



**Willingness to approve subject to conditions and the conclusion of an appropriate agreement to secure developer contributions in relation to the upgrading of Core Path 83 and subject to the requisite notification to Scottish Ministers**

**DESCRIPTION**

The application site is located between Wellington Circle and Redmoss Road, to the south of the city, and extends to approximately 6 hectares.

The site is bounded to the north-west by Redmoss Road, beyond which lies agricultural land and the Kincorth Hill Nature Reserve, known locally as The Gramps. To the north-east and south west the site is bounded by open land, currently used as rough grazing, but which forms part of the wider Calder Park (OP80) opportunity site in the Aberdeen Local Development Plan. The East Tullos Burn flows along the south-eastern boundary in the form of a straightened ditch. The land adjacent has previously been used as a park and ride facility and beyond that are industrial units at Wellington Circle.

The ground within the site slopes down by circa 7m from a high point at its eastern edge, adjacent to Redmoss Road, to a low point adjacent to the ditch on the south-eastern boundary.

**RELEVANT HISTORY**

The OP80 Calder Park site has previously been the subject of a joint application by Cove Rangers and Aberdeen Football Clubs, which sought detailed planning permission for the construction of football stadium with *'ancillary club facilities, pitch and terracing, indoor sports and community facility, outdoor football facilities including a floodlit all weather pitch, new access and associated car and bus parking'*. That application was approved subject to conditions at the Planning Development Management Committee of 13<sup>th</sup> January 2012. In the time since that grant of planning permission, the Council has taken control of the land at Calder Park and issued a refusal of Landlord's consent for the redevelopment proposal described above. The planning permission, having not been implemented or commenced within the requisite period, has now expired.

The Loirston Development Framework, adopted as Supplementary Guidance to the Aberdeen Local Development Plan, outlines principles for extensive residential-led development to the south, incorporating the OP77 opportunity site around Loirston Loch. An application for Planning Permission in Principle (ref P130892) was lodged for the development of up to 1067 homes within part of the framework area, and at the Planning Development Management Committee meeting of 16<sup>th</sup> January 2014 members expressed a willingness to grant planning permission subject to conditions and the conclusion of a suitable legal agreement, securing: affordable housing provision; Strategic Transport Fund contributions; developer contributions relating to library, cultural, education, healthcare and sporting facilities; and financial contributions in lieu of works necessary to mitigate impact on the local roads network. Following conclusion of the necessary legal agreement, consent was issued in July 2015.

Two separate applications have recently been made in respect of car park and drop-off facilities to serve the school (ref P151365), and the formation of earth bunding at the south-eastern edge of the site, adjacent to Wellington Circle (ref P151188).

## **PROPOSAL**

This application seeks detailed planning permission for the construction of a new three-storey secondary school, along with associated sports facilities, hard and soft landscaping, bus drop-off and access road.

The proposed school would have a large catchment area, incorporating all of Aberdeen south of the River Dee, and would serve to replace both Kincorth and Torry Academies, as well as serving the planned new residential development at Loirston. The submitted supporting information highlights that proposed school's capacity would be in the region of 1350 pupils, from S1 to S6. The combined school roll of Kincorth and Torry academies is estimated at 1000 pupils.

Vehicular access to the school campus would be via a single route from Wellington Circle, with a turning circle and bus drop-off bays formed towards the western corner of the site, adjacent to the main pupil access to the building.

The school campus car park, incorporating parent drop-off spaces, is being taken forward under a separate planning application (ref P151365), however 10 motorcycle spaces and the 10 accessible parking spaces would be provided adjacent to the main entrance within the current application site.

The design of the school building itself is based on the concept of a single 'super block', comprising a main teaching block, vocational block and sports block, with triple-height atrium spaces used to draw light into the centre of the building and create a central social space, incorporating dining, breakout teaching space and links to assembly and drama spaces. This built form is intended to be *'as compact as possible, and to avoid the need to have an elongated plan of teaching wings with the necessary institutional corridors'*.

The main block is positioned centrally and laid out across 3 full storeys, with an art studio forming a small 4<sup>th</sup> floor. The vocational block, to the south-west, is laid out on a single floor with an enclosed courtyard space, and the sports block, to the north-east, is a 2-storey structure incorporating double-height spaces for the swimming pool and gymnasium. There are four distinct points of entry, with the main entrance and community entrance positioned in the south-east elevation; a pupil entrance via the north playground area; and pupil entrances along much of the south-west face of the main block, immediately adjacent to the bus drop-off area.

The submitted Design and Access statement highlights an aim to create a building which can be viewed from all sides, with no 'back' elevation, accessed via a landscaped approach which allows for an interface with the planned new

community at Loirston. The design of external spaces seeks to encourage pupils to remain on site during break and lunch times.

Elevations feature a simple pallet of materials, with main visitor and pupil entrances marked by recessed areas and columns, allowing for shelter in inclement weather. These recessed spaces would be finished with a dark grey concrete block, in contrast to the pale grey/off-white rendered finish applied to much of the main teaching block. The sports facilities block would be clad in a metal cladding with a vertical emphasis. Translucent glazed sections would allow light into the sports block and also give a sense of vertical proportions to what is otherwise a long, low block. Timber panelling would be utilised within glazed areas to soften the material palette.

A 3G artificial and floodlit sports pitch is positioned alongside Redmoss Road and adjacent to the proposed Cove Rangers facilities (not part of this application). In addition a grassed rugby pitch with running track sits adjacent to provide a range of outdoor sports facilities with good links to proposed adjacent community facilities.

The submitted design and access statement makes reference to the importance of the School's role within its local community envisaging that the campus will incorporate facilities that are used extensively out-of-hours by community groups and include provision for high quality sports and performance spaces for use by both the school and the local community.

### **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.=151082>

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

- Ecological Impact Assessment
- Landscaping Proposals
- Flood Risk Assessment
- Design and Access Statement
- Swept Path Analysis
- Construction Noise Assessment
- Traffic Management Plan
- Drainage Assessment

### **PRE-APPLICATION CONSULTATION**

The proposed development was the subject of pre-application consultation between the applicant and the local community between March and June of 2015, as specified in the applicants' Proposal of Application Notice (ref P150217) and as required for applications falling within the category of 'major developments', defined in the relevant 'Hierarchy of Development' Regulations.

That consultation involved a series of drop-in sessions for communities within the proposed school's catchments area, at Torry Academy (31<sup>st</sup> March), Kincorth Academy (1<sup>st</sup> April) and the Thistle Altens Hotel, Cove (2<sup>nd</sup> April), respectively. These were followed up with the public exhibition of the proposals at Torry, Kincorth and Cove Libraries and a final public drop-in consultation event at the Thistle Altens Hotel, Cove.

A public notice, providing details of the consultation events as well as contact details for anyone wishing to submit comments in writing, was placed in the Evening Express on 25 March 2015. A three page news article also appeared in the Evening Express on 26 March 2015.

The main issues raised in these consultation events, as summarised in the submitted Pre-Application Consultation report, were as follows;

- Transport / Access to School - in particular safe use of Wellington Road by pupils living in Torry and safe crossing of Wellington Road by pupils living in Cove.
- Teaching Facilities – comments from staff at Torry Academy and Kincorth Academy about the provision of space within the building. Many pupils and parents commented positively on the proposed facilities, in particular the sports facilities, and appreciated the vast improvement over the two schools being replaced.
- Capacity - Parents were concerned that the school may not be able to accommodate pupils moving to new housing being built and being planned for the local area.
- Consultation Communication - A number of parents commented that they had not been told about the Consultation and had heard about the drop-in session by word of mouth.

The submitted PAC report highlights that, as a result of comments received, changes have been made to the internal layout of the administration area; the library and storage facilities have been incorporated into an enlarged community entrance and a separate storage building has been omitted; and additional ICT teaching areas have been provided.

