

Planning Development Management Committee

LOIRSTON, NIGG

APPLICATION FOR PLANNING IN PRINCIPLE FOR A PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 1067 HOUSES, 8 HECTARES OF EMPLOYMENT LAND INCLUDING COMMERCIAL, LEISURE AND OFFICE USES, A NEIGHBOURHOOD CENTRE COMPRISING RETAIL AND COMMERCIAL USES, COMMUNITY FACILITIES, A PRIMARY SCHOOL, LANDSCAPING, OPEN SPACE AND RECREATIONAL FACILITIES.

For: Hermiston Securities Limited

Application Type : Planning Permission in Principle

Application Ref. : P130892

Application Date: 19/06/2013

Officer: Gavin Evans

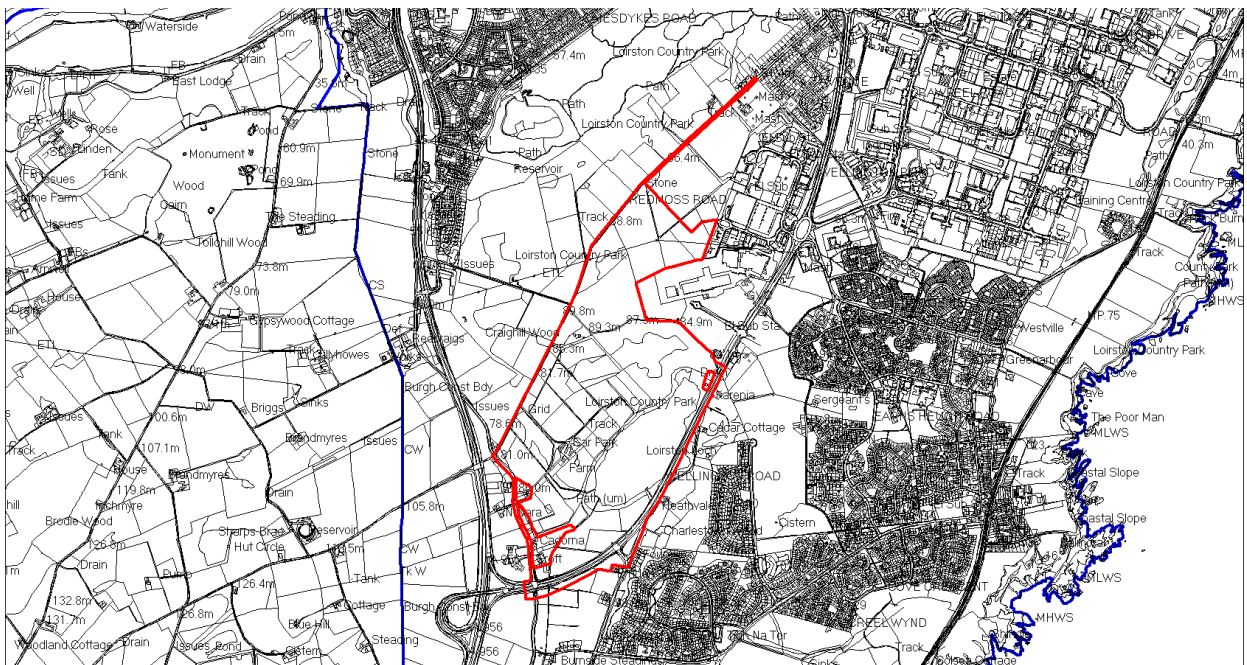
Ward : Kincorth/Nigg/Cove (N Cooney/C Mccaig/A Finlayson)

Advert : Can't notify neighbour(s)

Advertised on: 10/07/2013

Committee Date: 16 January 2014

Community Council : Comments



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

- **Affordable Housing provision**
- **Developer contributions relating to: community library, cultural facilities and services, education, healthcare, indoor and outdoor sporting facilities, outdoor recreation and Core Paths network**
- **Strategic Transport Fund contributions**
- **Contribution in lieu of mitigation of local roads network impact affecting Wellington Road**

DESCRIPTION

The application site extends to approximately 82 hectares and is located to the west of the existing residential area of Cove Bay, on the southern outskirts of Aberdeen. To the southeast the site is bounded by the A956 (Wellington Road), and to the west lies the A90 Trunk Road. Immediately to the west of the site lies agricultural land and Craighill Wood, which lie within the OP77 Opportunity Site boundary, but outwith the site boundary of this application. Beyond that, to the north of the site, lies Kincorth Hill, which is designated as both a Local Nature Reserve and a Local Nature Conservation Site. Beyond Kincorth Hill lies the existing residential area of Kincorth. To the south of the site lies Aberdeen Gateway Business Park. Bordering the site to the north-east is a small area of agricultural and recreational ground, and further to the north and north-east are the major industrial areas at Tullos, Altens, Wellington Road and Balmoral Park.

The site is generally fairly flat, sloping gently down towards Loirston Loch, but steepens upwards towards Kincorth Hill at the north end and Blue Hill to the south-west (outwith the site). There is an area of low-lying, marshy ground immediately to the west of the loch.

The main use of the site is as grazing land for cattle and sheep with some recreational uses. Field boundaries are marked by dry-stone walls and post and wire fences. There are a few houses on the site. At the southern end of Redmoss Road just north of the A956/A90 junction are two industrial premises: a sawmill and a haulage depot. There is a caravan site beside the A90 on the western edge of the site. Vegetation is mainly rough grassland and reeds. There are some broad leaved and coniferous trees, in the form of shelterbelt planting mostly beside the loch. There is an area of gorse on higher ground above the caravan site in the west of the site.

RELEVANT HISTORY

P101299 – New stadium for Aberdeen Football Club. Full Council, on 23rd February 2011, resolved to approve pending conclusion of legal agreement. That legal agreement is yet to be concluded. Scottish Ministers were notified on the basis that the proposal constituted a significant departure from ALDP (green belt policy 28) and the Council had an interest in part of the site (that within Calder Park).

P111193 – AFC training ground and new stadium for Cove Rangers FC. Approved conditionally at committee 12th Jan 2012

This site has been used as agricultural and recreational land throughout most of its history and has been subject to little construction, although various industrial and residential estates have grown up around it. The major development around the site occurred between 1974 and 1984. Tullos and Altens Industrial Estates expanded greatly, the A90 was converted from a single carriageway to a dual carriageway and the A956 (Wellington Road) also widened and new junctions added to connect with industrial units. The A956 was extended to connect with the A90 (T) at a new junction at the southern tip of the site and also dualled around 2010. The site is in the ownership of Hermiston Securities (the applicant) and Aberdeen City Council.

The proposed Aberdeen Football Club (AFC) stadium area and associated parking is located within the application site. The Council was minded to grant, subject to a legal agreement, planning consent for the proposals in February 2011 (Application Reference P101299). At this time the status of the AFC proposals is not known following the decision by the Council to take control of the land at Calder Park previously leased to Cove Rangers Football Club (CRFC) and the issue of a refusal of Landlord's Consent for the revised development proposals on the site.

The relocated Cove Rangers stadium and training facilities for Aberdeen FC are planned for Calder Park (Opportunity Site OP80 which lies immediately to the north of the application site. A detailed planning application (Reference P111193) for the above proposal was submitted jointly by CRFC and AFC in August 2011 and was approved by the Council's Development Management Sub Committee in January 2012. The Council subsequently took control of the land at Calder Park previously leased to CRFC and have issued a refusal of Landlord's Consent for the revised development proposals on the site, although there is an ongoing commitment to assist with the club relocation. The new administration have instructed a strategic review of the Council landholdings at Calder Park, giving consideration to the Leisure Asset and Pitch Strategy Audit currently being undertaken, the masterplanning of adjoining sites and other development opportunities with a report being brought back to a future meeting of this Committee on the outcome of these investigations in due course.

Related to the issue above, the Council propose to replace Torry Academy and Kincorth Academy with one single larger school on the Calder Park site to accommodate all existing secondary pupils and any pupils generated by the development proposed at Loirston. It is proposed that the new school will be delivered and ready for occupation by August 2016.

PROPOSAL

This application seeks Planning Permission in Principle (PPiP) for a proposed residential development of up to 1067 houses, 8 hectares of employment land including commercial, leisure and office uses, a neighbourhood centre comprising retail and commercial uses, community facilities, a primary school, landscaping, open space and recreational facilities at Loirston, Nigg, Aberdeen.

The development proposal seeks to provide a mix of house types at varying densities in a series of development blocks. The employment portion of the

development would be provided via a combination of smaller type business uses to the south of the site, employment provided through the football club proposals and the retail and commercial elements of the proposals. A hierarchy of open space provision is shown, with the most significant area of open space located at and around Loirston Loch being complemented by neighbourhood and local open space areas across the site.

Access into the site will be taken from two access points onto Wellington Road and these are located to the south of the site (by reformatting the existing Old Wellington Road signals) and at the location of the proposed stadium access. Additional opportunities exist from Redmoss Road, which is a possible bus only link which can be shared with pedestrians and cyclists. Access and connectivity has been designed to provide a clear structure of streets which have been designed in response to the existing site conditions and to ensure appropriate connections are forged with the existing network. A hierarchy of scaled streets has been defined, which have different parameters and deal with various pedestrian, cyclist and vehicle movements.

A Phase One Masterplan, extending to approximately 44ha and approximately 750 homes and employment areas within blocks A1-A9; B1-B5; D2-D11; and E5 & E6, along with associated roads, open space and landscaping, has been prepared for part of the application site. The Phase One Masterplan takes the principles set out in the Loirston Development Framework and develops these to provide detailed three dimensional guidance. It establishes parameters for each development block, examples of appropriate character and the function of key open spaces. The Phase One Masterplan area can accommodate around 750 homes and those employment areas identified in the Loirston Development Framework. The area covered by the Masterplan measures approximately 44 hectares. This includes areas which will not be developed but ensures that space for connections to the existing road network can be accommodated. The Masterplan is included as part of the Design and Access Statement submitted with the application. The guidance in the Masterplan will allow detailed designs for the Phase One Masterplan area to come forward as applications for matters specified in conditions on the granting of consent for the application. Further masterplans will require to be prepared and submitted to provide detailed design guidance for subsequent phases of the development in due course

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/docs/planningdocuments.asp?appnumber=130892>

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

- Pre-application consultation report
- Supporting planning statement
- Framework plan
- Design and access statement, including phase 1 masterplan

- Full Environmental Impact Assessment (EIA), separated into chapters
- Transport Assessment
- Drainage and flood risk statement
- Tree survey

The adopted Loirston Development Framework can be viewed at the following address;

<http://www.aberdeencity.gov.uk/nmsruntime/saveasdialog.asp?IID=50452&SID=14394>

PRE-APPLICATION CONSULTATION

The proposed development was the subject of pre-application consultation between the applicant and the local community, as required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations. The consultation involved two joint presentations, held in June and August 2012, with the three community councils that represent the Loirston Area: Cove and Altens; Kincorth and Leggart; and Nigg. It also included a public consultation event held at the Altens Thistle Hotel, Cove in June 2012. These events allowed the applicants' representatives and their Design Team to explain the proposals and record any public comments. In order to avoid duplication and confusion the public consultation for both the Loirston Development Framework and the application for planning permission in principle were run in tandem as set down as good practice in the Council's Supplementary Guidance, "The Aberdeen Masterplanning Process". A report on the public consultation that was undertaken, and the findings arising from it, has been submitted as part of this application, in accordance with the relevant planning regulations. The report details the feedback that was received from the local community, any changes that have been made to the development proposals in light of the comments that were received, as well as providing justification for why some suggestions have been rejected.

The main issues raised concerned the increased traffic that would be generated by the development and the impact of the development proposals on Loirston Loch. The traffic issues, which generated the greatest level of concern, have been considered and mitigation measures identified and addressed through the Transport Assessment. Protection and enhancement of the Loirston Loch is paramount and the impact of the proposals on the loch has been mitigated through sensitive design that has been informed by the Development Framework and the Environmental Impact Assessment. The other issues raised through the public consultation have been addressed where possible through the Development Framework and the more detailed Phase One Masterplan submitted with the application. They will be considered further at the detailed design stage.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the the Planning Development Management Committee for the following reasons:

- a total of 14 letters of representation have been received in relation to the application;
- the local Nigg Community Council, in whose area the application site lies, have expressed objection to the proposed development; and
- the proposed development has previously been subject to a formal decision by the planning authority that Environmental Impact Assessment should be undertaken.

Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Projects Team – No objection to the approval of the current PPIp application, subject to the following matters being adequately addressed through conditions attached to the consent and the use of a s75 legal agreement.

Walking and Cycling

Identifies a need for safe routes to schools to be identified by the applicant, and pedestrian/cyclist facilities to be incorporated into access junction designs. Cycling routes and facilities should be provided within the development. The internal layout of the development should be designed to link directly with existing shared off-road paths or on-road paths, providing direct routes to access points for the site. Aberdeen City Council parking guidelines are to be considered for cycle/motorcycle parking when considering flatted residential developments and any employment within the site.

Public Transport

It is understood that the applicants have entered into discussions with local public transport service providers, who have shown a willingness to provide services to the development. The exact locations of bus stops and timetable information is to be included in workplace and residential Travel Plans. Layouts must be provided to demonstrate that the internal road layout will be capable of accommodating a bus service. This should also include proposals for Redmoss Road, which is to be stopped up and given restricted access.

