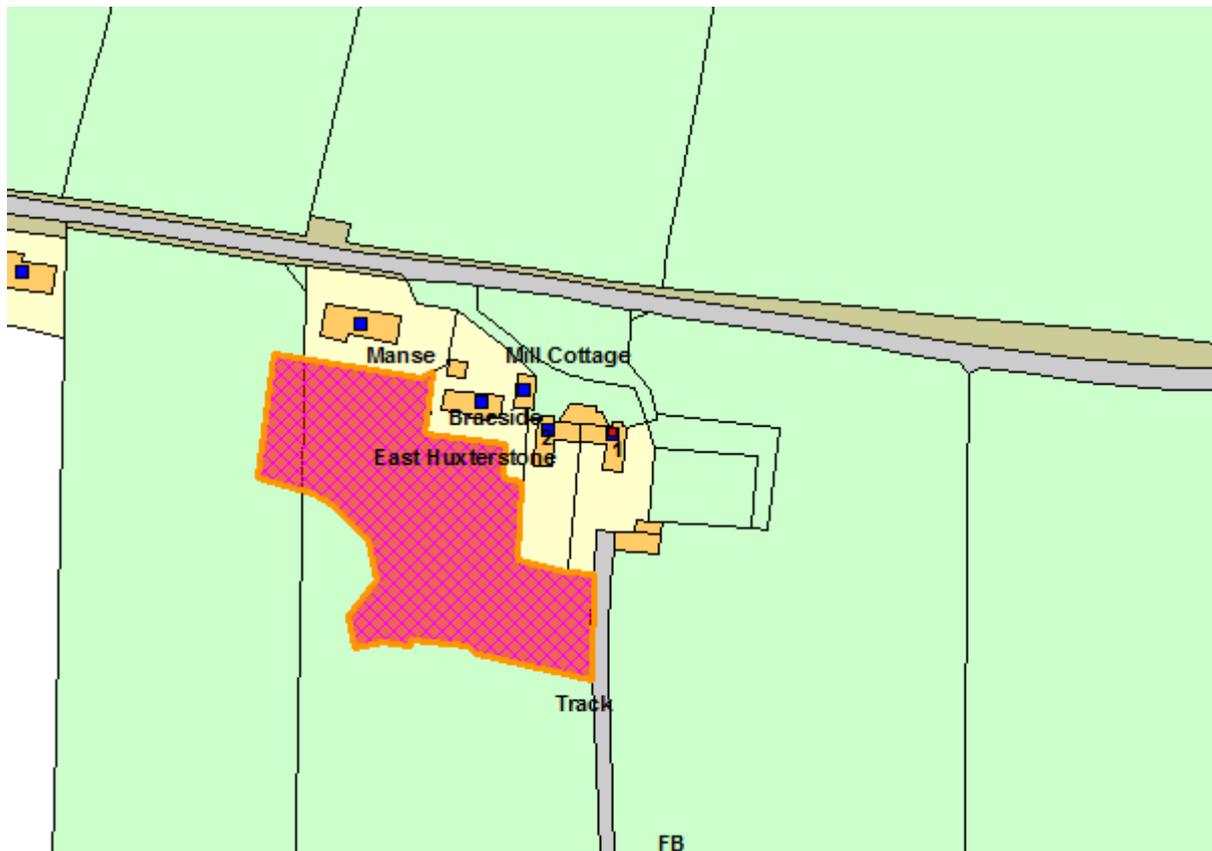


Planning Development Management Committee Detailed Planning Permission

161057/DPP: Erection of 20 houses at Land At Huxterstone, Lang Stracht, Aberdeen, AB15 8

For: Mr Norrie Quick

Application Date:	19 July 2016
Officer:	Dineke Brasier
Ward:	Kingswells/Sheddocksley/Summerhill
Community Council:	Kingswells
Advertisement:	N/A
Advertised Date:	N/A



RECOMMENDATION: Willingness to approve subject to conditions, with issue of consent document withheld until upfront payment of developer contributions is made.

