

Planning Development Management Committee

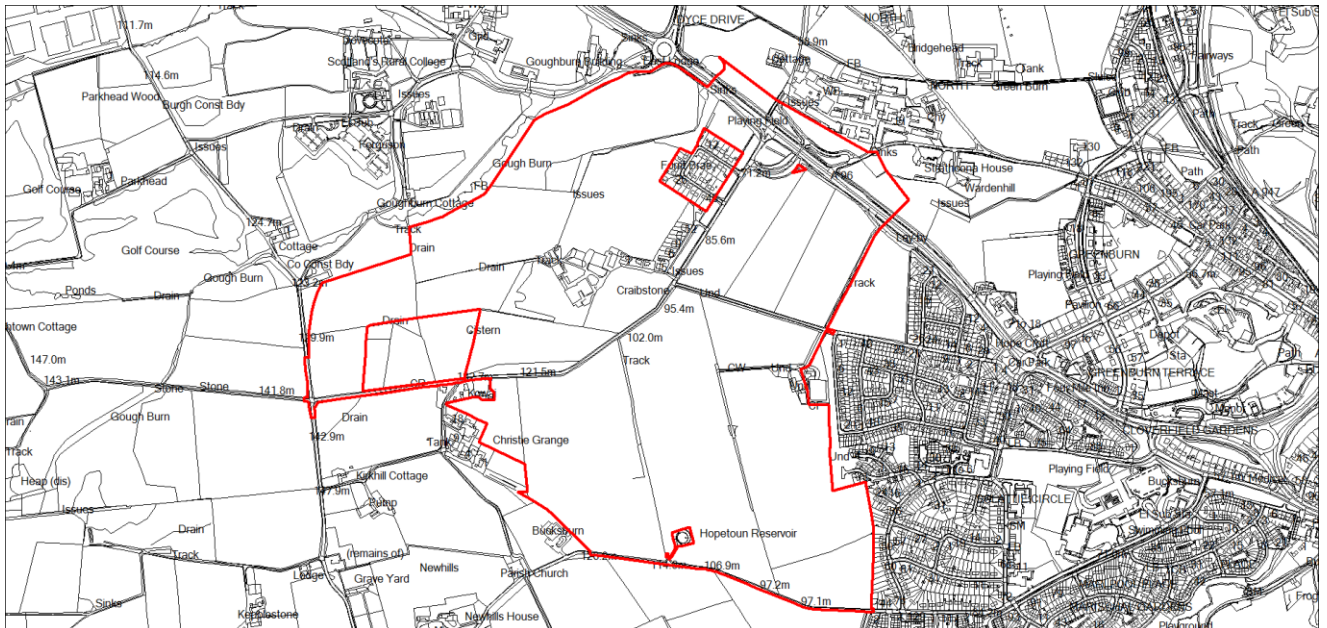
LAND AT, ROWETT SOUTH, BUCKSBURN

PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL-LED MIXED USE DEVELOPMENT INCLUDING APPROX. 1700 HOMES, LOCAL RETAIL AND COMMERCIAL PROVISION, EDUCATION, LEISURE AND COMMUNITY USES AND ASSOCIATED NEW AND UPGRADED ACCESS ROADS, LANDSCAPING AND ANCILLARY ENGINEERING WORKS.

For: The University of Aberdeen c/o Bon Accord Land Promotion Ltd

Application Type : Planning Permission in Principle
Application Ref. : P140844
Application Date: 10/06/2014
Officer: Matthew Easton
Ward : Dyce/Bucksburn/Danestone(B Crockett/G Lawrence/N MacGregor/G Samarai)

Advert: Can't notify neighbour(s)
Advertised on: 02/07/2014
Committee Date: 17/09/2015
Community Council : No response received



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 secure:

1. The provision of 25% affordable housing on site;

2. **Financial contributions towards a gypsy traveller halting site within the 'Greenferns Landward' site;**
3. **Financial contributions towards primary education provision and the provision of serviced land within the site for a new two stream primary school;**
4. **Financial contributions towards secondary education provision;**
5. **Financial contributions towards community facilities and sports & recreation and provision of serviced land within the site for new sports pitches;**
6. **Financial contributions towards healthcare and provision of serviced land within the site for a new health centre;**
7. **Financial contributions towards the Strategic Transport Fund;**
8. **Financial contributions towards mitigation on the local roads network**

DESCRIPTION

The Rowett South site is located on the north western edge of Aberdeen and comprises around 106 hectares of largely agricultural land with a small number of private residential dwellings scattered through the site.

To the east of the site is the residential area of Bucksburn where homes located at Hopetoun Terrace, Cloverfield Place and Kepplehills Drive form the edge between the suburban area and countryside. Kepplehills Road forms the southern boundary, beyond which is agricultural land, zoned for residential led development (OP31 Greenferns Landward). The western boundary is less obvious, being formed by various field boundaries and homes at Christie Grange. The north western boundary is formed by a woodland corridor and the Gough Burn, beyond which is the Scotland's Rural College's (SRUC) Craibstone campus. To the north east the site boundary is effectively the A96(T) trunk road which represents a strong barrier but does provide some permeability via several underpasses.

The Rowett South site shares many of the topographical characteristics of the Greenferns Landward site to the immediate south, generally having an undulating form of rolling landscape ridges and valleys in agricultural use. There are a number of significant lines of mature trees planted both as avenues and structural woodland blocks. There are a residential and agricultural buildings scattered throughout the site, most of which have been excluded from the proposals.

RELEVANT HISTORY

- On adoption of the Aberdeen Local Development in February 2012, the site was allocated for residential development as OP30. It forms part of the wider Newhills expansion area which covers around 220 hectares and which is identified for 4400 homes, supporting local retail, services, community and

employment uses. Newhills can be divided into three separate sites, each of which are allocated a number of homes as follows –

Site	No. of homes	Primary Landowner	Developer
Craibstone South (OP29)	1,000	Scotland's Rural College	CALA Homes
Rowett South (OP30)	1,940	University of Aberdeen	TBC
Greenferns Landward (OP31)	1,500	Aberdeen City Council	TBC

- In August 2013, a proposal of application notice (P131206) was submitted to the Council indicating an intention to carry out public consultation on the proposed development.
- A request for environmental impact assessment (EIA) screening and scoping opinions was (P131533) received by the Council in October 2013. The Council advised that as the proposal was considered to be a development with potential significant effects on the environment and that EIA procedures should be undertaken. The response also sought to examine the specific content that would need to be covered within the environmental statement which would be required to accompany the planning application.
- The former Enterprise, Strategic Planning and Infrastructure Committee approved the Newhills Development Framework as interim supplementary guidance on 4th September 2014. It aims to coordinate and facilitate the delivery of the three Newhills sites. The development framework was subsequently submitted to the Scottish Government for formal ratification, which was confirmed in January 2015. The development framework has therefore been formally adopted as supplementary guidance and forms part of the Aberdeen Local Development Plan.

PROPOSAL

Planning Permission in Principle

Planning Permission in Principle (PPiP) is sought for a residential led mixed-use development comprising 1700 residential units, local retail and commercial provision, education, leisure and community uses, new and upgraded roads, landscaping and ancillary engineering works.

Rowett South Phase 1 Masterplan

A masterplan forms part of the application and covers phase one of the Rowett South site and includes indicative plans showing the proposed development layout and built form. Phase one is some 60 hectares in size and generally covers the northern half of the site. It is expected that detailed layout and elevation details will be submitted for approval by way of matters specified in

conditions (MSC) applications, which would have to comply with the adopted development framework and phase one masterplan. The key aspects of the development are –

- 25 development blocks of varying density and built form to accommodate up between 1096 and 1145 residential units split over the central and northern areas of the planning permission in principle site. One block would accommodate a primary school, two would include mixed uses comprising commercial space, community uses and residential and the remaining 22 blocks would be solely residential.
- Provision of 25% affordable housing on-site which would be distributed throughout the site. A gypsy traveller site would be part of this 25% but would be located on the Greenfern Landwards site. The Rowett South applicant would make an appropriate financial contribution towards a gypsy travellers' site.
- A mixed-use neighbourhood centre comprising retail units, healthcare provision (medical and dental practice), community pharmacy, commercial space and community facilities. Retail provision may range from small scale "corner shop" units up to local supermarket size development.
- Land for a new two-stream primary school would be provided alongside space for a full-size football pitch.
- The site utilizes the existing undulating landform with the 'green fingers' of the burn corridors being retained, as well as a number of other public open spaces being provided for formal and informal recreation and leisure;
- It is anticipated that the type of homes provided will cover all market sectors, with the mix including flats, terrace housing, townhouses, semi-detached and detached homes. Building heights would be between 2 and 4 storeys in height with the type of residential property varying across the site;

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=140844>. On accepting the disclaimer, enter the application reference quoted on the first page of this report. In support of the application the following has been submitted –

- Badger Survey
- Bat Surveys (May, June, July 2014)
- Design and Access Statement
- Drainage Strategy and Flood Statement
- Geo-environmental plans and studies
- Planning Supporting Statement
- Pre-Application Consultation Report

- Transport Assessment
- Tree survey

Environmental Statement (ES)

The proposal is subject to environmental impact assessment as a schedule 2 development (table 10 infrastructure projects, sub section (b) urban development projects) by virtue of its scale and location, in terms of schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2011. An environmental statement (ES) has been submitted with the planning application.

The ES reports on the findings of an environmental impact assessment (EIA) of the proposed development. EIA is the process of compiling, evaluating and presenting all of the significant environmental impacts of the proposed development, leading to the identification and incorporation of appropriate mitigation measures.

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation between the applicant and the local community, as required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations.

The consultation involved two rounds of consultation, one each in August and October 2013. Both rounds involved a stakeholder event, an exhibition preview for local Councillors and Community Council representatives and a public exhibition. The event was coupled with consultation for the Newhills Development Framework and also the Craibstone South planning application. Feedback forms were available to which there was a three week period for making comment. The events were advertised in the local press. There was also a leaflet drop undertaken, as well as there being posters circulated throughout the local area. Invitations were sent specifically to local MP's, MSP's, Councillors, Community Council and also all parties within 20m of the site. Leaflets were also made available at the events.

First round of consultation (August 2013)

- The community council provided a number of comments;
- In addition, 143 people attended, with 63 signatures recorded and a total of 25 comments;
- Although the majority of the responses were in favour of the proposals, there was also some opposition which mainly focussed on transport issues. Impact on ecology/green space, as well as gypsy travellers, design concerns and community requirements were also mentioned; and
- Responses to the points raised have been incorporated in the Pre-Application Consultation Report.

Second round of consultation (October 2013)

- A total of 67 visitors were recorded at the event, with 57 signatures recorded and 10 comments received;
- The community council were also in attendance and provided feedback; and
- The main responses raised were similar to that of the first event and suitable responses have been provided.

Third round of consultation (May 2014)

In addition to the above consultation a further consultation took place with representatives from the Community Council.

- Representatives from Bucksburn and Newhills Community Council were in attendance; and
- A number of questions were posed to which answers were given by the project team.

A report on the public consultation that was undertaken has been submitted as part of this application. The report details the feedback that was received from the community, any changes that have been made to the development proposals in light of the comments that were received, as well as providing justification for why some suggestions were rejected.