Development Vehicle Access

Access being taken via two signalised junctions on Wellington Road is acceptable. Note that access junctions and internal roads layout are to be designed to ACC standards, and will be subject to Roads Construction Consent.

Internal Layout

Note that the Transport Assessment provided in support of this application proposes an internal roads layout in accordance with 'Designing Streets'. Any layouts should take consideration of access and turning of service vehicles, showing swept-path analysis to demonstrate safe accessibility.

Local Road Network

Noted that trip generation, attraction and distribution figures for the development have been agreed through consultation with the ACC Roads Projects Team, and

that the two proposed access junctions onto Wellington Road are acceptable and operate within capacity in the opening year of the full development in 2023. Roads layouts will require to make provision for pedestrians.

Mitigation in relation to impact on Wellington Road will be in the form of an agreed contribution. That contribution can be secured as part of a legal agreement relating to the development.

Travel Plan

Note that a Residential Travel Plan and Employment Travel Plan are to be produced. These documents must be submitted to ACC for approval.

Drainage Impact Assessment

Notes submission of a Drainage Impact Assessment. Requests that this be updated to include results and calculations of 1 in 10, 1 in 30 and 1 in 200 year sensitivity tests.

A detailed drainage plan with proposed levels of treatment for surface water runoff will be required.

Strategic Transport Fund

Notes that the Transport Assessment acknowledges that STF contributions will be required, but the level of that contribution cannot be determined until the full detail of the development is known. A requirement for STF contributions, at a level to reflect the final proposal, can be secured through a s75 legal agreement.

Environmental Health – Express some concerns in relation to impacts arising from road traffic noise and industrial noise, however it is understood that mitigation may be possible and further consideration of any proposed mitigation measures can take place should appropriate conditions be attached to any grant of Planning Permission in Principle. It is further highlighted that additional traffic, in conjunction with other new development in the area, may contribute to a deterioration in air quality in the existing Wellington Road Air Quality Management Area (AQMA), and consequently it is recommended that the detailed design of the development incorporate measures to minimise vehicle use, for example through a network of public footpaths, cycle paths linked to existing cycle routes, and appropriate provision of public transport services. A condition is recommended in order to minimise adverse impact arising from construction site dust. It is also recommended that conditions are used to secure further submissions in relation to the investigation of environmental issues arising from potential for landfill gases migrating from the nearby Charleston site and the provision of appropriate facilities for the storage of household waste.

Road Traffic Noise

A substantial area of the site is exposed to day and night time noise levels assessed via the CRTN methodology above recommended levels (61% of the site for daytime and 66% for night time). Consequently levels likely are to exceed the WHO 'Community Noise' guideline values for Community Noise. Additionally the TAN of PAN 1/2011 predicted the Significance of Impact would be 'Major' in 12% of the site during the day and 5% of the site at night and 'Moderate' in a

further 14% and 6% of the site respectively. Mitigation measures such as bunds and barriers can reduce the area affected, however parts of the sites will still be exposed to traffic noise above recommended levels.

Road traffic impacts do not necessarily prevent development proceeding as the detailed design stage provides an opportunity to place the less sensitive noise sources closer to the roads which in turn can provide screening for the buildings/amenity spaces of higher sensitivity. Other mitigation measures may also be incorporated into the design of buildings (e.g. bedrooms/living spaces away from traffic, window design, mechanical ventilation) although this would not address amenity impact. However, the extent of the exceedance could impact on the developers' ability to include the proposed number/type of sensitive properties.

Industrial Noise

Identified sources of industrial noise were a diesel generator and noise from two chimney flues. Noise from the diesel generator was the dominant source during the day. The BS4142 noise assessment predicted the noise would cause a statutory nuisance and result in a 'Major Adverse' impact, however as it is located 1.5m above ground an acoustic barrier could be used to mitigate against the noise. Noise from the flues are more of an issue at night and are predicted to cause a statutory nuisance. Due to their height, mitigation in the form of a barrier is unlikely to be practicable. The noise may not prevent development, but site layout and the design of buildings would be essential to ensure the WHO standard is achieved and the noise does not create a nuisance. Again mitigation can include the location of sensitive buildings, internal layout, specification of windows etc but could again impact on the number/type of sensitive properties that can be incorporated in the development.

Developer Contributions Team – Notes the limited information available at PPiP stage, but highlights anticipated requirements arising from the proposal, for further negotiation and inclusion in an appropriate Section 75 legal agreement. These are as follows;

- Affordable Housing requirement, based on 25% of total 1067 units, would be 266 units. Identifies possible categories of Affordable Housing, but does not rule out the opportunity for new models for affordable housing delivery to be developed.
- Expectation of investment in community library, cultural facilities and services, potentially to co-located with the proposed new school. Identifies a desire that facilities are shared under one roof where possible, to maximise value for money and so services are located in one place. Potential for this to include a joint school and public library, with shared community and cultural spaces, flexible enough to cater for a range of activities. Need for engagement with ACC's education officers in preparation of the section 75 legal agreement.
- Identifies increased strain on community facilities provided by ACC, with the cumulative development impacting on local venues.

- Increased population will put pressure on existing playing field provision, indoor and outdoor sporting facilities and libraries, along with open space and outdoor recreation and the core path network. Potential Core Path network enhancements are identified, including provision for contributions towards the development of a link from Redmoss Road to Core Path 79, identified by ACC as an 'aspirational' core path route (ref AP3).
- Highlights that contributions towards the Strategic Transport Fund will be required, with the exact level of contribution based on final composition of the development.
- Identified healthcare requirements include the provision of an extension at Cove Bay Health Centre to support delivery of medical services to additional patients, the provision of an extension for 2 additional dentists' chairs at Cove Bay Health Centre, and the provision of a community pharmacy within the new settlement area (including land), to support additional patients.

Enterprise, Planning & Infrastructure (Flooding) –Notes existing flooding problems, both downstream of the development on the Tullos Burn and in the immediate vicinity of the development on the Loirston Burn, particularly relating to culvert capacity issues under Redmoss Road and in the immediate downstream of the culvert. The following further submissions will be required.

Full surface water drainage proposals for the development will be required, outlining in full detail the proposed method of discharging surface water. Any SUDS proposals should include design calculations and drawings for further approval of ACC, in consultation with the Flooding Team. It is recommended that all proposed SUDS facilities are designed to retain up to and including a 1 in 200 year storm event.

A full Drainage Impact Assessment for the development will be required, including proposed SUDS (as above) and a full investigation of all watercourses within the vicinity of the site and the impact which the development would have on the existing drainage network.

Given the scale of the development, a Flood Risk Assessment will be required, indicating any potential risk of flooding posed to existing communities by the proposed development. The FRA should include flood models of sufficient detail for any receiving watercourses into which it is proposed to discharge surface water.

Education, Culture & Sport (Archaeology) – recommend that a condition be attached to any consent, requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation approved by the planning authority.

Scottish Environment Protection Agency – request that a number of conditions be attached to any consent. If any of those conditions are not to be attached to a consent, SEPA's response is to be treated as a formal objection. In such circumstances, the application must be notified to Scottish Ministers. The matters that SEPA require to be addressed through the use of conditions are as follows;

Surface Water Drainage

Details of the surface water drainage arrangements for each phase must be approved and implemented in full prior to the commencement of development within that phase.

Groundwater Dependent Terrestrial Ecosystems (GWDTEs)

Request that a condition is attached, requiring the implementation of a buffer zone around the wetland areas in proximity to Loirston Loch. In addition, request that a planning condition is used to ensure that prior to commencement of development in any phase immediately adjacent to the Loch and the wetland areas surrounding it, that more detailed ground investigations and assessments are undertaken.

Impact on Groundwater

Request a condition in relation to identifying the source of nearby private water supplies and, depending on the proximity of the source to particular elements of the development, requires submission of further material relating to the potential impact on those water supplies.

Water Environment

Request a condition requiring that appropriate buffer strips around watercourses are built into the detailed design and layout, in accordance with ACC's adopted Supplementary Guidance on Buffer Strips.

Pollution Prevention and Environmental Management

SEPA welcome the principles set out in the Environmental Statement and the Draft Construction Environmental Management Plan (CEMP), and recommend that a condition be attached to any grant of Planning Permission in Principle, requiring the further submission of detailed site-specific Construction Environmental Management Plan(s), to be agreed with the planning authority in consultation with the relevant consultees, and to address a series of prescribed issues. SEPA's consultation response specifies a recommended wording.

Other points

SEPA also recommended that the advice of internal ACC environmental health staff be sought in relation to potential landfill gas migration from the nearby Charleston site and air quality issues arising from increased traffic volumes. SEPA generally concur with the conclusions of the submitted Drainage and Flood Risk Statement, and have no objection subject to a detailed drainage/flood risk assessment being undertaken and reviewed. The applicants' inclusion of a draft Construction Environment Management Plan.

Scottish Natural Heritage – States no objection to the development proposal. Content that, through the summary of environmental commitments in chapter 18, the construction Environmental Management Plan (CEMP) and the Construction Code of Practice (CoCP) of the Environmental Statement that the issues raised at scoping stage have been addressed.

Historic Scotland – No objection to the proposal. Note that at scoping stage Historic Scotland had noted that none of their statutory historic interests were

likely to be significantly impacted upon, that the supplied EIA confirms this to be the case and that Historic Scotland are content to agree with the findings of the EIA.

Scottish Water – No objection to the planning application.

Aberdeenshire Council – Following confirmation that the Transport Assessment had taken into account of major developments in the Aberdeenshire area, such as Elsick and Cairnrobin, Aberdeenshire have no further comment to make.

Transport Scotland – Advise that a condition should be attached to any permission the council may give, requiring an appropriate Travel Plan, aimed at encouraging more sustainable means of travel, be submitted to and approved in writing by the planning authority prior to the occupation of any part of the employment element of the development (full wording specified in consultation response).

JMP

JMP respond in their capacity as Terms Consultants to Transport Scotland's Trunk Roads and Bus Operations Directorate, and provided a response in relation to the submitted Environmental Statement. This concludes that Phase 1 of the development proposals would have no significant environmental impact on the trunk road network as a result of operational traffic. It is noted that the origin of construction traffic is yet to be determined, however it is accepted that the construction phase of the development proposals would not have a significant environmental impact on the trunk road network. JMP's response accepts that noise impact on the trunk road network and its adjacent receptors associated with traffic generated by the development will be negligible. Findings that air quality impact associated with traffic generated by the development would be negligible adjacent to the site access road are also accepted.

Police Scotland – Note that the application is for Planning Permission in Principle, and that Police Scotland would welcome the opportunity to comment further as the proposal becomes more detailed. Meantime, the following advice is offered;

Permeability

Careful consideration should be given as to the extent and appropriateness of pedestrian/cycle permeability. Increased footpaths through developments provide access and egress points for potential offenders and increased degree of anonymity. Vital that surveillance of these areas is maximised through appropriate lighting and landscaping, thus increasing the feeling of safety and creating a hostile environment for potential offenders. Ideally footpaths should direct pedestrians to the front of properties and through public areas where they are most likely to be seen. Footpaths which provide through routes through parking areas and to the rear of properties should be avoided where possible.

Parking

Where vehicles are not parked within the curtilage of a building the parking area should be afforded the highest level of natural surveillance possible. One way

this can be achieved is to ensure that as many buildings as possible overlook the area. Where this is residential buildings it is best practise to have the most frequently occupied rooms i.e. kitchens and/or living rooms, provide this surveillance. Good even lighting is essential and care should be taken to ensure that the landscaping does not interfere with sightlines.

Open Areas

There is a significant amount of green/public space. Such areas, including play spaces and seating areas, have the potential to generate crime; the fear of crime; and anti-social behaviour. They should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. Consideration should be given to the creation of clearly defined boundaries between public and semi private space.

Lighting

Lighting is extremely important in a development such as this. The uniformity or spread of lighting is of utmost importance. Good quality white lighting with an even spread avoiding dark spots, provides the best colour rendering qualities and has been shown to decrease the fear of crime and create safe welcoming places.

Community Council – have objected to the application for the following reasons:

- Buildings throughout the development should be limited to a maximum height of three storeys;
- The residential density of any residential block should be limited to a maximum of 55 units per hectare;
- The number of residential units associated with the development should be reduced to the original intention of 1200 units;
- No buildings, roads, or car parking should encroach the Local Conservation Nature Site (LNCS) in any way;
- Concern that the existing right of way may be removed, to be replaced by a path that is merely “aspirational”;
- Core paths should be located within the green corridors, rather than the road network;
- There should be a direct and continuous green corridor link between the northern end of Loirston Loch LNCS and Kincorth Hill LNR;
- That Loirston Loch LNCS and Kincorth Hill LNR should be kept as natural as possible;
- That the 30m buffer zone around the Loch should be extended to 50m;
- That the Redmoss Road thoroughfare is too narrow; and is not considered appropriate as a bus thoroughfare;
- Roads closure measures / severe traffic calming measures should be provided to ensure that congestion at the junction of Redmoss Road and West Tullos Road is not further exacerbated;
- The existing interpretation centre should remain; and
- The provision for a Gypsy Traveller Site should be removed from the application;

REPRESENTATIONS

14 letters of representation have been received. The objections raised in those representations relate to the following matters –

Roads & Traffic

- Traffic is already congested at peak times. Proposed housing development will add to this.
- There is insufficient road infrastructure to cope with the development. Redmoss Road has the most dangerous access on to West Tullos Road and floods in periods of heavy rain near the Old Cove Road.
- Traffic Assessment states there will be no growth in traffic on A956 Wellington Road for period up to 2016. With three developments already underway, this will certainly add to traffic in this period and it is unrealistic to delay any traffic growth to 2016. This should be re-analysed.
- Traffic Impact Assessment and new access junction on Wellington Road (Northern Site Access) do not take account of the new stadium and wider development of the wider area. The stadium should be clearly shown as part of the overall development.
- Primary School would be dangerous and a great distance for pupils attending, especially with all the traffic associated.