SITE DESCRIPTION

Immediately to the east of the existing residential area of Kingswells, the site is part of opportunity site OP42 (Kingswells D and West Huxterstone) as allocated in the

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Aberdeen Local Development Plan (ALDP) and retained as OP30 in the Proposed Local Development Plan (PLDP). These opportunity sites were indicatively identified for 120 homes in both Plans.

In dual control, Dandara in the west and Stewart Milne in the east, there are existing permissions (see below) in place across the whole site. The area subject of this application is within the Stewart Milne half, particularly the north-east corner. Overall the wider OP site is transitioning from agricultural fields to a residential area, with a number of dwellings in the northern area completed and others under construction.

The landform slopes steeply from north to south and access is taken from the Old Lang Stracht, with in time a link to Fairly Road.

RELEVANT HISTORY

130912 - saw conditional planning permission granted for the construction of 97 dwellings on the larger Stewart Milne site in August 2015. Works on site have started with the first dwellings completed.

130288 – saw conditional planning permission granted for the construction of 46 dwellings (Dandara) on the western part of OP42, accessed off Fairley Road in April 2014. This development is nearing completion.

Immediately adjoining the NW corner of OP42 planning permission has been granted for the construction of four detached dwellings at the junction of the Old Lang Stracht and Fairley Road. Initially approved for two detached and a pair of semi-detached properties under 141156 in August 2015, an alternative layout comprising 4 detached properties was approved in February 2016 under 151942. Works are currently underway.

DESCRIPTION OF PROPOSAL

Construction of 20 dwellings in place of 15 previously approved in the north-east corner of the land associated to planning permission 130912. The previously approved 15 dwellings were a mix of terraced townhouses, semi-detached and detached dwellings. The current proposal sees an increase in the overall number of units by 5, as a result of altering the mix to smaller units by reducing the number of detached dwellings and increasing the number semi-detached and terraced properties. In addition, split level town houses (designed to deal with the slope of the site) are substituted for smaller two storey terraced units.

The currently approved site layout includes a curved main road sweeping through the site, with dwellings fronting directly onto this road. This road layout is replicated in the current proposal, with the main change being an alteration in the mix of house types and their relationship to that road and associated alterations to site levels, including a large retaining wall.

SUPPORTING DOCUMENTS

All drawings and supporting documents listed below can be viewed on the Council's website at www.publicaccess.aberdeencity.gov.uk.

- Design Review

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to the the Planning Development Management Committee as Kingswells Community Council object. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation

CONSULTATIONS

Consultee	Date of Comments	Comments Made
ACC - Roads Development Management Team	3 October 2016	No objection, but would like to ensure that driveway gradients do not exceed 1:15, and that vegetation on the near side bend of the roadway is low to ensure sufficient forward visibility.
ACC - Flooding And Coastal Protection	24 August 2016	No objection, but request a revised Drainage Impact Assessment with particular emphasis on the change from approved to revised hard standing and roof areas.
ACC – Contaminated Land Unit	12 August 2016	No objection, but recommend an informative advising that if any contamination is found, the applicant should contact the Local Planning Authority immediately
ACC – Environmental Health	16 August 2016	No objection, subject to conditions requiring a Construction Management Plan and noise protection measures during construction.
ACC – Waste Management Team	16 August 2016	No objections, following a revised site plan showing suitable bin storage areas.
ACC – Education Services		No objection - Advise that the additional calculated pupil numbers would equate to 1.2 and request contributions to improve facilities at Kingswells Primary School.
Developer Obligations Teams	28 September 2016	Contributions would be required towards Affordable Housing, Primary Education, Community Facilities, Core Paths, Off-site Footpaths and Healthcare provision

REPRESENTATIONS

Kingswells Community Council: Objection, based on a further increase in the density on the site resulting in a poorer living environment and potential capacity issues at Kingswells Primary School.

