

Letter of support

Your Ref: 150369
Our Ref: CAR/1103/00131/EFB/KS

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Dineke Brasier
Planning and Sustainable Development,
Communities, Housing and Infrastructure
Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Broad Street
Aberdeen
AB10 1AB
19 June 2015

~~Burness Paull~~

32945
RECEIVED 30 JUN 2015
REPLY / /
Section DM Officer DIB

Dear Dineke

**APPLICATION REFERENCE 150369
PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF 19 AFFORDABLE
UNITS WITH ASSOCIATED CAR PARKING AND LANDSCAPING ON LAND AT
JESMOND DRIVE, BRIDGE OF DON, ABERDEEN**

I refer to your email dated 16 June 2015 following our meeting of the same day to discuss the above application submitted by my clients, Carlton Rock. Direct Ecology have forwarded to you an updated Ecology report which addresses the points raised by Anne-Marie Gauld.

My clients are extremely disappointed that you feel unable to support the development of much needed affordable housing within the City. I note that you are to report the application to the Planning Committee on 16 July 2015 with a recommendation for refusal. I am instructed by the applicants to respond formally to the points raised in your email and I would respectfully request that this letter is included within the papers circulated to the Members prior to a decision being taken on the application.

Proposal

The application is for 19 affordable units. The Council's Housing Need and Demand Assessment has identified a "chronic need" for more affordable housing in the City. You have a letter from Grampian Housing Association supporting the development and highlighting the difficulties with accessing housing in the Bridge of Don area, yet this does not appear to have featured in your

Aberdeen Edinburgh Glasgow

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assessment of the application. It is somewhat surprising that the loss of 0.09 hectares of underused open space is considered to outweigh the policy support for the construction of affordable housing.

Development Plan Background

Your statement that the application site has always been zoned as Green Space Network and/or Urban Green Space is misleading. Following the grant of planning consent reference A4/0409 for the erection of 32 sheltered housing units, 10 special needs houses, a medical centre, nursery school and shopping centre on land at Jesmond Drive, which included the current application site, the Council proposed to identify the site as Opportunity Site reference OP104 in the 2008 Local Plan and the Reporter at the examination into the 2008 Plan recommended that the boundaries of the site followed the boundaries of the planning approval and that the "*Urban Green Space (GS34) designation should be removed from the whole Opportunity Site*". Despite the Council accepting the Reporter's findings, the Proposals Map in the adopted Plan failed to implement the Reporter's findings.

That printing error was perpetuated in the 2012 Local Development Plan, which not only carried forward the Urban Green Space which the Reporter in 2008 had said should be removed, but also further reduced the boundary of the Opportunity Site (now noted as OP11). The Reporter at the examination into the 2012 LDP did not consider the site boundaries in any detail as he noted that planning permission had already been granted and that the development was underway on the site.

In fact, a closer examination of the Greenspace Network plans available on the Council's website reveals that the site does not form part of the Greenspace Network. I enclose an extract from the plan which shows the Green Space Network No. 11 lying to the north of the application site and only covering the Carrot Belt. This is consistent with the Reporter's findings.

It is clear that the current LDP Proposals Map contains a printing error and conflicts with the Scottish Ministers' recommendations for the site and the Greenspace Network plan. It is disappointing that you appear to be using this error as grounds for refusing the current application. It is clear that the history behind the LDP provides strong grounds for setting aside the zoning of the land in the Proposals Map.

Further, it is rather disingenuous of you to argue that whatever the designation, the site ought to be protected from development under Policy NE3. Had the site been correctly designed in the 2008 Plan, the site would have been shown as part of the existing developed area of Middleton Park, either as residential or mixed use. It is shown as such in the Greenspace Network plan. As such, the site should be considered under Policy H1 or Policy H2, not Policy NE3. This distinction is important as Policy H1 contains a presumption in favour of new residential developments, provided that it does not constitute over-development; does not have an unacceptable impact on the character or amenity of the surrounding area; and does not result in the loss of valuable and valued areas of open space. Policy H2 supports residential development where a satisfactory residential environment can be created.