Impact on Natural/Built Heritage

- Routes of roads and cycle paths should respect the Loirston Loch LNCS boundaries. It is unacceptable for the application to state the “roads infrastructure cannot avoid part of the LNCS western boundary” and the LNCS designation should be fully respected.
- Wildlife seems to have been forgotten in this application.
- Buffer Zone for disturbance around lochside has in the past been quoted as 50 metres and thus 30 metres is not acceptable.
- Buffer shown in Redmoss Landscape is one tree width, which is too narrow to be an effective barrier.
- Loirston Recreational Area should be protected from development at all costs, given that it contains core paths, tree belts and drystone dykes including a consumption dyke (part of our heritage).
- Development would have a deleterious effect on indigenous and migratory wildlife and affect Kincorth Nature Reserve.
- Loss of trees in existing planted woodland in the area marked.
- No evidence that the drainage from the application site flows mainly into the Leggart Burn, which ultimately flows into the River Dee (an SAC). No evidence given as to the effects of the development on this.
- Development is contrary to policy of Local Development Plan by being a major development on an undeveloped site within green belt. Such development would conflict with other policies in the Structure Plan which are designed, for example, to ensure sustainable development and the quality of the environment.

Loss of Green Space/Recreational Land

- Loss of green space important to the local area and wider city.
- The site maintains the landscaping setting of the City.
- Area provides valuable recreational and educational resource in city.
- Overdevelopment – Loirston Loch is the only freshwater loch available to both public and wildlife in the city.
- Right of Way linking Wellington Road with Redmoss Road should be retained.
- Green corridors/Open spaces proposed will fail to allow biodiversity and linkage between Kincorth Hill Nature reserve and Loirston Loch LNCS.

Travellers Site

- Objections stated to the possibility of a new traveller halting site, based on past negative experiences of the travelling community, including security issues, parking issues, feeling of intimidation, littering and pollution of sites.
- Questions the need for a traveller site in the city, based on an understanding that travellers want to reside in countryside.
- A site outwith the application site more acceptable to all parties should be located and funded, thereby allowing this element of the proposal to be removed.

Character of Development

- Building heights of five storeys abutting Loirston Loch are out of character for the area.
- Density of housing proposed is disproportionately high for the whole OP77 development of 1500 homes and the current and planned rural setting of Loirston Loch.
- Existing structures are part of the culture of the area, with the Interpretation Centre having been part financed by the oil industry. A more definite and detailed alternative is needed in this application and should not wait until any future application.
- A scaled back plan, with more trees/landscaping would be more in keeping with the interests of Aberdeen City.

Impact on Stadium

- Application does not demonstrate how the development will connect and integrate with the new football stadium at Loirston.
- The redline boundary and the area set aside for the stadium site are not correct. The application and masterplan should reflect the boundaries of the stadium site as shown in application ref P101299.

Other Issues Raised

- Design and Access Statement provided with application contains a number of errors and incorrect information.
- Land floods where four storey blocks are proposed.
- Queries why new houses are to be built without upgrade to existing houses.

PLANNING POLICY

National Policy and Guidance

Creating Places (architecture and place policy statement)

Scotland's new policy statement on architecture and place sets out the comprehensive value good design can deliver. Successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy. The document contains an action plan that sets out the work that will be taken forward to achieve positive change.

The statement is in four parts:

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

Designing Places (design policy)

This planning policy statement was launched in 2001 and sets out government aspirations for design and the role of the planning system in delivering these. The aim of the document is to demystify urban design and to demonstrate how the value of design can contribute to the quality of our lives. Designing Places is a material consideration in decisions in planning applications and appeals. It also provides the basis for a series of Planning Advice Notes (PANs) dealing with more detailed aspects of design.

Designing Streets (policy statement for street design)

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 the 2001 planning policy document Designing Places, which sets out government aspirations for design and the role of the planning system in delivering these.

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 general policy relating to sustainable development and subject policies relating to Open Space and Physical Activity, Landscape and Natural Heritage, Transport and Housing are all relevant material considerations.

Aberdeen City and Shire Structure Plan

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

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 LR1 (Land Release Policy)

Opportunity Site OP77 Loirston of which the application forms a major part has been zoned under Policy LR1 for 1100 homes for the period 2007-2016, for 11 hectares of employment land for the period 2016-2023 and for 400 homes for the period 2017-2023. Loirston is considered suitable for a new community stadium and a site has been identified to accommodate this, which is located within the application site.

LR2 (Mixed Use Communities)

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

Policy I1 (Infrastructure Delivery and Developer Contributions)

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

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: 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.

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; disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them; sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Policy 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 H7 (Gypsy and Traveller Requirements for New Residential Development)

Opportunity Site OP77 Loirston of which the application forms a major part is required to make an on-site contribution to the provision of a site for gypsies and travellers. The contribution will be for a small site of 6 pitches with a net area of approximately 0.5 hectares.

Policy RT5 (New Development Serving New Development Areas)

Masterplans for sites allocated for major greenfield residential development should allocate land for retail and related uses at an appropriate scale to serve the convenience shopping needs of the expanded local community. Sites should be provided in accessible locations.

NE1 (Green Space Network)

States that The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted. Development which has any impact on existing wildlife habitats, or connections between them, or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network.

Policy NE4 (Open Space Provision in New Development)

The City Council will require the provision of at least 2.8 hectares 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)

Where more than 10 homes or greater than 100m² floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment. Surface water drainage associated with development must: be the most appropriate available in terms of SUDS; and avoid flooding and pollution both during and after construction.

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)

New development should not compromise the integrity of existing or potential recreational opportunities including access rights, 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.

NE10 (Air Quality)

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

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 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 documents are of relevance to the assessment of this application:

- Loirston Development Framework
- Affordable Housing
- Air Quality
- Buffer Strips
- Gypsy and Traveller Sites
- LZC Buildings
- Infrastructure and Developer contributions manual
- Transport and Accessibility
- Trees and Woodlands

Other Relevant Material Considerations

It should be underlined that the Loirston Development Framework, noted above, sets out the key aspirations and principles specific to the development of this area, and that Development Framework was adopted by Aberdeen City Council as Supplementary Guidance to the Aberdeen Local Development Plan, giving the document the same status as the policies contained within the plan in the decision-making process. As such, members should consider carefully the relationship between the current proposal and the principles and vision set out in the Development Framework.

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

OP 77 (Loirston) is an Opportunity Site identified in the Aberdeen Local Development Plan for the provision of circa 1500 homes and 11ha of employment land across a total area of 119.2ha. The Local Development Plan sets out that the OP77 allocation is to be released across two Local Development Plan periods, with the second phase allocations being safeguarded for future

development and to be released for development in future by a review of the Local Development Plan. The OP77 Loirston allocation provides for 1100 homes within the first phase of the plan, with land for a further 400 homes being safeguarded for future development in the subsequent Local Development Plan period. The 11ha employment element of the OP77 Loirston allocation is not allocated to any specified plan phase, and may be provided in full in the current plan period. This application's proposal for the delivery of up to 1067 homes alongside 8ha of employment land, comprising commercial, leisure and office uses, a neighbourhood centre comprising retail and commercial uses, community facilities, a primary school, landscaping, open space and recreational facilities at Loirston is therefore consistent with the phasing set out in the ALDP as regards opportunity site OP77.

Policy LR1 states that housing and employment development on sites allocated in Phase 1 will be approved in principle within areas designated for housing or employment. Development on an allocated site or in close proximity to an allocation that jeopardises the full provision of that allocation will be refused. This stipulation requires consideration of whether the current application would jeopardise full provision of the total allocation of 1500 homes and 11ha of employment land. In considering this issue it is noted that a Development Framework, covering a wider area which includes, but is not limited to, the entire OP77 Loirston Opportunity Site designation, has been adopted as Supplementary Guidance to the ALDP. As adopted Supplementary Guidance, the Loirston Development Framework carries the same weight in decision-making as the policies contained within the plan itself. The likelihood is that, provided the development currently proposed maintains a strong relationship with the adopted Development Framework, the remainder of the allocation will not be prejudiced by this application coming forward for only part of the OP77 site. The relationship between this proposal and the adopted Development Framework will be addressed in detail later in this report.

As noted above, the current application site, which extends to 82ha, does not include all land covered by the OP77 Opportunity Site designation or by the Loirston Development Framework, which has been approved as Supplementary Guidance to the ALDP. This application relates only to those areas of land under the control of Hermiston Securities and their joint venture partners, Aberdeen City Council. The applicants contend that the current PPI boundary would not prejudice delivery of the full allocation across the wider site. The number of units for which Planning Permission in Principle is sought reflects that position, and does not give rise to any concern regarding under-provision or a failure to provide the full allocation across the wider OP77 opportunity site. The calculation of employment land provided across the site, which incorporates a combination of pure employment land adjacent to the southern access, the contribution made by the AFC and CRFC stadium proposals and retail-related uses in blocks E3 & E4, is consistent with that demonstrated in the approved Loirston Development Framework. It is therefore concluded that the principle of the proposed development is consistent with the allocation of the site in the Aberdeen Local Development Plan and with the land release set out in Policy LR1 (Land Release Policy) of the ALDP.

Vehicular Access

As noted in the 'description' section of this report, vehicular access into the site would be taken via two traffic signal junctions on the A956, one at the southern end of the site, and the other, described as the 'stadium junction' to the northern end of the site. An additional connection is made to Wellington Circle. Redmoss Road has been identified as potentially being suitable for the provision of a bus-only link, also providing access for pedestrians and cyclists and preventing its use as a through route for ordinary traffic.

A Transport Assessment, the scope of which had been agreed in advance with ACC, has been provided in support of the proposals. That assessment takes into account the existing accessibility of the site, current traffic levels and predictions of future traffic levels based on agreed growth factors, anticipated traffic flows from major committed developments in the area (Aberdeen Gateway/ Moss-side/Mains of Cairnrobin (OP69) the Balmoral Park development and the Cove residential development) and traffic generated by the proposed development itself. The Council's Roads Projects team are satisfied that figures for trip generation, attraction and distribution are as previously agreed, and that the two proposed access junctions onto Wellington Road are appropriate to serve the full development.

With the development being built in phases, it is envisaged that the initial stages of the development may be accessed via a single road junction. Colleagues in the Council's Roads Projects Team advise that a single junction has capacity to give access to up to 300 homes, after which point a second access junction will be necessary. On this basis, it will be necessary to attach an appropriately worded condition to any consent that may be granted, with the effect that no more than 300 units may be occupied until a second access junction is constructed and operational.

Detailed consideration of internal roads layouts, their accordance with 'Designing Streets' principles, their suitability for the provision of bus services and accessibility to refuse service vehicles would be carried out on submission of detailed proposals at the 'Matters Specified in Conditions' stage.

Local roads mitigation

Mitigation in relation to impact on the local roads network affecting Wellington Road will be in the form of an agreed contribution. The level of that contribution is yet to be agreed, but can be secured as part of a legal agreement relating to the development.

Strategic Transport Fund

Development on this site is required to make financial contribution towards the Strategic Transport Fund (STF). The purpose of the STF is to address the cumulative impact of development upon the transport network by securing financial contributions towards strategic improvements. The level of contribution payable will be dependent on the composition of the development, and will be determined as the detailed design of the development evolves. Contributions can be secured as part of a section 75 legal agreement.

Travel Plans

Transport Scotland have stated in their consultation response that a condition should be attached to any permission, requiring submission of an appropriate travel plan, encouraging more sustainable means of travel. The Council's Roads Projects Team note the applicants' intention to provide a Residential Travel Plan and an employment Travel Plan, and note that no occupation of the site should occur until these have been agreed. An appropriately worded condition can secure provision of such travel plans through the formal process for approval in relation to matters specified in conditions.

