocks which had initially been proposed. This creates a more identifiable edge to the development and a conventional 'street' frontage to Berryden Road. The views expressed by the DRP represent a material consideration in assessing any planning application, however they are not binding and it is for the planning authority to decide what weight should be attached to the report of the Panel. It is noted that in this instance there have been several iterations of the development proposal since it was referred to the DRP, however it is considered that many of the points raised by the panel are reflected in the revised proposal, and there has been substantial improvement since its initial submission, with a much improved balance between buildings, internal roads and car parking, and landscaped open space.

Built Heritage

SPP, SHEP and the Managing Change in the Historic Environment guidance note series published by Historic Scotland should be taken into account when determining applications for planning permission for development which may affect the historic environment. Planning authorities should support the best viable use that is compatible with the fabric, setting and character of the historic environment. The aim should be to find a new economic use that is viable, over the long term with minimum impact on the special architectural and historic interest of the building or area.

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 and appearance of conservation areas. In this case the proposed development, though involving demolitions which will be assessed directly via the separate application for Conservation Area Consent, involves the retention of a number of significant granite buildings of a particular character, and the new-build elements of the proposal have been designed and laid out to reflect that character, incorporating natural granite both from doughtakings and new sources. The level of open space within the development has increased markedly from earlier proposals, allowing for the parkland setting of the Cornhill site to be retained. On balance, the design quality of the buildings proposed is considered to preserve the character of the Rosemount & Westburn Conservation Area, and in bringing these buildings and the site into viable use the proposal can result in enhancement of that character.

The 'C' listed obelisk would be re-sited to a new location, as described previously. Whilst the development brief advocates retention of the obelisk in its current location, no clear justification is set out, and it is noted that it has previously been re-sited from St Nicholas Kirkyard. The new location, logically placed on axis with retained buildings, would ensure its retention at the heart of the Cornhill site. Together with the refurbished granite villas and the new open space, it would serve as the centrepiece to the development and would give it a clear identity and sense of arrival, consistent with the aims of 'Creating Places'.

It is concluded that the proposal would accord with the Scottish Government's aims for the historic environment, as set out in SPP and SHEP, and therefore would accord with policy D5 (Built Heritage) of the ALDP.

Density

The density of development proposed, estimated at 58 units per hectare, falls slightly short of the 70 units per hectare envisaged by the Cornhill Development Brief, however that target seems particularly ambitious when considered in the context of both the ALDP's much lower target of 30 units per hectare and the constraints posed by existing buildings and mature trees which, where retained can limit options for a coherent site layout. The proposal is consistent with the minimum density stated in policy H3 (density). Beyond this, it is nevertheless necessary to consider whether the density of development proposed is appropriate to this particular site, having had regard for the site's characteristics and the character of the surrounding area, all with the ultimate aim of creating an attractive residential environment with appropriate living conditions for residents and neighbours.

The proposed site layout demonstrates a clear progression in scale, with building heights progressively stepping down from a maximum of 4 ½ - 5 ½ storeys in the Berryden Road frontage to 3 storey townhouses and then 2-storey terraces around the site of the lower hospital. Towards the western edge of the site, detached and semi-detached dwellings are more prevalent, with building 13-15, to the north-western corner, reflecting the scale and height of buildings on Chestnut Row, immediately adjacent. Earlier versions of the proposal were dominated by surface car parking, and there was an absence of meaningful open space, however revisions have been made to incorporate undercroft parking and ensure appropriate provision of open space. To the south of the site, the existing buildings of the lower hospital have influenced the layout of new terraces, which are laid out around open spaces in a manner broadly reminiscent of the lower hospital's protected courtyards. These changes have resulted in a proposal which is able to demonstrate compliance with both the minimum density of 30 units per hectare specified in policy H3 and its requirement that the density of any development is appropriate to this particular site, having had regard to the characteristics of the site and to the general density of development in the surrounding area.

Environment created for residents/neighbours

The level of amenity afforded to residents would be directly influenced by the layout and density of the proposal. The orientation and separation of buildings demonstrate that privacy has been given due consideration, with required

distances between the windows of habitable rooms maintained. As noted earlier in this report, the continued presence of active hospital buildings close to the site's Lower Hospital boundaries requires particular attention. The applicants' response to this has been to arrange rows of terraces facing north and south, so that they are side-on to the western boundary. Internal accommodation has been arranged in order that no windows from habitable rooms would look out over that western boundary towards retained hospital uses. The southernmost rows of terraces and townhouses face north, with their rear gardens setting them some distance off the southern site boundary. A landscaped buffer is retained along that southern boundary, incorporating communal paths to give residents access to their rear gardens. It is recommended that access to these rear lanes be restricted via some form of secured gates, in order that these do not become unwelcoming spaces, open to public access and vulnerable to crime.

