

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

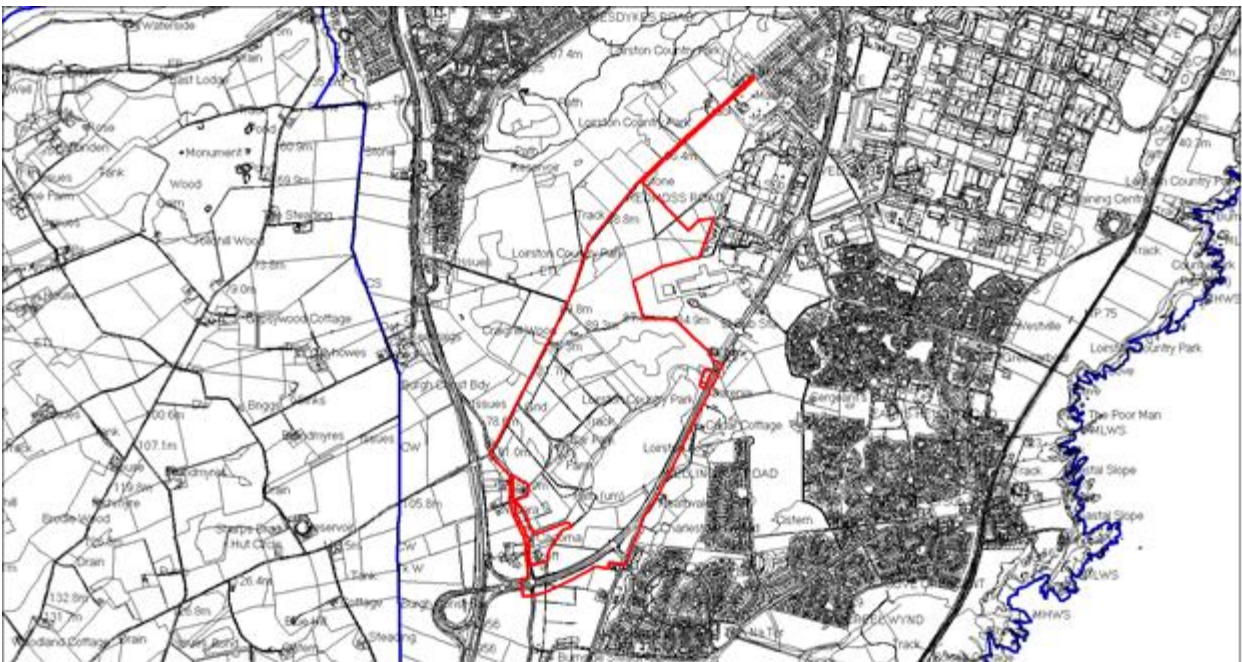
Ward : Kincorth/Nigg/Cove (N Cooney/C Mccaig/A Finlayson)

Advert : Can't notify neighbour(s)

Advertised on: 10/07/2013

Committee Date: 28 May 2015

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

At the January 2014 meeting of the Planning Development Management Committee, members expressed a willingness to approve this application, subject to conditions and subject to the conclusion of a legal agreement securing affordable housing, developer contributions, and financial contributions towards both the Strategic Transport Fund and in lieu of works to the local road network.

The relevant committee report and an extract from the committee minute are included for Members' reference as part of today's agenda – please note that

members opted to add one further condition to those recommended in that January report, relating to mitigation measures to provide alternative habitat for a species of bird (Reed Bunting).

PROPOSAL

This report seeks members' approval to attach one additional condition to any consent issued, stipulating that a road connection must be made between the application site and the adjoining land (which also forms part of the OP77 opportunity site designation) at a time to be agreed with the planning authority as part of a future application for the approval of matters specified in conditions (AMSC).

A detailed description of the wider proposal and officers' assessment of its planning merits was contained within the report approved by Members in January 2014 – this is included in today's agenda papers for your reference, along with an excerpt from the committee minute, however it should be noted that the development proposal is entirely unchanged from that previously considered by Members. The purpose of this report is not to revisit the committee's earlier decision, but to seek Members' approval to add a further condition.