Pedestrian/cycling accessibility

The proposal highlights the importance of creating a permeable network of footpaths and pedestrian routes through the development, allowing for direct connection to existing and proposed destinations. The submitted design statement and phase 1 masterplan indicates the existing core path 82 route being largely retained, but states that minor adjustment to the route may be necessary to best integrate with new streets and paths. Extensions to that core path route, allowing for connection to the A956 to the south and to the AP3 aspirational core path route to the north, are shown in the current submissions. The design statement highlights a requirement to upgrade the Core Path 82 route within the application site, whilst consultation with the Council's Developer Contributions team also highlights a requirement for developer contributions relating to increased usage of Core Path 79, which forms a loop around the nearby Kincorth Hill Local Nature Reserve and Nigg Way, and towards the formation of a new 'aspirational' core path route (AP3), which is envisaged as connecting Core Path 79 (Kincorth Hill) with Redmoss Road (and Core Path 82) before progressing eastwards across the current application site to connect with Core Path 80 (South Loirston). A section of the AP3 aspirational core path route is understood to include a recognised 'Right of Way'. The Phase 1 proposals do not propose the re-routing of this route, but suggest that the new on-street path network around the southern edge of the stadium site may provide a preferable route for existing users of the right of way, and may be considered as an appropriate alternative to the existing AP3 as regards the Council's Core Paths Network, on the basis that it better integrates with the new residential community whilst still connecting the same public places via a convenient route. It is noted, however, that the approved development framework does highlight that any scope for deviation of the right of way and AP3 routes will be explored through the detailed planning application process. Within Phase 1, provision for cycle routes is generally made via the street network. A 'recommended cycle route' along Redmoss Road is to be retained, with access along Redmoss Road envisaged as being restricted to buses, cyclists and pedestrians. The submitted TA identifies potential crossing points to allow for access to an existing dual-use path on the east side of Wellington Road. Contributions towards those crossing points and the Core Path improvements previously mentioned can be secured through the section 75 agreement.

It will be necessary for the new development to be appropriately accessible to public transport services, and it is understood from the submitted materials that the applicants are in discussion with operators, and that both First Bus and Stagecoach have expressed a willingness to consider routes through the Loirston

site. The internal road network has been designed with public transport services in mind, with the envisaged route being from Redmoss Road, along the 'Primary Street' and onto Wellington Road via the southern access junction. Indicative locations for bus stops are shown on the submissions. The submitted Transport Assessment highlights that both operators have made favourable comments in relation to the potential use of bus gates to enable the future use of Redmoss Road as a bus, pedestrian and cycle route. Taking these matters into account, it is concluded that the proposal would not compromise the integrity of any existing core paths or other access rights, and that enhancement of the Core Path network may be obtained via appropriate developer contributions being made as part of a section 75 agreement. Improved provision for public access and links to green space around the lochside for recreational purposes would be made. The proposal is therefore considered to demonstrate accordance with the aims of policy NE9 (Access and Informal Recreation) of the ALDP. The submitted framework and phase 1 masterplan demonstrate indicative roads layouts, while the Transport Assessment states that final roads layouts will be designed in accordance with Designing Streets. Detailed street layouts and compliance with 'Designing Streets' will be determined through the consideration of more detailed submissions, however at this stage the proposal is consistent with the broad aims of that policy document, demonstrating a permeable and coherent street layout and hierarchy, where provision is made for pedestrians and cyclists. Taking these matters into account, it is considered that the proposal demonstrates accordance with policy D3 (Sustainable and Active Travel) of the ALDP.

Taking account of the above, it is concluded that the proposal makes appropriate provision for sustainable travel and demonstrates that measures have been taken to minimise the traffic generated. A Transport Assessment has been provided to the satisfaction of the Roads Projects Team and Transport Scotland, and Travel Plans will be provided via further applications relating to matters specified in conditions. Consideration of such later detailed proposals will offer the opportunity to assess the level of car parking provision on-site. Taking these matters into account, it is concluded that the proposal satisfies the terms of policy T2 (Managing the Transport Impact of Development) so far as is practicable at the Planning Permission in Principle stage.

Form of development

The submissions made in support of this application demonstrate the formation of a new residential community, based on the principles set out in the Loirston Development Framework, adopted as Supplementary Guidance to the Aberdeen Local Development Plan. Whilst this application seeks Planning Permission in Principle for up to 1067 homes and associated commercial, leisure, office and community development, a Phase 1 Masterplan expands upon those general principles, providing guidance for subsequent applications for Matters Specified in Conditions. The area covered by that Phase 1 Masterplan is shown as accommodating approximately 750 homes and around 5 hectares of employment land. The submissions identify the potential of the site as a gateway to Aberdeen on approach from the south. The close proximity of the site to two arterial transport routes into the city and its open aspect contribute towards a highly prominent site, with scope to make a significant impression on visitors to the city. The presence of Loirston Loch and the adjacent Kincorth Hill nature reserve

provide an opportunity to embed new development within its landscape setting, with potential for attractive waterside development, benefiting from attractive and convenient green spaces.

The submitted Phase 1 Masterplan identifies a hierarchy of streets, demonstrates a mix of building types within each block, and identifies key corner blocks which by virtue of their prominence would require careful detailing. Existing dry stone walls would be retained within the development where practicable, contributing to the landscape character of the new development and helping to embed the development in its landscape setting.

The proposal seeks to foster a strong connection between the new development and its existing landscape. In addition to those existing green spaces, a network of new local and neighbourhood open spaces is proposed, accommodating a range of uses and accessible to residents across the settlement. Existing core path routes across the site would be retained and improved, whilst aspirational core path route AP3 is incorporated into the proposed layout plan, ensuring that the development provides for easy pedestrian access and recreational use. The principles of 'Designing Streets' have been adopted to help create safe and vibrant places, where the movement of pedestrians and cyclists is a priority. Whilst provision is made for vehicular and public transport movement through the development, motorised transport has not driven the place-making process, with the intended aim the creation of a well-connected sustainable place.

The submitted design statement identifies that key to the success and vibrancy of the new community is a core population, located within a 'dense urban heart'. In order to balance delivery of the allocated housing with appropriately sensitive treatment of the loch, flats, terraces and other higher-density forms of residential environment will contribute towards a dense urban core. As might be expected, the envisaged building types are different within the higher-density blocks, making use of terraced housing and buildings containing flats where lower-density development blocks more commonly feature detached and semi-detached housing. It should be noted that the precise number of dwellings and their detailed design are not for consideration at this stage, and will be established through further applications relating to the approval of matters specified in conditions (AMSC).

The higher-density blocks are situated along the core street frontages and the in area between the core street and the lochside. Flatted blocks to the north of the loch are generally aligned end-on so as to allow as many residents as possible to benefit from views of the loch and the surrounding green space. Non-residential uses within the phase 1 masterplan area are most concentrated around the southern site access, with blocks on either side of the 'entrance boulevard' incorporating business and hotel uses. Buildings are arranged so as to allow for views through to the Loch to be retained. As that route progresses into the site, non-residential uses feature with less frequency on its south-western side, including local retail use. A series of sections demonstrate that the general scale and height of blocks would not be excessive. The information provided at this stage is sufficient to conclude that due regard has been given to the provision of an appropriate mix of housing, as required by policy H4 (Housing Mix) of the ALDP, and that further detailed proposals can establish more precisely the composition of the housing units to be provided.

Loirston Loch is recognised as a valuable asset which gives the site its identity and character, and this is reflected in the arrangement of open space throughout the phase 1 masterplan area. The lochside area, which provides an appropriate buffer around the loch to both allow for recreational uses and maintain the ecological value of the water body, extends northwards into the site via a series of secondary/local green spaces. This results in a local network of green spaces throughout the site, incorporating existing minor watercourses and suds features as features of interest within these spaces. The phase 1 masterplan makes reference to the provision of an appropriate range of play spaces, accommodating different age groups, within these green spaces.

The development density proposed accords with that set out in the approved development framework, with higher-density urban blocks arranged around the urban core and along the lochside area, to provide a central 'heart' to the development and a focus for local retail/services, whilst also maximising opportunities for views of the loch and the surrounding landscape. The development numbers and density proposed are consistent with the LDP allocation, and will ensure that the full allocation is met, contributing towards meeting the housing growth targets set out in the structure plan. Taking these points into account, it is concluded that the proposal demonstrates an appropriate density for the site, as required by policy H3 (Density) of the ALDP.

Relationship with Loirston Development Framework

The current PPIp proposal incorporates some changes from the approved Loirston Development Framework. These include the re-siting of the proposed primary school to a location adjacent to ACC's preferred site for a new secondary school, the re-positioning of SUDS areas and other minor changes to street layouts and geometries. These are not fundamental to the coherence of the overall layout, and indeed the re-siting of the primary school site to allow scope for the sharing of resources with a possible secondary school on the adjacent site is welcomed. The first phase of development also differs in extent and composition to that identified as 'phase 1' in the adopted Development Framework. The applicants' submissions state that this will allow for the lochside area to be considered within a single phase; will ensure a more diverse mix of residential properties than might have been possible in the 'phase 1' identified in the development framework by now incorporating some lower density development blocks adjacent to Redmoss Road; will secure a consistent approach to development along Redmoss Road; and will allow further time to establish the status and phasing of AFC stadium proposals and allow for consultation on the preferred secondary school to be completed. The changes to the extent and composition of the first phase are not considered to be of concern, and the advantages of the lochside area being completed in a single phase are acknowledged. The changes made from the approved development framework are not considered to be fundamental, and the proposal retains a strong relationship with the approved framework as regards access, design principles, block density and building heights, accessibility etc. It is concluded that the proposal remains consistent with the principles set out in the approved Loirston Development Framework.

Gypsy Traveller site

The applicants' delivery statement notes that the locations identified in the

Development Framework as being potentially suitable for the provision of a gypsy traveller site have been considered in more detail as the Phase 1 Masteplanning process and preparation of submissions for the current PPIp application progressed. It is stated that the process highlighted difficulty in finding an appropriate site within the area covered by the Development Framework which would be acceptable to new and existing local residents. Based on that difficulty, the applicants' submission states that it may be more appropriate that a commuted sum is provided in order to contribute towards delivery of a site elsewhere. This approach is not consistent with the requirements of the ALDP, which identifies OP77 Loirston as one of five allocations which will be require to make contributions, in the form of a small site of six pitches, with a net area of approximately 0.5ha, for the provision of sites for Gypsies and Travellers. Policy H7 (Gypsy and Traveller Requirements for New Residential Developments) clearly sets out that Loirston is one of three sites where that provision must be made on-site. There is no compelling justification made for deviation from the ALDP's stated position, and on that basis it is concluded that the ALDP position should be maintained, and a condition attached to any grant of planning permission, requiring that the applicant come forward with a scheme for the provision of an appropriate site within the development site, for the further approval of the planning authority. Any such site should demonstrate accordance with the guidance set out in Aberdeen City Council's Gypsy and Traveller Sites Supplementary Guidance document. It is noted that the provision of such a site contributes towards the relevant affordable housing requirements, each 0.5ha site being equivalent to 15 affordable housing units. The use of a condition as described can ensure that the development is required to deliver a Gypsy Traveller site, and in doing so satisfy the terms of policy H7 (Gypsy Traveller Requirements for New Residential Development) of the ALDP.

Whilst members of the public have made objections relating to the provision of a traveller site, it should be highlighted that past negative experiences of the traveller community are not relevant to assessment of this proposal. The Local Development Plan identifies a requirement for a site in this location, and it is for the applicants to accommodate it within the proposed development. Fears regarding the behaviour of individuals using such a facility are not for the planning system, and anti-social behaviour or perceived unlawful activity is a matters for the appropriate authorities, as in any other context. Scottish Planning Policy (SPP) highlights that Gypsies and Travellers have specific housing needs, often requiring sites for caravans and mobile homes, and states that planning authorities should identify suitable locations for meeting the needs of Gypsy and Traveller communities. The Aberdeen Local Development Plan has identified suitable locations for such sites, among which OP77 Loirston is specifically identified as one, and the delivery of those sites is to be secured through the planning application process. To permit development of the identified sites without any appropriate provision would fail to address an identified need and potentially result in a situation where Gypsy and Traveller communities have to resort to the use of unauthorised sites, which can result in tensions with local communities and landowners. An appropriately sited and built-for purpose site can promote integration and cohesion with the surrounding residential community.

Affordable Housing

Policy H5 seeks a minimum of 25% of any development of 5 or more new residential units to be provided as affordable housing. In this instance, based on 1,067 units this would equate to 266 units. As noted previously, the provision of a Gypsy Traveller site of a prescribed size would contribute towards this total affordable housing requirement, with a site of 0.5ha being equivalent to 15 affordable units. Housing would expect a range of options to be considered for inclusion in a Section 75 legal agreement, the use of which would ensure that any obligation would transfer with the land should its ownership change. Final arrangements for affordable housing delivery will be arrived at through discussions with housing officers, with due regard for the phasing of the development, and it is noted that there is an expectation of on-site delivery in a development of this scale. The terms of any section 75 agreement need to ensure flexibility to allow for a range of affordable housing delivery options to be available.

Retail provision

The phase 1 masterplan identifies locations for retail uses serving the new community within blocks B3 & B4, to the south-west of the site, adjacent to the 'entrance boulevard'. In addition, blocks A7, E5 & E6 are identified as providing ground floor commercial uses, which is anticipated to incorporate additional local retailing provision. The incorporation of retail uses at an appropriate scale to serve the new community is consistent with the aims of policy RT5 (Retail Development serving New Development Areas) of the ALDP.

