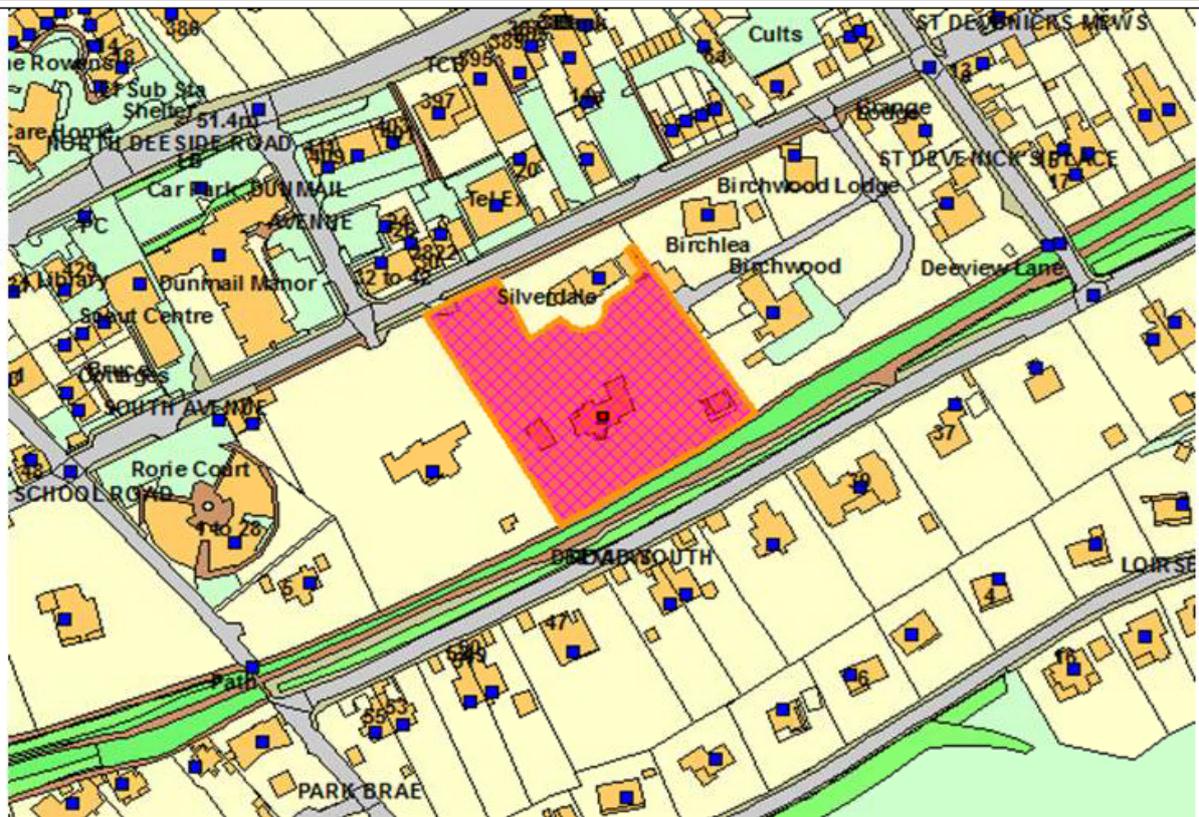


Site Address:	Dunmail, 3 South Avenue, Aberdeen, AB15 9LP
Application Description:	Proposed development of 21 sheltered apartments (retirement living) with associated landscaping and parking
Application Reference:	170087/DPP
Application Type	Detailed Planning Permission
Application Date:	30 January 2017
Applicant:	McCarthy And Stone Retirement Lifestyles Ltd
Ward:	Lower Deeside
Community Council	Cults, Bieldside And Milltimber
Case Officer:	Dineke Brasier



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RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The site is located on the south side of South Avenue in Cults, midway in the section between School Road and St Devenicks Place. Immediately to the west is 5 South Avenue, which is a substantial detached granite villa set in a large garden. To the east is 1 South Avenue, which is also a large granite building, containing 3 flats, set in substantial grounds. The Deeside Walkway runs along Deevie Road South immediately to the south.