### **REASON FOR REFERRAL TO COMMITTEE**

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

- The local Nigg Community Council has submitted a representation which, though not objecting to the principle of the development, raises a number of concerns regarding its impact, and has therefore been treated as a letter of objection;

- The Scottish Environment Protection Agency (SEPA), in its capacity as a statutory consultee, has stated an objection to the proposal;
- More than 5 letters of objection have been received from other sources.

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

## **CONSULTATIONS**

**Roads Development Management-** No objection to the proposal, provided that the some identified matters can be addressed:

- Note the school's capacity of 1,350 pupils and 160 staff.
- Note that a new footway would be provided along the north side of the new school access road, along with various other improvements to pedestrian links and a new controlled pedestrian crossing on Wellington Road, south of Souter Head Roundabout.
- Note provision for covered and secure cycle parking adjacent to the school entrance.
- Note that car parking is contained within a separate application.
- Note that a priority 'T' junction will be required at the junction of the new car park (separate application) and the proposed new access road.
- Development traffic would have a significant traffic impact at 2 junctions; Wellington Circle (south) and Souter Head roundabouts. Wellington Circle has sufficient capacity during peak periods to accommodate the additional traffic, however development traffic would exacerbate queues and delays at Souter Head roundabout. Mitigation of this impact will be required, and the approach taken with other developments in the area has been for the applicants to be responsible for designing a hypothetical mitigation scheme, which is costed and a contribution paid accordingly. That contribution would then be put towards a wider improvement in the area, rather than each development making piecemeal improvements to the junction.
- Based on the submitted Travel Plan framework, conditions should be attached to any consent to secure the following:
  - A 3.0m wide shared foot/cycle path on the north side of the new access road between Wellington Circle and the school, connecting to the cycle parking adjacent to the main entrances;

- Access to the bus teardrop shall be restricted to buses and service vehicles only. Access arrangements will be gated to ensure the route is not obstructed;
  - Provision of traffic calming and formal pedestrian crossing points on the new access road, to enable safe access between the new school and adjacent car parking;
  - Upgrading of the core path between Boyd Orr Avenue and Redmoss Road with lighting and a new surface;
  - Provision of a formalised path between West Tullos Road and Abbotswell Crescent;
  - Provision of a controlled pedestrian/cyclist crossing (“toucan”) on Wellington Road, just south of Souter Head Roundabout;
  - Further improvements shall be made to the existing network of foot/cycle paths adjacent to Langdykes Road;
  - An uncontrolled pedestrian crossing shall be provided on Wellington Circle;
  - Part-time 20mph speed restrictions shall be implemented on Wellington Circle (South) and on a section of Redmoss Road;
- A Travel Plan condition shall also be required, to ensure that travel planning is ongoing to support alternative modes of transport to the private car. The Travel Plan will need to be developed to identify specific aims, objectives and targets. Further infrastructure improvements may also be required in future, to promote links between the adjacent residential development and the new school.
  - A drainage impact assessment in line with SUDS principles has been submitted for the development. A condition would be required regarding implementation of the proposed sustainable urban drainage system;
  - Note that the development is exempt from providing any contribution to the Strategic Transport Fund;
  - The proposed school access road shall be designed to Aberdeen City Council standards. The development may be subject to a 2-stage Roads Construction Consent procedure, under the Roads (Scotland) Act Section 21, so the applicants need to discuss this matter with Roads Projects in further detail.

**Environmental Health** – No objection. Conditions are recommended in relation to noise, floodlighting, refuse storage, provision of litter bins, and timing of deliveries/uplifts.

### Noise

The submitted construction Noise Impact Assessment (NIA) report is comprehensive and Environmental Health colleagues concur that it is unlikely that there will be a significant noise impact to nearby residential properties. It is noted, however, that this NIA relates to the construction of the school only, and does not give consideration to noise generated from the school when it is operational e.g. noise of heating, ventilation, deliveries, alarms etc.

### Working hours

It is noted also that the submitted NIA refers to construction times which do not mirror the acceptable working hours on construction sites recommended in Aberdeen City. Acceptable working hours for noisy works are:

- Monday to Friday 07:00 – 19:00 hrs
- Saturday 09:00 – 16:00 hrs
- Sunday – No noisy work audible at the site boundary

Exceptions may be made to these hours only with prior agreement with the Pollution Section.

### Lighting

Information has been provided in relation to the lighting layout for the 3G pitch. This advises that the system will comply with the ILP 'Guidance notes for the reduction of obtrusive light 2011' and 'Lighting Guide 4 – 'Sports Lighting''. In addition, the applicant has advised on the lighting layout plan that the floodlighting proposed has been assessed using the design guidance outlined in CIBSE Lighting Guide LG4 for a class II installation for large ball sports.

It is recommended that conditions are attached and in relation to the following matters:

1. Floodlighting should be so angled and be of a power that will reduce/eliminate any potential light pollution escape out with the perimeter of the area proposed for use;
2. That a suitable and sufficient bulk refuse storage facility be provided by the school to the satisfaction of this Service. This area should be suitably gullied and provided with a wash-down facility and any refuse generated is stored within this facility until the time of uplift.
3. A sufficient number of suitable litterbins are provided in the immediate area out with the premises in order to allow school pupils the opportunity to dispose of their litter responsibly.



4. That service deliveries/uplifts to and from the premises be restricted to occur only between the hours of 07:00 – 19:00 Monday to Saturday and 10:00 – 16:00 Sundays;

In addition to the aforementioned conditions, it is requested that advisory notes are added to any consent as follows:

i. In order to protect residents of the surrounding properties from any potential noise nuisance from the proposed building works, construction should not occur:

[a] out with the hours of 0700 –1900 hours, Monday-Friday inclusive;

[b] out with the hours of 0800-1600 hours on Saturdays; and

[c] at any time on Sundays, except for works inaudible out with the application site boundary.

ii. For further guidance on controlling light nuisance associated with flood lighting, it is advised that the applicant also refers to the following reference materials:

a) Guidance to accompany the Statutory Nuisance Provisions of the Public Health etc. (Scotland) Act 2008 – Appendix 2 – Technical Guidance on light Nuisance – Section 5: Sports Facilities; and

b) Handbook on Sports and Recreational Building Design – Volume 1 – Outdoor Sports, Part IV–Ancillary Work - Section 18 – Floodlighting.

iii. Any common/car parking areas should be provided with suitable and adequate lighting to ensure public safety.

**Developer Obligations Team** – Assessment identifies an impact on the existing Core Paths network, and therefore a financial contribution towards the upgrading of Core Path 83 is required.

**Communities, Housing and Infrastructure (Flooding)** – No observations.

**Scottish Environment Protection Agency** – Object to the proposal at present, based on a lack of information. Require submission of additional information regarding flood risk, peat disturbance and surface water drainage. SEPA will review this objection if the issues detailed in Sections 1 – 3 of their response are adequately addressed.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases.

Separate from their outstanding objection on flooding and peat remediation, SEPA also recommend that various conditions are attached to any consent

granted, and if those are not to be applied then their representation should be treated as an objection.

**Scottish Natural Heritage** – No observations.

**Aberdeenshire Council** - No observations.

**Police Scotland Architectural Liaison Officer (ALO)** – No objection. Makes the following observations:

- Notes that the general layout of the site is good from a Crime Prevention Through Environmental Design (CEPTED) perspective;
- Recommends the use of different road surface treatments in different areas of the development;
- Footpaths should be straight, wide and well-lit;
- Any planting should not impede the opportunity for natural surveillance;
- Seating areas should be in areas with a high level of natural surveillance;
- CCTV should be considered;
- White lighting of uniform spread is preferred, and should complement any CCTV system;
- Building recesses exceeding 600mm should be avoided where possible;
- Consideration should be given to the use of toughened glass for ground floor or easily accessible windows;
- Unless kept within a lockable cycle store, it is always recommended that cycle parking is positioned as close to the main entrance as possible;
- Notes that external stores can be targeted by vandals, and these should be sited at least 10m away from buildings, with steps taken to discourage unauthorised access;
- Applicants are encouraged to attain the 'Secured By Design' award.

