

Planning Development Management Committee

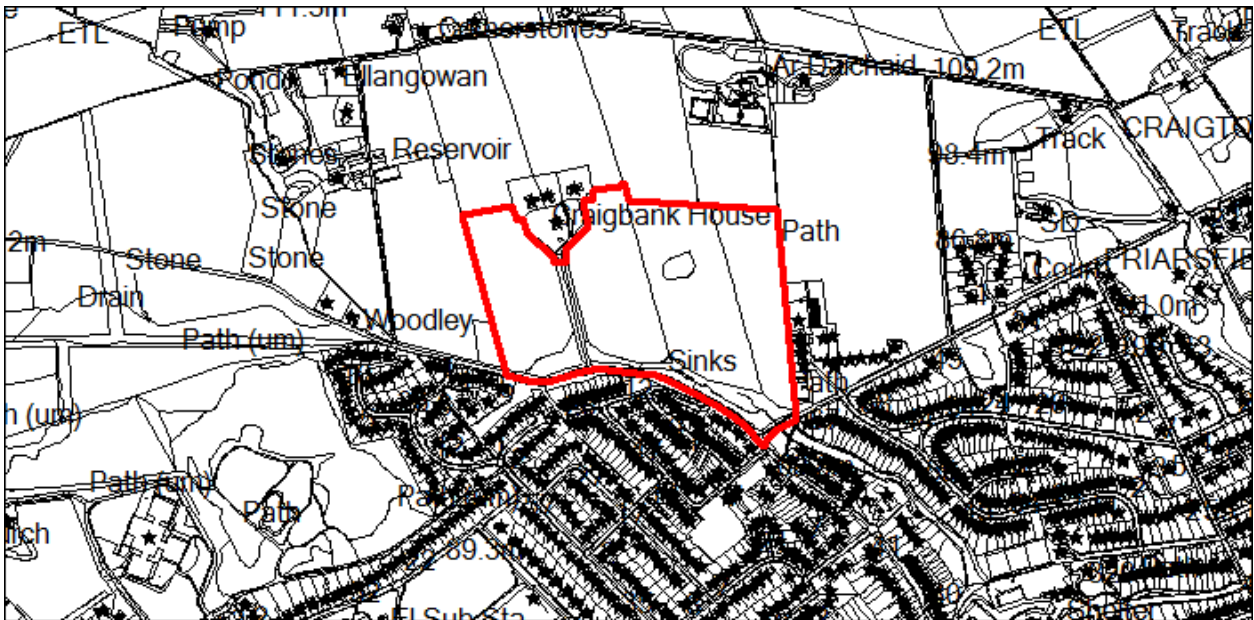
FRIARSFIELD ROAD/KIRK BRAE, LAND TO THE NORTH

PROPOSED RESIDENTIAL DEVELOPMENT OF 107 PRIVATE DWELLINGS AND 12 AFFORDABLE APARTMENTS IN ADDITION TO ANCILLARY WORKS

For: CALA Management Ltd

Application Type : Detailed Planning Permission
Application Ref. : P140272
Application Date: 28/02/2014
Officer: Tommy Hart
Ward : Lower Deeside (M Boulton/A Malone/M Malik)

Advert : Can't notify neighbour(s)
Advertised on: 19/03/2014
Committee Date: 19th March 2015
Community Council : Comments



RECOMMENDATION:

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

- Delivery of 10% on site affordable housing units and commuted sum for 15% affordable housing units;
- Developer contributions towards primary and secondary education, sport and recreation and healthcare; and
- Financial contributions towards the delivery of the Link Road and restriction to no more than 160 units on the wider Friarsfield Opportunity site (OP51) until completion of a new link road from Kirk Brae to Craighton Road

DESCRIPTION

The application site is roughly rectangular in shape, extends to around 11.9ha in size and lies on the north side of Friarsfield Road and Kirk Brae. The land is currently used as pasture land for horses comprising improved grassland with small areas of tree cover and scrub, very small areas of marsh and running water habitat (the Cults Burn). It rises steeply from the Cults Burn towards the middle of the site where it plateaus before continuing to gently undulate towards the northern boundary.

The site is bounded to the west by pasture land. To the north lies the former Aberdeen Waldorf School and associated football pitch, as well as agricultural land. The boundary to the north part of the application site is delineated by random rubble walls and landscaping. To the east lay a random rubble dyke which was around 2m in height but was removed for safety reasons. In addition to this, along the east boundary there is an formal footpath (Core Path 63 'Den of Cults') between the site and the adjacent land 'Rosefield' which is currently being developed by Cala Homes under planning ref 120340. This path allows access from Friarsfield Road to Craigton Road via the former Aberdeen Waldorf School.

To the west the boundary treatment is a stone dyke of varying heights with some landscaping and to the south by the Cults Burn and Friarsfield Road/Kirk Brae. A low-level post and wire fence abuts the road there.

Throughout the site, the original field boundaries remain (random rubble walls). Further, in terms of landscaping, there is a tree knoll, whilst along the access road to 'Craigbank', there are a number of mature trees which also extend south to Kirk Brae. Other areas of landscaping exist along the northern boundary adjacent to the residential properties at 'Craigbank', as well as within the western field of the application site.

Beyond the application site to the south lies a variety of residential properties, including; 3-bed terrace, 3-4 bed-semi-detached and 5-bed detached houses, all of which have garden grounds of an appropriate size to the size of house. The land there is generally on a higher level than Kirk Brae and the Cults Burn which forms a small valley cutting through the area. The existing houses are of a design characteristic of the suburban sprawl of Cults in the 1980's and 1990's.

RELEVANT HISTORY

Specific Site

Planning ref 111066 – Proposal of Application Notice for proposed residential development and associated infrastructure

Planning ref 111067 – Proposal of Application Notice for proposed residential development and associated infrastructure

Planning ref 120019 – Proposal of Application Notice for proposed residential development and associated infrastructure

Adjacent site to east

Planning ref 120340 – Full Planning Permission for the erection of 81 residential dwellings (including 8no Affordable Units) and associated infrastructure was approved conditionally subject to the signing of a s75 legal agreement by the Planning Development Planning Committee in November 2012. The S75 has been signed and work is currently under way on site.

Adjacent site to west

Planning ref 130663 – a detailed planning application for the erection of 72 detached residential properties and associated infrastructure was withdrawn by the applicant (Stewart Milne Homes) in 2014 before a determination could be made on the application.

PROPOSAL

Detailed planning permission is sought for the construction of a residential development comprising 107 dwellings and 12 affordable flats, along with associated landscaping/open space, car parking, access roads, SUDS and pedestrian/cycle paths. The scheme under evaluation here differs slightly from the initial submission which was for 98 private dwellings and 12 affordable flats. That initial submission showed an over-concentration of large detached properties which resulted in an uncomfortable site layout. As a result, changes were proposed and these form the application under evaluation.