The existing single dwelling is set in a roughly rectangular plot narrowing down towards the north providing vehicular access onto South Avenue. It is surrounded by a high wall to the north, a low wall and mature trees to the east, high conifers to the south and a low, open boundary to the west. The existing dwelling is white rendered with a slated roof and set over two levels with a detached garage building to the west and a timber summerhouse in the south-east corner of the garden.

The site is located in an existing residential area, and is covered by TPO 159.

Relevant Planning History

- A planning application (Ref: 160552) for the construction of 21 residential units (sheltered living) with associated landscaping and parking was refused by Planning Committee on 27th October 2016. The main reasons for refusal were based on the scale, bulk and massing of the proposed building, its impact on existing and proposed replacement trees, and adverse impact on the residential amenity of 1 and 5 South Avenue. That Committee decision has subsequently been appealed to Scottish Ministers, but no decision has been issued by DPEA as yet.
- Planning application 140568 for the demolition of the existing dwelling and the erection of four houses and associated infrastructure, including three detached garages was refused by Planning Committee on 15 January 2015. The main reasons for refusal were based on an adverse impact on trees, and an adverse impact on the character and appearance of the surrounding area due to the intensification of the use of the site. This decision was appealed, and DPEA dismissed the appeal on 10 July 2015. The appeal was dismissed primarily on the proposal's impact on the trees on the site.

APPLICATION DESCRIPTION

Description of Proposal

Planning permission is sought for the construction of 21 sheltered apartments (retirement living) with associated landscaping and parking. According to the Planning Statement, the apartments are designed to provide housing accommodation for the elderly (over 60s) with particular features to meet their specific needs, including landscaped gardens and an on-site warden.

The bulk of the building would have a square floorplan, with three storeys and an overall height of around 12.5m. Attached would be two and a half storey 'wings' projecting out from the west and north elevations. These 'wings' would have an overall height of 9m. The roof plan shows a dual pitched roof over the central section of the building with full gables on all corners. The roof would also contain large sections of flat roof over both the two and a half storey wings and the square central section. The proposed construction is faced with white coloured render and artificial stone for the walls under a roof of grey tiles.

The proposal would see the site contain 22 parking spaces, mainly to the west and north of the proposed building, a widened, realigned access and access road, bin store, bike and buggy store and landscaped gardens. Internally, the accommodation would provide 20x 2 bed flats and 1x 1

bed flat and a further individual guest bedroom available for use to all flats, all arranged over the three floors. The two bedroom flats would range in size from c.80m² to c.100m², with the one bedroom flat being 70m². The ground floor would further contain a residents' lounge and managers' office. All flats would be accessed from a central corridor, three flats in the east elevation would be single aspect with the remainder having generally a dual aspect.

When compared to the previous application 160552, the number of units has remained the same – 21. However, the design and position of the building has been altered, the previous floorplan was generally rectangular with a full three storey central section, dropping down to two and a half storeys on either side. The building was orientated east-west with the access road running from South Avenue to the north east of the site with parking all along this road.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OKL2G9BZINB00> .

The following documents have been submitted in support of the application –

- Appeal decision notice P/PPA/230/875: Former Firhill Service Station, Oxgangs Road North, Edinburgh, dated 24 April 2007 *This document is not considered of relevance as it is concerned with an appeal decision on a site in Edinburgh that is not comparable to the site subject of this appeal.*
- Appeal decision notice PPA-100-2061: 3 South Avenue, Cults, dated 10 July 2015 (Cala)
- Arboricultural Report by Ian Keen Ltd, dated December 2015 and January 2017
- Design and Access Statement (parts 1 and 2) by the Planning Bureau, dated January 2017
- Drainage Statement by Dougal Baillie Associates, dated January 2017
- Ecological Assessment and Stage 1 Bat Survey by David Dodds Associates Ltd, dated December 2015
- Design Assessment by Woodhall Planning and Conservation, dated January 2017
- Planning Statement by the Planning Bureau, dated January 2017
- Site Investigation Report by Crossfield Consulting, dated February 2016
- Social Needs Report supporting the proposed development of 21 retirement living apartments by McCarthy and Stone at South Avenue, Cults, Aberdeen by Contact Consulting (Nigel Appleton), dated January 2017
- Stage 2 Bat Survey Report by David Dodds Associates Ltd, dated May 2016
- Traffic Speed Survey by Dougal Baillie Associates, dated December 2015
- Transportation Issues by Dougal Baillie Associates, dated January 2017

Reason for Referral to Committee

The application has been referred to the Planning Development Management Committee because an objection has been received from the Cults, Bieldside and Milltimber Community Council and there are more than six letters of objection. The proposal therefore falls outwith the scheme of delegation.