PLANNING POLICY

Aberdeen Local Development Plan:

- LR1: Land Release Policy
- D1: Architecture and Placemaking
- D2: Design and Amenity
- I1: Infrastructure Delivery and Developer Obligations
- T2: Managing the Transport Impact of Development
- H4: Housing Mix
- H5: Affordable Housing
- NE6: Flooding and Drainage
- R6: Waste Management Requirements for New Development

Proposed Local Development Plan:

- LR1: Land Release Policy
- I1: Infrastructure Delivery and Developer Obligations
- D1: Quality Placemaking by Design
- T2: Managing the Transport Impact of Development
- H4: Housing Mix
- H5: Affordable Housing
- NE6: Flooding, Drainage and Water Quality
- R6: Waste Management Requirements for New Developments

OTHER RELEVANT MATERIAL CONSIDERATIONS

West Huxterstone Masterplan

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

Principle of the development:

The site is allocated in both the ALDP and the PDLP for residential development. The principle of the proposal has already been established through both the local plan process and the approval of planning permission 130912 for 97 dwellings on the larger Stewart Milne site. The current application would increase the overall number of dwellings therein by five, however the proposed use (residential) and overall principle of the proposal is the same as that previously approved.

It is noted that the site is indicatively identified for 120 units in both Plan, but that currently 143 units have been approved on the overall OP site. This application would see this increase to an overall 148 units, which is 28 more than the indicative allocation. This initial increase in density has been considered and approved via

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those previous applications, whilst the issues associated to the further increase is considered below.

Site layout:

The site layout, outwith this application area, remains as that approved under planning permission 130912. Additionally the route and form of the main access road running from Old Lang Stracht through the site would remain unaltered. In general terms the arrangement of dwellings facing onto this main road remains in the revised layout. The main structural change being the upgrading of the site street running east towards the boundary, which would now serve 5 (2 semi-detached and 3 terraced) rather than 3 (detached) properties. The proposed site layout is considered to be acceptable, as there is no significant or immediately obvious change to the streetscape, other than the small side street, from that previously approved. The properties on that side street face onto an area of public open space.

House type and density:

Although the mix of house types and layout would be slightly altered and increased in density. From north to south, the previously approved mix consisted of three terraces of split level two/three storey townhouses, three detached dwellings leading to the side street which would contain two pairs of semi-detached dwellings. Again from north to south, This current proposal would replace these dwellings with two rows of four smaller two storey terraced dwellings, two pairs of semi-detached dwellings and three detached dwellings leading up to the junction with the side street. The side street would then be faced by a row of three terraced houses and a pair of semi-detached dwellings.

It is acknowledged that the overall density increases slightly, in terms of unit numbers although the total bedroom numbers only sees one more. Moreover, the smaller property types ensures that there remains sufficient garden space for each dwelling, whilst following the established street pattern. The proposed dwellings do not appear cramped or hemmed in, and thus the density is considered acceptable.

In addition, even though there is an increase in smaller house types, the overall site would still represent a mix of properties of various designs and size as required by policy H4 (Housing Mix) of both Plans.

Design:

The proposed house types are fairly standard Stewart Milne designs, and reflect elevational treatment of the dwellings approved previously on the site and across the remainder of the development. Proposed finishes include a mix of white render and stone, with roofs clad in grey concrete tiles. This again, would fit in with the palette of materials as previously approved under P130912 and would therefore ensure a coherent arrangement across the overall site.

To the rear of plots 83-86 would be a high retaining wall leading up to the existing dwelling of the Manse. It is proposed that this retaining wall will be landscaped, details of which can be submitted as part of a condition. Further landscaping within the site would be predominantly street trees. The main open areas within the overall development are located outside this current application site. As such, only details of

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these street trees will be required to ensure consistency of approach within the overall development.

Impact on residential character and amenity:

The general grain of development accepted under P130912 is generally continued and it is considered that the general relationship between the proposed dwellings and the existing dwellings to the north is essentially similar as that previously approved, and would not result in any significant adverse impact on the residential amenities of these properties.

With regards to the relationship between the properties within the site, due to their orientation and separating distances, all dwellings achieve an acceptable level of privacy and overlooking between properties.