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

Pre-application consultation is detailed in the original report, attached.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because officers consider that there are sound planning reasons to attach a further condition in addition to those previously agreed by Members. As this condition did not form part of the report considered by Members in January 2014, it is necessary for the application to be referred back to this committee for further consideration.

CONSULTATIONS

Previous consultation responses are detailed in the earlier report to the January 2014 meeting of the Planning Development Management Committee (included in agenda papers).

REPRESENTATIONS

14 letters of representation were received. The objections raised in those representations were summarised and addressed in the earlier report, attached.

PLANNING POLICY

As summarised in the previous report.

Proposed Aberdeen Local Development Plan

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

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

The foregoing can only be assessed on a case by case basis. In relation to this particular application there has been no material change in the applicable policy context. The land around Loirston Loch retains its opportunity site designations, and the Loirston Development Framework is expected to be taken forward as part of the proposed plan in due course. On that basis, it is considered that there has been no significant change to the decision-making framework, and it remains the case that there are no material considerations of sufficient weight to warrant determination other than in accordance with the Development Plan.

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.

As members may be aware, the land over which the Loirston Development Framework applies is in multiple ownerships. This application for Planning Permission in Principle does not extend to the entire framework area, and is limited to those areas over which Aberdeen City Council or Hermiston Securities (the Council's Joint Venture partner) have control.

In making an application for Planning Permission in Principle, Hermiston Securities and their agents, Optimised Environments, have had to take account of various uncertainties and changes in circumstances. Amongst these were uncertainties regarding the prospects and timescale for the construction of any new stadium for Aberdeen Football Club and ACC's own proposals for a new secondary school serving the south of the city catchment.

The envisaged phasing of the proposal put forward by the applicants therefore differed in some ways from the phasing outlined in the Loirston Development Framework. This issue was highlighted to Members in the previous report, and the reasons for a differing approach were accepted. Nevertheless, as there remain other parts of the Loirston Development Framework area which are not covered by this application for Planning Permission in Principle, any changes to the phasing of development and the timing of any associated connection being made to those remaining areas becomes crucial to ensuring their timely delivery and, by extension, the full delivery of the allocation. It is not the role of the planning authority to intervene in any commercial negotiations between the various landowners, nor to show favour to the interests of any one party. It is, however, reasonable for the planning authority to ensure that in granting any consent for part of the site it would not prejudice delivery of the full housing allocation, which contributes towards achieving the housing targets outlined via the Structure Plan (as was) and the Local Development Plan.

With this in mind, it is recommended that members reiterate their earlier decision, but with the addition of a further condition (Condition 34 below), which would have the effect of making explicit a requirement for a road network connection between the Planning Permission in Principle area and the southern section of Redmoss Road and requiring the submission of a timetable for the implementation of that connection. This will ensure that development of the wider Loirston Development Framework area is not compromised, and the allocation may be delivered in full. The additional condition is number 34 in the list below. The Council has used this approach previously where the development of a large allocation involves multiple landowners.

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**

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) (22) 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	

*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.

(33) That no development shall take place until a scheme of mitigation relating to the identified displacement of Reed Bunting has been submitted to and agreed in writing by the planning authority, and thereafter the agreed mitigation measures shall be implemented in accordance with a schedule agreed as part of that mitigation strategy, unless otherwise agreed in writing by the planning authority - in order to mitigate impact on the habitat value of the site and displacement of species.

(34) No development pursuant to this grant of Planning Permission in Principle shall be undertaken unless a scheme for the provision of a vehicular connection from the road network within the application site to Redmoss Road has been submitted to and approved by the planning authority as part of an application for Approval of Matters Specified in Conditions (AMSC). The Scheme shall require that the connection be designed to adoptable standard, in order that it will be fit for its required purpose. Thereafter, no development shall occur otherwise than in accordance with the agreed scheme - in order to ensure the delivery of key road infrastructure and the full OP77 allocation of the adopted Aberdeen Local Development Plan.

INFORMATIVES

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.