

Planning Development Management Committee

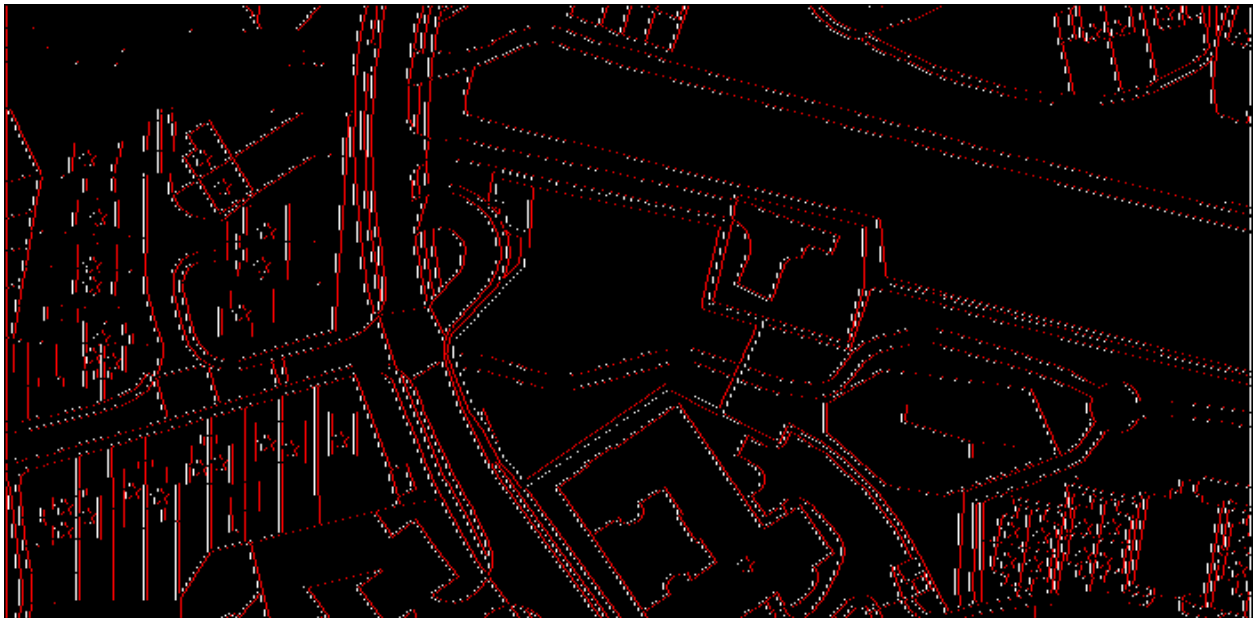
JESMOND DRIVE, ABERDEEN

ERECTION OF 19 AFFORDABLE HOUSING
UNITS WITH ASSOCIATED CAR PARKING
AND LANDSCAPING

For: Carlton Rock

Application Type : Planning Permission in
Principle
Application Ref. : P150369
Application Date: 16/03/2015
Officer: Dineke Brasier
Ward : Bridge of Don (M Jaffrey/J Reynolds/S
Stuart/W Young)

Advert : Can't notify neighbour(s)
Advertised on: 01/04/2015
Committee Date: 16/07/15
Community Council : Comments



RECOMMENDATION:

Refuse

DESCRIPTION

DESCRIPTION

The application site is an area of urban green space located on the east side of Jesmond Drive. The site is predominantly rough grassland with a number of young trees and scattered shrubs. The grassland is wetter in some places and tends to be dominated by marshy grassland patches. It appears un-maintained and naturally regenerating. A small section within the western part is closely mown grass.

To the south is the 'Jesmond Care Home', and to the west is a bus turning circle off Jesmond Drive. Immediately to the north is the 'Carrot Belt', a mature mixed woodland shelterbelt providing important connections towards the Scotstown Moor Local Nature Conservation Site (LNCS) further to the east. In the larger context it is situated between the residential areas of 'Jesmond Grange' to the south and 'Ashwood Grange' to the north.

The site extends to some 0.25 hectares and sees a footpath running east-west across its southern width, providing pedestrian and cycle routes/ links between the bus shelter and residential areas to the east.

RELEVANT HISTORY

Development Management:

This specific site and the larger Jesmond Grange site have a long and complicated planning history. The main applications will be summarised below.