It is against these policies that the application should be being considered and as set out below, it is submitted that the advantages of providing much needed affordable housing, outweighs the loss of a small area of poor quality scrub land.

Open space provision

As highlighted above, the application site forms part of a larger area which has been the subject of a number of planning permissions. It is acknowledged that the 2004 permission included a large area of open space and that reserved matters approval was granted in 2005 for the landscaping of the area, but subsequently the boundaries of the open space area have been revised to reflect the permissions granted for the nursing home and the Barratt housing development. The current application site is a fenced off area behind the nursing home. It extends to 0.236 hectares, of which 62% will remain as open space. Accordingly, even with the proposed additional 19 units, there will still be approximately 1 hectare of open space within the overall site.

The Council's Open Space Audit 2010 highlights the Bridge of Don as the ward with the second highest provision of open space. The Council's Open Space Strategy does not seek to preserve all areas of open space in perpetuity, rather it looks to improve the quality of existing open space and advises that a long term perspective requires to be taken with *"flexibility to respond and adapt to issues or changes such as community needs and priorities, biodiversity, climate change, improvements to access, quality, safety and competing uses."*

It is submitted that the benefits to the wider area from developing the site for affordable housing outweigh any misplaced presumption in the LDP that the land needs to be protected. The Reporter back in 2008 concluded that the Council had not demonstrated any evidence to justify the site being required as active open space. He saw limited value in retaining an undeveloped area and required the removal of the Urban Green Space zoning from the entire site. The attached plan of the Green Space Network shows clearly that the development will not result in the loss of any part of the Network.

GHA describes the application site as *"poor amenity space"*. An ecology report has been submitted in support of the application which confirms that the site has low ecological value. The report proposes various planting and other measures which would enhance the ecological value.

An indicative layout plan for the development has been produced demonstrating how the proposed units can be laid out to provide an attractive development sitting within considerable landscaped grounds, which are partly private and partly public. Critically, all open space will be actively maintained. The existing pedestrian footpath through the area will be preserved. Indeed, it is submitted that the walking experience will be enhanced through active management of the areas, the security provided by overlooking from residences and provision of benches.

Despite your comments, it is quite clear that the Community Council supports the construction of affordable units in preference to the retention of vacant land, which underlines that the site is not

considered to be an important amenity area by the local residents. The community has a greater need for affordable housing than for a small area of underused scrub land.

Section 75

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 under separate cover seeking the discharge of the existing agreement. My clients have confirmed that they are willing to enter into a new legal agreement which will ensure the provision of the housing as affordable units.

Yours sincerely

[Redacted signature block]