CONSULTATIONS

ACC - Roads Development Management Team – No objections, subject to submission of further details for a cycle/buggy store.

ACC - Environmental Health – No objections, subject to a condition requiring a Construction Noise Management Plan.

ACC - Flooding And Coastal Protection – No objections, but recommend use of permeable block paving and incorporation of rain water attenuation storage in the design.

ACC - Waste Strategy Team – No objections, subject to a condition requesting waste/ recycling management details

Scottish Water – No objections

Developer Obligations Team – Contributions required for affordable housing (£288,750), open space (£3,038) and healthcare (£16,991)

Cults, Bielside, Milltimber Community Council - Objection for the following reasons:

- Proposal will result in overlooking and loss of privacy to neighbouring properties;
- Detrimental increase in density;
- Removal of mature trees;
- Design does not incorporate provision for heat pump space heating or solar panels;
- Impact on the provision of medical services in Cults

REPRESENTATIONS

14 letters of objection and 7 letters of support (including two from the current landowners) have been received.

The letters of objection raise the following issues:

1. Scale, density, design and visual impact out of character in the surrounding area and would represent an overdevelopment of the site;
2. Proposed materials out of character as substantial granite built homes on either side;
3. Proposal at odds with ACC guidance on protection of large garden grounds;
4. Proposal would represent a threat to the character and history of Cults, where villas were always located in this area. Proposal could set a precedent for similar applications on neighbouring sites;
5. Comparison of proposal to other large buildings within Cults is not relevant;
6. Removal of trees. Tree survey systematically records the height of trees lower than the tree survey submitted for the CALA application in 2014. Proposed layout would not allow sufficient space for root growth and crown spread of both existing and replacement trees;
7. Adverse impact on biodiversity and reduction in habitat for wildlife;
8. Land burdens prohibit the construction of more than four dwellings on the site;
9. Overprovision of accommodation for the elderly in the immediate surrounding area;
10. Increase in elderly residents could alter demographics of surrounding area and could deter young families from moving into the area;
11. Impact on provision of medical services;
12. Traffic survey not credible and figures manipulated by choice of day, times, etc. Development would result in increase in traffic, not just from residents but also from services and deliveries;
13. Insufficient parking provided on site. No parking restrictions on South Avenue. Indiscriminate parking on South Avenue would impact on visibility splays;
14. Impact on residential amenity of neighbouring properties at 1 and 5 South Avenue and Silverdale in relation to overlooking, loss of light, noise and light pollution;
15. Proposed rooms on the east side of the building would be severely overshadowed by existing trees and would provide a poor level of living accommodation;

The letters of support raise the following:

1. Proposal would address a recognised need for additional accommodation for the elderly;

2. Proposal would create a sustainable development, creating economic and social benefits for the surrounding area;
3. Proposal would make a valuable contribution to the character and amenity of the area;
4. Proposal would provide a good quality, safe and secure living environment for the elderly, and would be close to existing shops, services and public transport;
5. This area of Cults is mixed in terms of heights and density of development. Modern design would fit in well. The proposed building footprint would cover 18% of the total site area, which should not be considered excessive;
6. Majority of trees would be retained on the site;
7. Proposal would be screened from public views from South Avenue;

The letters from the landowners raise largely the same matters as other letters of support, focusing especially on: the perceived need for the development, the density of the surrounding area, its impact on existing trees and past and proposed tree management.

MATERIAL CONSIDERATIONS

Legislative Requirements

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.