Layout of the development

The housing areas on either side of the Link Road would differ in appearance and character. Within character area A (west of the link road), the houses follow two layout patterns. Adjacent to the Link Road, the houses generally follow the curvature of that road. A number of the properties in this area back onto the landscape strip to the north of the site, whilst there are also a number which front onto the Link Road. The existing Craigbank access track is the point which sees the layout become more grid iron in nature with properties being more perpendicular to each other. Again, a number of properties back onto the boundary at the north and west, some face onto a small 'village green' area open space, whilst others face onto the open space to the south. The finishes of the houses and flats could be controlled via planning condition.

On the eastern side of the Link Road, the houses are predominantly laid out in a crescent form to follow the curvature of the tree knoll. Along the eastern edge of the site, there are a number of properties which back onto the improved core path landscape strip. Three blocks of affordable flats and associated car parking would face north onto the Link Road at the northern edge of the site. A number of properties towards the southern edge of the site face onto the open landscaped

area towards the Cults Burn. Within this area the use of feature stone on the plot frontages combined with traditional roughcast colours together with proposed dry stone dykes to replicate the existing field boundary would form a more rural feel and again these could be controlled via condition.

Proposed houses

A total of 14 different house types are proposed, all of which are 2-storeys in height, ranging in size from 144sqm to 233sqm approximately and having between three and five bedrooms. The housing numbers have an approximate split of 65% detached, 23% semi-detached and 3% terraced properties (the affordable housing takes up the remaining 9%). Some of the properties have integral garages and some would benefit from free-standing garages.

The initial submission was for 98 private units and after discussions with the Planning Authority relative to layout and mix of houses, this was subsequently increased to 107 units.

In general terms the appearance of the houses would reflect the standard approach of the applicant. However, the materials used will reflect which character area they are within and this would be confirmed via condition.

Affordable housing

Three 2-storey blocks of flats are proposed at the north east corner of the site, adjacent to the 'Link Road' comprising a total of 12no 2-bed flats. The design of each block is such that it resembles a pair of semi-detached houses of a design befitting the remainder of the development. They would be finished with black roof tiles and rainwater goods, feature gables, feature window & door surrounds, drydash render (colour to be confirmed via condition) and grey Fyfestone feature stonework. Eighteen car parking spaces are shown, as well as cycle provision although the detail of this will have to be confirmed with via condition. Motorcycle parking would be provided on-site (2no spaces).. Communal bin stores are proposed adjacent to the entrance of the car park for ease of access for servicing.

At the western end of the car park, an electrical sub-station is proposed. Again, for the avoidance of doubt, a condition is recommended to ascertain the details of this and any screening required.

Access/roads

Access into the development would be taken from Kirk Brae onto the 'Link Road' which would rise in a north easterly direction and connect into the northern edge of the adjacent site. There would be two junctions suitably located on either side of the Link Road to allow access into the 2 halves of the development.

Eastern Half: The main boulevard provides the backbone for this half of the development and which all other internal roads take access. Two vehicular

access points are proposed to tie into the existing development to the east and join onto the main boulevard, one of which meanders through the site towards the tree knoll at the north eastern part of this area and the crescent fronting it.

Western Half: The two access points wind through the site towards, intersecting the existing access to the Craigbank properties to the north of the application site, and terminating at the western boundary. There are two formal north-south links which run parallel to the Craigbank access. In the north-west corner, a cul-de-sac is proposed which allows access to the housing and also to the agricultural field to the north via an access gate.

Open Space & Landscaping

There are four areas of usable open space proposed within the site. Two of these are located along the southern edge adjacent to the Cults Burn, providing around 18,000sqm (1.8ha) of land (not including the SUDS basin or flood plain) which generally slopes down to the south. Within the eastern section, a children play park is proposed. To the eastern side of the site, the existing core path would be upgraded and a wide amenity strip (around 2100sqm in size) provided between the existing houses to the east and those proposed within this site which would include a 'trim trail'. The last remaining area of usable open space would be provided in the north-west corner. This 'village green' area would offer around 1000sqm of space which would be overlooked by a number of houses in the immediate vicinity.

The plans also show a variety of areas of general amenity landscaping totalling around 17,000sqm (1.7ha).

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=140272>

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

- Design and Access Statement;
- Drainage Impact Assessment;
- Flood Risk Assessment;
- Ecological Assessment;
- Pre-Application Consultation Report;
- Supporting Statement;
- Housing Mix Clarification;
- Transport Assessment;
- Tree Survey and Report.

PRE-APPLICATION CONSULTATION

The application is a major application as defined in the 'Hierarchy of Development' Regulations. The proposed development was the subject to pre-application consultation in August and November 2011 between the applicant and the local community. The consultation also involved Local Members and the local Community Council. The consultation also looked at the wider OP51 area with regards to the proposed Development Framework.

At the first consultation event, six questions were posed to attendees relating to local character, connection and permeability, public transport, landscape & environmental qualities, and open space. A number of positive suggestions were put forward by attendees relating to; improving the connections into the wider area, ensuring there is adequate public transport links to the site in order to reduce the traffic burden on the network, ensuring adequate and useable green space throughout the site, ensuring the development fits in with the wider Cults area. A small number of respondents did not want any development on site. Concerns were raised about the impact on the road network and general infrastructure in the area, impact on school provision, loss of green belt and overdevelopment of Cults.

At the second consultation event, many of the issues from the first event were raised again. In addition to these, issues were also raised regarding; traffic levels and the need for bus stops on the Link Road, safe crossings on Friarsfield Road, the SUDS provision, open space and landscaping provision in and around the site.

The applicants have provided feedback on the issues and concerns raised. In some instances, this has led to changes/improvements in the proposals whilst others have remained as originally shown with justification given in all instances. These responses are contained within the Pre-Application Consultation Report which was submitted with the application.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because more than 5 objections have been received and the Culter, Bieldside & Milltimber Community Council have also objected to the application. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management – amended plans and a TA Addendum have been received in order to alleviate previous concerns. There are no objections subject to conditions to deal with the following; controlled crossing point at Kirkbrae Avenue and associated footpath link between the application site and the crossing; the rural footpath should be lit; cycle parking provision for the

affordable units; car parking layout for the affordable units; visibility splays for junctions which should include details of bin set down areas and residential travel pack. Lastly, it is essential that the Link Road is in place before occupation of the 161st house.

Environmental Health – no observations

Developer Contributions Team – there is a long-standing agreement for on-site affordable housing for the Friarsfield Site of 10% which continues here with the remaining 15% being dealt with via financial contributions. Financial contributions are required in respect of sport & recreation and healthcare provision. As for education, a financial contribution is also required in order to mitigate the impact of the development on local school provision. Further details regarding education are provided in the 'School' section below.

Enterprise, Planning & Infrastructure (Flooding) – following on from the submission of additional drainage information, and confirmation of SEPA's position with regards the development, there are no objections. It should be noted, however, that swale as proposed is currently too steep and should be amended if possible – details of this would be included in any 'SUDS' condition.