The blocks arranged along Berryden Road (buildings 1 to 10) present a clear edge to the development and an identifiable street frontage. Other buildings are arranged to face onto shared surface internal roads and associated car parking areas.

Earlier versions of the proposals had featured 'back-to-back' units, which would not benefit from private gardens of their own. These have been removed from the proposal, and all houses now have private rear gardens, with the majority of the townhouses and terraces in the lower hospital also afforded views over areas of public open space. Garden sizes are of an appropriate size to allow for meaningful use as private amenity space and are consistent with the wider site context. This represents a marked improvement from earlier layouts. Flatted blocks arranged along Berryden Road would face onto an area of green space, however in due course this space is intended to be utilised in the Council's road widening proposals, thus their future outlook is uncertain and could be quite significantly diminished. The modest elevation of these blocks to allow for undercroft parking has resulted in a situation where they would be set slightly above the level of the road, which is considered to be beneficial when considered in the context of the proposed road widening and its resultant position closer to the development blocks. Amenity spaces for these flatted blocks are provided via terraced areas to their rear elevations. These spaces are elevated from street level, with undercroft car parking and bin storage areas concealed beneath. These Berryden Road blocks are also located close to other open spaces within the site, between terraces in the lower hospital and around the refurbished ward and villa buildings. Building 11-12 is well-located in relation to both the central linear open space and the retained tree belt along the eastern site boundary, while building 13-15 would benefit from semi-private garden space to the north/rear of the building.

The consultation response received from Police Scotland's Architectural Liaison Officer is relevant to assessment against policy D2 (Design and Amenity) of the ALDP, which requires new development to include measures to 'design out' crime and 'design in' safety. Initial concerns have been addressed to some extent, with pedestrian routes rationalised. Nevertheless, paths running along rear gardens are identified as a potential cause for concern, demonstrating a lack of security through design. The ALO suggests that locked gates might be used to

restrict access to lanes at the rear of properties. It is noted that pedestrian routes and open spaces should benefit from good levels of passive surveillance. House type specifications do not identify specific treatment of such plots, so it is recommended that a condition be utilised to require the applicants to provide details of how house types will be tailored in such locations to incorporate windows in gables where adjacent to open space, pedestrian routes and car parking areas. This should be readily achievable, and would contribute towards demonstrating that the proposal has adequately sought to design out crime, as required by policy D2 (Design and Amenity) of the ALDP. The ALO has suggested that any approval might include a condition stipulating that the developer apply for a 'Secured by Design' award, however this would be more stated as an informative, with the aim of bringing this matter to the developers' attention.

Open Space

In assessing the existing open space provision in the local area, it is necessary to consider not only the quantity of open space, but also the quality of those spaces and their accessibility. In this regard the location is well served by existing open spaces, with Westburn and Victoria Parks being within the 'major', 'neighbourhood' and 'local' accessibility buffers set out in the Council's Open Space supplementary guidance, and therefore there is no requirement for on-site provision of either major, neighbourhood or local open space facilities. Instead, the Council's supplementary guidance advocates the enhancement of existing open spaces, to place emphasis on the quality of open spaces where there is sufficient quantity already in an area. On this the Developer Contributions Team advises of contributions in respect of such open space enhancements. Nevertheless, areas of incidental open space within new developments can make a significant contribution to the quality of residential environment and landscape character. Following discussions, the applicants have revised their proposal to provide a central linear area of open space, immediately to the south of the refurbished existing buildings. This open space would provide an attractive route through the site, with meaningful and useable open space, and would also provide an enhanced setting for the refurbished buildings and the relocated obelisk. Cumulatively, these features would create an attractive centrepiece to the development. Smaller areas of incidental open space have been integrated with areas of car parking to the south of the site, providing an enhanced outlook for the terraced properties in the lower hospital site. Taking these matters into account, it is considered that the proposal demonstrates accordance with the provisions of policy H4 (Open Space) of the ALDP and the associated 'Open Space' supplementary guidance.

Affordable Housing & Developer Obligations

Policy H5 (Affordable Housing) requires that 25% of units are provided as affordable housing, preferably on-site, acknowledging that on-site delivery encourages mixed communities and helps promote social inclusion. Nevertheless, it is acknowledged that this may not always be possible and off-site provision or commuted payments can be negotiated in some instances.