A0/0624: In 2000 conditional outline planning permission was granted (as a justified departure from the development plan) for the erection of 32 very sheltered housing units, ten special needs houses, a medical centre, a nursery school and a shopping centre with ancillary car parking, as well as the provision of public open space, footpaths and cycle paths. At the time, this larger site (3.5ha) was former 'agricultural land', which was used by the public on an informal basis. An important element was proposed open space measuring up to approximately 11,200m², and included the area of the current application site, which was to be landscaped and incorporate improved pedestrian and cycle links to East Woodcroft and Scotstown Moor. This open space provision and improved pedestrian and cycle links were considered such a significant benefit to the, then, informal use of agricultural land, that it was listed as one of the two main justifications for departing from the then provisions of the development plan.

These two justifications were as follows:

1. The development would allow a meaningful area of land to be brought into use for public open space purposes linking housing to the west with proposed public open space to the east; and
2. The development would provide socially desirable facilities for which evidence of a local need exists.

A4/0409: In 2004 outline permission was granted for a renewal of the above application. This permission has an associated S75 legal agreement, which sets out that an area of 11,200m² was to be maintained as public open space in perpetuity. A plan forming part of this S75 agreement shows that the main component was the area subject of this current application, with a further strip to the north and east.

An application for a partial discharge of this existing S75 agreement' in relation to clause 2 (open space) has now been registered and validated (151068).

05/1169: In 2005 a reserved matters application granted conditional consent for the formation and landscaping of the area of open space included in the S75 agreement. This permission was part implemented in as far as the pedestrian links through the site have been constructed It is however noted that no formal landscaping has been carried out or undertaken, and this is reflected in the poor condition of the site.

Following these initial consents, further conditional permissions have been granted and implemented to the south of the current application site for the construction of a shopping centre (Ref: 051720), 65 bed care home (Refs: 061129 and 072372) and 82 dwellings at Jesmond Grange (Ref: 100030).

Given this planning history and the evidence on the ground, it is clear that of the uses initially approved through the 2000 and 2004 outline planning consents only the open space and the shopping centre have been (part) implemented. All other (more social elements - which entailed the second justification for the initial departure from the development plan) proposals within that original scheme have been replaced over time by a much denser residential development. There are only 4 elements remaining: a suburban housing development/ shopping centre/ care home and an area of public open space.

Local Plan history

In addition to the above 'Development Management' background, the site also has a complicated 'Development Plan' history. This is set out in the following paragraphs.

The larger (3.5ha) site, subject of outline planning permissions A0/0624 and A4/0409, was shown as an opportunity site (OP104) for community facilities at the 'Proposed Changes' stage associated to the Aberdeen Local Development Plan 2008 in 2005. This was in recognition of planning approval A0/0624 that had been granted for community facilities on the wider site. At this 'proposed changes' stage of the plan, the entire area was covered by the Urban Green Space Zoning, with the area set out as open space within the aforementioned S75 (the application site), also proposed to be allocated as Green Space Network (GSN). Following a Public Local Inquiry (PLI) the reporter recommended that the entire area (including the open space area) be shown as an opportunity site for Mixed Use development suitable for: local shops, a nursing home, amenity open space and paths complementary to adjacent amenity open space, and housing (approximate capacity 40 units, of which about one third are

expected to be provided by a housing association). The reporter recommended that the Green Space Network designation should be retained over the northern and eastern fringes of the site, to reflect open space in the relevant planning permissions and the legal agreement affecting the land. This recommendation was accepted by the Council.

However, the Opportunity Site boundary on the proposals map associated to the finalised and subsequently adopted Local Plan was not amended in full accordance with this change, in as far as the northern and eastern boundaries of the site (including the current application site) were designated as both Green Space Network (in accordance with the reporters recommendation) and as Urban Green Space (contrary to the reporters recommendation) There is no record of why the Urban Green Space designation was retained over this area in addition to the Green Space Network designation. However, these modifications were publicised and all objectors were notified of them. An objection period ran from 18 January 2008 to 29 February 2008 and no objections were received on this issue. The 2008 Local Plan was therefore adopted on this basis.

Since that time, an entire Local Plan cycle has been completed without objection to the allocation boundaries, resulting in the same boundaries and allocations being included in the Aberdeen Local Development Plan 2012. Again, the wider site was identified as an opportunity site for mixed use development, excluding the area of open space subject to the current application, which is again designated as Urban Green Space.