The main concerns raised were in relation to –

- Additional traffic pressure in the immediate area;
- Location of the gypsy traveller site;
- Scale of development;
- Design of the proposed development as a whole;
- Housing being fit for local needs;
- Housing should be sympathetic to the established area;
- Loss of trees.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because the proposed development has previously been subject to a formal decision by the planning authority that environmental impact assessment (EIA) should be undertaken. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

ACC – Communities Housing and Infrastructure (Roads Development Management Team) –

- It is noted that the transport assessment (TA) submitted refers to 1940 houses taking consideration of the 2012 Local Development Plan which refers to 1700 homes up to 2023 and future growth of 240 units from 2024 to 2030.

- Appropriate provision should be made towards the mechanism for delivery of the ACC Dyce Access Strategy as agreed by the Planning Authority in consultation with Transport Scotland. The contributions are to be secured by Section 75 agreement.
- Conditions should be attached requiring –
 - that no part of the development shall be occupied until the layout of the A96 / Forrit Brae junction has been altered to prevent right turn movements from the A96 into Forrit Brae or from Forrit Brae onto the A96 eastbound.
 - submission of a Construction Management Traffic Management Plan
 - no more than 175 residential units being occupied prior to the Dyce/Craibstone section of the AWPR being open.
 - A phasing plan to be submitted showing how access will be made to the site as its developed and when the Forrit Brae junction will be stopped-up.
- It is also important to ensure that an agreement is reached on the delivery of the ACC Dyce Drive Access Strategy and in that respect it is recommended that no development is allowed to commence until such an agreement is reached and subsequently secured through a legal agreement.
- The internal road layouts are required to be designed with consideration to Designing Streets, should be accessible by public transport and should be permeable for pedestrian and cyclists These details should be agreed prior to the approval of each phase.
- A condition is recommended in relation to submission of residential travel packs and workplace travel plans, details of which are required to be submitted for approval.
- It is essential that a bus strategy is developed with bus operators ahead of development, to maximise bus use by early residents of the development. It should be conditioned that public transport provision should be agreed and in place prior to any phase of the development being occupied to the satisfaction of the Council.
- Parking levels, pedestrian access and cycle access shall be ascertained as each subsequent planning application is submitted, and shall need to be provided in line with the Council's guidelines.
- If the development is likely to include a car club, details of any electric charging points and car club parking spaces should be identified through submission of MSC applications.
- As each phase/development block comes forward, there is a requirement for SUDS details to be submitted and agreed.

- The site would have to contribute to the Strategic Transport Fund (STF) and these payments would be secured through a legal agreement.
- The trunk road authority (Transport Scotland) has agreed 175 dwellings being occupied prior to completion of the AWPR. A short term access strategy serving the 175 units prior to the completion of the AWPR should be submitted and approved.

ACC – Communities Housing and Infrastructure (Environmental Health) –

Noise

- The noise assessment predicts that a significant number of the new properties would be exposed to traffic noise in excess of the World Health Organisation (WHO) guidelines for day and night. Noise mitigation measures such as noise barriers, improved façade glazing and ventilation schemes and site layout can be incorporated to the detailed development design to protect residents from unacceptable levels of traffic noise and should be subject of a condition.
- The assessment also predicts that four existing properties on Forrit Brae South would be subjected to a moderate/large adverse impact due to the additional road traffic. Accordingly, it is recommended that an acoustic barrier is installed between the road link and these properties. Other properties on Forrit Brae and Hopetoun Grange would also be subjected to increased traffic noise; however assuming that the development is staged, it is unlikely that the long term changes in road traffic noise will be noticeable.
- There are several Candidate Noise Management Areas (CNMAs) on the A96/A90 to the east of the proposed development as defined in the Aberdeen Agglomeration Noise Action Plan. The noise assessment predicted that the traffic increase associated with the development will not impact significantly on the CNMAs.

Air Quality

- Conditions should be attached requiring air quality assessments to be carried out and where it is determined that the development would have an adverse impact on local air quality as a result of road traffic, mitigation measures shall be specified.
- A Dust Management Plan, detailing dust mitigation measures and controls, responsibilities and any proposed monitoring regime shall be submitted to and approved by the Council's Environmental Health and Planning Services prior to the commencement of any demolition or construction works.

ACC – Communities, Housing and Infrastructure (Flood Prevention Team) -

- Aberdeen City Council are supportive of the proposal for nine larger SUDS basins rather than smaller measures but require further information to

- confirm that the designs would include 20% for climate change in the 1:200 year events and that urban creep has been taken into account.
- Further information on the models used to assess the existing watercourses is requested and details are required to confirm the green field run-off rate is of 5.77l/s/hectare.
 - There is agreement with SEPA's position that a 6m buffer zone is appropriate around watercourses and that two levels of treatment are required.

ACC – Communities, Housing and Infrastructure (Waste Strategy Team) – General guidance provided on the waste storage and collection options as well as the requirements of Council waste collection services.

ACC – Education, Culture & Sport (Local History and Archaeology) – The former Lead Curator, Local History and Archaeology* provided no objection to the proposal, subject to a condition being attached requiring a programme of archaeological works to be submitted and agreed for each development block.

* Archaeology advice is now provided by Aberdeenshire Council Archaeology Service who would evaluate any future proposed programme of archaeological work.

ACC - Education, Culture and Sport (Policy, Performance and Resources) – As there is insufficient capacity in the existing education estate, the Rowett South development will require the following provision to be made –

- A two stream primary school to accommodate up to 434 pupils with nursery capacity of 60 places. A further three primary school will also be required to accommodate up to 651 pupils with a nursery provision of 80 places.
- It will be necessary to also reconfigure and extend Bucksburn Academy to accommodate the additional secondary aged pupils who will reside within the Academy zone.

Developer Obligations Team – a developer obligations package consisting of the following infrastructure should be secured in order to mitigate the impact of the development –

- 25% affordable housing on site
- Gypsy traveller site – financial contribution;
- Primary Education - financial contribution and land;
- Secondary Education - financial contribution;
- Community Facilities - financial contribution;
- Sports and Recreation - financial contribution and land;
- Healthcare - financial contribution and land.

Aberdeen International Airport (AIA) – The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria in principle, subject to conditions relating to the height

of buildings, use of cranes, submission of bird hazard management plans (BHMP) and landscaping.

Bucksburn and Newhills Community Council – No response received.

Health and Safety Executive (HSE) – In relation to the ES, the proposed development does not fall within any HSE consultation zone, therefore are not a statutory consultee, and as such have no comments to make.

Historic Scotland – In response to the ES, there is no significant impact on any sites within the statutory remit of Historic Scotland that have been identified (scheduled monuments and their setting, category A listed buildings and their setting, gardens and designed landscapes and battlefields) and therefore are content to agree to these findings.

NATS (En-Route) Plc. – With respect to the safeguarding of the Perwinnes radar there is insufficient information to assess the impact of the development, however NATS are satisfied that depending on the exact plans for construction, an impact could be possible. In that respect, a condition is recommended which requires any development which has a detrimental impact upon the radar to agree a scheme of mitigation with the NATS.

Scottish Environment Protection Agency (SEPA) –

Flooding

- SEPA support the proposals in the drainage strategy and flood statement to capture and attenuate surface water flow that originate from higher ground outside the site boundary and that the site levels will be set appropriately in order to prevent water entering buildings or restricting access.
- In terms of existing watercourses, a condition is requested to ensure that these are incorporated into the development layout and full details of the culvert upgrades are provided as part of the detailed proposals for any phase. A buffer zone of a minimum of 6m should be incorporated into designs for the watercourses.

Foul Drainage

- SEPA welcome the proposed connection to the existing Scottish Water foul sewer and as such have no objection to this aspect of the proposal.
- SEPA recommend that the developer liaises with Kelda Water, operator of the Persley Wastewater Treatment Works (WWTW) regarding connecting foul drainage from subsequent phases of development to the public sewer prior to the upgrade to Persley works. Nigg WWTW has spare capacity and connecting to this sewer line would mean that further phases can be developed without having to wait for the upgrade to Persley works

Surface Water Drainage

- Source controls such as permeable block paving are considered best practice and are a vital part of the treatment train. Justification needs to be provided if the "consideration" of source control leads to such techniques being excluded from the treatment train.
- SEPA also raise concerns over the size of catchments draining to the basins. The entire site is 106.85ha serviced by nine basins with catchments of 6.14ha - 25.48ha, it is recommended in The SUDS Manual that areas much larger than 2ha do not drain to a single component, but that the catchment is split into sub catchments and several smaller features are included that drain to a final site control. The proposals currently exceed this recommendation.
- The at source SUDS measures referenced with a discharge to an extended detention basin would constitute the required best practice two levels of SUDS treatment and as such it is requested that a condition be attached to the consent requiring two levels of sustainable drainage (SUDS) surface water treatment for hardstanding areas including roads, one level for roofs and three for any hardstanding areas such as yards if there are any industrial areas to be submitted. If this is not attached, then SEPA's representation should be considered as an objection.

Impacts on Wetlands

- It is agreed that there are no groundwater dependent terrestrial ecosystem (GWDTE) on the site as per the Phase 1 Habitat Survey.
- It is intended that this marshy area will be retained for its biodiversity value and SEPA welcome this decision. It is requested that this area is managed to encourage development of a wetland type which likely more diverse and will improve the biodiversity of the area. This information should be provided in the Construction Environmental Management Plan.

Impacts on groundwater including private water supplies.

- It is acknowledged that the private water supply at Chapel Belts is historic and the properties are now connected to the public water supply.

Contamination

Owing to the nature of some of the research work undertaken at the nearby Rowett Research Institute, there have been disposals at several locations on the Institute site of animal carcasses and excreta, and auxiliary waste, which were radioactively contaminated material. These disposals were carried out over a period from 1958 to 1994, prior to and under authorisations issued under the Radioactive Substances Act 1960. SEPA are content that the disposals, in their current state, and under the current land use, pose no risk to human health or the environment. It is noted that the area of land within this application boundary to the north of the A96 appears to encroach onto a site that is currently authorised

under the Radioactive Substances Act 1993 and is close to a burial site. We therefore ask that the planning authority, in granting planning permission, apply a planning condition requiring the developer to undertake appropriate investigations at the site in relation to radioactive contamination and submit these to the satisfaction of the planning authority in consultation with SEPA along with details of any necessary remediation.

Other Matters

- It is noted that a draft Construction Environmental Management Plan (CEMP) has been submitted however request that a condition is attached to the consent requiring the submission of a site specific finalised (CEMP). If this is not attached, then SEPA's representation should be considered as an objection.
- With regards to air quality, the local authority is the responsible authority for local air quality management under the Environment Act 1995, and therefore we recommend that Environmental Health within the local authority be consulted.

Scottish Natural Heritage (SNH) –

- Water Abstraction – Although the site does not lie within the catchment of the River Dee Special Area of Conservation (SAC), water to supply the proposals will be abstracted from the River Dee. Reductions in river water levels, particularly at times of low flow conditions can have impacts on freshwater pearl mussel, one of the qualifying features of the SAC. SNH's advice is that to comply with the Habitats Regulations Assessment of the recently approved Strategic Development Plan a Water Efficiency Plan will be required for each planning application within the wider Newhills Development Framework area, including the current application for Rowett South.
- Protected Species – Provided the badger report (including badger protection plan (BPP) and general mitigation) is fully implemented, including the alterations to the masterplan recommended in B4 and the production of detailed BPPs, the proposal is unlikely to require a species licence under protected species legislation.
- Advice is also provided on different aspects of the masterplan.