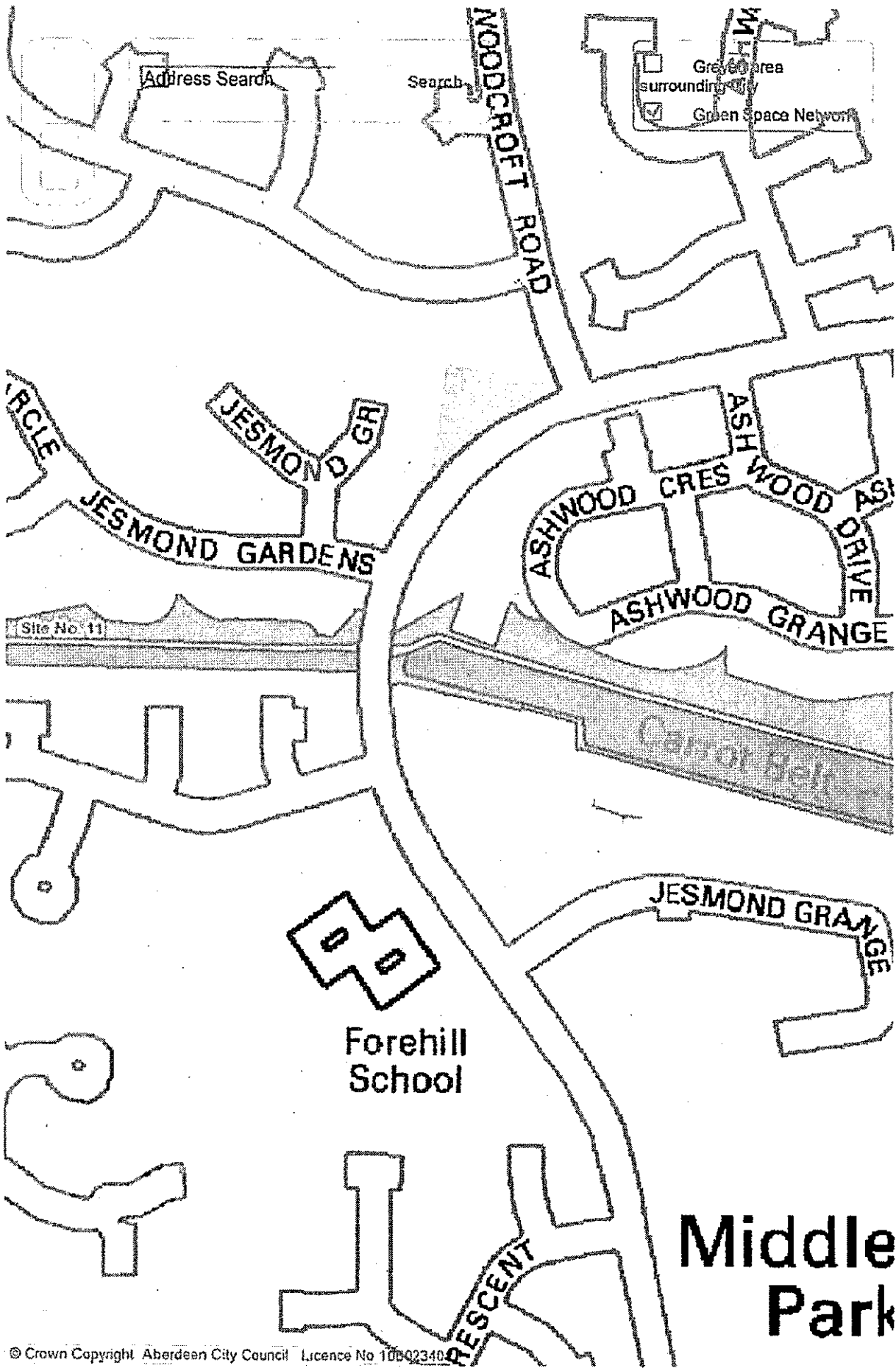
Elaine Farquharson-Black
Partner

For and on behalf of Burness Paul LLP

T: [Redacted]

E: [Redacted]

Enc – Greenspace Network Plan



PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 March 2015 12:53
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Mrs R Alexander
Address : 38 Ashwood Grange

Telephone :

Email : 

type :

Comment : I object to these plans, because of the close proximity to Forehill primary school. Any children from Ashwood Drive, Crescent, Grange and Avenue would have to cross any access roads in order to get to school. There is not a crossing patroller in this area to enable this to happen safely.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 March 2015 13:58
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Susan Taylor
Address: 9 Ashwood Drive
Bridge of Don

Telephone :

Email : [REDACTED]

type :

Comment : This area is already developed fully with residential properties and should not have further green areas spoiled by overdevelopment. There is already currently ongoing planning proposals to develop a site to the rear of Ashwood Church for 55 houses. Both these areas are frequently used by dog walkers like myself and children who play. I object to this development as I feel the small area of land should be used instead to provide a much needed children's play area for the Ashwood area which it currently lacks, especially when viewed, as it should, alongside the proposed development I detail above. There is no park or recreational area at all nearby, and I feel the land is better used for this purpose, which would also meet the guidelines better as required by Local Development Plan.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 30 March 2015 13:36
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Gary Rennie
Address: 52 Ashwood Crescent,
Bridge of Don,
Aberdeen,
AB22 8XF

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to this application as the schooling in the area are already refusing to accept children due to them being full. There is also the reason that the road infrastructure is not up to the required standard at the moment and would be in a worse condition if it had to deal with potentially 20-30 extra cars per day.