Upon close examination of the Aberdeen Local Development Plan 2012 Proposals Map, it transpires that the area of open space is not allocated as part of the Green Space Network. However, all Urban Green Spaces in the City are part of the Green Space Network. This is clearly stated in the policy preamble to policy NE1 (Green Space Network) 'Open Spaces defined in Aberdeen's Open Space Audit.' As such, this supersedes the argument whether or not this has been marked on the map or not. However, for the purpose of clarity, this is mainly due to technical reasons. The Geographical Information System (GIS) then in place required manual input of all polygons that were to be included in the Green Space Network. As such, the large areas were included first, and there was insufficient time to record all the smaller pieces of land, including many parcels of land such as this one which lie on the edge of larger areas of green space network. However, the entire strip of land surrounding the Jesmond Grange development (including the care home and the shopping centre) should have been included in the Green Space Network as it is an integral part of this larger area and has an important role in creating linkages between larger areas of green space.

Furthermore, within the current proposed Local Development Plan, the same boundaries have been repeated, showing the application site as Urban Green Space and the remainder of the area as 'Mixed Use'. The Opportunity Site 'label' has been removed as the site was considered to be built out.

PROPOSAL

Planning in principle permission is sought to construct 19 affordable housing units.

The indicative layout shows two blocks of flats positioned close to the south and east boundaries of the site, each block two storeys high.

The block 1 (southernmost) would face north-west, with a gable fronting Jesmond Drive, and would contain 13 one bed flats spread over two floors, and across the northern part of the ground floor a plant/ storage/ combined heat and power (chp) room, and cycle store.

The block 2 (northern) would face west, and contain 6 one bed units across the two floors.

Indicative elevations are also provided, detailing: timber clad elevations; a 'green' sloping flat roof; and external staircases leading to the first floors. Both blocks include semi-private front gardens, facing onto 15 associated car parking bays (1x disabled)/ kids play area/ green space/ bin store, the bus turning circle and Jesmond Drive beyond. 'Private' rear garden areas associated to each block are also indicated.

A pedestrian footpath would separate the two buildings, running from Jesmond Drive/ the existing bus stop linking to a path serving the residential areas to the east and beyond.

Vehicular access to the car park and bin store would be taken from the bus turning circle.

The site layout was revised following comments from Road Development Management Team, as the vehicular access was initially shown from the access road to the north, and the number of proposed units has been reduced from 21 to 19.

Supporting Documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at

<http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=150369>

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

- Supporting Statement;
- Ecological Survey;
- Letter from Grampian Housing Association setting out that they would be interested in being the preferred social landlord purchaser to provide mid

- market rent for key workers or social rented properties for people with high housing need as long as the site is included in the Council's Strategic Housing Investment Plan (SHIP); and
- Letter of support submitted by Burness Paull representing the applicant (summarised below).

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee as 17 timeous letters of representation have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management –

Initial comments:

Observed that significant alterations to the site layout were required to provide satisfactory vehicular access from the access road to the north of the site.

Further concerns expressed that the lower parking standard of 0.8 spaces per flat were only acceptable if evidence had been provided that a Registered Social Landlord (RSL) was on board, and that, even if this lower figure was accepted, 15 parking spaces would be insufficient for 21 residential units.

Further comments that cycle and motorcycle parking should be integrated in the proposed development.

Amended comments following discussion and revision of site plan:

Alterations incorporated an alternative means of access and a reduction in the number of flats from 21 to 19.

A Strategic Transport Fund (STF) contribution is required.

Proposed Development Access:

Vehicular access from the bus turning area would require the promotion of a Traffic Regulation Order (TRO). Adequate turning space for refuse collection vehicles would be required adjacent to the proposed bin store. Again refuse vehicle access would be via the bus turning area.

Walking and cycling:

The paths proposed within the site would be acceptable. A pedestrian link between the new shared use path and the northbound bus stop would be required.

Bus Services:

The southbound bus services would continue to operate unaffected, although the shelter in the turning area is dilapidated and should be replaced at the developers' expense.

For northbound services, the bus stop on the west side of Jesmond Drive may require relocation, if affected by works.

Parking provision:

Adequate evidence of RSL involvement means that the lower parking standards of 0.8 space per affordable dwelling can be applied. The 15 spaces proposed would thus be sufficient for 19 units.

Secure and sheltered cycle parking should be provided at a rate of 1 per flat plus a minimum of 2 short stay cycle stands or four cycle parking spaces within 50m of the building entrances. Two secure motorcycle parking spaces should be provided in convenient locations within 50m of the proposed building entrances.