Each dwelling has access to a garden with a minimum length of 9m, although some of these gardens include a slope. The north facing gardens serving plots 81-88 are looking out towards the retaining wall along the boundary with the existing dwelling 'The Manse'. This would not provide the best of orientation and settings, but taking account of the limitations of the site and lack of alternatives, on balance, this would be considered acceptable and not significantly different from the arrangement previously approved.

Impact on local highway conditions, parking and waste management:

The general road layout is unaltered from that approved under P130912. The main difference being the cul-de-sac would accommodate five dwellings rather than three. This is not considered a significant change, and would not result in any issues in relation safe access or egress.

The majority of parking spaces would be provided in-curtilage, with all of the 2/3 bed dwellings along the main road being shown with a driveway long enough to accommodate two cars. The detached dwellings, which have 4 bedrooms, would have 2 or 3 on-site parking spaces, including one in a garage. The Council's Supplementary Guidance on Transport and Accessibility sets out a requirement for two parking spaces for two/three bedroom properties and three parking spaces for larger dwellings. In addition, there are a further three on-street spaces in the southern end of the application site, which would be available for any over-spill parking. The proposed parking provision is considered to be acceptable, especially when taking into consideration that the site is located between various direct bus routes to Aberdeen and near a cycle path. As the overall site would be located on a hill, the developer would need to ensure that none of the driveways would exceed a gradient of 1:15, which they are aware of. This issue would be dealt with through the Roads Construction Consent process.

The site plan shows a bin store location at the beginning of the cul-de-sac. This bin collection point would be within the maximum distances for both residents and binmen to collect bins, and would therefore be acceptable. Swept path analysis has shown previously that a bin lorry can navigate the streets within the development, and this situation is not altered.

Site drainage and flooding:

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No revised Drainage Impact Assessment has been submitted by the applicant. However, any changes to the approved drainage layout are likely to be minor, and the Council's Flooding Section is satisfied that this can be dealt with through condition.

The Den Burn is a distance to the south, running along the southern boundary of the larger site, however, due to the steep change in levels, this part of the site is above the potential flood risk zone, and no further details covering this aspect are required.

Developer contributions, affordable housing and school capacity:

The developer obligations report sets out contributions required for the following:

1. Off-site provision of additional affordable housing associated to the additional units, equating to 1.25 units (£31,250);
2. Primary education (provision of additional capacity at Kingswells Primary School - £6,165);
3. Community facilities (further provision of community facilities in Kingswells - £3,879);
4. Core path network (upgrades to core path 31 – (£1,775);
5. Provision of an off site footpath along Old Lang Stracht (£2,219); and
6. Healthcare (upgrade NHS Facilities in Kingswells - £4,784).

Total: £50,072

An existing S75 covers the wider development site, and these figures have been calculated based on an increase in the overall number of units by 5. Rather than either setting up a separate S75 or a S75 variation to the existing legal agreement, it is considered that an upfront payment would be the most efficient method of dealing with this and this approach has been agreed with the applicant.

At present, Kingswells Primary School is close to capacity. However, due to a change in the mix of house types, with more smaller and fewer larger properties, the increase in the overall number of additional pupils generated is only 1.2. Education & Children's Services advise that this very small increase in the potential number of pupils attending Kingswells Primary School is acceptable and can be mitigated by developer contributions.

Other matters:

Environmental Health requested the submission of a Construction Management Plan (CMP) and noise protection measures prior to development. A CMP including noise protection measures was submitted as part of purification of conditions for the previous application P130912. It is considered that this document is sufficiently up to date and that a new CMP is not required.

Environmental Health also requested a condition in relation to hours of work. Any noise complaints arising from construction would be dealt with by Environmental Health and comes under separate legislation. It would therefore not be reasonable to attach a condition dealing with this issue. However, an informative has been included advising the applicant to restrict working hours.

Aberdeen Airport was consulted for the previous application, and following this consultation a condition was attached restricting the type of lighting that could be used on the development. Due to the smaller size of the current application, it was not considered necessary to consult the Airport again. However, for consistency, the relevant condition has been copied into this new recommendation.