Education, Culture & Sport (Archaeology) – a programme of archaeological works is requested to be submitted and approved prior to work commencing on site as a condition to any grant of permission.

Education, Culture & Sport (Education) – Financial contribution are a fair and reasonable way to mitigate the impact of the development on education provision considering the serious nature of the education provision along the Deeside corridor. Further details are provided in the 'School' section of the evaluation below.

Housing and Environment (Waste) – no objections. Swept paths and bin locations on tarred roads and the location of communal bins for the affordable apartments area are all acceptable. Details of the vehicle used for the modelling and bin collection areas are also considered acceptable.

Scottish Environment Protection Agency – No longer object to the application in relation to surface water drainage so long as a suitably worded condition is attached to any grant of permission. Likewise, the objection related to flood risk can be treated as withdrawn if a suitable condition is attached. Lastly, conditions are requested relating to 'buffer strips' and a 'site specific construction environmental management plan'. If these conditions are not attached to any grant of permission then SEPA object to the application.

Scottish Natural Heritage – object to the proposal unless conditions are imposed on any grant of permission so that works are undertaken strictly in accordance with the mitigation measures outlined in the ecology report.

Community Council –Cults Bieldside Milltimber Community Council objects to the application on the following grounds;

1. The mix of housing does not comply with Policy H4 (Housing Mix) due to the domination of large detached 4/5 bedroom houses;
2. The proposal does not comply with Policy H5 (Affordable Housing) as only 10% is proposed on-site;
3. The plans do not conform to Policy NE6 (Flooding and Drainage) due to the flood risk at the Cults Burn;
4. Concern has been raised from residents within the properties at 'Craigbank' regarding access to their properties.

REPRESENTATIONS

11 letters of objection/representation have been received in respect to the first period of representation. The material planning considerations raised relate to the following matters –

- Road safety concerns about the access roads adjacent to the properties at 'Craigbank';
- The fields have been subject to flooding in recent times;
- The development would have a negative impact on local amenities;
- The development would add to existing pressures related with the local schools;
- The development would increase the traffic in this area which is already at intolerable levels;
- The development would have a negative impact on local wildlife;
- The lack of a strategic landscape strip along the northern edge of the site would add to the impact on the dwellings at 'Craigbank';
- The existing field boundaries (dykes) should be retained as being a feature of cultural and environmental heritage;
- The lack of a pedestrian footpath along Kirk Brae is of concern specifically related to 'safer routes to school'.

Following material changes to the proposal, neighbouring properties and the Community Council were re-notified. The re-notification referred to the following changes;

- Increase in residential properties to around 120;
- Reduction of detached properties;
- Amendments to house types; and
- Slight change to site layout

No new letters of representation were received.

PLANNING POLICY

National Policy and Guidance

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

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

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

PAN 77 (Designing Safer Places) highlights the positive role that planning can play in helping to create attractive, well-managed environments which help to discourage anti-social behaviour. It also aims to ensure that new development can be located and designed in a way that deters such behaviour avoiding the creating feelings of hostility, anonymity and alienation resulting in significant social, economic and environmental costs.

PAN 2/2010 (Affordable Housing and Housing Land Audits). Section one of which relates to Affordable Housing and how the planning system can facilitate the development of affordable homes by way of supplying a mixture of tenures which are affordable and are of a high standard of design and contribute to the creation of sustainable, mixed communities. A range of tenure types are appropriate, including; social rented, subsidised or unsubsidised low cost housing for sale, and mid-market or intermediate rented.

PAN 65 (Planning and Open Space) provides advice on the role of the planning system in protecting and enhancing open spaces and providing high quality new spaces.

Aberdeen City and Shire Structure Plan

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

Aberdeen Local Development Plan

Policy I1 - Infrastructure Delivery and Developer Contributions

Where development, either individually or cumulatively, will place additional demands on community facilities or infrastructure necessitating new facilities or exacerbate deficiencies in existing provision, the Council will require the

developer to meet or contribute to the cost of providing or improving such situations.

Policy T2 - Managing the Transport Impact of Development

New development should demonstrate that sufficient measures have been taken to minimise the traffic generated. Supplementary Guidance provides more detailed information on requirements for Transport Assessments, Travel Plans and parking standards.

Policy D1 - Architecture and Placemaking

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

Policy D2 - Design and Amenity

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

Policy D3 - Sustainable and Active Travel

Seeks to ensure that new developments are designed in order to minimise travel by car, improve access to services and promote healthy lifestyles, by encouraging active travel.

Policy H1 – Residential Areas

In existing residential areas the predominantly residential character and amenity will be retained. Other uses or activities will not be permitted unless the Council can be satisfied that the use would cause no conflict with, or any nuisance to, the enjoyment of the existing residential amenity.

Policy H3 - Density

All residential developments over one hectare must:

1. Meet a minimum density of 30 dwellings per hectare (net). Net dwelling density includes those areas which will be developed for housing and directly associated uses, including access roads within the site, garden ground and incidental open space;
2. Consider the site's characteristics and those of the surrounding area;
3. Create an attractive residential environment and safeguard living conditions within the development; and
4. Consider providing higher densities in the City Centre, around local centres, and public transport nodes.

Policy H4 - Housing Mix

Developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan. This mix is in addition to affordable housing contributions.

Policy H5 - Affordable Housing

Housing developments of five or more units are required to contribute no less than 25% of the total number of units as affordable housing. Supplementary Guidance provides more detailed information.

Policy NE1 – Green Space Network

The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network.

Policy NE4 - Open Space Provision in New Development

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

Policy NE6 - Flooding and Drainage

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

Policy NE8 – Natural Heritage

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

Policy NE9 - Access and Informal Recreation

New development should not compromise the integrity of existing or potential recreational opportunities, core paths, other paths and rights of way. Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

Policy R7 - Low and Zero Carbon Buildings

To ensure that low and zero-carbon generating technology is installed to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards regulations. The Supplementary Guidance (Low and Zero Carbon Buildings) provides more detailed information.

Supplementary Guidance

The following supplementary guidance documents are of relevance to the assessment of the application;

- Friarsfield Development Framework
- Affordable Housing
- Infrastructure and Developer Contributions Manual
- Waste Management
- Transport and Accessibility
- Low and Zero Carbon Buildings
- Bats and Development

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 I1 – Infrastructure Delivery and Planning Obligations
- Policy T2 – Managing the Transport Impact of Development
- Policy T2 – Sustainable and Active Travel
- Policy H1 – Residential Areas
- Policy H3 – Density
- Policy H4 – Housing Mix
- Policy H5 – Affordable Housing
- Policy NE1 – Green Space Network
- Policy NE4 – Open Space Provision in New Development
- Policy NE6 – Flooding, Drainage and Water Quality
- Policy NE8 – Natural Heritage
- Policy NE9 – Access and Informal Recreation
- Policy R7 – Low and Zero Carbon Buildings and Water Efficiency

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Principle of development

The Aberdeen Local Development Plan (ALDP) identifies the site as part of an Opportunity Site (OP51) which also benefits from a 'Residential' land designation (Policy H1) which is allocated for 280 residential units. The site is also a long-standing housing land allocation, being included in the previous Aberdeen Local Plan (2008) as Opportunity Site OP5 which was safeguarded for residential development under Policy 38 of that Plan.