EIA

Environmental Impact Assessment (EIA) is a means of drawing together, in a systematic way, an assessment of the likely significant environmental effects arising from a proposed development. The proposed development is of a type listed in Schedule 2 to the 2011 EIA Regulations and, based on consideration of its likely effect on the environment, by virtue of factors such as its size, nature and location, the planning authority has adopted a formal opinion that EIA is required. In such cases, applications for planning permission must be accompanied by an Environmental Statement (ES) detailing, amongst other specified matters, a description of the aspects of the environment likely to be significantly affected by the development, including, population, fauna, flora, soil, water, air etc, and also by a 'non-technical summary' of the Environmental Statement.

The non-technical summary provided in connection with this application for Planning Permission in Principle reaches the following conclusions;

- **Geology & Soils:** Overall, the residual impacts on the solid geology and mineral reserves within the site have been assessed as 'neutral'. With the implementation of appropriate mitigation measures during the construction and operational phase, residual impacts relative to contamination are considered to be neutral as any pollutant linkages that may be identified will be broken. Adverse residual impacts to soils are considered to be large because of the potential loss of soil cover and peat.

- Land Use: Overall, the potential impacts on land use, utilities and infrastructure have been assessed as minor adverse. Particular attention shall be applied during the construction phase with regard to temporary land take, impacts on Loirston Loch and pedestrian and cycle routes as well as any mitigation measures necessary to reduce potential impacts during this phase. Potential for a local community moderate positive impact has been identified in the form of new enhanced public footpath and cycle network, landscaped open space and new public realm/ civic spaces.
- Hydrology, Drainage & Water Quality: On completion of the works to create the new SUDS pond in the northern area, the overall changes in morphology are assessed as beneficial (slight/ moderate) for the drain in the north. Impacts during the operational phase have been assessed as neutral for the surface water bodies, groundwater, private water supplies and flooding.
- Ecology, Nature Conservation & Biodiversity: The main species loss will be displacement of 8+ pairs of breeding reed bunting. No known protected mammal species or rare flora will be impacted. Mitigation opportunities are limited and concentrate on protecting the LNCS. The overall evaluation will see impacts lie in the significance range negligible-very major. The latter reflecting the loss of marshy grassland.
- Air Quality: It is concluded that the proposed development at Loirston will have a negligible impact on local air quality within the vicinity of development site but may have a slight adverse effect impact on air quality at some roadside properties on Wellington Road. Careful planning will be required to minimise dust and exhaust emissions during construction and to minimise car use by residents and workers living or working in the completed development.
- Noise & Vibration: Identifies the main sources as being road traffic and industrial noise arising from the adjacent Balmoral Park and Lomond House industrial estate area, located to the north-east of the application site. Mitigation is recommended within the relevant chapter of the ES, and it is noted that detailed construction noise impacts can be assessed once a method statement for construction is available at the detailed stage.
- Cultural Heritage: One listed building identified in the study area – Upper Kirkhill Lodge (cat B), described in its listing as a B-listed ‘March stone no.40 on the farm of Kirkhill, south of Newhills convelescent home and built into the dyke’. It is considered that the proposed development will result in direct impacts on one boundary stone and six consumption dykes.
- Landscape & Visual Effects: Overall, landscape and visual impacts for this development are limited in their extent, but significant adverse effects do occur at the development site and its immediate surroundings.
- Pedestrians, Cyclists & Community Effects: The majority of impacts on access and amenity, will occur during the construction phase (minor

adverse), however, it is considered that the proposal will have moderate positive effects on pedestrians, cyclists and community effects.

- **Traffic & Transport:** The assessment of the transport issues relevant for the proposed Loirston development has concluded that, with suitable mitigation and adherence to appropriate conditions eluded to in the TA, there would be no significant impacts on transport and traffic as a result of the proposals.
- **Disruption Due to Construction:** Construction traffic will be managed through a Construction Traffic Management Plan. No other significant construction impacts are envisaged provided appropriate mitigation is implemented.

Landscape / Green Space Network

The application site includes significant areas of land designated as Green Space Network in the Aberdeen Local Development Plan. Much of this is centred around the banks of Loirston Loch, with further areas towards the south-western end of the site. The layout proposed is largely as envisaged in the approved Loirston Development Framework, adopted as supplementary guidance to the ALDP. Areas of green space around the loch are to be maintained as part of a recognised 'buffer zone', based upon the boundary of the Local Nature Conservation Site around the lochside, with recreational use and appropriate interaction with the loch encouraged. That LNCS buffer includes the land designated as part of the Green Space Network around the loch edge. The southern site access encroaches upon the Green Space Network, as does development at either side of that access, however buildings would be set within landscaped grounds, and the site frontage onto Wellington Road and the route of the 'entrance boulevard' would be extensively landscaped, maintaining the character and function of this section of the Green Space Network. It is concluded that the proposal would promote and enhance the recreational and access value of the lochside portions of the Green Space Network. Appropriate buffer spaces are proposed to maintain existing wildlife habitats around the loch. The areas of Green Space Network at the south-western end of the site were, for the most part, formerly in agricultural use, and having been cultivated do not feature any particular features of interest. As such, it is considered that the development would not compromise the value of this area of the Green Space Network. Related to the Green Space Network is the landscape merit of the proposal. The existing landscape character of the site is largely defined by the loch and Kincorth Hill, with existing areas of shelterbelt planting and drystone walling related to the former agricultural use also contributing to that character. The shelter belt planting is largely functional, and could be readily replaced on development of the site. Central to the proposal is the enhancement of the lochside area, the incorporation of existing watercourses into new landscaped open space, and the retention of consumption dykes and drystone walls where possible. The realisation of Aspirational Core Path AP3, albeit on an altered but equally convenient route, would serve to provide for east-west access across the site and would make connections to the existing network of Core Paths, specifically Core Paths 79 and 82. Enhancements to the existing Core Path network within and around the application site will result in improved recreational

access to the Green Space Network around the lochside. It is concluded that the proposal would enhance the value of the existing Green Space Network, and that it would not result in any significant adverse impact on existing landscape character and the elements which contribute towards the site's distinct 'sense of place'. The proposal demonstrates accordance with the aims of policies NE1 (Green Space Network) and D6 (Landscape) of the ALDP.

Open Space provision

Consistent with the approved Development Framework, the proposal demonstrates an interconnected network of 'major', 'neighbourhood' and 'local' open spaces, linked via associated footpaths and cycle routes. The area around the loch edge is identified as 'major' open space, and ample open space is present due to buildings being set back from the loch edge and outside the LNCS boundary. The approved Loirston Development Framework was designed with reference to ACC's Open Space Supplementary Guidance, which sets out the type, quantity and quality of open space which should be provided by new developments. Key open spaces areas are identified within the development, and are classified according to both their scale and their intended use. Using the ACC guidance, an indicative population of 4350 persons is attributable to the OP77 allocation for 1500 homes. Loirston Loch provides the major open space for the site, and it meets the relevant accessibility standard set out in the ACC supplementary guidance. Multiple smaller neighbourhood open space areas, with a cumulative area exceeding 30ha, are provided, with an indicative site size of 2-5 hectares, whilst local open spaces of 0.4-2 hectares, cumulatively totalling approximately 6ha, are identified where there are landscape features to be retained and integrated into the development, such as consumption dykes or stone wall enclosures. Other local open spaces have been highlighted as appropriate locations for play zones. All residents are within 400m of a local open space, and many are considerably closer. The provision of open space is considered to be sufficient to satisfy the terms of policy NE4 (Open Space Provision) of the ALDP. The long-term maintenance of open space areas is highlighted as an issue requiring consideration at an early stage. In recognition of the long-term burden of landscape maintenance where open space is adopted by ACC, more natural low-maintenance approaches have been promoted. Further details of the ongoing maintenance arrangements for open space will be necessary, and it is appropriate to attach a condition to any grant of planning permission in principle requiring further submissions via formal applications.

Impact on Trees The submitted Tree Survey, which appears to incorporate the entire OP77 opportunity site, identifies shelterbelts, wooded areas and individual trees across the site. The survey highlights that any losses associated with the development could, in almost all cases, be readily compensated for with appropriate replacement planting, assuming that the planting undertaken was on a sufficient scale to compensate for losses, and that the species planted were suited to the specific site conditions. At present, the tree and woodland cover mostly takes the form of planted mixed broadleaf and conifer shelterbelts, approximately 20-30 years old. Areas of recent planting are also identified, along with areas of self-seeded, scattered trees and occasional standalone specimens. Within the PPIP boundary, only area 23b was identified as having particularly high ecological value which preferably should be retained. This area falls within

the Loch LNCS and has been identified for protection in its current form. The survey determined that any other areas which might have losses due to development could be reasonably compensated for in the longer term with appropriate replacement planting. Whilst it is understood that ACC has been responsible for new plantations connected with the 'tree for every citizen' initiative, the aims of that Council initiative are immaterial to the assessment of the planning merits of this proposal. The submitted tree survey establishes that, for the most part, existing tree cover is of a type that can be readily replaced or transplanted. Appropriate replacement planting can be secured as part of an overall landscaping scheme for the site.

The Council's Arboricultural Planner notes that further detailed proposals will establish the direct impact of the development upon trees and woodlands. It is acknowledged that the majority of areas of trees and woodland on the site are relatively young, but suggests that a number of areas of existing tree cover should be retained. Where trees and woodlands are proposed for removal there should be appropriate compensatory planting, either on-site or on nearby land as compensation for losses. Consideration should be given to off-site mitigation planting if there is not sufficient space on the site to successfully accommodate compensatory planting. An appropriately worded condition attached to any grant of Planning Permission in Principle can secure further submissions pertaining to arboricultural impact and replacement planting. It is suggested that hardy native species should be considered as part of any new planting scheme. Detailed consideration of arboricultural impact and proposals for new and replacement planting can ensure that the proposal is consistent with the aims of policy NE5 (Trees and Woodlands) of the ALDP.

Loirston Loch Local Nature Conservation Site

An area of land around the loch is locally designated as a Local Nature Conservation Site (LNCS). The boundary of the LNCS includes a built-in buffer, set in accordance with ACC's own supplementary guidance on Buffer Strips Adjacent to Water Bodies, which is intended to protect the water quality of the loch and also protect and enhance biodiversity.

All development blocks are set back from the LNCS boundary. It is noted that a section of road providing access from the southern junction passes through the Local Nature Conservation Site around Loirston Loch. It is also stated in the applicants' submissions that the configuration of the site is such that any access in this location will require to cross the two watercourses which feed and drain the Loch. The area within the LNCS through which the road passes has been surveyed by the appointed ecologist as being predominantly 'poor, semi-improved grassland' and the most sensitive areas of wetland immediately adjacent to the loch is avoided. Outwith the LNCS area the road passes through further "Poor semi-improved grassland" and "Woodland coniferous plantation", the latter of which has been identified for felling. On this basis, it can be concluded that the necessary encroachment on the western edge of the LNCS would affect areas of the least sensitivity within the LNCS boundary.

The northern access point, termed the 'stadium junction' utilises the same alignment to that which was proposed for the Aberdeen Football Club stadium proposal, and which was accepted at that time. That alignment avoids the LNCS boundary. Revisions to the the junction layout proposed within the AFC

application will be required to ensure that the road arrangement best serves the proposed development, however this is not anticipated to impact upon the LNCS.

A formally constructed path, suitable for cyclists and constructed in an appropriate surface material to sustain the anticipated intensity of use, would skirt around the edge of the LNCS boundary, offering enjoyment of the lochside area. That surfaced path would incorporate a small number of decking/boardwalk connections, offering accessible routes to the water's edge. This formal route would complement the existing informal core path route which sits closer to the loch edge. The presence of a surfaced path is likely to minimise impact on the immediate lochside area that might otherwise occur through a significant increase in usage. As much as is possible of the existing vegetation around the loch would be retained, with minimal intervention within around 30m of the loch. Beyond this point, landscaping and environmental improvements must be sympathetic to the existing habitats of the LNCS and have regard to any sensitive areas identified in the habitat survey. It is concluded that the approach taken demonstrates due regard for the natural environment and the LNCS designation, as required by policy NE8 (Natural Heritage) of the ALDP.

Noise

Given the presence of the busy A90 and A956 routes in close proximity to the site, it has been necessary for the applicant to consider the potential for noise disturbance arising from road traffic. In addition, the presence of industrial uses to the north of the application site warrants consideration of noise arising from those uses, and the development itself contribute to a change in the environment for residents of existing properties. Having considered the submissions made as part of the applicants' Environmental Statement, colleagues in the Council's Environmental Health team have highlighted scope for statutory noise nuisance to occur unless provision is made for appropriate mitigation. It will be necessary for the applicant to provide a scheme for ensuring that dwellings are protected from excessive noise disturbance arising from traffic noise. Similarly, a survey will be necessary to determine the impact of industrial noise arising from business premises. Appropriately worded conditions attached to any grant of planning permission in principle can secure the submission of such material, for the further consideration of the planning authority. The scope for statutory noise nuisance is source of some concern, and so it is essential that further regard is had for noise issues and appropriate mitigation where possible, to ensure that residential premises are protected from unreasonable noise levels.