Transport Scotland – Transport Scotland advises that the following conditions should be attached to any permission the council may give. However, Transport Scotland's response is provided on the understanding that Aberdeen City Council will reach agreement with the applicant to take appropriate contributions towards the Strategic Transport Fund / Dyce Corridor Mitigation Scheme, which will address the wider impacts of this development on the transport network. Should formal agreement not be reached, Transport Scotland would require to reconsider their response.

Conditions

- No part of the development shall be occupied until the layout of the A96 / Forrit Brae junction has been altered to prevent right turn movements from the A96 into Forrit Brae or from Forrit onto the A96 eastbound.
- Development shall not commence until a Construction Traffic Management Plan has been approved.
- The proposed development shall be limited to a first phase, comprising no more than 175 residential units and ancillary uses, for the period prior to the Dyce/Craibstone Section of the Aberdeen Western Peripheral Route being open to traffic.
- Prior to commencement of development, details of the frontage treatment along the trunk road boundary shall be submitted for the approval.
- Details of the lighting within the site shall be submitted for the approval of the Planning Authority.

REPRESENTATIONS

None

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) – Revised in June 2014, SPP is the statement of Scottish Government Policy on land use planning, and includes the government's core principles for the operation of the planning system, subject planning policies, and how they should be exercised to contribute to the objective of sustainable development. The principle policies relating to sustainability and place making and subject policies relating to: a Successful, Sustainable Place; a low Carbon Place; a Natural, Resilient Place; and a Connected Place,

Creating Places (Scottish Government) – Scotland's new policy statement on architecture and place published in June 2013 sets out the comprehensive value good design can deliver. Successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy.

Designing Places (Scottish Government) – Launched in 2001 *Designing Places* sets out government aspirations for design and the role of the planning system in delivering these. The aim of the document is to demystify urban design and to demonstrate how the value of design can contribute to the quality of our lives. *Designing Places* is a material consideration in decisions in planning applications and appeals.

Designing Streets (Scottish Government) – Published in 2010 *Designing Streets* is the first policy statement in Scotland for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. It has been created to support the Scottish Government's place-making agenda and is intended to sit

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

Aberdeen City and Shire Strategic Development Plan (March 2014)

While the preference is for development to take place on brownfield sites, the scale of growth expected will mean that more than half of new development will need to take place on greenfield sites. Reducing travel distances and making walking, cycling and public transport more attractive to people is vital. One or two new secondary schools, associated primary schools and improvements to transport infrastructure will be required to serve new development in the city. The Strategic Development Plan sets out the following key objectives for the growth of the City and Aberdeenshire:

- Economic Growth – to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.
- Population growth – to increase the population of the city region and achieve a balanced age range to help maintain and improve people's quality of life.
- Quality of the environment – to make sure new development maintains and improves the region's important built, natural and cultural assets.
- Sustainable Mixed Communities – to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to;
- Accessibility – to make sure that all new development contributes towards reducing the need to travel and encourages people to walk, cycle or use public transport by making attractive choices.

Aberdeen Local Development Plan (2012)

Policy LR1 (Land Release Policy) – The site is identified in the local development plan (LDP) as opportunity site OP30 (Rowett South) which is allocated for 1000 homes in the period of 2007-2016, 700 homes in 2017-2023 and 240 for 2024-2030 (a total of 1940).

A combined masterplan is required for the Newhills expansion area (OP29 Craibstone South), OP30 (Rowett South) and OP31 (Greenferns Landward).

Policy LR2 Delivery of Mixed Use Communities – Mixed use developments will be required to service employment land along with the associated phases of the housing development. This means that the road, water, gas and electricity infrastructure will need to be considered for the whole site.

Policy I1 (Infrastructure Delivery and Developer Contributions) – Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where development either individually or cumulatively will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the

Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. The LDP identifies that the following infrastructure is required for Newhills –

- A road connection from the existing roundabout at the A96/Dyce Drive junction through the masterplan area to Kepplehills Road.
- A comprehensive pedestrian and cycle network and frequent public transport services including new and extended services.
- One new secondary school within proposed development.
- Three new primary schools within proposed development.
- One new Health centre to accommodate 6 existing and 7 new GP's.
- One new dental surgery to accommodate six new dental chairs (could be accommodated within new health centre)
- Three new community pharmacies

The level of provision or contribution 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.

Policy T2 (Managing the Transport Impact of Development) – New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated.

Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review.

Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail the standards that different types of development should provide.

Policy D1 (Architecture and Placemaking) – To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. To ensure that there is a consistent approach to high quality development throughout the City with an emphasis on creating quality places, the Aberdeen Masterplanning Process Supplementary Guidance will be applied.

Policy D3 (Sustainable and Active Travel) – New development will be designed in order to minimise travel by private car, improve access to services and promote healthy lifestyles by encouraging active travel. Development will maintain and enhance permeability, ensuring that opportunities for sustainable and active travel are both protected and improved. Access to, and movement within and between, new and existing developments will prioritise transport modes in the following order – walking, cycling, public transport, car and other motorised vehicles.

Street layouts will reflect the principles of Designing Streets and will meet the minimum distances to services as set out in Supplementary Guidance on Transport and Accessibility, helping to achieve maximum levels of accessibility for communities to employment, essential services and areas of recreation. Existing access rights, including core paths, rights of way and paths within the wider network will be protected and enhanced. Where development proposals impact on the access network, the principle of the access must be maintained through the provision of suitable alternative routes.

Policy D6 (Landscape) – Development will not be acceptable unless it avoids: significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct ‘sense of place’ which point to being either in or around Aberdeen or a particular part of it; disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them; sprawling onto important or necessary green spaces or buffers between places or communities with individual identities, and those which can provide opportunities for countryside activities.

Policy H3 (Density) – An appropriate density of development is sought on all housing allocations and on developments of over one hectare must meet a minimum density of 30 dwellings per hectare, have consideration of the site’s characteristics and those of the surrounding area, create an attractive residential environment and safeguard living conditions within the development.

Policy H4 (Housing Mix) – Housing developments of larger than 50 units are required to achieve an appropriate mix of dwelling types and sizes, in line with a masterplan, reflecting the accommodation requirements of specific groups, in particular families and older people. This mix is in addition to affordable housing contributions.

Policy H5 (Affordable Housing) – Housing developments of five units or more are required to contribute no less than 25% of the total number of units as affordable housing.

Policy H7 (Gypsy and Traveller Requirements for New Residential Development) – The Newhills expansion area is required, as part of the 25% affordable housing contribution, to make contributions towards the provision of a site for Gypsies and Travellers. The contribution will be for a small site of six pitches, with a net area of approximately 0.5 ha.

Policy RT5 (Retail Development Serving New Development Areas) – Masterplans for sites allocated for major greenfield residential development should allocate land for retail and related uses at an appropriate scale to serve the convenience shopping needs of the expanded local community. Sites should be in accessible locations for walking, cycling and public transport. Masterplans should indicate the delivery mechanism and timescale for the provision of retail uses.

Policy NE1 (Green Space Network) – The City Council will protect, promote and enhance the wildlife, recreational, landscape and access value of the Green

Space Network. Proposals for development that are likely to destroy or erode the character or function of the Green Space Network will not be permitted. Were major infrastructure projects or other developments necessitate crossing the Green Space Network, such developments shall take into account the coherence of the network. In doing so measures shall be taken to allow access across roads for wildlife and for access and outdoor recreation purposes. Masterplanning of new development should determine the location and extent of the Green Space Network within these areas.

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

Policy NE2 (Green Belt) – No development will be permitted in the green belt for purposes other than those essential for agriculture, woodland and forestry, recreational uses compatible with an agricultural or natural setting, mineral extraction or restoration or landscape renewal. An exception exists for essential infrastructure, such as electronic communications infrastructure and electric grid connections, transport proposals identified in the Local Development Plan, such as the Aberdeen Western Peripheral Route, as well as roads planned through the Masterplanning of new housing and employment allocations, which cannot be accommodated other than within the green belt.

Policy NE3 (Urban Green Space) – Permission will not be granted to use or redevelop any parks, playing fields, sports pitches, woods, allotments or all other areas of urban green space (including smaller spaced not identified on the Proposals Map) for any use other than recreation or sport, 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.

Policy NE4 (Open Space Provision in New Development) – The City Council will require the provision of at least 2.8 hectares of per 1000 people of meaningful and useful public open space in new residential development. The nature of the provision is set out in Supplementary Guidance on Open Space.

Communal or public open space should be provided in all residential developments, including those on brownfield sites.

Policy NE5 (Trees and Woodlands) – There is a presumption against all activities and development that will result in the loss of or damage to established trees and woodlands that contribute significantly to nature conservation, landscape character or local amenity, including ancient and semi-natural woodland which is irreplaceable.

Appropriate measures should be taken for the protection and long term management of existing trees and new planting both during and after construction. Buildings and services should be sited so as to minimise adverse impacts on existing and future trees and tree cover. Native trees and woodlands should be planted in new development.

Policy NE6 (Flooding and Drainage) – Development will not be permitted if –

1. It would increase the risk of flooding;
2. It would be at risk itself from flooding;
3. Adequate provision is not made for access to water-bodies for maintenance; or
4. It would result in the construction of new or strengthened flood defences that would have a significantly damaging effect on the natural heritage interests within or adjacent to a watercourse.

Applicants will be required to provide an assessment of flood risk where a development is likely to result in a material increase in the number of buildings at risk from flooding.

Where more than 10 homes are proposed, the developer will be required to submit a drainage impact assessment. Surface Water Drainage associated with development must:

1. Be the most appropriate available in term so SUDS; and
2. Avoid flooding and pollution both during and after construction.

Connection to the public sewer will be a pre-requisite of all development where this is not already provided.

Policy NE8 (Natural Heritage) – Development that, taking into account any proposed mitigation measures, has an adverse effect on a protected species or an area designated because of its natural heritage value will only be permitted where it satisfies the relevant criteria in Scottish Planning Policy. In all cases of development at any location:-

1. Applicants should submit supporting evidence for any development that may have an adverse effect on a protected species demonstrating both the need for the development and that a full range of possible alternative courses of action has been properly examined and none found to acceptably meet the need identified;
2. An ecological assessment will be required for a development proposal on or likely to affect a nearby designated site or where there is evidence to suggest that a habitat or species of importance exists on the site;
3. No development will be permitted unless steps are taken to mitigate negative development impacts. All proposals that are likely to have a significant effect on the River Dee SAC will require an appropriate assessment which will include the assessment of a detailed construction method statement addressing possible impacts on Atlantic Salmon, Freshwater Pearl Mussel and Otter. Development proposals will only be approved where the appropriate assessment demonstrates that there will be no adverse effect on site integrity, except in situations of overriding public interest;
4. Natural heritage beyond the confines of designated sites should be protected and enhanced;
5. Where feasible, steps to prevent further fragmentation or isolation of habitats must be sought and opportunities to restore links which have been broken will be taken;

6. Measures will be taken, in proportion to the opportunities available, to enhance biodiversity through the creation and restoration of habitats and, where possible, incorporating existing habitats;
7. There will be a presumption against excessive engineering and culverting; natural treatments of floodplains and other water storage features will be preferred wherever possible; there will be a requirement to restore existing culverted or canalised water bodies where this is possible; and the inclusion of SUDS. Natural buffer strips will be created for the protection and enhancement of water bodies, including lochs, ponds, wetlands, rivers, tributaries, estuaries, and the sea.

Policy NE9 (Access and Informal Recreation) – New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, and other paths and rights of way. Core Paths are shown on the proposals maps. Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

Policy NE10 (Air Quality) – Planning applications for development which has the potential to have a detrimental impact on air quality will not be permitted unless measures to mitigate the impact of air pollutants are proposed and can be agreed with the planning authority. Such planning applications should be accompanied by an assessment of the likely impact of development on air quality and any mitigation measures proposed.

