

Planning Development Management Committee

BT ENGINEERING DEPOT, FROGHALL
TERRACE, ABERDEEN

PLANNING PERMISSION IN PRINCIPLE FOR
DEMOLITION AND MIXED USE
REDEVELOPMENT COMPRISING: STUDENT
ACCOMMODATION / RESIDENTIAL (FLATS);
AND CAR PARKING, ACCESS AND OTHER
ASSOCIATED WORKS; DETAILED APPROVAL
IS SOUGHT FOR THE SITING AND MAXIMUM
HEIGHT OF BUILDINGS, AND POINTS OF
PEDESTRIAN AND VEHICULAR ACCESS AND
EGRESS.

For: Telereal Trillium & BT plc

Application Type : Planning Permission in Principle

Application Ref. : P151772

Application Date: 10/11/2015

Officer: Nicholas Lawrence

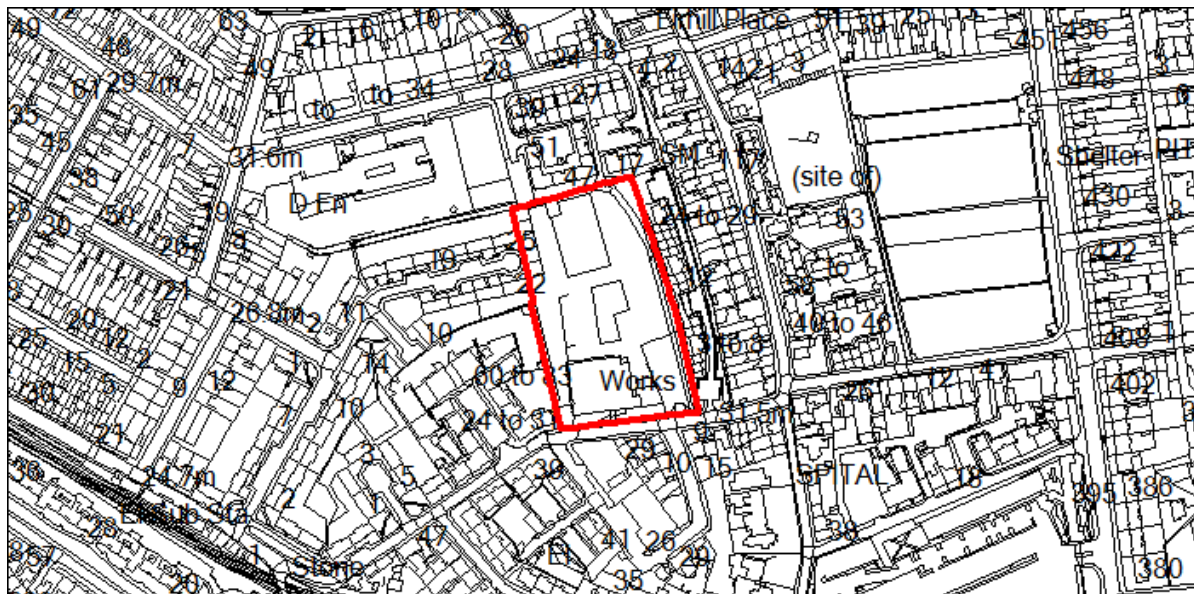
Ward : George Street/Harbour (M Hutchison/J Morrison/N Morrison)

Advert : Can't notify neighbour(s)

Advertised on:

Committee Date: 18 August 2016

Community Council : Comments



RECOMMENDATION:

Willingness to approve subject to section 75 Agreement addressing the provision of affordable housing, education contribution, car club space, associated Road Traffic Order, sport and recreation contribution, community facility contribution, together with appropriately worded planning conditions.

APPLICATION SITE

The site is roughly rectangular in shape (c.1.70 ha) and framed to the south by Froghall Terrace, to the east by properties fronting Froghall View, to the west by a recent flatted development, and to the north by further flats. Sunnybank Primary School abuts the north-west corner. The eastern boundary aspect rises steeply from the balance of the Site and consequently those properties on Froghall View occupy an elevated position by some 7 metres.

The site is currently occupied by BT plc, as a depot facility that comprises a compound, associated operational structures, together with an office building fronting Froghall Road. Access is via two points off Froghall Terrace.