Air Quality

Existing air quality levels are satisfactory in and around the development site, and it is considered unlikely that there would be any exceedance of national and EU air quality levels as a result of the development. Nevertheless, consultation with Environmental Health colleagues has highlighted the potential for additional traffic generated by the proposed development, in conjunction with other committed development in the area, to cumulatively contribute to a significant impact on the Wellington Road Air Quality Management Area (AQMA). Whilst the AWPR is predicted to reduce traffic flows along Wellington Road, concentrations of nitrogen dioxide and PM10 particulates are nevertheless likely to remain above target levels. Environmental Health colleagues therefore recommend that the

detailed design of the proposal incorporate measures to minimise vehicle use and promote sustainable travel, through provision of a network of public paths and cycle routes, including connections to such existing routes as may exist, and provision of appropriate public transport services. The submissions made demonstrate that dialogue is ongoing with public transport operators, with a view to services serving the new development. Layouts have been designed with this in mind, and are intended to incorporate designing streets principles for the provision of a network of pedestrian and cycle routes within the development. Further consideration of detailed designs at the 'matters specified in conditions' stage will allow the authority to ensure that appropriate measures are in place to promote sustainable means of travel and thereby reduce the impact of the development on air quality. These measures, in addition to being central to the creation of a desirable place which is permeable to sustainable means of travel and appropriately connected to existing routes, constitutes mitigation of potentially detrimental impact on air quality, as required by policy NE10 (Air Quality) of the ALDP. The Council's Environmental Health officers recommend the use of a condition to secure a dust management plan, detailing dust mitigation measures and controls and appropriate monitoring. It is considered that these issues are already covered under the over-arching banner of the requirement to provide a Construction Environment Management Plan for the development, as stipulated by SEPA.

Contamination

SEPA's consultation response recommends that, due to the proximity of the development site to the Charleston Landfill site, the Council's Environmental Health team be consulted with regards to potential contamination arising from the migration of landfill gases from that adjacent site. Environmental Health colleagues recommend that a condition be attached to any consent, requiring investigation of potential sources of contamination and proposing such mitigation measures as may be necessary. The use of such a condition will ensure that any potential risk relating to contamination is given due regard and addressed to the satisfaction of the planning authority, in consultation with Environmental Health officers. Taking this into account, the proposal demonstrates due regard for policy R2 (Degraded and Contaminated Land) of the ALDP.

Flooding and Drainage

The Council's Roads Projects team require that a detailed drainage plan be provided, detailing proposed levels of treatment for surface water runoff. It is also requested that a Drainage Impact Assessment be provided, incorporating results and calculations of an appropriate range of flood event sensitivity tests. The Council's Flood Prevention Team highlight these requirements, along with a requirement for a Flood Risk Assessment. The requirement for a FRA is echoed by SEPA. Appropriately worded conditions can secure the submission of appropriate further information to ensure compliance with policy NE6 (Flooding and Drainage) of the ALDP.

Legal Agreement

Aberdeen City Council is the owner of some 65 acres of this particular development site and may retain ownership of the same for some considerable time after any Planning Permission is granted. If the Planning Permission is granted subject to the developer and Aberdeen City Council entering into a

Section 75 Agreement then Aberdeen City Council will effectively be contracting with itself and this is open to challenge and possible reduction.

In previous cases where the Council entered into a Section 75 Agreement, the Council sold or transferred ownership of the land they owned shortly after Planning Permission was granted and the risk only applied for a short period of time. The normal situation would be for the Council to transfer ownership of their land to the developer shortly after Planning Permission is granted with an agreement in place to be paid their portion of the sale price achieved when the parcels are subsequently sold on. The Council's interests would be protected in such circumstances by way of a Standard Security over the land in question.

In this particular case the Council is not selling their land directly to the developer. The developer in this case will arrange for parcels of the land to be sold on by the Council at a later unspecified date but only after certain works have been completed by the developer. Therefore, the risk of there being a challenge to the validity of the Section 75 Agreement is for an unspecified period of time and outwith the control of the Council.

The right to challenge the Section 75 Agreement would be available to any party with an interest in the development which would include the developer and any subsequent owners of the land currently owned by Hermiston Securities Limited.

Matters raised by community Council

The response received from the local Community Council largely comprises a series of criteria which its members feel any development on the site should fulfil, rather than comments made specifically in relation to the merits of the current application. The principle of development at this scale is addressed in the 'principle of development' section of this report, and it should be noted that the allocation of the wider OP77 site for 1500 homes in the Aberdeen Local Development Plan has been established through development plan examination and adoption process, and is not open for reconsideration through assessment of this application.

Buildings heights and block densities shown within submissions are consistent with those detailed in the approved Loirston Development Framework, which has been adopted as Supplementary Guidance and therefore carries the same weight as the policies contained within the Local Development Plan in decision-making. It would not appear reasonable for the planning authority to resist a proposal on grounds of inappropriate height or density where the proposal accords with the authority's own adopted site-specific guidance in relation to those matters.

The relationship between the development and the Loirston Loch Local Nature Conservation Site is addressed in the 'Local Nature Conservation Site' section of this report, and it is further noted that the Loirston Development Framework approved as Supplementary Guidance identified a partial encroachment on the LNCS at its western edge to allow for access road infrastructure. Clearly, the presence of the loch significantly restricts the options available for the siting of a second site access point. It has been demonstrated that the area of LNCS to be encroached upon is of lesser ecological value than the areas immediately around

the lochside, which would not be affected. Whilst the road would cross over two existing watercourses, the selected alignment would minimise the extent of any bridging by crossing as close as possible to 90 degrees to the route of the watercourses. In addition the applicant states that environmental enhancements would be made to those watercourses. On this basis, it is concluded that the location of the second access junction and the partial encroachment of the road upon the LNCS boundary is acceptable, and would not compromise the integrity of the LNCS due to its remote location from the lochside and the areas of greatest sensitivity.

Phase 1 of the proposal does not involve the removal of a recognised right of way, but rather recognises an existing route has been identified by ACC as being an 'aspirational core path' route, meaning there is a long-term aspiration for a formal path route to be created. That 'aspirational core path' route largely follows the route of a right of way, however the approved Development Framework indicatively demonstrates how an alternative core path route, taking the path to the south of the stadium, around the edge of the new housing development and the lochside, might be accommodated, rather than the route following the existing right of way to the north of the stadium site, adjacent to industrial uses. On this basis, access rights would not be compromised, but rather an alternative arrangement is put forward for the alignment of the aspirational core path AP3. Any later proposal to deviate from the route of an existing Right of Way can be considered through the assessment of detailed proposals, and it is further noted that there are separate formal processes which relate to the deviation of an existing right of way.

The Community Council state that Core Paths should be located within green corridors rather than in the road network, however the purpose of core paths is to ensure good pedestrian accessibility, rather than to comprise a network of specifically rural/woodland pathways. The Council's Core Paths Plan itself states that a Core Path can take many forms, and may include tarmac surfaces and on-street routes.

The Community Council's response states that there should be a direct and continuous green corridor link between the northern end of Loirston Loch LNCS and Kincorth Hill LNR. The approved Development Framework does not require the provision of a continuous corridor of this nature, and it is noted also that the area covered by the current application site boundary is not conterminous with the Local Nature Reserve and does not extend beyond Redmoss Road. Nevertheless, it is noted that the approved Development Framework and the current submissions indicate that areas of 'local open space' and 'neighbourhood open space' would be present along much of on-street route between these two locations. By maintaining existing access routes and making provision for enhanced access via both the institution of aspirational core path routes and through a network of other pedestrian and recreational routes within the development site, it is considered that access to and around the Loirston Loch Local Nature Conservation Site and Kincorth Hill Local Nature Reserve would be maintained and enhanced. The value of the lochside area and the Kincorth Hill Local Nature Reserve are acknowledged by the applicants, and their sensitive treatment is essential to preserving that value. The Kincorth Hill LNR will be affected by the development only insofar as the applicants will make financial

contribution towards the enhancement of the existing core path route and institution of a hitherto 'aspirational' core path. The lochside area would retain its natural character, with no buildings present within the lochside LNCS boundary. As noted previously, where part of the access road cannot avoid the western edge of the LNCS, a sensitive approach will be taken. An existing informal core path route within the LNCS boundary would be retained, with a new surfaced route envisaged around the perimeter edges the LNCS boundary serving to distinguish between the semi-natural vegetation around the loch and the more formal landscaped areas closer to residential development. The LNCS boundary varies in depth, but at the northern side of the loch it is generally around 50m. The proposed layouts reflect this. The submitted stage 1 masterplan highlights that there will be minimal intervention and disturbance within around 30m of the Loch edge, beyond which there may be new sympathetic landscaping, of a type consistent with the LNCS designation.

Concerns regarding the suitability of Redmoss Road for bus access are noted, and it has been recognised that vehicular through access via Redmoss Road would not be desirable. It will be for the developer to demonstrate what measures might address this issue, and it has been suggested that some form of restricted access or 'bus-gate' may be acceptable, however details relating to the operation of any 'bus-gate' or other means of restricting access along this route have yet to be agreed and will be the subject of a further application, with an appropriate condition requiring further submissions. Appropriate measures should ensure that congestion at the junction of Redmoss Road and West Tullos Road are not exacerbated.

The potential relocation of the Council's Ranger Service from their current Lochinch Countryside Interpretation Centre base is not of direct relevance to the planning merits of this development proposal, and is primarily a decision for the Council as a landowner. Currently the Council has aspirations for residential development on a site which is allocated in the Local Development Plan as contributing towards housing targets. The applicants state a desire to investigate the potential for interpretation buildings relating to the Loch and Kincorth Hill within the 'Lochside' area, with the status and future of those buildings being established prior to preparation of detailed design proposals, however this is not a requirement of the development plan.

Opposition to the location of a gypsy traveller site within the development is noted, however this is an explicit on-site requirement stated in the Aberdeen Local Development Plan for the OP77 site. This matter is addressed further in the 'Gypsy Traveller site' section of this report

Matters raised in representations

Concerns raised in relation to roads network capacity, the scope for increased congestion, and the status of Redmoss Road have been previously addressed in the 'Vehicular Access' section of this report. The scope of the submitted Transport Assessment was agreed in advance with the Council's Roads Projects Team, and no concerns have been raised regarding the projections used for future traffic levels or the capacity of the stadium junction. It is noted also that residential peak traffic flows would differ from those generated by the stadium's use.

It is noted that the location of the new primary school has been changed from that shown in the adopted development framework, however this change has been made in light of the evolution of ACC's preferred option for a new secondary school, and would allow for the sharing of facilities and the efficient use of land. It will be necessary to ensure that the re-sited primary school remains readily accessible, and the Council's Roads Projects Team have highlighted that detailed proposals should include identification of safe routes to schools. At this 'in-principle' stage, it is not considered that the re-location of the primary school should be of concern, and indeed the sharing of facilities with the preferred secondary school site is welcomed as an efficient and rational use of the available land.

Matters relating to the impact of the proposal on the locally designated site around the lochside have been previously addressed in the 'Loirston Loch Local Nature Conservation Site' of this report, whilst due consideration has been given for local wildlife and habitats through the submission of an extensive Environmental Statement, which included ecological surveys covering habitats, trees, breeding and wintering birds, bats, otter, badger, red squirrel and higher plants. The Environmental Impact Assessment process concluded that there would be no direct impact on any designated nature conservation sites, that an appropriate buffer would be maintained around Loirston Loch, that no known protected mammal species or rare flora would be impacted, and that the most significant impact on species would be through the displacement of 8 or more pairs of breeding reed bunting, a nationally important species.

It has been previously highlighted in this report that the current application site is identified in the Local Development Plan for residential development. Its natural characteristics and the value of the Loch and its surrounding habitat are acknowledged, and this process aims to secure a high quality of development which embraces the character of the site and retains noteworthy landscape elements and habitats wherever possible. It is unreasonable to expect that a site allocated for housing development through the development plan process would be retained in its current form in perpetuity.

The removal of existing trees within the application site has been supported by the surveys carried out to ascertain the condition and landscape value of the existing tree cover. Whilst it is desirable to secure the retention of notable existing trees where possible, it is noted that the tree survey established that much of the existing tree cover could be readily replaced through appropriate new landscaping. This matter is addressed in detail in the 'Impact on Trees' and 'Landscape' sections of this report.

Drainage will be considered in greater detail through subsequent 'Matters Specified in Conditions' applications, and it is noted that colleagues in the Council's Roads Projects and Flood Prevention teams request further information to support assessment of drainage in due course. Nevertheless, at this PPI stage, the submitted Environmental Statement concludes that impacts on the River Dee are assessed as being neutral.

The loss of existing green space is noted, though in the context of a site designated for residential development in the Aberdeen Local Development Plan.

Matters relating to landscape impact are addressed in greater detail in the 'Landscape' section of this report. The proposal is not considered to represent overdevelopment, as a notional allocation of 1500 homes across the wider OP77 site is made in the Aberdeen Local Development Plan. The number of units proposed is consistent with that wider allocation and the relevant content of the Loirston Development Framework, approved as Supplementary Guidance.

The existing value of the Loch as an educational and recreational resource is noted, and it is appropriate to secure an appropriate buffer around the lochside to secure its ecological, habitat and recreational value. Issues relating to the existing Right of Way are addressed in the 'Pedestrian/cycling accessibility' section of this report.