Aberdeen Local Development Plan (2017)

- H1: Residential Areas
- D1: Quality Placemaking by Design
- NE5: Trees and Woodland
- H5: Affordable Housing
- I1: Infrastructure Delivery & Planning Obligation
- T2: Managing the Transport Impact of Development
- NE6: Flooding, Drainage & Water Quality
- NE8: Natural Heritage
- R6: Waste Management Requirement for New Development
- R7: Low & Zero Carbon Build & Water Efficiency

Supplementary Guidance and Technical Advice Notes

Supplementary Planning Guidance:

- Affordable Housing
- Sub-division and Redevelopment of Residential Curtilages
- Transport and Accessibility
- Trees and Woodlands

Interim Planning Advice:

- Planning Obligations

EVALUATION

Principle of Development

The site is located in an existing residential area, and policy H1 (Residential Areas) applies. This policy sets out that the principle of residential development is acceptable, as long as it:

- a. Does not constitute overdevelopment;
- b. Does not have an unacceptable impact on the character and amenity of the surrounding area;

- c. Does not result in the loss of valuable areas of open space; and
- d. Complies with Supplementary Planning Guidance.

These issues will be discussed below

Impact on character and appearance of the surrounding area:

The settlement of Cults can be split into several character zones. The core of the village is located along North Deeside Road and spills into the north side of South Avenue. This is the most densely developed part of the village, and contains the majority of local shops and services and some flatted developments along both North Deeside Road and the north side of South Avenue.

When moving to the south and west, the density decreases substantially and the character and form of the surrounding area changes significantly. This area is predominantly characterised by low density development with substantial detached buildings (granite villas) set in large, mature gardens. This pattern is repeated in a south and westward direction leading towards the river Dee and the settlements of Milltimber and Bielside, with mostly detached dwellings set in large plots with south facing gardens to make most of the views towards the river Dee, solar orientation and the fall in levels across and down towards the river. The site subject of this application falls within this latter area.

Policy D1 focuses on the delivery of quality placemaking, setting out that all development should follow a thorough process of site context appraisal to achieve an appropriate proposal. To assist in the assessment of proposals, six qualities of successful placemaking have been defined. These are:

1. Distinctive;
2. Welcoming;
3. Safe and Pleasant;
4. Easy to get to/ move around;
5. Adaptable;
6. Resource Efficient.

The supporting text then provides a number of criteria that should be met. With regards to the first criterion '*Distinctive*', it sets out that proposals should respond to the site context, and should be designed, amongst others, with due consideration to siting, scale, massing, footprint and proportions.

Supplementary Planning Guidance on the 'Subdivision and Redevelopment of Residential Curtilages' sets out that consideration must be given to the effect the building would have on the character of the area formed by the intricate relationship between buildings and the surrounding spaces created by gardens and other features. Furthermore, new buildings should not project forward of any established building lines, and their scale and massing should complement the scale of surrounding properties.

The proposed building would have a central three storey relatively square core and would have projecting lower two and a half storey wings attached to the north and west elevation. The central core would have a height of 12.3m and the wings would be 9m high. The overall dimensions of the core would be approximately 24m by 20m with the two wings measuring 10m by 20m (west) and 14m by 20m (north). As such, the overall south and east elevations would each have a length of around 35m.

The buildings either side are large detached granite villas characteristic of the massing and type of development within this lower density area of Cults. 1 South Avenue has an L-plan with a relatively square core with a narrower wing attached to the north elevation. Approximate dimensions for this

core are 11.5m by 14.5m with the wing measuring 11.5m by 8m. As a result, the longest west elevation would have an overall length of c.23m.

5 South Avenue again has a square core with a projecting wing either side to the east and west. Here the core roughly measures 12.3m by 13m with the west wing measuring c.9m by c.9m and the east wing c.8m by c.5m. The longest north elevation incorporating both wings measures c.30m.

Taken in comparison, the massing of the core of the proposed building is roughly double their size and the longest elevation would be respectively 5m (no.5) and 12m (no.1) longer than that of these existing buildings. Furthermore, the width of the proposed building would be at least 7m (no.5) and 5.5m (no.1) wider. As a result, the overall bulk and massing of the proposed building would be significantly larger than that of the neighbouring properties, which, in themselves are large dwellings of a scale representative of the surrounding area.

Another indication of the significant increase in the bulk and volume of this building when compared to the two dwellings either side is the need to deviate from the established building line evidenced in the surrounding area. The north elevation of the projecting wing generally follows the northern building line set by 1 and 5 South Avenue and continues to the east with properties on St Devenicks Place and St Devenicks Terrace. However, the bulk of the proposed building would significantly break this existing building line on the south, as it would project c.10m from the south elevation of 1 South Avenue and, due to its narrower width, c.20m from the south elevation of 5 South Avenue. As a result, the main bulk of the building would sit south of the general established building line in the surrounding area bringing it much closer to the rear boundary of the plot and the Deeside Walkway behind. It is this southern elevation and building line which is particularly characteristic of the area and of the buildings which front the Deeside Walkway. The proposed building therefore does not sit comfortably within this established context, as its main volume would project beyond the established southern building line, and reflective of the significant intensification and overdevelopment of the site.

