



## **DESCRIPTION**

Oldfold is located immediately to the east of the built up area of Milltimber and comprises approximately 48 hectares of open countryside which is allocated for housing development.

A new junction has been constructed on North Deeside Road between Murtle Den Road and Binghill Road. The first of the units of a total of 60 units within Phase 1 are under construction and several are now occupied.

The development is also known as 'Milltimber Grange'.

## **RELEVANT HISTORY**

- Planning permission in principle (P130378) for a residential development comprising approx. 550 units, commercial, primary school, associated ancillary uses and infrastructure improvements including road junction formation on A93 was approved by the Planning Development Management Committee in April 2014. A legal agreement was subsequently signed with the planning permission being issued in February 2015.
- An application for matters specified in conditions (P150260) relating to the design and layout of the first 58 units in Phase 1 of the Oldfold site was approved in August 2015. The first units are now occupied.
- A second application for matters specified in conditions (P151512) for the design and layout of a further 2 units in Phase 1 was approved in October 2015.

## **PROPOSAL**

Approval is sought for the matters specified in condition 19 of planning permission in principle P130378. The condition relates to the upgrading and relocation of three existing bus stop on North Deeside Road. The relocation of the stops is due to conflict with the new signalised junction which serves Oldfold. The following is proposed, working east to west along North Deeside Road –

- A new east-bound bus stop ("bus stop 1") has been constructed to the east of the new Oldfold junction with North Deeside Road. This replaces the stop previously located 25m east of Murtle Den Road. The bus stop features raised kerbs, road markings and timetables.
- An existing west-bound bus stop ("bus stop 2") which was opposite Beaconhill Lodge has been repositioned to a location approximately 70m to the west, opposite 106 North Deeside Road. Bus stop timetables already exist and it is proposed to provide raised kerbs.

- The existing east-bound stop on the north side of the road, opposite Torna-dee ("bus stop 3) and 50m east of Binghill Road, would remain in its current position. Raised kerbs are proposed.
- Initially it was proposed that the existing west-bound stop 53m west of Binghill Road and opposite 145 North Deeside Road would be removed ("bus stop 4"). It is now proposed to retain it.

## 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=160422>. On accepting the disclaimer enter the application reference quoted on the first page of this report.

## REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because more than six letters of objection have been received. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

## CONSULTATIONS

**Roads Development Management** – Raised kerbs should be provided at each stop. Construction details can be agreed at Roads Construction Consent stage.

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

**Cults, Bieldside and Milltimber Community Council** – No response.

## REPRESENTATIONS

Twelve letters of representation have been received, one in support and eleven objection. The following matters have been raised –

- Concern is raised with the removal of bus stop 4 which is frequently used by residents and young people in the Binghill area, by staff and visitors to Torna-dee Care Home, and by the residents of Woodland Grove, many of whom are elderly. The removal of bus stop 4 would require passengers to walk further to reach the Binghill Road pedestrian crossing and involve a walk along a very narrow pavement on a very busy road.
- Bus stop 2 is on a very narrow, poorly lit section of pavement and is further away from the existing pedestrian crossing.

In support of the application –

- The removal of bus stop 4 is supported as it would stop stationary buses blocking the North Deeside road / Binghill Road junction.

- The relocated bus stop 2 is close to the pedestrian controlled crossing at Oldfold thus serving that development and easier and quicker access for both visitors and Staff would be achieved to the Tor Na Dee care home, once construction traffic ceases by using the old stable road and the top entrance to Binghill Grove and the care home car park.
- The proposals for bus stops 1 and 3 are supported.

## **PLANNING POLICY**

### **Aberdeen Local Development Plan (2012)**

Policy T2 (Managing the Transport Impact of Development)

Policy D3 (Sustainable and Active Travel)

### **Proposed Aberdeen Local Development Plan (2015)**

Policy (T2 Managing the Transport Impact of Development)

Policy T3 (Sustainable and Active Travel)

## **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.

In order to improve each of the identified stops, raised kerbs would be installed to assist passengers in boarding and alighting buses. The provision of shelters has been discounted due to the width of the pavements and conflict with a section of shared foot/cycle path. All stops are sufficiently illuminated at present.

In terms of those stops which have been relocated, bus stop 1 is now in a more convenient location closer to existing properties and the new homes at Oldfold.

Concern was been raised that the relocated west-bound bus stop (bus stop 2) now opposite 106 North Deeside Road would be on very narrow, poorly lit section of pavement and is further away from the existing pedestrian crossing. The pavement however is no narrower than where the stop was previously located, is underneath a street lamp and is in-fact closer to the existing pedestrian crossing at Binghill Road. It also benefits from the new pedestrian crossing at the Oldfold junction which is closer.

The initial concern from residents over the loss of bus stop 4 was shared by roads and planning officers, with the result being that the bus stop will remain in place. There is no scope for a bus layby to be provided and therefore the

situation where buses stop on the carriageway is unavoidable. This is the case at most bus stops on North Deeside Road.

The final proposals for each bus stop have been assessed by the Council's Roads Development Management Team and Public Transport Unit and have been found to be acceptable. The proposals are therefore considered to be in accordance with Policies Policy T2 (Managing the Transport Impact of Development) and D3 (Sustainable and Active Travel) which requires new development to discourage the use of the private car.

A condition is recommended requiring the work to be carried out within 3 months.

#### Proposed Aberdeen Local Development Plan

The Proposed ALDP was approved for submission for Examination by Scottish Ministers at the meeting of the Communities, Housing and Infrastructure Committee of 27 October 2015. 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 representation and are regarded as unresolved issues to be determined at the Examination; and
- the relevance of these matters to the application under consideration.

Policies and proposals which have not been subject to objection will not be considered at Examination. In such instances, they are likely to be carried forward for adoption. Such cases can be regarded as having greater material weight than those issues subject to Examination. The foregoing can only be assessed on a case by case basis. In this instance the policies in the proposed plan reiterate those in the current plan and do not raise any new considerations.

### **RECOMMENDATION**

**Approve subject to conditions**

### **REASONS FOR RECOMMENDATION**

The proposed raised kerbs at each bus stop would enhance accessibility to public transport and are therefore considered to be in accordance with Policies Policy T2 (Managing the Transport Impact of Development) and D3 (Sustainable and Active Travel) and which requires new development to discourage the use of the private car.

### **CONDITIONS**

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

#### (1) RAISED KERB PROVISION

The raised kerbs shall be installed in accordance with Fairhurst drawings 83744/sk1803 and 87344/SK1804 within 3 months from the date of this decision notice or otherwise agreed in writing with the planning authority.

Reason – in order to ensure that accessibility to the bus stops is enhanced and that the development is carried out in accordance with the requirements of the Planning Permission in Principle.