The character of the immediate and wider area is defined by residential development that ranges in height from single storey dwellings through to multi-storey apartment buildings that include courtyard styled development.

In terms of connectivity the location is sustainable, with a full range educational, commercial, cultural and social uses being accessible by means of transport other than the private motor car.

With regard to designations; under the extant Aberdeen Local Development Plan the site is within a mixed use area, identified as opportunity Site OP104, and constitutes previously developed land (i.e. a brownfield site). The OP designation is not carried over to the emerging replacement Local Development Plan.

PROPOSED DEVELOPMENT

Planning in principle is sought for two developmental elements; firstly, student accommodation for a maximum number of 425 bed spaces within the northern (i.e. 'rear') part of the site; and secondly, flatted residential development to a maximum of 80 units, of which 20 (i.e. 25%) would be affordable, on that part of the site fronting Froghall Terrace.

Although submitted in 'outline' there are a number of matters that are to be considered as fixed and have informed the assessment process; these comprise:

- Developmental form (including roof pitches);
- Siting of the respective developmental elements;

- Maximum number of residential apartments and student bedroom units;
- Vehicular and pedestrian access/exit points; and
- Parking provision based upon 12 one bed flats, 48 two bed flats and 20 affordable units.

In terms of the composition; the proposed student accommodation adopts a singular quad form with a pitched roof that provides student bed spaces across 4 floors, save for a two storey section surmounted with a roof terrace. The maximum ridge height is c.15 metres, with an eaves height of c.8.5 metres. In terms of the separation distance between the eastern block and the residences along Froghall View, this varies between 20.00 and 26.40 metres. Whereas, the distance between the rear elements and the flatted development to the north alternates between 21.00 and 22.40 metres.

The courtyard form, albeit in the form of disaggregated blocks is replicated in the residential element, with four perimeter blocks each of which provides residential space across 4 floors, around an open aspect courtyard. The ridge height of the residential block to is 14.5 metres, with an eaves height of 11 metres. The distance between the facing elevation to Froghall View is between 25 and 30 metres. By comparison the distance between the elevation of the western residential block to the elevation of the existing adjoining Barratt development is 42 metres.

Both student and residential elements are linked visually by way of a 'green avenue' that in turn provides pedestrian access onto Froghall Terrace for the occupants of the residential element of the proposed development. Segregation between the two elements is set by what is described as a "*Boundary fence to form physical barrier between Student Residential & Residential developments*", albeit no landscaping details are shown. Overall vehicular access is via the existing points off Froghall Terrace, with the eastern access serving the student accommodation, and the western the residential. With regard to parking and servicing; the residential area incorporates parking for 80 cars, together with the provision of 2 car club spaces that will be located on Froghall Terrace. The student area will provide for: student dropping off, 2 disabled parking spaces and 5 visitor/staff spaces. There is no vehicular connectivity between the two developmental elements.

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=151772>

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

- Design and Access Statement

- Phase 1 Environmental Assessment
- Flood Risk and Drainage Assessment
- Planning Statement
- Report of Consultation
- Daylight Impact Assessment
- Landscape Strategy and Tree Survey
- Framework Travel Plan
- Student Management Plan Framework
- Transport Assessment

PRE-APPLICATION CONSULTATION

The applicants held two consultation events with the local community on the 20th of May 2015 and thereafter on the 25th of August 2015, as required for applications falling within the category of major developments as defined in the 'Hierarchy of Development' Regulations.

Both events were advertised in the local press, together with invitations to properties surrounding the site, as well as local businesses, together with the distribution of local posters in a series of public venues. Some 213 properties were notified of the first event as well as ward Councillors, the respective Members of the Scottish and UK Parliaments, together with the Community Councils. The same pattern of notification was undertaken for the second event.

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the Planning Development Management Committee because 36 objections have been received and also an objection from the Community Council for the area. Accordingly, the application sits outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Development Management Team– No objection, subject to conditions addressing: provision of dropped kerbs; improvement to bus stops; student management plan notifying that students are not eligible for parking permits; that the student accommodation is not occupied until the submission of a student parking management plan; submission of details of cycle parking; provision of a car club contribution for the residential element, with relevant delivery costs borne by the applicant; that the development mix determining parking standards should be as set out in the e-mail of 17.06.2016 (to provide 112 spaces); submission of residential parking management plan; provision of cycle parking details for residential element; internal road layout to be agreed; refuse collection strategy; travel plan submitted for the student accommodation; submission and approval of a Drainage Impact Assessment.