The adopted Loirston Development Framework highlights a desire to provide for green space network connections between the loch and Kincorth Hill. The re-routing of Aspirational Core Path AP3 to the south of the stadium site would allow for a formal connection from the north of Loirston Loch to Kincorth Hill, via the new residential area. A network of local and neighbourhood open spaces would run alongside this route and others, providing green space and recreational connections between the lochside and the Kincorth Hill Local Nature Reserve.

Matters relating to the provision of a Gypsy Traveller site are addressed in the 'Gypsy Traveller Site' section of this report.

Buildings heights and block densities shown within submissions are consistent with those detailed in the approved Loirston Development Framework, which has been adopted as Supplementary Guidance and therefore carries the same weight as the policies contained within the Local Development Plan in decision-making. It would not appear reasonable for the planning authority to resist a proposal on grounds of inappropriate height or density where the proposal accords with the authority's own adopted site-specific guidance in relation to those matters.

As this is an application for Planning Permission in Principle, specific details of the design of new buildings are not for consideration and would be provided at a later stage under an application to approve the matters specified in conditions.

The approved Loirston Development Framework sets aside an area of land for the AFC stadium, with the wider development planned around it, however the stadium arrangement differs from that which members expressed a willingness to approve. The framework states that this was to reflect more recent changes to the land deal between AFC and Hermiston Securities. It should be noted that, whilst the OP77 opportunity designation in the ALDP highlights 'potential to accommodate football or community stadium', the applicants are under no obligation to replicate the stadium proposal as previously considered by ACC, which is a separate application made by a different applicant. Given that the current proposal is consistent with the approved Development Framework in its consideration of the AFC stadium proposals, it is not considered that there is any policy conflict as regards the development plan.

Flooding and drainage matters relating to the application site must be fully

investigated and appropriate measures implemented before development may proceed. The use of appropriate conditions, and consultation with appropriate bodies such as SEPA and the Council's own Roads Projects and Flood Prevention teams will ensure that drainage issues are appropriately addressed before any development may go ahead.

This proposal relates to the development of an allocated housing site, and could not reasonably be expected to upgrade infrastructure services for the direct private benefit of third parties.

Duration of consent

The planning authority has powers to direct that the duration of consent granted may differ from the usual periods stated in legislation. In exercising those powers the planning authority is required to have regard to the provisions of the development plan, and to any other material considerations. In this instance, the scale of the housing allocation is of such a considerable scale that there is little realistic prospect that full details of the entire 1067 homes and the associated commercial and commercial development and other associated works will be in a position to be submitted to the planning authority within a period of 3 years from the grant of Planning Permission in Principle. The applicant has proposed that the planning authority utilise its available powers in this instance, to make allowance for the detail of each phase of the development to come forward independently, with the completion of each phase triggering a requirement to come forward with the details of the next phase within a predetermined period. In using its powers, the planning authority must have regard for the ALDP's aspirations to deliver the allocated housing and employment land allocations within a stated period, and to allow the consent to be prolonged excessively would risk compromising the full and timely delivery of those allocations within the relevant plan period. That said, the scale of the allocation is such that it is clear that there is reasonable justification to deviate from the usual periods, which would require full details of the entire development to come forward within a period of three years from approval of Planning Permission in Principle, and would also require that works be commenced on-site within two years thereafter. The planning authority may direct that an alternative time period shall apply, but in doing so shall have regard to the provisions of the development plan and any other material considerations. Given the scale of the allocation and the likely timescale for on-site delivery, it appears reasonable to allow for the development to progress on a phased basis, with full details of each respective phase being provided in turn, thereby allowing for works to commence on the first phase once full details of that first phase have been agreed with the planning authority, and ensuring that full details of, for example, buildings and landscaping in later phases need not prevent works progressing entirely. Whilst details of indicative phasing have been provided for a proportion of the site as part of the phase 1 masterplan, a phasing strategy for the entire site will be necessary in order to establish a phasing programme up-front, which can be used to regulate the pace at which further details are required.

Summary

The proposed development relates to a site zoned for residential and employment development in the Aberdeen Local Development Plan. The proposed development accords with the Local Development Plan allocation, and

is consistent with the principles set out in the Loirston Development Framework, adopted as Supplementary Guidance to the ALDP. Appropriate means of access has been agreed in principle with the Council's Roads Projects Team, and the development site would incorporate ample provision for sustainable travel through a rational street layout and provision of pedestrian and cycle routes, which in turn are connected to the existing Core Paths network. Appropriate details of internal roads and drainage can be obtained through conditions attached to this consent. Statutory consultees have set out a series of conditions to obtain further details relating to drainage, flood risk, water quality and mitigating the impact of construction works. An appropriate legal agreement can secure affordable housing provision and financial contributions in relation to education, healthcare, core paths, sports facilities and, in relation to roads, contributions in mitigation of impact on the local roads network and towards the Strategic Transport Fund. An extensive process of Environmental Impact Assessment has resulted in submission of an Environmental Statement. Consultation with the appropriate consultation bodies has resulted in no objections to the proposed development, subject to certain matters requiring further submissions being appropriately conditioned. Much of the detailed assessment will take place on submission of further information in connection with specified issues, however it is concluded that, in principle, the proposed development is consistent with the provisions of the Aberdeen Local Development Plan, and clearly develops upon the principles set out in the Loirston Development Framework. No material considerations have been identified which would warrant determination other than in accordance with the Development Plan, and therefore it is recommended that the application be approved subject to an appropriate legal agreement. The difficulties in ACC contracting with itself are noted, however there are no readily apparent alternatives in instances where ACC is to retain control over parts of the application site for a prolonged period in partnership with a private developer. On the basis that an appropriate legal agreement transferring with the land remains necessary, it is concluded that a section 75 represents the most appropriate option known to be available.

RECOMMENDATION

Willingness to approve conditionally, but to withhold the issue of the consent document until the applicant has entered into a legal agreement

REASONS FOR RECOMMENDATION

The submissions demonstrate an appropriate form of development, consistent with the allocation of the OP77 site in the Aberdeen Local Development Plan (ALDP) and incorporating a mix of uses and mix of housing types. In doing so, the proposal accords with the terms of policies LR1 (Land Release Policy), LR2 (Mixed Use Communities) and Policy H4 (Housing Mix) of the ALDP. The density of the development and its building heights are consistent with the principles set out in the adopted Loirston Development Framework, and are considered to constitute an appropriate design approach on this site, in accordance with policy Policy H3 (Density) and Policy D1 (Architecture and Placemaking) of the ALDP. Appropriate provision is made for vehicular and pedestrian access, with points of access identified and agreed in principle with the Council's Roads Projects Team. Impact on the local roads network is to be mitigated via an appropriate financial

contribution in lieu of identified infrastructure improvements. An appropriate range and quality of public open space is proposed, and such spaces would be accessible via a network of internal routes, connecting to the existing Core Paths network in the surrounding area. Open Space incorporates existing areas designated within the Council's Green Space Network, and demonstrates due regard for the landscape character of the site, particularly in relation to the areas around Loirston Loch, the dominant landscape feature. Taking these matters into account, it is concluded that the proposal demonstrates its accordance with policies T2 (Managing the Transport Impact of Development), D3 (Sustainable and Active Travel), NE1 (Green Space Network), Policy NE4 (Open Space Provision in New Development), Policy NE9 (Access and Informal Recreation) and D6 (Landscape) of the ALDP. Existing trees on the site have been surveyed and it has been concluded that the majority of those present could reasonably be replaced via new landscaping, however detailed arboricultural impact assessment will be necessary to quantify the extent of any tree loss and to secure appropriate replacement planting, thereby ensuring that the aims of policy NE5 (Trees and Woodlands) can be achieved.

Matters relating to Flood Risk Assessment and Drainage Impact can be appropriately assessed via further submissions required by conditions attached to this grant of planning permission in principle, thereby satisfying the provisions of policy NE6 (Flooding and Drainage) of the ALDP. New retail development proposed is of an appropriate scale to support the new community, as required by policy RT5 (New Development Serving New Development Areas). Affordable Housing provision, contributions towards the Strategic Transport Fund and developer contributions in relation to address other impact arising directly from the development can be secured via an appropriate agreement, in accordance with policy I1 (Infrastructure Delivery and Developer Contributions) and policy H5 (Affordable Housing) of the ALDP. The provision of a Gypsy Traveller site is a requirement identified in policy H7 of the ALDP, and therefore it is necessary to provide such a site in order to comply with the terms of that policy. Further submissions will be necessary to further assess any proposed locations.

The submitted Environmental Statement is considered to be sufficient and to set out the likely environmental impacts of the development, demonstrating that these are not likely to be significantly adverse, and that appropriate mitigation is generally possible. The siting of buildings demonstrates due regard for the presence of the Local Nature Conservation Site surrounding the loch, and proposes environmental enhancements to encourage recreational use of the landscape asset. It is not considered that the encroachment of the southern access road onto the periphery of the LNCS would undermine that designation or affect any areas of intrinsic value. It is considered that the proposal demonstrates due regard for the provisions of policy NE8 (Natural Heritage) of the ALDP.

Environmental issues relating to air quality, noise and past contamination of adjacent land can be assessed further through submissions required by condition. Appropriate consideration of those submissions can ensure compliance with policies NE10 (Air Quality) and R2 (Degraded and Contaminated Land) of the ALDP. Similarly, further submissions demonstrating compliance with policy R7 (Low and Zero Carbon Buildings) and the associated supplementary guidance will be secured via condition.

Further consideration of detailed street layouts will establish compliance with 'Designing Streets', and detailed design proposals will establish compliance with 'Designing Places' and 'Creating Places'. The principle of development on this site accords with Scottish Planning Policy's aspirations for new housing, demonstrating due regard for the surrounding landscape, topography, character and ecologies.

CONDITIONS

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

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

(2) No part of the employment element of the development shall be occupied until a Travel Plan, aimed at encouraging more sustainable means of travel, has been submitted to and approved in writing by the Planning Authority in consultation with the Transport Scotland. The Travel Plan will identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan. It will incorporate measures designed to encourage modes other than the private car - To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport

(3) Prior to the commencement of any works in any phase on site a detailed scheme for surface water drainage shall be submitted to and agreed by the Planning Authority, in consultation with SEPA. The scheme shall detail 3 levels of SUDS treatment for any hardstanding, yard areas on sites proposed for Class 5 and 6 industrial uses, 2 levels of sustainable drainage SUDS treatment for all roads and other areas of hardstanding/carparking and 1 levels SUDS treatment for roof run off, and all work shall be carried out in accordance with the approved scheme.

Informative: The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control.

Reason: to ensure adequate protection of the water environment from surface water run-off.

(4) The LNCS designation boundary shall be implemented in full throughout the construction, operation and decommissioning of the development. There shall be no development, machinery movement or operations within the buffer zone without the agreement of the Planning Authority in consultation with SEPA. The buffer zone shall be identified on the ground, and no development adjacent to the

LNCS shall take place unless the LNCS boundary has been protected with appropriate protective fencing as shown in figure 2 of BS5837 or such alternative as may be agreed with the planning authority in writing.

Reason: In order to prevent potential unacceptable impacts on the water environment.

(5) No development shall take place within any phase until a detailed geo-environmental investigation has been undertaken to identify potential impacts on wetlands within 250m of Loirston Loch and an associated scheme of mitigation is submitted and approved by the planning authority in consultation with SEPA, once approved the agreed scheme shall be implemented in full.

Reason: In order to prevent potential unacceptable impacts on the water environment.

Informative: the detailed geo-environmental investigation, will be followed up by a conceptual hydrogeological model and associated risk assessment which will inform the mitigation proposals.

(6) Prior to the commencement of any works on site that the location (NGR of source) of the Private Water Supplies serving Charleston Cottage; Moss-side Croft and Tillyhowes Banchory Devenick are identified, and should they fall within 100m of roads, tracks or trenches or within 250m of borrow pits or foundations as proposed within the development that a quantitative hydrogeological assessment and where appropriate scheme of mitigation is developed by the applicant and agreed with the Planning Authority in writing in consultation with SEPA, once approved the agreed scheme shall be implemented in full during operation of the site.

Reason: In the interests of protecting the water environment

(7) that no development shall be undertaken within any respective phase of the development until such time as a scheme detailing the incorporation of appropriate buffer strips around water courses within that phase has been formally submitted to, by way of an application for the Approval of Matters Specified in Conditions (AMSC), and approved in writing by, the planning authority - in order to protect and promote biodiversity and protect water quality.

(8) That no development shall commence within a given phase until site specific Construction Environmental Management Plan(s) have been submitted and approved in writing by the Planning Authority, via a formal application for MSC, in consultation with [SEPA, SNH or other agencies as appropriate] for that phase. All works on site must be undertaken in accordance with the approved CEMP(s) unless otherwise agreed in writing with the Planning Authority. The CEMP(s) must address the following issues:-

- Surface water management
- Site waste management
- Watercourse engineering including crossings
- Peat management
- Pollution prevention and environmental management

Informative: It is recommended that the CEMP(s) 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.

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

(9) that no development shall commence within any of the respective phases until such time as details of waste management proposals for that phase of development, including arrangements for the segregation, storage, collection and management of residential, commercial and business waste, by way of an application for the Approval of Matters Specified in Conditions, have been submitted to, and approved in writing by, the planning authority - in order to ensure compliance with policy R6 (Waste Management Requirements for New Development) of the Aberdeen Local Development Plan.