The 21 proposed flats would represent a considerable increase in the overall density of the site. This increase in the number of residents has an inherent impact on the site layout as, due to the required number of parking spaces and width of the access road needed to serve the development, the amount of land available for soft landscaping and outdoor amenity space would be significantly reduced and out of context in its surroundings. Furthermore, the entrance and access road into the site would be widened to achieve requirements set out by Roads Development Management. All of these would have an impact on the general appearance of the site, and would make it appear much more developed than currently the case. It would also alter the character of the site from a mature residential garden serving a single dwelling to that of a much higher density and intensity of development, which would be uncharacteristic in this quiet low density area, and would further serve to demonstrate that the proposal would be an overdevelopment of the site.

It is considered that, when taking account of all of the above, the proposal would represent an overdevelopment, that would not respond satisfactorily to the site context which is of a low density area with dwellings set in large garden grounds. It would therefore not fully comply with the criteria as set out in policies H1 (Residential Areas), D1 (Quality Placemaking by Design) and Interim Planning Advice on Subdivision and Redevelopment of Residential Curtilages.

The proposed materials, including grey coloured cast stone, render and a slated roof are considered suitable within this environment, not out of context, but also not distinctive in terms of architecture.

With regards to the other criteria listed in policy D1, the following applies:

The proposal would partly meet the second criteria '*Welcoming*' as it would have a clearly defined entrance into the site, with a clear route to the main entrance to the building. However, due to the shape of the site as it narrows down along the access road to the north, it would not have an attractive or active street frontage.

The site layout shows that the access road would be a shared surface for cars and pedestrians, which would be acceptable in this instance. There would be natural surveillance across the majority of the site, but as discussed below, the proposal would have an impact on the residential amenity of neighbouring properties and proposed users. It is therefore considered that the 3rd criterion '*Safe and Pleasant*' would be partly met.

The proposed development would be '*Easy to get to/ Move around*' as it would be located within walking distance of a majority of services and local shops in Cults, and a main bus route towards Aberdeen City Centre. Bike storage would be provided.

The building would be '*Adaptable*' as in that it would provide sheltered accommodation for the elderly (over 60s). As such, its internal design would be fully adapted and accessible for use by all.

The building would be '*Resource Efficient*', as the Design and Access Statement sets out a full suite of measures proposed to reduce the carbon footprint of the building. This is discussed in further detail below.

As such, the 4th, 5th and 6th criteria of policy D1 are met.

Impact on residential amenity

1 South Avenue

The proposed building would contain a total of 21 flats plus an additional individual guest room for occasional use. The nearest properties would be the three flats in the converted mansion at 1 South Avenue immediately to the east. The distance between the building and the east boundary would be around 13.5m, with an overall distance of around 32m between the nearest facing windows. The east side of the proposed building would contain three flats on the ground and first floor, and two flats plus the general guestroom on the second floor. This results in a total of eight flats, plus the guestroom facing out towards 1 South Avenue. Of these flats, the three located in the centre of the elevation would be single aspect facing east. Of the others, a further seven habitable rooms (bedrooms) would only have windows facing east, whilst each living room and the guest room for occasional use would include a large secondary window facing out towards the building at the east. As such, a total of 24 windows serving habitable rooms (living rooms and bedrooms) would face out towards these three residential properties.

At present, the existing building contains a single window on the upper floor and two large and two small windows on the ground floor looking east. Furthermore, this significantly smaller existing building, than that proposed, is set at over 30m away from the east boundary. The Council's Supplementary Planning Guidance (SPG) on Subdivision and Redevelopment of Residential Curtilages sets out that a minimum distance of 18m should be achieved between facing windows. However, this document also sets out that there might be instances in which a greater distance should be achieved, and specifically mentions higher buildings. Further consideration should be given to existing and proposed boundary treatment. At present, a high wall and a row of mature trees form the boundary between 1 and 3 South Avenue. The proposed site plan shows that these would remain, and would be supplemented by a 2.2m high timber fence.