**Community Council** – Nigg Community Council has submitted a response which, though stating that it has no objection to the proposal in principle, states a number of 'serious concerns' in relation to the matters summarised below. For the purposes of consideration against the Council's scheme of delegation, this response has been treated as an objection.

- Access. It is understood that Torry Academy pupils may be transported to the new school campus by bus, however it is not known who will be liable for the costs.
- Pedestrian/pupil safety. Concerns are expressed about pupils having to cross Wellington Road, which carries a high volume of traffic and suffers from associated air quality issues. It is noted also that peak periods for traffic coincide with the times of journeys to and from school, and that the proposed school would be accessed through an area which is predominantly industrial, with associated heavy vehicle movements.

- Increased traffic along Wellington Road arising from other consented projects (housing at Loirston; Gypsy Traveller site; IKEA on Wellington Circle; and football stadium for Cove Rangers), the Aberdeen Western Peripheral Route (AWPR) and the proposed harbour development at Nigg Bay and Waste Transfer Plant at Altens East and incinerator at East Tullos respectively.

## REPRESENTATIONS

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

- Timing of the application's submission – coincides with school holidays;
- Insufficient time allowed for representations;
- Access from Wellington Circle (south) does not show any link to the Loirston development, to the south. As currently proposed, this would prevent access to the proposed Gypsy Traveller site and football stadium;
- The proposal does not demonstrate due regard for the Loirston Development Framework supplementary guidance.
- The proposal provides no opportunity for vehicles to turn if the school gates were to be closed.
- Noise from existing commercial operations may cause disturbance during the school day – notes that no assessment of existing noise levels appears to have been undertaken.
- Disruption to commercial traffic using Wellington Circle at school drop-off and collection times
- Reference is made in the submissions to potential future expansion, however it is considered that there is insufficient detail relating to any extension;
- Validity of assumptions used in Transport Assessment is queried.
- Significant increase in pedestrian traffic along Wellington Road and Wellington Circle, which lie within an Air Quality Management Area and carry a high level of HGV traffic.
- Existing public transport services from the Torry area are considered to be insufficient, and a dedicated school bus service should be provided;
- If there is no free bus service available to pupils, it is likely that a high proportion will have no option but to walk along what is considered to be an unsuitable route;
- Highlights that children will be likely to take the shortest (and less safe) route, rather than the route promoted as being safest;
- The school would be 2-3 miles from the Torry community, requiring pupils to make long journeys on foot or incur expense in bus travel;
- Questions the closure of existing academies;
- States that the site has been chosen primarily based on its ownership and asset management benefits, rather than for any benefits to the affected communities;
- No reference is made to on-site renewables or rainwater harvesting etc;
- Will the gate shown onto Redmoor Road be accessible to the general public outwith school hours to access community facilities?;

- Notes the absence of dedicated community meeting rooms with IT facilities;
- Queries how the existing watercourse will be managed in order to ensure safety;
- Notes absence of any SUDS pond on plans – will provision be made within the school site?;
- The playground is not considered to be sufficient for a school with capacity for 1350 pupils;
- Notes the presence of a flat roof and queries whether measures will be put in place to discourage birds;
- Access road should have a footpath on both sides, not only one as shown;
- Notes the potential for the school car park to be used as overspill from the proposed Gypsy Traveller Site;
- States that speed cushions should be installed on the south side of Wellington Circle;
- A bridge or an underpass should be constructed across Wellington Road;
- An existing route at Old Farm Road should be resurfaced and lit up to Whitehills Close prior to occupation of the school;
- States that paths towards the school from Langdykes Road and towards the proposed toucan crossing are not suitable for both cyclists and pedestrians, and will require widening/upgrading;
- Notes that the pavements on Wellington Circle are not wide enough to accommodate pedestrians and cyclists;
- States that a controlled crossing should be provided between the petrol filling station and Burger King, along with traffic lights controlling traffic exiting Wellington Circle onto Souter Head roundabout;

## **PLANNING POLICY**

### **National Policy and Guidance**

#### Creating Places

Scotland's policy statement on architecture and place sets out the comprehensive value which good design can deliver. Advising that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing economy.

The six qualities of successful places are set out as:

- distinctive;
- safe and pleasant;
- easy to move around;
- welcoming;
- adaptable; and
- resource efficient.

These guiding principles continue to underpin the Scottish Government's approach to delivering good places.

### Designing Streets

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.

### Scottish Planning Policy (SPP)

SPP is the statement of Scottish Government policy on land use planning, and includes the Government's core principles for the operation of the planning system and concise subject planning policies. The principal policies relating to sustainability and placemaking are relevant to assessment of this proposal, along with subject policies relating to Valuing the Natural Environment; and Promoting Sustainable Transport and Active Travel.

Para. 205 of SPP relates specifically to peat and other carbon-rich soils, stating that where these are present, applicants should assess the likely effects of development on carbon dioxide emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO<sub>2</sub> to the atmosphere. Developments should aim to minimise this release.

### **Aberdeen City and Shire Strategic Development Plan (SDP) 2014**

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

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 these attractive choices.

### **Aberdeen Local Development Plan**

#### Policy LR1 (Land Release Policy)

Opportunity Site OP80: Calder Park is zoned under Policy LR1 as an opportunity for a new stadium and sports facilities, associated with Cove Rangers.

#### Policy I1 (Infrastructure Delivery and Developer Contributions)

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where development either individually or cumulatively

will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

#### Policy T2 (Managing the Transport Impact of Development)

New developments will need to demonstrate that sufficient measures have been taken to minimise the traffic generated. Transport Assessments and Travel Plans will be required for developments which exceed the thresholds set out in the Transport and Accessibility Supplementary Guidance. Planning conditions and/or legal agreements may be imposed to bind the targets set out in the Travel Plan and set the arrangements for monitoring, enforcement and review. Maximum car parking standards are set out in Supplementary Guidance on Transport and Accessibility and detail the standards that different types of development should provide.

#### Policy D1 (Architecture and Placemaking)

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting. Factors such as siting, scale, massing, colour, materials, orientation, details, the proportions of building elements, together with the spaces around buildings, including streets, squares, open space, landscaping and boundary treatments, will be considered in assessing that contribution.

#### Policy D3 (Sustainable and Active Travel)

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

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

#### Policy D6 (Landscape)

Development will not be acceptable unless it avoids: significantly adversely affecting landscape character and elements which contribute to, or provide, a distinct 'sense of place' which point to being either in or around Aberdeen or a particular part of it; disturbance, loss or damage to important recreation, wildlife or woodland resources or to the physical links between them; sprawling onto important or necessary green spaces or buffers between places or communities

with individual identities, and those which can provide opportunities for countryside activities.

#### Policy NE5 (Trees and Woodlands)

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

#### Policy NE6 (Flooding and Drainage)

Where more than 10 homes or greater than 100m<sup>2</sup> floorspace is proposed, the developer will be required to submit a Drainage Impact Assessment. Surface water drainage associated with development must: be the most appropriate available in terms of SUDS; and avoid flooding and pollution both during and after construction.

#### NE8 (Natural Heritage)

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

7. There will be a presumption against excessive engineering and culverting; natural treatments of floodplains and other water storage features will be preferred wherever possible; there will be a requirement to restore existing culverted or canalised water bodies where this is possible; and the inclusion of SUDS. Natural buffer strips will be created for the protection and enhancement of water bodies, including lochs, ponds, wetlands, rivers, tributaries, estuaries and the sea. Supplementary Guidance will be developed on buffer strips.

#### Policy NE9 (Access and Informal Recreation)

New development should not compromise the integrity of existing or potential recreational opportunities including access rights, core paths, other paths and rights of way. Wherever appropriate, developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

#### Policy R6 - Waste Management Requirements for New Development

Recycling facilities should be provided in all new superstores or large supermarkets and in other developments where appropriate. Details of storage facilities and means of collection must be included as part of any planning application for development which would generate waste.