Environmental Health – No objection subject to a contaminated land conditions.

Developer Contributions Team – Contributions towards primary education at Sunnybank Primary School; community facilities (Powis Community Centre); and Sport and Recreation (Westburn Outdoor Centre, Aberdeen Sports Village, and Beach Leisure Facility)

Communities, Housing and Infrastructure (Flooding) -

Scottish Environment Protection Agency – No objection subject to conditions requiring: feasibility study into meeting the required Building Standards through a district heating scheme and the provision of the infrastructure for heat networks; submission and agreement of a site specific construction management plan; and submission and agreement of full details of the surface water management proposals, all prior to any works commencing

Froghall, Powis and Sunnybank Community Council – Object on the following grounds: questionable requirement for student accommodation; amenity impacts; inadequate infrastructure; overdevelopment; insufficient parking; and impact on views of local residents.

REPRESENTATIONS

36 representations objecting to the proposed development have been received, relating to the following matters:

- Affect upon amenity
- Loss of view
- Increase in noise levels
- Need for student accommodation
- Unsuitability of ground conditions
- Overdevelopment
- As residents object it should be refused
- Road safety and congestion on roads
- Increase in drinking and crime
- Infrastructure capacity
- Lack of parking
- Decrease in property values
- Location of bins
- Lack of bike storage
- Vehicular access
- Design, height and massing
- Impact upon wildlife
- Unbalanced community
- Should be elsewhere
- Increase in litter
- Students congregate and smoke
- Loss of trees

Whilst the objections cover a number of matters there is a concentration upon the student element of the scheme, albeit concerns on height, overdevelopment, amenity, loss of view, impact upon the local road network and parking are common across the proposal.

PLANNING POLICY

Aberdeen Local Development Plan

- I1 Infrastructure Delivery and Planning Obligations
- T2 Managing the Transport impact of Development
- D1 Architecture and Placemaking
- D2 Design and Amenity
- D3 Sustainable and Active Travel
- H2 Mixed Use Areas
- H4 Housing Mix
- H5 Affordable Housing
- NE4 Open Space Provision in New Development
- NE6 Flooding and Drainage
- NE8 – Natural Heritage
- R6 Waste Management Requirements for New Development
- Technical Advice Note – Student Accommodation
- Technical Advice Note – Natural Heritage

Proposed Aberdeen Local Development Plan

- I1 Infrastructure Delivery and Planning Obligations
- T2 Managing the Transport impact of Development
- D1 Quality Placemaking by Design
- D2 Landscape
- T3 Sustainable and Active Travel
- H2 Mixed Use Areas
- H3 Density
- H4 Housing Mix
- H5 Affordable Housing
- NE4 Open Space Provision in New Development
- NE5 Trees and Woodland
- NE6 Flooding, Drainage and Water Quality
- NE8 – Natural Heritage
- R6 Waste Management Requirements for New Development

National Policy and Guidance

- 3rd National Planning Framework
- Scottish Planning Policy
- Creating Places
- Planning Advice Note 78 – Inclusive Design

- Planning Advice Note 77 – Designing Safer Places
- Planning Advice Note 67 – Housing Quality
- Planning Advice Note 61 – Planning and Sustainable Urban Drainage Systems
- Planning Advice Note 60 – Planning and Natural Heritage

EVALUATION

Main Issues

The main issues are: whether the principle of the development is acceptable, having particular regard to its impact upon the character and appearance of the area; effect upon the living conditions of neighbouring residents; and, accessibility and transport sustainability. All issues have regard to the provisions of the development plan and other material considerations

Development Plan Policy Framework and Materiality

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, as amended, (the Act) requires that proposals are determined in accordance with the Development Plan unless other material considerations indicate otherwise.