In this case, it is considered that, on balance, due to the distance between the two buildings, which is nearly double that recommended in the SPG, and the additional boundary treatment, the

increase in the number of windows looking out towards the 3 flats at 1 South Avenue would be acceptable in this instance.

5 South Avenue

Due to the revised shape of the building, the length of the north and south elevations has been reduced from approximately 45m to approximately 35m. The distance from the building to the east boundary has not changed, so, consequently, the distance from the west elevation to the west boundary has been increased by some 10m from 15m to 25m. The distance between facing windows now exceeds 45m. Furthermore, the number of windows serving habitable rooms looking directly over the private amenity space serving 5 South Avenue has been reduced from 11 to 7. As such, this can be considered an improvement to the scheme previously considered. Due to the increased distances between facing windows and the private amenity space of 5 South Avenue, and the reduction in the number of windows facing this neighbouring property, on balance, this is now considered acceptable and would not have an unacceptable significant adverse impact on the residential amenities of the existing dwelling at 5 South Avenue and would comply with policies H1 and D1 of the 2017 Aberdeen Local Development Plan

Silverdale

Silverdale is located immediately to the north of the proposed building. It is a one and a half storey modern dwelling constructed in part of the original feu of 3 South Avenue. Due to the restricted depth of that plot, it is located relatively close to the boundary with 3 South Avenue - at a distance of less than 5m. Due to the alterations in the general shape of the proposed flattened block, the distance between the north boundary and the proposed building would range between 10m and 15m. In the previous proposal this distance varied between 19m and 24m. The distance between facing windows would be 18m, which would just meet the standard as set out in the Supplementary Planning Guidance. Similarly as to the relationship with 1 South Avenue, the increased density/ mass of the building and intensity of use needs to be considered. In this case, there will be five living room windows and the main window serving the guestroom looking north towards this dwelling. However, the boundary between the two sites is made up of a high stone wall with dense conifers beyond. As such, any direct views from the application site towards Silverdale would be very limited. It is also considered that this tree screen is so substantial and dense that views of the building from the upper floor windows of Silverdale would be very limited. Due to its design, the roof of the lower north wing slopes away from the boundary, further reducing its massing when assessing the impact of the proposal on this neighbouring property. As such, on balance, this is considered to be acceptable, and the proposal would not result in an unacceptable loss of privacy to this dwelling.

Residents of the proposed development

The proposed development would provide 20x 2 bed flats and 1x 1 bed flats as well as an individual guest bedroom. All of these would be considered sheltered accommodation (retirement living). Of these flats, a total of six would have a single aspect only. Three would be facing south and three would be facing east. In addition, two units (numbers 8 and 17), albeit having a dual aspect, would be very restricted in their outlook and in effect would be single aspect north facing. The internal layout of the building centres on a central corridor on each floor providing internal access to each flat. This internal corridor dictates the need for single aspect flats.

Even though the single aspect units facing south would benefit from acceptable levels of natural light and a good outlook, the single aspect units in the east section of the building would be more restricted. The boundary between 1 and 3 South Avenue is made up of a line of mature deciduous trees, which are one of the main features of the TPO covering this site. The distance between the building and the bottom of these trees has increased to a minimum of 13m. Supplementary Planning Guidance on Trees and Woodlands sets out in section 8.4.2. that the zone of influence of a tree is generally considered to be the distance from the bottom of the tree that is equal to the mature height of a tree. In this case, the tree survey sets out that the height of the sycamores on

this boundary is 9m. As such the proposed building would fall outside the zone of influence of these trees, and the relationship between these existing trees and the proposed building would be acceptable.

The main areas of outdoor amenity space would be provided to the west, north and immediately in front of the building. The area to the east is relatively narrow, and would be severely overshadowed by the trees on the east boundary of the site, and later in the day by the building itself. The strip to the south would be too narrow at a width varying between 3 and 4m before the site steeply slopes down. However, when compared to the previously refused scheme, the areas to the west and north have increased significantly in size, and would provide a better living environment than that previously submitted.