Policy R6 (Waste Management Requirements for New Development) Housing developments should have sufficient space for the storage of residual, recyclable and compostable wastes. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. Recycling facilities should be provided in all new superstores or large supermarkets and on other developments where appropriate. Details of storage facilities and means of collection must be included as part of any development which would generate waste.

Policy R7 (Low and Zero Carbon Buildings) – All new buildings, in meeting building regulations energy requirements, must install low and zero carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 standards. This percentage requirement will be increased as specified in Supplementary Guidance.

Supplementary Guidance (SG)

Newhills Development Framework

The framework covers the Rowett South, Craibstone South and Greenferns Landward sites and was approved on 4th September 2014. It reviews the existing physical state of the site in terms of land use, drainage, topography and habitats. It goes on to state how development, open space, transport links and infrastructure should be laid out and interact with the site's surroundings.

Other Supplementary Guidance

The following supplementary guidance documents are material considerations in the evaluation of the application –

- Affordable Housing SG
- Air Quality SG
- Archaeology and Planning SG
- Drainage Impact Assessments SG
- Gypsy and Traveller Sites SG
- Infrastructure and Developer Contributions Manual
- Landscape Strategy Part 2 – Landscape Guidelines
- Low and Zero Carbon Buildings SG
- Transport and Accessibility SG
- Trees and Woodlands SG
- Waste Management Requirements in New Development SG

Proposed Aberdeen Local Development Plan

The following policies substantively reiterate policies in the adopted local development plan –

- LR1 (Land Release Policy)
- LR2 (Mixed Use Communities)
- Policy D1 (Quality Placemaking by Design)
- Policy D2 (Landscape)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy T1 (Land for Transport)
- Policy T2 (Managing the Transport Impact of Development)
- Policy T3 (Sustainable and Active Travel)
- Policy T4 (Air Quality)
- Policy T4 (Air Quality)
- Policy CF2 (New Community Facilities)
- Policy NE1 (Green Space Network)
- Policy NE2 (Green Belt)
- Policy NE3 (Urban Green Space)
- Policy NE4 (New Open Space Requirement in New Development)
- Policy NE5 (Trees and Woodlands)
- Policy NE6 (Flooding, Drainage and Water Quality)
- Policy NE8 (Natural Heritage)
- Policy NE9 (Access and Informal Recreation)
- Policy H7 (Gypsy and Traveller requirements for new residential developments)

- Policy H3 (Density)
- Policy H4 (Housing Mix)
- Policy H5 (Affordable Housing)
- Policy R6 (Waste Management Requirements for New Developments)
- Policy R7 (Low and Zero Carbon Buildings and Water Efficiency)

Newly introduced policies which are relevant are –

Policy T5 (Noise) – In cases where significant exposure to noise is likely to arise from development, a Noise Impact Assessment (NIA) will be required as part of a planning application.

Development within or near to Candidate Noise Management Areas (CNMAs) and Candidate Quiet Areas (CQAs) will not be permitted where this is likely to contribute to a significant increase in exposure to noise or a deterioration of noise conditions in these areas, or where this will reduce the size of, or cause an increase in the noise level within, the CQA.

Policy CI1 (Digital Infrastructure) – All new residential and commercial development will be expected to have access to modern, up-to-date high-speed communications infrastructure.

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

For the purpose of this evaluation; the application is for planning permission in principle and accordingly, the consideration of each aspect of the proposal will deal primarily with the principle of the development and generality of the proposed layout rather than any detailed design. Applications for matters specified in conditions would address the detailed layout, position and appearance of buildings, roads, paths, open space and other infrastructure.

The allocation of the site was pursued through the Aberdeen Local Development Plan (ALDP) preparation process with the site being identified for development by the Council, subsequently ratified by the Reporter appointed by the Scottish Government and thereafter by the full Council. This process culminated with the adoption of the ALDP in February 2012 which allocated Rowett South as a housing land release site (Policy LR1) for 1940 homes.

The ALDP sets out that the OP30 allocation should provide 1000 homes within the phase one of the plan (2007-2016), with a further 700 homes provided in phase two (2017-2023) which it is expected would be released by the next version of the ADLP, anticipated adoption taking place in 2016. The final 240 units are allocated for the period 2024-2030 but do not form part of this application.

Planning permission in principle is sought through this application for all 1700 units within phase 1 and 2, which therefore technically represents a departure from the phasing proposed in the ALDP and is contrary to Policy LR1 (Land Release Policy).

Since the adoption of the ALDP in February 2012, the Aberdeen City and Shire Strategic Development Plan (SDP) has been published and was approved by Scottish Ministers on 28th March 2014. The SDP continues the growth aspirations of the previous Structure Plan and specifies an allowance of 12,000 housing units on greenfield sites within Aberdeen in phase one (up to 2016). In the second phase (2017-2026) 5000 units are allowed for.

The Proposed Aberdeen Local Development Plan was published in March 2015 and considered the overall vision and strategy of the existing ALDP to be appropriate. Stakeholder and public consultation is currently being reviewed by planning officers. No representations have been received on the Rowett South allocation and therefore assuming the plan is adopted, the allocation will remain unaltered. In accordance with the SDP, it also proposes that the current phase two allocation is carried forward and releases the 700 units in that phases for the period of 2017 to 2023. It is therefore apparent that the Councils latest position on the future development of the city continues the growth strategy within the current strategic and local development plans.

The applicant has provided indicative build rates and anticipates that 135 units would be completed per annum, which result in a 12½ year build period for phases one and two, ending in approximately 2027.

Taking into account the indicative build-rate and the stages of the planning process which still need to be completed before work can start on site, the likelihood that the number of units completed before 2017 would exceed that allocated to the phase one period is non-existent. The granting of consent for both phases at Rowett South would also bring certainty for the developer which would assist in the delivery of the development. Therefore although contrary to Policy LR1 (Land Release Policy) in terms of phasing, it is considered acceptable to permit the full phase one and two allocation of housing at Rowett South at this stage.

Rowett South: Phase 1 Masterplan

The Rowett South site is part of the Newhills Expansion Area, which is covered by the Newhills Development Framework which was adopted in January 2015.

The phase one masterplan which has been submitted as part of this application has been developed in further detail in order to expand upon the general principles and provide guidance for subsequent applications for Matters Specified in Conditions. The Rowett South Phase 1 Masterplan follows the principles established in the Newhills Development Framework however there are a number of modifications which have been made as a result of further work undertaken and to address technical and environmental issues. The key changes are summarised below –

- Access and Infrastructure – The access arrangement from the A96(T) at Dyce Drive has been altered and land safeguarded for third party infrastructure delivery which required a minor change to block RS:1. The access arrangements and location of junction from the A96(T) to the east has also been altered.
- Sports Pitch Provision – Following discussion with the Council’s Education, Culture and Sport Directorate, sports pitch provision has been amended to include a single full size football pitch as well as financial contributions toward off-site provision. The sports pitch location has also been moved to facilitate co-location with the outdoor sports centre identified as part of the Primary School. As a result, blocks RS:18, RS:19 and RS:20 are now identified as residential and block RS:11 been removed to accommodate the sports pitch.
- Gypsy Traveller Site – Following extensive discussion, it has been agreed that the gypsy traveller site will be located within the Greenferns Landward site. As such, the option for its location within Rowett South has been removed and the Phase 1 Masterplan gives no further consideration to this land use.
- Minor Changes to Development Blocks –
 - The street alignment connecting Hopetoun Grange to the site has altered to reflect updated tree survey which required minor changes to blocks RS:28, RS:30 and RS:31.
 - Minor alteration to the extent of block RS:28 in light of further site information relating to existing features.
 - Changes have been required to block RS:10 and associated streets and paths to accommodate protected species.
 - Minor changes to various development blocks to reflect refinement of street alignments and open space boundaries.

The phase one masterplan provides specific design guidance for the phase one boundary area. This guidance covers topics including access and connectivity, land use and density, building heights, housing types, built form and spatial definition, parking, open spaces, design principles, character neighbourhoods, and, phasing. Phase 1 area is identified as being capable of accommodating up to 1,145 residential properties and associated community facilities.

The areas excluded from the phase one masterplan (those reserved for A96 infrastructure improvements in the north and the balance of the site area in the

south) will be subject to either addendums to the masterplan in the case of the smaller pockets of land sites and a second masterplan for the area to the south of phase one and north of Greenferns Landward, both secured through a condition.

Environmental Statement

The proposal is subject to environmental impact assessment as a schedule 2 development (table 10 infrastructure projects, sub section (b) urban development projects) by virtue of its scale and location, in terms of schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2011. An environmental statement ('ES') has been submitted with the planning application.

The ES reports on the findings of an environmental impact assessment ('EIA') of the proposed development. EIA is the process of compiling, evaluating and presenting all of the significant environmental impacts of the proposed development, leading to the identification and incorporation of appropriate mitigation measures. Before determining the application the Council must take into consideration the information contained in the ES, including any further information, any comments made by the consultation bodies and any representations from members of the public about environmental issues. The ES is submitted in support of the planning application but it is not part of the application itself. However, provided it serves a planning purpose, any information from the environmental impact assessment process may be material and considered alongside the provisions of the development plan.

Adequacy of the Environmental Statement

Before considering the merits of the proposed development it is appropriate to comment on the ES submitted in support of the application. There is no statutory provision as to the form of an ES but it must contain the information specified in Part II and such relevant information in Part I of Schedule 4 of the Environmental Impact Assessment (Scotland) Regulations 2011 as is reasonably required to assess the effects of the project and which the developer can reasonably be required to compile.

Whilst every ES should provide a full factual description of the development, the emphasis of Schedule 4 is on the 'main' or 'significant' environmental effects to which the development is likely to give rise. An ES must comply with the requirements of the Regulations, but it is important that it is prepared on a realistic basis and without unnecessary elaboration. It is for the Council to satisfy itself on the adequacy of the ES. If it is deemed to be inadequate, then the application can be determined only by refusal. In order to establish the adequacy of the ES it has been assessed using the review package "*Reviewing the Quality of Environmental Statements and Environmental Appraisals*" by Lee N, Colley R, Bonde J and Simpson J (1999). This involves a detailed and systematic appraisal of the content of the ES and is a widely recognised methodology.