25% equates to 80.75 units. The applicants have committed to providing 49 affordable units on-site, which equates to 15% of the total, with the remaining

10% met through financial contributions towards affordable housing. The applicants have submitted a statement highlighting that their bid made for the site was made prior to the implementation of the 25% affordable housing rate, though they were aware of the impending change. The applicants also highlight that they have made extensive changes to the proposal which was initially submitted to the planning authority, resulting in extensive use of granite in prominent locations, particularly on the full 4 ½ to 5 ½ storey frontage onto Berryden Road and the gable-ends of those blocks. Similarly, efforts to reduce the dominance of surface car parking have led to the use of undercroft parking beneath four flatted blocks and spaces concealed beneath open space by using a change in levels on the site. These measures are understood to have increased the build costs and it is considered reasonable, given the significant progress made, that a package of 25%, made up of 15% on-site provision and a commuted sum equivalent to the remaining 10%, which the Council can put towards its own delivery of affordable housing, is accepted for this site. This approach is consistent with policy H5 (Affordable Housing) and the associated Affordable Housing supplementary guidance, which allow for the 25% to comprise an element of commuted sum or off-site delivery where it is considered appropriate by the planning authority.

Additional contributions have been detailed in the assessment carried out by Developer Obligations officers, with contributions sought only where considered fair and reasonable on the basis of increased pressure on existing facilities as a result of the development.

Access, Car Parking & Traffic

Access to the proposed development would be principally taken via a new access off Berryden Road, requiring the formation of a new signal-controlled junction at that point. The specifications of that junction require careful consideration to ensure that due regard is had for the Council's proposals for the widening of Berryden Road. This envisaged road widening has progressed to a design stage, with a site footprint for the future works now identified. By ensuring that the development junction is designed with these improvement works in mind, abortive interventions can be avoided. Furthermore, it is necessary to ensure that the position of new buildings facing onto Berryden Road allows for appropriate visibility between junctions post-widening works.

Earlier versions of the proposal had presented conflicts with the Berryden Road widening proposal, however these have now been resolved to the satisfaction of the Council's Roads Projects Team, and full specifications will be established through the Roads Construction Consent process. Similarly, a swept-path plan has demonstrated that the site will be accessible for the Council's refuse vehicles. Roads colleagues have intimated that the proposal adequately reflects the requirements of 'Designing Streets'.

The submitted Transport Assessment identifies a series of local junctions within the 'sphere of influence' of the proposed development. The process for assessing impact on junctions involves identifying baseline traffic flows, applying an agreed growth factor to reflect the intended year of opening for the development, and then adding traffic flows both from other committed developments in the area and from the traffic generated by the proposed development. Using this approach, it

has been possible to identify impact on two junctions in particular, at Westburn Road/Berryden Road and Maberly Street/Rosemount Place. It is understood that hypothetical mitigation works could be costed for these junctions, with a financial contribution payable, to be utilised for improvements to the local network, although not necessarily to those junctions, due to the potential disruption involved and their obsolescence on implementation of the Council's Berryden Corridor scheme. Such contributions in lieu of local network mitigation could be secured through a s75 agreement should members be minded to approve the application.

May Baird Avenue features pedestrian footways on both sides, from the Shaw Road junction northwards. South of the Shaw Road junction, there is a footway only on the western side of the road, and none whatsoever south of the Bennachie Building car park. The applicants propose to bring a small length of May Baird Avenue, between the northern access to the development and Shaw Road, up to adoptable standard, with footpath links to the south providing appropriate pedestrian accessibility. Pedestrian connections through the site allow for access from east to west and also to the south to Cornhill Road and Westburn Road beyond. Vehicular access to the site from May Baird Avenue would be for emergency vehicles only, with a collapsible bollard or similar measure utilised to restrict access.

It is recognised that the site lies within reasonable walking distance of the city centre, and is relatively well-served by local bus routes. In order to strike an appropriate balance between on-site car parking provision and creating a development of the appropriate quality, particularly in relation to maintaining the character of the Conservation Area and the parkland setting of the hospital site, it has been agreed that it would be appropriate to apply the inner city car parking guidelines. The provision of 2 car club spaces has been accepted as an appropriate substitute in this instance for a number of unallocated public spaces.

Roads colleagues have suggested that it will be acceptable for the applicant to provide a robust car parking management plan for communal parking areas, identifying measures which can be implemented to ensure efficient use of the level of available car parking proposed, to alleviate parking pressure on surrounding streets as a result of the identified shortfall. A management plan to this effect could reasonably be secured through the use of a condition attached to any consent.