Remember to get a direct
comment from Education
via Developer Contributions
consultation.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 30 March 2015 13:59
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Jillian Hendry
Address : 6 Ashwood grange
Bridge of Don
Aberdeen
AB22 8XG

Educative comment.

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to these plans because as a resident of this area with children who attend the school across the road from this site, squeezing in flats to that very small space will create a more dangerous route for us walking to school and more traffic in a place that we want to be safe for our children to cross for school.

It is a nice green area that does not require flats to be built on it!!!

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 March 2015 10:54
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Charlotte Kincaid

Address : 218 Lee crescent north bridge of don

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : There is not sufficient room for these flats. Where will they park? Enough of the local green spaces are being destroyed in bridge of don, the area is being over developed and will ruin our lovely community. There is a large power station unit and flood water drainage too close to this development. It is very close to schools would we be guaranteed that no alcohol or drug users would be placed in these flats? Also the proposed look of these flats does not fit with the current look of the surrounding houses they will stick out like a sore thumb. I thought that new developments had to look like surrounding houses?

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 28 March 2015 07:08
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Graham Keith
Address : 21 Woodcroft Avenue
Bridge of Don
Aberdeen
AB22 8WY

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I object to this development as it will detract from the amenity of the area by removing a well used path and natural area. It will close off the natural open aspect of the area and build on a precious greenspace full of biodiversity. The neighbouring nursing home will be overshadowed for no good reason except profit to the developer.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 27 March 2015 14:14
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Richard Taylor
Address : Ashwood Drive
Aberdeen

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : Whilst this land area is currently 'waste land', this development represents housing 'shoe horned' at its finest. The area should be developed to serve the current community more appropriately, for instance a park and pond (there was a natural pond area previous to the Jesmond Grange development) to encourage wildlife and children already displaced through overdevelopment. There are already proposed plans for a further 55 properties in the area and this will further stretch already exacerbated local facilities. This plan is ill conceived and represents nothing more than Aberdeen Council desperately attempting to meet housing quotas instead of meeting community needs.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 23 March 2015 21:56
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Mrs Anne Richardson
Address : 12 Lee Crescent
Bridge of Don
ABERDEEN
AB22 8FJ

Telephone :

Email : 

type :

Comment : Yet more houses planned for near the end of the Jesmond Drive area, where the roads are already busy with only one way in and out between Lee Crescent and Middleton Road. What happens to all the traffic, including buses, if god forbid there is a serious accident between these 2 roads and it has to be closed for crash investigation. 100s of cars are either stuck in the Lee Crescent / Beechwood / Ashwood areas, can't get home into this area or pick their children up from / drop off at Forehill Primary School or Oldmachar Community Playgroup Association.

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PI

From: webmaster@aberdeencity.gov.uk
Sent: 23 March 2015 14:57
To: PI
Subject: Planning Comment for 150369

Comment for Planning Application 150369

Name : Paul Milne
Address : 8 Lee Crescent North
Bridge of Don
Aberdeen
ab22 8fp

Telephone : [REDACTED]

Email : [REDACTED]

type :

Comment : I am totally against this development. My garden backs onto this space so my privacy would be compromised. I bought this house so that I wasn't overlooked by anything. I would have the view of a car park going by the plans submitted. There would be increased traffic and noise. It is difficult enough to see all approaching traffic on that bend so adding access to a carpark there would be ridiculous.

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