In this instance the Development Plan primarily comprises the Aberdeen Local Development Plan (ALDP) that was adopted in February 2012. Materiality is also set, in part, by the Proposed Aberdeen Local Development Plan (PALDP). Whilst the PALDP has yet to undergo independent scrutiny and is not a statutory part of the Development Plan it has been adopted by the Council as constituting a material consideration in the decision-taking process and should be accorded the appropriate weight.

At the national level, other material considerations include, albeit not limited to, Scottish Planning Policy, Creating Places and Planning Advice Notes.

Assessment of Main Issues

Principle of the Development

The Proposed Uses

The site is within a defined Mixed Use Area, to which policy H2 of the ALDP applies. This policy, as with its proposed PALDP replacement, is not prescriptive on the type of uses that are deemed appropriate.

H2 does require that account must be taken of the existing uses and character of the surrounding area and avoid undue conflict with the adjacent land uses and amenity. It further adds that where new business/ commercial uses (taken here as being the student accommodation) are permitted, development should not adversely affect the amenity of people living and working in the area.

Allowing for the nature of the proposed development it is considered that the proposed uses fall within the scope of policy H2.

Supply of Housing and Student Accommodation

In terms of housing supply; conventional housing can be accommodated on the site and there are no physical constraints that would preclude conventional housing making the efficient and effective use of the totality of the site.

Notwithstanding the above, the site has not been accounted for in the formal Housing Land Supply figures; albeit that there is an overarching aim within the ALDP to secure 7,000 homes on brownfield sites by 2023. It is also material to the decision-taking process to note that the Council has demonstrated that it has a five year housing supply, even although the contribution of mixed use sites is not accounted for.

Turning to the provision of student accommodation; the matters at hand relate to whether such a use would compromise capacity to meet the need for conventional dwellings, especially affordable family homes; and if there is a demand for such a use.

The Council recognises that the universities make a significant contribution to the City's economy and labour market and it is important that their attractiveness is not compromised by inadequate provision or quality of student accommodation and such accommodation should be in sustainable locations relative to the higher education establishments.

The TAN on the provision of student accommodation does not provide an assessment on the quantitative or qualitative need for dedicated student accommodation.

However, in providing student accommodation and removing demand from the conventional housing market it is likely that the proposed development will reduce pressure for students to be accommodated in more conventional accommodation (e.g. reduce pressure for conversion of existing housing stock to Houses in Multiple Occupation) freeing up this accommodation for permanent residents.

Bringing the above matters together, the proposed development will increase the supply of student accommodation within the City and allowing for the size of the site, will do so without negative impact on the volume or delivery of conventional housing. In addition, the developments proximity to Aberdeen University and its sustainability in transport terms would mean that this proposed use is compatible with those aims of the Council.

It is acknowledged that a concentration of student accommodation within or close to an area of conventional housing can lead to problems of integration with the need to secure more mixed and balanced communities. All of which may raise

particular local challenges that could harm the living conditions of permanent residents. This is discussed below.

Effect upon the Character and Appearance of the Area

The character of any area is more than the visual flow of the type of buildings and their associated materials; it also embraces the juxtapositions of buildings, their setting and the spaces they create. Any development ranging from the adaptation through to new build of whatever scale should not be considered in isolation and must be informed by the immediate and wider context.

Here it is clear that the quantum, mass and scale of what is proposed bears no relationship to the existing buildings on the site. That though is not a proper basis for any judgement of the merits of the proposal. A much denser form of development than currently exists may be perfectly possible without it appearing out of place in its surroundings.

The assessment of context is set out within ALDP under policy D1, which also looks for new development to make a positive contribution to its setting, whilst seeking a high quality of design. It also cites a number of factors to be taken into account in the assessment which includes: scale; mass; proportions of buildings; spaces around buildings and boundary treatments. As cited above the impact of any proposed development has to have due regard to its context as set out under ALDP policy H2. This position is also reflected at the national level within the SPP as well as Creating Places.

In this instance the character of the area is dominated by residential development, including significant areas of flats that adopt both courtyard and strong linear arrangements, that follow the local road network. Therefore the form of the development would complement rather than harm the character of the area.

On the matter of scale; many flats in the immediate vicinity are comparable in height, to that proposed and provide accommodation across a similar number of levels. The arrangement of the blocks across both aspects of the development, together with the central squares serve to break up the overall bulk of the development, a feature that is common to the area. As such the proposed development would not, in size terms, appear unusual or out of place in this location.