Taking these matters into account, the proposal is considered to achieve an appropriate outcome in terms of access, pedestrian permeability, and mitigation of impact on the local transport network, and is therefore considered to accord with Policies T2 (Managing the Transport Impact of Development), D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation), which require development to maintain and enhance permeability, prioritise pedestrian movement and include new or improved provision for public access, permeability and links to green space for recreation and active travel.

The applicants have provided further details relating to provision for the storage of cycles, which demonstrate the required number of spaces in appropriately

convenient and secure locations. The delivery of this on-site provision can be secured via use of an appropriately worded condition. Appropriate provision has been made for motorcycle parking within the site.

Impact on trees / Landscape

The submitted tree survey establishes that *'the trees in the hospital grounds are mostly in good, sound condition and have obviously received regular attention and management'*. As a result, far fewer trees than is normally the case have been recommended for removal or for remedial work solely on the basis of their current condition. A total of 207 trees were identified in the survey, with 17 trees identified as category-U, meaning that they are not considered to be suitable for retention. Of the 190 trees surveyed as 'appearing sound and healthy', 2 are category-A, 49 category-B and 149 category-C.

A total of 91 trees are to be felled to allow the proposed development. Of those 101 trees, none are category-A, 14 are category-B and 77 are category-C..

Whilst it is recognised that a significant number of trees would be removed for facilitate the proposed development, it is noted both that a degree of tree loss on this site was foreseen in order to deliver the level of development envisaged by the Cornhill Development Brief and that the trees to be removed are predominantly of Category-C quality. The applicants have made efforts to retain more valuable trees within the site, in order that the site can retain the 'parkland setting' highlighted in the development brief and the Rosemount & Westburn Conservation Area Character Appraisal. Some trees which were previously to be retained close to rear gardens, with potential to come under pressure at a later date as a result of safety or shading concerns, have been included within the proposed trees removals.

Replacement tree planting, at a minimum rate of 2 new specimens for every tree to be removed, is recommended in order to ensure that the site maintains its lanscape character and the character of the Conservation Area is not adversely affected. The applicants have submitted proposals for replacement planting, however a fully detailed scheme will be required, incorporating an Arboricultural Impact Assessment in order to further establish the impact on retained trees and make recommendations accordingly. On balance, it is considered that there would be a significant number of trees retained within the site and, if combined with an appropriate scheme of replacement planting, those losses are acceptable in order to allow for a coherent layout which is influenced by the location of refurbished hospital buildings. Taking these matters into account, it is recognised that there is a degree of tention with policy NE5 (Trees and Woodlands) as a result of the loss of established trees which contribute significantly to landscape character and local amenity, however on balance it is considered that the landscape character of the site would be maintained, consistent with policy NE6 (Landscape) of the ALDP, and the site would still be afforded a distinct sense of place as advocated by Creating Places.

Potential for impact on bats

The planning authority's policy position in relation to EPS is set out in policy NE8 (Natural Heritage), which requires that applicants submit supporting evidence for any development that may have an adverse effect on a protected species.

As this proposed redevelopment of the Royal Cornhill Hospital site is based on the demolition of several existing buildings, the planning authority is obliged to have regard to the potential for impact on bats, a European Protected Species (EPS), which may use such buildings for roosting. The stone and slate buildings present are of a type identified in the Council's supplementary guidance on 'Bats and Development' as having good potential for roosting bats. The type of buildings to be demolished and the extent of that demolition, together with the presence of good habitat types in the surrounding area, is sufficient to suggest that a bat survey would be warranted to establish whether there are bats or bat roosts present in these buildings. The applicants have submitted a survey of both the buildings to be demolished and trees to be removed and it has been established that the building demolitions would result in the removal of one confirmed roost and one unconfirmed roost. Additionally, the cumulative building demolitions and tree removals would reduce the bat roosting potential in the immediate area, and the survey report makes recommendations for mitigation measures to ensure there is no significant adverse impact on bats and that alternative locations for roosting are provided within the development site. Based on feedback from the Council's Environmental Policy team, it has been established that there would be no adverse impact on protected species, provided the agreed mitigation measures are implemented, and a condition is recommended in order to secure implementation. It is further noted that the licencing regime for the disturbance/removal of bat roosts is separate from the planning process, and the applicants will still be required to obtain the relevant licence from Scottish Natural Heritage. It is therefore proposed that an informative be included on any decision notice granting planning permission, in order that this further action is highlighted to the applicants.

Based on the submitted supporting information, and subject to the implementation of the recommended mitigation measures, the proposal would not result in adverse impact on bats, and is therefore considered to accord with the aims of policy NE8 (Natural Heritage) and the associated 'Bats and Development' supplementary guidance.