These factors reflect an identified need for housing land in this area and thus there is conformity with the Housing Land section of SPP. The Friarsfield Development Framework identifies the site as suitable for residential development. Lastly, the application is considered to accord with the Structure Plan objective relating to population growth, by providing additional housing opportunity and choice. Accordingly, the principle of residential use on the site is acceptable in terms of development plan considerations.

Development Framework (DF)

The vision of the adopted DF is for an attractive, high quality and sustainable residential development that will be integrated well into the surrounding area. It aims to achieve the following;

- a high quality residential environment that meets a variety of housing needs while giving due consideration to the infrastructure and safety issues;
- successful integration of the site with the surrounding area, ensuring new development fits well in the landscape as well as providing links from the site to the wider area;
- attractive open space and opportunities for continued recreation on the site while retaining and enhancing access to the Core Path Network;
- safeguard existing site features, enhance green space provision and to include proposed strategic landscaping, efficient connections to pedestrian and cycle path linkages, public transport and city roads networks.

The DF sets out the development potential of the site, indicating suitable housing land at 3 distinct areas, namely; 'Morkeu', 'Friarsfield' and 'Sunnyside', with mention being made with regards to materials to be used and house sizes (generally 2-storey) and density (9.5 – 15 houses per hectare) which would be acceptable. There is also mention of land which is required to be set aside for open space and landscaping strips as well as drainage provision.

Due to the potential impact on the local road network by virtue of the proposal, there is a requirement for a Link Road which would allow access into the site from Craigton Road and Kirk Brae, therefore reducing the potential traffic on "Jacobs Ladder". The Link Road is seen as a key element of the overall DF as it would mean that once it is constructed, the site and immediate area could be accessible via improved public transport network, with the Link Road reducing the impact on the local road network.

In terms of phasing, the DF indicates that this application site would form part of phase one and two of three phases.

Design, Scale, Mix and Form of Development

'Designing Places' sets out the Government's expectations of the planning system to deliver high standards of design. It lists what the Government considers to be successful places, including being 'distinctive', 'safe and pleasant', 'easy to get to and move around' and 'welcoming'.

The design and the layout of the development generally meets these broad objectives with the exception that this 'place' is not considered to be distinctive in that the general type of houses are not uncommon with many Cala residential developments within Aberdeen. Notwithstanding, ALDP Policy D1 seeks to ensure that all development is designed with due consideration for its context. The context is currently that of agricultural fields with a vacant school and some residential properties to the north, a construction site for a modern development

(Cala) to the immediate east, agricultural fields to the west and the suburban extension to Cults to the south. The housing area to the south is diverse in nature, containing a mixture of detached and semi-detached properties and that is the context to which this development should tie into. The application site provides for a mixture of house types, including 3-bed terraced properties, 3-bed semi-detached, and 4 & 5 bed detached properties. There would be a mix of around 65% detached properties, and 35% non-detached, a mix which is generally compatible with the prevailing character of immediate area and acceptable in terms of Policy H4. In terms of the increase in unit numbers since first submission, it is considered that this small increase of 10% or so does not have any material impact on the surrounding area in addition to the 98 private houses originally proposed. The increase in numbers has helpalso facilitated a better mix of properties in line with the requirements of the DF.

In terms of site context, it is clear that the introduction of houses of a design and style, typical of Cala, would not directly relate to the character of the semi-rural locality. However, when taken in the context of the wider Cults area, the design and form of development would generally respect the varying design and finish of dwellings, as well as the overall character and pattern of development. In this wider context (including what has been approved on the adjoining site to the east), it is considered that the approach taken is consistent and therefore generally acceptable in terms of ALDP Policy D1.

The proposal is in keeping with the Development Framework as regards site layout, streetscape, access, landscape and open space. In general terms, the layout is acceptable with the exception of two areas which still causes concern. The first issue relates to plot 118 when viewed from the west. The concern is that this house sits too far forward on the streetscene when compared with plot 116 to a material degree. On travelling from the west (if and when that site is built-out) plot 118 would be visually obtrusive and prominent despite the house type being amended to have a dual aspect. The only way to remedy this concern would be to remove plot 117 and move the house further into the plot so that the step between that and plot 116 is less pronounced. The second area still of concern relates to plots 4-7. The street at this location gently sweeps from the north-west on a gentle curve however the proposed layout and position of the houses is very rigid and angular, thus they do not lend themselves appropriately to this particular location. In a similar vein, the proposed house type has a clumsy design and does not fit in well with the other houses proposed within the development. The first submission for this area showed four detached houses and a detached garage along the same length of street which now proposes 2no detached houses and 2no sets of linked semi-detached properties. The straightforward way to deal with this continuing issue along this frontage is to revert back to the original idea of detached houses which are sufficiently set back from the footpath so that the houses follow the gentle curvature of the road. It is acknowledged that this change alone would increase the percentage of detached properties and in that respect other changes would be required in order to ensure that the mix of house types did not go above 65% detached.

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

In respect to affordable housing, Policy H5 and the supplementary guidance (SG) both seek 25% on-site provision. The application seeks to provide 12 units (around 10%) as flats with the remaining 15% (18 units approximately) being addressed by way of a commuted sum to be included in the s75 legal agreement. Although the on-site provision is less than the stated policy target, the planning authority accepts this approach as being consistent with how the site to the east was dealt with. Both sites form part of the OP51 site which was zoned for residential development in the 2008 Local Plan at a time where the Affordable Housing contribution was 10% on-site. In terms of location, the units would be positioned adjacent to those which were approved on the site to the east. Members will no doubt recollect the debate which took place in the Council Chamber with respect to the amount and position of affordable housing units for that application, whereby Members were clear that the position was not acceptable given its remote location at the north adjacent to the Link Road. The developers have provided comments from a social housing provider who states that if that company were to take on the affordable units, the sensible approach would be to have them grouped together to make it easier for servicing. It should be noted that in the medium to long term, the affordable units would be more accessible on the basis that the link road would likely form part of an extended bus route. Whilst the Planning Authority understands the reasoning behind the proposed location, it should be noted that the preference for the affordable units would be to have them sprinkled throughout the site and integrated more fully into the wider community. In that respect, there is not fully in accordance with SPP, PAN 2/2012, Policy H5 of the ALDP and the SG.