(10) That no works in connection with phases 1A, 1b, 1C and the site of the relocated primary school (site E9 and the adjacent site E1) shall take place unless a detailed Flood Risk Assessment (FRA) for that phase has been submitted and approved by the Planning Authority, via a formal application for MSC, in consultation with SEPA and, where necessary based on the findings of the FRA, appropriate mitigation measures and/or adaptations to the development layout has been made.

Reason: in order to avoid flood risk.

Advisory: The detailed FRA should be undertaken in line with SEPA's Technical Guidance on FRAs and in recognition of accepted standard design flow estimation methods, more detailed advice should be sought from SEPA prior to the preparation of any detailed Flood Risk Assessment. The FRA should assess the potential for both existing and proposed culverts and other relevant structures to increase flood risk. It is recommended that the 1 in 1000 year (0.1% annual probability) flood event is considered for the proposed primary school development due to the vulnerable nature of the proposal.

(11) that, unless the planning authority has given written approval for a variation, no development pursuant to any of the individual Phases of the development hereby approved (as detailed in the Phasing Strategy to be agreed in connection with Condition 1 of this consent) shall take place other than in full accordance with a detailed masterplan for that particular Phase that has been submitted to and approved in writing by the planning authority via a formal application for MSC. The masterplan(s) shall show in detail how all development within that phase will comply fully with the principles and criteria laid down by the approved Loirston Development Framework, Loirston Design and Access Statement and guidance in "Designing Streets" and "Designing Places" in terms of;

(i) block structure, (ii) access and connectivity (including street hierarchy and integration with the existing/future vehicular/pedestrian network and adjoining development), (iii) landscape framework (ensuring high quality integrated treatment of the public realm in compliance with the approved strategic

landscape plan, tree protection, protection of wildlife, arrangements for the management and maintenance of open space, treatment of car parking and detail of local/district level open spaces and implementation of civic spaces), (iv) land use and density (including building heights and detailed typologies, density, details of any affordable housing provision and commercial space), (v) drainage (including provision for SUDS), (vi) character (including architectural treatment to provide character areas responding to context, ensuring a high quality palette of materials, use of street trees and boundary treatments), (vii) ensuring implementation of the key structural elements including the connections to the A956, the Primary Street, Loirston Square, the new Primary School and Lochside and Gateway Open Space areas, (viii) protection of trees and protected species, (ix) the sequence of demolition, development and provision of key elements (eg open space, commercial elements, roads, footpaths, etc.) within each phase to ensure that development within the phase is implemented in a planned and co-ordinated manner; unless the planning authority has given written consent for a variation. - in the interests of ensuring that the adopted Development Framework and Design and Access Statement for the site and the Planning permission in principle is translated into the creation of a high quality sustainable mixed use community on the ground.

(12) No development shall take place within a given phase until the applicant has secured the implementation of a programme of archaeological work relating to that phase in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority via a formal application for MSC. Any programme of archaeological work will include all necessary post-excavation and publication work.

(13) that no development pursuant to this planning permission in principle shall commence on site unless a scheme for the provision of a site for Gypsies and Travellers on the site or on the larger OP77 site, in accordance with Aberdeen City Council's adopted 'Gypsy and Traveller Sites' Supplementary Guidance has been submitted to and approved in writing by the planning authority, by means of approval of a formal Approval of Matters Specified in Conditions (AMSC) application or a formal Planning Application, including as a minimum the following Details

- the location and area of land to be set aside for the site, number of pitches and means of pedestrian and vehicular access
- a timescale for its delivery and
- a mechanism to ensure that delivery will happen in this timescale;

No more than 500 residential units on the application site shall be occupied unless any scheme for the provision of a Gypsy and Travellers site thereby approved by the planning authority has been implemented, unless the planning authority has given written approval for a variation - in order to meet the requirements of Policy H7 of the Aberdeen Local Development Plan.

(14) That no individual development plot shall be occupied unless an access junction has been implemented and is fully operational to the finalised agreed layout in accordance with drawing number TP058/SK/101 or TP058/SK/100 or such other drawing as may subsequently be approved in writing for the purpose by the planning authority - in order to ensure that the development can be adequately accessed on first occupation.

(15) that no more than 300 houses on the application site shall be occupied unless a 2nd access junction has been implemented and is fully operational to the fully agreed layout in accordance with drawing number TP058/SK/101 or TP058/SK/100 or such other drawing as may subsequently be approved in writing for the purpose by the planning authority - in order to ensure that the progression of development is accompanied by acceptable means of access.

(16) that no development pursuant to this planning permission shall take place within any given phase until such time as further formal application has been made detailing cycle routes and facilities within that phase of the proposed development, incorporating direct links to existing off-road paths and/or on-road links via suitable on and off road paths, providing direct routes to the access points for the site - in order to promote sustainable travel and ensure compliance with policy D3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.

(17) that no development pursuant to any phase within this planning permission shall take place until such time as further formal application has been made identifying safe routes to schools within the proposed development - in order to promote sustainable travel and ensure compliance with policy D3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.

(18) That no development within any phase shall be undertaken until such time as further details demonstrating a layout capable of accommodating a bus service, and incorporating proposals for the appropriate restriction of traffic on Redmoss Road to allow only walking, cycling and public transport, have been submitted to the planning authority via a formal application for MSC, and that such details have been approved by that authority and thereafter implemented in full - in order to promote sustainable travel, minimise travel by private car, and to ensure that the proposal does not contribute to congestion of the local roads network.

(19) that no development within any phase pursuant to this grant of planning permission in principle shall be undertaken until a scheme addressing any significant risks from contamination to the site from adjacent former land use (Charleston Landfill) has been submitted to and approved by the planning authority via a formal application for MSC.

The scheme shall follow the procedures outlined in "Planning Advice Note 33 Development of Contaminated Land" and shall be conducted by a suitably qualified person in accordance with best practice as detailed in "BS10175 Investigation of Potentially Contaminated Sites - Code of Practice" and other best practice guidance and shall include: a) an investigation to determine the nature and extent of contamination b) a site-specific risk assessment c) a remediation plan to address any significant risks and ensure the site is fit for the use proposed d) verification protocols to demonstrate compliance with the remediation plan

(20) No development within any phase pursuant to this grant of Planning Permission in Principle shall take place unless an appropriate drainage impact assessment, including results and calculations of 1 in 10, 1 in 30 and 1 in 200

year sensitivity tests and a full investigation and report of all watercourses within the vicinity of the site and the impact which the development shall have on the existing drainage network, has been submitted to the planning authority and subsequently approved via a formal application for MSC - in order to ensure that the proposal complies with policy NE6 (Flooding and Drainage) of the Aberdeen Local Development Plan.

(21) That no development within any phase shall take place until a scheme addressing the following matters within that phase has been submitted to and approved by the planning authority via a formal application for MSC, and that thereafter any recommended mitigation measures have been fully implemented. Those requirements are;

(i) Taking cognisance of the Scottish Government's Planning Advice Note 1/2011, Planning and Noise, a scheme for protecting the proposed dwellings from road traffic noise shall be determined and agreed with the Environmental Health and Planning Services such that external noise levels do not exceed LAeq 16hr 55dB during the day time period 0700-2300 in any rear garden areas. The road traffic noise levels should be determined in accordance with the principals set out in "Calculation of Road Traffic Noise" (CRTN), DoT Welsh Office, HMSO, 1988.

(ii) The internal noise level, assessed with windows closed, within any dwelling shall not exceed the WHO Community Noise Guideline Value of LAeq 30dB within bedrooms for the night time period 2300-0700 and LAeq 55dBA within outdoor living areas.

(iii) The internal noise level, assessed with windows closed, within any dwellings or noise sensitive building shall not exceed Noise Rating Curve 35 between the hours of 0700 and 2200 and Noise Rating Curve NR 25 at all other times to protect the occupants from fixed plant such as fans, chimneys, ventilation exhausts and inlets associated with existing industrial premises or associated with the completed development.

(iv) No development shall take place within any phase until the applicant undertakes a survey to determine the impact of noise, from business premises in the locality of that phase, on the development using the principles set out in British Standard BS 4142:1997 – Method for Rating Industrial Noise affecting Mixed Residential and Industrial Areas, or a method agreed by the Environmental Health and Planning Services. The survey shall be submitted to and approved by the Environmental Health and Planning Services via a formal application for MSC and shall identify 1) the maximum Rating Levels, and 2) the minimum Background Noise Level to which any part of the development will be exposed. If the maximum Rating Levels exceed those set out below then a scheme for protecting the proposed dwelling(s) from industrial noise shall be included as part of the noise survey with no dwelling being constructed at any location at which the Rating Levels cannot be met.

Open site/external* Easting, Northing)	Measurement Location	Site Standard	
		Rating Level (LAr,Tr)	dB
		Day / Night	
393651,801909		45.1 / 36.1	

*These Rating Noise Levels are based on existing background noise levels at the proposed Loirston site presented in AECOM Noise and Vibration Assessment carried out for the Environmental Statement dated June 2013 for the proposed mixed use development (Section 11.1). If it can be satisfactorily demonstrated that at a particular location the existing background noise level, excluding, existing industrial noise, is greater than LA90,T40.1 and LA90,T31.1 for the day and night time periods, respectively, then, with agreement with the local authority, these background noise levels could be used to derive Rating Levels that should not be exceeded (i.e., background noise level plus 5dB).

The assessment should take into consideration existing industrial noise / services noise and consented developments in the vicinity of the proposed development, which includes the proposed Balmoral Business Park.

Reason: In order to ensure that the proposed development is not exposed to excessive noise levels from the various sources in the surrounding area.

(22) That no development shall be undertaken within any phase unless the impact and significance of the Construction and Development Works within on air quality within that phase in the vicinity of sensitive receptors have been assessed and determined in accordance with the Institute of Air Quality Management: Guidance on the Assessment of the Impact of Construction on Air Quality and the Determination of their Significance, December 2011 and Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites, and a Dust Management Plan, detailing the dust mitigation measures and controls, responsibilities and any proposed monitoring regime has been submitted to and approved by the planning authority via a formal application for MSC, in consultation with the Council's Environmental Health Service prior to the commencement of any demolition or construction works - in order to ensure that the impact of construction works on air quality are fully considered and that appropriate mitigation measures are in place prior to works commencing.

(23) that no development within any phase shall take place unless a further formal application for MSC, detailing a scheme for external lighting of pedestrian/cycle routes within that phase has been submitted to and approved in writing by the planning authority, and thereafter implemented in full accordance with said scheme - in the interests of public safety.

(24) That no development within any of the respective phases of the development granted planning permission in principle shall take place unless a scheme detailing cycle storage provision for development within that phase has been submitted to, and approved in writing by the planning authority by way of a formal application for MSC, and thereafter implemented in full accordance with said scheme - in the interests of encouraging more sustainable modes of travel.

(25) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a strategic landscape masterplan for the entire site, which shall be in the form of a formal application for MSC and shall include appropriate Arboricultural Impact Assessments detailing 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 and to ensure compliance with policy NE5 (Trees and Woodland) of the Aberdeen Local Development Plan.

(26) that all planting, seeding and turfing comprised in the approved scheme of landscaping for any phase of the development shall be carried out in the first planting season following the completion of that phase of 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.

(27) that no development within any phase shall take place unless any scheme for the protection of all trees to be retained on the site within that phase of construction works, approved by the planning authority in connection with condition 25, has been implemented – in order to ensure adequate protection for the trees on site during the construction of the development.

(28) that any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.

(29) 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.

(30) that no development pursuant to any given phase of the planning permission in principle hereby granted shall be undertaken until such time as the further approval of the planning authority has been sought and granted, via a formal application for MSC, in relation to the long-term management and maintenance of open space within that phase of the development - in order to ensure that provision is made for appropriate long-term care for areas of open space and in order to maintain the landscape amenity of the development.

(31) that no buildings within any respective phase of the development 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 the planning authority via a formal application and subsequently approved by that authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(32) that no development within any respective phase of the development hereby approved shall be commenced unless full details of the design and external finishing of buildings contained within that phase, expanding upon the design elements of the phase-specific masterplan to be submitted and approved in connection with condition 11, has been submitted to and approved in writing by the planning authority by way of a formal application for MSC – in order to ensure that the external treatment, finishes and appearance of buildings with respective phases are detailed in full, and to ensure compliance with policy 1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

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

that the subsection (2)(a)(i) of section 59 shall apply as respects the permission with the substitution for the period of 3 years referred to in that subsection of 10 years, as is considered appropriate by the planning authority in this instance on the basis of the scale of the allocation. The provisions of section 59(2) shall therefore be read as follows;

that this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all condition(s) attached to this grant of planning permission in principle across the entire site has been made before whichever is the latest of the following;

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

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

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

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

INFORMATIVE 1: that this planning permission in principle shall lapse on the expiration of 2 years from the approval of matters specified in conditions being obtained (or, in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained) unless the

development to which the permission relates is begun before that expiration - - in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

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

Dr Margaret Bochel

Head of Planning and Sustainable Development.