Whilst the existing residential buildings along Froghall View are significantly more modest in scale to that proposed, their elevated position is sufficient to avoid and appearance of incongruity in terms of scale. Indeed they would have a ridge height well above that of the ridge height proposed.

With regard to design and mindful that the application is submitted in principle, the submission provides no architectural detailing, save the roof form and silhouette of the proposed blocks, which are treated as fixed matters. The pitched roof form is the dominant roof style of the immediate and wider area and

as such the adoption of this form marries this aspect of the scheme with the character of the area.

The site is currently devoid, save part of the eastern boundary, of any valuable green space and the areas shown on the Revised Site Layout Drawing can be developed to provide a significant environmental benefit should planning permission be forthcoming.

Having regard to all the matters above, and mindful that landscaping can be addressed by way of a planning condition, it is considered that there is no material harm to the character and appearance of the area in general. In these respects there would be no conflict with either the development plan or national policy. Indeed, in certain respects the development is likely to enhance the appearance of the area in general.

Living Conditions of Neighbouring Residents

It is accepted that privacy levels and the protection of general amenity constitutes a material consideration and is an important design objective in ensuring that residents of surrounding properties and those occupying new accommodation feel at ease within and outwith their residences. It is not however to protect a private interest. Whilst ALDP policy D2 – *Design and Amenity* only seeks to afford privacy to the occupiers of new developments, policy H2 of the ADLP clearly references the need to have regard to the impact upon the amenity of those surrounding a development site.

The Applicants following discussions with your Officers have increased the separation distances of the student accommodation aspect of the scheme from those properties on Froghall View and the flats to the north of the site.

In this regard there are two main considerations in assessing the effects, albeit as an in principle submission, on the living conditions of neighbours. The first is the impact of the development's physical presence; the second is the impact of future occupiers.

Turning firstly to the development's physical presence; on the matter of the loss of a view, it is recognised that the residents of Froghall View have become accustomed to a relatively open aspect across the site, allowing for the current scale of buildings on the site. However, views are not something that the planning system seeks to protect, outwith settings of listed buildings and conservation areas.

The proposed development is largely a series of four storey blocks which in turn have a different physical and perceptual relational to the areas outwith the site. The eastern section of student accommodation is positioned some 20.00 to 26.00 metres from the residents of numbers 13-29 Froghall View. Whilst this represents a range of separation distances not found in the immediate context it is not an unusual arrangement in city environments. By way of reference the distances between the faces of the residential block varies between circa 32 to

36 metres, however, a courtyard form will naturally have greater distances between elevations above that of terraced / linear forms of residential development.

Allowing for these distances and the elevated position of the properties along Froghall View, it is considered that the amenity of the occupiers of both the proposed and existing properties will not be adversely harmed by the proposed development and this aspect of the scheme accords with policy H2 of the ADLP and national guidance.

The northern aspect of the student accommodation faces the flatted development off Sunnybank Road, and again the separation distance between the two facing elevations alternates between 21.00 and 22.40 metres. Again it is considered that this distance provides adequate levels of amenity for the occupiers of these flats and the proposal and therefore accords with policy H2 of the ADLP and national guidance.

With regard to the relationship of the northern residential block to Froghall View, the separation distances between vary between 25 metres (to numbers 3-8) and 30 metres (to numbers 9 and 10). These distances are considered to provide an acceptable level of amenity both for the occupiers of the existing dwellings and the proposed development.

It is therefore considered that this aspect of the impact of the proposed development on the living conditions of neighbouring residents is compliant with the provisions of the development plan and other material considerations.

Moving on from the development's physical impact and turning to the potential impact of any future student occupiers, particular concerns have been raised over the effect of students creating noise, or otherwise anti-social behaviour, and the resultant impacts of the development on the number of students in the area.

As far as noise is concerned, it is accepted that students accessing the accommodation cannot be solely restricted to using the northern access point. However, the Applicants have submitted an indicative landscaping plan that looks to 'steer' students to the northern access only, by way of 'soft barriers' that would minimise the impact upon the future occupiers of the residential element of the proposed development.