In terms of density, Policy H3 seeks a minimum of 30 dwellings per hectare, which is net of any land not directly related to the housing. The development would provide 119 dwellings on an 11.9ha site, resulting in a gross density of 10. Taking account of the open space provision on site which equates around 3.12ha, the net provision is around 13.58 which, although is much lower than policy requirements, is in line with the surrounding area where densities vary from around 6 to 20 dwellings per hectare and in line with the requirements of the DF.

Impact on Residential Character

The wider area is characterised by a mixture of 1-2 storey semi-detached and detached properties for the most part with some terrace properties scattered throughout the locality. Generally, the local properties have generous gardens (with the exception of Kirk Brae Mews). The type and pattern of development existing within the immediate area is typical of its time. The application proposes a pattern and type of development which is similar in nature to the surrounding area. Although the internal road layout is not unlike the wider area the amount of

garden space available to occupiers is less than the majority of properties in the area. Further, the higher-end detached properties (4 & 5 bedrooms) are much larger than what generally exists in the vicinity (with the exception of the current development 'Rosefield Gardens' to the immediate east. In general terms, the residential character of the wider area will be largely unaffected by the form and scale of development proposed and is therefore acceptable.

Visual Impact of the Development

The application site is currently undeveloped and without any significant boundary screening, save for small scale bushes along the Cults Burn, the tree knoll, some sparse tree planting along the northern boundary and a mature tree belt running along and parallel with the Craighbank access. It has a moderate slope rising to the north with a reasonably flat area around the mid point. It is accepted that the development will have a significant visual impact on the existing character of the area, given the site is currently open fields. However, the site is allocated for development in the ALDP and the DF has a presumption in favour for residential thereon. The site is very prominent from Kirk Brae and the residential houses to the south and the vista from the south will see a change in character and feel. With respect to the wider area, it is not considered there would be an unacceptably significant impact due in part to: topography, landscaping strip along the Cults Burn and existing buildings.

Traffic Impacts, Access Arrangements and Car Parking

Access into the development would be taken from Kirk Brae onto the 'Link Road' which would rise in a north easterly direction and connect into the northern edge of the adjacent site. There would be two junctions suitably located on either side of this main spine road to allow access into the two halves of the development. The internal layout of the site provides for suitable access and circulation for both vehicular and pedestrian movements to and through the development. Specifically, there are good links proposed to the existing development to the east and any future development to the west. The existing access track to the houses at Craighbank is proposed to be closed off to non-residents. The plans show bollards being put in place to which these residents would have key access. This allows them to continue to use that track should they wish as well as accessing their properties off the Link Road. There has been objection raised from the Roads team in that respect.

Designing Street seeks to ensure that the internal layout of new developments are designed so as to give priority to pedestrians and cyclists, rather than motorised vehicles through the inclusion of 'homezone' design principles. An attempt has been made, in places, to ensure compliance with this ethos by including shared surfaces, raised tables, changes of surface material, pedestrian crossing points, narrow roadways, on-road footpaths, restricted visibility due to positioning of walls and trees close to the carriageway.

The nature of the internal road layout would allow safe and adequate pedestrian and cycle circulation and connecting to the wider core path network outwith the

site, including to the local Primary and Academy. Once complete, the Link Road also is anticipated to include a cycle lane and path, although this detail is yet to be finalised, which would increase permeability to the wider area outwith the application site. These pedestrian accesses and linkages are considered to be generally acceptable in terms of National and Local policy and guidance. A suitable condition is attached to secure the implementation of a new pedestrian footpath along Kirk Brae towards Kirkbrae Avenue where a new controlled pedestrian crossing is required in order to promote safer routes to school. Related to this is the need to ensure the rural footpath within the application site is lit.

In order to address the potential situation of 'ransom strips' between the application sites, a condition is proposed which would ensure that all roads and paths are taken up to the boundary and would require removing any wall or other boundary enclosure so that the road or path could be built on the boundary.

In terms of car parking, for the most part, the provision is acceptable. The only exception to this relates to the affordable units. Currently, no discussions have been held with providers about the end use tenure of the affordable units and this impacts on the required parking provision. Based on what has been submitted, the parking provision is adequate on the basis of social rented properties only. If the negotiations mean that another form of affordable housing is proposed, then this will require additional car parking (4 additional spaces) which cannot be provided within the affordable housing area. There is already concern from the Roads team in relation to the layout of these car park areas and the number of spaces provided. It is therefore recommended that the legal agreement includes a section on the above, being that the current car parking provision is suitable only for social rented tenure which generally has a provision of 0.8 spaces per unit. Any other tenure would require 2 spaces per unit but it is somewhat unrealistic to suggest that can be provided in the current parking area. Therefore it is not inconceivable that in order to achieve the required parking, the developer would have to remove a housing plot (either 19 or 32) to facilitate more parking. A condition is also recommended relative to the car parking layout of the affordable flats.

A Traffic Assessment (TA) was submitted with the application which covered the wider OP51 site. The TA suggests that 160 houses can be accommodated on the local road network before there is a negative impact. The completion of the Link Road will be required to take place in order to provide a significant element of relief to the Friarsfield Road/Kirk Brae/Kirk Terrace junction by allowing traffic to bypass the area and gain access direct to Craigton Road. It is considered that any diversion of traffic away from this junction would help further reduce traffic levels thus helping to improve junction performance. The TA suggests that the provision of the new Link Road could also facilitate the closure of "Jacobs Ladder" to vehicular traffic. However, it is also recognised that this may cause some inconvenience for local residents so with that in mind an alternative could be promoted to potentially reduce through movements and change junction priorities although this is subject to discussions with the relevant Roads officers. The TA has been the subject of a detailed audit and demonstrates minimal impact on the

surrounding road network by virtue of the initial 160 homes. Thereafter, mitigation measures need to be put in place by way of a Link Road and junction improvements.

Public transport access to the site is non-existent at present. The application site is around 800m (10 minute) walk from the nearest bus stop on North Deeside Road. This goes against policy which seeks for development to be within 400m walking distance of public transport. Unfortunately, "Jacobs Ladder" is not an acceptable route for bus traffic hence why no services are promoted along this route from Craigton road to Friarsfield Road. The only way of ensuring some public transport provision to the development site is the introduction of the Link Road. The construction of the Link Road in full is unlikely to happen for some time and in the meantime, the situation would be no worse in terms of access to public transport but it would mean that residents would have further to walk to get to the bus route in the meantime. What may occur is that as this and other nearby developments progress, a bus operator would have more of a reason to extend a nearby service to take account of the additional demand created.

Taking into account the foregoing it is considered that, prior to occupation of the 161st house on the Friarsfield opportunity site (OP51) as a whole, the Link Road is required to be constructed in its entirety and that a financial contribution is also due towards the link road. This legal agreement would be consistent with the legal agreement that has already been put in place for the residential development by CALA to the immediate east

,It is worth noting that construction of the road may not be practicable on the land to the east of this application site towards Craigton Road. That land, approximately 500m in length, is in multiple ownership and it would appear that there is nothing in place to ensure that the Link Road can be constructed there. There is a possibility that this section of the Link Road may never be delivered. If that was the case, this would impact on the number of units which could be built within the main OP51 site, limiting the allocation to 160 houses. If this was to happen, it would not be possible to provide a bus route into the OP51 area.