Further details are set out in Supplementary Guidance on Waste Management.

#### Policy R7 (Low and Zero Carbon Buildings)

States that all new buildings, in order to meet with building regulations energy requirements, must install low and zero-carbon generating technology to reduce the predicted carbon dioxide emissions by at least 15% below 2007 building standards.

### **Supplementary Guidance**

The following Supplementary Guidance documents are of relevance to the assessment of this application:

- Loirston Development Framework
- Buffer Strips
- LZC Buildings
- Infrastructure and Developer contributions manual
- Transport and Accessibility
- Trees and Woodlands
- Waste Management

### **Other Relevant Material Considerations**

It should be underlined that the Loirston Development Framework, noted above, sets out the key aspirations and principles specific to the development of this area, and that Development Framework was adopted by Aberdeen City Council as Supplementary Guidance to the Aberdeen Local Development Plan, giving the document the same status as the policies contained within the plan in the



decision-making process. As such, members should consider carefully the relationship between the current proposal and the principles and vision set out in the Development Framework.

#### PAN 82: Local Authority Interest Developments

Emphasises the need to recognise the distinction between consideration of a planning proposal and any separate corporate decision to support development, and underlines the requirement for the planning authority to carry out a thorough assessment and reach a decision in accordance with the development plan unless material considerations indicate otherwise. The authority's corporate decision to support the development must not take precedence over the need for a proper and fair planning assessment; nor should the authority's wish to proceed to a certain timetable.

#### **Proposed Aberdeen Local Development Plan**

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

- LR1 (Land Release Policy)
- Policy CF2 (New Community Facilities)
- Policy D1 (Quality Placemaking by Design)
- Policy D2 (Landscape)
- Policy I1 (Infrastructure Delivery and Planning Obligations)
- Policy NE5 (Trees and Woodlands)
- Policy T2 (Managing the Transport Impact of Development)
- Policy NE6 (Flooding, Drainage and Water Quality)
- Policy T3 (Sustainable and Active Travel)
- Policy NE8 (Natural Heritage)
- Policy NE9 (Access and Informal Recreation)
- Policy H3 (Density)
- Policy R6 (Waste Management Requirements for New Developments)
- Policy R7 (Low and Zero Carbon Buildings and Water Efficiency)

Newly introduced policies of relevance from the Proposed Plan 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.

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.

The Calder Park site is identified as Opportunity Site OP61 in the Proposed Plan. Its opportunity site designation differs from that of the extant Local Development Plan, in that it makes specific reference to the potential for the site to accommodate a new 'City South Academy' and other compatible uses.

## **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.

### **Development Plan zoning and Principle of Development**

The application site lies within an area zoned as part of the OP80 (Calder Park and Redmoss) opportunity site in the Aberdeen Local Development Plan (ALDP). Policy LR1, relating to the release of land for new development, highlights that any development which would jeopardise the full provision of any housing or employment land allocation will be refused. In this case, the OP80 designation refers to an opportunity for the development of a new stadium and sports facilities, associated with Cove Rangers Football Club. As this opportunity site designation does not relate directly to the delivery of any housing or employment land allocations, there is no direct conflict with the provisions of policy LR1 (Land Release). It is notable also that the Proposed Aberdeen Local Development Plan identifies the Calder Park site (OP61 in Proposed Plan) as '*a site for a new City South Academy and other compatible uses*'. The designation notes that developers will be required to provide a Flood Risk Assessment in support of any development proposals, however the principle is supported. On the basis of these factors, it is considered that the principle of a secondary school in this location does not result in any particular conflict with the settlement strategy outlined in the extant Local Development Plan, would not prejudice delivery of any housing or employment land allocation contained within the extant plan, and is expressly supported by the Proposed Plan.

The Strategic Development Plan recognises that development in Strategic Growth Areas (of which the City is one) will bring about a significant need for "*new and improved infrastructure, including new or extended primary and secondary schools*" (para.3.9), and notes that all four strategic growth areas should focus on "*creating sustainable mixed communities with the services, facilities and infrastructure necessary for the 21<sup>st</sup> century*" (para.3.13). This proposal for the siting of a new school, incorporating modern facilities, represents an improvement on the existing secondary education infrastructure for the south

of the city, and is considered to be consistent with the aims stated in the Strategic Development Plan.

### **Loirston Development Framework**

The Loirston Development Framework, adopted as supplementary guidance to the extant Local Development Plan, was prepared against in the context of some uncertainty regarding the future development of the Calder Park site. The LDF refers to the Council's decision to issue a refusal of landlord's consent in relation to the consented Cove Rangers development, which has now lapsed, however much of the work undertaken in the development of the framework had assumed implementation of that scheme. Section 5.13 of the framework identifies the Calder Park site as forming part of a 'sports and buffer landscape', highlighting the scope for integration and shared facilities between the proposed sports facilities and 'any educational facilities which are determined to be delivered within the site'. Whilst the delivery of a secondary school in this location was not envisaged by the Loirston Development Framework, the Council's decision to refuse landlord's consent and thereby facilitate implementation of the Cove Rangers proposal which influenced the development of the LDF means that a degree of conflict with the framework is inevitable. Reference is made in representations to a concern that the proposed development would prevent access to the proposed Gypsy Traveller site and football stadium, however it should be borne in mind that it is not necessary for any development to be designed around other consented schemes, but rather to ensure that any LDP allocations are not precluded in principle. It is recognised that both the Gypsy Traveller Site and the current secondary school propose to take access from Wellington Circle (south) via differing arrangements, and it may be the case that one or other of the proposals will require a degree of modification, however it is not considered that the planning authority could reasonably resist an otherwise acceptable proposal on the basis that it would require amendment to another scheme. This proposal for a secondary school on part of the OP80 Calder Park site is therefore not considered to prejudice delivery of the wider OP77 Loirston residential allocation.

### **Accessibility**

SPP promotes sustainable development which reduces the need to travel and encourages the provision of '*safe and convenient opportunities for walking and cycling for both active travel and recreation*' and seeks to facilitate travel by public transport. The location of the proposed school would result in longer travel distances for pupils from Kincorth, Torry and Tullos, whilst those from Cove and from consented developments at Loirston and Cove would have shorter distances to travel. The majority of pupils will be within 3 miles of the proposed new school, with those from Torry travelling furthest. The submitted Transport Assessment highlights that Wellington Road is not considered a suitable route to the proposed new school, recognising its high traffic volumes, including significant HGV traffic, busy junctions to side roads, and potential issues relating to existing air quality. The preferred route from Torry, via Abbotswell Road and Abbotswell Crescent has been assessed as meeting the standards required of a safe route for walking to school route. In order to support safe access to the school from within its catchment, a range of measures are proposed in the

submitted Transport Assessment, as detailed in the Roads Development Management Team's response, above.

### **Vehicle Access**

The site will be served by a single vehicular access from Wellington Circle. A 'teardrop' turning point would be located towards the western corner of the site, allowing buses to turn and drop off pupils at the 5 dedicated bus drop-off bays immediately adjacent to the main pupil entrance, which would avoid any requirement for those travelling by bus to enter the school building without having to cross any roads.

Car traffic would utilise the same access point to the site, but would be directed to a separate car park and drop-off area which is the subject of a separate application (ref P151365). This arrangement should ensure that conflict between pedestrians and vehicle traffic is minimised.

### **Pedestrian and Cycle Access**

The proposal makes provision for those travelling on foot or by cycle to access the site via two entrances. These are via the footpath/cycle path on the northern side of the main access road from Wellington Circle or via a separate pedestrian/cycle only access from Redmoss Road. The Redmoss Road access leads directly into the school playground, with no road crossing required, except for the internal service access road. From the Wellington Circle access, there is a single road crossing within the site, across the shared surface route serving 10 accessible parking spaces. Sheltered cycle parking would be located conveniently adjacent to pupil entrances, though Roads Development Management colleagues have highlighted that the provision is some 19 cycle spaces short of the level recommended in the Council's Transport and Accessibility supplementary guidance. It is considered that there is sufficient scope to accommodate additional provision within the site, and it is considered reasonable that this be addressed through a condition attached to any consent.