Impact on trees

The entire site is covered by Tree Protection Order 159 that also covers the neighbouring properties of 1 and 5 South Avenue. The majority of mature trees are located to the front of the existing building, along the driveway and along the site boundaries. The mature tree lines on the east boundary and the mature trees near the entrance act as its main features. The application is accompanied by a Tree Survey, Arboricultural Implications Assessment, Tree Protection Plan and Tree Constraints Plan. Part of the special character of South Avenue and surrounding areas is due to the large quantity of mature trees, including those in private gardens. This site contributes significantly to the sylvan character of the surrounding area.

The proposal would see the removal of seventeen trees to facilitate the development with a further impact on the root protection area of an additional 7 trees. Twelve of the seventeen trees to be removed have recently severely declined in health. However, these trees remain covered by the TPO, and future replacement planting would be required.

The site plan shows very limited room for growth of both existing and proposed replacement trees. A number of trees that are classed as 'early mature' to the immediate north of the proposed building will require a significant rooting environment and space for crown/canopy development in the future. Furthermore, the root protection area of six trees would be impacted by the formation of hardstanding areas required for the construction of the re-aligned access road and new parking bays. In order to facilitate access and parking, the canopies of a number of trees would require to be reduced as they currently overlap the proposed road and parking bays. The formation of the access road and parking bays has not taken into account future tree growth. The majority of proposed replacement trees are shown on the site plan within close proximity of the hard surfaced parking area and access road, or relatively close to the building. This would not allow adequate space for unrestricted root growth and canopy spread for these replacement trees.

As such, the proposal is considered not to comply with the terms of policy NE5 as no adequate measures have been taken for the protection and long term management of the existing trees and new planting both during and after construction the proposed development.

Impact on protected species

The application was accompanied by an Ecological Assessment and Stage 1 Bat Survey and Stage 2 Bat Survey, both also submitted for the previous application. The Stage 2 Bat Survey showed that there is a minor bat roost of a solitary male in the summerhouse on the site that would be demolished. Proposed mitigation measures would include the installation of four bat boxes in surrounding trees prior to the demolition of the summerhouse.

It is likely that trees and shrubs within the garden would be used by nesting birds. It would therefore be necessary, if planning permission were to be granted, that a nesting bird survey would be required prior to any works if undertaken during birds breeding season (March – October).

No further evidence of protected species was found on the site.

Impact on local highway conditions, especially in relation to parking and access

Parking

The site layout shows a total of 22 parking spaces, two of which would be for disabled use. All parking spaces would be end on, with four located within a turning area. Roads Development management Team (RDMT) has confirmed that this figure and proposed layout would be adequate for the proposed development.

Access

The existing entrance into the site would be altered and widened to allow for adequate visibility spaces and to provide sufficient space for cars entering and exiting the site to pass. The main section of the access would have a width of 6m, with the area nearest South Avenue widening out to 6.5m. RDMT have commented that this would provide a suitable vehicular access into the site. However, the impact of widening of the access road would have a detrimental impact on the character and appearance of the surrounding area as it would alter the appearance of the site from South Avenue from a single low density dwelling with minor access driveway to a development with a much higher density requiring of a wide junction, sightlines and access road.

A swept path analysis (SPA) has been submitted for a bin lorry measuring 10.59m, similar to those in use by Aberdeen City Council. The SPA shows that the bin lorry would be able to turn within the site without encroaching on any of the parking spaces. This is therefore considered acceptable and would not be hazardous to road safety.

Cycle, buggy and bin storage

The proposed site plan indicates a building to be used as bike and buggy storage in the south west corner of the car parking area. Further details would need to be submitted to ensure this storage facility would be satisfactory. However, the omission of these details in itself would not be a reason for refusal in this case as there is more than sufficient space on the site to accommodate this facility.

A bin store is shown in the far south corner of the car park. This location would be within 30m of the main entrance into the building, hence the requirement for a bin lorry to enter and turn within the site. However, on this occasion this is acceptable as due to the nature of the site, with the access road leading from South Avenue to the building in the south east corner, there is no other workable solution. Further details of the bin store would need to be provided. Again, similar as with the bike/buggy store, the omission of these details would not warrant a further reason for refusal.

Increase in traffic

The increase in traffic levels on South Avenue is not considered to be significant to warrant an objection to the scheme from RDMT. South Avenue has enough capacity to accommodate the increase in cars using the road and nearby junctions that would follow construction of the proposed development.