Waste & Servicing

Swept path analysis was provided in relation to servicing the site which is considered acceptable. In terms of residents depositing their bins, British Standard BS 5906 2005 states that residents should walk no more than 30m to a communal refuse storage container or more than 15m with a two-wheeled refuse container. Also, the maximum reversing distance for a refuse vehicle is 12m. For the most part, the Council refuse lorry would be able to provide a kerb-side collection service for the majority of properties and therefore acceptable. It is acknowledged that around 24 properties (around 28% of the total) would have to take their wheelie bins to a collection point close to their property in order to have them uplifted, rather than having their bins collected from the front of their properties. The bin collection points annotated on the plan, of which there are nine, would take the form of flat slabbed areas for householders to put their bins out for collection on the relevant day. The slabbed areas provide 1sqm of space per house. Whilst this is not the preferred option, it goes some way to alleviating

the fears regarding servicing and is considered acceptable from the Roads and Waste teams.

In addition, it is acknowledged that a total of four properties would need to travel more than 30m to deposit their bins and that this distance would be unacceptable for some residents. However, the Council's Waste Team accept the situation for this small proportion (5%) of properties given that the remaining 95% of the development comply with the relevant standards.

Open Space provision

The plans show large areas of open space within the application site and this is a mix of general visual amenity and usable open space. The largest concentration open space lies at the southern end of the site adjacent to the Cults Burn which forms part of the Green Space Network. On either side of the Link Road there are two areas of usable open space totalling around 18,000sqm (1.8ha). Within the eastern side, a child's play park is also proposed. Two smaller pockets of usable open space are proposed, one being the 'village green' in the north-west corner and at the eastern extremity of the site to enhance the upgraded core path where a 'trim trail' is also proposed. These two areas total around 3,000sqm (0.3ha). Collectively the amount of usable open space equates to around 21,000sqm (or 2.1ha). Other areas of general and visual amenity space, totalling around 17,000sqm (1.7ha), have been scattered throughout the site. Further to this, there is an existing football pitch to the immediate north of the site within the grounds of the now vacant Waldorf School and a public play park available for general use at Kirk Terrace which is around 400m from the application site to the south.

Assuming there were 4 or 5 people residing in the houses and 2 or 3 in the flats, the amount of people who potentially could live in this development would be around 570. Taken as a proportion of the policy guideline, the amount of open space that should be provided for that number of residents is around 1.3ha. The actual amount of space being proposed on this particular site is in excess of what should be provided in terms of Policy NE4 and the SG.

Taking these matters into account, it is considered that the proposal demonstrates compliance with the provisions of Policy NE4 and the associated 'Open Space' supplementary guidance.

Site Drainage and Flooding

A drainage assessment was submitted with the application and two SUDS basins are proposed at the south end of the site adjacent to the Cults Burn. Due to the size of the development, 2 levels of treatment are proposed as per Chapter 5 of the SUDS Manual. With regards to flooding, the application site is located to the immediate north of the Cults Burn. On assessing the SEPA flood map, it is clear to see that the area is at risk (from the Cults Burn) and this has been taken into account in the layout of the development. It should be noted that no objections have been forthcoming from the Council's Roads or Flooding section, or indeed

SEPA in respect to drainage or flooding and thus it is considered the application is acceptable in this respect subject to the inclusion of relevant conditions.

Wildlife considerations

An ecological survey was submitted with the application in which it is highlighted that no bats or badgers were evidenced on the site. Notwithstanding, there is a recommendation to ensure measures are in place to safeguard small mammals during construction and also to undertake a bat survey prior to the felling of any trees on site which has provided comfort to SNH and in that respect a condition is attached.

It is acknowledged that the habitat opportunity for the site will greatly be lost due to the change of land use to garden ground and open spaces.

In terms of the Cults Burn, which is a tributary of the River Dee Special Area of Conservation (SAC) and a Local Nature Conservation Site (LNCS), it is not anticipated that there will be any adverse impact and as such the corridor quality of the Cults Burn will be unaffected by the proposals.

School Capacity

Cults School

In academic session 2014/15 the pupil roll at Cults School was 533 against a stated school capacity of 540. In the next academic year the school is expected to be 7 pupils above capacity and by August 2017 it is projected that the school roll will rise to 635 pupils, which is the equivalent of a 3 stream primary school. A financial contribution will therefore be required to extend the school's capacity to accommodate the additional pupils arising from the committed housing development and details of such extension of capacity would be dealt with by Education, Culture and Sport.

It is considered that the capacity of Cults School should not be increased beyond a 3 stream school as this would present serious management challenges. Further, a primary school should be a nurturing environment in which all pupils feel safe and secure. In a school with capacity beyond 3 streams this will be extremely difficult to realise..

Cults Academy

The capacity of Cults Academy is set at 1,141 and the school had a pupil roll of 1,055 at the census date in September 2014. The Education authority is presently conducting a consultation exercise to reduce future pressure on Cults Academy by rezoning the school's catchment area to exclude the area of ground south of the River Dee which lies in the Aberdeenshire Council area. Should this proposal be accepted by the Council following the conclusion of the consultation process, Cults Academy is projected to go over capacity by 2019 as a result of committed housing developments. A financial contribution is therefore sought to allow a reconfiguration of the school accommodation to increase the capacity to accommodate the projected increase in pupils.

Low and Zero Carbon Buildings

No details of the manner in which the proposed new buildings would demonstrate compliance 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 to ensure compliance with policy R7 (Low and Zero Carbon Buildings) and the associated supplementary guidance.

Relevant planning matters raised by the community council

1. The site layout has been amended to show a wider range of properties and reduce the domination of large detached houses which now account for only 65% of the total.
2. The point raised about the affordable housing provision on-site has been addressed in the Design, Scale, Mix and Form of Development section above.
3. Both SEPA and the Council's Flooding Team have no objections to the application on flooding grounds. Relevant conditions have been recommended below which should help deal with any concerns in that respect;
4. The point raised about access to the Craigbank properties has been dealt with in the Traffic Impacts, Access Arrangements and Car Parking section above.