Potential contamination

The recommendations of the Phase 1 Geo-Environmental Study, investigating the site for potential contamination, have been agreed by the relevant officers in Environmental Health. It has been recommended that appropriate contaminated land conditions be attached to any approval, requiring that a Phase II investigation be carried out prior to demolition and (if found to be necessary) supplementary investigations to be carried out after demolition. Such further investigation can ensure that any necessary restoration or remediation works can be identified and secured in order to ensure that the site is fit for residential use, as required by policy R2 (Degraded and Contaminated Land)

Waste storage & disposal

Whilst the Council's waste strategy have raised some concerns regarding layout of terraces in the southern part of the site, and the resultant difficulties in presenting bins for collection from a suitably accessible location, it is considered that there is reasonable scope for these issues to be resolved on refinement of a scheme for the storage and disposal of refuse. The applicant has demonstrated that there is a satisfactory route through the development for Council refuse vehicles, with a swept-path plan having been provided to illustrate this. Details have also been provided to show that terraced properties in the lower hospital would have bin stores within their rear gardens, which are linked to accessible collection points via footpaths. Townhouse units would incorporate bin stores within front gardens, which are within a short distance of the identified refuse vehicle route. A small terraced row to the northern part of the site, sitting between two refurbished blocks, is potentially the most remote from the refuse vehicle's route, but this represents a very small number of properties in the wider development being required to present their bins outwith the recommended distance. Whilst this is not ideal, it is acknowledged that the position of existing buildings and trees serves to restrict options for a coherent street layout, and on balance this is not considered to be an issue warranting refusal of the application, particularly given the scope for alternative arrangements to be explored via a condition relating to a detailed scheme of refuse storage and disposal. On this basis, there is a degree of tension with policy R6 (Waste Management Requirements for New Development) and its associated supplementary guidance, however this is not considered likely to result in any significant adverse impact on amenity or under-provision of service.

Drainage

A Drainage Impact Assessment (DIA) has been submitted. SEPA initially expressed some concern over the single level of treatment for surface water at certain points within the site, however revisions to the drainage proposals have demonstrated the necessary 2 levels of treatment satisfactorily. An updated formal response from SEPA, removing their previous objection to the proposal, has since been received.

The submitted DIA states that a method statement, detailing how surface water will be dealt with during the construction phase, will be prepared by the appointed contractor, for approval prior to commencement of works on site. A series of measures to potentially be incorporated into that surface water management strategy are set out in the DIA. SEPA's consultation response requests the a condition be attached to any consent, requiring the submission of a site-specific construction environmental management plan (CEMP). That CEMP should incorporate detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution during all phases of construction.

Provided the necessary CEMP and SUDS measures can be satisfactorily agreed in writing with the planning authority, following consultation with the relevant stakeholders, and implemented thereafter, accordance with policy NE6 (Flooding and Drainage) of the ALDP can be ensured.

Low and Zero Carbon Buildings

No details of the manner in which the proposed new buildings would demonstrate accordance with the Council's policy and guidance on reducing carbon emissions have been provided, however such submissions can be secured via an appropriately worded condition should members resolve to grant planning permission. This approach can ensure compliance with policy R7 (Low and Zero Carbon Buildings) and the associated supplementary guidance.

Matters raised in representations

The matters raised in representations are addressed in the following sections of this report;

1. As noted above, the matter of whether the existing granite buildings present on site are retained or not is controlled by virtue of the site's location within a conservation area, and will be assessed via the current application for Conservation Area Consent, ref P130382, as discussed in the 'Design' section of this report.
2. The density of the development is addressed in the 'density' section of this report.
3. & 4. Matters relating to the impact of the proposed development on the local roads network and its provision for residents' car parking are addressed in the 'Access, Car Parking and Traffic' section of this report.
5. Necessary improvements to the local road network have been identified in discussions with the Council's Roads Projects Team, and are discussed in the 'Access, Car Parking and Traffic' section of this report.
6. The potential for impact on protected species is addressed in the 'Potential for impact on bats' section above.
7. Loss of existing trees is extensive, and is discussed in the 'Impact on Trees' section of this report.
8. Safety concerns regarding new pedestrian routes are noted, however appropriately lit routes, which benefit from passive surveillance and encourage pedestrian permeability and sustainable travel are to be encouraged.
9. Privacy concerns are noted, however it is considered that orientation and separation distances between buildings are sufficient to ensure appropriate levels of privacy. It is noted that the proposed removal of trees to the north of the site, adjacent to the Bennachie Building and the terminus of Chestnut Row would result in a more open aspect, however properties on the southern side of Chestnut Row nevertheless lie nearly 30m from the rear of those on Barkmill Road, which is considered sufficient to ensure appropriate levels of privacy.
10. & 11. Existing cycle facilities in the area are discussed extensively in the submitted Transport Assessment, and the shared surface internal routes through the development can allow for east-west travel for cyclists from May Baird Avenue to Berryden Road.
12. Issues relating to increased vehicular traffic on May Baird Avenue are discussed in detail in the 'Access, Car Parking and Traffic' section above.
13. The consultation undertaken by the applicants met the requirements of the agreed Proposal of Application Notice (PoAN).
14. Schools capacity has been investigated through consultation with the Developer Contributions Team. This has established that Skene Square