Summary of EIA Findings

Geology and soils
Findings – There are no features of special geological interest within the proposed development site. The geological features are therefore considered to be of low sensitivity and importance. Contamination is not considered to be significant across the study area.
Mitigation Measures – Further site investigations would determine whether there is any contamination of land. The implementation of a construction management environment management plan (CEMP) would minimise the potential for contamination.
Land Use
Findings – The main activities on the land relate to; <ul style="list-style-type: none"> ▪ Loss of agricultural fields/grassland ▪ Temporary disruption of utilities/infrastructure ▪ Impacts on residential properties in terms of demolition/construction ▪ Demolition of farmstead and ancillary buildings ▪ Impact on surrounding community uses/residential areas. Overall, the potential impacts to existing land use, utilities and infrastructure have been assessed as minor adverse due to the scale of the land use change.
Mitigation Measures – The implementation of a CEMP would minimise the potential for contamination, maintaining access arrangements and reinstatement of temporary land take and disturbance after construction.
Hydrology, Drainage & Water Quality
Findings – During the construction phase, the impacts on local watercourses should be minimal due to the mitigation and appropriate SUDS design/construction and best practices being adhered to. Operational impacts are assessed as neutral with there being a benefit on completion of works.
Mitigation Measures – Best practice and mitigation measures identified in the CEMP would be implemented during construction and in terms of the design of permanent SUDS proposals.
Air Quality
Findings – The proposed development is likely to lead to increased traffic flows along some local roads which is, in turn, likely to have a slight decrease in air quality at these points. Overall, the impact on air quality is likely to be negligible.
Mitigation Measures – A Dust Management Plan would be implemented during construction and measures to reduce the use of the car would be promoted.
Noise & Vibration
Findings – With regards development traffic noise, there will be negligible impact at most of the sensitive receptors, with the exception of four existing properties adjacent to the A96/Forrit Brae South but this can be mitigated. In relation to industrial noise source, mitigation measures are proposed to limit impact. Aircraft noise is anticipated to be neutral. The construction noise is likely to increase but this will only be during that phase. Ground borne vibrations may be of concern and more information would be required in the SEMP.
Mitigation Measures – During construction best practice would be implemented to ensure that noise levels are minimised. In terms of long term noise, an acoustic barrier would be installed to protect properties at Forrit Brae and appropriate glazing specifications used in the design of new properties.

Ecology, Nature Conservation & Biodiversity
Findings – Development of the site will see changes to 53.51 hectares of habitat, mainly arable land and improved or poor self-improved pasture land and no direct impacts on any designated nature conservation sites.
Mitigation Measures – Native tree planting would be used throughout the development, bird boxes would be installed along the Gough Burn and a Badger Protection Plan implemented.
Cultural Heritage
Findings – Thirteen known cultural heritage sites were identified within the development area, including a late medieval coin hoard find-spot, a prehistoric hut circle, and two extant farmsteads, one abandoned farmstead, the location of a smithy, three cottages/crofts and three wells all of late post-medieval or early modern date. One category B Listed structure, an early modern boundary marker stone, lies just within the proposed development area. Ten cultural heritage sites, including another two category B Listed Boundary Stones, lie within 100 m of the proposed development. A programme of target archaeological survey works will likely be required.
Mitigation Measures – Sensitive design would minimise any impact on the setting of cultural assets.
Landscape & Visual Effects
Findings – The development is proposed in an area of undesignated farmland, on a prominent sloping site to the east of the small settlement of Newhills. Significant adverse landscape effects are identified on the local and wider area.
Mitigation Measures – Best practice measures would be implemented during construction. The retention of existing trees, creation of large and small open spaces and sensitive positioning and design of buildings.
Pedestrians, Cyclists & Community Effects
Findings – Impacts include short-term access disruption and dust nuisance during construction. Moderate positive impacts during operational phase include improved pedestrian and cyclist access to, from and through the site as well as new landscaped areas and civic space.
Mitigation Measures – A construction traffic management plan (CTMP) and best practice would be implemented during construction. A network of new paths would be provided throughout the development which would links into existing paths.
Traffic and Transport
Findings – The proposed access strategy proposes a permeable network of streets with adequate linkages outwith the site and will encourage modal shift away from the private car.
Mitigation Measures – A CTMP would be implemented, upgrades to the road network provided and measures to reduce car usage encouraged.

The appraisal of the ES concluded that despite some minor omissions, the submitted ES is considered to be sufficient in setting out the likely environmental effects of the development, and demonstrating that the severity of such impacts is not likely to be so significantly adverse as to warrant the refusal of this application. Where effects are likely, and when appropriate, mitigation measures can be provided and if necessary would be subject of planning conditions.

Transportation

The developer has submitted a Transport Assessment (TA) which examines transportation, traffic and access issues.

Initial access to the site would be via the existing junction at Forrit Brae with the A96, which would be modified to operate 'left in, left out only' with the central reserve on the A96 being closed off. Further vehicular access would be provided at Hopetoun Grange to the east, Kepplehills Road to the south and a link to the Craibstone South driveway access to the west, subject to Craibstone completing the link on their land. These connections are in accordance with the development framework and masterplan and are accepted in principle.

The Council are progressing a major infrastructure programme for Dyce Drive and the A96 area in order to mitigate the impact of commercial development at Dyce, residential development within the Newhills Expansion Area and the new Aberdeen Exhibition and Conference Centre (AECC) and associated development proposed at Rowett North. Whilst the exact timing and nature of the programme of interventions is currently under consideration by the Council in its capacity as roads authority, it is likely to involve significant changes to the network within the area and is anticipated to include construction of a grade separated junction at the Dyce Drive/A96 junction, dualling of Dyce Drive between the A96 and airport junction, stopping up Bankhead Avenue north of the roundabout on the A96 and a new junction on the Aberdeen Western Peripheral Route (AWPR) at Kirkhill.

In order to assist in funding the programme, it has been determined that that a fund should be established by the Council and that developers pay into this with contributions being calculated based on the number of vehicle trips each development generates, thereby reflecting the level of impact which their development would have. In combination with Council funding the developer contributions would be utilised by the Council to construct the infrastructure. The mechanism for collecting payments would be determined as part of the section 75 legal agreement.

Both the Council's roads officers and Transport Scotland have requested that a condition be attached limiting development to no more than 175 residential units and ancillary uses, for the period prior to the Dyce/Craibstone section of the AWPR being open to traffic and a condition reflecting this has been attached.

The developer would be required to contribute towards the Strategic Transport Fund (STF) which aims to gather contributions to pay for significant transport projects to mitigate congestion caused by the cumulative impact of developments throughout the city. The level of contribution payable will be dependent on the composition of the development, and will be determined as the detailed design of the development evolves as part of the required matters specified in conditions application for any subsequent development. Contributions can be secured as part of a section 75 legal agreement.

Public Transport Provision

The A96 is the main public transport corridor in the area with existing routes going to the city centre, airport and beyond into Aberdeenshire. Initial discussions with public transport operators suggest support for extended services through the development however at this stage no firm proposals have been agreed. In order to facilitate this the main roads through the development would be designed to be capable of accommodating buses and the proposed layout shown in the masterplan indicates that all residents would be within the recommended 400m from a bus stop. A condition has been attached which requires a public transport strategy to be submitted prior to occupation of the first unit. The strategy is expected to include plans for new or extended bus services and their phased implementation.

Density and Mix

A variety of densities is utilised across Rowett South to give a net residential density of around 40 dwellings per hectare. This figure is above the minimum of 30 dwellings per hectare which is required by Policy H3 (Density).

There would be a mixture of densities throughout the site varying between lower densities (25 units per hectare) to higher density (over 65 units per hectare). The highest density areas would be located close to the A96 in the northern end of the site to benefit from nearby public transport, links to existing residential areas, the topography of the site and proximity to the proposed mixed use centre.

The masterplan indicates that it is intended to offer housing opportunities for people at all stages in the housing lifecycle, from first time buyers to housing which meets the needs of older generations, with an emphasis on 'family housing'. It is anticipated that the mix would include flats, terraced housing, town houses, semi detached and detached properties. At this stage It is considered that a suitable mix of units would be provided in accordance with Policy H4 (Housing Mix). The final mix would be determined by market demand and the detailed design of the development which would be controlled through approval of matters specified in conditions applications.

Affordable Housing and Gypsy Traveller Site

A further aim of the SDP and the LDP is to ensure that new development provides an appropriate level of affordable housing in new development. Policy H5 (Affordable Housing) outlines that housing developments are required to provide no less than 25% of the total number of units as affordable housing. In parallel to this, is a further requirement through Policy H7 (Gypsy and Traveller Requirements for New Residential Development) to ensure that as part of the 25% affordable housing provision, contributions should also be made towards sites for Gypsies and Travellers.

In this instance, the applicant has agreed to the provision of a total of 425 units (25% of the overall total) for affordable housing on site. At the moment it is anticipated that this would be broken down to 8 units within the first 150 units, 23

units in the next 150 units and 391 units in the remainder of the built out. The exact type and mechanism of delivery for the affordable housing would be secured through the legal agreement. This would provide a degree of flexibility to cater for options such as registered social landlord developments, shared equity, and low cost home ownership. Subject to the conclusion of a legal agreement to secure the required provision, the proposal would be in accordance with Policy H5.

Policy H7 (Gypsy and Traveller Requirements for New Residential Development) requires the Newhills expansion area to make contributions towards the provision of a site for Gypsies and Travellers. The contribution will be for a small site of six pitches, with a net area of approximately 0.5 ha. It has been agreed that the site would be provided in the Council owned Greenferns Landward site. In recognition of this and to offset the loss of development land on the Greenferns Landward site, the Rowett South applicant has agreed to make a financial contribution based on the development value of the land. Therefore, assuming the successful conclusion of a legal agreement to secure the contribution, the applicant's obligations under Policy H7 would be met.

Developer Contributions

The developer has agreed a package of planning contributions to mitigate against the impact of the development on local infrastructure and services. All contributions and phasing of payments would be secured by a section 75 legal agreement and would be timed appropriately to mitigate the scale of development at each phase.

Primary Education

There is insufficient capacity in the existing school estate to accommodate pupils generated by the three Newhills Expansion Area developments and therefore Policy I1 (Infrastructure Delivery and Developer Contributions) identifies a requirement for three new primary schools in the Newhills area.

Since adoption of the LDP the Newhills Development Framework has been adopted further work has been carried out by Education, Culture and Sport Directorate which revised the requirement to one two-stream school and one three-stream school.

The two stream school is required to be located within the Rowett South site and would be capable of accommodating up to 434 pupils with nursery capacity of 60 places. The applicant has agreed to provide a serviced site extending to 1.41 hectares which would be located on the western side of the site in a prominent and accessible location. Appropriate Safe Routes to School would be identified and provided to ensure the safe movement of pedestrians and cyclists between the school and surrounding area. Financial contributions would also be provided by the developer towards the cost of the school. The responsibility for the delivery and construction of the school will rest with Aberdeen City Council. In the interim period, it is anticipated that pupils would be accommodated at Dyce and Stoneywood Primary Schools.

Separate to this application and the Rowett South development, the three stream primary school, accommodate up to 651 pupils with a nursery provision of 80 places, would be located within the Greenferns Landward site.

Secondary Education

Policy I1 (Infrastructure Delivery and Developer Contributions) requires a new secondary school within the Newhills Expansion. During the preparation of the Newhills Development Framework the Council's Education, Culture and Sports Directorate advised that number of pupils generated by the Newhills expansion would fall significantly below the number of pupils required to establish a viable new secondary school.. Therefore their recommendation was that alternative provision is made for secondary education within the existing school estate. The Newhills Development Framework therefore was adopted with no new secondary school proposed and this approach has continued into the phase one masterplan and this planning application.

Subject to the progression of the Countesswells development, it is intended that pupils from Kingswells would be accommodated within the new academy at Countesswells, thus removing them from the current Bucksburn Academy catchment zone. This new academy at Countesswells is currently expected to be open around 2020. This could result in up to 170 pupil spaces becoming available at Bucksburn Academy. This would however be a gradual process as it is expected that Kingswells pupils already at Bucksburn Academy would remain at Bucksburn to finish their secondary education rather than transfer to Countesswells immediately upon the new school opening.

Outwith the zoned catchment area, there currently exists additional capacity at both Dyce (130 - 170 places) and Northfield Academies (300 places) which could potentially be utilised by the Newhills development, including Rowett South, on a temporary basis.