The submitted Transport Assessment includes recommendations for improvements to the local road and path networks in the surrounding area. These are detailed in the Roads Development Management Team's response, and will include the provision of new footpath/cycle routes, the improvement of existing routes (including Core Paths), appropriate traffic calming along the new vehicle access, and provision of new pedestrian crossings at Wellington Road ('toucan') and Wellington Circle (uncontrolled crossing).

The identified improvements to road and footpath networks can be secured through the use of appropriately worded conditions. This also applies to the implementation of the approved scheme of surface water drainage. Matters relating to the Roads Construction Consent process need not be secured through the granting of planning permission, and indeed it would not be appropriate for planning conditions to replicate requirements of other regulatory regimes. These measures would contribute towards minimising and mitigating the transport impact of the development, and promoting sustainable travel through providing new and improved routes suitable for cycling and walking. Taking these matters

into account, it is considered that the proposal would accord with the provisions of policies T2 (Managing the Transport Impact of Development), D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation) of the ALDP.

### **Deliveries and servicing**

Service and delivery vehicles would access the site in the same manner as buses, via the access off Wellington Circle, before branching off from the bus turning point onto a dedicated service access zone. Service vehicles would be able to turn within the north playground. The on-site energy centre would also be accessed via this route.

### **Construction phase access**

The submitted Traffic Management Plan sets out that, during the construction phase, access would be taken exclusively from Wellington Circle (south), with no access taken from the northern end of Wellington Circle or from Redmoor Road.

### **Natural Heritage and peat disturbance**

The Council's Buffer Strips supplementary guidance relates to areas of vegetation maintained around water bodies for the purposes of protecting and promoting biodiversity and in improving water quality and run-off. Such buffer strips should be proportional to the size of the water body, and it is likely that a buffer strip of 6m width would be required in this instance. It is noted, however, that the site boundary incorporates only that part of the watercourse which would be culverted to form the new road access to the site. The degree of culverting required to form the new access is not 'excessive' for the purposes of assessment against policy NE8, and is restricted to that which is necessary to form the site access.

SPP notes that the disturbance or drainage of peatlands or other carbon-rich soils is likely to result in a release of CO<sub>2</sub> to the atmosphere, and that developments should aim to minimise that release. SEPA's consultation response recognises that efforts have been made to minimise the extent of peat disturbance through the arrangement of the site, however the volume of material to be removed from the site and the need to dry out the peat lead SEPA to conclude that these proposals would not be consentable under the relevant regulatory regimes. On that basis, SEPA maintains its objection to the proposal until a solution which would be consentable under those regimes is proposed. It is recommended that all efforts are made to investigate options for the re-use of this material on-site or, failing that, options for off-site use which are within the requirements of the relevant Waste Management Licensing (Scotland) Regulations or Pollution Prevention and Control (Scotland) Regulations. As there are separate licensing regimes relating to the disturbance of peat, it is considered that this might reasonably be addressed through the use of a suspensive condition, prohibiting any commencement of works until such time as a scheme for the management of peat found within the site has been submitted and agreed in consultation with SEPA as the relevant government agency. Taking account of these matters, it is considered that, subject to further agreement in relation to certain matters, the proposed development would not result in any significant

adverse impact on natural heritage, and would accord with policy NE8 (Natural Heritage) of the ALDP.

### **Impact on Trees and Landscape**

The site is largely free from existing mature trees. There is a thick grove of densely planted conifers at the western corner of the site, adjacent to Redmoss Road, however these are sited well away from the main area of works. The submitted design statement notes that the few existing trees present will be 'retained where possible', and this position is reinforced by the submitted landscaping plan. Given the location of the existing trees relative to the proposed works, it is considered likely that there would be no significant impact as a result of the proposed development, however it would be prudent to require the submission of a scheme detailing measures for the protection of those existing trees during construction. New tree planting would be undertaken using native species. 'Avenue' planting would be laid out along the school frontage and low level planting in raised planters would be located along the north-eastern façade of the building. A new tree belt would also be planted along the south-western boundary to provide a strong screen from the west, and colour would be introduced to the landscape through the use of bulbs and foliage. A large area of wildflower meadow is proposed to the south-eastern part of the site, intended for informal active play. Taking account of these points, it is considered that the proposal would not result on any material loss of or damage to established trees, nor any adverse impact on landscape character or 'sense of place'. The proposal is therefore considered to accord with the provisions of policies NE5 (Trees and Woodlands) and D6 (Landscape) of the ALDP.

### **Noise**

A Construction Noise Assessment has been submitted as part of the current proposal. This assessment concludes that noise due to construction activities would be below the relevant thresholds, and whilst a change in the existing noise level is likely to occur at the nearest residential property during the construction phase, the effects are not likely to be significant. It is noted that the assessment undertaken is based on a worst case scenario, assuming all construction activities are undertaken concurrently and in practice will not always reflect construction activity noise levels occurring. The response received from Environmental Health notes that the applicants specify hours of work which are not recommended, however such matters are principally controlled by Environmental Health legislation, rather than through the planning system. For that reason, it is recommended that an advisory note, rather than a condition, is noted on any consent in relation to hours of work.

Based on the findings of the construction noise assessment, it is not considered that there would be any significant adverse impact arising from construction noise. It is noted that no assessment of noise arising from the site has been submitted as part of this proposal, however a secondary school in this location is considered to be complementary in general terms to the allocation of land to the south-west for residential purposes. Given the degree of separation between proposed new residential development and the school building, the nature of likely noise sources and the hours at which noise is likely to occur, it is

considered that noise nuisance is unlikely, and if adverse impact is identified through assessment, it could in all probability be appropriately mitigated. Based on these factors, it is not considered that there are any noise issues that would preclude development of a secondary school in this location, and that a condition requiring submission of a noise assessment for further agreement and requiring the implementation of any identified mitigation measures prior to occupation can adequately address any remaining concerns.

### **Floodlighting**

Comments from the Council's Environmental Health officers note that the floodlighting proposed for the 3G sports pitch has been designed with due regard for the relevant standards, aimed at minimising spillage from the site. Nevertheless, it is recommended that a condition is used to require that the floodlighting be so angled and be of a power that will reduce/eliminate any potential light pollution escaping outwith the perimeter of the area proposed for use. With officers' recognition that lighting has been designed in compliance with relevant standards, and given that Environmental Health would have separate regulatory powers to take action in the event of any light pollution giving rise to a statutory nuisance, it is not considered that a condition to this effect would satisfy the relevant tests for conditions in respect of relevance to planning and necessity.

### **Design and placemaking**

As the site would be accessed from both sides, it is an appropriate response to present a designed frontage to both. The proposal is required to incorporate a wide range of teaching, vocational, sports and performance spaces, and manages to do so quite successfully in a single building, comprising three distinct and readily identifiable parts. The school building would make use of natural light and potential for passive solar gain, and it is understood that internal teaching spaces have been designed so as to allow flexibility to respond to the changing demands over time – not being suitable only for a particular purpose.

The proportions and cumulative scale of the building are recognised, with efforts made to introduce a degree of vertical emphasis through the regular positioning of windows, use of shadow gaps to break up long horizontal sections, and use of timber linings around windows to assist in softening the overall appearance and break up overall massing. Translucent panels with vertical proportions would be used in lieu of standard windows in the sports block, intended to allow it to act as a 'beacon' for community users after hours, and the building would be readily distinguished from the main block by its metallic cladding.