Primary School is projected to exceed capacity, and therefore the applicants are required to make financial contributions at a rate commensurate to the scale of development and as specified in the Council's Infrastructure and Developer Contributions Manual. Aberdeen Grammar School, the zoned secondary school, has capacity to accommodate the proposed development, therefore no contributions are required towards secondary schooling provision.

15. Existing parking problems at the Cornhill Hospital site are noted, however the car parking areas within the application site relate to the vacant buildings, and no car parking relating to the 'new' Cornhill Hospital site is to be removed. It is accepted that over time overspill car parking will have utilised the old Cornhill site as and when spaces were not available, however it does not follow that redevelopment of the site should be precluded by the perceived shortcomings of car parking provision available at the new hospital site.

Conclusion

Whilst the site was identified as an opportunity for mixed-use development, this does not preclude the proposed residential development, which would benefit from its proximity to the city centre and existing local shops and services. The proposal is consistent with policy CF1 (Existing Community Sites and Facilities), which allows for the development of sites for alternative uses were they are no longer required for their existing community use, and would make a significant contribution towards the Local Development Plan's brownfield housing targets.

A range of dwelling types and sizes would be provided across the site, at an appropriate site density which is in line with the aspirations of the Royal Cornhill Hospital Development Brief and the provisions of policies H3 (Density) and H4 (Housing Mix). The environment provided for residents is of a good standard, with due regard paid to privacy, access to private gardens and open spaces, as required by policies D2 (Design and Amenity) and NE4 (Open Space). An appropriate proportion of affordable housing would be delivered as part of the proposal, reflecting the constraints and challenges of the site. The proposal involves the retention of a series of existing granite buildings alongside new buildings of an appropriate scale, which utilise appropriate materials such as natural granite and take design influences from existing buildings. This results in a well-ordered layout which would retain the distinctive parkland setting which contributed to the designation of the Rosemount and Westburn Conservation Area. Though granite doughtings are not utilised in new buildings as encouraged by policy D4 (Aberdeen's Granite Heritage), a significant proportion of this material would be utilised in boundary walls and hard landscaping across the site and, in conjunction with other appropriate materials in new buildings, ensure that the development is appropriate for its setting alongside granite buildings of character and within a Conservation Area. The proposal is considered to demonstrate due regard for its context, as required by policy D1 (Architecture and Placemaking), and would both preserve the character of the Conservation Area and enhance the setting of the C-listed obelisk, which would be positioned at the heart of the new development, resulting in a distinctive and welcoming place, as envisaged by Creating Places. The proposal is considered

to accord with national policy relating to the historic environment, as set out in SHEP and SPP, along with policy D5 (Historic Environment) of the ALDP.

Proposals for vehicular and pedestrian access to the site are acceptable, and consistent with policies T2 (Managing the Transport Impact of Development), D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation).

The presence of protected species on the site can be adequately mitigated, ensuring compliance with policy NE8 (Natural Heritage) of the ALDP. It is noted that a significant number of trees would be removed to accommodate the development, resulting in a degree of tension with policy NE5 (Trees and Woodlands) though it is noted that a degree of tree loss to accommodate the envisaged development is inevitable, and efforts have been made to retain the most valuable category A trees and a significant number of category B trees. A combination of the retained trees and extensive replacement planting as part of a landscaping scheme can ensure that the landscape character of the site can be retained, in accordance with policy NE6 (Landscape).

Detailed matters requiring further submissions and/or implementation of agreed details in relation to site contamination, refuse storage and disposal, surface water drainage and reducing carbon emissions can be secured through appropriate conditions.