In the longer term it will be necessary to reconfigure and extend Bucksburn Academy to accommodate the additional secondary aged pupils generated by Rowett South and other Newhills developments. In order to facilitate this, the developer has agreed to pay financial contributions in line with the level of impact the development would have, which would be secured through the legal agreement.

Community Facilities, Sports and Recreation

The applicant has agreed to the requested financial contribution towards community facilities.

A serviced site extending to 0.91 hectares would be provided for a full sized sports pitch which would be located adjacent to the primary school and in addition to the primary school sports pitch. A financial contribution would also be provided.

Healthcare

Healthcare contributions towards provision of a healthcentre, dental surgery and three community pharmacies, have been calculated with NHS Grampian based on national recognised space standards, build costs and estimating the number of new patients generated by the development. The applicant has agreed to provide a serviced site of 0.57 hectares within Rowett South which would be provided order to accommodate a new health centre. A financial contribution would also be provided.

In addition, a further 0.43 hectares of land would be reserved for 10 years from the conclusion of the section 75 agreement in an effort to facilitate NHS Grampian's aspiration to relocate and consolidate three existing practices. This land would be sold to the NHS at a price to be agreed between the landowner and NHS Grampian however if no agreement is reached within the timescale the land will cease to be reserved for healthcare use.

Drainage

A Drainage Strategy and Flood Statement has been submitted which explains how the principles in relation to drainage would be addressed.

Surface Water Drainage

The site generally falls in two directions, the land to the north of Forrit Brae falls in a north eastern direction and surface water run off from this portion of the site is within the catchment of the Gough Burn which is located to the north of the Rowett South site.

There is also a small unnamed watercourse located within this area. It is assumed that this watercourse connects into the Gough Burn downstream of the site. There is a 'ditch' which follows the same alignment as Forrit Brae. This 'ditch' terminates as it approaches the A96, it is assumed that this 'ditch' connects into the aforementioned watercourses.

There are no open watercourses or ditches within the southern part of Rowett South, however there is an existing 750mm diameter culvert located to the north of Kepplehills Road which crosses in a north eastern direction towards the existing residential properties located on Kepplehills Drive. The culvert heads north continuing through the existing residential development and connects into a second 750mm diameter culvert which is located along the rear garden boundaries of properties located within Hopetoun Avenue.

The surface water drainage system would be appropriately designed in line with the principles of sustainable drainage systems (SUDS). This would result in the rate and volume of post development run-off directed to these watercourses and collected in the SUDS system as a whole, being restricted to the equivalent of pre-development greenfield run-off, by creating appropriate volumes of attenuation in features such as basins and ponds. At source SUDS features such

as porous paving, grass swales and grass or stone filter strips would also be used.

A condition has been attached requiring detailed surface water drainage proposals to be submitted for each phase or development block.

Foul Drainage

There are existing combined sewers located to the north of Forrit Brae, these combined sewers serve the existing residential properties within this area and gravitate in a northern direction to the main drainage network on the north side of the A96.

There are foul sewers located within Kepplehills Road, these foul sewers serve the existing properties at Christies Grange, and gravitate in an eastern direction before connecting into the existing combined sewer located within Kepplehills Road.

The Bucksburn residential area to the east of Rowett South is served by a series of combined, foul and surface water sewers which flow in an eastern direction. This area is served by the Persley Wastewater Treatment Works, which currently has capacity available for the initial development phases. The existing treatment works would be upgraded as required by Scottish Water as the development progresses.

New gravity foul sewers would be provided throughout Rowett South to allow foul water to be discharged from properties within development. Connections into the existing network would be made at the locations described above. Waster water pumping stations would be required to pump flows from part of the east side of the development.

A condition has been attached requiring all development to be connected to the public sewer system.

Watercourses

The existing 750mm diameter culverted watercourse would be de-culverted, with the open watercourse being incorporated into the development proposals.

The SEPA Flood Map has been reviewed and confirms that Rowett South is at no risk to flooding from any rivers, therefore it has been determined that no Flood Risk Assessment is required. The various valleys which run across the site however do raise the potential for attracting surface water run-off from adjacent areas or undeveloped areas of higher elevation than previously built phases. The detailed design will consider the potential for overland surface flows.

A condition has been attached requiring details of how watercourses would be integrated into the development and engineered to deal with 1 in 200 year floods.

Nature Conservation and Ecology

Development of this scale on greenfield land will inevitably have an impact upon existing landscape and wildlife. The site has been allocated through the appropriate local development plan process and therefore the loss of greenfield land in itself would not be sufficient reason to justify refusal of the application. Any impact on habitats or species however must be managed to allow the development to be delivered with minimal impact.

The section on ecology, nature conservation and biodiversity within the ES found that there would be changes to 53.51 hectares of habitat which is mainly arable land and improved or semi-improved pasture. The impact on habitats is measured as ranging from negligible to moderate. Of particular note is the small scale displacement of wintering and breeding birds which would be mitigated by the provision of bird nest boxes along the southern edge of the Gough Burn woodland. The ES also identifies that badgers and their setts, both protected by the Protection of Badgers Act 1992, are present on site. In order to mitigate any potential impact, the layout of the proposed development has been designed to accommodate suitably sized buffers between development and areas used by badgers. A condition has also been attached which requires a badger protection plan to be submitted prior to development commencing.

According to available data, no bat roosts are likely to be impacted by development. However there would be a decrease in foraging opportunities for a small number of pipistrelles, albeit only in the short term with the situation improving in the medium to long term.

No other protected species were found in or around the site.

River Dee SAC

The River Dee is designated as a Special Area of Conservation (SAC) by the Conservation (Natural Habitats, &c.) Regulations 1994 in order to avoid deterioration of the habitats of the internationally important qualifying species or significant disturbance to the qualifying species themselves. The qualifying species present in the River Dee are Atlantic salmon, freshwater pearl mussel and Otter.

Although the site does not lie within the catchment of the River Dee SAC, water to supply the development would be abstracted from the River Dee. Reductions in river water levels, particularly at times of low flow conditions can have impacts on freshwater pearl mussel. Consequently, it is considered that there is a linkage between the development and SAC. A habitats regulations assessment was carried out for the Strategic Development Plan (SDP) which identifies water abstraction from the River Dee as representing a likely significant effect. Scottish Natural Heritage (SNH) have carried out their own appraisal for the development and based on information current available to SNH it is their view that the increase required in water abstraction for the development should not have an adverse impact on the integrity of the SAC – both by itself and in combination with other housing allocations within the SDP until 2035. In order to comply with the SDP habitats regulations assessment, a water efficiency plan for the

development is required to be developed and a condition has been attached requiring this to be undertaken.

Air Quality

An air quality assessment has been carried out as part of the ES which identifies that the increased traffic flows would lead to small increases in concentrations of nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}) at roadside properties. The assessment also concludes that there would be no significant impact upon any local Air Quality Management Areas (AQMA).

The Council's Environmental Health Service has reviewed the assessment and whilst not objecting to the proposal do not consider the assessment to have fully considered the potential impact of traffic on air quality due to the congestion and slow moving traffic which the area experiences which has not been taken into account. Therefore, it is recommended that a condition requiring a further assessment to be carried out be attached to the consent and that any required mitigation measures thereafter be implemented. These measures would typically involve encouraging the use of alternative modes of transport in order to reduce private car use. With conditions for the submission of travel plans and a public transport strategy already proposed, it is considered that at this stage the proposal would be in accordance with Policy NE10 (Air Quality). A condition is also attached requiring submission of a dust management plan covering the construction period.

Safeguarding of Airport and Radar

The proposed development has been examined from a safeguarding perspective by Aberdeen International Airport and it has been determined that the development could potentially conflict with safeguarding criteria. Therefore several conditions have been attached relating to submission of bird hazard management plans, drainage, external lighting and landscaping schemes.

Informative notes have been attached in relation to the use of cranes, lighting and general safeguarding obligations. All relevant matters specified in applications will be referred to the airport for comments.

The site is within the safeguarding zone of the NATS Perwinnes Radar, which is located some 4.9km to the north east. All matters specified in conditions applications which propose development above ground level will require to be referred to NATS for comments, which may result in developers being required to agree mitigation packages NATS prior to planning permission being granted. An condition and informative note has been attached to this planning permission in order to highlight this matter.

In accordance with Policy BI5, due consideration has been given to the safeguarding of both the airport and Perwinnes radar

Time Periods

The planning authority has powers to direct that the duration of consent granted may differ from the usual periods stated in legislation, which is 3 years from the grant of Planning Permission in Principle. In this instance, the scale of the housing allocation is considerable and there is little realistic prospect that full details of the entire 1700 homes and associated works would be ready to be submitted within a period of 3 years. The scale of the allocation is such that it is clear that there is reasonable justification to deviate from the usual periods. It is therefore considered appropriate to grant a period of 10 years and a direction reflecting this would be attached to the grant of planning permission in principle.

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 depends on the level of objection raised in relation these matters as part of the Proposed ALDP consultation process and the relevance of these matters to the application under consideration.

In relation to this particular application, no objections to the Rowett South allocation in the Proposed ALDP have been received and therefore the allocation will be adopted without modification on formal adoption of the Proposed ALDP. Other relevant policies largely reiterate existing policies and do not significantly change the assessment of the proposal.

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 secure:

- 1. The provision of 25% affordable housing on site;**
- 2. Financial contributions towards a gypsy traveller halting site within the 'Greenferns Landward' site;**
- 3. Financial contributions towards primary education provision and the provision of serviced land within the site for a new two stream primary school;**
- 4. Financial contributions towards secondary education provision;**
- 5. Financial contributions towards community facilities and sports & recreation and provision of serviced land within the site for new sports pitches;**
- 6. Financial contributions towards healthcare and provision of serviced land within the site for a new health centre;**
- 7. Financial contributions towards the Strategic Transport Fund;**
- 8. Financial contributions towards mitigation on the local roads network**

REASONS FOR RECOMMENDATION

The development of Rowett South site would assist in the delivery of affordable housing and Aberdeen's share of the housing allocations within the Strategic Development Plan, which is a priority of the Council's Strategic Infrastructure Plan (SIP). Subject to appropriate contributions towards supporting infrastructure it is considered that the benefit to the City in terms of the increased supply of housing would justify approving the application. Suitable conditions can be attached requiring applications for matters specified in conditions to be submitted which would address the detailed layout, position and appearance of buildings, roads, paths, open space and other infrastructure.

Taking into account the indicative build-rate and the stages of the planning process which still need to be completed before work can start on site, the likelihood that the number of units completed before 2017 would exceed that allocated to the phase one period is non-existent. The granting of consent for both phases at Rowett South would also bring certainty for the developer which would assist in the delivery of the development. Therefore although contrary to Policy LR1 (Land Release Policy) in terms of phasing, it is considered acceptable to permit the full phase one and two allocation of housing at Rowett South at this stage.

The matters contained within the Environmental Statement have been fully considered and suitable mitigation measures proposed which would where appropriate be secured by planning conditions. The payment of developer contributions and provision of serviced land would satisfactorily mitigate the impact of the development. The details of each phase would be determined through the submission of matters specified in conditions applications which should be in accordance with the approved masterplan for the phase one area. Areas outwith the masterplan must be subject to addendums to the existing masterplan or a second masterplan before development may begin.