Drainage and low and zero carbon buildings

The proposal was accompanied by a drainage statement and full drainage layout. The scheme has been assessed by the Council's Flooding Team, and they raised no objections. As such, it is considered that, the scheme could satisfactorily be drained.

The Design and Access statement sets out various measures and techniques that would be used to ensure the building would be energy efficient. Policy R7 sets out that new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through the installation of low and zero carbon generating technology. No

evidence has been provided that the proposal would meet this standard. However, if the application were approved, then this could be dealt with by condition.

Developer Obligations

The following developer obligations have been requested by the Developer Obligations Unit, in order to address identified infrastructure limitations:

1. Affordable Housing: £288,750
2. Open Space: £3,038.
3. Healthcare: £16,991

Other material considerations:

The applicant in their supporting documentation states that the proposed development would provide a much-needed facility within Cults, and would be of benefit to the immediate local economy. Furthermore, they state that there is currently a need for retirement housing in Aberdeen, and that this development would go some way in providing for this need.

The latest Housing Need and Demand Assessment (HNDA) sets out that the need for this type of accommodation will increase. However, this in itself does not provide sufficient justification to approve a development that would not comply to other policies within the 2017 Aberdeen Local Development Plan. It should also be taken into account that this most recent Local Development Plan has allocated more than enough housing land to accommodate housing figures for the City as set out in the Strategic Development Plan and that there is no reason why part of these housing allocations could not be used to provide housing particularly suited for the elderly.

Other matters raised by the Community Council and letters of objection

The majority of matters raised by the Community Council and in letters of objection have been discussed in detail above. The following are comments on outstanding matters:

- *Breach of Dunmail's (the site) title conditions:* This is a civil matter, and is not a planning consideration;
- *Comparison of proposed building against other large buildings is not relevant:* The evaluation above sets the context for the proposal, which does not include any of the larger buildings (e.g. Rory Court, Dunmail Manor) mentioned in the supporting statement, as these are considered to be too far removed from the site to have a direct impact on the site context.
- *Proposal could set a precedent for further development in large garden grounds:* Each planning application is assessed on a case by case basis and on its own merits in context. Precedent is therefore not specifically considered in this instance. However, it is noted that were this application approved, the pattern and character of development in the immediate surrounding area would be altered, which could result in similar proposals coming forward to further change the characteristics of the area.
- *Overprovision of retirement flats in the area:* This is not a material consideration;
- *Increased pressure on medical services:* A contribution towards health services is sought by the Developers Obligations Unit.

Suggested conditions

The application is recommended for refusal and it is considered that conditions cannot be attached to make the development acceptable in planning terms, but if Councillors are minded to grant planning permission, then it is recommended that conditions in relation to the following matters are attached:

- Details of finishes;
- Details of bin, cycle, buggy and motorcycle parking;
- Implementation and maintenance of landscaping, including soft and hard surfacing materials;
- Tree protection measures;

- Demolition plan, including a dust management plan;
- Mitigation measures to replace the existing bat roost;
- Details of carbon reduction measures.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

1. Due to the proposed volume, scale, massing and non-compliance with established building lines, the proposal is considered to represent an overdevelopment of the site upon analysis of its impact on the site and surrounding context. Limited consideration has been given to the low density or other characteristics of the surrounding area. The proposal therefore would appear out of context in the immediate area, and is considered to have an adverse impact on its character and appearance, and would represent an unsuitable intensification of the density of the plot. It is therefore contrary to the requirements of policies H1 (Residential Areas) and D1 (Quality Placemaking by Design) of the 2017 Aberdeen Local Development Plan, and Supplementary Planning Guidance on Subdivision and Redevelopment of Residential Curtilages.
2. Due to the proposed site layout, the size of the proposed building and the extent of hardstanding over the site, there would be insufficient space to allow for root growth and crown spread of both existing and proposed replacement trees to fully mature. It is therefore likely that the existing trees would need to be cut back, which could endanger their future health and survival. In addition, the proposed location of replacement trees would not allow sufficient space for undisturbed root and canopy growth, and would limit their capacity to grow. This would be contrary to policy NE5 (Trees and Woodlands) and Supplementary Planning Guidance on Trees and Woodlands, which includes a presumption against development resulting in the loss of or damage to established trees that contribute significantly to local amenity.