The support expressed by the local Community Council is noted, and matters raised in representation have been addressed above. None of the issues raised was found to be of sufficient weight to warrant determination other than in accordance with the development plan and, given the proposal's substantial accordance with the provisions of the plan, it is recommended that members express a willingness to approve the application subject to the satisfactory conclusion of a s75 planning agreement, securing developer contributions based on impacts on local education, community and healthcare facilities arising from the development, and as identified via consultation with the Council's developer obligations team.

Willingness to approve

REASONS FOR RECOMMENDATION

The proposal is considered to represent an appropriate scale and form of development on the Royal Cornhill Hospital site, which would accord with the key aims of the Cornhill Development Framework to accommodate contemporary buildings of appropriate contemporary design alongside the existing architecture of the site, within a distinctive parkland setting. The proposal accords with policies CF1 (Existing Community Sites and Facilities) and would benefit from access to local shops and public transport facilities. An appropriate density and mix of housing would be provided on-site, including an appropriate proportion of Affordable Housing, in accordance with policies H3 (Density), H4 (Housing Mix) and H5 (Affordable Housing) of the ALDP. An environment of appropriate quality

would be provided for residents, with access to areas of private amenity space and public open space, incorporating a significant number of existing mature trees, in accordance with policies D2 (Design and Amenity) and NE4 (Open Space). Tension with policy NE5 (Trees and Woodlands) due to the loss of a number of existing trees is noted, however this principally involves lower category trees, and it is considered that a scheme of replacement planting can mitigate against those losses, and that the landscape character of the site would be maintained, consistent with policy NE6 (Landscape) of the ALDP.

Though doughton granite would not be utilised in principal elevations, the extensive use of this material in boundaries and hard landscaping, along with widespread use of granite in new buildings is considered to be sufficient to ensure that the character of the site is maintained and old and new buildings are unified by consistent themes. The arrangement of space and styling of buildings demonstrate due regard for the site context, in accordance with policy D1 (Architecture and Placemaking) and the aspirations of Creating Places and its six qualities of successful places.

The re-sited obelisk is given due prominence at the centre of a new area of open space, alongside retained granite buildings, and the proposal is considered to accord with national policy relating to the historic environment, as set out in SHEP and SPP, along with policy D5 (Historic Environment) of the ALDP.

Proposals for vehicular and pedestrian access to the site are acceptable, and consistent with policies T2 (Managing the Transport Impact of Development), D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation). The presence of protected species on the site can be adequately mitigated, ensuring compliance with policy NE8 (Natural Heritage) of the ALDP.

Detailed matters requiring further submissions and/or implementation of agreed details in relation to site contamination, refuse storage and disposal, surface water drainage and reducing carbon emissions can be secured through appropriate conditions, ensuring compliance with policies R2, R6, NE6, and R7 of the ALDP.

In conclusion, the proposal is considered to demonstrate due accordance with the provisions of the Development Plan, and no material considerations, including issues raised in representations, were found to be of sufficient weight to warrant determination other than in accordance with the development plan.

CONDITIONS

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

- (1) No development shall be undertaken until such time as a phasing

scheme, detailing the of phased delivery of internal roads, footpaths and open spaces to serve respective phases of development, has been submitted to and agreed in writing by the planning authority - in order to ensure that phased delivery of the housing development is accompanied by the associated infrastructure and residents are afforded appropriate levels of amenity.

(2) that no development shall take place unless a scheme detailing the proposed site and plot boundary enclosures for the development site, including extensive reuse of granite downtakings in boundary walls and appropriate proposals for the gating of paths to the rear of terraced properties, has been submitted to the planning authority and subsequently approved in writing. Thereafter no unit within a phase shall be occupied unless the boundaries for that phase have been provided in accordance with the agreed scheme, or such other drawing as may subsequently be submitted and approved in writing by the planning authority - in order to ensure that boundary enclosed utilise downtaken granite and are appropriate to the character of this site and the wider conservation area.

(3) that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.

(4) No development shall be undertaken until such time as a Phase II intrusive site investigation to assess the potential risks from any contamination on-site has been submitted and approved in writing by the planning authority, in consultation with the Council's Environmental Health service, and that (if found to be necessary) supplementary investigations are carried out thereafter. Unless otherwise agreed in writing, no building within the development shall be occupied until any agreed remediation measures have been carried out to the satisfaction of the planning authority.

Note: this investigation should be carried out in advance of demolition in order to ensure that the process of demolition itself does not result in the mobilisation of contaminants, increase risk and complicate any necessary remediation.

(5) No development shall be undertaken until such time as a site specific environmental management plan (EMP), incorporating detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution during all phases of construction, has been submitted to and approved in writing by the planning authority, in consultation with SEPA. Thereafter all work shall be carried out in accordance with the approved plan - in order to control pollution of air, land and water.