Residential Travel Packs:

To assist with reducing the demand for car parking, Residential Travel Packs should be provided to advise and encourage residents to use alternative means of transport to the private car.

Conclusion:

No objection, subject to conditions relating to above matters.

Developer Contributions Team – Contributions would be required for: Core Paths and Open Space.

Environmental Health – No observations

Communities, Housing and Infrastructure (Flooding) - No observations

Education, Culture and Sport (Educational Provision) – where 5 or more new residential units – One bed units are assumed not to generate a school requirement. No mitigation is required in this instance.

Housing – Jesmond Drive is currently not in the Strategic Housing Investment Plan 2015 – 2020 (SHIP). However, the SHIP can be amended and new projects added with Council and Scottish Government approval. The proposal is for 19 one bedroom flatted properties. However, the space standards at 35m² are very small. The Council's own new build standards for a one bedroom property would be in the region of 45-50m². The Scottish Government does not have any floor space standards, but the units should be designed to 'housing for varying needs standard' (HfVNS) to qualify for Scottish Government Grant. In general, the units proposed could be incorporated into the SHIP and they could qualify for Scottish Government grant if they comply to the HfVNS.

Community Council (*Bridge of Don Community Council*) – has submitted a letter of representation reporting on a meeting of the Community Council at which various views and opinions were expressed but the overall feeling was that of acceptance of the need for affordable housing and that there was no real reason why they shouldn't be built on this site. However, concerns were raised in relation

to the wood cladding. It was agreed that finishes should blend in more with the other buildings in the neighbourhood.

REPRESENTATIONS

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

- Loss of green space. Development will close off the natural open aspect of the area and build on a precious green space full of biodiversity. The area should be developed to serve the current community more appropriately, for instance a park, play area and/or pond to encourage wildlife;
- Proposal would result in the loss of a well used footpath;
- Schools in the area cannot accommodate any additional children as they are already full;
- Road infrastructure is not up to the required standard and would be in a worse condition if it had to deal with potentially 20-30 extra cars per day;
- Development would result in a more dangerous route to walk to school and would add more traffic in a place where children cross to go to school;
- Overdevelopment of this site with insufficient parking;
- Development would be very close to schools and would it be guaranteed that the flats would not be occupied by drug or alcohol users;
- Design of the proposed flats does not fit in with the surrounding area;
- The development would result in overshadowing of the neighbouring nursing home;
- Plans already exist for another 55 dwellings in the vicinity, and this proposal would stretch local facilities even further;
- Development would devalue property prices;
- Development would block views of care home; and
- Proposal would result in a loss of privacy and views from 8 Lee Crescent North.

Letter of Support submitted by applicant, raising the following issues:

- The application is for 19 affordable housing units. The Council's Housing Need and Demand Assessment has identified a 'chronic need' for more affordable housing in the City.
- Summary of the Local Plan history of the site, setting out that the site is currently not covered by the Green Space Network allocation, and that the reporter in 2005 recommended that the Urban Green Space allocation should be deleted from the site. As such the site should be considered under policy H1 (Residential Areas) or H2 (Mixed Use Areas);
- A large amount of open space will be retained on the site, even with the construction of 19 affordable housing units;
- Bridge of Don is the ward with the second highest provision of open space. Emphasis is placed on the provision of quality rather than quantity of open space;

- The Ecological Survey submitted as part of the application shows that the site has a low ecological value. The report provides mitigation measures which would enhance the ecological value;
- All remaining open space will be laid out and actively maintained.
- The Community Council is supportive of the construction of affordable units on this site;
- The legal agreement covering the land should not be considered a barrier to approval of this application. An application under Section 75A has been submitted seeking the discharge of the existing agreement.

PLANNING POLICY

Aberdeen Local Development Plan

NE3: Urban Green Space:

Permission will not be granted to use or redevelop any area of urban green space (including smaller spaces not identified on the Proposals Map) for any use other than recreation or sport, unless an equivalent and equally convenient and accessible area of land for public access is laid out and made available in the locality by the Applicant for urban green space purposes.

In all cases, development will only be acceptable provided that:

1. There is no significant loss to the landscape character and amenity of the site and adjoining areas;
2. Public access is either maintained or enhanced;
3. The site is of no significant wildlife or heritage value;
4. There is no loss of established or mature trees;
5. Replacement green space of similar or better quality is located in or immediately adjacent to the same community, providing similar or improved benefits to the replaced areas and is as accessible to that community, taking into account public transport, walking and cycling networks and barriers such as major roads.