The school building would be accessed via a landscaped approach from Wellington Circle (south), with new tree planting in the foreground of the vocational block helping to soften the appearance of the building and accessible car parking and bulb planting in the grassland between the school and its south-eastern boundary introducing colour. A new tree planting belt along the south-western boundary providing a buffer to the planned new residential development at Loirston. Taking account of these factors, it is considered that the proposal has been designed with due regard for its context, and would make a positive contribution to its setting, as required by policy D1 (Architecture and

Placemaking) of the ALDP. The component blocks each have their own distinct identity, and would be principally accessed via a welcoming landscaped approach. The internal spaces, as noted above, have been designed to be adaptable in order to allow flexibility in teaching accommodation, and in being designed to take advantage of passive solar gain and opportunities for natural light, the building is resource efficient. The response from Police Scotland's Architectural Liaison Officer indicates that the proposal is generally well-considered from a crime prevention perspective. Footpaths are straight and direct, and appropriate lighting can be secured. Areas of external seating are located immediately adjacent to the teaching block and benefit from extensive natural surveillance due to the upper floor windows and prominent siting at the main pupil entrance. Cycle parking is conveniently located adjacent to building entrances. These factors indicate that the proposal would possess the six qualities of a successful place, as described in 'Creating Places', Scotland's policy statement on architecture and place.

### **Drainage and Flood Risk Assessment**

A Flood Risk Assessment and Drainage Assessment have been submitted in support of this application. The submitted Drainage Assessment indicates that foul drainage from the school site will discharge into the existing foul sewer. Surface water from the eastern half of the site will drain to a cellular storage tank beneath the rugby pitch, with water from the western portion of the site draining to a similar cellular storage tank within an area of open space to the south-west of the school building, adjacent to the access road. Before discharging to these storage tanks, runoff would filter through stone filled filter trenches. The tanks would subsequently discharge surface water into the existing watercourse at a controlled rate, which would not exceed the greenfield runoff value.

SEPA's consultations response welcomes the submission of a Flood Risk Assessment relating to the burn running along the boundary of the site, however the flow estimates within that assessment differ considerably from SEPA's own assessments. Though SEPA note that the burn is likely to be able to contain peak flows, this uncertainly obliges them to maintain an objection to the proposal until such time as further information relating to flow estimation is provided. Should the planning authority be minded to grant planning permission where SEPA, in its capacity as a government agency, has stated its objection on flooding grounds, the application must be notified to the Scottish Government, as set out in the Town and Country Planning (Notification of Applications) Direction 2009. Upon notification to the Scottish Government, Ministers would have the opportunity to call-in the application for determination.

SEPA also notes that a new culvert is proposed where the new access road for the school would cross the existing watercourse. In the event that the aforementioned uncertainty regarding flow levels has been resolved, SEPA would intend that the specification of the proposed culvert would be controlled through use of a condition.

In the event of blockage at existing downstream culvert, it is noted that water would flow overland to the north-east. The flood level at the point of overland flow



is stated to be approximately 80.5mAOD, with the lowest ground levels on site being less than this, at 80.25mAOD. In light of this, SEPA also recommends that a condition be applied in relation to finished floor levels of the ground floor being at least 82.25m above ordnance datum(AOD). As the finished floor level within the school is anticipated to be around 82.25mAOD, significantly in excess of the recommended 600mm freeboard, this would ensure that any potential overland flow or groundwater flooding would not affect the school building. It is noted that lower lying parts of the site, such as the playing fields, may be at risk of high groundwater levels, however it is acknowledged that SEPA's Land Use Vulnerability Guidance recognises playing fields as a 'water-compatible' use, and therefore flood risk mitigation is not required.

SEPA's response further notes that part of the site is identified by the SEPA Flood Map as being at risk of surface water flooding, and recommends that comments be sought from the local authority flooding team. The Council's flooding team is consulted on all planning applications, and has indicated that it has no observations to make in relation to this proposal.

Based on the location of buildings relative to the watercourse in question, the degree of freeboard designed into floor levels, SEPA's general acceptance that the watercourse is in all likelihood capable of accommodating peak flows, and the applicants' intimation that further positive dialogue with SEPA has led to submission of further information which is anticipated to resolve the outstanding objection ahead of the October committee meeting date, it is considered that there is sufficient comfort that the matter can be satisfactorily addressed, and that proposals will be compliant with policy NE6 (Flooding and Drainage) of the ALDP.

### **Refuse and recycling**

Provision for refuse storage/recycling would be made within a separate contained store, located adjacent to the north-west site boundary and accessed via the service route described previously. This location would be accessible to refuse vehicles, with provision made for turning within the playground area to the north of the main block. The provision made is considered to comply with the requirements of Policy R6 (Waste Management Requirements for New Development) of the ALDP and the associated Waste Management supplementary guidance.

### **Developer Obligations**

In addition to the various local transportation improvements identified through consultation with the Council's Roads Development Management team, the Developer Obligations team has carried out an assessment of the proposal. It should be noted that planning authorities are entitled to require developer obligations for specific purposes only where there is a clear justification, based on the impacts of a proposed development. In this instance, the proposal would contribute towards an increased cumulative impact on the surrounding Core Paths network, and contributions are required towards the upgrading of Core Path 83, which would be used by pupils walking to the proposed school. By securing payment of the necessary contributions and upgrading of the local road

network, based on impacts arising from the development, the proposal would accord with the provisions of Policy I1 (Infrastructure Delivery and Developer Contributions) of the ALDP and the associated Infrastructure and Developer Contributions Manual supplementary guidance.

### **Low and Zero Carbon Buildings**

No specific details of the manner in which the proposed new buildings would demonstrate accordance with the Council's policy and guidance on reducing carbon emissions have been provided, however such submissions can be secured via an appropriately worded condition should members resolve to grant planning permission. This approach can ensure compliance with policy R7 (Low and Zero Carbon Buildings) and the associated supplementary guidance. It is noted that compliance can be achieved either through on-site provision of sustainable sources of energy generation or via exceptional energy efficiency within the envelope of the building itself.

### **Matters raised in representations**

Turning to the issues raised in letters of representation, those relating to the proposal's relationship to the Loirston Development Framework and the proposed Gypsy Traveller Site and Aberdeen Football Club stadium have been addressed earlier in this report. Similarly, matters relating to noise, traffic impact, vehicle access, pedestrian access (including community access to the campus and its facilities), drainage

The timing of pre-application events was agreed with the planning authority in advance via statutory pre-application consultation processes, and it is notable that the representation period was extended significantly beyond the requisite statutory period.

The decision to close the existing Kincorth and Torry academies is a corporate decision taken by the Council, and is not under consideration as part of the planning authority's assessment of this proposal. Similarly, the Council's motivation in selecting this site is not a relevant planning consideration, with assessment of the proposal to be based on its merits. It is noted that there is no direct reference to on-site generation of renewable energy or rainwater harvesting, however on-site generation is not the sole means of demonstrating compliance with the Council's Low and Zero Carbon supplementary guidance. As noted previously in this report, further information can be secured through use of a condition. Rainwater harvesting is not a mandatory requirement under the extant Local Development Plan. Whilst there is such a requirement under the Proposed Plan, the absence of any such measures in the current proposal is not considered to be of sufficient weight to warrant refusal.

The potential for school parking facilities to be utilised by the Gypsy Traveller community as overspill from the planned Gypsy Traveller Site is not considered to be directly relevant to this application, as parking for the school is proposed via a separate application, ref P151365. Nevertheless, it is noted that this issue relates to the management of the car parking provision, rather than addressing any impact arising from the development itself. In the event that parking areas

were to be occupied for any purpose not relating to the school, it would be for the Council to consider what action to take as landowner.

Whilst the applicants make reference to potential future expansion of the facilities, this application is concerned only with the school as proposed at this time. Any further expansion would be considered on its merits via a separate application at a later date. It is acknowledged that no dedicated accommodation has been identified for use by community groups, however it is understood that the school layout and internal accommodation has been designed to be as flexible as possible, and arrangements for the use of the facilities by community groups would principally be a matter for the school's management.