It is therefore considered that the proposed development would not harm the living conditions of neighbouring residents and the occupiers of the proposed residential element contrary to policy H2 of the ALDP and national guidance.

With regard to the composition of the proposed development to the surrounding area; there is a requirement to secure mixed and balanced communities. There is no evidence that the community is unbalanced or that the proposed development will produce that effect. Indeed, the proposed development will provide elements that contribute to mixed and inclusive communities.

Accessibility and Transport Accessibility

The Roads Development Management Team (RDMT) are content, subject to the conditions covering the issues set out above, that the development would not have any adverse impact upon the local road network and that the parking provision is acceptable to the context.

In terms of promoting sustainable transport options, again the RDMT are clear in their advice and it is considered that the suggested conditions are appropriate to address the issue of transportation infrastructure.

Other Issues

Biodiversity

A condition is recommended in relation to a pre-construction site survey, to ensure that any species are protected both during and post construction phases. In terms of the improvements to the quality and scope of the open space this can be addressed by way of appropriately worded planning conditions.

Infrastructure

SEPA have raised no objections subject to a number of conditions. It is considered that the condition for a feasibility study for district heating scheme does not meet the tests for a valid condition. That aside all other matters can be addressed by an appropriately worded planning condition.

Trees

As the application is submitted in principle, matters of landscaping and tree retention / additional planting can be addressed by way of appropriately worded planning conditions.

Unsuitability of the Ground

Environmental Health colleagues recommend a contaminated land survey to address this matter.

RECOMMENDATION

Willingness to approve subject to section 75 Agreement addressing the provision of affordable housing, education contribution, car club space, associated Road Traffic Order, Open Space contribution, together with appropriately worded planning conditions.

REASONS FOR RECOMMENDATION

The proposed development would provide a form of mixed used development that is in compliance with policy H2 of the Development Plan

in terms of its contribution to creating mixed and inclusive communities. The application, albeit submitted in principle, will not harm the physical or social character of the area and adversely affect road safety for all users of the local road network. The proposed development therefore complies with the aforementioned policies of the Development Plan, together with national guidance and other material considerations.

CONDITIONS

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

1.

that no development pursuant to the planning permission in principle hereby approved shall be carried out until such time as a further application has been made to the planning authority for approval of the matters specified in this condition and such approval has been granted; these matters being details of the:

- (i) detailed design and external appearance of the building(s) the height and roof form shall accord with the submitted drawings;ii) landscaping of the site, including construction and laying out of the access and the installation of a swale or other measures in order to handle water from the former mill lade;
- (iii) details of the boundary treatments, including the hedge and temporary treatment to the boundary in the period before the hedge reaches its intended height;
- (iv) a construction method statement
- (v) full details of access junctions onto local road network
- (vi) the submission and agreement in writing from the local planning authority of an agreed phasing plan for the residential and student accommodation elements of the development hereby approved

Reason: To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

2.

The development hereby permitted is restricted to a maximum of 80 residential apartments, of which 20 will be affordable dwellings, and 425 student bed spaces

Reason: To define the scope of the development applied for and in the interests of proper planning

3.

The landscaping details to be submitted pursuant to Condition 1 above shall

include:

- a) Existing and proposed finished ground levels relative to a fixed datum point;
- b) Existing landscape features and vegetation to be retained;
- c) The location of new trees, shrubs, hedges, grassed areas and water features;
- d) A schedule of plants to comprise species, plant sizes and proposed numbers and density;
- e) The location, design and materials of all hard landscaping works including walls, fences, gates, roads surfaces, street furniture and play equipment;
- f) An indication of existing trees, shrubs and hedges to be removed;
- g) A programme for the completion and subsequent maintenance of the proposed landscaping.

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

Reason: In the interests of protecting trees and ensuring a satisfactory quality of environment and to comply with policies NE5 and NE8 of the Aberdeen Local Development Plan 2012

4.

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policy D of the Aberdeen Local Development Plan 2012

5

No development shall commence until details for the provision of dropped kerbs, footways, and footway crossings at the access junctions have been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition.

Reason: In the interest of pedestrian and road safety

6

No part of the development hereby approved shall be occupied until details for the improvements to the bus stops on the Spital, including an implementation programme, have been submitted to and agreed in writing by the Local Planning Authority by way of a formal application for matters specified by condition.