CONDITIONS

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

(1) WATERCOURSES AND FLOOD RISK

No development shall take place unless a matters specified in conditions application comprising a detailing a scheme for the protection and enhancement of the water environment has been submitted to and approved in writing by the planning authority in consultation with SEPA [and SNH or other agencies as appropriate]. The scheme shall include –

- i) Confirmation of the location of all existing water bodies on site and demonstration of how they have been positively incorporated into the layout of the development, including appropriate buffer zones between the top of the bank of the watercourse and the development;

- ii) Full details relating to the upgrading of existing culverts / de-culverting of any watercourses on site. Any such proposals shall be designed to accommodate the 1 in 200 year flow;
- iii) Full details relating to any other proposed engineering activities in the water environment, including the location and type of any proposed watercourse crossings. Any proposed watercourse crossings shall be designed to accept the 1 in 200 year flow.

Thereafter all works on site must be undertaken in accordance with the approved scheme unless otherwise agreed in writing with the Planning Authority in consultation with SEPA.

Reason – in order to protect and improve the water environment and to protect people and property from flood risk.

(2) AIR QUALITY ASSESSMENT

No development shall take place unless a matters specified in conditions application comprising an assessment of emissions to air from road traffic associated with the whole development has been submitted to and approved in writing by the planning authority. The assessment shall be undertaken in accordance with a method approved by Council's Environmental Health Service and take into account additional traffic associated with other consented or proposed developments in the area, including the Aberdeen Western Peripheral Route. Where the development is assessed as having an adverse impact on local air quality, including the Anderson Drive/Haudigan roundabout/Auchmill Road Air Quality Management Area, mitigation measures shall be specified in the report. The approved mitigation measures shall thereafter be implemented in accordance with a timetable agreed with the planning authority.

Reason – in order to mitigate the impact of road traffic associated with the development on local air quality.

(3) NOISE MITIGATION SCHEME FOR FORRIT BRAE SOUTH DWELLINGS

No development shall take place unless a matters specified in conditions application consisting of a scheme of measures for the protection of the existing dwellings located on Forrit Brae South from road traffic noise (as identified within the AECOM Noise and Vibration Assessment, Chapter 11 of the Environmental Statement) has been submitted to and approved in writing by the planning authority. Thereafter the agreed measures shall be implemented prior to first occupation of the development.

Reason – in order to ensure that existing residents are adequately protected from excessive noise levels.

(4) BIRD MITIGATION

No development shall take place unless a matters specified in conditions application comprising a detailing a scheme for the provision of bird nest boxes along the southern edge of the Gough Burn woodland has been submitted to and

approved in writing by the planning authority. Thereafter no development shall take place unless the boxes have been installed.

Reason – in order to mitigate the impact of development on bird species.

(5) CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a Construction Traffic Management Plan for that particular phase or block has been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed plan.

Reason – in order to mitigate the impact of construction traffic on the operation of the road network.

(6) CONTAMINATED LAND

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme to deal with any contamination on or within the land forming that particular phase or block has been submitted to and approved in writing by the planning authority. 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 include (i) an investigation to determine the nature and extent of contamination; (ii) a site-specific risk assessment; and (iii) a remediation plan to address any significant risks and ensure the site is fit for the use proposed.

Thereafter no building within the particular phase or block shall be occupied unless for that building (i) any long term monitoring and reporting that may be required by the approved scheme of contamination or remediation plan or that otherwise has been required in writing by the planning authority is being undertaken and (ii) a report specifically relating to the building has been submitted and approved in writing by the planning authority that verifies that remedial works to fully address contamination issues related to the building(s) have been carried out, unless the planning authority has given written consent for a variation.

The final building within the particular phase or block site shall not be occupied unless a report has been submitted and approved in writing by the planning authority that verifies the completion of the remedial works for the entire phase or block, unless the planning authority has given written consent for a variation.

Reason – in order to ensure that the site is fit for human occupation

(7) ARCHAEOLOGICAL WORK SCHEME

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme of archaeological work for that particular phase or block in accordance with a written scheme of investigation has been submitted to and approved in writing by the planning authority. The scheme of archaeological work will include all necessary post-excavation and publication work.

Reason – in order to protect any items of archaeological importance which may exist within the site.

(8) RECORDING OF FARM BUILDINGS

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a building survey of all existing buildings within that particular phase or block has been submitted to and approved in writing by the planning authority. The survey shall comprise a descriptive and photographic record of the building and a plan annotating any features of historic interest to at least to the standard of a level 2 English Heritage building survey and on completion shall be deposited with the local sites and monuments record.

Reason – in order to ensure that a historic record of buildings on the site is undertaken prior to demolition.

(9) BIRD HAZARD MANAGEMENT PLAN

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless a bird hazard management plan planning authority for that particular phase or block has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of the management of potential bird attractants which may be attractive to nesting, roosting and "loafing" birds, and the measures in place to implement removal of birds/eggs/nests if deemed necessary. Thereafter the agreed measures shall be implemented in full for the lifetime of the development unless otherwise agreed in writing by the planning authority.

Reason – to avoid endangering the safe movement of aircraft and the operation of Aberdeen International Airport through the attraction of birds.

(10) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless a matters specified in conditions application comprising a site specific construction environmental management plan (CEMP) for that particular phase or block has been submitted to and approved in writing by the planning authority in

consultation with SEPA. The CEMP must address (i) surface water management; (ii) site waste management; (iii) watercourse engineering; (iv) pollution prevention; (v) management of wetland environment to increase its biodiversity value; and (vi) the protection of the wetland should any major oil spills occur in the area feeding it. Thereafter development shall be undertaken in accordance with the approved CEMP.

Reason – in order to minimise the impacts of necessary demolition / construction works on the environment.

(11) DUST MANAGEMENT PLAN

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless a matters specified in conditions application comprising a Dust Management Plan for that particular phase or block has been submitted to and approved in writing by the planning authority. The management plan shall specify dust mitigation measures and controls, responsibilities and any proposed monitoring regime. Thereafter development (including demolition) of each phase or block shall be undertaken in accordance with the approved plan.

Reason – in order to control air pollution from dust associated with the construction of the development.

(12) SURFACE WATER DRAINAGE

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a detailed scheme for surface water drainage for that particular phase or block has been submitted to and approved in writing by the planning authority in consultation with SEPA. The scheme shall (i) detail two levels of sustainable drainage (SUDS) treatment (or three levels for industrial hardstanding areas) for all areas roads / hardstanding / car parking and one level of SUDS treatment for roof run-off; (ii) include source control; and (iii) shall be developed in accordance with the technical guidance contained in the SUDS Manual (C697). Thereafter development shall be implemented in accordance with the agreed scheme.

Reason – in order to ensure adequate protection of the water environment from surface water run-off.

(13) WASTE WATER CONNECTIONS

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme for the connection of buildings to the public waste water system for that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall include confirmation from Scottish Water that connections can be made and any necessary upgrades to the public waste water system are in place. Thereafter no building shall be occupied unless connection has been made to the public waste water network in accordance with the approved details.

Reason – in order to ensure that sewage is satisfactorily treated and disposed of.

(14) BADGER PROTECTION PLAN

No development (including site stripping, service provision or establishment of site compounds) within any particular phase or block shall take place unless matters specified in conditions application comprising a badger protection plan for that particular phase or block has been submitted to and approved in writing by the planning authority. The plan must contain (i) an updated badger survey, if the current data is more than six months old; (ii) details of final badger fencing and locations of all badger tunnels; (iii) details of foraging habitat mitigation; (iv) proposals to enhance the quality of the retained and newly created foraging habitat for badgers; and (v) details of the advance delivery of the foraging habitat mitigation.

Thereafter no development shall take place unless the agreed mitigation measures have been implemented unless otherwise agreed in writing.

Reason – in order to ensure the protection of UK protected species.

(15) TREE SURVEY AND PROTECTION

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a tree survey (carried out by a qualified arboriculturist) for that particular phase has been submitted to and approved in writing by the planning authority. The survey shall be undertaken in accordance with the Councils Supplementary Guidance 'Trees and Woodland' and include measures for the protection of those trees to be retained. Thereafter development shall be implemented in accordance with the approved details.

Reason – in order to safeguard any trees of value within and surrounding the site and assist in integrating existing trees into the development.

(16) DESIGN AND LAYOUT OF ROADS, PATHS AND BUILDINGS

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising the detailed layout and design of roads, buildings and other structures for that particular phase or block has been submitted to and approved in writing by the planning authority. The application shall comprise –

- i) details of existing and proposed site levels (including cross sections);
- ii) details of the layout and finish of roads, footpaths and cycle paths;
- iii) details of layout, design and external appearance of –
 - buildings and ancillary structures;
 - vehicular and motorcycle parking;
 - short and long term secure cycle parking;
 - storage and collection arrangements for waste and recyclables;
 - boundary enclosures around individual homes and other premises;

- iv) details of play zones (if relevant to that phase/block and in accordance with the masterplan);

Thereafter the development shall be implemented in accordance with the approved details.

Reason – in order to ensure a satisfactory layout and design of the development and ensure provision of a suitable level of parking.

(17) NOISE MITIGATION SCHEME FOR NEW RESIDENTIAL PROPERTIES

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme of measures for the protection of the proposed residential properties from road traffic noise for that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall ensure that external noise levels do not exceed LAeq 18 hour 50dB during the daytime period (0700- 2300) in any rear garden area and internal levels within bedrooms do not exceed LAeq 8 hour 30dB during the night time period (2300-0700) with windows partially open for ventilation. Thereafter no residential property shall be occupied unless the mitigation measures relevant to that particular property have been implemented in accordance with the agreed scheme.

Reason – in order to ensure that residents of the development are adequately protected from excessive noise levels.

(18) PERWINNES RADAR SAFEGUARDING

No development within any particular phase or block shall take place, unless there has been submitted to and approved in writing by the planning authority in consultation with the radar operator (NATS (En-route) plc), for that particular phase or block either (i) detailed plans including grid coordinates and spot heights for all corners of the proposed buildings in that individual phase, demonstrating that there would be no detrimental impact upon the operation of the Perwinnes Radar; or (ii) details of a scheme to mitigate any detrimental impact upon the operation of the Perwinnes Radar. Thereafter, development shall take place in complete accordance with such a scheme as so approved unless the planning authority and NATS (En-route) plc have given written consent for a variation.

Reason – in the interests of aircraft safety.

(19) WATER EFFICENCY STATEMENT

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a water efficiency statement for that particular phase or block has been submitted to and approved in writing by the planning authority. The statement should take into account the advice provided in CIRIA publication C723 (Water sensitive urban design in the UK) and specify the measures proposed to incorporate water saving technology into the development so as to achieve gold standard for water use efficiency in

domestic buildings or BREEAM level 5 for non-domestic buildings. Thereafter the approved measures shall be implemented in the construction of the development.

Reason – in order to help avoid reductions in river water levels, which at times of low flow can have impacts on freshwater pearl mussel, one of the qualifying features of the River Dee Special Area of Conservation (SAC).

(20) LOW AND ZERO CARBON BUILDINGS

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance for the buildings within that particular phase or block has been submitted to and approved in writing by the planning authority. Thereafter, each building shall not be occupied unless the approved measures have been implemented in full and are available for use.

Reason – in order to ensure that the development complies with the 'Low and Zero Carbon Buildings' Supplementary Guidance.

(21) LANDSCAPING

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising the a scheme of hard and soft landscaping covering all areas of public and private open/green space for that particular phase or block has been submitted to and approved in writing by the planning authority. The scheme shall include details of –

- i) Existing and proposed finished ground levels;
- ii) Existing landscape features, field boundaries, trees, woodland and vegetation to be retained or removed;
- iii) Existing and proposed services and utilities including cables, pipelines and substations;
- iv) Proposed woodland, tree and shrub numbers, densities, locations, species, sizes and stage of maturity at planting;
- v) location, design and materials of walls, fences, gates and street furniture;
- vi) arrangements for the management and maintenance of existing and proposed open space, woodland and landscaped areas including watercourse buffer strips; and
- vii) proposed hard surface finishing materials.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of each respective phase of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of each phase of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason – in order to integrate the development into the surrounding landscape, increasing the biodiversity value of the site and creating a suitable environment for future residents.