NE1: Green Space Network:

Development which has any impact on existing wildlife habitats, or connections between or other features of value to natural heritage, open space, landscape and recreation must be mitigated through enhancement of Green Space Network.

As set out in detail above, even though the site is not covered by Green Space Network on the allocations map, as explained later in this report this omission is purely a drafting error, and in any case it is considered related and associated to these nearby sections of the Green Space Network, under the criteria set out in the preamble of this policy, and thus the policy is considered relevant in the determination of the application.

NE8: Natural Heritage:

Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy.

D1: Architecture and Placemaking:

New development must be designed with due consideration for its context and make a positive contribution to its setting.

D2: Design and Amenity:

In order to ensure the provision of appropriate levels of amenity, the following principles will be applied:

1. Privacy shall be designed into higher density housing;
2. Residential development shall have a public face to a street and a private face to an enclosed garden or court;
3. All residents shall have access to sitting-out areas.
4. Parking must not dominate a space. No more than 50% of any court should be taken up by parking spaces and access roads.
5. Individual flats shall be designed to make the most of opportunities offered by the site for views and sunlight;
6. Development proposals shall include measures to design out crime and design in safety;
7. External lighting shall take into account residential amenity and minimise light spillage into adjoining areas and the sky.

T2: Managing the Transport Impact of Development:

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility.

I1 – Infrastructure Delivery and Developer Contributions:

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded community and the scale and type of developments proposed. The level of provision required will relate to the development proposed either directly or to the cumulative impact of development in the area and be commensurate to its scale and impact.

H5 – Affordable Housing:

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

Proposed Aberdeen Local Development Plan

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

NE1 – Green Space Network (*NE1 – Green Space Network*)

NE3 – Urban Green Space (*NE3 – Urban Green Space*)

NE8 – Natural Heritage (*NE8 – Natural Heritage*)

D1 – Quality Placemaking by Design (*D1 – Architecture and Placemaking and D2 – Design and Amenity*)

T2 – Managing the Transport Impact of Development (*T2 – Managing the Transport Impact of Development*)

I1 – Infrastructure Delivery and Planning Obligations (*I1 – Infrastructure Delivery and Developer Contributions*)

H5 – Affordable Housing (*H5 – Affordable Housing*)

Supplementary Guidance

Affordable Housing Supplementary Guidance – Provides guidance on the delivery of affordable housing

Bats and Development Supplementary Guidance – Provides guidance on legislation and mitigation measures in relation to development and its impact on protected species.

Infrastructure and Developer Contributions Manual – Provides guidance on levels and types of developer contributions required.

Transport and Accessibility Supplementary Guidance – Provides guidance on maximum parking standards for new development.

EVALUATION

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

Principle of Development:

The site is allocated as an urban green space in the Aberdeen Local Development Plan and policy NE3 (Urban Green Space) applies. This policy clearly sets out that permission will not be granted to redevelop any areas of urban green space unless an equivalent and equally convenient and accessible area for public access is laid out and made available in the locality by the applicant for urban green space purposes.

In this case, this area of urban green space was proposed as an integral part of the overall Jesmond Grange development, as per outline planning permissions granted in 2000 and 2004. Prior to this and subsequent detailed planning approvals/ development, the site formed part of a larger 3.5ha agricultural area comprising what is now: this application site; the Jesmond Care Home; a shopping centre; and the residential area of Jesmond Grange.

The original outline planning permission was granted for a mixed use development of the site, inclusive of and subject to the retention of a significant proportion of the land as open space. This improved and formalised open space

was listed as one of two justifications for departing from the then development plan.

This open space was intended to largely relate to a residential development of approximately 42 dwellings and would provide enhanced amenity and formalised access for walkers and cyclists. Subsequently the amount of open space has been reduced, as a result of planning approvals/ development, with the site subject of this application being the majority of the remaining usable open space, whilst it is also worth noting that the density/ 'population' of the wider development has been increased significantly to more than 80 dwellings plus the 65-bed care home – as opposed to the original 42 dwellings. As such, it is considered that any open space would serve a larger number of residents than initially intended, and that it would be of even more importance now than when the overall outline permission was first approved.

It is noted that the applicant has included areas of the site to be set aside as a children's play area and informal green space (largely adjacent to the bus turning head and to the east part of the site straddling a path), with the remainder retained as private and semi-private gardens that are not for public use.