Reason: To promote sustainable travel by means other than the private motor car and to comply with policy D3 of the Aberdeen Local Development Plan 2012

7

No part of the student accommodation element of the development hereby approved shall be occupied until a student management plan, including car parking, has been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition.

Reason: In the interests of amenity and proper planning

8

No part of the development hereby permitted shall commence until details of secure parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and agreed in writing by the Local Planning Authority by way of a formal application for matters specified by condition. These facilities should be fully implemented and made available for use prior to the occupation of any part of the development, in accordance with the agreed phasing plan, hereby permitted and shall thereafter be retained for use at all times.

Reason To ensure satisfactory facilities for the parking of cycles is provided to encourage travel by means other than the private motor vehicle and to comply with policy D3 of the Aberdeen Local Development Plan 2012.

9

Prior to the commencement of the residential element of the development hereby approved a residential parking management plan shall be submitted to and agreed in writing by the local planning authority by way of a formal application for matters specified by condition and the development shall operate in full accordance with the agreed residential parking management plan from the first occupation of any part of the residential element of the development

Reason To ensure adequate levels of parking is provided allowing for the quantum of residential units provide.

10

No development shall commence until an internal road and layout parking plan has been submitted to and agree in writing with the local planning authority by way of a formal application for matters specified by condition.

Reason To ensure adequate car parking and in the interest of safety for all users of the development.

11

No part of the development hereby approved shall be occupied until such time as a user's Travel Plan has been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition. The development shall operate in full accordance with all measures identified within the Travel Plan from the first occupation of any part of the development. The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives. Within the agreed travel plan evidence shall be submitted to demonstrate compliance with the agreed monitoring and review mechanisms

Reason: In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with policy T2 of the Aberdeen Local Development Plan 2012.

12

Prior to occupation of any part of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage, shall be submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition. Any approved external lighting shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently. The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution of the night sky and neighbouring properties and to comply with policy D2 of the Aberdeen Local Development Plan 2012.

13

Details for the on-site storage, disposal and collection of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of each phase of development hereby approved. The approved details shall be carried out in full prior to occupation of each phase of development and retained thereafter.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, in the interest of safeguarding the amenities of neighbouring occupiers, occupiers of the approved development, and the area in general, in compliance with policy R6 of the Aberdeen Local Development Plan 2012.

14

No development approved by this permission shall be commenced until a drainage impact assessment, including a scheme for the provision of surface water drainage works, has been submitted to and approved in writing by the Local Planning Authority by way of a formal application for matters specified by condition. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policy NE6 of the Aberdeen Local Development Plan 2012.

15

If piling works are required in the construction of the development the method of piling shall be agreed in writing by the Local Planning Authority prior to those works commencing on site. There shall be no driven piling unless there are no other alternatives due to engineering considerations. The details of driven piling shall also be submitted to and agreed in writing by the Local Planning Authority and implemented in strict accordance with those details.

Reason: In order to safeguard the amenity of the local area and neighbouring residents at unsocial hours and to comply with policy H2 of the Aberdeen Local Development Plan 2012

16

No unit of residential or student accommodation hereby permitted shall be occupied until written confirmation to the written satisfaction of the Local Planning Authority has been submitted demonstrating that the public foul sewerage network can cope with the flows from the proposed development.

Reason: In this interest of flood management and to comply with policy NE6 of the Aberdeen Local Development Plan 2012

17

No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-

- (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the Local Planning Authority.
- (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
- (iii) The required remediation scheme implemented in full.

If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the aforementioned terms shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements set out above have been complied with in relation to the new contamination.

The development shall not be occupied until a closure report has been submitted to and approved in writing by the Local Planning Authority. This shall include verification of all measures, or treatments as required in (Section i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

Reason: To ensure that the Local Planning Authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with policy R2 of the Aberdeen Local Development Plan

Prior to the commencement of development a walk-over survey strategy should be submitted to and agreed in writing with the Local Planning Authority, which for the avoidance of doubt shall be undertaken during and post-completion, that will allow agreed landscape and biodiversity enhancement proposals to be adjusted accordingly.

Reason: To comply with policy NE8 of the Aberdeen Local Development Plan