The submitted Transport Assessment notes that Aberdeen City policy relating to maximum walking distance to school stands at 3 miles for secondary pupils, and that the proposed campus is within the requisite 3 miles for almost all pupils in the new catchment. With the improvements identified in the Transport Assessment, and detailed in the Roads Development Management Team's response, it is considered that the school would be

The existence of an Air Quality Management Area on Wellington Road is acknowledged, and this has contributed towards the Transport Assessment recommending Abbotswell Road and Abbotswell Crescent as the preferred route for those walking or cycling from Torry. That route has been assessed as meeting the standards required of a safe walking to school route. Matters relating to the provision of free bus travel is a matter for the Education Authority, based on the requirements of relevant legislation on the matter, however the Transport Assessment notes that the Council does make provision for bus travel to Kincorth Academy for those living in Cove, albeit not free of charge, despite it being within the 3m threshold, and notes that the Education Authority may opt to extend a similar service to those travelling to the new school from the Torry area. Again, that is not a matter for consideration in assessing this application. Extensive comment is made in relation to the transport network improvements which are considered necessary, however the submitted Transport Assessment identifies measures which have been accepted by the Council's Roads Development Management Team as providing an appropriate level of accessibility to the proposed new school.

Management of access to the existing watercourse is a matter for the landowner, and it is not considered necessary from a planning perspective to enclose or otherwise restrict access via any physical barrier.

The development plan makes no specific requirements in relation to the area of playground to be provided as part of a new school, however the proposal makes extensive provision for indoor and outdoor sporting facilities, along with outdoor play space in the playground and the grassland area to the south-east of the school.

It is noted that the proposed school building would have a large flat roof, and it would therefore be reasonable to require submission of a Bird Hazard

Management Plan, in order that appropriate measures are implemented to discourage large numbers of birds from congregating on the roof, creating a potential risk to air traffic.

### **Matters raised by Community Council**

The planning authority's assessment is primarily concerned with the relative accessibility of the site, including by public transport. Whether or not any bus services are provided free of charge is a matter for the Council in its role as Education Authority, and will not be determined via the planning authority's consideration of this application for planning permission. Matters relating to the relative accessibility of the site have been addressed previously in this report. As noted in the foregoing representations section of this report, measures have been identified and secured to ensure that access from within the school catchment areas is of a standard sufficient to class them as safe routes to school. Increased traffic arising from other consented developments is noted, and committed developments have been taken into account in the submitted Transport Assessment.

### **Proposed Aberdeen Local Development Plan**

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

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

The foregoing can only be assessed on a case by case basis. In relation to this particular application, it has previously been noted that the Proposed Plan specifically identifies the Calder Park site (OP61) as the preferred location for '*a new City South Academy and other compatible uses*'. In this respect, the Proposed Plan lends weight to the principle of a secondary school in this location. Besides that zoning, the applicable policies of the Proposed Plan are not fundamentally different from the extant plan, insofar as relevant to assessment of this proposal.

### **Conclusion**

In summary, the general principle of a secondary school on this site would not preclude development of adjoining Local Development Plan allocations, and given the weight now afforded to the allocation made in the Proposed Plan and the changing circumstances since the allocation of the OP80 site for sporting facilities in the 2012 plan, it is considered that the proposal would broadly accord with the provisions of the existing plan, and would be expressly supported by the Proposed Plan. Impact arising from the development can be adequately mitigated through improvements to the affected junction, and measures to ensure

that the site is appropriately accessible by sustainable travel from within its catchments can be secured via conditions. SEPA's objection based on concerns relating to peak flow of the adjacent watercourse and the measures proposed in relation to on-site peat are noted, however it is felt that the positive outcome of recent discussions and the general acceptance that these matters can be addressed satisfactorily provide significant comfort that the proposal can proceed with a recommendation to approve, with the detail to be agreed via further submissions. It is anticipated that agreement may be reached prior to the committee meeting, which would remove the requirement for notification to Scottish Ministers, however if that is not the case, it is still considered that suspensive conditions would provide sufficient control. Matters raised by the local community council and by those making representations are noted, and have been discussed in the body of this report, however none of the issues raised has been considered to be of sufficient weight to warrant refusal.

## **RECOMMENDATION**

**Willingness to approve subject to conditions and the conclusion of an appropriate agreement to secure developer contributions in relation to the upgrading of Core Path 83 and subject to the requisite notification to Scottish Ministers**

## **REASONS FOR RECOMMENDATION**

The principle of a secondary school in this location, though not expressly supported by the allocation of this site in the extant Aberdeen Local Development Plan (ALDP), is recognised in the Proposed Plan, which is a material consideration of some weight at this stage. The development opportunity identified by the OP80 designation has little realistic prospect of being delivered, and it is not considered that this proposal would preclude delivery of the wider Loirston Development Framework outwith the Calder Park (OP80) site. In this context, it is considered that the allocation in the Proposed Plan is of significant weight in assessment of this proposal, and it is concluded that the proposal is consistent with the aims of policy LR1 (Land Release).

The proposed secondary school would provide a comprehensive range of educational, sporting and community facilities within a modern school campus which would be made appropriately accessible through improvements to the surrounding road and path networks.

By securing necessary improvements to the junctions affected by the proposed development, and making provision for sustainable travel to the new school campus, the proposal is considered to demonstrate that sufficient measures have been taken to minimise the traffic generated by the development, in accordance with policy T2 (Managing the Transport Impact of Development) and the associated Transport and Accessibility supplementary guidance. An appropriately worded condition will secure delivery of compliant car parking on land controlled by the applicants. Longer trips to the school site from the Torry Area are balanced against existing trips made from the Cove area, and on balance it is

considered that the proposal would be sufficiently accessible by means other than private car. The school site would be permeable, with improvements secured to existing pedestrian routes, including Core Path 83. The proposal is therefore considered to accord with the provisions of Policies D3 (Sustainable and Active Travel) and NE9 (Access and Informal Recreation) of the ALDP.

Facilities are contained within a compact form, which takes advantage of opportunities to benefit from passive solar gain and natural lighting, and which has been designed to present considered elevations to a number of faces, reflecting its location relative to existing and planned communities. The campus would be principally accessed via an attractive landscaped approach, with existing trees protected and provision made for new tree planting and landscaping, in accordance with Policies NE5 (Trees and Woodlands) and D6 (Landscape), and the associated Trees and Woodlands supplementary guidance.

The school's design presents a well-considered hierarchy of elevations, in response to its dual points of access and highlights entry points to encourage wayfinding. Vocational and sports blocks have their own identity, distinguishing them from the main teaching block, and it is considered that the proposal complies with policy D1 (Architecture and Placemaking) of the ALDP and demonstrates the six qualities of successful places outlined in Creating Places.

It is stated that the building would be particularly resource efficient, however its environmental performance and compliance with policy R7 (Low and Zero Carbon Buildings) and the associated supplementary guidance will be secured through use of a condition requiring further submissions. Similarly, further approval of refuse and recycling storage can establish compliance with policy R6 Waste Management and associated supplementary guidance.

Whilst the outstanding objection from SEPA in relation to flood risk and peat disturbance is noted, it is considered that there is sufficient comfort that these matters can be addressed through suspensive conditions, and should not preclude the granting of planning permission. By securing appropriate proposals for addressing these matters, compliance with policies NE6 (Drainage) and NE8 (Natural Heritage) of the ALDP, along with Scottish Planning Policy, can be ensured.

## **CONDITIONS**

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

(1) that the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon

Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full - to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(2) that no part of the development hereby approved shall be occupied, unless there has been submitted to and approved in writing by the Planning Authority, a detailed scheme of site and plot boundary enclosures for the entire development hereby granted planning permission. None of the buildings hereby granted planning permission shall be occupied unless the said scheme has been implemented in its entirety - in order to preserve the amenity of the neighbourhood.

(3) that no development shall take place unless a scheme detailing all external finishing materials to the roof and walls of the development (including material samples) hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed - in the interests of visual amenity.