Aberdeen City Council's 'Open Space Audit 2010' includes the results of a city-wide questionnaire asking residents their opinions on open space within Aberdeen. Results showed that there was a demand for children's play areas in the wider Bridge of Don area. However, this small play area, plus the remaining small parcels of open space on the edges of the site would not compensate for the loss of the entire Urban Green Space allocation in this location, and as policy NE3 clearly states - an equivalent and equally convenient and accessible area should be laid out within the immediate vicinity. There are no such proposals of 'compensation' forming part of this application. Taking the foregoing into account the open space/ play area provision proposed on the site is considered not to constitute "an equivalent and equally convenient and accessible area of land for public access" in terms of the requirements for justifying departure from Urban Green Space policy.

The letter of support submitted by Burness Paul representing the applicant sets out that, due to the drafting error in the Adopted Local Plan, as discussed previously, the site should be considered under planning policies H1 (Residential Areas) or H2 (Mixed Use Areas) – both having a presumption in favour of development. However, the site is currently sits apart as Urban Green Space, and, even if it would be accepted that the overall site (including the care home, shopping centre and Jesmond Grange) were part of the larger surrounding mixed use allocation, then the comments from the reporter clarified that the site would be suitable for a mix of uses comprising local shops, nursing home, amenity open space and paths complementary to adjacent amenity open space and housing. This part of the overall site would be the last significant parcel of open space within this larger site, and as such should be retained as such to ensure there is a balance of development and public amenity space within the immediate surrounding area.

Furthermore, notwithstanding this drafting error, policy NE3 clearly states that the policy also applies to 'smaller spaces not identified on the Proposals Map'. This is clearly and unambiguously one such site – more so because of its immediate juxtaposition with an a larger area of green space of which it forms an integral part. As such the Urban Green Space policy applies and as such the matter as to whether or not the site might have been incorrectly allocated as Urban Green Space is irrelevant to the assessment of the the site in terms of the Urban Green Space Policy as a whole.

As such, the principle of the proposed development is unacceptable and would be contrary to the requirements of policy NE3 (Urban Green Space).

Impact on the character and appearance of the surrounding area:

The open space, together with the tree belt to the north, provides a clear natural green buffer between the Jesmond Grange residential area to the south and the Ashwood Grange residential area to the north. It forms a natural boundary between these two distinct residential areas and further emphasises the overall green character and relative low density of the immediate surrounding area. Establishing a development of 19 flats with associated hardstanding for access and parking, would significantly increase the developed appearance of the locality, and is considered to be out of context with the surroundings.

It is further considered that this would have an adverse impact on the character of this wider area, and would be contrary to the requirements of policies NE3 (Urban Green Space) and D1 (Architecture and Placemaking) of the Aberdeen Local Development Plan.

Whilst the indicative design of the blocks and proposed use of materials is considered be out of context with the palette of materials and general design principles within the wider area. It should be noted that the design is indicative and that this could be addressed at Matters Specified in Conditions stage should the application be approved.

Wildlife and Ecological Impacts and Green Space Network:

An ecological survey has been submitted determining the type and variety of habitats on the site and its use by and suitability for protected species. It indicates that the habitats on the site are species poor, widespread and common in the surrounding area. There is little evidence of protected species on the site. A number of species are worth noting, which are the presence of Wych Elm (a North East Local Biodiversity Action Plan (NELBAP) species) and the potential use of the site by foraging badgers. The Wych Elm should be retained in any potential site layout. In addition, the site might be used by nesting birds.

The survey also provided suggestions for mitigation measures that could enhance the ecological values of the site, including: the use of nesting boxes for various species of birds, bat boxes and the retention of trees. This could be dealt with through conditions.

However, notwithstanding the quality of habitats on the site, the site is part of the larger area of open space marked as BD43 in the Open Space Audit Quality Map

and part of the Green Space Network. This overall site scores high in terms of its: biodiversity, health and place; and community value. It has a low score in terms of accessibility, which brings the overall score down.

The Burness Paull letter of support and the supporting statement initially submitted with the application both set out that the open space is a poor amenity space, with low ecological value. However, the Open Space Audit stresses the need to improve the quality of the open space by making it more attractive. Furthermore, biodiversity could be increased through a more natural management as opposed to mown grass.