Relevant planning matters raised in written representations

1. The point raised about access to the Craigbank properties has been dealt with in the Traffic Impacts, Access Arrangements and Car Parking section above;
2. Both SEPA and the Council's Flooding Team have no objections to the application on flooding grounds. Relevant conditions have been recommended below which could help deal with any concerns in that respect;
3. It is acknowledged that the development would have some impact on the local amenities. This is taken account of in the Developer Obligations package which has been agreed with the applicant. The financial contributions would help mitigate the impact of this development on schooling, healthcare etc. as outlined in the Legal Agreement section below;
4. It is accepted that the development would add additional pressure onto the existing schools. Commentary on this point is provided in the School section above;
5. The TA demonstrates that the increase in traffic in the immediate area would not be detrimental. The network would be able to cope with an additional 160 houses before requiring the Link Road to be in place;
6. The ecological survey submitted with the application outlines measures (where necessary) to ensure that there would be no negative impact on the local wildlife;
7. A strategic landscape strip has been introduced along the northern edge of the site to help reduce the impact on the dwellings at 'Craigbank';

8. Whilst it would be desirable to retain all of the field boundaries, it is clear that these are not suitable for inclusion in the development due to their current nature. The developer has proposed new stone dykes throughout the eastern half of the development which would generally follow the same field boundaries and help to retain the character of the area and this is covered by a relevant condition;
9. In relation to the concern about 'safer routes to school', the plans have been updated to show a rural footpath through the site to the west. A suitable condition is attached requiring this to be lit and also that there is a link from the site to a new controlled crossing point adjacent to Kirkbrae Place which would allow for a more direct route to the Academy.

Proposed legal agreement

A section 75 legal agreement can secure: (1) on-site provision of 12no affordable housing units (10%); (2) contributions towards off-site affordable housing units (15%); (3) developer contributions towards: education facilities; sport and recreation facilities and local healthcare provision. Such an agreement would see the proposals comply with ALDP Policies: I1 (Infrastructure Delivery and Developer Contributions) and H5 (Affordable Housing); and the Supplementary Guidance on 'Affordable Housing'.

The legal agreement also needs to reference the car parking provision relative to the affordable units as highlighted earlier in the report and to limit the occupation of dwellings to 160 prior to the completion of the Link Road.

Financial contributions towards the delivery of the Link Road are also required to form part of the legal agreement.

The applicant has agreed to enter into a legal agreement on the basis of the discussions which have taken place to date.

Proposed Aberdeen Local Development Plan

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

- these matters have been subject to public consultation through the Main Issues Report; and
- the level of objection raised in relation these matters as part of the Main Issues Report; and
- the relevance of these matters to the application under consideration

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

- Policy D1 – Quality Placemaking by Design
- Policy I1 – Infrastructure Delivery and Planning Obligations
- Policy T2 – Managing the Transport Impact of Development
- Policy T2 – Sustainable and Active Travel
- Policy H1 – Residential Areas
- Policy H3 – Density
- Policy H4 – Housing Mix
- Policy H5 – Affordable Housing
- Policy NE1 – Green Space Network
- Policy NE4 – Open Space Provision in New Development
- Policy NE6 – Flooding, Drainage and Water Quality
- Policy NE8 – Natural Heritage
- Policy NE9 – Access and Informal Recreation
- Policy R7 – Low and Zero Carbon Buildings and Water Efficiency

These policies substantively reiterate policies in the adopted local plan. For the same reasons that the proposal complies with the adopted local development plan, it also does comply with the Proposed Plan.

RECOMMENDATION

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

- **Delivery of 10% on site affordable housing units and commuted sum for 15% affordable housing units;**
- **Developer Obligation contributions towards primary and secondary education, sport and recreation and healthcare; and**
- **Financial contributions towards the delivery of the Link Road and restriction to no more than 160 units on the wider Friarsfield Opportunity site (OP51) until completion of a new link road from Kirk Brae to Craigton Road**

REASONS FOR RECOMMENDATION

The proposal is deemed suitably compliant with relevant national policy including Scottish Planning Policy (SPP) in relation to: sustainable development; housing, location and design of new development; and, affordable housing. Further, the proposal is considered to be acceptable in terms of Scottish Government publications: 'Designing Places', 'Designing Streets', PAN 2/2010 (Affordable Housing and Housing Land Audits), PAN65 (Planning and Open Space) and PAN77 (Designing Safer Places).

In terms of the Aberdeen City and Shire Structure Plan, the application is considered to conform to the general principles contained within the objectives

'economic growth', 'population growth', 'quality of environments', 'sustainable mixed communities' and 'accessibility'.

The proposal is considered to be of an appropriate scale, form and style of in accordance with Aberdeen Local Development Plan (ALDP) Policy D1 (Architecture and Placemaking). The approach is consistent with the OP51: Friarsfield Development Framework and ALDP Policy H1 (Residential Areas). An acceptable residential environment is proposed, in accordance with ALDP Policy D2 (Design and Amenity), an appropriate mix of houses has been proposed in compliance with ALDP Policy H4 (Housing Mix) and the density is in line with the requirements of ALDP H3 (Density) and the Friarsfield Development Framework.

Access and parking arrangements have been agreed with the Council's Road Projects Team, as required by ALDP Policies D3 (Sustainable and Active Travel) and T2 (Managing the Transport Impact of Development), and Supplementary Guidance on 'Transport and Access'.

Details of appropriate landscaping and enclosures can be secured via condition, and open space provision is generally in accordance with ALDP Policy NE4 (Open Space Provision in New Development), and Supplementary Guidance on 'Open Space' and the Friarsfield Development Framework

Appropriate 'Developer Contributions' and 'Affordable Housing' provision can be secured through the s75 agreement, as set out above, in compliance with Policies I1 (Infrastructure Delivery and Developer Contributions), H5 (Affordable Housing), and Supplementary Guidance 'Infrastructure and Developer Contributions Manual' and 'Affordable Housing'. The legal agreement would also ensure that the no more than 160 houses are occupied prior to the completion of the Link Road towards Craigton Road which would also allow for public transport links to and through the site.

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

it is recommended that approval is granted with the following condition(s):

1. that no development pursuant to the planning permission hereby approved shall take place unless a detailed delivery statement for the entire Link Road has been submitted for the further written approval by the Planning Authority – in the interests of promoting sustainable transport
2. that no development pursuant to the planning permission hereby approved shall take place unless there has been submitted to and approved in writing by the planning authority a detailed design for the section of the Link Road which runs through the application site. The plans shall include

details of junctions, cycle/pedestrian paths, laybys and bus stops – in the interests of promoting sustainable transport