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 and the Reporter has now reported back. The proposed plan 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 comment by the Reporter; and
- the relevance of these matters to the application under consideration.

The Reporter's response does not affect policies in a manner that is relevant to this application. In relation to this particular application proposal policies in the Proposed LDP are not materially different from those in the adopted LDP.

Approval to adopt the LDP will be sought at Full Council meeting of 14th December. The actual adoption date is likely to be around the third week in January.

RECOMMENDATION: Willingness to approve subject to conditions, with issue of consent document withheld until upfront payment of developer contributions is made.

REASONS FOR RECOMMENDATION

The proposed variation in the site layout and mix of dwellings as proposed in this current application is considered to be acceptable. The proposal would provide a satisfactory living environment for future residents and would not have an unacceptable impact on the residential amenity of existing neighbouring dwellings. The proposals would not have an adverse impact on local highway conditions, parking or flooding. Subject to the payment of an upfront monetary contribution, the impact of the increase in the density of the site would not represent an unacceptable strain on local services and facilities.

The proposal is therefore considered to comply with policies LR1 (Land Release Policy), D1 (Architecture and Placemaking), D2 (Design and Amenity), I1 (Infrastructure Delivery and Developer Contributions), T2 (Managing the Transport Impact of Development), H4 (Housing Mix), H5 (Affordable Housing), NE6 (Flooding and Drainage) and R6 (Waste Management Requirements for New Development) of the Aberdeen Local Development Plan and policies LR1 (Land Release Policy), D1 (Quality Placemaking by Design), I1 (Infrastructure Delivery and Planning

Obligations), T2 (Managing the Transport Impact of Development), H4 (Housing Mix), H5 (Affordable Housing), NE6 (Flooding, Drainage and Water Quality) and R6 (Waste Management Requirements for New Development) of the Proposed Local Development Plan and the West Huxterstone Masterplan.

CONDITIONS

1. Prior to the completion of a RCC compliant road and footpath link between Old Lang Stracht and Fairley Road, no more than a combined 70 residential units approved under P130912 and this current application shall be occupied, all to the satisfaction of Aberdeen City Council as the local planning authority.

Reason: To allow satisfactory vehicular access to the site and ensure compliance with the West Huxterstone Masterplan.

2. That no individual dwellinghouse hereby approved shall be occupied unless the car parking area relative to that house has been constructed, laid-out and demarcated in accordance with drawing number DV-REMIX-001E of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by Aberdeen City Council as local planning authority.

Reason: In the interest of public safety and the free flow of traffic.

3. That no development shall be carried out until there has been submitted to and approved in writing by Aberdeen City Council as the local planning authority an updated Drainage Impact Assessment considering the changes in the proposed site layout compared to that approved under P130912.

Reason: To ensure that the development can be adequately drained.

4. That no development shall be carried out until there has been submitted to and approved in writing by Aberdeen City Council as the local planning authority a detailed scheme of landscaping for the site. This shall include details of planting against the retaining wall and the bank leading up to the Manse, and the street trees.

Reason: In the interest of the visual amenity of the area.

5. That all planting comprised in the approved scheme of landscaping required by condition 4 shall be carried out in the first planting season following completion and that any trees or plants which, within a period of 5 years from such completion, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of an appropriate size and species, or in accordance with such other scheme as may be submitted to and approved in writing by Aberdeen City Council as local planning authority.

Reason: In the interest of the visual amenity of the area.

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6. The lighting schemes required during construction phases or in association to the completed development shall be of a flat glass, full cut off design, mounted horizontally and shall ensure that there is no light spill above the horizontal.

Reason: To avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare.

ADVISORY NOTES FOR APPLICANT

Hours of construction: That, except as Aberdeen City Council as the local planning authority may other agree in writing:

- No piling work shall be carried out; and
- No construction or demolition work shall take place outwith the hours of 07:00am to 07:00pm Mondays to Fridays; 09:00am to 04:00pm Saturdays or at any time on Sundays; except (on all days) 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.]