Furthermore, it is considered that from a functional point of view the site is related to and forms part of Green Space Network Sites 11 and 4, providing strong linkages and connections towards Scotstown Moor to the benefit of biodiversity and the health of previously isolated habitats and ecosystems. Reduction of the size of this link could have a detrimental impact on these connections and wildlife corridors. As such, the proposal would be contrary to the criteria contained within policy NE3 (Green Space Network).

Affordable Housing:

The proposal is for the construction of 19 affordable housing units. All are shown as one bed flats ranging between 35m² to 45m², with the majority being the lower figure. The 'Housing Needs and Demand Assessment 2011 update' sets out that over the entire Aberdeen Housing Market Area, a figure of 624 additional affordable housing units would be required over the ten year period ending in 2020. 415 affordable units would be required for the Aberdeen City area alone. There is no break down of these figures for individual wards. As such, it can only be considered that there is a clear demand for affordable housing units within the overall Aberdeen City area, and the current proposal would make a contribution to this figure. However, affordable housing would only be considered acceptable on sites where the principle of residential development would be compliant with all other Local Development Plan policies. In this case, the proposal would be contrary to the requirements of policy NE3, and as such the construction of affordable housing would not be appropriate on this site.

A supporting letter from Grampian Housing Association has been received, setting out that they would be interested in being the preferred social landlord purchaser of the site, if this would be included in the Council's Strategic Housing Investment Plan 2015-2020 (SHIP). At present, the site is not within the SHIP, which is updated on a two yearly basis. Compared to standards for Council new builds, the proposed one bed units are very small. However whether or not they would qualify for Scottish Government grants would be dependant on their layout, design and circulation space contained within the unit. The site would only be considered for inclusion in the SHIP if these standards would be complied with.

Impact on residential amenity:

The proposed development is sufficiently far removed from any neighbouring private residential dwellings, so as not to result in any unacceptable levels of overlooking or loss of light, including 8 Lee Crescent North.

However, the block nearest the care home would have an inverted U-shape, with two projections turning towards the boundary. There would be separation of between 12m and 13m between the projections and the north facing side elevation of the care home. The care home elevation includes windows on both the ground and first floor and due to its nature/ use, a number of these are principal windows serving a bedroom or communal living areas. As such, the indicative flats would restrict the outlook and privacy/ amenity of residents therein. However, again, as this is an application for planning permission in principle, the buildings could be repositioned to mitigate the impact on the care home, although possibly requiring a reduction in numbers and repositioning within the site. As such, given the type of application, this would not warrant a reason for refusal.

Impact on local transport conditions, especially in relation to parking and access:

The site would be accessed off a bus turning circle and would provide 15 car parking spaces, one of which would be a disabled space. The Council's Roads Development Management Team are happy with the parking arrangements, given the 'affordable housing' nature of the development. These parking spaces are also accessible and would leave sufficient space for turning on site.

The ground floor of the south block contains a secure and covered area for cycle parking. The floorplan indicates ten cycle stands, with two bikes per stand, this would be more than sufficient, but would require a condition to ensure provision.

There are further requirements for short stay/ visitor cycle parking and motorcycle parking near the entrances to the buildings. These are not indicated on the site plan, but it is acknowledged that this could be dealt with through condition.

The site is on a regular bus route from and towards the city centre with bus stops immediately nearby. The southbound bus stop, that uses the bus turning circle, could continue to be used as such, although the bus shelter (in the turning area) is in a poor state of repair, and this would need to be improved. Due to the increased amount of traffic arising from the development, and works required for crossings, the north bound bus stop might need to be relocated. These works can be dealt with as part of a condition or legal agreement.

The development could continue to have good pedestrian connectivity, with the existing footpath indicated to be replaced in a similar location providing a direct link from Jesmond Drive and the bus stops towards the properties on Jesmond Grange. Again a condition would be required to cover this issue.

Developer contributions and affordable housing:

The delivery of the units as affordable housing would require to be controlled through a legal agreement. This would include the requirement to provide one bed units as otherwise a contribution in terms of education and a more detailed assessment of the capacity of nearby schools would need to be undertaken.

Otherwise, developer contributions are required towards the Strategic Transport Fund, Core Paths and Open Space.

Other matters arising from Community Council and letters of objection:

Various other issues were raised within the letters of objection. Not all of these were valid planning matters. These shall be dealt with in turn:

Schools in the area are already full and cannot accommodate any more children

The Council's Education Department has commented on the application and advise that as the flats are one bed, that they would not be counted towards making a contribution to the future school rolls. As such, the proposal would not have an adverse impact on the capacity of local schools. A condition could be added setting out that the flats would be one bed units, although Education have confirmed that there is capacity available at both primary and secondary schools covering the catchment area.