3. that no development pursuant to the planning permission hereby approved shall take place unless details of a controlled pedestrian crossing adjacent to Kirkbrae Avenue, footway on Kirk Brae and associated linkage to that footpath within the application site, have been submitted for the further written approval of the Planning Authority and thereafter no house on the west side of the Link Road shall be occupied unless said footpaths and crossing are fully operational – in the interests of pedestrian safety and safer routes to school
4. that no development shall take place within the application site unless a full programme of works relative to the realignment of the core path along the eastern boundary of the site (to include but not limited to time lines for path closures and undertaking work, specification of path, soft and hard landscaping, and protective fencing during construction stage) has been submitted to and approved in writing by the planning authority. Thereafter, the path shall be implemented in full accordance with the approved details and be available for public use prior to, and during, any other construction works within the application site – in order to ensure the use of the core path is disrupted as little as possible and upgraded to the best possible standard
5. that no development pursuant to the planning permission hereby approved shall take place unless an updated SUDS scheme has been submitted for the written approval of the planning authority, in consultation with SEPA, and thereafter, no individual house shall be occupied unless the drainage required for the house has been carried out in accordance with the approved scheme - to ensure adequate protection of the water environment from surface water run-off
6. that no development pursuant to the planning permission hereby approved shall take place unless the mitigation measures as identified in the Ecological Assessment (dated September 2013) by Nigel Rudd Ecology have been taken account of and implemented in their entirety – in the interests of safeguarding the fauna and habitats on-site
7. that no development pursuant to the planning permission hereby approved shall take place unless until a site specific Construction Environmental Management Plan (CEMP) has been submitted and approved in writing by the Planning Authority in consultation with SEPA, SNH or other agencies as appropriate. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority. The CEMP must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS which shall be implemented for the duration of works on site and the following issues:-

- Surface water management
- Site waste management
- Buffer strips

- In order to minimise the impacts of necessary demolition/construction works on the environment.

8. that no development pursuant to the planning permission hereby approved shall take place unless details of the protection and enhancement of the water course and associated buffer strip, including access for maintenance, has been submitted to and approved in writing by the planning Authority consultation with SEPA. All works on site must be undertaken in accordance with the approved details unless otherwise agreed in writing with the Planning Authority – in the interests of nature conservation and safeguarding the fauna and habitats on-site
9. that no development pursuant to the planning permission hereby approved shall take place unless a full site waste management plan for the processing of construction and demolition waste has been submitted to and approved in writing by the planning authority. No work shall be carried out unless in accordance with the approved plan unless the planning authority has given written consent for a variation - to ensure that waste on the site is managed in a sustainable manner
10. that no development pursuant to the planning permission hereby approved shall take place unless a scheme of street and footpath lighting has been submitted to, and approved in writing by the planning authority. No individual house shall be occupied unless the lighting relative to that part of the site (e.g. east or west of the Link Road) has been implemented in accordance with the approved plans unless otherwise agreed in writing - in the interests of public safety, protecting residential amenity and protecting wildlife
11. that no development pursuant to the planning permission hereby approved shall take place unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of hard and soft landscaping for the site, which scheme shall include
 - the materials to be used for all hard surfaces including footpaths
 - detailed specification of children's play equipment
 - indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and
 - the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting

- In the interests of the amenity of the area.
12. that no development pursuant to this planning permission shall take place, nor shall any part of the development hereby approved be occupied,

unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission and to include details of the access into the agricultural field adjacent to plots 101 & 102 and details of the new dry stone dykes. No individual house shall be occupied unless the enclosure relative to that house has been implemented in accordance with the approved plans - in order to preserve the amenity of the neighbourhood.

- i. that no development pursuant to the planning permission hereby approved shall take place unless further details and samples of 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 unless otherwise agreed in writing- in the interests of visual amenity.
 - ii. that no development pursuant to the planning permission hereby approved shall take place unless there has been submitted to and approved in writing a detailed Residential Travel Pack, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets - in order to encourage more sustainable forms of travel to the development.
 - iii. that no development pursuant to the planning permission hereby approved shall take place unless there has been submitted to and approved in writing, visibility splays for each junction within the development, which shall include details of the bin collection points and any hard and soft landscaping within the line of sight – in the interests of road safety
 - iv. that no development pursuant to the planning permission hereby approved shall take place unless plot specific site sections have been submitted for the further written approval of the Planning Authority. Sections shall also be provided for the proposed access into the agricultural field between plots 101 & 102 and the usable open space as shown on drawing L(--)-007 rev B– in order to better understand the site levels
 - v. that no development pursuant to the planning permission hereby approved shall take place unless further details are submitted for the written approval of the Planning Authority relative to the sub-station. Such details shall include size and colour of unit, along with the proposed access and servicing arrangements and screening – in the interests of visual amenity
- 18 that no residential unit within the development hereby approved shall be occupied unless a phasing plan for the entire development, which shall include timing of delivery of affordable units, provision of footpath and road linkages to the adjacent sites and provision of open space and play park, has been submitted for the further written approval of the Planning

Authority and thereafter the construction is undertaken in accordance with the plan unless the Council provide written agreement to the contrary – in the interests of the ensuring pedestrian and vehicular connectivity, facilitating the future Link Road in accordance with the Development Framework.

- 19 That no dwellinghouse hereby granted permission shall be occupied unless the Proposed Playground Area as indicated on plan no L(--)-006 rev F and L(--)-002 rev L is completed, laid out and equipped in accordance with a detailed scheme, including sections through the land north-south and a programme of future maintenance, which has been submitted to and approved in writing by the Planning Authority. The approved 'Play Area' shall not be thereafter used for any purpose other than a Play Area – in order to ensure the timeous and future provision of play facilities within the site
- 20 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 - in order to preserve the character and visual amenity of the area.
- 21 That none of the affordable housing flats hereby granted planning permission shall be occupied unless;
 1. a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme;
 2. further details of the proposed car park layout are submitted to, and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme– in the interests of road safety and encouraging more sustainable modes of travel.
- 22 that no part of the development hereby approved shall be occupied unless details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emissions, using SAP or SBEM calculations, have been approved in writing by the planning authority and unless the equipment has been installed in accordance with those approved details - to ensure this development complies with requirement for on-site carbon emissions contained in Scottish Planning Policy (SPP) and specified in the City Council's relevant published Supplementary Planning Guidance 'Low and Zero Carbon Buildings'.
- 23 that no residential unit on the east or west side of the Link Road respectively shall be occupied unless the vehicular access roads and

pedestrian footpaths relative to that section have been constructed to the legal boundary of the land in the applicant's ownership (even if this requires the demolition of a mutually owned wall) as shown on drawing no's L(--)-006 rev F and L(--)-002 rev L unless the planning authority has given written consent for the variation – in the interests of ensuring pedestrian and vehicular connectivity, facilitating a future link to the existing site to the east and prospective site to the west, and in accordance with the adopted Development Framework

24 that no development, including SUDS embankments, should be constructed within the modelled 1 in 200 year flood envelope except indicated road infrastructure crossing the flood plain which must be built at present ground levels – in order to limit potential flooding as a result of the proposal

INFORMATIVES

1. that, except as the Planning Authority may otherwise agree in writing,
 - no piling work shall be carried out; and
 - no construction or demolition work shall take place outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays; 9.00 am to 4.00 pm Saturdays; or at any time on Sundays; except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery]
 - in the interests of residential amenity.

2. It is recommended that the CEMP is submitted at least 2 months prior to the commencement of any works on site; this is to allow the necessary agencies sufficient time to fully review the mitigation proposals to avoid any potential delays to the project moving forward.

Dr Margaret Bochel

Head of Planning and Sustainable Development.