(4) That no development shall take place unless a scheme for external lighting has been submitted to and approved in writing by the Planning Authority, and thereafter implemented in full accordance with said scheme - in the interest of public safety.

(5) that the development hereby approved shall not be occupied unless a scheme demonstrating proposals for car, motorcycle and cycle parking to serve the development, and which benefits from any necessary grant of planning permission, has been submitted to and agreed in writing by the planning authority, and that the agreed provision has been laid out and made available for use. Such areas shall thereafter remain available for use during the School's hours of operation - in the interests of public safety and the free flow of traffic.

(6) That the development hereby approved shall not be brought into use unless a scheme detailing the following access improvements has been submitted and agreed in writing by the planning authority, and subsequently implemented in full prior to occupation - in the interests of road safety and the free flow of traffic.

(a) Provision of a 3m wide shared foot/cycle path along the new school access road from Wellington Circle;

(b) Upgrading of core path 82 between Boyd Orr Ave and Redmoss Road with lighting and a new surface;

- (c) Provision of formalised path between West Tullos Road and Abbotswell Crescent;
- (d) Further improvements to paths adjacent to Langdykes Road
- (e) Provision of an uncontrolled pedestrian crossing on Wellington Circle (south);
- (f) Provision of a controlled pedestrian/cyclist crossing ("toucan") on Wellington Road, just south of Souter Head Roundabout;
- (g) Provision of traffic calming and formal pedestrian crossing points on the new access road, to enable safe access between the new school and adjacent car parking.
- (h) Provision for the pedestrianisation of a section of Redmoss Road between the existing residential dwellings and the nature reserve by use of closed gate, retractable bollards or similar at either side. This scheme should include provision for the formation of turning heads at both restricted access points to allow for vehicles to turn, with access being permitted only for emergency vehicles and for an existing farm that will have keys for either the gates or bollards. The route will be re-surfaced where required, lit and provision made for a foot/cycleway to be created along its length to ensure that a safe route to school link is made.

(7) The the development hereby authorised shall not be brought into use unless the a scheme for the provision of part-time 20mph limits on Wellington Circle (South) and on a section of Redmoss Road prior to occupation (or such other timescale as may be agreed) has been submitted to and agreed in writing by the planning authority. Any such scheme will involve all administrative costs relating to the implementation of 20mph limits being met by the developer - in the interests of pedestrian safety.

(8) that no development shall take place unless a scheme of all drainage works designed to meet the requirements of Sustainable Urban Drainage Systems has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA, and thereafter no part of the development shall be occupied unless the drainage has been installed in complete accordance with the said scheme - in order to safeguard water qualities in adjacent watercourses and to ensure that the development can be adequately drained.

(9) that no development shall be commenced unless a scheme detailing proposals to mitigate development impact on Souter Head roundabout has been submitted and agreed in writing by the planning authority. Thereafter, the approved deevlopment shall not be brought into use unless the approved proposal has been implemented in full, or a



financial contribution based on the cost of the agreed works has been made to the Council, to be put towards a wider scheme which will mitigate that development impact - in order to ensure that the impact of development traffic on the Souter Head roundabout will be appropriately mitigated.

(10) that no development shall take place unless a plan showing those trees to be removed and those to be retained and a scheme for the protection of all trees to be retained on the site during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

(11) that the development hereby approved shall not be occupied unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(12) that no part of the development hereby approved shall be occupied unless a plan and report illustrating appropriate management proposals for the care and maintenance of all trees to be retained and any new areas of planting (to include timing of works and inspections) has been submitted to and approved in writing by the Planning Authority. The proposals shall be carried out in complete accordance with such plan and report as may be so approved, unless the planning authority has given prior written approval for a variation - in order to preserve the character and visual amenity of the area.

(13) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(14) that any tree work which appears to become necessary during the implementation of the development shall not be undertaken without the prior written consent of the Planning Authority; any damage caused to trees growing on the site shall be remedied in accordance with British

Standard 3998: 2010 "Recommendations for Tree Work" before the building hereby approved is first occupied - in order to preserve the character and visual amenity of the area.

(15) that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.

(16) That the development shall not be brought into use unless there has been submitted to, and approved in writing by, the planning authority details of the availability of the school and opening of the grounds for use by the public. The school and grounds shall be available in accordance with such details as so approved unless otherwise agreed in writing with the planning authority - in the interests of the provision of recreational and community facilities to the public.

(17) The no development shall be undertaken unless a scheme detailing that the new watercourse crossing has been designed to pass the 1000 year design flow and will include an appropriate freeboard to the culvert soffit has been submitted to and agreed in writing by the planning authority, in consultation with SEPA. Thereafter, no part of the development shall be brought into use or occupied unless the culvert has been fully implemented in accordance with the details so agreed - in order to ensure that the site is not at risk of flooding from the adjacent watercourse.

(18) The development hereby approved shall not be occupied unless finished floor levels of the ground floor are 82.25m Above Ordnance Datum (AOD) or above - in order that the school building is not at risk of flooding from the adjacent watercourse.

(19) No development shall be undertaken unless a site specific construction environmental management has been submitted and approved in writing by the planning authority [in consultation with SEPA]. Thereafter all work shall be carried out in accordance with the approved plan unless otherwise approved in writing by the planning authority (in consultation with SEPA) - in order to control potential pollution of air, land and water.

(20) That no development shall be undertaken unless a scheme for the management of the existing peat material on site has been submitted to and agreed in writing by the planning authority, in consultation with SEPA. Thereafter, all development shall be undertaken in accordance with the agreed scheme, unless otherwise agreed in writing by the

planning authority, in consultation with SEPA - in order to minimise the potential for the release of CO<sub>2</sub> as a result of peat disturbance.

(21) that the use hereby granted planning permission shall not take place unless provision has been made within the application site for litter disposal and, if appropriate, recycling facilities in accordance with a scheme which has been submitted to and approved in writing by the planning authority - in order to preserve the amenity of the neighbourhood and in the interests of public health.

(22) that the building hereby granted planning permission shall not be brought into use unless an assessment of noise sources within the development site has been submitted to and approved in writing by the planning authority in consultation with Environmental Health colleagues, unless the planning authority has given prior written approval for a variation - in order to preserve the amenity of existing and future residential properties.

(23) That no development shall take place unless there has been submitted to and approved in writing a detailed Green Transport Plan, which outlines sustainable measures to deter the use of the private car, in particular single occupant trips and provides detailed monitoring arrangements, modal split targets and associated penalties for not meeting targets - in order to encourage more sustainable forms of travel to the development.

(24) Development shall not commence until a bird hazard management plan has been submitted to and approved in writing by the planning authority. The submitted plan shall include details of measures to discourage birds from utilising the large expanse of flat roof and thereafter the agreed measures shall be implemented in full - to avoid endangering the safe movement of aircraft and the operation of Aberdeen Airport through the attraction of birds.

## **INFORMATIVES**

### **ADVISORY NOTES FOR THE ATTENTION OF THE APPLICANT**

#### **NOTE 1: Hours of work**

It is recommended that no construction or demolition work should take place:

- (a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;
- (b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or

(c) at any time on Sundays, except for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

**NOTE 2: Servicing Hours**

That service deliveries/uplifts to and from the premises be restricted to occur only between the hours of 07:00 - 19:00 Monday to Saturday and 10:00 - 16:00 Sundays;

**NOTE 3: Lighting**

For further guidance on controlling light nuisance associated with flood lighting, it is advised that the applicant also refers to the following reference materials:

- a) Guidance to accompany the Statutory Nuisance Provisions of the Public Health etc. (Scotland) Act 2008 - Appendix 2 - Technical Guidance on light Nuisance - Section 5: Sports Facilities; and
- b) Handbook on Sports and Recreational Building Design - Volume 1 - Outdoor Sports, Part IV-Ancillary Work - Section 18 - Floodlighting.