Development would result in a more dangerous walk to school

The development retains the existing pedestrian link between Jesmond Grange and the bus stop. The nearest primary school is located at roughly 50m south of the site. There is an existing signalised pedestrian crossing in front of the school entrance between the care home and the shopping centre. Roads Development Management have not raised any concerns regarding the impact of the additional traffic on this pedestrian crossing. As such, it is considered that the existing crossing would be sufficient, and the proposal would not have an adverse impact on pedestrian safety.

Guarantees on suitability of users of the flats:

This is not a planning matter.

Proposal would stretch local facilities even further, especially in connection with an existing proposal for 55 dwellings nearby:

The impact of the proposal on local facilities, such as schools and community centres, have been assessed through the developer contributions procedures. In this instance, contributions would only be required for the Strategic Transport Fund, Core Paths and Open Space.

Proposal would result in a devaluation of property prices:

This is not a planning matter.

Proposal would result in a loss of views from the care home and 8 Lee Crescent North:

The loss of views is not a planning matter. The impact of the proposed development in relation to 8 Lee Crescent and on the outlook of the residents of the care home has been discussed above.

Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved at the meeting of the Communities, Housing and Infrastructure Committee of 28 October 2014. It constitutes the Council's

settled view as to what should be the content of the final adopted ALDP and is now a material consideration in the determination of planning applications, along with the adopted ALDP. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether:

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

The foregoing can only be assessed on a case by case basis. In relation to this particular application no new issues were raised.

SUMMARY/CONCLUSION:

- Planning permission in principle is sought for the construction of 19 affordable units on Jesmond Drive. The site is considered an Urban Green Space and an integral part of the wider Green Space Network serving this part of Aberdeen.
- Policy NE3 (Urban Green Space) clearly sets out that the principle of development on these sites is not acceptable unless an equivalent and equally convenient and accessible area for public access is laid out and made available in the locality by the developer, for urban green space purposes. In this case, no such area has been provided.
- Policy NE1 (Green Space Network) sets out that proposals for development that are likely to erode the character or function of the Green Space Network will not be permitted. In this case, the proposed development would result in an erosion of the green space network in this area as it would significantly reduce the size of the potential wildlife corridor and would have an adverse impact on the character and appearance of the surrounding area.
- Even though there is a recognised need for affordable housing throughout the city, this would need to be provided on sites suitable for development. In this case, the benefit of additional affordable housing units would not outweigh the detrimental impacts of losing this piece of Urban Green Space.
- There are no significant issues, subject to suitable conditions, in relation to residential amenity or access and local highway conditions.

SUGGESTED LEGAL AGREEMENT AND CONDITIONS

The application is recommended for refusal based on the reasons discussed above and set out below. However, if Councillors were minded to approve the application, it is recommended this would be subject to a legal agreement covering developer contributions towards the Strategic Transport Fund, open space and core paths, securing the units as affordable units, securing the childrens' play area and securing improvements to the existing bus stops on Jesmond Grange.

It is also suggested this would be subject to conditions covering reserved matters applications for siting, design and materials, number of bedrooms per unit, boundary treatments, storage areas for refuse and cycle parking, vehicular access and parking, drainage, landscaping, footpaths, and introduction of mitigation measures for the loss of wildlife and habitats.

RECOMMENDATION

Refuse

REASONS FOR RECOMMENDATION:

The proposal would be contrary to the Policies NE3 (Urban Green Space) and NE1 (Green Space Network) of the adopted Local Development Plan and policies NE3 (Urban Green Space) and NE1 (Green Space Network) of the Proposed Local Development Plan, in that:

1. it results in the loss of urban green space without laying out or making available an equivalent and equally convenient and accessible area for public access;
2. it would have a detrimental impact on the character and appearance of the surrounding area, as it would significantly increase the built-up appearance of the site to the detriment of its current open and natural nature and its role as a natural buffer between various residential areas. It would set an undesirable precedent in policy interpretation for the consideration of similar applications on Urban Green Space that could lead to the incremental erosion of open space areas throughout the City;
3. and it would result in an erosion of this part of the Green Space Network to the detriment of existing wildlife corridors between habitats and the character and appearance of the surrounding area.