Note: full details of matters to be included in the EMP can be found on SEPA's website.

(6) that none of the buildings hereby approved shall be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority for that building, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(7) that no development shall be commenced until such time as the mitigation measures set out in the submitted bat surveys (Countrywise, July-Sept 2013 and Astell Associates ref RCH-1411-BS, 9th Nov 2014), or any other mitigation scheme agreed in writing by the planning authority, have been implemented - in order to avoid any undue adverse impact on a European Protected Species.

(8) that no buildings within a particular phase shall be occupied unless there has been submitted to, and approved in writing by, the planning authority, a comprehensive Residential Travel Pack for that phase, setting out proposals for reducing dependency on the private car. This should also include information on external connectivity to key facilities, and, in consultation with local schools and the planning authority, information on safer routes to schools - in order to encourage more sustainable forms of travel to and from the development.

(9) That no development shall be undertaken until such time as a Construction Programme, including information about construction access arrangements and typical daily construction vehicle movements, has been submitted and agreed in writing by the planning authority, in consultation with colleagues in the Council's Roads Projects Team - in order to minimise adverse impact on the local roads network.

(10) That prior to the occupation of any of the flatted properties within the development, the developer shall provide the 2 no car club spaces as shown on drawing L(--)-002-rev AH, or such other drawing as may be approved in writing by the planning authority for this purpose, and thereafter such spaces shall be retained in complete accordance with the details as so agreed - in the interest of providing sustainable transport.

(11) that no building within the development hereby approved shall be occupied unless the car, motorcycle (including a secure fixed point) and bicycle parking areas serving those buildings have been constructed, drained, laid-out and demarcated in accordance with

drawing L(--)-002-rev H of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of vehicles ancillary to the development hereby granted approval - in the interests of public safety and the free flow of traffic.

(12) that no development shall take place unless a further detailed scheme of hard and soft landscaping for the site (which includes a full Arboricultural Impact Assessment and indications of all existing trees and landscaped areas on the land, 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 hard landscaping including proposed materials and street furniture) has been submitted to and approved in writing for the purpose by the planning authority - in the interests of preserving the landscape character of the site.

(13) 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.

(14) that no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

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

(16) that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the

protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.

(17) that no dwellings within a given phase of the development hereby granted planning permission shall be occupied unless the area/areas of public open space within that phase, as identified on Drawing No. L (--)002-rev A of the plans hereby approved (or such other drawing as may be subsequently approved), have been laid out in accordance with a scheme which shall be submitted to and approved in writing by the Planning Authority. No development pursuant to this planning permission shall take place unless such a scheme detailing the manner in which the open space is to be managed and maintained has been submitted to and approved in writing by the planning authority. Such scheme shall include provision for a play area comprising at least five items of play equipment and a safety surface - in order to preserve the amenity of the neighbourhood.

(18) that no development shall take place unless a further detailed scheme of refuse and recycling storage has been submitted to and approved in writing by the planning authority. Thereafter no unit within a given phase shall be occupied unless the refuse and recycling storage for that phase has been provided in accordance with the said scheme - in order to preserve the amenity of the neighbourhood and in the interests of public health.

(19) that unless otherwise agreed in writing, no part of the development hereby granted planning permission shall be occupied unless all drainage works detailed on Fairhurst drawing number 96600/2050-revC or such other plan as may subsequently be approved in writing by the planning authority for the purpose have been installed in complete accordance with the said plan - in order to safeguard water qualities in adjacent watercourses and to ensure that the proposed development can be adequately drained.

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

(21) that unless otherwise agreed in writing with the planning authority, no building within the development hereby approved shall be occupied until such time as a traffic light controlled junction has been introduced at the main access onto Berryden Road, in accordance with a detailed specification submitted to and agreed in writing by the planning authority, in consultation with the Council's Roads Projects

Team - in order to ensure safe vehicular access to the development and avoid undue impact on the local roads network.

INFORMATIVES

1. Construction Hours It is recommended that no construction or demolition work should take place: (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or (c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. - in the interests of residential amenity. Please note that separate statutory noise controls exist under environmental health legislation.

2. Separate licencing regime for works affecting bat roosts

Please note that, separate from this grant of planning permission, it is likely that a licence from SNH will be required in relation to works affecting bat roosts - it is the applicants' responsibility to ensure that the appropriate licence has been obtained before such works affecting a European Protected Species (including demolition works) are undertaken.

Dr Margaret Bochel

Head of Planning and Sustainable Development.