(22) PUBLIC TRANSPORT STRATEGY

No part of the development shall be occupied unless a matters specified in conditions application comprising a public transport strategy for the whole development has been submitted to and approved in writing by the planning authority. The strategy shall include proposals for the provision of either new or extended bus services linking the development with the existing public transport network, and details of the phased implementation of the strategy. Thereafter the agreed strategy shall be implemented as approved, unless otherwise agreed in writing by the Planning Authority.

Reason – in the interests of encouraging the use of public transport and reducing reliance on the use of private cars.

(23) A96 / FORRIT BRAE JUNCTION ALTERATIONS

Unless otherwise agreed in writing by the Planning Authority in consultation with Transport Scotland, no part of the development shall be occupied until the layout of the A96 / Forrit Brae junction has been altered to prevent right turn movements from the A96 into Forrit Brae or from Forrit onto the A96 eastbound. The details of these alterations shall be agreed in writing by the Planning Authority in consultation with Transport Scotland.

Reason – in order to mitigate the adverse impact of development traffic on the safe and efficient operation of the trunk road.

(24) TRUNK ROAD FRONTAGE TREATMENTS

That unless otherwise agreed in writing, no development within blocks RS:1, RS:13a, RS:13b, RS:18, RS:19 and RS:21 as identified on page 16 of the approved Rowett South: Phase 1 Masterplan (dated July 2015) shall take place unless a matters specified in conditions application comprising details of the frontage treatment along the trunk road boundary for that particular block has been submitted to and approved in writing by the planning authority in consultation with Transport Scotland. Thereafter the details shall be implemented as approved.

Reason – to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.

(25) EXTERNAL LIGHTING

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising details of the external lighting for that particular phase or block has been submitted to and approved in writing by the planning authority after consultation with Transport Scotland, as the

trunk roads authority. Thereafter the external lighting shall be shall be implemented in accordance with the approved details.

Reason – in order to ensure that there will be no distraction or dazzle on the trunk road and that the safe o the traffic on the trunk road will not be diminished and to ensure the safeguarding of Aberdeen International Airport.

Reason – in order to mitigate the adverse impact of development traffic on the safe and efficient operation of the trunk road.

(26) RESIDENTIAL TRAVEL PACK / GREEN TRAVEL PLAN

No development within any particular phase or block shall take place unless a matters specified in conditions application comprising either a residential travel pack (in the case of residential development) or a green travel plan (in the case of commercial development) for that particular phase or block has been submitted to and approved in writing by the planning authority. Each residential travel pack shall identify details of different travel options available in the area in order to discourage the use of the private car. The approved travel pack shall be supplied to the first occupants of every residential unit within that block or phase on occupation. Each Travel Plan shall identify measures to be implemented in order to discourage the use of the private car as well as the duration of the plan, system of management, monitoring, review and reporting and thereafter shall be implemented as approved.

Reason – in order to reduce dependency on the private car for travel.

(27) PROVISION OF AWPR (DYCE / CRAIBSTONE) SECTION

Unless otherwise agreed in writing by the Planning Authority and in consultation with Transport Scotland, the proposed development shall be limited to no more than 175 occupied residential units and ancillary uses, for the period prior to the Dyce/Craibstone Section of the Aberdeen Western Peripheral Route being open to traffic.

Reason – To restrict the scale of the development in order to minimise the interference with the safety and free flow of traffic on the trunk road.

(28) RETENTION OF LISTED BOUNDARY STONES

No development within block RS:44 or the open space to the west shall take place unless a matters specified in conditions application comprising a scheme for the retention in situ of the listed boundary stones (no. 42 and 41) adjacent to Kepplehills Road (identified as AS7 and AS8 in Chapter 13 of the Environmental Statement) has been submitted to and approved in writing by the planning authority. The scheme must explain how the features would be incorporated into the completed development proposals.

Reason – in order to mitigate the impact of the development on cultural heritage assets.

(29) PHASING

That no development shall take place other than in accordance with the indicative phasing strategy contained within section 4 of the Rowett South Phase 1 Masterplan document, unless otherwise agreed through the submission of a matters specified in conditions application for an alternative phasing programme covering the same matters.

Reason – in order to ensure development is progressively accompanied by the appropriate associated infrastructure.

(30) SAFE ROUTES TO SCHOOL

The proposed primary school shall not be occupied unless a matters specified in conditions application which identifies safe routes to the new primary school from within the development and any associated work to create the safe routes, has been submitted to and approved in writing by the planning authority.

Reason – in order to promote sustainable and safe travel and ensure compliance with policy D3 (Sustainable and Active Travel) of the Aberdeen Local Development Plan.

(31) RETAIL IMPACT ASSESSMENT (RIA) – BLOCK RS:27

No more than 700 units shall be completed unless a matters specified in conditions application comprising a retail impact assessment for retail, leisure and commercial uses within blocks RS:27 has been submitted to and approved in writing by the planning authority. The impact assessment shall be undertaken in accordance with a method approved by Council's Planning Service but is expected to (i) consider the required levels of retail, leisure and commercial floor space required in order to meet the demands of the development; (ii) indicate the level of actual floor space and mix of uses proposed; and (iii) make an assessment of any potential impact on nearby town, district or neighbourhood centres and Aberdeen city centre as a result of the new floor space.

Thereafter, the retail, leisure and commercial space shall be openly marketed with a view to securing occupiers for the units and marketing update reports shall be provided to Aberdeen City Council annually, starting one year after approval of the matters specified in conditions application.

In the case where no occupier can be found for any particular area of retail, leisure and commercial space, no more than 1400 residential units shall be completed unless a further retail impact assessment has been provided addressing the same considerations as the initial RIA. Thereafter, annual marketing reports shall continue.

Reason – in order to ensure provision of local retail, commercial and community facilities at an appropriate time for the Newhills expansion area and to ensure that existing retail, leisure and commercial centres are not adversely impacted.

(32) RETAIL IMPACT ASSESSMENT (RIA) – BLOCK RS:28

That no development of the medical centre proposed in block RS:28 shall take place unless a matters specified in conditions application comprising a retail impact assessment for retail, leisure and commercial uses within the ground floor level of the medical centre has been submitted to and approved in writing by the planning authority. The impact assessment shall be undertaken in accordance with a method approved by Council's Planning Service but is expected to (i) consider the required levels of retail, leisure and commercial floor space required in order to meet the demands of the development; (ii) indicate the level of actual floor space and mix of uses proposed; and (iii) make an assessment of any potential impact on nearby town, district or neighbourhood centres and Aberdeen city centre as a result of the new floor space.

Reason – in order to ensure provision of local retail, commercial and community facilities at an appropriate time for the Newhills expansion area and to ensure that existing retail, leisure and commercial centres are not adversely impacted.

(33) MASTERPLAN FOR REMAINDER OF SITE

No development of any area outwith the part of the application site covered by the 'Rowett South Phase 1 Masterplan' shall take place unless a matters specified in conditions application comprising an addendum to the existing 'Rowett South Phase 1 Masterplan' or a second masterplan for that particular area has been submitted to and approved in writing by the planning authority through an application for matters specified in conditions.

Reason – In order to ensure the key design principles are established for the area in a comprehensive and coherent manner.

DIRECTION UNDER SECTION 59(5) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

That in accordance with the power granted to it under section 59(5) the planning authority hereby direct that section 59(2)(a)(i) shall apply in respect to this planning permission in principle with the substitution of the period of 3 years with that of 10 years, as is considered appropriate by the planning authority in this instance on the basis of the scale and size of the allocation. Therefore this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all conditions 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.

INFORMATIVE NOTES

(1) EXPIRATION OF CONSENT

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 - pursuant to section 59 of the Town and Country Planning (Scotland) Act 1997.

(2) DETAILED PLANNING APPLICATIONS

The planning authority expect the matters specified in the conditions attached to this planning permission in principle to be addressed through the submission of matters specified in conditions applications. The submission of standalone detailed planning applications is strongly discouraged due to the added complexity of assessing such applications outwith the terms of the planning permission in principle. Should detailed planning applications be submitted it is likely that (i) further supporting information (e.g. transport assessment) would be required in order to adequately assess the proposals and (ii) new section 75 legal agreements would be required in order to secure developer obligations. Notwithstanding the standalone nature of any detailed planning applications, such application would be expected to observe the terms of the planning permission in principle conditions.

(3) ABERDEEN INTERNATIONAL AIRPORT SAFEGUARDING OF (CRANES & SCAFFOLDING & OTHER TALL CONSTRUCTION EQUIPMENT)

Attention is drawn to the requirement within the British Standard Code of Practice for the Safe Use of Cranes (BS7121), specifically section 9.9.3 (Crane Control in the Vicinity of Aerodromes) which requires the responsible person to consult the aerodrome manager for permission to work if a crane is to be used within 6km of an aerodrome and it's height would exceed 10m or that of surrounding trees and structures. Use of cranes or scaffolding above the height of the proposed development, or other tall construction equipment must be notified to Aberdeen International Airport Safeguarding Manager (safeguarding@aiairport.com / 01224 725756) at least one month prior to use. Failure to do so may result in any responsible person being guilty of an offence under Article 137 (Endangering Safety of and Aircraft) of the Air Navigation Order (CAP 393) which states that a person must not recklessly or negligently act in a manner likely to endanger an aircraft.

(4) ABERDEEN INTERNATIONAL AIRPORT SAFEGUARDING (HEIGHTS)

Any development above a height of 7m is likely to cause an infringement of a critical flight safety surface. If any proposal is anticipated to cause an infringement then it is recommended that contact is made with Aberdeen

International Airport Safeguarding Manager (safeguarding@aairport.com / 01224 725756).

(5) PERWINNES RADAR (SAFEGUARDING)

Developers and applicants are advised that the application site is within the safeguarding zone of Perwinnes Radar Installation, operated by NATS (En Route) plc ("NERL"). On receipt of an application for matters specified in conditions (MSC) related to this grant of planning permission in principle (PPiP), the planning authority will consult NERL to determine if proposed buildings and structures would have an adverse impact upon the operation of the radar installation and if mitigation to any impact is possible. If an unacceptable impact and a viable mitigation is identified, the developer will be expected to agree with NERL a mitigation package prior to determination of an application. The planning authority strongly suggests that prior to submission of an application, early dialogue with NATS is undertaken to find a solution to any impact a development may have on the radar. NATS provide a technical consultancy service to developers wishing to enter into pre-application discussions and further information can be obtained from the NATS Safeguarding Office at NATSSafeguarding@nats.co.uk .

(6) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

SEPA advice recommends that the CEMP is submitted at least 2 months prior to the commencement of any works on site. This is to allow necessary agencies sufficient time to fully review the mitigation proposals and avoid any potential delays to the project moving forward.

(7) HOURS OF WORK

Unless otherwise agreed in writing with Aberdeen City Council Environmental Health Service, during the construction of any phase of the development, the normal hours of operation for all activity audible at the boundary of the nearest noise sensitive premises shall be between 07:00 to 19:00 hours Monday to Friday; 07:00 to 16:00 hours on Saturday, with no noisy work audible at site boundary on Sunday.